

The Shree Jee fire that killed

44

Report on the



The Shree Jee Fire that Killed 44

Report on the
Accident in the Footwear Manufacturing Unit of
Agra

National Campaign on Labour Rights

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Preface

On May 24, 2002, a ghastly fire accident at Shree Jee International Shoe factory in Agra, Uttar Pradesh claimed 44 lives and injured 12. Following this mishap Centre for Education and Communication along with the Trade Unions: AITUC, CITU and HMS conducted a fact finding visit to the factory under the aegis of National Campaign on Labour Rights (NCLR) on 29-30 May 2002.

The team consisted of Ms. Amarjeet Kaur (AITUC), Mr. O P Sharma (CITU), Mr. S Z A Zafri (HMS), Mr. J John (CEC), Mr. Souparna Lahiri (NCLR) and Ms. Sindhu Menon (Labour File). The team was accompanied by Mr. Doulat Ram (CITU, Lucknow) Mr. Naval Singh (CITU, Agra), Mr. Ramesh Gupta (AITUC, Agra) and Mr. Ramnath Valmiki (UPGMS, Agra).

The purpose of this visit was to inquire into the circumstances leading to and the cause(s) of the accident; to see whether the safety procedures and precautions adopted by the factory management were in accordance with the provisions of the Factory Act; to look into the lapses on the part of the concerned authority responsible for issuing license and permission to run the factory; to assess the role and response of the factory management on the day the accident took place including operation of the mandatory safety drills, fire fighting, rescue and hospitalisation of the injured workers; to assess the response of the concerned administrative authorities including the fire services, police department, labour department and the district administration and to look into the impact of the accident on the families of dead and injured workers and the nature of compensation offered, if any, to them.

Report of the Fact Finding team severely indicted the concerned owner Sunil Goyal of Shree Jee International for flouting and violating provisions of various labour laws including the Factories Act, 1948, the district administration of Agra including the labour department and factories directorate for its serious lapses in failing to inspect the concerned factory since 1997 and shirking responsibility of inspecting the factories ever since the Uttar Pradesh Government prohibited inspection of factories without prior permission from the District Magistrate.

The Fact Finding Report also pointed out that the virtual moratorium on inspection of factories so as to render the labour laws implementable is part of the agenda of globalisation and liberalisation, flexibilisation of labour market and changes in labour laws. The devastating accident which killed 44 workers and injured 12, also points out to the fact of corporate bad practices indulged in by reputed companies both Indian and foreign. Shree Jee International was producing solely for the European Market and was a part of the sub-contracting chain consisting of Mumbai based exporters and buyers in Europe. The documents retrieved from the accident site pointed to the possibility that Shree Jee International was producing shoes for the following brands: Saffron, Toddy, Narisa, Toscana, Barratts and Simona.

This team had formulated a set of recommendations. These were submitted to the district officials in Agra, the Government of Uttar Pradesh, the Labour Secretary, Government of India, and the National Human Rights Commission for appropriate actions in favour of victims and families and to punish the guilty. The team had pursued consistently for follow-up of the recommendations.

As the team felt that the international agencies and agents placing orders for the manufacture, and the buyers are also liable for the damages, the buyers and agencies in Europe were subsequently contacted to create an international pressure for fixing accountability. At the International level Clean Clothes Campaign (CCC), International Textile, Garment and Leather Workers' Federation (ITGLFW) and Maquila Solidarity Network helped in the campaign.

The fact finding team revisited Shree Jee International on October 28-29, 2002 to take a stock of the situation as well as to assess the future plans of action of the concerned authorities.

The team found that job to one member of the victims' families as promised by the Exporters and Manufacturers Chamber remained only on paper, the workers had not received any compensation under the Workmen's Compensation Act, the issue of severely injured workers who were disabled and not able to work further had not been addressed and the employers had not been booked under Child Labour Prohibition and Regulation Act, 1986.

This document is a status report on the accident at Shree Jee International. It contains the report of the Fact Finding team of NCLR on the accident at Shree Jee International and the follow up of the case at the district and the central level.

May 2003

Pallavi Mansingh
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Fact Finding Visit to Shree Jee International

May 29-30, 2002

Introduction

On 25 May, 2002 major English and Hindi newspapers reported a gruesome fire accident in Shree Jee International, a footwear manufacturing factory located in Jeoni Mandi area of Agra city, in Uttar Pradesh. According to the reports around 42 people died in the devastating fire and the officials expected more bodies to be recovered from under the debris. The Times of India quoted Senior Superintendent of Police, B K Maurya as saying, "About 350 people were working in the factory when the fire broke out. Some of them however managed to rush out as the fire started. The factory had only one gate. Six workers jumped from a window and were injured. The body of one worker was seen hanging from the same window because there was no way the fire tenders could reach the burning factory."

Centre for Education and Communication (CEC), New Delhi, a labour support and labour research organisation discussed the issue with the leaders of the Central Trade Unions AITUC, CITU, HMS, AICCTU. It was felt that the incident calls for an immediate enquiry. Agra being an important footwear manufacturing centre providing employment to thousands, the enquiry may throw light on the conditions that prevail in the footwear industry in Agra. Subsequently, it was decided to form a fact finding team inclusive of the above mentioned trade unions under the auspices of the National Campaign on Labour Rights (NCLR) to probe into the accident and look at the safety procedures followed by the footwear units dealing with inflammable material and the role of the Labour Department and the factory inspectorate in implementing the provisions

of the Factory Act and protecting the

lives of workers.

There has also been a series of such

accidents in various parts of the coun-

try¹ across various sectors re-

sulting in significant loss of life

and property. The acci-

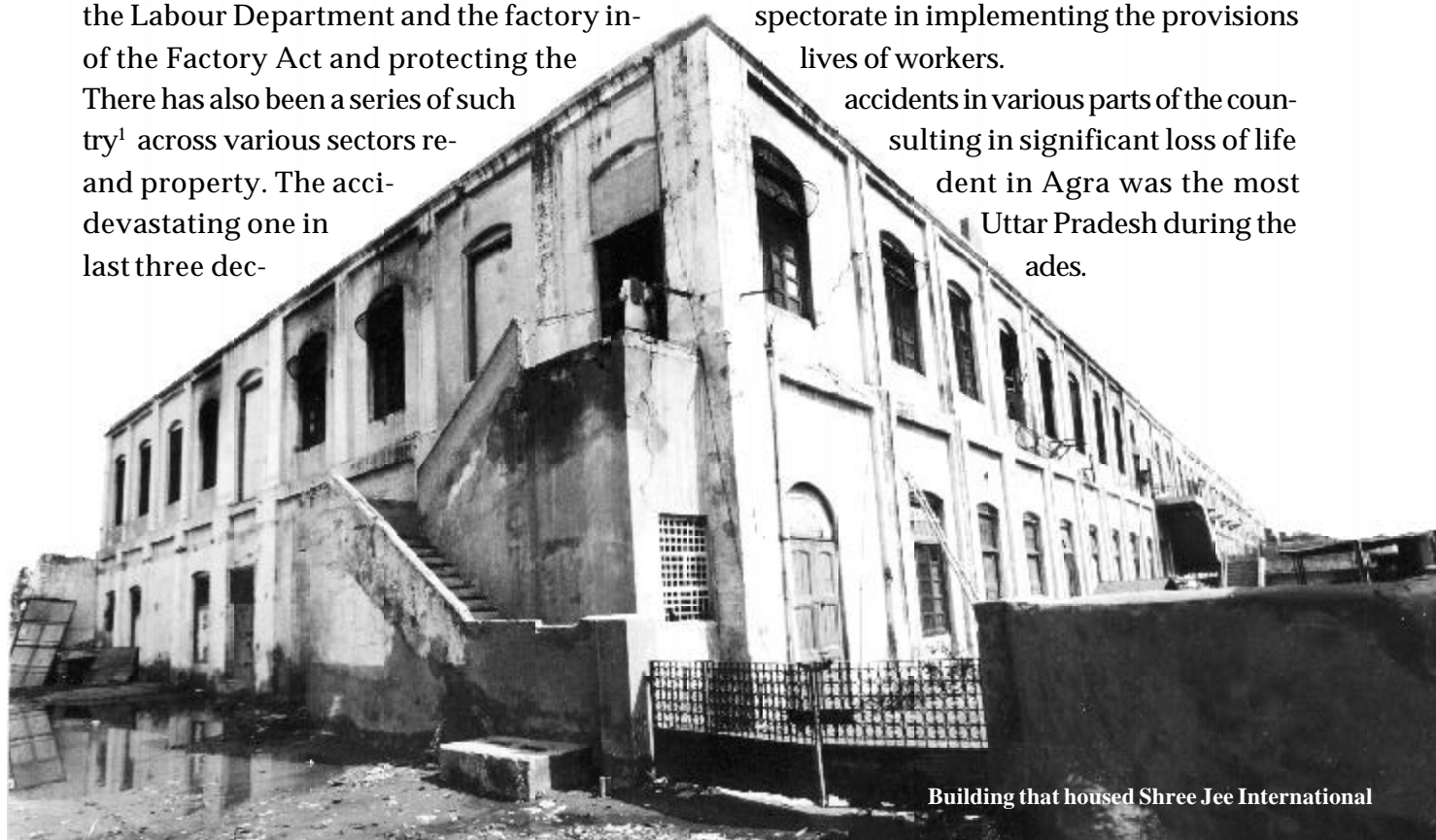
dent in Agra was the most

devastating one in

Uttar Pradesh during the

last three dec-

ades.



Building that housed Shree Jee International

The Fact Finding Team

The team consisted of Ms. Amarjeet Kaur (AITUC), Mr. O P Sharma (CITU), Mr. S Z A Zafri (HMS), Mr. J John (CEC), Mr. Souparna Lahiri (NCLR) and Ms. Sindhu Menon (Labour File). The team was accompanied by Mr. Doulat Ram, (CITU, Lucknow), Mr. Naval Singh (CITU, Agra), Mr. Ramesh Gupta (AITUC, Agra) and Mr. Ramnath Valmiki of UPGMS.

The team visited Agra on 29-30 May 2002.

Terms and Reference of the Fact Finding Team

1. To inquire into the circumstances leading to and the cause(s) of the accident
2. To see whether the safety procedures and precautions adopted by the factory management were in accordance with the provisions of the Factories Act
3. To look into the lapses on the part of the concerned authority responsible for issuing license and permission to run the factory
4. To assess the role and response of the factory management on the day the accident took place including operation of the mandatory safety drills, fire fighting, rescue and hospitalisation of the injured workers
5. To assess the response of the concerned administrative authorities including the fire services, police department, labour department and the district administration
6. To look into the impact of the accident on the families of dead and injured workers and the nature of compensation offered, if any, to them

The Visit

The team visited the Shree Jee International shoe factory and the adjoining area, met the workers in the FCI godown and of the Dainik Jagran office, the neighbouring tea stall owner, the doctor next door and others who frequently visit or pass through the area and were present on May 24 when the accident occurred. The team also visited a cross section of residents of Naya Gher and Nagla Parma located just behind the factory, talked to the family members of some of the deceased, the injured and survivors of the accident. The team also visited the S N Hospital in Agra and met the injured workers.

The team met Mr. B K Singh, the Deputy Labour Commissioner (DLC) of Agra, the Senior Superintendent of Police (SSP) Mr. B K Maurya, the District Magistrate (DM) Mr. Mahesh Kumar Gupta and visited the local police station.

The owners of the factory, Mr. Sunil Goyal and his father Mr. Jagannath Goyal had already surrendered to the police authorities and were remanded in police custody. The team did not meet them.

Footwear Industry of Agra

Agra, known as the city of Taj Mahal, is one of the biggest footwear producing centres in India. The footwear industry is among the leading occupations of the people of Agra providing employment to about 2,00,000 people². The footwear production in Agra caters to both the domestic and export market. The industry predominantly exists in the form of cottage and tiny industries which employ between three to ten people. There are around 5,000 to 7,000 such units in Agra. Besides, there are around 200 large-scale, export oriented units. These may employ in each unit up to around 500 people. In addition to these are middle-sized manufacturers who qualify for the small-scale industry definition. These units employ between 10 to 50 workers. Besides leather, this industry supports several other cottage and small scale units engaged in packaging, rubber, PVC and plastic moulding, paper and leather recycling, adhesives and polishes, machinery and electrical appliances.

Traditionally, in Agra, people belonging to the Chamaar, Jatav and Khatik castes and the Muslims are

²The State Government website www.agra.nic.in

engaged in leather works. Agra had many tanneries that produced the basic raw material, leather. With these two main advantages, in the fifties refugees from Pakistan set up their shops here for trading. The city enjoyed a virtual monopoly in footwear trade for some decades. It is only in the last few years that other cities like Meerut and Kanpur in UP have emerged as serious competitors.

About 1.5 lakh pairs of shoes per day are manufactured in Agra by the cottage, small scale and medium scale footwear units.³ Around sixty-five per cent of total domestic requirement of shoes in India is supplied from Agra. Total export turnover from Agra is Rs.450 crores⁴.

Some Facts about Shree Jee International

Shree Jee International, the footwear manufacturing unit owned by Shri Sunil Goyal, is situated in the busy Jeoni Mandi area of Agra city. The factory is housed on the first floor of the John's Mill, a huge two-storied building dating back to the British times, which once housed a textile mill. Shree Jee International had leased it from the Life Insurance Corporation (LIC) of India, the current owner of the building. The same building houses many establishments including Dainik Jagran, a Hindi daily. The ground floor below Shree Jee International is the godown of the Food Corporation of India. At the extreme left side on the first floor of the building was located B K Shoes, with which Shree Jee International has a common partition. B K Shoes has been non-operational for a long time. There was another shoe factory next to Shree Jee International, Tej Shoes, on its right side.

According to Mr. B K Singh, the DLC, the factory was registered on October 10, 1996 (Regd. No. AGR-15555) with 45 workers on its muster role. The record after one year showed 10 workers. The license of the factory was valid up to December 2002. The team was able to corroborate from the workers and the neighbouring shops that the factory was in operation for the last seven years. No inspection took place in the factory after 1997.

"The inspector raj in Uttar Pradesh came to an end in 1997. Now the factory inspectors have to take prior permission from the DM before inspecting the factories. The employers even use goons to threaten the inspectors, if they approached the factories without permission," said Naval Singh, President of CITU, Agra unit.

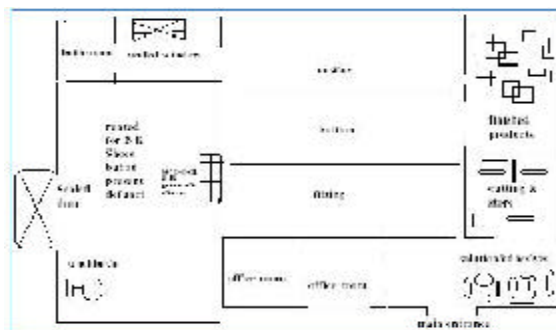
Layout of Shree Jee International

Mr. B K Singh further informed the team, "On 22 November 2001, The DM had issued orders to inspect 300 factories in Agra which included Shree Jee International also. The Assistant Director of Factories, Mr. P K Choubey who was supposed to inspect this particular factory excluded this factory from inspection." "Usually the Deputy Director of Factories is the person who is entitled to issue a licence to factories that use chemicals. But in the case of Shree Jee International, though they used chemicals, licence was issued by the Assistant Director", he added. Why the factory was not inspected in 2001, and why the licence was issued by the wrong person is a question that needs to be probed into.

On the workers' job card which is usually kept in the safe custody of Sunil Goyal, the company's name is mentioned as Shree Ji International (LIC Building, Jeoni Mandi, Agra - 282004). At the same time, the chalan receipt of the company gives it as Shree Jee International.

"The company has never produced for the local market. We take only export orders. The products are made for foreign countries but from the factory they are sent to Mumbai", said one of the contractors who worked in the finishing section and does not want to be identified. In Mumbai the contract was with four companies namely: Jishu Exports, Kejriwal Exports, Choudhary International and Chandan.

Leather for the company was brought from Chennai and the PVC was bought from Gurgaon. The goods prepared had shipment marks to London and Dublin. They were at times sent to Germany also. Sayyid Khan, an employee of Jishu Exports was present in the factory during the time of the accident. He escaped from the accident but was not traceable. Many times foreign delegates visited the factory to check the quality of shoes.



³ibid

⁴ibid

Number of Workers Employed

The factory did not maintain any muster roll for the workers. “Shree Jee International had recently bagged orders for one lakh pairs of shoes from Mumbai based exporters”, the DLC told the team. Work was going on in full swing and according to the contractors and workers that the team met, on an average 300 people were employed in the factory. “There were about 100 workers in the bottom section when the accident happened,” said Daulat Ram, a 34-year-old worker who was lying injured in the S N Hospital. The neighbouring tea stall owner, Satish Chand Nai said, “There could be 200-225 workers inside the factory”. According to Phulwati, an elderly woman employed with the FCI godown for the last 25 years, there were more than 300 workers employed in the factory. It should be, however, noted that this is an approximation. Most of the contractors and workers could recollect clearly the total number of workers from their own sections only.

The team has tried to reconstruct the total number of workers present on May 24 by calculating the number of contractors and the workers with them for each section.

The Contractors* Involved in Each Section

Cutting	20
Finishing	3
Pasting	14
Fitting	10
Bottom	20

** every contractor had 2-12 people along with him. This calculation is based on the conversation the team had with a number of surviving workers. The packing and checking had manager, supervisor, and 15 other workers.*

Organisation of Work

The factory, covering an area of around 1028 sq.yds., was divided into two big rooms and one big hall and a small room at the back leading to the sole toilet. The work in the factory was taking place mainly in six or seven sections namely, cutting, bottom, pasting, fitting, finishing, checking and packing. Except for checking and packing, all other sections were contracted out on piece-rate basis. Each contractor employed workers of their choice on piece-rate. The number of workers accompanying the contractors varied from two to twelve per contractor. None of the contractors that the fact finding team met used to sign any document regarding their work in Shree Jee International.

According to the information gathered from various sources, majority of the workers in the unit were below 35 years of age. No women worked in the factory. But child labour existed. The contractors brought children; in many of the cases their children or children of their relatives. The contractors with whom the team interacted mostly said that the number of children working in the factory at the time of the accident was more because of school vacations. The estimation of the number of working children varied between 10-15. Parmesh alias Pumma who died in the accident was 15 years of age, Manjeet who is in the hospital with 30 per cent burns is 16. Pankaj, the 16-year-old son of Amichand managed to escape without injury. Among the injured was also Devendra, a 16-year-old from Kajipara, Agra.

Wages and Other Benefits

Except the regular staff all the other workers were paid wages on the basis of piece rate. Payment was made to the concerned contractors based on units produced and the contractors in turn would pay their workers, weekly, on a piece rate basis. For the regular staff wages were paid on the 7th of every month. The contractors were paid on every Saturday. There was no register maintained by the owner regarding the workers. Or if it was there it was in his safe custody. However, individual job cards were maintained under the name of Shree Ji International, to monitor the progress of work. None of the workers signed anywhere to get the payment. Nor did they sign the muster roll. Almost all the surviving contractors the team met informed that the payment was made by the owner directly and they could not recall the existence of any administrative officer, accountant or cashier.

Among the monthly paid workers the team could meet only Maharaj Singh and Kapil Kumar who were

lying injured in the S N Hospital. “My salary was Rs.1300 per month when I joined the factory six years back; now it is Rs.2000”, said Maharaj. Kapil, being the packing in-charge also receives Rs.2000 per month.

According to the workers and contractors the team interacted with in Naya Gher, Nagla Parma and in the S N Hospital, *cutters* were paid between Rs.2-4 per pair, the workers in *finishing* and *fitting* were also paid Rs.2-4 per pair, for *pasting* they were paid Rs.3-4 per pair and for *bottom* the contractors were paid between Rs.5-8 per pair. While a worker in the bottom section could mould between 15-20 pairs of shoe uppers per day working from 9-30 in the morning to 8-30 in the evening, the others could finish around 20-25 pairs during the same time.

Work	Rate per Pair (in Rs.)
Cutting	2 - 4
Bottom	5 - 8
Pasting	3 - 4
Finishing	2 - 4

Source: Various contractors from the factory, met by the team.

Daulat Ram worked in a group of three in the bottom section. “At the end of the day we could produce a maximum of 60 pairs,” informed Daulat. “When there is work, on an average, we earn Rs. 75-100,” added Daulat Ram. For others the earnings are much below that. The piece-rate wages that the workers get and the hours that they work indicate that wages are below the stipulated minimum wages of Rs.2127 for unskilled workers in UP.

Workers said that the company did not have any provision for provident fund, ESI, bonus and other social security benefits. Even the regular workers had not availed of any of these social security benefits. According to the workers, in order to avoid payment of bonus or other gifts, the owner used to close the factory 15 days before any big festival.

During the peak season, when export orders were to be executed within a short time, the monthly paid regular staff used to get Rs.20 for three hours of overtime

Working Hours

The factory generally opened at 9.30 am in the presence of the owner Shri Sunil Goyal and closed usually around 8.30 pm in the evening. But, there were times, depending upon the volume of order and the period of delivery, that work in the factory extended beyond that. “On pay days the factory used to be open till 11.30pm to 12.00 am in the night,” said one of the contractors the team met.

Different departments had different sets of working hours. “The packing staff worked between 9.30 am and 6.00 pm,” said Kapil Kumar, the packing in-charge. People in other sections worked late. Lunch break for the workers was at 1.00 pm and tea was served within the factory by the neighbouring tea stall owner.

Sundays too were working days. The team was informed that the factory used to run even on national holidays like January 26, August 15 and October 2.

