

Achievements of the Ministry during 2009-10 to 2012-13

1. Introduction

The broad mandate of Ministry of Labour & Employment is the following:

- to protect and safeguard the interests of workers who constitute the poor, deprived and disadvantaged sections of the society,
- creating the environment in the workplace for attaining higher production and productivity,
- ensuring implementation of safety and health standards at the workplace,
- enhancing vocational skill training and employment services,
- provide social security to the labour particularly those working in unorganized sectors,
- maintain harmonious industrial relations for facilitating economic and social development.

2. Labour Welfare and Social Security Measures

Rashtriya Swasthya Bima Yojana

The 'Rashtriya Swasthya Bima Yojana', providing for smart card based cashless health insurance cover of Rs.30000/- per annum on a family floater basis to BPL families (a unit of five) in the unorganised sector and became operational w.e.f. 01.04.2008.

- As on 30.09.2012, 26 States / Union Territories, are implementing the scheme and more than 3.25 crore smart cards have been issued.
- The Scheme has been extended to construction workers, street vendors, railway porters & vendors, MGNREGA workers who have worked for more than fifteen days during the preceding year,

domestic workers and beedi workers. Government is contemplating to extend the benefit of the scheme to other occupational groups in the unorganized sector in a phased manner.

Employees' State Insurance Corporation (ESIC)

The promulgation of Employees' State Insurance Act, by the Parliament, in 1948, was the first comprehensive Social Security legislation in independent India. The Act envisages social protection for workers in the organized sector in contingencies, such as sickness, maternity, disablement and death due to employment injury. Based on the principle of pooling of risks and resource, this unique, multidimensional health insurance scheme provides full medical facilities to the beneficiaries, besides, adequate cash compensation to insured persons for loss of wages or earning capacity in times of physical distress arising out of sickness or employment injury. The ESI Corporation is moving from strength to strength and it has been on path of accelerated growth during the last three years.

Enactment

The Employees' State Insurance Act, 1948, has been amended vide ESI (Amendment) Act, 2010 w.e.f. 01.06.2010 for enhancing the social security coverage, streamlining the procedure for assessment of dues and for better services to the beneficiaries. Salient features of the ESI (Amendment) Act, 2010 are - Facilitating coverage of smaller factories employing 10 or more persons irrespective of whether power is used in manufacturing process or not; Enhancing age limit of dependent children for eligibility to dependants benefit from 18 years to 25 years; Extending medical benefit to dependant minor brother/sister in case of insured persons not having own family and whose parents are also not alive; Opening of medical/dental/paramedical/nursing colleges to improve quality of medical care; Empowering State governments to set up Corporations for

administering medical benefit in the States for bringing autonomy and efficiency in the working.

Coverage

- The wage ceiling for coverage of employees under the Act has been enhanced from Rs.10,000/- to Rs.15,000/- w.e.f. 01.05.2010.
- The Scheme was extended to 53 geographical areas during the year 2009-10, 68 geographical areas during the year 2010-11 and 60 new geographical areas during the year 2011-12.
- Number of insured persons covered under the ESI Scheme reached 1.71 crore in 2011-12 as against 1.29 crore in the year 2008-09.
- Number of beneficiaries covered under the scheme has gone up from 5.01 crore in 2008-09 to 6.63 crore in 2011-12.
- Number of factories/establishments covered under the ESI Act increased to 5.80 lakh in the year 2011-12 as against 3.94 lakh in 2008-09.
- Revenue income increased to Rs.8393.55 crore in the year 2011-12 as against Rs.4452.45 crore during the year 2008-09.
- The ESI Scheme has been extended to Medical and Educational Institutions in 20 States/UTs.
- Workers engaged in Cine & T.V. serial Production Houses/Studios and Sets were brought under the coverage of the ESI, Act.

Medical Care Services

- Medical Benefit Expenditure increased from Rs.1123.22 crore in 2008-09 to Rs.2689.62 crore in 2011-12.
- The ceiling on reimbursement to the State has been revised from Rs.1,200/- to Rs.1,500/- per IP family unit per annum w.e.f. 0.04.2012.
- Model Hospital Scheme: - ESI Corporation has taken a decision to set up one hospital in each State as Model Hospital. ESIC has set up Model Hospital in 19 States so far. The expenditure on Model Hospitals is fully borne by ESI Corporation.

