

The Bombay Strike Enquiry Committee, 1928-29, discussing a new Standing Order proposed by the Millowners on the subject observed that "there can be no doubt that the practice is liable to considerable abuse, and it has often given rise to industrial unrest. The weaver constantly feels that he has been unjustly penalised for damage caused from reasons which were beyond his control, and asserts that his protests are not heeded. There may be no real attempt to determine whether pieces of cloth have been spoilt owing to the worker's negligence, or on account of defective machinery, bad raw material or carelessness in some other department; and there is a natural tendency for employers to decide such cases in their favour. The worker may not be able to dispose of the spoilt or damaged material except at a considerable loss, and the incidence of the fine thus inflicted on him may be very heavy. No doubt there may be some cases where weavers benefit by getting slightly damaged cloth, which they can keep for their own use or dispose of at a profit; but we think that the objections to the practice outweigh its utility". The Committee, on the other hand, held that "it would be clearly unreasonable for the employer not to have power to recover compensation for damage caused by the negligence of a weaver, by fine or deduction from his wages". In conclusion, they tentatively suggested the addition of a rule on the following lines to the Standing Orders proposed by the Bombay Millowners' Association:—

"The Company shall not be entitled to debit a weaver's wages with the cost of cloth damaged by his negligence, unless he elects to take it over on those terms. Otherwise the Company may deduct from his wages an amount corresponding to the estimated loss caused to it by such negligence, provided that, if the proposed deduction exceeds the sum of Rs. _____ or the weaver disputes the damage being due to his negligence, the deduction shall not be made by an officer of the Company lower in rank than an Assistant Weaving Master. If the latter officer directs a deduction of Rs. _____ or over, and the weaver disputes his liability to pay the same, there shall be a joint examination of the damaged cloth by such officer of the Company as the Manager appoints and a representative of the weavers, who may be either an employee of the Company or an official of a registered Trade Union. If they agree in their decision, the Manager shall accept their decision. If they disagree, and there is no independent person to whom the Manager and the weavers' representative agree to refer the dispute, the Manager shall decide what amount (if any) shall be deducted from the weaver's wages."

We have referred to the matter at some length here in order to show the impossibility of taking into account this peculiar form of wage deduction in arriving at the average of a weaver's earnings. It is impossible to estimate the money value of the "fine" which may, moreover, in a few cases, where the type of cloth handed over is readily saleable, actually involve a profit and not a loss.