Sequence of Events on May 24, 2002

According to the newspaper reports, eyewitnesses including the surviving workers that the team met in S N Hospital, Naya Gher, Nagla Parma, the loaders of the FCI godown, Satish Chand, the tea stall owner, the RMP practicing nearby and the versions provided by the DLC and SSP the events that took place on the 24 May 2002 were as follows:

- Between 10.00 am and 10.15 am in the morning, the adhesives kept near the main entrance caught fire and the fire started spreading alarmingly.
- Eight to ten workers including children, mainly from the cutting section, and the owner and his

- father, Jagannath Goyal, who were near the entrance escaped through the main door.
- The nearby Jeoni Mandi police chowki was informed immediately by Sukhdev, a worker and according to the tea stall owner telephone calls were made to the fire services.
- Around 10.45 am one fire tender came to the accident site. Four more fire tenders joined at 11.15 am.
- The chemicals in containers inside the factory caused explosions spewing out thick poisonous smoke, and resulted in the intensification of fire and its spread; the rest of the workers were trapped inside since the factory had only one entrance. All the windows were heavily secured with iron mesh.
- The fire brigade personnel could not immediately control the fire.
- Workers tried to break open the rear window near the toilet. Workers succeeded in breaking open the window; many jumped out injuring themselves. A valiant effort by one worker, Amar Singh, saved the life of eight workers including children, who were rescued using a makeshift ladder arranged by the public. He, however, died from the fire and smoke.
- Police force made a mild *lathi* charge to control the surging and angry mob.
- The owner Sunil Goyal was manhandled by the crowd and he left the spot.
- Around 11.30 am the army and airforce personnel from the Agra Cantonment reached the spot and started rescue operations.
- Meanwhile, the owner of the adjacent factory, Tej Shoes, and workers of the Dainik Jagran office broke open the door connecting Shree Jee International and Tej Shoes and more than 50 workers were rescued.
- The injured were hospitalised in the S N Hospital, Agra; two seriously injured persons were sent to Safdarjung Hospital, New Delhi.
- The fire was controlled by 3.00 pm preventing it from spreading to the adjacent offices.
- After 4.00 pm army personnel started extricating the remains of the dead bodies from inside the factory.
- The army personnel left around 6.00 p.m.
- The police continued to look for bodies in the debris till late evening.
- 41 bodies were identified and postmortem was conducted late into the night.

How Many Succumbed

The official toll of the accident is 42⁵ dead and 11 injured. One injured worker admitted in Safdarjung Hospital, Delhi, expired on May 29, 2002. The numbers were confirmed to the team by the DLC, SSP and the DM. But, confusion still prevails among the surviving workers as to the correct number of the deceased.

Concerns for Missing Persons Remain

The fact finding team faced genuine concerns from surviving workers and contractors and the local residents in Naya Gher, Nagla Parma and Masta Ki Bagichi, an area located just behind the John's Mill building and who have been witnesses to the accident regarding the actual count of the dead, and the inaction on the part of the administration to find out whether any of the workers are missing or not.

An injured contractor working in the *bottom* section, survived the fire by jumping off the stairs leading to the entrance of the factory. He was quite convinced that 100 workers survived and about 100 died. Others like Anand Swaroop, the father of deceased Parmesh, a fifteen-year old child and Nemichand, the father of Dharmesh Kumar who also died in the accident, quoted the army and fire service personnel counting 49 dead bodies. Mr. Kalicharan, a retired DIG residing in Nagla Parma told the team that according to Tulsidas Varun, a retired Army Ordinance Officer, on the evening of



Human debris?: Gruesome site where

⁵See Annexure II

May 24, 2002, 60-70 dead bodies were counted in the S N Hospital. Amichand of Naya Gher, could only recall that around 50 workers from his section (finishing) survived the fire and 8 to 9 more people jumped off through the broken wall at the back of the factory. He also mentioned that about 12 contractors died but he was not at all sure of the fate of the workers employed by them.

“The moment I got the message that 150 workers were trapped inside I knew that it is not our cup of tea. I called for the army personnel immediately,” Mr. B K Maurya, the SSP, told the fact finding team. It shows that officials estimated around 150 workers inside the factory when the SSP called for the army authorities.

The authorities stuck to the figure of 42 dead because no missing person report had been filed with any of the authorities till May 30, 2002. “We have not received any enquiry regarding a single missing person,” Mr. B K Singh said. “Besides the workers are mostly from Agra; we could have given a second thought if migrant workers were involved,” he added. This has been the refrain both from the SSP and the DM.

The information that the fact finding team so far collected indicates that most of the workers in the factory were from Agra, but not only from the city, they came also from the surrounding villages of the district. There was one worker who used to travel from Tundla, one from Fatehabad and there was a group of six workers who belong to Shahdara, Delhi. The list of the deceased also indicates that workers were coming even from Ferozabad. The workers told the team that of the six from Shahdara, two have died but the rest four are missing since then. Amar Ujala, the Hindi daily reported on May 26, 2002 that workers were claiming that more than 36 persons were still missing. The report also mentioned some of the names like Baiju, Patua, Sulendra and Nikku.

The Agra district administration, instead of waiting for missing person reports, could have taken the initiative to find out if any worker was missing or not. That might have yielded results and cleared confusion and doubt in the public mind.

Of the 13 injured⁶ who were initially taken to the emergency of the S N Hospital the team could meet only 7 who were still being treated in the burns ward. Two of the injured died, one in S N Hospital and the other in Safdarjung Hospital, Delhi.

Cause of the Fire

Though the administration was tight-lipped on how the fire started (other than casually referring to lighted beedi/cigarette butts or a match stick thrown by a worker), the workers that the team met in Naya Gher and Nagla Parma mentioned that the fire started from the room adjoining the entrance door where drums of solution and softner were stored.

There are two versions for the cause of the accident. “An Electrician was working in the factory and through some short circuit the chemical drums caught fire,” said a local doctor (RMP) whose clinic is next to the factory. Kapil Kumar, the packing in-charge said that the chemical caught fire through sparks from the electric switch. However, other workers contested this version saying that there was no electric work going on at that time. According to them, the employer, Sunil Goyal, after smoking, threw the cigarette bud carelessly, which caused the fire. At that time he was sitting in that room arranging the materials to be given to the workers for the day. Some workers saw him smoking inside that room seconds before the fire started. But, the team could not establish any of these versions.

The Reasons Behind a High Casualty

From the inspection of the factory it was very clear that the factory had only one door, which was used both as entrance and exit. The staircase from the ground floor leads to this door, which in turn opens up to the room where the inflammable chemicals were stored and the fire first began. Ignited drums and the spreading fire blocked this door and thus the workers got trapped inside. But, as mentioned earlier, around 10-12 workers and the owner and his father managed to exit through that door and off the staircase before that was blocked entirely.

The only other door visible from the main entrance was a staircase on the extreme left side. But this was the

⁶See annexure III

entrance and exit to another unit, B K Shoes. B K Shoes is closed for a long time and it was partitioned off from Shree Jee International from the inside. The door, therefore, was not accessible though this door was also locked and guarded by a collapsible gate. There were five windows in front and another two at the back of the unit near the passage to the toilet. All the windows were closed and secured with wire mesh. Another door at the rear, close to the finishing and packing department was permanently closed. It earlier led to a staircase, which was now being used by the adjoining factory, Tej Shoes. So, there was no way out for the workers trapped inside.

According to the workers the team met, at the time of the accident there were 100 drums of solution, adhesive and softner in the factory. Each drum had a capacity of 20 litres. Where as Mr. B K Singh, the DLC, said that there were 600 litres of rubber solution in the factory. The fire spread very quickly and devastatingly across the factory because of the presence of rubber solution, a chemical composition of formaldehyde, and softner. Both the SSP and DLC told the team that repeated explosions of the chemical containers fanned the fire.

As the terrible fire and smoke spread from the first room to the adjacent hall and the administrative office and then to the finishing department, the terrified and screaming workers scrambled to the back portion of the unit in search of escape routes. Many workers could not make their way out because of heavy smoke.

There were many electrical equipments used in the factory. Machines for sewing, cutting, heat shutters to heat leather, chambers to heat the PVC sole, heaters to warm the product, brushing machines etc. were run by electricity.

A factory, which employed more than 300 workers, did not have any provisions for the safety of the workers. The lone fire extinguisher was not working, there were no sand bags, water source or any other safety and protective equipment. The factory had none. It was practically a tinder box.

“Even if the extinguisher was working it wouldn’t have helped,” ascertained Deputy Labour Commissioner, B.K.Singh. “A factory working with chemicals, if catches fire requires heavy fire fighting equipment,” he added. It was evident that the employer has not taken any care for the safety of the workers.

How Some of Them Survived

Two escape routes were created at the rear, one by breaking open the window near the rear toilet and the second by creating a passage to the rear staircase. According to workers, the door connecting Tej Shoes was broken open by the friends, relatives of the trapped workers with the help of the workers of Dainik Jagran. Through this door more than 50 workers were rescued. At least 8 workers jumped off the windows located near the toilet as soon as they were broken open. The family members of Dharamveer, who perished in the fire, narrated how one worker, Amar Singh, helped these workers to escape through the window but could not do so himself. Smoke and fire soon caught him as he was trying to come out of the window. His body was retrieved while still hanging out of the window.

The survivors, their relatives and eye witnesses the team met, were all praise for the effort of the army personnel under the command of Brigadier Shynon Singh. It was clear also from the version of the administrative heads that without the services of the defence personnel requisitioned by the newly joined SSP, B K Maurya, the fire could not have been brought under control and loss of property minimised. At Naya Gher, the team heard a group of people saying that many more would have died if the army had not come in time.

S N Hospital - the Destination of the Dead and Injured

The injured were first taken to the emergency of the S N Hospital. One was discharged after immediate treatment and medication. Two of the



Food for humans or human food?

injured in serious condition were sent to Safdarjung Hospital in Delhi. Two others were shifted to Ram Raghu Hospital located near by and seven remained admitted in the burns ward.

The 41 charred remains of the bodies were brought to the S N Hospital and kept in the morgue for post-mortem and identification. According to B K Maurya, SSP, all the dead bodies were identified and handed over to the nearest kin and relatives of the deceased.

The burns ward where the seven injured were kept was quite clean and the workers told the team that the doctors were taking care and providing medicines and other treatment. When the team visited the injured their relatives were seen sitting by their bedside anxiously. Neelam, Maharaj Singh's wife with her one-year-old son in her lap was seen helping her husband to change his posture. Suffering from 20 per cent burn, he had his hands and upper torso fully bandaged. Dhan Bahadur, another worker of Nepali origin was barely able to talk. His brother was taking care of him. He was happy that his brother survived the accident. But, Dhan Bahadur was worried about his family now that he is not able to earn anything. "I don't know when I will be fit to work again," he said. Dhan Bahadur had been working in Shree Jee International for the last five years. Daulat Ram had fractured his right leg while jumping out of the window. Parvinder had a facial injury, and Pradeep was put on saline. Three doctors and two nurses were taking care of the injured.

The List of the Injured met by the Fact Finding Team in the Hospital

Names of the injured	Age	Percentage of Burn
Parvinder	26	36
Maharaj Singh	28	20
Diwarilal	29	30
Dhan Bahadur	48	25
Daulat Ram	34	15
Kapil Kumar	24	40
Pradeep	32	32
Mukesh Kumar	28	9
Manjeet	16	30

The Factory in Ruins

The Fact Finding Team visited the completely gutted Shree Jee International factory on May 29 and May 30, 2002 for a detailed inspection.

The courtyard leading to the staircase is dumped with burnt shoes and other materials. Two ladders were still lying along the wall leading to the window on the first floor. The generator remains untouched. The main door was broken, chemical containers were strewn all over the adjoining room. Burnt soles and shoes were stacked on one side and the room was covered with water. The window to the finishing department was also broken. Cupboards and racks were all burnt and charred remains were still there as mute spectators. Switch boards and electric mains were charred also. The administrative office lay completely destroyed. The iron structures of the air conditioner and the refrigerator were still there. Burnt and half-burnt official documents, memos, shoe labels, brochures were lying on the floor of the office. The almirah had only ashes to hide behind its doors.

The hall housing the fitting, bottom and pasting units had collapsed entirely. The large old beams



Life short circuited

of the British times had come down and were bent by the fury of fire. Half burnt fashionable shoes for women were lying on one side. Two tiffin boxes were still standing upright on the other. The food inside has turned into black soots and ashes.

At the back of the hall a group of daily labourers engaged by the Municipal Corporation of Agra, were busy clearing up the mess. Blocks of ash, molten rubber and shoes were everywhere. Near the wall which had been broken during the rescue operation, the stench was unbearable. This is the opening through which all the dead bodies were extricated. As the labourers cleared the upper layer of the ash and debris the team could make out human remains strewn here and there, some bones and flesh on the left side near the toilet. One could make out a human like structure lying below the debris, but it was all burnt. The windows along the passage to the toilet were all broken. The exhaust was still there standing idle.

The team sifted through the half burnt papers lying on the office floor. The documents retrieved indicate that Shree Jee International was supplying footwear to Kejriwal Exports and Chaudhari International of Mumbai. Later on we found out from one of the contractors that Shree Jee had business connections with Jishu Exports and Chandan of Mumbai also.

The shoes had labels of Saffron, Toddy, Narisa, Toscana, Barratts and Simona pasted on them with price tags indicating values in pound sterling. Shipping documents indicated that the shoes were meant for Barratts Co., Jacobson Footwear and Gardiner Bros. of UK. A shipping label was marked "Ship to Dublin". Half burnt brochures of a German super market chain was found but the name of the super market could not be retrieved.

From the Surviving Workers

When the team interacted with the surviving contractors and workers and the families of the deceased in Naya Gher, Nagla Parma and Masta Ki Bagichi, the mood of the people was somber. The workers had still not come out of the trauma of May 24. A suppressed anger also was prevailing among them. They were angry at the response of the local police. While the Jeoni Mandi police chowki did not respond to the occasion though they were the first to be informed of the accident, it was alleged that the police made a lathicharge on the crowd that was trying to rescue the trapped workers inside the factory. The area was also cordoned off by the police and nobody was allowed to go near the premises.

The team found a discrepancy in the post-mortem report of Parmesh alias Pamma, the son of Anand Swaroop, who died in the fire. It recorded the boy's age as 30 where as his birth certificate issued by the Municipal authorities of Agra indicates that Parmesh was 15 years old when he died.

Munna Lal (41), a contractor working in the *bottom* department of the factory, was admitted to the emergency ward of S N Hospital on May 24 with nine per cent burns. His prescription signed by the concerned doctor indicates that he had a superficial burn injury. The doctor wrote, "...emergency treatment is given to the Pt. and discharged on 24/5/02 with full medical advice and follow up." He was advised dressing with Silvertex cream and Betadine lotion. For oral intake, expensive medicines like Ceftum was prescribed to him. Not being able to buy such expensive medicines Munna Lal is now going to a local RMP for treatment. But his wound has no sign of healing. It is raw and may turn into gangrene.

Violations of Labour Laws

A. Section 7-A of the Factories Act, 1948 states:

- (1) Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory.
- (2) Without prejudice to the generality of the provisions of sub-section (1), the matters to which such duty extends, shall include-
 - (a) the provisions and maintenance of plant and systems of work in the factory that are safe and without risks to health;
 - (b) the arrangements in the factory for ensuring safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances;
 - (c) the provision of such information, instruction, training and supervision as are necessary to

- ensure health and safety of all workers at work;
- (d) the maintenance of all places of work in the factory in a condition that is safe and without risks to health and the provision and maintenance of such means of access to, and access from, such places as are safe and without risks;
- (e) the provision, maintenance or monitoring of such a working environment in the factory for the workers that is safe, without risks to health and adequate as regards facilities and arrangements for their welfare at work

None of these provisions were ensured in Shree Jee International. Even then the Factories Directorate allowed the owner to get it registered. The norms were constantly flouted during the last seven years and Sunil Goyal had never been prosecuted under Factories Act.

B. According to the Factories Act, 1948,

In every factory-

- (a) all floors, steps, stairs, passages and gangways shall be of sound construction and properly maintained [and shall be kept free from obstructions and substances likely to cause persons to slip], and where it is necessary to ensure safety, stairs, passages and gangways shall be provided with substantial handrails;
- (b) there shall, so far as is reasonably practicable, be provided and maintained safe means of access to every place at which any person is at any time required to work;

The incident of fire in the factory and the lay out indicate that safe passage in case of emergency was not ensured. Doors were locked, windows were secured with wire mesh and access to places inside the factory was severely restricted.

C. Section 38 of the Factory Act, 1948 states:

- (1) In every factory, all practicable measures shall be taken to prevent outbreak of fire and its spread, both internally and externally, and to provide and maintain-
 - (a) safe means of escape for all persons in the event of a fire, and
 - (b) the necessary equipment and facilities for extinguishing fire.
- (2) Effective measures shall be taken to ensure that in every factory all the workers are familiar with the means of escape in case of fire and have been adequately trained in the routine to be followed in such cases.

The above provisions were not followed at all. Workers were not aware of steps to be taken in any eventuality.

D. The factory was using hazardous and inflammable chemicals. In such cases the license is issued under the authority of the Deputy Director, Factories. There was a serious breach of norms in this case where the license was issued by the Assistant Director of Factories. Moreover, the factory was registered to manufacture shoe uppers only.



Act (Factories) De Maimed

E. According to Mr. B K Singh, the DLC, an analysis of the original drawing of the workplace submitted to the Directorate of Factories indicate that there was enough place for only 130 workers. Where as 300-350 workers were packed into that factory.

F. In not keeping a muster roll or register of every worker employed in the factory including the contract workers, the factory violated the Industrial Disputes Act, 1947 and Uttar Pradesh I D Rules, 1950.

G. The piece-rate wages offered to the workers and the monthly wages paid to the salaried staff were not in accordance with the Minimum Wages Act and below the minimum wage of even unskilled workers which is Rs.2127 as declared by the Uttar Pradesh Government.

H. In violation of the Contract Labour (Regulation & Abolition) Act, 1970 the contractors did not possess any license from the

- I. The Factories Act, 1948 defines “child” as a person who has not completed his fifteenth year of age. Section 67 of the same Act prohibits employment of a child who has not completed his fourteenth year. Shree Jee International employed children of age 15 and above. For children of even 15 years employed in the factory, Sunil Goyal should be prosecuted under Section 71 of the Factories Act which prohibits employment of children for more than four and a half hours in any day. None of those between 15 and 18 years possessed a fitness certificate also.
- J. The factory has also violated the provisions of Employees Provident Funds and Miscellaneous Provisions Act, 1952 and Employees State Insurance Act, 1948 not extending to its employees the benefits under these Acts.

Response of the Administration

What has been done?

On May 25, 2002, the Deputy Director of Factories, Kanpur visited Agra and inspected the factory. Ms. Mayawati, the Chief Minister of Uttar Pradesh, came to Agra the next day. She disbursed a compensation of Rs.50,000 each to the families of the deceased and Rs.10,000 each to the injured from her discretionary fund. She also pledged a sum of Rs.2 lakhs to each of the victims’ families from the National Social Assistance Programme run by the Central Government. The district administration provided Rs.10,000 each to the families of the victims of the accident.

The same day, the District Magistrate sacked Mr. P K Choubey, the Assistant Director of Factories (ADF), Agra Division. A routine Magisterial Enquiry was ordered by the DM to be undertaken by Ashok Kumar Singh, ADM, Agra city. The Magisterial Enquiry will:

- a) Look into the cause of fire
- b) Suggest remedial measures
- c) Fix responsibility of the accident.

Mr. B K Singh told the team that the total amount of workmen’s compensation to be paid by the owner of Shree Jee International has been determined to be Rs. 82 lakhs. The assets of the owners were evaluated.

Mr. B K Maurya, SSP, Agra told the team that the owner Sunil Goyal has been held criminally liable for the accident in his factory and cases under IPC 304 and SC/ST Atrocities Act have been filed against him. A case has also been filed under Child Labour (Prohibition and Regulation) Act, 1986.

Interestingly, Nemichand, a resident of Naya Gher and the father of a deceased worker, Dharmesh, had filed on May 24, 2002 an FIR No. 164/2002 at Chhatta police station under sections 285, 287 and 304 of IPC and Section 3 (1) and 10 of SC/ST Atrocities Act.

Mahesh Kumar Gupta, the DM of Agra has constituted four task forces⁷ (Upper City Magistrates, Assistant Directors of Factories, Labour Enforcement Officers and Representative of Exporter’s Chamber and Fire Services are members) to undertake a detailed survey of the safety measures adopted by the footwear producing factories in Agra, whether they are registered or unregistered. The teams have been told to submit their report as soon as possible. He also told the team that only 51 shoe factories in Agra are registered and ‘several hundreds are unregistered’. In such a situation, he wondered how he could have given a time frame for the completion of the enquiry by the task forces. However, he said, he had already made an announcement requesting all the illegally operating unregistered factories to come forward and register their units within 15 days.

The DM listed the benchmark for the survey by the task forces:

1. The adhesives and chemical solutions should be stored away from the work place. Only the daily stock will be permitted to be kept safely within the factory premises.
2. The factories should have provisions for smoking and non-smoking zones.
3. Adequate fire fighting systems should be installed in the factories.
4. The factories should not employ workers in excess of the number mentioned in their licenses.
5. Where it is necessary to secure the door and windows the key should be made accessible in case of emergencies.
6. The internal lay out of the factory should permit free and unhindered movement of people. Where cubicles are made provisions should be there for free movement.

⁷See annexure IV

On an enquiry, the DM said that employers are represented in the task forces; but workers are not. He assured the team that workers' representation would be ensured, if trade unions requested.

What the Administration Intends to do?

After the four task forces submit their report, the DM said that the factories would be given 15 days time to implement the recommendations of the task forces failing which their registration will be cancelled and the factories will be closed.

While talking to the team, the SSP, Mr. Maurya admitted the lack of proper equipment at the hands of the fire services to fight the kind of fire that engulfed Shree Jee International. He was thinking of some kind of fire-proof jacket for the fire men.

