

Workmen Compensation Act, 1923

Applicability:-

Employer includes any person whether incorporated or not and any agent of employer and when services are temporarily lent or let on hire to another person, then means such other person.

Eligibility:-

Any workmen who are injured by accident arising out of and in the course of his employment in specified list of employment contracts any disease specified therein as an occupational disease peculiar to that occasion.

Benefit: Amount of Compensation shall be payable by the employer:

1. Where death results from injury, 50% of monthly wages (X) relevant factor or Rs. 1,20,000/- whichever is more.

2. Where permanent total disablement results from the injury, 60% of monthly wages (X) relevant factor or Rs.1,40,000/- whichever is more (Relevant Factors depend upon the age of workmen)

3. Where permanent partial disablement or temporary disablement results from injury as per prescribed schedule.

4. The central Govt. has specified Rs. 8000/- to be monthly wages on which compensation is payable.

Penal Provision :

Any contract by a worker waiving his right to be compensated under this Act is null and void. Compensation should be paid early-delay beyond 1 month attract interest & 6% p.a. and penalty of up to 50% of the compensation certain other offences attract fine up to Rs. 5000/-

SCHEDULE I : See sections 2(1) and (4)]

PART I : LIST OF INJURIES DEEMED TO RESULT IN PERMANENT TOTAL DISABLEMENT

Serial No.	Description of Injury	Percentage of loss of earning capacity
1.	Loss of both hands or amputation at higher sites.	100
2.	Loss of a hand and a foot .	100
3.	Double amputation through leg or thigh, or amputation through leg or thigh on one side and loss of other foot	100
4.	Loss of sight to such an extent as to render the claimant unable to perform any work for which eye-sight is essential	100
5.	Very severe facial disfigurement	100
6.	Absolute deafness	100

PART II : LIST OF INJURIES DEEMED TO RESULT IN PERMANENT PARTIAL DISABLEMENT

Serial No.	Description of Injury	Percentage of loss of earning capacity
	Amputation cases--upper limbs (either arm)	
1.	Amputation through shoulder joint .	90
2.	Amputation below shoulder with stump less than 20.32 Cms. from tip of acromion	80
3.	Amputation from 20.32 Cms. from tip of acromion to less than 11.43 Cms. below tip of olecranon	70
4.	Loss of a hand or of the thumb and four fingers of one hand or amputation from 11.43 Cms. below tip of olecranon	60
5.	Loss of thumb	30
6.	Loss of thumb and its metacarpal bone	40
7.	Loss of four fingers of one hand	50
8.	Loss of three fingers of one hand	30
9.	Loss of two fingers of one hand	20
10.	Loss of terminal phalanx of thumb	20
10A.	Guillotine amputation of tip of thumb without loss of bone	10
	Amputation cases--lower limbs	
11.	Amputation of both feet resulting in end bearing stumps .	90
12.	Amputation through both feet proximal to the metatarsophalangeal joint	80
13.	Loss of all toes of both feet through the metatarsophalangeal joint	40
14.	Loss of all toes of both feet proximal to the proximal inter-phalangeal joint	30
15.	Loss of all toes of both feet distal to the proximal inter-phalangeal joint	20
16.	Amputation at hip	90
17.	Amputation below hip with stump not exceeding 12.70 Cms. in length measured from tip of great trochanter ..	80
18.	Amputation below hip with stump exceeding 12.70 Cms. in length measured from tip of great trochanter but not beyond middle thigh	70
19.	Amputation below middle thigh to 8.89 Cms. below knee	60

20.	Amputation below knee with stump exceeding 8.89 Cms. but not exceeding 12.70 Cms.	50
21.	Amputation below knee with stump exceeding 12.70 Cms	50
22.	Amputation of one foot resulting in end bearing .	50
23.	Amputation through one foot proximal to the metatarsophalangeal joint ...	50
24.	Loss of all toes of one foot through the metatarsophalangeal joint	20
	Other injuries	
25.	Loss of one eye, without complications, the other being normal ...	40
26.	Loss of vision of one eye, without complications or disfigurement of eye-ball, the other being normal .	30
26A.	Loss of partial vision of one eye ... Loss of--	10
	A--Fingers of right or left hand Index finger	
27.	Whole	14
28.	Two phalanges	11
29.	One phalanx ...	9
30.	Guillotine amputation of tip without loss of bone .	5
	Middle finger	
31.	Whole	12
32.	Two phalanges ...	9
33.	One Phalanx ...	7
34.	Guillotine amputation of tip without loss of bone .	4
	Ring or little finger	
35.	Whole	7
36.	Two phalanges ...	6
37.	One phalanx ...	5
38.	Guillotine amputation of tip without loss of bone.	2

	B--Toes of right or left foot Great toe	
39.	Through metatarso-phalangeal joint .	14
40.	Part, with some loss of bone	3
	Any other toe	
41.	Through metatarso-phalangeal joint .	3
42.	Part, with some loss of bone	1
	Two toes of one foot, excluding great toe	
43.	Through metatarso-phalangeal joint .	5
44.	Part, with some loss of bone	2
	Three toes of one foot, excluding great toe	
45.	Through metatarso-phalangeal joint .	6
46.	Part, with some loss of bone	3
	Four toes of one foot, excluding great toe	
47.	Through metatarso-phalangeal joint	9
48.	Part-with some loss of bone	3

SCHEDULE IV

(See section 4)

FACTORS FOR WORKING OUT LUMP SUM EQUIVALENT OF COMPENSATION AMOUNT IN CASE OF PERMANENT DISABLEMENT AND DEATH.

Completed years of age on the last birthday of the workman immediately preceding the date on which the compensation fell due	Factors
1	2
Not more than 16	228.54
17	227.49
18	226.38
19	225.22

20	. . . . .	224.00
21	. . . . .	222.71
22	. . . . .	221.37
23	. . . . .	219.95
24	. . . . .	218.47
25	. . . . .	216.91
26	. . . . .	215.28
27	. . . . .	213.57
28	. . . . .	211.79
29	. . . . .	209.92
30	. . . . .	207.98
31	. . . . .	205.95
32	. . . . .	203.85
33	. . . . .	201.66
34	. . . . .	199.40
35	. . . . .	197.06
36	. . . . .	194.64
37	. . . . .	192.14
38	. . . . .	189.56
39	. . . . .	186.90
40	. . . . .	184.17
41	. . . . .	181.37
42	. . . . .	178.49
43	. . . . .	175.54
44	. . . . .	172.52
45	. . . . .	169.44
46	. . . . .	166.29
47	. . . . .	163.07
48	. . . . .	159.80
49	. . . . .	156.47
50	. . . . .	153.09

51	. . . . .	149.67
52	. . . . .	146.20
53	. . . . .	142.68
54	. . . . .	139.13
55	. . . . .	135.56
56	. . . . .	131.95
57	. . . . .	128.33
58	. . . . .	124.70
59	. . . . .	121.05
60	. . . . .	117.41
61	. . . . .	113.77
62	. . . . .	110.14
63	. . . . .	106.52
64	. . . . .	102.93
65 or more	. . . . .	99.37