- Starting of Medical Education Projects: - The Corporation has decided to start Medical Education Projects such as Medical Colleges, Post-Graduate Institutes, Dental Colleges and Para-medical Institutes, all over the country, wherever the Scheme is being implemented. A total of 29 such Projects are under various stages of completion at present.
- Medical Council of India (MCI) granted permission to start post-graduates courses at ESI-Post-Graduate Institute of Medical Sciences & Research (PGIMSR), Rajajinagar Bangalore from academic session 2010-2011, in five (05) subjects with 10 students. BDS (undergraduate) courses were also started at ESIC Dental Colleges, Rohini, and New Delhi with 50 annual admissions from the same year.
- The year 2011-12 saw expansion of post-graduate Institute of ESIC with MCI granting permission to start post-graduate courses in 05 more ESI-PGIMSRs. Letters of permission (LOP) were received from the MCI to start Post Graduate courses in 6 PGIMSRs at Rajajinagar, Bangalore: KK Nagar, Chennai: Joka, Kolkata: Basaidarapur, New Delhi: Andheri, Mumbai and MGM-Parel, Mumbai from academic session 2011-12. Also, ESIC's first Medical College in Bangalore is going to start shortly.
- Provision of Primary and Secondary Care Services by ESIC Directly: - ESI Corporation has decided to provide primary and secondary medical care services directly in the areas where the concentration of IPs is more than 5000 and there is no dispensary within 8 kms (5 kms in hilly areas) and where concentration of IPs is 25000 (15000 in hilly areas) and there is no hospital within 25 kms. This facility will be available till the State Government/ESI Scheme establishes its own hospital and dispensary.
- Provision of Super-speciality Services: - Patients can avail super specialty treatment from any of the networked / tie up hospital of ESIC (more than 750 in no.) as per his choice anywhere in the country. The total expenditure on such tie-ups is borne by the ESIC.
- Zonal Super Speciality Hospitals: - Four Super specialty hospitals are to be set up in four zones. In the first phase, super specialty hospital has been commissioned at Sanath Nagar, Hyderabad for South Zone.
- In the last 3 years around 1517 Medical Professionals and around 800 para-medical staff was recruited by the Corporation.

- Modernization and Upgradation of Medical Infrastructure:- It has been decided by the Corporation to modernize/upgrade/expand all ESI hospitals in a phased manner and to make them state-of-the-art hospitals. Sophisticated equipments, i.e., MRI and CT scan have already been installed in ESIC hospitals at Bangalore, Mumbai and Delhi.
- During the last 03 years, 10 major projects have been completed/commissioned namely – ESI Dispensary, Modi Mill & Tilak Vihar at New Delhi; ESIC Hospitals at Gurgaon (Haryana); Bhiwadi (Rajasthan); Baddi (H.P.); Bapunagar (Gujarat); Peenya (Karnataka); ESIC Super-Speciality Hospital, Sanathnagar, Hyderabad (A.P.); Regional Office, ESIC, Hyderabad & Baddi (H.P.). Another 79 projects of construction/modernization of the ESIC / ESIS Hospitals, Dispensaries and other offices were under progress during the year 2011-12.

Cash Benefits

- Corporation disbursed Rs.681.85 crore as benefits in cash in the year 2011-12 as against Rs.380.70 crore in the year 2008-09.
- The number of Cash Benefit payments has gone up to 33.25 lakh during the year 2011-12 as against 30.75 lakh in the year 2008-09.
- Once in a year life certificate and no need for submitting claim for PDB/DB beneficiaries has been introduced.
- Daily rate of Sickness Benefit has been enhanced from about 50% to 60% of average daily wage. The daily rate of permanent disablement benefit and dependants benefit was enhanced from about 70% of wages to about 75% of wages.
- The Corporation has decided to enhance confinement expense payable to insured women and wives of insured persons from Rs.2,500/- to Rs.5,000/- per confinement.
- Rajiv Gandhi Shramik Kalyan Yojana (Unemployment Allowance): Eligibility conditions for availing the Unemployment Allowance has been relaxed from 5 years to 3 years w.e.f. 11.09.2009. The duration of benefit has also been enhanced from 6 months to 12 months. A skill up gradation scheme has also been introduced for the IPs who is

in receipt of unemployment allowance and chooses to undergo Vocational Training in Centres run by Government to upgrade their skills.