Response of the Manufacturers' and Exporters' Chamber

The Agra Footwear Manufacturers and Exporters Chamber has promised the District Magistrate to contribute a sum of Rs.10 lakhs for the families of the victims and offered jobs to one member from each family. According to the DM, the Sub-Divisional Magistrate has been entrusted with the responsibility to prepare a list of such members from the victims' families.

But, as Mr. B K Singh, the DLC, pointed out their responsibility does not end there. Mr. Singh talked of self-regulation on the part of the industry and the employers and said that the industry association should come forward voluntarily to take the responsibility of registering each and every factory and provide the labour department with the exact number of workers employed. "This will be one of the biggest achievements on their part," said Mr. Singh.

Who is Responsible?

The Owner

Primarily, Mr. Sunil Goyal as the owner and occupier of the factory Shree Jee International, should be held responsible for the accident that occurred on May 24 and the lives lost and property destroyed. He has

violated each and every provision in law. In 1996, he registered his factory Shree Jee International with 45 workers and the following years, the number of workers in muster roll got reduced to 10. At the time of registration, the floor space had a capacity of 130 workers; but employed over the years, not less than 300 workers. He never kept a muster roll of the workers. Most of the processes within the factory premises were sub-contracted out. The factory was registered for producing shoe uppers; but it was a complete manufacturing unit intended for export. The job card of the workers, kept in the owners custody showed 'Shree Ji International', escaping at one stroke the accountability over workers. Highly inflammable and explosive chemicals in huge quantities were stored within the factory premises. All windows were secured by wire mesh and factory had only one door, for entry and exit. Even the door was locked and the key kept away from workers. Workers worked for 11 to 12 hours at a stretch. Piece rate wages were below minimum wages, forcing the workers to work for long hours and in engaging child and adolescent labour. Few regular workers were also not given any of the social security benefits. The employer treated the law of the land with contempt and the administration with manipulative ease. For him workers were objects devoid of humanity, that produced quality shoes to amass profit. This is a worse scenario, in the twenty first century, than would have existed



Rubble of Accountability

in the early days of capitalism. No organisation of workers existed in the factory and there was no semblance of a process of collective bargaining.

The Administration

However, there are several lapses and discrepancies on the part of the administration that cannot be ignored in fixing the responsibility for the accident and the accountability of various concerned departments and administrative heads.

As has been already mentioned the factory was granted its registration even when it did not satisfy various provisions of the Factories Act, 1948 particularly dealing with safety measures and procedures and handling of hazardous and inflammable chemicals. The license was issued by a junior officer in the factories directorate. The number of employees were not verified during two inspections undertaken in 1996 and 1997 where the number of workers in the factory record came down to 10 from 45.

That after 1997 no inspection was made is a different story altogether. Mr. B K Singh, the Deputy Labour Commissioner, while talking with the fact finding team tried to shirk his responsibility by mentioning that since 1997 no inspection could be made without the prior permission of the District Magistrate (as per a State Government decision). But, Agra being a major hub of the leather and footwear manufacturing industry with hundreds of tiny, small and medium-scale units employing a sizable proportion of workers, the labour department cannot just ignore the conditions at which the workers are forced to work. The concerned administrative heads are well aware of reports of frequent fire and accidents in the shoe factories and how most of these factories are being illegally run hidden behind the public gaze and workers being packed like sardines in tinder boxes.

When the District Magistrate, Mr. Mahesh Kumar Gupta told the team, "Only 51 shoe factories are registered in Agra and several hundreds are unregistered," it became clear that the administration knows everything. Then what prevented them, the District Magistrate to order periodic inspection of the units. And, it could well be presumed that the footwear manufacturing industry is not the only one in this shape, the other industries, most in the informal sectors having small scale operations in Agra are also in the same boat.

Globalisation as the Culprit

In this regard, an issue of major concern is the order by the Chief Secretary of Uttar Pradesh dated 26 October 1998 with the instruction that Factory Inspectors should seek prior permission of the District Magistrate for inspection of factories. The purpose of the GO was purportedly to end harassment by inspectors. This seemingly innocuous order, when seen in relation to the clamour for flexibilisation of labour market and changes in labour laws, reveals its real objective. Over the last decade, the decade of intensified liberalisation and globalisation, there has been concerted move on the part of the government, to undermine the Labour Department in its role of enforcement of laws, surveillance and monitoring of the observance of health and safety of workers. This was done at the behest of the employers, who wanted an end to the 'inspector raj'. The above mentioned GO by default clipped the wings of the Factory Inspectors and at the same time, did not ensure the accountability of the manufactures or participating stake holders.

Shree Jee International is a factory registered under the Factories Act, 1948, and therefore subjected to all laws regarding factory premises, health and safety, trade union rights and social security. Shree Jee International's criminal violation of provisions of all these laws happened in an environment demanding changes in laws, in particular The Factories Act, 1948; The Trade Unions Act, 1926; Contract labour (Regulation and Abolition Act), 1970 and the Industrial Disputes Act, 1947. Shree Jee International functioned, as a scarecrow of the liberalisation era, using flexible labour under contract with no labour rights and on subsistence wages.

The company was registered in 1996, during the first decade of liberalisation and operated as an export oriented unit. Export orientation has been the thrust of globalisation phase of our economic development, and it provided umpteen number of benefits to the employers including tax benefits and relaxation in laws applicable to labour.

Corporate Accountability

It is also true that Shree Jee International was producing solely for the export market, the European market.

There should be many such units in Agra which produce for the same market and/or have direct access to the export market. The Kejriwal Exports, Chaudhari International, Jishu Exports and Chandan who were sourcing from Shree Jee cannot be unaware of the conditions in which the factory was running. They were well aware that the factory had not adopted any safety measures as per the Factory Act, that the muster roll was manipulated to hide the actual number of workers employed, that children were working in the factory and the working hours extended to almost twelve hours per day. Their representatives regularly visited the factory and on the day of the fire Mr. Sayyid Khan, a representative of one of these exporters was present inside the factory checking the consignments to be shipped. He survived the fire. All these facts point out that the exporters were driven only by their profit motive and had no sense of social responsibility and will escape any accountability also.

Moreover, the team came to know from the workers that the foreign buyers also used to visit the factory along with the representatives of the Mumbai based exporters. That means they were also aware of the conditions inside the factory. Over the last few years there has been a strong consumer movement for corporate accountability in Europe. The campaigns against corporate bad practices targets the companies who have their units in the developing countries or source from suppliers in those countries. The campaigns aim to achieve in forcing these companies to see that fair labour standards, wages and benefits accrue to the workers of these units out of the trade that the companies indulge in with the suppliers in the sub-contracting chain. It is thus obvious that the buyers in Europe who were sourcing their shoes from Shree Jee International were unconcerned of the conditions of the workers and the work place they work in. The discussions on labour standards were for the name sake and in practice they colluded with the traders and the manufacturers in denying basic rights of workers.

The concept of social responsibility and corporate best practices indicate that along with Sunil Goyal of Shree Jee International the Mumbai based exporters like Kejriwal Exports, Chaudhari International, Jishu Exports or Chandan Exports and their Europe based buyers are equally accountable for the ghastly fire in the factory and the death of 42 workers.



Consignment of Death

Conclusions and Findings

1. Shree Jee International, a footwear manufacturing unit situated in John's Mill Building, Jeoni Mandi, Agra caught fire Between 10-00 am and 10-15 am in the morning of May 24, 2002 resulting in a devastating accident. According to official figures, 42 workers died in the accident and 11 were injured. Seven of the injured workers were admitted to S N Hospital, Agra, two each were admitted to Ram Raghu Hospital, Agra and Safdarjung Hospital, Delhi. One was discharged on the same day. One of the injured worker in Safdarjung Hospital succumbed to his injuries on May 29, 2002.
2. Though the workers mostly belong to the area, some of the workers were also coming from Tundla, Ferozabad and Shahdara, Delhi. Of the six workers originating from Shahdara, two died in the accident and four were missing. The surviving workers were concerned that some of the workers might still be missing. But, the district administration did not initiate any action to find out whether some people were missing or not. They were relying on the lack of any report filed concerning missing persons.
3. The factory employing around 300 workers had only one door used for entrance and exit. There were five windows in the front and two at the back which were closed and heavily secured with wire mesh. There was one more door, completely locked, connecting the adjacent factory, Tej Shoes. At the time of the accident the only door at the entrance of the factory was locked.
4. There are two versions to the cause of fire in the factory: it could be due to an electric spark from the power line or as the workers said from the lighted cigarette/match stick thrown by the owner. The fire ignited the solutions, softner and other chemicals stored in the first room next to the door. The fire and subsequent explosions blocked any exit through that door.
5. Most of the workers who survived were rescued by breaking open the two windows at the back and the door connecting Tej Shoes. Amar Singh, a worker rescued eight workers including children but could not survive himself as he was engulfed by the smoke and fire. His body was found hanging from one of the two windows.
6. There were around 200 to 250 workers in the factory when the accident occurred. B K Maurya himself received a message that more than 150 workers were trapped inside the factory.
7. The loss of lives and property on May 24 was minimised by the timely efforts of the army and airforce personnel who were called upon by Mr. B K Maurya, the SSP.
8. Shree Jee International was registered on October 10, 1996 with 45 workers on its rolls. In 1997, this number came down to 10. The factory was registered for manufacturing only shoe uppers where as it was producing finished shoes. On 22 November 2001 when the concerned District Magistrate of Agra issued an order for the inspection of 300 footwear manufacturing units in Agra, the concerned Assistant Director of Factories (ADF), Mr. P K Choubey failed to inspect Shree Jee International. He was sacked by the DM in the wake of the accident.
9. In Shree Jee International most of the work in the six different sections (cutting, fitting, bottom, pasting, checking and passing and finishing and packing) were sub-contracted. There were around 67 contractors with 2-12 workers accompanying each contractor. Children between the ages 14-18 were found working in the factory. One of them, Parmesh alias Pumma (15) died in the accident.
10. The working hours in the factory was more than 10 hours. The contractors and the workers were paid piece-rated wages. The piece-rated wage received by a worker and the monthly salary received by a few regular staff were below the minimum wage (Rs.2127 for unskilled workers and around Rs.2800 for highly skilled workers) fixed by the UP Government for the footwear manufacturing industry.
11. Shree Jee International was producing footwear only for export markets in Europe. It was routed through Mumbai based exporters like Kejriwal Exports, Jishu Exports and Chaudhari International. Labels of British footwear companies - Barratts, Jacobson Footwear, Gardiner Bros. and shipping stickers for London and Dublin were found in the factory.
12. Shree Jee International has flouted all labour laws.
 - (a) Provisions of Factories Act were not implemented; for example, there was no potable drinking water source, only one toilet for 300 workers, no fire extinguishing system, same exit and entrance, the entire stock of chemicals being stored in the workplace.
 - (b) Children between the ages 14 and 18 were working beyond four-and-a half hours contrary to the provisions of the Factories Act.
 - (c) The workers were paid wages below the minimum wage stipulated by the UP Government. The minimum wage for unskilled worker is Rs.2127 and around Rs.2800 for highly skilled workers.
 - (d) The team is not sure whether the factory was registered with the appropriate authorised officer under the Contract Labour (Regulation & Abolition) Act, 1970. However, none of the contractors whom the team met were licensed.

- (e) The factory had not maintained any muster roll of workers or register.
- (f) EPF and other social security benefits and ESI scheme were not available to the workers.
13. The Owner Sunil Goyal has been held criminally liable for the accident in his factory and cases under IPC 304 and SC/ST Atrocities Act have been filed against him. A case has also been filed under CLPRA. Nemichand, a resident of Naya Gher and the father of a deceased worker, Dharmesh, had filed on May 24, 2002 an FIR No. 164/2002 at Chhatta police station under sections 285, 287 and 304 of IPC and Section 3 (1) and 10 of SC/ST Atrocities Act.
14. Chief Secretary of Uttar Pradesh, on 26 October 1998, issued a Government Order prohibiting inspection of factories without the prior permission of the concerned District Magistrate.
15. On May 26, 2002, when Ms. Mayawati, the Chief Minister of Uttar Pradesh visited the Agra in relation to the accident, she disbursed Rs.50,000 each to the families of the deceased and Rs.10,000 to the injured. The district administration also disbursed Rs.10,000 each to the families of the deceased.
16. The Deputy Labour Commissioner's office has worked out a compensation package of Rs 2 lakhs each for the families of the deceased under Workmen's Compensation Act. The owner's assets were also being evaluated. However, the administration has not made it clear to the team how the total amount of Rs.84 lakhs will be recovered from the owner.
17. The Agra Footwear Manufacturers and Exporters Chamber has promised Rs.10 lakhs for the families of the deceased and offered jobs to one member each from these families in the footwear industry.
18. The District Magistrate has constituted four task forces with the City Magistrates, Assistant Directors of Factories, Labour Enforcement Officers, Representatives of fire service and Agra Footwear Manufacturers and Exporters Chambers as members, to go into the details of the safety measures for the footwear manufacturing units in Agra.
19. The District Magistrate has also given a specific time frame of 15 days to the illegally operating footwear units to get themselves registered.



Recommendations of the Fact Finding Team

I. Compensation and Jobs

1. The compensation to the families of the dead and the injured workers has not been calculated as per the law. Whatever compensation given as political gesture by the UP Government and the district administration has provided succour to the families; but that is clearly not enough. Compensation is not a matter of tokenism, but a right.
2. The aspects of (a). duration of remaining injured and thereby being out of work, (b). the ability of the injured to go back to the same occupation, and (c). permanent disability have not been looked into. These aspects should be considered while working out the compensation.
3. Compensation is not just the monetary reward. It should include assurance of job for the injured.
4. The Administration should monitor the implementation of the promise given by the Footwear Exporters Association to provide employment to one person from the family of the workers who died in the accident.
5. We demand that the District Magistrate prepare a comprehensive compensation package listing monetary compensation and placements of all workers.

II. Task Force

1. The trade unions and civil society representatives should be immediately included as members of the four task forces constituted by the District Magistrate.

III. Social Security Fund for Footwear Workers

1. The Central and State governments should take immediate steps to constitute a Social Security Fund for the footwear workers with contributions from the Manufacturers/Exporters, Government and the Workers.
2. The concerned authorities including the Labour Department should evolve a mechanism for registering workers in the footwear industry of Agra at two levels: (a) at the footwear industry level and (b) at factory level.

IV. Awareness on Labour Rights and Provisions in the Factories Act, 1948

1. A two year Programme should be developed by the Labour Department and the factories directorate which aims at creating awareness among the footwear industry employers on the various rights of workers and provisions of the Factories Act and the need for such safety procedures.
2. The Labour Department should ensure payment of minimum wages to the workers.

V. Training Programmes

1. The Labour Department, with the assistance of the District Administration should evolve a comprehensive in-house Training Programme for workers in the industry on various safety provisions, handling of safety equipment and emergency measures to be taken in case of sudden fires and accidents within the factories using chemicals, in particular, the footwear manufacturing units. Convergence of expertise and experience should be ensured by roping in the fire services, civil defence, St. John's Ambulance and the National Institute of Occupational Health (NIOH) etc in implementing this programme.

VI. Responsibility of the Labour Department

1. The State Government should immediately withdraw the controversial circular by the Chief Secretary instructing labour inspectors to seek prior permission of the District Magistrate to conduct inspections of factories.
2. The Labour Department should be made more responsible and accountable.
3. Within the next three months the district administration should publish in public the information regarding the total number of registered footwear units in Agra and what steps have been taken against those units which were still operating unregistered. The District Magistrate should ensure periodic inspection of the factories, a time frame of which should be framed and accountability and liability for the inspections should be established.

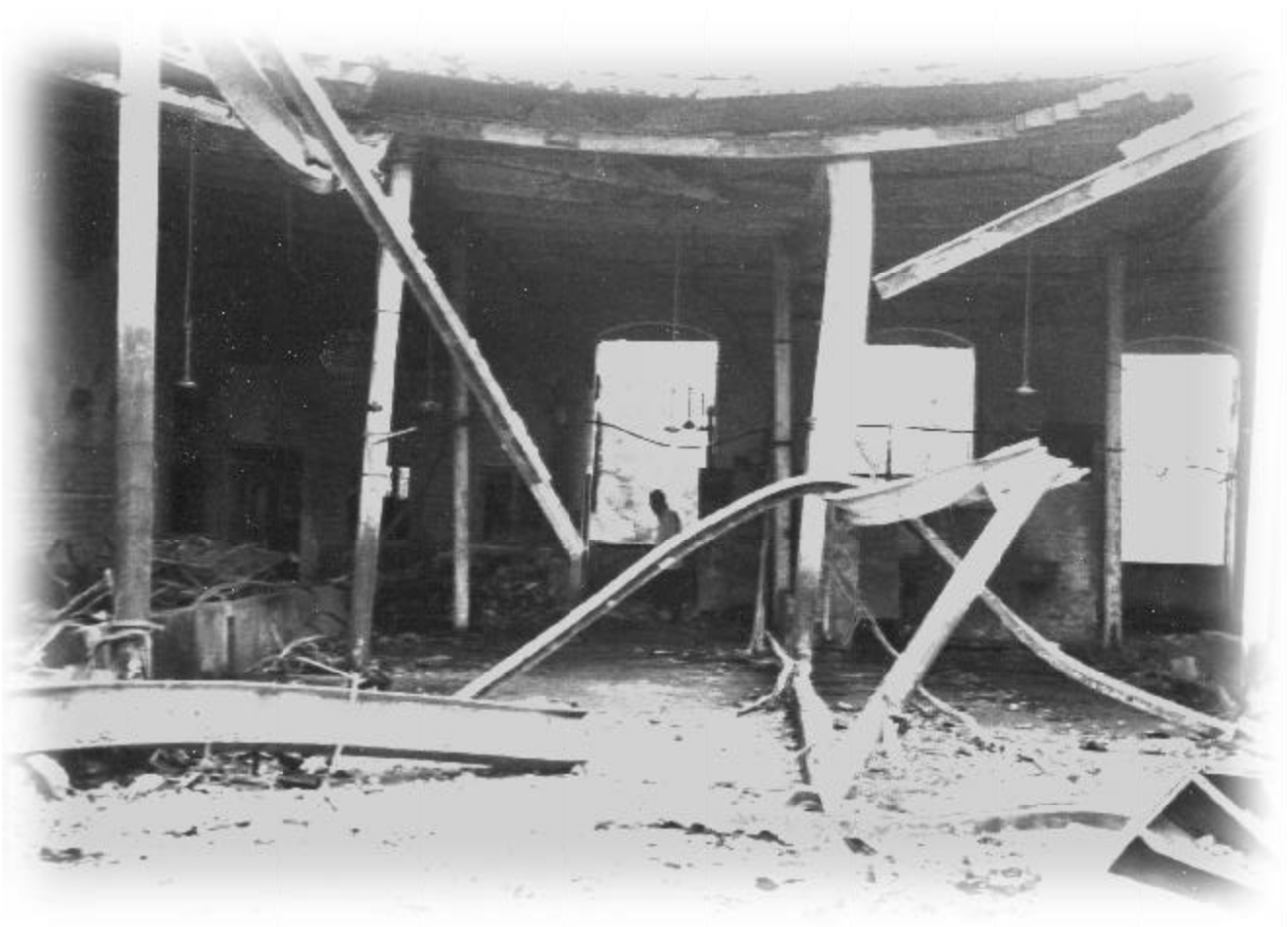
VII. Culpability of the Guilty

1. Proper culpability should be established and those guilty should be prosecuted to establish accountability.
2. In the era of globalisation, in which production takes place over an international division of labour, the Mumbai

based exporters and the International buyers should be considered as principal employers and their accountability and liability established.

VIII. Fact Finding Team Assumes Responsibility

1. The copies of the report in Hindi will be distributed among the workers and workers' residential areas.
2. The report will also go to the employers through their association.
3. The report will be given to the labour department.
4. The Fact Finding Team will visit Agra again to monitor the situation.



The ruined site of Shree Jee International

Follow-up Visit to Shree Jee International, Agra

October 28-29, 2002

Introduction

The report and the recommendations of the fact finding team were submitted to the district officials in Agra, the Government of Uttar Pradesh, the Labour Secretary, Government of India, and the National Human Rights Commission for appropriate actions in favour of victims and families and to punish the guilty. The team had pursued consistently for a follow-up of the recommendations⁸. At the end of the first visit the fact finding team announced that this would not be a one off visit; but would visit Agra again to assess the extent of observance of the promises made.

Besides as the team felt that the international agencies and agents placing orders for the manufacture, and the buyers are also liable for the damages, the buyers and agencies in Europe were subsequently contacted to create an international pressure for fixing accountability. At the International level Clean Clothes Campaign, International Textile, Garment and Leather Workers' Federation (ITGLFW) and Maquila Solidarity Network were contacted.

This present visit is part of the stock taking of the situation as well as to assess the future plans of action of the concerned authorities.

The Team Visited Agra Again on October 28-29, 2002

The Fact Finding Team that revisited the site comprised of Ms. Amarjit Kaur (AITUC), S Z A Jafri (HMS), J John (CEC), S Lahiri (Delhi Forum), Sindhu Menon (Labour File) and Pallavi Mansingh (NCLR). Ramnath Balmiki (UPGMS, Agra) and Ramesh Gupta (AITUC, Agra), gave the required local support.

