

Rep. by Act 58 of 1956, s. 2 + Sch I (w/ 26.12.60).

of 1956]) Central Excises and Salt (Amendment) 827

THE CENTRAL EXCISES AND SALT (AMENDMENT)
ACT, 1956

ACT No. 58 OF 1956

An Act further to amend the Central Excises and Salt Act, 1944.

[16th September, 1956]

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. This Act may be called the Central Excises and Salt Short title. (Amendment) Act, 1956.

2. In the First Schedule to the Central Excises and Salt Act, 1944, Amendment of the First Schedule, Act 1 of 1944.
in Item No. 12,—

(a) in sub-item (1), for the words 'Two annas and six pies per square yard', the words 'Six annas per square yard' shall be substituted;

(b) in sub-item (2), for the words 'One anna and nine pies per square yard', the words 'Six annas per square yard' shall be substituted;

(c) in sub-item (3), for the words 'One anna per square yard', the words 'Four annas per square yard' shall be substituted;

(d) for sub-item (4), the following sub-item shall be substituted, namely:—

"(4) Cotton fabrics, coarse— Four annas per square yard."
that is to say, fabrics in which the average count of yarn is less than 17s.

Rep. by Act 59 of 1956, s. 2 + Sch 2 (w/ 26.12.60)

THE INDIAN RAILWAYS (AMENDMENT) ACT, 1956

ACT No. 59 OF 1956

An Act further to amend the Indian Railways Act, 1890.

[16th September, 1956]

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. This Act may be called the Indian Railways (Amendment) Short title. Act, 1956.

Substitution
of new
Chapter for
Chapter VIA
in Act 9 of
1890.

2. For Chapter VIA of the Indian Railways Act, 1890, the following Chapter shall be substituted, namely:—

“CHAPTER VIA

LIMITATION OF EMPLOYMENT OF RAILWAY SERVANTS

Definitions.

71A. In this Chapter, unless the context otherwise requires,—

(a) the employment of a railway servant is said to be “continuous” except when it is excluded or has been declared to be essentially intermittent or intensive;

(b) the employment of a railway servant is said to be “essentially intermittent” when it has been declared to be so by the prescribed authority on the ground that the daily hours of duty of the railway servant normally include periods of inaction aggregating six hours or more (including at least one such period of not less than one hour or two such periods of not less than half an hour each), during which the railway servant may be on duty, but is not called upon to display either physical activity or sustained attention;

(c) the employment of a railway servant is said to be “excluded”, if he belongs to any one of the following categories, namely:—

(i) railway servants employed in a confidential capacity;

(ii) armed guards, or other personnel subject to discipline similar to that of the armed police forces;

(iii) staff of the railway schools imparting technical training or academic education;

(iv) such categories of class IV staff as may be specified by the Central Government by rules made under section 71E;

(v) such staff as may be specified as supervisory staff by the Central Government by rules made under section 71E;

(vi) such categories of staff of the Health and Medical department as may be specified by the Central Government by rules made under section 71E;

(d) the employment of a railway servant is said to be “intensive” when it has been declared to be so by the prescribed authority on the ground that it is of a strenuous nature involving continued concentration or hard manual labour with little or no period of relaxation,

21 of 1923.
63 of 1948.
35 of 1952.

71B. This Chapter shall not apply to any railway servant to whom the Indian Merchant Shipping Act, 1923 or the Factories Act, 1948 or the Mines Act, 1952 applies.

Chapter VIA
not to apply
to certain
railway
servants.

71C. (1) A railway servant whose employment is essentially intermittent shall not be employed for more than seventy-five hours in any week;

Limitation
of hours of
work.

(2) A railway servant whose employment is continuous shall not be employed for more than fifty-four hours a week on the average in any month;

(3) A railway servant whose employment is intensive shall not be employed for more than forty-five hours a week on the average in any month;

(4) Subject to any rules that may be made under section 71E, temporary exemptions of railway servants from the provisions of sub-section (1) or sub-section (2) or sub-section (3) may be made by the prescribed authority if it is of opinion that such temporary exemptions are necessary to avoid serious interference with the ordinary working of the railway or in cases of accident, actual or threatened, or when urgent work is required to be done to the railway or to rolling stock, or in any emergency which could not have been foreseen or prevented, or in other cases of exceptional pressure of work:

Provided that a railway servant so exempted shall be paid for over-time at not less than one and one-half times his ordinary rate of pay.