- Scheme for permanently disabled insured persons: - Permanently disabled persons working in factories and establishments covered under the Employees' State Insurance Act, 1948 and drawing wages upto Rs.25,000/- per month have been brought under the scheme w.e.f.01.04.2008. In order to encourage employment of disabled persons, the employers' share of contribution in respect of such disabled employees will be paid by the Central Government for initial three years.
- Customer friendly administrative procedures: In an endeavor to reach out to the beneficiaries and make the system more customer friendly, long-term benefits such as Permanent Disablement and Dependents Benefits are being credited to the bank account of the beneficiaries through ECS system.
- Minimum Dependant Benefit has been raised to Rs.1,200/- pm/per family unit w.e.f. 01.03.2012.
- Payment of Conveyance Allowance is made to Insured Person @ Rs.100/- per visit for submission of Life Certificate in PDB cases,

Computerization

In order to build capacity and efficiency among operations associated with ESI Scheme, to provide better services to beneficiaries and stakeholders and to empower them in certain areas, ESIC embarked upon IT Project Panchdeep in 2009 after detailed studies of areas of its functioning. The concept was to equip and network over 2200 ESI Institutions all over the country for providing uniform access to application services run from its central data centre. Employers were empowered with online registration and payment challan preparation besides preparation of Temporary Identity Card for employees. Employers are now not required to visit ESIC Office for these purposes.

With online challan, submission of manual returns by employers are also done away with. Insured Employees are provided with two smart Pehchan cards for availing ESI Services and benefits (so far around 85 lakh IP family enrolled). Increasing number of beneficiaries are availing of IT enabled

services in ESI Dispensaries and Hospitals, whether their entitlement etc. are checked by computer application for quick action.

Diamond Jubilee Year Celebrations 2011-12

Employees' State Insurance Corporation has completed 60 years of service to the nation during the year 2011-12. During this journey, ESIC has established itself as a unique Social Security Organization. To celebrate the Diamond Jubilee Year in a befitting and meaningful way by reaching out to its stakeholders, ESIC made numbers of Commitments. An exhausting list of Commitments was drawn out to be fulfilled during the Diamond Jubilee Year. All such commitments have been fulfilled.

Salient Achievements of ESIC in 2011-12

- The ESI Corporation completed its 60 years of functioning on 24.02.2012 with a concluding ceremony held at Vigyan Bhawan, New Delhi. The Diamond Jubilee Year was celebrated by the Corporation by fulfilling the commitments made to the stakeholders which ensured better & improved services, improving the core processes and bringing more and more people under the social security cover of ESI Scheme.
- Additional 9.21 lakh new employees and 137018 new units were covered under special drive for bringing more and more employees under the social security net of ESI Scheme in the Diamond Jubilee Year.
- Almost all (99%) of the PDB/DB payments are being made through ECS. Also, 93% of public grievance cases were redressed within 15 days in the current year.
- 7084 facilitation conclaves (Suvidha Samagam) organized by all ESIC Offices throughout the country.
- The ESI Scheme extended to cover educational institutions and medical institutions in 20 States/Union Territories.
- 19 States/UTs have so far issued notifications reducing the threshold for coverage of shops & other establishments under the ESI Scheme from 20 to 10 or more persons.

- Wellness Mobile Vans were started in all 31 ESIC Hospitals. 1031 Health Camps were organized by 31 ESI Corporation Hospitals during the year.
- 05 new ESIC Hospitals [at Peenya (Karnataka), Baddi (H.P.), Sanathnagar (A.P.), Manesar (Haryana), Bhiwadi (Rajasthan) inaugurated / commissioned.
- 04 ESIC Hospitals [Noida (UP), Rajajinagar, (Karnataka), Ahmedabad (Gujarat), Adityapur (Jharkhand) upgraded/ modernized.
- 15.66 lakh Pehchan Card given to the Insured Persons within 7 days.
- A Commemorative Postal Stamp on depicting ESIC's contribution to India's development was released during 2011-12.
- ESIC's successful journey and glimpses of progress made during Diamond Jubilee Year have been brought out release of two books, '6 Decades of Inspiring Hope' and 'ESIC – The Sparkling Diamond'.

ESIC AT A GLANCE - 2008-09 to 2011-12

COVERAGE

Year	Employees	IPs	Beneficiaries	Employers
2008-09	1.25 crore	1.29 crore	5.01 crore	3.94 lakh
2009-10	1.39 crore	1.43 crore	5.55 crore	4.06 lakh
2010-11	1.54 crore	1.55 crore	6.02 crore	4.43 lakh
2011-12	1.63 crore	1.71 crore	6.63 crore	5.80 lakhs

INCOME & EXPENDITURE

Year	Income (Rupees in crore)	Expenditure on (Rupees in crore)		
	Contribution Income	Cash Benefit	Medical Benefit	Administrative Expenses
2008-09	3698.53	380.70	1123.22	412.76
2009-10	3896.00	426.93	1626.93	504.36
2010-11	5748.77	494.10	2123.67	524.20
2011-12	7070.11	681.85	2689.62	647.06

REVENUE RECOVERY

Year	Revenue Recovery (Rupees in crore)
2008-09	140.16
2009-10	121.98
2010-11	115.61
2011-12	132.26