Terms of References of the Fact Finding Team

- To find out whether the assurances given by the government have been adhered to and what other measures have been taken by various agencies and to assess the status of affected workers and their families.
- To find out if the assurances given by the Agra Manufacturers and Exporters Chamber have been implemented.
- To find out how far have the legal proceedings against the owner of Shree Jee International, Sunil Goyal, who was found criminally liable for the accident and was charged under IPC 304, Sc/St Atrocities Act and Child Labour (Prohibition and Regulation) Act, have proceeded.
- To access the present condition of the workers who were working with Shree Jee International and steps taken to make employment available for them.
- To understand the impact of the accident on workers working in other factories.
- To see if the accident has prompted other factory owners to adopt any safety measures.
- To investigate how far the recommendations of the fact-finding team have been met.
- To look into the impact of the International Campaign followed up by Clean Clothes Campaign, International Textile, Garment and Leather Workers' Federation (ITGLWF) and Maquila Solidarity Network at the local level.

⁸ For report of the follow up see annexure X

Sources Investigated During the Revisit

The team visited Senior Superintendent of Police (SSP) Mr. B K Maurya, District Magistrate (DM), Mr. Mahesh Gupta, Divisional Commissioner, Agra, Mr. V K Sharma, Assistant District Magistrate (ADM) City, Agra, Mr. Jyanesh Kumar, President, Agra Footwear Manufactures and Exporters Chamber, Mr. Nazir Ahmed and Advocate Rajbir Solanki (INTUC) who was taking up the cases of the victims of Shree Jee. The team also visited the accident site in Jeoni Mandi, other factories namely Park Exports and Tej Shoes, workers of Shree Jee International, workers from other factories and families of the deceased and injured .

Response of the Senior Superintendent of Police

The Senior Superintendent of Police, B.K. Maurya⁹, informed that the employer of Shree Jee International, Sunil Goyal had been charge sheeted and his case was pending with the judiciary. He had been under arrest for more than one month. At present, he is out on bail.

Commenting on the role of police in the case, he said that it is reactionary in nature. “We are reactionary units and not preventive ones. In the case of this accident also we immediately got the army support.”

Regarding whether they have enough equipment and manpower he said that they had sufficient manpower but lacked in equipment about which they had written to the government. “We have expertise but lack equipment,” he said. “But we have good relations with the army so we always manage to get prompt help from them,” he added.

Response of the Additional District Magistrate, City

The Additional District Magistrate, City, Jyanesh Kumar¹⁰, was critical about the situation that had emerged as a result of contracting and subcontracting in the shoe industry. The ending of the ‘Factory Inspections’⁶ according to him was a wrong decision. It was done on the pretext of increasing productivity but had led to a lot of discrepancies in the system.

Taking a general stock of the situation in Agra where the footwear industry provides employment to more than 200, 000 people, he informed that there was intensive subcontracting of production, including small units within houses of workers, where their entire family was engaged. These, he said, were common ways to escape laws.

He emphasised that there was need for trade unions and other organisations working to improve the conditions of the workers in this industry to take unified action.

Regarding the role of his department in the follow up of the accident, he said that their office was not involved with the working of the labour department, unless in emergency situations like those which call for maintaining peace.

Jyanesh Kumar further informed that a magisterial report had been submitted to the Chief Secretary, Factories Director and the Labour Commissioner, but he was unaware of its status.

From the Factory Inspector’s End

The factory inspector in a telephonic conversation¹² to one of the members of the fact-finding team informed that they had conducted a survey of 115 factories (registered and unregistered). The number of workers was more than stipulated by the owners, mostly 60-65. These factories were issued notices to comply. Those who were reported as not complying were prosecuted.

He also expressed his unhappiness over the fact that the inspections by ‘Factory Inspectors’ had been ended and prior permission of the DM was sought for conducting inspections in factories. “ This year we had an annual target of 325 units but were able to get permission to inspect only 57, he informed.”

⁹ The team met the SSP on 28.10.02

¹⁰ The team met the ADM on 28.10.02

¹¹ The Inspector Raj was ended with an order issued by the Chief Secretary of Uttar Pradesh, see annexure XI+

¹² The Factory Inspector R. Prasad expressed his inability to be present when the Fact-Finding Team would be in Agra and gave the information on 23.10.02

Their department conducted a joint inquiry of the accident that happened in Shree Jee International. A joint inspection report was produced which revealed that Shree Jee had violated the Factories Act in several ways.

The joint inspection report¹³ of Assistant Director (Factories), Agra, Deputy Director (Factories) Bareilly and Assistant Director (Factories), Aligarh prepared on the basis of an inspection conducted on 25.5.02, the next day of the fire incident said¹⁴ :

“The accident occurred because the adhesive chemical stored in the factory caught fire and exploded. ”
Violation of rules responsible for the tragedy:

- (a) There was violation of Section 6¹⁵, Rules¹⁶ 3, 6, 7 and 9. “The owner had obtained license on the basis of only 11 workers whereas he had employed over 50 workers. “ He did not bother to change the license and thus violated the conditions of the license.”
- (b) Rule 14 b¹⁷ stood violated to the extent that the license was obtained by providing wrong and false information e.g. the number of workers was wrong and more than 500 litres of P U based highly inflammable adhesive chemical was used at a time in the premises.
- (c) Section 88¹⁸, Rule 110¹⁹, was violated. “The factory owner failed to give any information of the tragedy to the director or Assistant Director (Factories) till the time of the inspection.”
- (d) The factory did not have any provision/equipment to douse the fire. The factory was situated on the second floor and should have had two exit gates but one gate was closed because of which the workers rushed to the remaining open door to save their lives, which had already caught fire. This was a violation of Section 38²⁰ Rule, 61²¹.
- (e) Adhesive chemicals were kept in the main working place whereas as per the Petroleum Rule²² it should have been kept in a store.
- (f) Section 7²³, Rules²⁴ 52c and 52d stood violated as “41 workers died because of the negligence of the factory owner as he had kept the highly inflammable adhesive chemical in the main work ing place.”
- (g) Then there was violation of Section 41b²⁵ to be read with Rule²⁶ 63c and 63d. “The factory was using highly inflammable adhesive and yet had not sent the material safety sheet to Director Factories, Kanpur. “ The workmen were not made aware of the characteristics of this dangerous chemical.
- (h) In contravention to Rule 63b²⁷, no health and safety policy was made for the workers.
- (i) Again in contravention to Section 45²⁸, Rule 66²⁹, no first aid box was kept in the factory and no trained doctor was appointed in the factory.
- (j) As against Section 62³⁰, Rule 78³¹, “at the time of applying for license only 11 workers were shown appointed whereas 54 workers were actually appointed.”
- (k) Rule 122³² was violated to the extent that the details of the accident were not mentioned in form 23 nor was this register made available.
- (l) Section 68³³ stood violated as worker D Parmesh s/o Azad Swarup who joined the factory on 24.5.02 and died the same day was only 14 years old.

¹³Source: Inspection note number PSUP-1 Karkhana – 31.7.92-500 (J) undersigned by R Prasad, Assistant Director (Factories) Agra, RS Garg deputy director (Factories) Bareilly and R K Singh, assistant director (Factories) Aligarh dated 25.5.02

¹⁴The inspection note mentions that it is to be used when the inspection book prescribed under Rule 123 of UP Factories Rules, 1950, is not available in the factory

¹⁵ See annexure V

¹⁶ See annexure VI

¹⁷ See annexure VI

¹⁸ See annexure V

¹⁹ See annexure VI

²⁰ See annexure V

²¹ See annexure VI

²² Petroleum Rule 175

²³ See annexure V

²⁴ See annexure VI

²⁵ See annexure V

²⁶ See annexure VI

²⁷ See annexure VI

²⁸ See annexure V

²⁹ See annexure VI

³⁰ See annexure V

³¹ See annexure VI

³² See annexure VI

³³ See annexure V

Deputy Labour Commissioner (DLC), Agra

According to the report³⁴ of the Deputy Labour Commissioner³⁵ action had been taken under Section 10A of the Workmen's Compensation Act, 1923³⁶. "Notice was issued under section 10 A to the owner of Shree Jee International, Sunil Kumar Goyal on May 25, 2002 to deposit a sum of Rs. 84,71,000 (Eighty four lakh seventy one thousand) as compensation for the victims. "

The report further read that on May 31, 2002, a representative of the employer asked for time. On his request time was given till June 10, 2002.

According to another statement in the report "On June 10 the representative of the owner gave a letter of the owner, which said that the victims of the fire at Shree Jee were registered under ESI and his card number was 21-24061-21. " Hence he explained that the workers should be compensated under ESI and not the Workmen's Compensation Act. But in the absence of the concerned party it was decided that the date for the next hearing would be finalised later.

Response of the District Magistrate, Agra and Commissioner, Agra Division

The team besides meeting the District Magistrate, Mahesh Gupta,³⁷ also had a joint meeting with the Commissioner of Agra Division, V.K. Sharma³⁸. The District Magistrate, Mahesh Gupta informed³⁹ that the deceased have been duly compensated. "Rs. 2.1 lakh⁴⁰ was given for every deceased," he specified.

He further informed, "One person from every family has been given job except Amar Singh's family that refused."

"Free Medical Treatment has been given to all the injured," he stressed. When the team revealed that this promise was only on paper and that none of the workers had received jobs, Mahesh Gupta promised to cross check the information given.

As per the Workmen's Compensation Act, the DM said, the deceased's family needs to claim the compensation. "They need to file a case and I being the Magistrate can only pass a judgement in that connection," he said.

On whether the administration was thinking in terms of making a major policy for labour rights, it was said, that it is in the interest of the industry to take precautionary measures.

DM, Agra, Magisterial Enquiry Report

According to the Magisterial Enquiry Report⁴¹, the ADM who was supposed to conduct the inquiry was transferred and so the enquiry process was repeated. Time given to any affected person to contact the authorities was extended to June 5-12 June as against May 27 to June 1.

Magisterial Inquiry included reports and information from various sources including accident victims and from the departments listed below:

Regional Deputy Labour Commissioner, Agra

Assistant Labour Commissioner, Agra

Assistant Director Industries, Agra

Deputy Director Industries, Bareilly Division, UP, Bareilly Camp

³⁴ See table 1 and 2

³⁵ Source: report from the Deputy Labour Commissioner's Office, 32 Garden Road, Agra describing the proceedings following the fire accident at Shree Jee international

³⁶ See annexure VII

³⁷ The team met with the District Magistrate on 28.10.02

³⁸ The team met with the District Magistrate and the Commissioner, Agra Division again on 28.10.02

³⁹ See table 3

⁴⁰ This 2.1 lakh included the compensation paid to the families by the Chief Minister and the exporters and manufacturers chamber. It does not include any compensation under the Workmen's Compensation Act

⁴¹ Source: Report of the Magisterial Inquiry was given by the office of the ADM

Superintendent Police, Agra
Chief Fire Officer, Agra
Assistant Chief Explosive Controller, Central Region (Madhyanchal), Agra
Secretary, Agra Development Authority
Deputy Director, Employees State Insurance Corporation, Regional Office, Kanpur
Assistant Provident Fund Commissioner/ Office In-charge, Sub Regional Provident Fund Office, Agra

According to the report as stated in the Magisterial Enquiry, “the First Information Report (FIR) no. 164/2002 of the fire accident in Shree Jee International Shoe Factory, Agra on May 24, 2002, was lodged and a case was made under IPC⁴² 285/ 287/ 304 and 3(1)(X) SC/ST Act⁴³ in Chatta Police Station .” In the complaint Naimi Chand told the SHO that his son Dharmesh Kumar (23 years) used to work in the said factory. “The factory employed around 300 workers and had just one door for entry and exit and no fire extinguishers. Naimi Chand saw the factory engulfed in fire at 11 a.m. Bodies of his son and many other workers were brought out in severely burnt stage.” He had told the factory owner about the potentially dangerous working conditions in the factory and to take appropriate measures for the protection of workers.

Rakesh (16 years), a worker employed in Shree Jee International factory, stated in an affidavit on May 27 that “he was working in the backroom when fire broke out at around 10:30 a.m. On seeing the intensity of fire everybody rushed back towards the grill. By the time outside people broke the grill half of the workers, around 25, were already dead. He also jumped the grill along with the people and was taken to the S N Hospital for treatment. Around 200-250 people were working in the factory. There were 20 drums of adhesive solution stored in the factory that had three doors of which two permanently remained closed. There were two fire extinguisher cylinders in the factory of which one was kept near adhesive drums.”

Rajesh Kumar r/o Maharana Pratap Nagar presented a written statement on June 10 stating that “his two brothers Manoj Kumar and Santosh Kumar were working in the factory for past four years on a monthly salary of Rs. 3,000 and they died in the factory fire tragedy.”

Bharat Singh r/o Maharana Pratap Nagar presented a written statement on June 10 stating “his brother was working in this factory for past three years on monthly salary of Rs. 3,000. He died in the fire accident while working in the factory his post mortem was done on May 24.”

Written statements of seven other people, relatives of deceased namely, Bahadur Singh, Hemant, Naresh, Jogendra Singh, Santosh, Hari Singh and Pratap Singh also state similar facts.

These statements also mention that the devastating fire tragedy happened because of the acute negligence of the owners of the factory as despite having highly inflammable chemical stored in large quantity in the factory the factory owner had not undertaken any security measures as per the Factories Act. “The factory had only one entry/exit gate that was kept half closed. Around 30-35 drums of inflammable solution were kept near this gate. Around 300 workers worked in one single shift from 9 a.m. to 9 p.m. Insurance of no worker was done. “The statement of factory owners says that ‘among the people who died were many people who had come to extinguish the fire and to ask for work’ is not true. These statements request for strict action as per rules against the factory owner and for compensation to the families of the deceased as per Workmen’s Compensation Act and to arrange for the payment of work done in the factory till May 23.”

The report also talks about the affidavit of the factory owner. In his affidavit the factory owner Sunil Goyal stated that, “The factory opened from 9.30 to 7.00 p.m. The factory had two entrances as per Factory’s Act, one was kept closed due to security reasons, besides there were three more exit doors⁴⁴. He was following all rules of the Factories Act. There were 10-12 fire extinguishers as per the Factories Act. The Labour Department was doing regular checking the last was done around one or one and a half years ago but all records got burnt in the fire.”

The Regional Deputy Labour Commissioner in his letter dated May 24, 2002 stated, “Sunil Goyal owns the factory and Mrs. Reena Goyal is the partner. The Assistant Director (Factory) Agra, R K Singh had done the first inspection of the factory on 12.05.96 when 45 workers were found working. The names of the workers was not mentioned in the Inspection note. The Assistant director inspected the factory on 7.5.97 and found

⁴² See annexure VIII

⁴³ See annexure IX

⁴⁴ The Fact Finding team had however found only one gate. The other gates and steps belonged to owners of premises other than Shree Jee International

16 workers employed but the inspection note of the Inspector mentions only 10 workers. The licence of the establishment was renewed till 31.12.2002. In the proposed map there are two workrooms of 34 X 32 feet and 93 X 40 feet respectively, where 137 workers could work. The factory owners had shown 24 workers employed in the passed map. Two staircases for exit have been shown in the proposed map. The establishment has made arrangements for employed workers under rule 16 of the Factories Act, 1948. The Act has given arrangements for floor, stairs in rule 32, arrangements in case of fire had been given in rule 38, arrangements for the building of the factory are given in rule 39. The said factory came under assistant director, P K Choubey after division of work of the area between two assistant directors. He asked permission to inspect 160 factories from deputy commissioner in August 2001 that was given on 22.11.2001. It included Shree Jee International also. The establishment comes on serial number 87 in the list provided by Mr. Choubey but he did not inspect it. Till 24.4.2002, the date of his transfer, Mr. Chaubey had inspected 132 factories. The whole district was looked after by R Prasad. “

The Regional Deputy Labour Commissioner (Agra) in his letter dated 1.6.2002 has given reference of letters dated 17.5.97, 1.2.97 and 7.5.97. His letter states the following facts: “President of Shoe Merchants Employees Union, Abdul Hafeez’s letter dated 17.1.97 sent to the Deputy Labour Commissioner regarding the complaints and demands of the employees of Shree Jee International mentions that the factory was doing shoe production for the last 9-10 years. It had 75-80 workers but no one had been given an employment letter and no attendance register of workers was available. Workers were terminated at will and no notice or compensation was given to them.”

The DLC’s letter asked, “to hold an enquiry of the factory in the light of gross mismanagement regarding work conditions and no provisions for pension, bonus, overtime, ESI and provident fund.”

The letter of Assistant Labour Commissioner dated 11.6.2002 specified, “In special surveys done under different labour acts during 28.11.2001 to 12.12.2001, that was looked after area labour officer Chandrabhan, there was no inspection of Shree Jee International under any labour act as it was a registered establishment under Factories Act, 1948 and the survey targeted only unregistered and new establishments.” As per the order of chief secretary, Uttar Pradesh dated 26.10.98 the registered establishments can be inspected only with the prior permission of district commissioner. No permission was granted for the inspection of Shree Jee International.

Deputy director (Factory) Bareilly Division, Uttar Pradesh, R S Garg in his inspection report dated 25.5.2002 states that Shree Jee International was first registered under Factories Act on 12.10.96 where the license was got showing 11 workers employed. The license was renewed with the same information in 2002. The reason for the accident was sparking of highly inflammable chemical adhesive, no exit gate except a small one and absolute absence of fire extinguishers.

Chemical adhesives were kept at the main workplace whereas they should have been kept in the open and secured storeroom under Petroleum Rules⁴⁵. Cigarette smoking was not banned in the factory. Employees allege that owner of the factory was fond of smoking and it was because of his negligence that the factory caught fire. “No supervision was done for the chemical adhesive and the employees were not made aware of the dangerous properties of the chemical. As per the rules it was necessary to send the material safety data sheet (qualities) to the Director (factory) and Assistant Director (factory). These were not sent in the present case.”

The Police Superintendent (city) Agra in his letter dated 1.6.2002 along with a report of SHO (Chatta) dated 30.5.2002 reported, “The Nemichand s/o Narottam Singh, police station Chatta initiated case under crime number 164/2002 IPC sections 285/287/304 and 3(1)(X) SC/ST Act against the factory owner Sunil Goyal and his father.”

The Chief Fire Officer of Agra in his report dated 28.5.2002 said “The fire station, Idgah got information about the 10:32 accident and within one minute they left for the accident site and reached there at the earliest and immediately started rescue work. The explosions in 100 canisters of highly inflammable liquid chemical adhesive made the fire uncontrollable. Besides fire brigade army was also called in to control fire and save people.” It also mentioned that the rescue work kept going till 28.5.2002.

The Chief Fire Officer clarified that no no-objection certificate was issued to the factory by his department. “All such rights were in the hands of factory and labour department and that is why the fire department

⁴⁵ Petroleum Rules, 1976

could not know the condition of such factories and take appropriate safety measures and had to face enormous difficulties due to absence of such information in case of fire accidents.”

Joint Chief Explosive Controller, Central Agra in his letter dated 28.5.2002 clarified, “The Joint Chief Explosive Controller’s office had not issued any license to Shree Jee International under Petroleum Act⁴⁶ /Explosive Act⁴⁷ .”

Secretary Agra Development Authority in his letter, which was dated 7.6.2002, gave suggestions to stop recurrence of similar accidents.

Deputy Director, Employees State Insurance Corporation in his affidavit dated 14.6.2002 stated, “three inspections were done at Shree Jee International on 29.5.1998, 2.6.2000 and 22.2.2002 in which 8, 5 and 8 workers respectively were found qualified for ESIC benefits. Sudden inspection is done on the orders of regional directors mainly for vigilance related matters. No such inspection⁴⁸ was done in the case of Shree Jee International. ”

Assistant Provident Fund Commissioner of Agra in his affidavit given on 14.6.2002 said that he joined this office on 5.6.2002. “If 20 or more than 20 people work in any institution notified in the schedule and notified in the list of institutions and establishment then it has to take action under Provident Fund Act. Shree Jee International had registered itself with this office on 11.2.97 and then 22 workers were working there. At the time this institution was depositing provident fund percentage only for eight workers. The Department is not doing any inspection since last three years and carries sudden inspection only after getting orders from the regional office, Kanpur or the head office, Delhi. No inspection is done under ordinary process.”

Assistant Labour Commissioner, Agra, R S Chaudhary gave an affidavit on 14.6.2002. It said “The Agra division has two Labour Commissioners whose work division was done on 17.7.2000. Assistant Labour Commissioner, Kalpana Shrivastav was doing implementation. He (R S Chaudhary) had not been doing it for the last two years. He had not provided any assistance in the operation carried out between 28.11.01 to 12.12.2001 to include the names of workers of the leather industry in the attendance register and payment of salary to workers. The Administrative order of 26.10.1998 had put a stop on the inspection of unregistered leather industries/factories.” The registered factories cannot be inspected without the permission of District Commissioner/Divisional Commissioner.

When asked whether the permission of the District Commissioner/Divisional Commissioner was required after the new order came to start special operation for leather industry, he replied that he does not have any knowledge, as he does not look after the work of enforcement.

Assistant Labour Commissioner, Agra Kalpana Shrivastav in her affidavit on 14.6.2002 stated that there is no division of area between the two Assistant Labour Commissioners. She had knowledge about the operation carried out from 28.11.01 to 12.12.2001 in leather industry and the workers employed in it related to leather industry. She had no knowledge of the inspection of Shree Jee International during this operation.

The DM proposed the following points for scrutiny on the basis of the above oral and written facts/statements:

- 1) The apparent reasons for fire accident at Shree Jee International on 24.5.2002:

Blatant violation of various sections⁴⁹ (13, 16, 17, 18, 19, 21, 29, 30, 31, 32, 38 read with rule 61, 7a, 41, 45, 51, 52, 54, 62, 67 and 68) of the Factories Act 1948 relating to ventilation, ideal working space, over crowding, lighting, drinking water, toilet facility, fencing guard, placement of machinery, stairs and exit doors, storage of inflammable material, fire safety measures, proper training to handle dangerous

⁴⁶ Petroleum Act, 1934

⁴⁷ Explosive Act, 1884

⁴⁸ As it is also mentioned further in the report, no orders were obtained for such an inspection

⁴⁹ See annexure V

material, working hours, first aid, attendance register and fitness certificate to workers less than 18 years by the factory owner.