71D. (1) Subject to the provisions of this section, a railway servant—

Grant of
periodical
rest.

(a) whose employment is intensive or continuous shall be granted, each week commencing on Sunday, a rest of not less than thirty consecutive hours;

(b) whose employment is essentially intermittent shall be granted, each week commencing on Sunday, a rest of not less than twenty-four consecutive hours including a full night;

(c) whose employment is excluded under sub-clause (iv) of clause (c) of section 71A shall be granted a rest of not less than forty-eight consecutive hours each month, or a rest of not less than twenty-four consecutive hours each fortnight.

(2) Notwithstanding anything contained in sub-section (1), locomotive or traffic running staff shall be granted, each month, a rest of at least four periods of not less than thirty consecutive hours each, or at least five periods of not less than twenty-two consecutive hours each including a full night.

(3) Notwithstanding anything contained in sub-section (1), the Central Government may, by rules made under section 71E, specify the railway servants to whom periods of rest may be granted on a scale less than that laid down under sub-section (1) and may prescribe the periods of rest to be granted to such railway servants.

(4) Subject to any rules that may be made under section 71E, temporary exemptions of railway servants from the provisions of sub-section (1) or sub-section (2) may be made by the prescribed authority if it is of opinion that such temporary exemptions are necessary in the cases or circumstances specified under sub-section (4) of section 71C:

Provided that a railway servant so exempted shall, as far as may be possible, be granted compensatory periods of rest for the periods he has foregone.

Power to
make rules.

71E. (1) The Central Government may make rules—

(a) prescribing the authorities who may declare that the employment of any railway servant is essentially intermittent or intensive; and providing for appeals against any such declaration and the manner in which, and the conditions subject to which, any such appeal may be filed and heard;

(b) specifying the railway servants or classes of railway servants to whom sub-clauses (iv), (v) and (vi) of clause (c) of section 71A may apply;

(c) prescribing the authorities by whom exemptions under sub-section (4) of section 71C or sub-section (4) of section 71D may be made;

(d) providing for the delegation of powers by the prescribed authorities referred to in clause (c);

(e) specifying the railway servants or classes of railway servants to whom sub-section (3) of section 71D may apply and prescribing the periods of rest to be granted to them;

(f) providing for appointment of supervisors of railway labour and their functions;

(g) providing for any other matter which has to be, or may be, prescribed under this Chapter.

(2) The rules made under sub-section (1) shall be subject to the provisions of section 143.

71F. Nothing in this Chapter or the rules made thereunder shall authorise a railway servant to leave his duty where due provision has been made for his relief, until he has been relieved. Railway servant to remain on duty.

71G. (1) Subject to any rules that may be made under section 71E, the Central Government may appoint persons to be supervisors of railway labour. Supervision of railway labour.

(2) The duties of supervisors of railway labour shall be—

(a) to inspect railways in order to determine if the provisions of this Chapter and of the rules made thereunder are duly observed; and

(b) to perform such other functions as may be prescribed.

(3) A supervisor of railway labour shall be deemed to be an Inspector for the purposes of sections 5 and 6.

71H. Any person under whose authority any railway servant is employed in contravention of any of the provisions of this Chapter or of the rules made thereunder shall be punishable with fine which may extend to five hundred rupees." Penalty.

Rep. by Act 58 of 1960, s. 2 + sub I (Amend 26.12.60)

THE REPRESENTATION OF THE PEOPLE (THIRD AMENDMENT) ACT, 1956

ACT No. 60 OF 1956

An Act further to amend the Representation of the People Act 1950.

[25th September, 1956]

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. This Act may be called the Representation of the People (Third Short title, Amendment) Act, 1956.