NEW IMPLEMENTATION

Year	Achievement	
	Areas	Employees
2008-09	46	70,427 (in thousand)
2009-10	49	1.17 lakh
2010-11	68	1.14 lakh
2011-12	60	1.57 lakh

Employees' Provident Fund Organization

- The EPFO services more than 7 lakh establishments.
- The total investment corpus as on 31.03.2011 was Rs.4,66,370 crore.
- More than 36 lakh pensioners are being paid monthly pensions.
- EPFO has focused its effort on automation of the work processes to achieve better efficiency and improve service delivery to its members in respect of following areas: -
 - ✓ All offices of EPFO barring one have been computerized.
 - ✓ With effect from the Financial Year 2012-13 a facility for electronic submission of statutory EPF returns has been introduced.

- ✓ Employers can also remit their EPF dues electronically if they have a corporate internet bank account with the State Bank of India.
- ✓ Employers not having a corporate internet bank account with SBI shall have to pay EPF dues through cheque/DD.
- ✓ Once the above returns are received electronically and payment is confirmed member accounts are being updated on monthly basis.
- ✓ Establishments can also view and print the annual PF account slips of its employees.
- ✓ Provisions are underway to enable the individual employees to register and view his/her EPF account online.
- ✓ For facilitating the employers to comply with statutory provisions of EPF and file necessary returns, an E-Return Tool has been made available.
- ✓ The members can now get their PF balances on their mobile phones after registering on www.epfindia.gov.in
- ✓ Members can also track their claims and payment status online as well as receive sms alerts for same.
- ✓ EPF amounts are being remitted electronically through NEFT to beneficiaries bank accounts.

3. Skill Development & Employment

Major Schemes of Directorate General of Employment & Training (DGE&T)

The Government has been making sincere efforts for skill development of a large number of persons under various skill development programmes. The National Skill Development Policy envisages skilling of 500 million persons by 2022 and the target set for the Ministry of Labour &

Employment is to train 100 million persons. The Ministry is systematically working to achieve the target. The training capacity has already been increased three times from 9 lakh in 2006-07 to 26 lakh in 2011-12. All the Government ITIs are being modernized. New courses have been introduced and most of the ITIs are running in two to three shifts.

The achievements under the major Schemes are as follows: -

(i) Upgradation of 100 ITIs through Domestic Resources

- Government has embarked on the strategic objective of modernizing and improving the quality of training in Government-run ITIs, with involvement of stakeholders. 100 ITIs have been upgraded from domestic resources to create "Centres of Excellence" for producing multi-skilled workforce of world standard. The Scheme was completed in 2010-11. Under the Scheme multi-skilling courses are offered during the first year, followed by advanced and specialized modular courses in the second year. Industry wise cluster approach has been adopted through multi-entry and multi-exit provisions and the concept of Public Private Partnership (PPP) in the form of Institute Management Committees (IMCs) to ensure greater and more active involvement of industry in all aspects of training.

(ii) Upgradation of 400 ITIs through World Bank Funding

- Another 400 ITIs are being upgraded through World Bank assisted - Vocational Training Improvement Project (VTIP) with a total cost of Rs.1581 crore. Assistance is being provided to upgrade infrastructure, purchase of new machinery and training of principals and instructors. For this project, Central Government is sharing 75% of the expenditure and states are putting the remaining 25%.

However for North Eastern States, Central Government provides 90% and NE States put in only 10% from their side. The Scheme will continue in the 12th Plan.

- An amount of Rs.1265.98 crore has been released till September, 2012 (including equivalent State Share) and utilization upto June, 2012 is Rs.1080.78 crore.

(iii) Scheme for upgradation of 1396 Government ITIs through Public Private Partnership launched

- The Scheme is to upgrade 1396 ITIs under Public Private Partnership so as to bring qualitative changes in ITIs. The scheme has an outlay of Rs.3550 crore for a period of 5 years. The Scheme has been operationalised in 1227 ITIs between 2007-2012. Interest free loan of Rs.3067.50 crore was released to these 1227 ITIs @ Rs.2.5 crore per ITI.

(iv) Skill Development Initiative (SDI) scheme

- A new strategic framework namely Modular Employable Skill (MES) has been developed under the SDI Scheme for skill development of early school leavers and existing workers especially in the informal sector. The scheme was operationalised on 24.05.2007 with the target of training and testing of one million persons over a period of 5 years and thereafter one million persons per year. The Scheme is a Centrally Sponsored Scheme with 100% Central assistance. The MES NCVT certificate is recognized nationally and internationally for gainful employment.
- The achievements of SDI Scheme are as under:
 - 1402 MES courses covering 69 sectors of approved by NCVT have been developed.