2) Names of accused persons/officials/departments responsible for fire accident:

Factory owner, Sunil Kumar Goyal has totally responsible as he violated various sections of the Factories Act 1948 and had got a license from the Factory department by providing wrong information of 11 working employees and hid the use of dangerous chemical from the Department.

Assistant Director (Factory), P K Choubey as he did not inspect the said factory in the prescribed period despite permission to inspect 160 factories granted by the district magistrate on 22.11.2001 in which Shree Jee International also featured and various other operations undertaken by the departments of Deputy Labour Commissioner, Agra/Assistant Labour Commissioner, Agra and Assistant Director factory, Agra. This reflects on his disinterest and tardiness.

Deputy Labour Commissioner, B K Singh cannot escape his responsibilities as he failed to take steps against Shree Jee International despite getting several complaints and launching various operations to inspect factories. These operations proved quite informal as no actions were reported against the factory owners in the reports.

3) Suggestions to stop recurrence of such incident

To see that the provisions given in Factories Act and Regulations (*Niyamavali*) are adhered to regional Deputy Labour Commissioner/Assistant Director, Factory/Labour Pravartan officer should make roaster for inspections every year and provisions given in the Act and Regulations (*Niyamavali*) should be made binding by following inspection as per the roster.

All the unregistered shoe factories running in Agra district should be brought under registration by carrying out a special operation and related departments/officials should be given instructions to implement the provisions given in Factories Act and Regulations (*Niyamavali*).

During increase in demand of shoes the number of workers increases but their names are not included in the muster roles. Entry of their names in muster should be facilitated by related departments/officials so that these workers can take facilities granted to them in various provisions.

Workers should be trained and educated about the various aspects of inflammable material and the use of fire extinguishers in factories where such material is being used.

The Chief Fire Officer should be given powers at administrative level to force provisions of fire extinguishing in factories and to keep them maintained from time to time.

To ensure permanent availability of water in every factory as a safety measure possibly in the form of overhead tank and if not that then provision of storage tank in the basement

Ensure the storage of inflammable adhesive at a safe place away from the workplace.

There should be a minimum of two exit gates in a shoe factory.

Provision should be made under the Factories Act to take a no-objection certificate from the Chief Fire Officer before renewing license.

Labour Commissioner, Kanpur, UP

The fact finding team had followed up with the Labour Commissioner's Office in Kanpur and asked for certain details repeatedly⁵⁰:

⁵⁰ Letter sent on September 18, 2002

1. The recommendations and findings of the Taskforce constituted by the District Magistrate of Agra to enquire into the registration of the footwear factories in Agra and safety procedures adopted by these factories.
 2. The report of enquiry on the nine districts of Uttar Pradesh which was sought from the respective DMS vide the July 8, 2002 order issued by Ms. Vrinda Swaroop.
 3. Whether compensation has been paid to the deceased and injured workers of Shree Jee according to the Workmen's Compensation Act.
 4. What actions the government is taking to ensure such accidents do not occur in the future.
- But there was no reply from their end.

Response of the Agra Exporters and Manufacturers Chamber

The President of the Agra Exporters' and Manufacturers' Chamber⁵¹, Nazir Ahmed⁵², informed that one member from every deceased's family was given a job⁵³.

Discussing the possibility of avoiding such accidents in future, he stressed that education of the workers is very important. "Workers must be educated regarding the fire safety measures and the employers should see to it that they are working consciously with precautions."

Clean Clothes Campaign⁵⁴ had approached the Council for Leather Export. "The case came to Agra Exporters and Manufacturers Chamber, but the information was one sided," he said.

"The Accident cannot be internationalised because he used to produce for a Mumbai based company," he said.

He further emphasised that the employers are conscious that labour standard should be maintained because buyers emphasise on social auditing exercises.

He further stressed that employers have taken practical steps to ensure that such accidents do not happen again. "Since Shree Jee International accident factories have spent millions of rupees on fire safety measures. Not only this, workers have been educated in this regard."

With regard to his factory Park Exports, he said that fire extinguishers were installed in the factory and workers had gloves for polishing purposes.

Nazir Ahmed also did not deny the possibility of Shree Jee's owner being responsible for the mishap.

About the compensation promised by the Agra Exporters and Manufacturers Chamber to the victims of the fire mishap at Shee Jee International, the President informed that the compensation amount, as promised was distributed in a function.

The details⁵⁵ of the compensation amount as given by him were:

S. No.	No. of people	Amount (in Rs.)	Total (In Rs.)
1	44	10,000	4,40,000
2	03	1,40,000	4,20,000
3	Distribution in hospital/medicines etc.		50,000
4	Miscellaneous		15,000
Grand Total			Rs. 9,25,000

⁵¹ See table 4

⁵² The team met Nazir Ahmed, President, Agra Exporters and Manufacturers Chamber on 29.10.02

⁵³ However the fact finding team found that there was a dispute regarding this claim. According to the workers none of the people who the Exporters and manufacturers chamber claimed had been given jobs were employed. The workers had received letters but the factories they were referred to were either closed, or were faced with blunt denials, or were offered menial jobs.

⁵⁴ Clean Clothes Campaign is an international campaign that initiated its work about 10 years back in Netherlands. It has a specific focus on the globalised garment industry and intends to improve labour standards of the industry throughout the globe.

⁵⁵ The details as per the information received from the Agra Exporters and Manufacturers Chamber on 2.11.02

Other Documents

Order Issued by the Chief Secretary, UP

This order⁵⁶ no. 1352/36-4-2002-15(W)/2002 dated 15.6.2002 reinstated Deputy Labour Commissioner, Agra B K Singh on the orders of High Court Lucknow dated 14.6.2002 that put a stay on the Administration's decision on his suspension after a writ being filed by B K Singh against the order of his suspension.

The order no. 1255/36-4-2002-12 dated 6.6.2002 had suspended the Deputy Labour Commissioner, Agra, B K Singh under severe allegations for being lethargic in seeing proper implementation of labour Rules and Acts and being irresponsible towards administrative work in view of the fire accident at Shree Jee International in which 41 people and one child labour got killed and 12 people were injured. Proceedings were started against him under Uttar Pradesh Service (Discipline and Appeal) Regulations (*Niyamavali*)– 1999.

Correspondence of the Trade Unions with the District Authorities

In a letter⁵⁷ to the Labour Minister, Sahib Singh Verma, the District Coordinator, All India Trade Union Congress, Rameshchandra Gupta brought it to the notice that owners and Labour Department is directly responsible for the gruesome fire mishap in which 44 workers died. "The report of Employees State Insurance Corporation (ESIC) that was also published by several newspapers clearly said that one worker of the factory was insured and thus it was the duty of the owner to give compensation to the deceased and injured. But recently it has come to the notice that ESIC is going to show workers as insured (through back date entries) to save the owner from paying Rs. one crore as compensation amount. This is clear loot of the state exchequer, which in fact belongs to the public." The letter requests the minister to initiate an enquiry of the whole episode and punish the guilty.

Rajbir Solanki of INTUC, Agra and the advocate taking up the cases of the victims of Shree Jee International informed that according to his sources the number of dead in the fire accident were 51. However only 42 of the dead could be identified and hence that is the number the official figures quote. He also stressed on the fact that it was on June 6, 2002 that the employer deposited the money of insurance of the workers and entries were done in back date so that the owner could escape from his responsibility of paying compensation as per the Workmen's Compensation Act. The obvious reason cited by the employer, Rajbir said, was that his records were burnt. Rajbir also gave recorded evidence of this.

Commendation Letter to Amar Singh

Amar Singh, a worker who was also trapped in the fire at Shree Jee, died after rescuing eight people. There was some recognition of his contribution by the authorities as is evident from a Commendation Letter which was given to Amar Singh posthumously by district magistrate Agra, Mahesh Kumar Gupta dated 15.07.02. However others feel that he deserves a high-level bravery award.

Interaction with the Workers From Other Factories

Workers of Park Exports told that the factory owners and workers are becoming conscious of fire safety measures.

One worker, Rajesh Kumar, of the same factory said that they all know the use of fire extinguishers. The workers of some other factories also looked confident of using fire safety measures.

However this should be remembered that the above statements are of workers working in big export factories. Situation remains pathetic in medium and small units.

⁵⁶ Source: The order was obtained from the office of Advocate Rajbir Solanki

⁵⁷ Source: The letter was obtained from AITUC, Agra

Affected Workers and their Kin Spoke

Sunita Devi, wife of Titu was referred to the factory Fraternity in Sadar Bhatti, Agra. She approached the factory for job as offered by the Agra Exporters and Manufacturers Chamber but it was closed. This was brought to the notice of the ADM. He referred it back to the concerned person, referring to a telephonic conversation with him, to adjust Sunita Devi. But she remains without a job.

Heera Singh from family of Dharam Singh was referred to Leather Craft at Jeevani Mandi, but he remains jobless.

Dharmendra who suffered from 40 per cent burns and was put on medical treatment had been running from pillar to post to various authorities to get his bills reimbursed that has not been done yet.

In the case of Naresh Kumar married with four kids, his younger brother Harish Kumar died in the fire accident. Harish was earning 3500 per month. Naresh was given a letter for a job in Tej Shoe Factory by the Exporters' Chamber. But here he was offered a job of Rs 1200 per month. In another case a worker was referred to Barola Shoes and Company for Rs 1400 per month. Santosh Kumar, family member of another victim approached Puran Dabar, former President of the Exporters' and Manufacturers' Chamber, but was denied job.

Another dimension of the problem of the workers was that usually the spouse of the deceased took away the entire compensation amount, leaving the rest of the family without money. For example we were informed that Harish Kumar's widow who had been married to him for six months took the entire Rs 2.1 lakh that came in as compensation without thinking about the rest of the family.

Observations of the Fact Finding Team

Conditions of the Workers

In Jeoni Mandi, the families of the deceased and injured continue to live in agony and in a pathetic condition. They did receive the compensation amount, but scared to touch it, thinking about the future of the kids, most of the families have put the amount in fixed deposits. The injured, with deep bruises, cuts, and burns are literally disabled to take up any job.

The Fact Finding Team observed that most crucial component of compensation in this case, i.e., the compensation under the Workmen's Compensation Act, remains unaddressed by the administration as well as the families of the victims. The irony is that, the employers have been given bail, in a non-bailable offence, without any liability imposed on them.

The Fact Finding Team in its meeting with the workers suggested that the victim's families should immediately take the issue of compensation under Workmen's Compensation Act. The trade unions, social activists and civil society groups can play an extremely crucial role in helping the victims and their families in getting their due benefits in this regard.

This is to be recalled that the Agra Footwear Manufacturers and Exporters Chamber had promised Rs 10 lakh for the families of the deceased and offered jobs to one member from each family. The Exporters association's promise still remains on paper. The family members of the deceased did receive letters asking them to join in different shoe making units. But none of them have received any jobs. To their disappointment, when they approached for a job, they found closed factories, blunt denials, or offers of menial jobs with wages much below the stipulated minimum wages.

The District Magistrate claimed before the visiting team that jobs had been given to one member each from the family of the deceased, but when the team informed him about the ground reality, he willingly agreed to crosscheck the situation with the Exporters Association and other authorities and promised to take necessary action.

Licensing of Units

The District administration had made a public promise that it would take all appropriate steps for registering unlicensed units, for a proper survey to check the occupational health safety questions as well as abiding of labour standards by the employers. The hard fact is that there has been inspection only in 115 factories up till now out of more than one thousand factories.

Even though there is a claim that a task force has submitted its report and some actions have been initiated, the team feels that in absence of any policy framework prevention of further accidents cannot be guaranteed. Hence, we strongly recommend that a policy shall be adopted in this regard.

Recommendations of the Fact Finding Team

The Fact Finding Team Members reiterate the recommendations, which were submitted after the first visit and demands for its implementation (the copy of those recommendations as submitted is attached along with this report). Once again, the team would like to emphasise certain demands for immediate actions.

- As per the assurances given by various authorities, jobs should be given to one member of the victims' families at the earliest.
- Criminal liability of the Employer should be strongly emphasised and he should be made to pay the compensation amount due to the workers as per the Workmen's' Compensation Act. The district labour authorities should initiate the processing of this compensation. The process could be initiated by the staff of the labour department in helping the families in filing compensation applications.
- The issue of the severely injured workers who are disabled and not able to work further needs to be addressed immediately. Appropriate schemes for their rehabilitation should be formulated and put into action.
- The reports of different agencies and officials fail to establish the actual reason responsible for the serious administrative lapses. Strangely even the officials in their different affidavits have tried to blame one another. A mechanism needs to be devised to fix the accountability of enforcement agencies.
- A social security fund for the workers in the footwear industry needs to be constituted. For this the Central and the State Governments should take immediate steps with contributions from the Exporters and Manufacturers' Chamber and the workers.
- All workers in the footwear industry should be covered under the ESI.
- The training component for occupational, health, safety measures must be initiated at the earliest to avoid further accidents.
- The concerned authorities and also the employers should conduct awareness generation programmes among the workers.
- Concerned departments including the Labour Department should take an initiative to evolve a mechanism for registering workers at two levels a) the factory level and b) the footwear industry level.
- Multi-stakeholder monitoring in the factories should be accepted.
- Employers and exporters should adhere to code of conduct on labour rights.
- Systems should be evolved to establish the accountability of the principal retailer who source shoes from manufacturing units in India.
- Unionisation of workers should be encouraged and worked upon.

Table 1

Details of the Workers Covered under Employees State Insurance Corporation

Name of the organisation: Messers Shree Jee International, Jeoni Mandi, Agra

code No. of the Employer : 21-24061-21

S.No	Period	Deposited Sum	Name of the Workers
1.	Oct, 99 to March'02	3827=00	Grish, Vinod Kumar, Rabinder, Rajesh Kumar, Dinesh Kumar, Pintu, Hira Singh
2.	April 2000 to September'00	8808=00	Ravinder, Rajesh Kumar Keshyap, Dinesh, Pintu Hira Singh, Janki Prasad, Rajesh Ditya, Govid Ram Manoj Kumar Rakesh Kumar Rabi Kant Chatur Singh
3.	April 2001 to September'01	8596=00	InderJit, Ravinder, Rajesh Kumar Kashyap, Dinesh, Rajesh Ditya, Janki Prasad, Chatur Sigh, Hira Singh
4.	Oct 2001 to March'02	4371=00	Inderjit, Ravinder, Rajesh Kumar Kashyap, Dinesh, Hira Singh

Source: Report of the Deputy Labour Commissioner, Agra

Table 2**Messers Shree Jee International, Jeoni Mandi, Agra
Details of the Cases Filed under Workmen's Compensation Act, 1923**

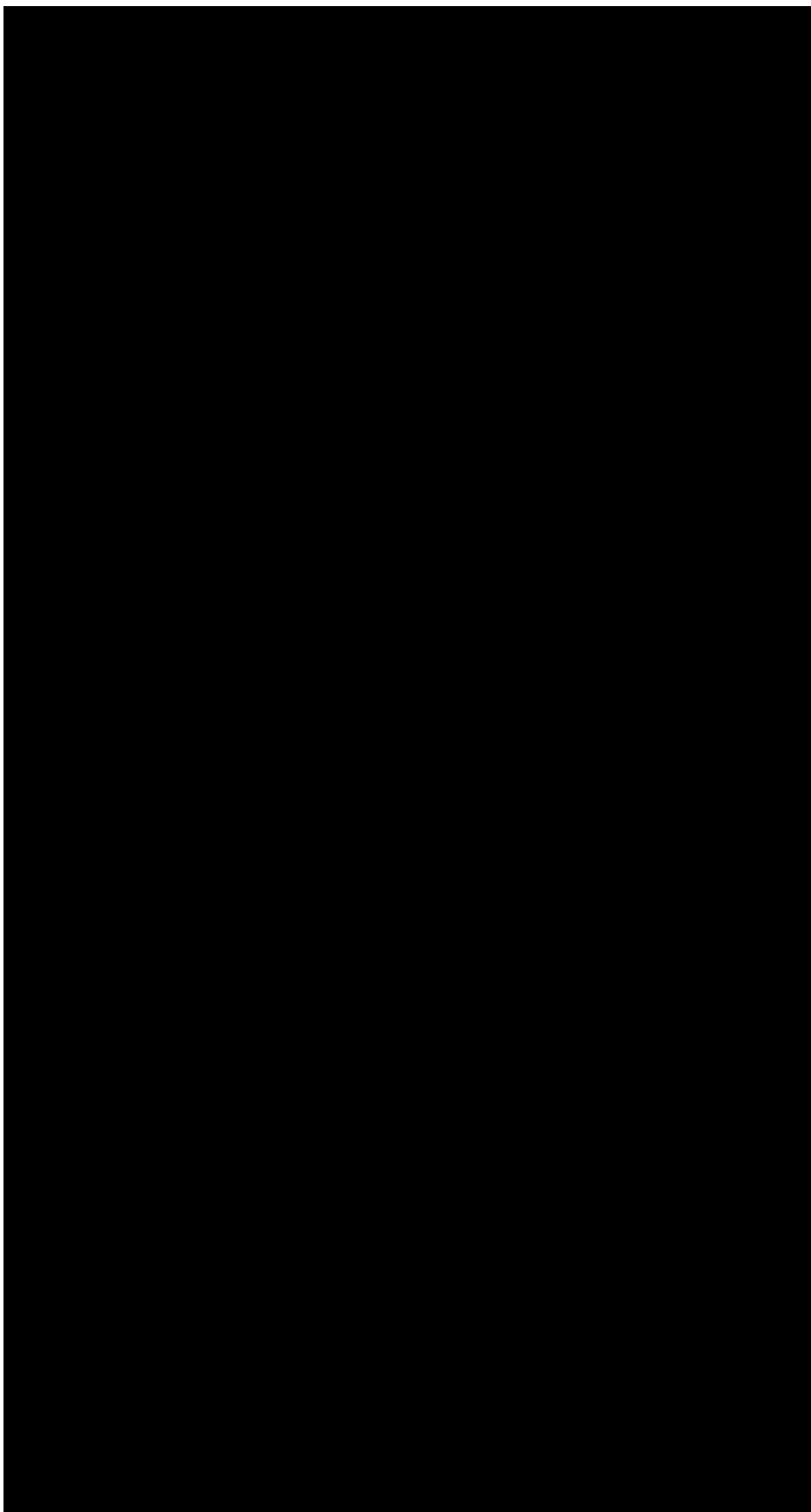
S.no	Case no.	Name of the Deceased	Amount Claimed	Name of the Dependents of the Deceased
1.	37/02	Titu	2,33,916.82	Smt Sunita Devi, (Wife) Bharat, Bhola (Son) Miss Tina (Daughter)
2.	38/02	Jankai Prasad	1,62,811.21	Smt. Sheela Devi (Wife)
3.	38/02	Naval Singh	2,53,052.20	Shri MurariLal (Father), Smt HiraDevi (Mother) Dharmpal, Golal Singh, and Vijay Singh(Sons)
4.	40/02	Vijay	2,38,224.45	Raj Kapoor (Father), Smt. Geeta Devi (Mother), Rahul and Shubam (Sons), Miss Babita (Daughter)
5.	41/02	Rajesh	2,39,521.45	Raj Kapoor (Father), Smt. Geeta Devi (Mother), Rahul and Shubam(Sons), Kumari Babita (daughter)
6.	43/02	Dharmmesh Kumar	2,35,426.99	Namichander (Father), Smt. Vidhya Devi (Mother), Yogesh Kumar (Sons), Kumari Seema, Sunita (Daughters)
7.	44/02	Ashok Kumar	2,01,597.06	Smt Shakuntla (Wife), Vimal (Son) Kumar Kamlesh, Rajni, Samanti (Daughters)
8.	45/02	Vijay Singh	1,89,824.11	Shri RamBati (Wife), Rajesh, Rajkumar, Pradeep, Sunil, Anil (son), Bhagvan Devi (Mother)
9.	46/02	Banarasi	2,35,426.99	Smt. Rakha (Wife) ,Abhinash (Sons), Miss.Dolli, Priti (Daughter), Shri Bhagvati Prasad (Father), Smt. Vimla Devi (Mother), Jitender, Miss Benia, Miss Kavita
10.	47/02	Nehna	2,35,426.99	Smt. Meena(Wife), Smt. Prem Vati (Mother)
11.	48/02	Apnes	2,28,950.00	Mrs. Patni, Shanti Devi (Mother), Akash, Ramesh, Savtiram (son)
12.	49/02	Gulab Singh	1,80,199.44	Smt. Kamlesh (Wife), Miss Anita (Daughter), Sanjay, Manoj (Sons), Anguri Devi (Mother)
13.	50/02	Sushil Kumar	2,30,683.78	Smt. Rajabeti (Wife), Rohit (Son), Guddi (Daughter) Shri Chander (Father)
14.	51/02	Bhagvan Das	1,95,864.79	Smt. Ramvati (Wife), Kapil Vimal and Soney (Sons)
15.	52/02	Lakh Raj	2,03,249.92	Smt. Janki Devi (Mother), Vimal, Arun and Vishal (Sons)
16.	53/02	Surender Singh	1,95,867.79	Smt. Jamuna Devi (wife), Miss Juli, Kusum, Sumit, Sershitia (Daughter), Amit (Son), Smt.Prem (mother)
17.	54/02	Chokhelal	2,01,597.06	Smt Shardar Devi (Wife), Pratap, Shambu and Khajan singh (Son)
18.	55/02	Permesh	2,43,052.30	Sri Anand Savarup (Father.), Smt. Rajesh Kumari (mother), Neresh and Lokesh (sons), Sany (son) Miss Archana and Anjana (Daughter)
19.	56/02	Dharmvir	2,33,916.82	Smt. Babita Devi (Wife), Smt. Robins and Vishamber (son), Smt. Shanti Devi (mother)
20.	57/02	ViriSingh	2,09,573.31	Shrimatar Rani Devi (Wife), Smt. Saroj, Devi (mother) Gudu, (son)

21.	58/02	Amit Sharma	1,80,199.44	Smt. Babita sharma (Wife), Miss Sony, Miss Mony (Wife) durga Charan (Father), Smt. (Mother)
22.	59/02	Amar Singh	2,28,95.28	Remti Meera Devi (Wife), Miss Lalita, Madhu, Rekha (Daughter), Prince, Ajay, Omdutt Singh, Premnath (sons)
23.	60/02	Bhagvan	2,38,224.00	Smt. (Wife), Hoshiyar Singh (son), Miss Rashim (Daughter), Smt. Kamala Devi (mother)
24.	61/02	Sanjay Singh	2,28,950,.28	Smt. Muni Devi (Wife), Hira Singh, Vishal(sons) Miss Juli, Sadhna, Kiran (Daughter)
25.	62/02	Papu	2,28,950.28	Shri Gulab Singh (Father)
26.	63/02	Diwari lal	1,47,964.75	Smt. Hanmukhi Devi (Wife)
27.	64/02	Lalit Kumar	2,32,342.84	Smt. Meenakashi (Wife), Miss Bhavana (Daughter), Lakhan Singh (Father) smt. Rashem Devi (mother), Miss Nirmala (Sister), Pratap Singh, Rinku (Brother)
28.	65/02	Manoj	2,30,683.78	Smt. Kanta Devi, Rajesh and Naresh (sons)
29.	66/02	Bejnath	2,01,597.06	Smt. Kela Devi (Wife), Prakash, sonu, Rajkumar (sons) Miss Puja and Arti (Daughter)
30.	67/02	Santosh Kumar	2,01,597.06	Smt. Guddi, (Wife) Miss Poonam, Priyanka, Pooja, Daughter Kushal (Daughter), Smt. Kanta Devi (mother)
31.	68/02	Guddu	2,32,342.84	Smt. Laxmi Devi (Wife), Atar Singh (Father), Smt. Shankuntla Devi (mother), Miss Mithlesh and Durgesh (Sister)
32.	69/02	Hiralal	1,69,947.30	Smt. Sohan Devi (Wife), Sanjeev (son), Miss Neetu (Daughter)
33.	70/02	Sohan lal	1,95,864.79	Smt. Rambeti (Wife), Jay Prakash Durgesh, Deepak Sandeep (Sons) Miss Rubhi and Joyti (Daughter)
34.	71/02	Hement	2,32,342.84	Shri Shivshankar (Fahter), Shri Bhola (brother)
35.	72/02	Dharmvir	2,33,916.32	Smt. Gangadevi (mother) Shri Karan Singh (Father), Sukhdev[Huny (brother), Miss jayshree Jaylata (sister)
36.	73/02	Harish	2,32,242.84	Smt. Bhagvan Devi (mother), Rmiti Rekha (wife), Miss Arati (Daughter)
37.	74/02	Ajay Prakash	2,30,683.78	Smt. Shanti Devi (mother), Miss Tuilshi (Sister)
38.	75/02	Sobran Singh	1,95,864.79	Smt. (Wife) Anju, Priya (daughter, Sanjay Baby Chotu (sons), Smt. Charavati (mother), Shri Gandha lal (Father)
39.	76/02	Inderjit	2,21,186.73	Smt. Chameli Devi (Wife), Miss Ranu, Sony, Mona (Daughter), Sathi (son), Smt. Sharmvati (mother)


Source: Report of the Deputy Labour Commissioner, Agra

Journal of Management Inquiry 23(4) 391-407

1. *Journal of the American Medical Association*, 1997; 277: 1039-1043.



Details of the Amount Distributed among the injured in connection with the Fire that broke out on 24.05.2002 in Shree Jee Shoe Factory, Jeoni Mandi, Police Station Chhatta, Agra



Source: List obtained from office of advocate Rajbir Solanki, Agra

Table 4

Details of the Employment Provided to the Relatives of the Workers Who Died in the fire, which Broke Out in the Shree Jee Shoe Factory, Jeoni Mandi, Chhatta Police Station , Agra Region by the Agra Footwear Manufacturers' and Exporters' Chambers

S.No	Names of the deceased	Relatives	Names of the factories manufacturing	Relationship to the deceased	Names of the factory employed	Details of the factory	Details of the employment
1.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
2.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
3.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
4.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
5.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
6.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
7.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
8.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
9.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
10.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
11.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
12.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
13.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
14.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
15.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
16.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
17.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
18.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
19.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
20.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee
21.	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee	Shree Jee

Source: Report of the Deputy Labour Commissioner, Agra

Annexure I

Few Reported Incidents of Industrial Accidents November 2001- June 2002

Incident	Date of Incident	Source
Fire in factory in Sahibabad kills 3 and injures 9	June 3, 2002	Amar Ujala, Rashtriya Sahara, June 4, 2002
Steam leakage in Khatima Fibres, Udham Singh Nagar kills one and injures five	May 11, 2002	Amar Ujala, May 12, 2002
Fire in chemical factory in Okhla, Delhi	April 26, 2002	Indian Express, April 26, 2002
Two killed in fire in pharma factory in Jeedimetla, Hyderabad	April 23, 2002	Newstime, April 24, 2002
NTPC crane crushes labourer in Ghaziabad	April 15, 2002	Amar Ujala, April 16, 2002
Gas leak in factory in Alipur, Delhi causes panic	April 4, 2002	Rashtriya Sahara, April 5, 2002
Explosion in milk chilling plant in Sikandrabad causes stampede	March 27, 2002	Amar Ujala, March 29, 2002
Nitrogen gas leak in factory in Sarai Rohilla, injures five workers	March 22, 2002	Asian Age, Rashtriya Sahara, Delhi, March 24, 2002
Poisonous gas leak from cylinder in ice factory in Jaito, Punjab affects 60	March 13, 2002	The Hindu, March 15, 2002
Fire in synthetic factory in Taimur Nagar, Delhi injures five	March 6, 2002	Amar Ujala, March 7, 2002
Fire in factory in Noida, Sec-7 injures one	March 5, 2002	Amar Ujala, March 6, 2002
Blast in Sriram Fan unit in Hyderabad kills 3.	February 11, 2002	Business Line, February 12, 2002
Fire in Bellary Jindal factory: 3 killed 2 hurt	January 29, 2002	Deccan Herald, January 30, 2002
One dies another missing in plastic factory fire in Ghaziabad	January 23, 2002	Tribune, January 24, 2002
Cylinder explosion during welding kills two in Nurpur, Bijnaur	January 23, 2002	Amar Ujala, January 23, 2002
Explosion in firecracker factory in Noida kills 3.	January 9, 2002	Amar Ujala, January 10, 2002
Two women killed and eight injured in cracker explosion in Gwalior	December 26, 2001	Deccan Herald, December 27, 2001
7 killed 2 injured in fire in plastic bag making unit in Madipur, Delhi	December 7, 2001	Rashtriya Sahara, December 8, 2001
Fire in ink factory in Sahibabad kills one and injures another	November 29, 2001	Amar Ujala, Rashtriya Sahara, November 30, 2001
Worker killed and two others injured at a metro rail site in New Delhi	November 23, 2001	Times of India, Rashtriya Sahara, The Hindu, November 24, 2001
2 charred to death in chemical unit blasts near Bangalore	November 12, 2001	Deccan Herald, November 13, 2001
Four hurt in factory blast in Sumerpur in Hamirpur district	November 5, 2001	Tribune, November 6, 2001
Olium gas leak in Raigad district, Maharashtra hits 46	November 2, 2001	Deccan Herald, November 3, 2001

Annexure II

List of the Deceased Workers in the Accident

Sl. No.	Name	Caste	Address
1.	Amit Sharma (30)	Brahmin	30, Nagla Ajita, Jagdishpura, Agra
2.	Anil Kumar	-do-	
3.	Dharmesh (18)	SC	25/33 Naya Gher, Jeoni Mandi, Agra
4.	Sohan (30)	-do-	Nunihai, Etmauddaula, Agra
5.	Santosh Kumar (38)	-do-	Maharana Pratap Nagar, Hari Parvat, Agra
6.	Ambresh (26)	-do-	Redi Bagicha, Jivan Nagar, Etmauddaula, Agra
7.	Manoj (22)	-do-	Nagla Solabhola, Hari Parvat, Agra
8.	Banarasi (20)	-do-	Nagla Haveli, Dayal Bag, Agra
9.	Nanne (26)	-do-	-do-
10.	Gulab Singh (46)	-do-	-do-
11.	Bhagwan Das (27)	-do-	Nagla Parma, Chhatta, Agra
12.	Sohan Lal (44)	-do-	Nunihai, Agra
13.	Ajay Prakash (26)	-do-	Katra Wazir Khan, Etmauddaula, Agra
14.	Veer Singh (35)	-do-	Kacchapura, Etmauddaula, Agra
15.	Amar Singh (50)	-do-	-do-
16.	Hemant (25)	-do-	Idgah, Kutlupur, Agra
17.	Vijay (40)	-do-	New Agra
18.	Gulab (40)	-do-	Nagla Haveli, New Agra
19.	Banarasi	-do-	-do-
20.	Ashok (45)	-do-	Sitaram Mansingh Ki Bagichi, Jeoni Mandi, Agra
21.	Sanjay (18)	-do-	-do-
22.	Hiralal (60)	-do-	Nagla Parma, Jeoni Mandi, Agra
23.	Lekhras alias Lekhha	-do-	31/446, Maharana Pratap Nagar, Hari Parvat, Agra
24.	Sushil Kumar	-do-	25/43, Naya Gher, Jeoni Mandi, Agra
25.	Parmesh alias Pamma	-do-	Naya Gher, Jeoni Mandi, Agra
26.	Dharamveer (22)	-do-	-do-
27.	Manoj (22)	-do-	Maharana Pratap Nagar, Hari Parvat, Agra
28.	Surendra (40)	-do-	-do-
29.	Lumbu (27)	-do-	-do-
30.	Chokhelal (26)	-do-	Chul Haveli, Ferozabad
31.	Manoj (22)	-do-	Chidda Nagla, Langre Ki Chowki, Agra
32.	Dharamveer (50)	-do-	Achlu Ka Bans, Khadauli, Agra
33.	Vijay (20)	-do-	Nagla Rambaksh, Etmadpur, Agra
34.	Rajesh (23)	-do-	-do-
35.	Dharmendra (19)	-do-	Idgah, Katghar, Agra
36.	Sunil	-do-	Gadi Bhadorni, Agra
37.	Baijnath (40)	-do-	Nagla Chidda, Hari Parvat, Agra
38.	Pradeep (32)	-do-	Nagla Parma, Gwalior Road, Sadar, Agra
39.	Haresh (20)	-do-	Nagla Solabhola, Hari Parvat, Agra
40.	Anandi Prasad	-do-	Idgah, Kutlupur, Agra
41.	Lalit (22)	-do-	Naya Gher, Jeoni Mandi, Agra
42.	NA		

Source: Collected during Fact Finding visit

Annexure III

List of the Injured in the Accident

Sl. No.	Name	Address
1.	Daulat Ram (34)	Nagla Gyasi, New Agra
2.	Maharaj Singh (25)	Nagla Munwar, Fatehabad, Agra
3.	Devendra (16)	Kajipara, Agra
4.	Diwarilal (29)	Nagla Bihari, Agra
5.	Dharmendra Singh (26)	Kolakhan, Agra
6.	Mukesh	Naya Warj, Jeoni Mandi, Agra
7.	Dhan Bahadur (48)	Nagla Chidda, Agra
8.	Banwarilal (38)	Kothipura, Agra
9.	Kapil Sharma (24)	Belanganj, Agra
10.	Manjeet Singh (60)	Masta Ki Bagichi, Agra
11.	Munna Lal (48)	Nagla Parma, Jeoni Mandi, Agra

Source: Collected during Fact Finding visit

Annexure IV

The Names of the Members of the Task Forces Constituted by the District Magistrate of Agra to Look into the Safety Measures in the Footwear Manufacturing Industry

Team I

1. Shri Yashveer Singh (Upper City Magistrate)
2. Shri R Prasad (Assistant Director of Factories)
3. Shri Chandrabhan (Labour Enforcement Officer)
4. Shri R B Tripathy (Labour Enforcement Officer)
5. Representative of Agra Footwear Manufacturers' and Exporters' Chamber
6. Representative of Fire Service

Team II

1. Shri Kailash Chandra (Upper City Magistrate)
2. Shri R K Singh (Assistant Director Factories)
3. Shri B N Bhartiya (Labour Enforcement Officer)
4. Shri R N Tiwari (Labour Enforcement Officer)
5. Representative of Agra Footwear Manufacturers' and Exporters' Chamber
6. Representative of Fire Service

Team III

1. Shri B M Chaudhari (Upper City Magistrate)
2. Shri R D Paliwal (Assistant Director Factories)
3. Shri B R Singh (Labour Enforcement Officer)
4. Shri S S Arthaya (Labour Enforcement Officer)
5. Representative of Agra Footwear Manufacturers' and Exporters' Chamber
6. Representative of Fire Service

Team IV

1. Shri Shailendra Singh (SDM, Sadar)
2. Shri Vishwakarma (Assistant Director Factories)
3. Shri B S Ram (Labour Enforcement Officer)
4. Shri D Roy (Labour Enforcement Officer)
5. Representative of Agra Footwear Manufacturers' and Exporters' Chamber
6. Representative of Fire Service

Source: Collected during Fact Finding visit

Annexure V

Relevant Excerpts from the Factories Act, 1948

6. Approval, Licensing and Registration of Factories - (1) The State Government may make rules - (a) requiring, for the purposes of this Act, the submission of plans of any class or description of factories to the Chief Inspector or the State Government;

(aa) requiring, the previous permission in writing of the State Government or the Chief Inspector to be obtained for the site on which the factory is to be situated and for the construction or extension of any factory or class or description of factories;

(b) requiring for the purpose of considering applications for such permission the submission of plans and specifications;

(c) prescribing the nature of such plans and specifications and by whom they shall be certified;

(d) requiring the registration and licensing of factories or any class or description of factories, and prescribing the fees payable for such registration and licensing and for the renewal of licences;

(e) requiring that no licence shall be granted or renewed unless the notice specified in section 7 has been given.

(2) If on an application for permission referred to in clause (aa) of sub-section (1) accompanied by the plans and specifications required by the rules made under clause (b) of that sub-section, sent to the State Government or Chief Inspector by registered post, no order is communicated to the applicant within three months from the date on which it is so sent, the permission applied for in the said application shall be deemed to have been granted.

(3) Where a State Government or a Chief Inspector refuses to grant permission to the site, construction or extension of a factory or to the registration and licensing of a factory, the applicant may within thirty days of the date of such refusal appeal to the Central Government if the decision appealed from was of the State Government and to the State Government in any other case.

Explanation : A factory shall not be deemed to be extended within the meaning of this section by reason only of the replacement of any plant or machinery, or within such limits as may be prescribed, of the addition of any plant or machinery if such replacement or addition does not reduce the minimum clear space required for safe working around the plant or machinery or adversely affect the environmental conditions from the evolution or emission of steam, heat or dust or fumes injurious to health.

7A. General Duties of the Occupier - (1) Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory.

(2) Without prejudice to the generality of the provisions of sub-section (1), the matters to which such duty extends, shall include - (a) the provision and maintenance of plant and systems of work in the factory that are safe and without risks to health;

(b) the arrangements in the factory for ensuring safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances;

(c) the provision of such information, instruction, training and supervision as are necessary to ensure the health and safety, of all workers at work;

(d) the maintenance of all places of work in the factory in a condition that is safe and without risks to health and the provision and maintenance of such means of access to, and egress from, such places as are safe and without such risks;

(e) the provision, maintenance or monitoring of such a working environment in the factory for the workers that is safe, without risks to health and adequate as regards facilities and arrangements for their welfare at work.

(3) Except in such cases as may be prescribed, every occupier shall prepare, and, as often as may be appropriate, revise, a written statement of his general policy with respect to the health and safety of the workers at work and the organisation and arrangements for the time being in force for carrying out that policy, and to bring the statement and any revision thereof to the notice of all the workers in such manner as may be prescribed.

13. Ventilation and Temperature - (1) Effective and suitable provision shall be made in every factory for securing and maintaining in every workroom - (a) adequate ventilation by the circulation of fresh air, and

(b) such a temperature as will secure for workers therein reasonable conditions of comfort and prevent injury to health; and in particular, - (i) walls and roofs shall be of such material and so designed that such temperature shall not exceed but be kept as low as practicable;

(ii) where the nature of the work carried on in the factory involves, or is likely to involve, the production of excessively high temperatures such adequate measures as are practicable shall be taken to protect the workers therefrom, by separating the process which produces such temperatures from the workroom, by insulating the hot parts or by other effective means.

(2) The State Government may prescribe a standard of adequate ventilation and reasonable temperature for any factory or class or description of factories or parts thereof and direct that Ira-48 proper measuring instruments, at such places and in such position as may be specified, shall be provided and such records, as may be prescribed, shall be maintained;

(3) If it appears to the Chief Inspector that excessively high temperatures in any factory can be reduced by the adoption of suitable measures, he may, without prejudice to the rules made under sub-section (2), serve on the occupier, an order in writing specifying the measures which, in his opinion, should be adopted, and requiring them to be carried out before a specified date.

16. Overcrowding - (1) No room in any factory shall be overcrowded to an extent injurious to the health of the workers employed therein.

(2) Without prejudice to the generality of sub-section (1), there shall be in every workroom of a factory in existence on the date of the commencement of this Act at least 9.9 cubic metres and of a factory built after the commencement of this Act at least 14.2 cubic metres of space for every worker employed therein, and for the purposes of this sub-section no account shall be taken of any space which is more than 4.2 metres above the level of the floor of the room.

(3) If the Chief Inspector by order in writing so requires, there shall be posted in each workroom of a factory a notice specifying the maximum number of workers who may, in compliance with the provisions of this section, be employed in the room.

(4) The Chief Inspector may by order in writing exempt, subject to such conditions, if any, as he may think fit to impose, any workroom from the provisions of this section, if he is satisfied that compliance therewith in respect of the room is unnecessary in the interest of the health of the workers employed therein.

17. Lighting (1) In every part of a factory where workers are working or passing there shall be provided and maintained sufficient and suitable lighting, natural or artificial, or both.

(2) In every factory all glazed windows and skylights used for the lighting of the workroom shall be kept clean on both the inner and outer surfaces and, so far as compliance with the provisions of any rules made, under sub-section (3) of section 13 will allow, free from obstruction.

(3) In every factory effective provision shall, so far as is practicable, be made for the prevention of - (a) glare, either directly from a source of light or by reflection from a smooth or polished surface;

(b) the formation of shadows to such an extent as to cause eye-strain or the risk of accident to any worker.

(4) The State Government may prescribe standards of sufficient and suitable lighting for factories or for any class or description of factories or for any manufacturing process.

18. Drinking Water - (1) In every factory effective arrangements shall be made to provide and maintain at suitable points conveniently situated for all workers employed therein a sufficient supply of wholesome drinking water.

(2) All such points shall be legibly marked "drinking water" in a language understood by a majority of the workers employed in the factory, and no such point shall be situated within six metres of any washing place, urinal, latrine, spittoon, open drain carrying sullage or effluent or any other source of contamination unless a shorter distance is approved in writing by the Chief Inspector.

(3) In every factory wherein more than two hundred and fifty workers are ordinarily employed, provisions shall be made for cooling drinking water during hot weather by effective means and for distribution thereof.

(4) In respect of all factories or any class or description of factories the State Government may make rules for securing compliance with the provisions of sub-sections (1), (2) and (3) and for the examination by prescribed authorities of the supply and distribution of drinking water in factories.

19. Latrines and Urinals - (1) In every factory - (a) sufficient latrine and urinal accommodation of prescribed types shall be provided conveniently situated and accessible to workers at all times while they are at the factory;

(b) separate enclosed accommodation shall be provided for male and female workers;

(c) such accommodation shall be adequately lighted and ventilated, and no latrine or urinal shall, unless specially exempted in writing by the Chief Inspector, be in immediate proximity with any workroom except through an intervening open space or ventilated passage;

(d) all such accommodation shall be maintained in a clean and sanitary condition at all times;

(e) sweepers shall be employed whose primary duty it would be to keep clean latrines, urinals and washing places.

(2) In every factory wherein more than two hundred and fifty workers are ordinarily employed - (a) all latrine and urinal accommodation shall be of prescribed sanitary types;

(b) the floors and internal walls, up to a height of ninety centimeters, of the latrines and urinals and the sanitary blocks shall be laid in glazed tiles or otherwise finished to provide a smooth polished impervious surface;

(c) without prejudice to the provisions of clauses (d) and (e) of sub-section (1), the floors, portions of the walls and blocks so laid or finished and the sanitary pans of latrines and urinals shall be thoroughly washed and cleaned at least once in every seven days with suitable detergents or disinfectants or with both.

(3) The State Government may prescribe the number of latrines and urinals to be provided in any factory in proportion to the numbers of male and female workers ordinarily employed therein, and provide for such further matters in respect of sanitation in factories, including the obligation of workers in this regard, as it considers necessary in the interest of the health of the workers employed therein.

21. Fencing of Machinery - (1) In every factory the following, namely, - (i) every moving part of a prime mover and every flywheel connected to a prime mover, whether the prime mover or flywheel is in the engine house or not;

(ii) the headrace and tailrace of every water-wheel and water turbine;

(iii) any part of a stock-bar which projects beyond the head stock of a lathe; and

(iv) unless they are in such position or of such construction as to be safe to every person employed in the factory as they would be if they were securely fenced, the following, namely - (a) every part of an electric generator, a motor or rotary converter;

(b) every part of transmission machinery; and

(c) every dangerous part of any other machinery, shall be securely fenced by safeguards of substantial construction

which shall be constantly maintained and kept in position while the parts of machinery they are fencing are in motion or in use :

Provided that for the purpose of determining whether any part of machinery is in such position or is of such construction as to be safe as aforesaid, account shall not be taken of any occasion when - (i) it is necessary to make an examination of any part of the machinery aforesaid while it is in motion or, as a result of such examination, to carry out lubrication or other adjusting operation while the machinery is in motion, being an examination or operation which it is necessary to be carried out while that part of the machinery is in motion, or

(ii) in the case of any part of a transmission machinery used in such process as may be prescribed (being a process of a continuous nature the carrying on of which shall be, or is likely to be, substantially interfered with by the stoppage of that part of the machinery), it is necessary to make an examination of such part of the machinery while it is in motion or, as a result of such examination, to carry out any mounting or shipping of belts or lubrication or other adjusting operation while the machinery is in motion, and such examination or operation is made or carried out in accordance with the provisions of sub-section (1) of section 22.

(2) The State Government may by rules prescribe such further precautions as it may consider necessary in respect of any particular machinery or part thereof, or exempt, subject to such condition as may be prescribed, for securing the safety of the workers, any particular machinery or part thereof from the provisions of this section.

29. Lifting Machines, Chains, Ropes and Lifting Tackles - (1) In any factory the following provisions shall be complied with in respect of every lifting machine (other than a hoist and lift) and every chain, rope and lifting tackle for the purpose of raising or lowering persons, goods or materials :- (a) all parts, including the working gear, whether fixed or movable, of every lifting machine and every chain, rope or lifting tackle shall be - (i) of good construction, sound material and adequate strength and free from defects;

(ii) properly maintained; and

(iii) thoroughly examined by a competent person at least once in every period of twelve months, or at such intervals as the Chief Inspector may specify in writing, and a register shall be kept containing the prescribed particulars of every such examination;

(b) no lifting machine and no chain, rope or lifting tackle shall, except for the purpose of a test, be loaded beyond the safe working load which shall be plainly marked thereon together with an identification mark and duly entered in the prescribed register, and where this is not practicable, a table showing the safe working loads of every kind and size of lifting machine or, chain, rope or lifting tackle in use shall be displayed in prominent positions on the premises;

(c) while any person is employed or working on or near the wheel track of a travelling crane in any place where he would be liable to be struck by the crane, effective measures shall be taken to ensure that the crane does not approach within [1ra-66 six metres 1ra-66] of that place.

(2) The State Government may make rules in respect of any lifting machine or any chain, rope or lifting tackle used in factories - (a) prescribing further requirements to be complied with in addition to those set out in this section;

(b) providing for exemption from compliance with all or any of the requirements of this section, where in its opinion, such compliance is unnecessary or impracticable.

(3) For the purposes of this section a lifting machine or a chain, rope or lifting tackle shall be deemed to have been thoroughly examined if a visual examination supplemented, if necessary, by other means and by the dismantling of parts of the gear, has been carried out as carefully as the conditions permit in order to arrive at a reliable conclusion as to the safety of the parts examined. [Explanation : In this section, - (a) "lifting machine" means a crane, crab, winch, teagle, pulley block, gin wheel, transporter or runway;]

(b) "lifting tackle" means any chain, sling, rope sling, hook, shackle, swivel, coupling, socket, clamp, tray or similar appliance, whether fixed or movable, used in connection with the raising or lowering of persons, or loads by use of lifting machines.

30. Revolving Machinery - (1) In every factory in which the process of grinding is carried on there shall be permanently affixed to or placed near each machine in use a notice indicating the maximum safe working peripheral speed of every grindstone or abrasive wheel, the speed of the shaft or spindle upon which the wheel is mounted, and the diameter of the pulley upon such shaft or spindle necessary to secure such safe working peripheral speed.

(2) The speeds indicated in notices under sub-section (1) shall not be exceeded.

(3) Effective measures shall be taken in every factory to ensure that the safe working peripheral speed of every revolving vessel, cage, basket, flywheel, pulley, disc or similar appliance driven by power is not exceeded.

31. Pressure Plant - (1) If in any factory, any plant or machinery or any part thereof is operated at a pressure above atmospheric pressure, effective measures shall be taken to ensure that the safe working pressure of such plant or machinery or part is not exceeded.

(2) The State Government may make rules providing for the examination and testing of any plant or machinery such as is referred to in sub-section (1) and prescribing such other safety measures in relation thereto as may in its opinion be necessary in any factory or class or description of factories.

(3) The State Government may, by rules, exempt, subject to such conditions as may be specified therein, any part of any plant or machinery referred to in sub-section (1) from the provisions of this section.

32. Floors, Stairs and Means of Access - In every factory - (a) all floors, steps, stairs, passages and gangways shall be of sound construction and properly maintained and shall be kept free from obstructions and substances likely to cause persons to slip, and where it is necessary to ensure safety, steps, stairs, passages and gangways shall be provided with substantial handrails;

(b) there shall, so far as is reasonably practicable, be provided and maintained safe means of access to every place at which any person is at any time required to work.

(c) when any person has to work at a height from where he is likely to fall, provision shall be made, so far as is reasonably practicable, by fencing or otherwise, to ensure the safety of the person so working.

38. Precautions in Case of Fire - (1) In every factory, all practicable measures shall be taken to prevent outbreak of fire and its spread, both internally and externally, and to provide and maintain - (a) safe means of escape for all persons in the event of a fire, and (b) the necessary equipment and facilities for extinguishing fire.

(2) Effective measures shall be taken to ensure that in every factory all the workers are familiar with the means of escape in case of fire and have been adequately trained in the routine to be followed in such cases.

(3) The State Government may make rules, in respect of any factory or class or description of factories, requiring the measures to be adopted to give effect to the provisions of sub-sections (1) and (2).

(4) Notwithstanding anything contained in clause (a) of sub-section (1) or sub-section (2), if the Chief Inspector, aware of the nature of the work carried on in any factory, the construction of such factory, special risk to life or safety, or any other circumstances, is of the opinion that the measures provided in the factory, whether as prescribed or not, for the purposes of clause (a) of sub-section (1) or sub-section (2), are inadequate, he may, by, order in writing, require that such additional measures as he may consider reasonable and necessary, be provided in the factory before such date as is specified in the order.

41. Power to Make Rule to Supplement this Chapter - The State Government may make rules requiring the provision in any factory or in any class or description of factories of such further devices and measures for securing the safety of persons employed therein as it may deem necessary.

41B. Compulsory disclosure of information by the occupier - (1) The occupier of every factory involving a hazardous process shall disclose in the manner prescribed all information regarding dangers, including health hazards and the measures to overcome such hazards arising from the exposure to or handling of the materials or substances in the manufacture, transportation, storage and other processes, to the workers employed in the factory, the Chief Inspector, the local authority within whose jurisdiction the factory is situated and the general public in the vicinity.

(2) The occupier shall, at the time of registering the factory involving a hazardous process, lay down a detailed policy with respect to the health and safety of the workers employed therein and intimate such policy to the Chief Inspector and the local authority and, thereafter, at such intervals as may be prescribed, inform the Chief Inspector and the local authority of any change made in the said policy

(3) The information furnished under sub-section (1) shall include accurate information as to the quantity, specifications and other characteristics of wastes and the manner of their disposal.

(4) Every occupier shall, with the approval of the Chief Inspector, draw up an on-site emergency plan and detailed disaster control measures for his factory and make known to the workers employed therein and to the general public living in the vicinity of the factory the safety measures required to be taken in the event of an accident taking place.

(5) Every occupier of a factory shall, - (a) If such a factory is engaged in a hazardous process on the commencement of the Factories (Amendment) Act, 1987 (2 of 1987), within a period of thirty days of such commencement; and (b) if such factory proposes to engage in a hazardous process at any time after such commencement, within a period of thirty days before the commencement of such process, inform the Chief Inspector of the nature and details of the process in such form and in such manner as may be prescribed.

(6) Where any occupier of a factory contravenes the provisions of sub-section (5), the licence issued under section 6 to such factory shall, notwithstanding any penalty to which the occupier of factory shall be subjected to under the provisions of this Act, be liable for cancellation.

(7) The occupier of a factory involving a hazardous process shall, with the previous approval of the Chief Inspector, lay down measures for the handling, usage, transportation and storage of hazardous substances inside the factory premises and the disposal of such substances outside the factory premises and publicise them in the manner prescribed among the workers and the general public living in the vicinity.

45. First Aid Appliances - (1) There shall in every factory be provided and maintained so as to be readily accessible during all working hours first-aid boxes or cupboards equipped with the prescribed contents, and the number of such boxes or cupboards to be provided and maintained shall not be less than one for every one hundred and fifty workers ordinarily employed at any one time in the factory.

(2) Nothing except the prescribed contents shall be kept in a first-aid box or cupboard.

(3) Each first-aid box or cupboard shall be kept in the charge of a separate responsible person who holds a certificate in first-aid treatment recognized by State Government and who shall always be readily available during the working hours of the factory.

(4) In every factory wherein more than five hundred workers are ordinarily employed there shall be provided and maintained an ambulance room of the prescribed size, containing the prescribed equipment and in the charge of such medical and nursing staff as may be prescribed and those facilities shall always be made readily available during the

working hours of the factory.

51. Weekly Hours - No adult workers shall be required or allowed to work in a factory for more than forty-eight hours in a week.

52. Weekly Holidays - (1) No adult worker shall be required or allowed to work in a factory on the first day of the week (hereinafter referred to as the said day), unless - (a) he has or will have a holiday for a whole day on one of the three days immediately before or after the said day, and

(b) the manager of the factory has, before the said day or the substituted day under clause (a), whichever is earlier, - (i) delivered a notice at the office of the Inspector of his intention to require the worker to work on the said day and of the day which is to be substituted, and

(ii) displayed a notice to that effect in the factory : Provided that no substitution shall be made which will result in any worker working for more than ten days consecutively without a holiday for a whole day.

(2) Notices given under sub-section (1) may be cancelled by a notice delivered at the office of the Inspector and a notice displayed in the factory not later than the day before the said day or the holiday to be cancelled, whichever is earlier.

(3) Where, in accordance with the provisions of sub-section (1), any worker works on the said day and has had a holiday on one of the three days immediately before it, that said day shall, for the purpose of calculating his weekly hours of work, be included in the preceding week.

54. Daily Hours - Subject to the provisions of section 51, no adult worker shall be required or allowed to work in a factory for more than nine hours in any day :

Provided that, subject to the previous approval of the Chief inspector, the daily maximum hours specified in this section may be exceeded in order to facilitate the change of shifts.

61. Notice Of Periods Of Work For Adults - (1) There shall be displayed and correctly maintained in every factory in accordance with the provisions of sub-section (2) of section 108, a notice of periods of work for adults, showing clearly for every day the periods during which adult workers may be required to work.

(2) The periods shown in the notice required by sub-section (1) shall be fixed beforehand in accordance with the following provisions of this section, and shall be such that workers working for those periods would not be working in contravention of any of the provisions of sections 51, 52, 53, 54, 55, 56 and 58.

(3) Where all the adult workers in a factory are required to work during the same periods, the manager of the factory shall fix those periods for such workers generally.

(4) Where all the adult workers in a factory are not required to work during the same periods, the manager of the factory shall classify them into groups according to the nature of their work indicating the number of workers in each group.

(5) For each group which is not required to work on a system of shifts, the manager of the factory shall fix the periods during which the group may be required to work.

(6) Where any group is required to work on a system of shifts and the relays are not to be subject to predetermined periodical changes of shifts, the manager of the factory shall fix the periods during which each relay of the group may be required to work.

(7) Where any group is to work on a system of shifts and the relays are to be subject to predetermined periodical changes of shifts, the manager of the factory shall draw up a scheme of shifts whereunder the periods during which any relay of the group may be required to work and the relay which will be working at any time of the day shall be known for any day.

(8) The State Government may prescribe forms of the notice required by sub-section (1) and the manner in which it shall be maintained.

(9) In the case of a factory beginning work after the commencement of this Act, a copy of the notice referred to in sub-section (1) shall be sent in duplicate to the Inspector before the day on which work is begun in the factory.

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

62. Register of Adult Workers - (1) The manager of every factory shall maintain a register of adult workers, to be available to the Inspector at all times during working hours, or when any work is being carried on in the factory, showing - (a) the name of each adult worker in the factory;

(b) the nature of his work;

(c) the group, if any, in which he is included;

(d) where his group works on shifts, the relay to which he is allotted; and

(e) such other particulars as may be prescribed :

Provided that if the Inspector is of opinion that any muster roll or register maintained as a part of the routine of a factory gives in respect of any or all the workers in the factory the particulars required under this section, he may, by order in writing, direct that such muster roll or register shall to the corresponding extent be maintained in place of, and be treated as, the register of adult workers in that factory.

(1A) No adult worker shall be required or allowed to work in any factory unless his name and other particulars have been entered in the register of adult workers.

(2) The State Government may prescribe the form of the register of adult workers, the manner in which it shall be

maintained and the period for which it shall be preserved.

67. Prohibition of Employment of Young Children - No child who has not completed his fourteenth year shall be required or allowed to work in any factory.

68. Non-Adult Workers to Carry Tokens - A child who has completed his fourteenth year or an adolescent shall not be required or allowed to work in any factory unless - (a) a certificate of fitness granted with reference to him under section 69 is in the custody of the manager of the factory; and
(b) such child or adolescent carries while he is at work a token giving a reference to such certificate.

88. Notice of Certain Accidents - (1) Where in any factory an accident occurs which causes death, or which causes any bodily injury by reason of which the person injured is prevented from working for a period of forty-eight hours or more immediately following the accident, or which is of such nature as may be prescribed in this behalf, the manager of the factory shall send notice thereof to such authorities, and in such form and within such time, as may be prescribed.

(2) Where a notice given under sub-section (1) relates to an accident causing death, the authority to whom the notice is sent shall make an inquiry into the occurrence within one month of the receipt of the notice or, if such authority is not the Inspector, cause the Inspector to make an inquiry within the said period.

(3) The State Government may make rules for regulating the procedure at inquiries under this section.

Annexure VI

Relevant Excerpts from the UP Factories Rules

3. Approval of Plans – (1) No building in a factory shall be constructed, reconstructed or extended nor shall any manufacturing process be carried or in any building constructed or extended or taken into use as a factory or part of a factory after the date of the enforcement of this rule, unless previous permission in writing is obtained from the State Government or the Chief Inspector.

Applications for such permission shall be made to the Chief Inspector of Factories through the Inspector of Factories of the region concerned in the prescribed Form No , 1 which shall be accompanied by the following documents in triplicate:

- (a) A flow chart of the manufacturing process supplemented by a brief description of the process in its various stages
- (b) Plans in triplicate drawn to scale showing-
 - (i) the site of the factory and immediate surroundings including adjacent buildings and other structures, roads, drains, etc., and
 - (ii) the plan elevation and necessary cross sections of the various buildings, including all relevant details relating to natural, lighting, ventilation and means of escape in case of fire. The plans shall also clearly indicate the position of the plant and machinery aisles and passage ways.
- (c) Replies to the questionnaires annexed to Form No. 1
- (d) Such other particulars as the Chief Inspector may require.

(2) If the Chief Inspector is satisfied that the plans are in consonance with the requirements of the Act he shall, subject to such conditions as he may specify, approve them by signing and returning to the applicant one copy of each plan or he may call for such other particulars as he may require to enable such approval to be given.

(3) No manufacturing process carried on with the aid of power shall be begun or carried on in any building, or part of a building, until a certificate of stability of the building, or part of building in Form No. 2, signed by a person possessing the qualifications prescribed in sub-rule (4) has been delivered to the Chief Inspector through the Inspector of Factories of the region concerned and accepted by him. No extended portion of any factory shall be used as a part of the factory any time after the extension nor any plant or machinery shall be added in any factory, nor brought into use any time after such addition until a certificate in respect of such extension or plant has been delivered to the Chief Inspector through the Inspector of Factories of the region concerned and accepted by the Chief Inspector of Factories.

(4) The person signing the Form No.2 shall possess one or other of the following qualifications:

- a) Corporate membership of any of the following institutions:
 - (i) The Institute of Civil Engineers
 - (ii) The Institute of Structural Engineers
 - (iii) The Royal Institute of British Architects
 - (iv) The Institute of Engineers (India) together with a degree of a recognized Civil Engineering College in India; provided that he has also been for three years in bona fide practice on his own accounts as Chief Assistant of a recognized firm of Civil Engineers, or
- (b) Such other qualifications as the Chief Inspector of Factories may approve

(5) No person, except in the case of a building occupied by any Government, shall be authorised to sign a Certificate of Stability, who is in the employment of the owner or builder of the building in respect of which the certificate is given.

6. Mode of Application - The occupier of every factory shall submit to the Chief Inspector an application together with Form No.4, prescribed under Section 7, in triplicate for registration of the factory and grant of a licence, at least fifteen days before he begins to occupy, or use, the premises as a factory:

Provided that the occupier of a place, to which the provisions of the Act are made applicable by a notification under Section 85, shall submit such application within thirty days of the date of such notification:

7: Registration and grant of license - (1) The factory shall be registered and a licence for a factory shall be granted by the Chief Inspector in Form 3 and on payment of the fees specified in the schedule:

Schedule of fees payable

Quantity of H.P. installed (maximum H.P)

Maximum number of persons to be employed on any day during the calendar year

	Up to 20 From	From 21 to 50 251 to 500	From 51 to 100 From 501 to 750	From 101 to 250 Above 750			
	Rs	Rs	Rs	Rs	Rs	Rs	
Nil	10	25	50	125	250	375	500
Up to 10	25	50	60	150	300	450	600
Above 10 but not above 50		50	75	100	250	500	750
							1000
Above 50 but not above 100		100	125	150	375	750	1125
							1500
Above 100	150	200	250	500	1000	1500	2000

(2) Every licence granted or renewed under these rules shall remain in force until December 31st of the year for which the licence is granted or renewed.

9. Renewal of license – (1) Except in cases covered by sub-rule (3) of Rule 13, the licence of a factory may be renewed by the Chief Inspector for the whole of a calendar year on payment of the fees specified in the schedule under Rule 7: Provided that if the application for renewal is not received within the time specified in sub-rule (2) the licence shall be renewed only on payment of a fee 25 per cent in excess of the fee ordinarily payable for the licence.

(2) Every application for the renewal of a licence shall be accompanied by the notice of occupation prescribed under Section 7 and shall be sent in triplicate so as to reach the office of the Chief Inspector not less than thirty days before the date on which the licence expires, and if the application is so made, the premises shall be held to be duly licensed until such date as the Chief Inspector renews the licence.

14-B Cancellation of license - The State Government, or the Chief Inspector, with the approval of the State Government may after giving the licensee concerned, reasonable opportunity to show cause against the proposed action, cancel any licence, if it /he is satisfied that the licence was obtained by the licensee through fraud, or by misrepresentation of facts and on such cancellation of licence the licensee shall not be entitled to the refund of the licence fee.

61. Means of escape in case of Fire - (1) Every factory shall be provided with adequate means of escape in case of fire for the persons employed therein and without prejudice to the generality of the foregoing:

- Each room of factory building shall in relation to its size and the number of persons employed in it be provided with an adequate number of exits for use in case of fire though not necessarily confined to such use so positioned that each person will have a reasonably free and unobstructed passage from his work-place to an exits.
- No exit intended for use in case of fire shall be less than 3 feet in width nor less than 6 feet 6 inches in height; the doors of such exits shall be so arranged as to open immediately from the inside.
- In the case of a factory building or part of a factory building of more than one storey and in which no fewer than twenty persons work at any time, there shall be provided at least one substantial stairway of fire-resisting material permanently constructed either inside or outside the building, which affords direct and unimpeded access to ground level.
- In the case of factory building in which twenty or more persons work at any one time above the level of the ground or where in explosive or highly inflammable materials are used or stored, or which, is situated below the ground level, the means of escape shall include at least two separate and substantial stairways of fire-resisting material permanently constructed either inside or outside the building and which afford direct and unimpeded access to the ground level
- Every stairway in a factory, which affords a means of escape in case of fire shall be provided with a substantial handrail, which if the stairway has an open side shall be on that side, and if the stairway has two open sides, such handrail shall be provided on both sides.

(2) In the case of a building constructed or converted for use as a factory after the date of the passing of this Act, the following additional requirements shall apply:

- At least two of the stairways provided shall be of fire-resisting materials.
- Every hoistway or liftway inside a factory building shall be completely enclosed with fire-resisting materials and all means of access to the hoist or lift shall be fitted with doors of fire-resisting materials:

Provided that any such hoist way shall be enclosed only at the top by some material easily broken by fire or be provided with a vent at the top.

- No fire escape stair shall be constructed at an angle greater than 45° from the horizontal.
- No part of a factory building shall be further (along the line of travel) than 150 feet from any fire escape stair.
- No stairway shall be less than 45 inches in width:

Provided that nothing in the above sub-rule shall apply to any factory or class or description of factories for which rules in respect of the means of escape have been otherwise made in terms of Section 38 (7) of the Factories Act, 1948.

(3) The requirements of these rules shall be in addition to, and not in derogation of, the requirements of any other rules made in pursuance of this Act.

66. First- Aid Appliance - The first-aid boxes or cupboards shall be distinctively marked with a red cross on a white ground and shall contain the following equipments:

A.- For factories in which mechanical power is used and in which the number of persons employed exceeds nineteen but does not exceed fifty-each first-aid box or cupboard shall contain the following equipments:

- (i) Twelve small sterilized dressings
- (ii) Six medium size sterilized dressings.
- (iii) Six large size sterilized dressings.
- (iv) Six large size sterilized burn dressings
- (v) Six (1/2 Oz.) Packets sterilized cotton wool.
- (vi) One (2 oz.) bottle containing a 2 per cent alcoholic solution of iodine.
- (vii) One (2 oz.) bottle containing sal volatile having the dose and mode of administration indicated on the label.
- (viii) One roll of adhesive plaster.
- (ix) one snake-bite lancet
- (x) One (1 oz.) bottle of potassium permanganate crystals.
- (xi) One pair of scissors.
- (xii) One copy of the first-aid leaflet approved by the Chief Inspector of Factories.

B- For Factories employing more than fifty persons- each first-aid box or cupboard shall contain the following equipments;

- (i) Twenty-four small sterilized dressings.
- (ii) Twelve medium size sterilized dressings.
- (iii) Twelve large size sterilized dressings.
- (iv) Twelve large size sterilized burn dressings.
- (v) Twelve (1/2 oz.) packets sterilized cotton wool.
- (vi) One snake-bite lancer
- (vii) One pair of scissors.
- (viii) Two (1 oz.) bottle of potassium permanganate crystals.
- (ix) One (4 oz.) bottle containing a 2 per cent alcoholic solution of iodine.
- (x) One (4 oz.) bottle of sal-volatile having the dose and mode of administration indicated on the label.
- (xi) One copy of the first-aid leaflet approved by the Chief Inspector of Factories.
- (xii) Twelve roller bandages 4 inches wide.
- (xiii) Twelve roller bandages 2 inches wide.
- (xiv) Two rolls of adhesive plaster.
- (xv) Six triangular bandages
- (xvi) Two packets of safety pins.
- (xvii) A supply of suitable splints.
- (xviii) One tourniquet:

Items (xii) to (xviii) need not be included in the standard first-aid box or cupboard (a) where there is a properly equipped ambulance room or (b) if at least one box containing such items and placed and maintained in accordance with the requirements of Section 45 is separately provided.

C- The provisions of Section 45 shall not apply to the factories working on any day with less than-

- (i) 20 workers with the aid of power; or
- (ii) 50 workers without the aid of power:

Provided that a First Aid Box having the minimum contents as indicated below is maintained in categories of factories mentioned in items (i) and (ii) above and a person trained in First Aid is readily available to give First Aid treatment:

- (a) Six small sterilized dressings.
- (b) Three medium size sterilized dressings.
- (c) Three large size sterilized burn dressings.
- (d) Three large size sterilized dressing
- (e) Three (1/4 oz) packets sterilized cotton wool.
- (f) One (1 oz). Bottle containing two per cent alcoholic solution of iodine.

- (g) One (1 oz.) bottle of potassium permanganate crystals.
- (h) One snake bite lancet.
- (i) One pair of scissors.
- (j) One roll of adhesive plaster.
- (k) One copy of the First Aid leaflet approved by the Chief Inspector of Factories.

D- In lieu of the dressings required under items (i) and (ii) there may be substituted adhesive wound dressings approved by the Chief Inspector of Factories.

78. (1) The Manager of every factory shall keep, legibly written in ink and, if he so desires, separately by departments, a register of workers in Form No. 12 for adults, showing the dates, whether Sundays or week days on which the factory or any department thereof is closed and its employees are not working, the hours of work on each day of all the persons working in the factory, the time of commencing work, the rest period, the time of ending work, the days of absence and the nature of the employment of each person. Entries relating to presence or otherwise of all workers shall be posted group-wise in the register within four hours of the starting time of each working period of the factory, except on days when workers have been called to work on weekly holidays fixed under Section 52, when such entries shall be made within two hours but the name of each worker shall invariably be shown on the register before he or she is allowed to work in the factory on any day.

- (1) The Manager shall be responsible for the production, on demand of the register, irrespective of the fact whether he (the Manager) is present or not in the factory during an inspection.
- (2) If a Manager prefers, he may maintain the separate registers in two parts one for each half of the month.
- (3) The registers shall be preserved for three years after the close of the year to which they relate

Persons Holding Positions of Supervision or Management (Section 64 (1))

110. (1) When any accident or occurrence specified in the schedule takes place in a factory, the Manager of the factory shall forthwith send notice thereof by telephone, special messenger or telegram to the Chief Inspector of Factories⁵⁷ (and the Inspector of Factories of the region concerned) and if the accident is fatal or of such serious nature that it is likely to prove fatal, notice as aforesaid shall also be sent to-

- (a) the District Magistrate, or, if the District Magistrate has by general order so directed, to the Sub-Divisional Officer, and
- (b) the officer-in-charge of the police station within the local limits of which the factory is situated

(2) The notice so given shall be confirmed by the Manager of the factory to the above mentioned authorities within 12 hours of the occurrence by sending to them a written report in the prescribed Form No.18.

(4) Accidents which cause-

- (a) death to any person;
- (b) such bodily injury as prevents or will probably prevent the person injured from working for a period of 48 hours immediately following the accident.

122. The Manager of every factory shall maintain a register of all accidents and dangerous occurrences, which occur in the factory in Form No. 23.

Annexure VII

Relevant Excerpts from the Workmen's Compensation Act, 1923

10A. Power To Require From Employers Statements Regarding Fatal Accidents –

- (1) Where a Commissioner receives information from any source that a workman has died as a result of an accident arising out of and in the course of his employment, he may send by registered post a notice to the workman's employer requiring him to submit within thirty days of the service of the notice, a statement, in the prescribed form, giving the circumstances attending the death of the workman, and indicating whether, in the opinion of the employer, he is or is not liable to deposit compensation on account of the death.
- (2) If the employer is of the opinion that he is liable to deposit compensation, he shall make the deposit within thirty days of the service of the notice.
- (3) If the employer is of opinion that he is not liable to deposit compensation, he shall in his statement indicate the grounds on which he disclaims liability.
- (4) Where the employer has so disclaimed liability, the Commissioner, after such enquiry as he may think fit, may inform any of the dependants of the deceased workman that it is open to the dependants to prefer a claim for compensation, and may give them such other further information as he may think fit.

Annexure VIII

Relevant Excerpts from the Indian Penal Code (IPC)

IPC 285. Negligent Conduct with Respect to Fire or Combustible Matter - Whoever does, with fire or any combustible matter, any act so rashly or negligently as to endanger human life, or to be likely to cause hurt or injury to any other person, or knowingly or negligently omits to take such order with any fire or any combustible matter in his possession as is sufficient to guard against any probable danger to human life from such fire or combustible matter, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

IPC 287. Negligent Conduct with Respect to Machinery - Whoever does, with any machinery, any act so rashly or negligently as to endanger human life, or to be likely to cause hurt or injury to any other person, or knowingly or negligently omits to take such order with any machinery in his possession or under his care as is sufficient to guard against any probable danger to human life from such machinery, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

IPC 304. Punishment for Culpable Homicide not Amounting to Murder - Whoever commits culpable homicide not amounting to murder, shall be punished with imprisonment for life, or imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine, if the act by which the death is caused is done with the intention of causing death, or of causing such bodily injury as is likely to cause death; or with imprisonment of either description for a term which may extend to ten years, or with fine, or with both, if the act is done with the knowledge that it is likely to cause death, but without any intention to cause death, or to cause such bodily injury as is likely to cause death.

Annexure IX

Relevant Excerpts from the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989

3. Punishments for Offences of Atrocities-

- (1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,
- (i) forces a member of a Scheduled Caste or a Scheduled Tribe to drink or eat any inedible or obnoxious substance;
 - (ii) acts with intent to cause injury, insult or annoyance to any member of a Scheduled Caste or a Scheduled Tribe by dumping excreta, waste matter, carcasses or any other obnoxious substance in his premises or neighbourhood;
 - (iii) forcibly removes clothes from the person of a member of a Scheduled Caste or a Scheduled Tribe or parades him naked or with painted face or body or commits any similar act which is derogatory to human dignity;
 - (iv) wrongfully occupies or cultivates any land owned by, or allotted to, or notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe or gets the land allotted to him transferred;
 - (v) wrongfully dispossesses a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interferes with the enjoyment of his rights over any land, premises or water;
 - (vi) Compels or entices a member of a Scheduled Caste or a Scheduled Tribe to do 'begar' or other similar forms of forced or bonded labour other than any compulsory service for public purposes imposed by Government;
 - (vii) forces or intimidates a member of a Scheduled Caste or a Scheduled Tribe not to vote or to vote to a particular candidate or to vote in a manner other than that provided by law;
 - (viii) institutes false, malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste or a Scheduled Tribe;
 - (ix) gives/ any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe.
 - (x) Intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;
 - (xi) Assaults or uses force to any woman belonging to a Scheduled Caste or a Scheduled Tribe with intent to dishonour or outrage her modesty;
 - (xii) Being in a position to dominate the will of a woman belonging to a Scheduled Caste or a Scheduled Tribe and uses that position to exploit her sexually to which she would not have otherwise agreed;
 - (xiii) Corrupts or fouls the water of any spring, reservoir or any other source ordinarily used by members of the Scheduled Castes or the Scheduled Tribes so as to render it less fit for the purpose for which it is ordinarily used;
 - (xiv) Denies a member of a Scheduled Caste or a Scheduled Tribe any customary right of passage to a place of public resort or obstructs such member so as to prevent him from using or having access to a place of public resort to which other members of public or any section thereof have a right to use or access to;
 - (xv) Forces or causes a member of a Scheduled Caste or a Scheduled Tribe to leave his house, village or other place of residence,
- Shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.

10. Removal of Person Likely to Commit Offence -

- (1) Where the Special Court is satisfied, upon a complaint or a police report that a person is likely to commit an offence under Chapter II of this Act in any area included in 'Scheduled Areas' or 'Tribal Area' as referred to in article 244 of the Constitution, it may, by order in writing, direct such person to remove himself beyond the limits of such area, by such route and within such time as may be specified in the order, and not to return to that area from which he was directed to remove himself for such period, not exceeding two years, as may be specified in the order.
- (2) The Special Court shall, along with the order under sub-section (1) communicate to the person directed under that sub-section the grounds on which such order has been made.
- (3) The Special Court may revoke or modify the order made under sub-section (1) for the reasons to be recorded in writing, on the representation made by the person against whom such order has been made or by any other person on his behalf within thirty days from the date of the order

Annexure X

Summary Report on the Follow up Measures Taken by various Agencies

I. Some Findings of the Team

At the time of the accident 42 people were reportedly burned to death, and 11 injured, however later two more people lost their lives in the hospital. Ms Mayawati, Chief Minister of Uttar Pradesh had visited the accident site on May 26, 2002 and disbursed Rs 50000 to each family of the deceased and 10,000 to the injured. The district administration had also disbursed 10, 000 to each family of the deceased. Owner of Shree Jee International Sunil Goyal was found criminally liable for the accident and cases under IPC 304, Sc/St Atrocities Act and CLPRA had been filed against him. The Deputy Labour Commissioner's Office had worked out a compensation package of Rs 2 lakh for each family of the deceased under the Workmens' Compensation Act to be recovered from the owner. The District Magistrate had set a time frame of 15 days for all illegal units to get themselves registered. The Agra Footwear Manufacturers' and Exporters' Chamber had promised a sum of Rs 10 lakh for the families of the deceased and offered job to one member each from these families.

II. Submissions of the Report

The report of the fact-finding visit including recommendations had been submitted to the concerned departments. Since then NCLR has been trying to put pressure on various authorities including the Labour Secretary, Government of India, National Human Rights Commission, District Magistrate, Agra and the Labour Commissioner, Uttar Pradesh to ensure that the recommendations of the team are met, adequate compensation is given to the families of the victims and measure are adopted to ensure that such accidents do not happen in future.

1. National Human Rights Commission

A complaint had been registered with respect to the fire accident with the National Human Rights Commission (NHRC) on June 11, 2002. Subsequently we were intimated a that notice had been issued by the NHRC (case number 8827/24/2002-2003/FC) on the June 25, 2002 to the Chief Secretary, Uttar Pradesh and District Magistrate, Agra for response within 4 weeks in relation to the action taken regarding the accident.

The National Human Rights Commission was again contacted on October 3, 2002.

They replied that till then there was no response from either to the Chief Secretary or the District Magistrate, so a reminder was issued from NHRC to them on September 17, 2002 to submit their reports by October 31, 2002.

2. Labour Commissioner, Government of Uttar Pradesh

The Labour Commissioner of Uttar Pradesh had issued a notice dated 8.7.2002 to the District Magistrates of Kanpur Unnav, Lucknow, Ghaziabad, Agra, Gautam Budh Nagar, Moradabad and Meerut (letter number 1946-54 F/A.R./Accident/15/2002) ordering them to conduct a survey focussing on:

- How many factories were registered
- Whether the rules of licensing were being followed
- Whether the attendance registers include names of all employees
- If harmful chemicals were being used, was it declared at the time of registration
- Whether explosives were being stored with proper care
- Whether certificate from the Fire Department and explosion control certificate had been obtained
- Whether safety norms particularly fire safety norms were being followed and there were proper facilities for exit.

The order also mentioned that the survey be completed by 30.7.2002.

The Labour Commissioner had been faxed on September 18, 2002, asking him for a follow up response, but there has been no communication from their end. (The commissioner has since then been on election duty in Kashmir and the Deputy Commissioner Factories who was also following up the case has also not been in town. They will be available only around October 15, 2002).

4. Labour Secretary, Government of India

The fact finding team member including Amarjit Kaur, SZA Zafri, J.John, S.Lahiri and Sindhu Menon met P.D Shenoy, Labour Secretary, Government of India and K. Chandramouli, Joint Secretary, Ministry of Labour on July 12, 2002 and submitted their report. The labour secretary expressed his concern over the issue. There were discussions on undertaking safety and health programmes in factories with the workers. The Government officials also expressed their willingness over the proposal of a social security cover for the footwear industry. They also assured that the factories would be covered under the ESI and EPF.

The Labour Secretary also called for a meeting on July 19, 2002 for which the Vrinda Swaroop, Labour Commissioner,

Uttar Pradesh, K. Chandramouli, Joint Secretary, Ministry of Labour and Deputy Labour Commissioners of Ghaziabad and Gautam Buddha Nagar were present. J. John and S. Lahiri of the fact-finding team attended the meeting. Vrinda Swaroop informed about the order that had been issued on July 8, 2002 and assured that the findings and recommendations of the fact-finding team will be looked into.

5. Chief Minister, Government of Uttar Pradesh

The team tried for an appointment with the Ms. Mayawati, Chief Minister of Uttar Pradesh so that the report could be submitted to her in person. But that could not materialise.

6. District Magistrate, Agra

The District Magistrate, Agra on October 4, 2002 informed us that one member from each family of the deceased has been provided employment in the private sector, except in one case where the family member himself refused. The compensation amount as had been decided has been distributed among the families of the victims. Survey was conducted in June of the registered shoe factories on the basis of which it had been indicated to the units to take necessary precautions to ensure such accidents do not happen again. Punitive actions are being taken against those found still violating.

But he did not remember being issued any notice from NHRC in this context. However he assured that it would be searched and looked into.

7. Additional District Magistrate, Agra

The Additional District Magistrate, Agra who was following was also contacted on October 4, 2002. He said that the report of the magisterial enquiry was submitted and the concerned department will take the necessary actions. The corpus fund amount of Rs 10 lakh has been distributed among the victims. ESI Pension numbers have been allotted to the victims. This means that the process of giving pensions will be completed soon.

III. The International Campaign

1. Clean Clothes Campaign

It was found during the course of investigation that Shree Jee International supplied shoes to companies based in Europe. The shoes had labels of Saffron, Toddy, Narisa, Toscana, Barratts and Simona pasted on them with price tags indicating values in pound sterling. Shipping documents indicated that the shoes were meant for Barratts Co., Jacobson Footwear and Gardiner Bros. of UK. A shipping label was marked "Ship to Dublin". Half burnt brochures of a German super market chain was found but the name of the super market could not be retrieved.

- At the international level the Clean Clothes Campaign followed up the case. Companies based in Europe were contacted which were found to have links with the Shree Jee International directly or through importers. Evidences from the Companies were contacted demanding information on:
 - What steps you will undertake with respect to families of the deceased workers and with respect the injured and jobless workers and their families
 - What steps you will undertake to ensure that the recommendations of the fact finding team are met
 - What changes you are making in their policies to prevent this from ever happening again
- Authorities contacted including minister for labour and Agra Footwear Manufacturers' & Exporters' Chamber, Labour Secretary, and demanded details on:
 - How it is possible that such a tragedy occurred, and is eager to know what steps are taken to ensure that such a tragedy does not occur again.
 - The authorities should ensure that the recommendations of the fact-finding team are implemented.

2. International Textile, Garment and Leather Workers' Federation (ITGLWF)

ITGLWF a Global International Trade Union Federation bringing together 225 affiliated organisations in 110 countries with a combined membership of 10 million workers was following up the accident. They were also sent a copy of the fact-finding report.

According to a response from their end dated May 30, 2002 the global union demanded measures to clean up industry. The ITGLWF wrote to Prime Minister Vajpayee and Labour Minister Sharad Yadav, as well as to Chief Minister Mayawati of Uttar Pradesh, to urge both levels of government to ensure that urgent measures are undertaken in order to prevent such accidents from happening again.

Mr. Kearney, General Secretary ITGLWF, demanded that:

- An urgent review of labour laws and health and safety regulations should be conducted, and measures should be taken to ensure that all legislation is properly implemented in every workplace.

- An urgent inquiry should be carried out to determine the causes of the fire, the reasons why it developed so quickly, as well as the reasons why workers were not able to escape the building.
- Measures should then be taken to ensure proper safety measures are applied, including the proper storage of chemicals, adequate safeguards for their use, and proper emergency exits in every workplace.
- Those responsible should be severely dealt with in order to send a
- Message to the whole of the footwear industry that it needs to clean up its act and provide a safe working environment.
- And exemplary compensation should be paid to the injured and the families of those who died, reflecting in each case the family income lost for the full working life of the deceased, as well as the pain and suffering caused to the families.

The ITGLWF has offered technical assistance and is seeking to determine the brands that were being produced at the factory and the type of chemicals that were being used.

- Response from Garnider Bros. On July 5, 2002

P.G. Gardiner wrote that the factory is not known to them but it was possible that shoes bought through importers could be produced in that factory and wanted more details to pursue the matter themselves.

3. Maquila Solidarity Network

Maquila Solidarity Network is a Canadian network of faith, women's, environmental, human rights and labour organisations

They sent letters to Gardiner Bros, Jacobson Group and Barratts on July 7, 2002 demanding:

- It is absolutely necessary these violations of safety in their supplier factories are addressed.
- Adequate steps are undertaken to grant compensation to the families of the deceased workers, and to rehabilitate the injured and the jobless workers.
- In addition, they called on Gardiner Bros. to make a public statement to consumers to clarify how such an accident could take place at one of your supplier factories, to outline how to intend to prevent such a disaster from happening again in future, and to make public your commitment to ensuring that the recommendations of the independent fact finding team comprised of Indian NGOs and trade unions are met.

4. Clean Clothes Campaign, UK

- A communication also came from Jules Rumney, Director of International Shoe Agencies Ltd. to CCC UK on July 8, 2002 saying that Barratts place orders with their company. They use an agent in India who selects the factories best suited for these orders. He then placed these orders with Shree Jee factory. It was also mentioned that they were arranging for a donation to be sent to India for the survivors and families of the victims.

- In a communication on September 10, 2002, CCC informed that they had received letter from Stylo plc (the parent company of Barratts) in response to our protest letters. They basically deny all responsibility, and say they have no connection to the factory. But then in the next breath say that they do place orders with International Shoe Agencies, which does do business with Shree Jee.

According to a communication with the CCC on September 10, the UK CCC was planning to take up the case in the TUC (Trades Union Congress) conference in the UK, They were also trying to get the unions which organise at the companies concerned more involved in this case. At the same time they were planning to have street actions at the end of September outside stores. War on Want and the No Sweat campaign had been approached to work on these actions as well. But later we were informed on October 10 by UK CCC that not very much happened at the TUC conference since the box containing the information and action leaflets failed to reach its destination until the last day, by which time little could be done. Street actions will not happen till November - December. The reason for the delay is a positive one: there are 800 shops selling Barratts shoes in the UK so they decided to mail all their supporters with the relevant documents and a request to organise actions. Shree Jee documents would be sent along with their autom mailing.

Order Issued by the Chief Secretary of Uttar Pradesh

पुनः पुनः पुनः

7. 2. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 8

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3. ନିମ୍ନ ଲିଖିତ କ୍ରମରେ

$$\frac{1}{2} \left(\frac{1}{2} + \frac{1}{2} \right) = \frac{1}{2}$$

4.3. $\overline{\text{Hilb}}^{\text{st}}(\mathbb{A}^n) \cong \overline{\text{Hilb}}^{\text{st}}(\mathbb{A}^n) \times \overline{\text{Hilb}}^{\text{st}}(\mathbb{A}^n)$.

2017年12月25日

बि.स. २३३३, १९६३

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84

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આવક નોંધપાત્ર રીતે વધી ગઈ છે. આ વધારાના પૈસાનો ઉપયોગ કર્મચારીઓના પગારમાં વધારા કરવામાં થયેલ છે. આ વધારાના પૈસાનો ઉપયોગ કર્મચારીઓના પગારમાં વધારા કરવામાં થયેલ છે.

$$\left| \frac{1}{\sqrt{\pi}} \int_{-\infty}^{\infty} f(x) e^{-x^2/2} dx \right|^2 = \frac{1}{\pi} \int_{-\infty}^{\infty} |f(x)|^2 e^{-x^2/2} dx$$

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific information required.

(continued from page 6)

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हुआई का नाम व पता
 निम्न बिस्के लहर
 निरोक्ष किया
 जाना है

नियमों में निरीक्षण
 के इतिहास

पूर्व निरीक्षण
 की तिथि

निरीक्षण विभागाधी अधीन
 मरिहल

विशेष अनुमति

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