- About 13.68 lakh people have been trained/ tested and 10.22 lakh certified
- 6,951 VTPs registered across the country.
- 35 Assessing Bodies [ABs] empanelled.
- Rs.407.4 crore has been released.

(v) Skill Development in 34 Districts Affected by Left Wing Extremism

- The scheme is to create Skill Development infrastructure in these districts closer to the people by establishing one ITI & two Skill Development Centers (SDCs) in each district and to run demand driven vocational training courses both long term and short term.
- Proposals amounting to Rs.138.04 crore have been received from 09 States, namely, Andhra Pradesh, Chhattisgarh, Bihar, Jharkhand, Madhya Pradesh, Maharashtra, Orissa, Uttar Pradesh and West Bengal and a total of Rs.86.57 crore has been released to these States.
- The scheme was approved upto 31.03.2012. As the significant part of the mandate of the scheme is yet to be achieved, approval has been obtained to continue the scheme upto 31.03.2014.

(vi) Enhancing Skill Development Infrastructure in NE States and Sikkim

- The scheme is for Upgradation of 20 ITIs in NE States and Sikkim, supplementing infrastructure deficiencies in 28 ITIs in NE States and Sikkim, and funding Monitoring Cells at Central & State Level. The scheme is 100% centrally funded as the State Governments may not have requisite resources.
- In financial year 2010-11, Implementation Manual was prepared and forwarded to the States. Funds have been released to seven States,

namely, Arunachal Pradesh, Assam, Meghalaya ,Mizoram Nagaland Sikkim and Tripura.

(vii) Kaushal Vikas Yojana

- The Government has decided to start Kaushal Vikas Yojana to set up 1500 new ITIs and 5000 Skill Development Centres in PPP mode at a cost of Rs.5205 crore.

(viii) Setting up of 15 ATIs and 12 RVTIs

- It has been decided to set up 15 Advanced Training Institutes and 12 Regional Vocational Training Institutes at a cost of Rs.609 crore to solve the problem of shortage of trainers.

(ix) Employment Exchanges Mission Mode Project (EEMMP)

- Mission Mode Project on Upgradation and modernization of Employment Exchanges has been taken up as one of the projects under National e-Governance Plan of Govt. of India. An announcement was also made on the subject by Finance Minister in his Budget speech on 6th July 2009.
- Introduction of e-Governance will help in providing speedy and easy access to employment related services information to job seekers and employers. The project aims to progressively support all State Governments and Employment Exchanges in the country to make use of IT in various activities. Under the project, a National Web Portal will be developed which will work like a virtual job market.
- The expected timeline for the implementation of the project is 22 months after the approval of the project from the competent authority. The project will be implemented as a Centrally Sponsored Scheme with 75:25 funding of States other than North-East and 90:10 in respect of North Eastern States.

- The project was presented twice before Expenditure Finance Committee (EFC) on 7th July, 2010 and 10th January, 2012 held under the Chairmanship of Secretary (Expenditure), but couldn't be cleared due to certain issues raised by the members in the meeting. Pre- EFC meeting is scheduled to be held on 08.11.2012 under the Chairmanship of Secretary (Expenditure).

(x) Annual Report to the People on Employment

- Hon'ble President In her address to the Joint Session of Parliament on 4th June, 2009 had announced preparation of five Annual Reports to the People, one of which was Report to the People on Employment to generate a national debate. Ministry of Labour & Employment was entrusted with the responsibility of preparing the Report on Employment being the nodal Ministry on employment related matters. So far two such reports have been made public.
- The first report (2010) provided a framework for understanding the emerging issues in the Indian labour market in the context of rapid economic growth. It examined the synergy between economic growth and employment generation, and argued for using employment as a powerful tool for advancing the goal of faster and inclusive growth.
- The second report (2011) analyzed the emerging trends in the labour market and highlighted the role of service sector in generating quality employment. It also examined the existing inequalities in the labour market in order to advance the goal of inclusive growth. Both these reports were prepared when the Indian economy was very buoyant and was recording high growth rates.
- The 3rd Annual Report is being prepared at a time when the Indian economy is encountering difficult external and internal situations. The global economic downturn and the consequent Eurozone crisis, has

not left the Indian economy untouched, even though it was possible to cushion much of the distress symbols through strong macroeconomic fundamentals. The employment particularly, employment to youth has been impacted more. The Youth unemployment rates are generally higher than the adult rates. The 3rd Annual Report, therefore, appropriately explores the youth employment and unemployment scenario. The report has been drafted and forwarded to Cabinet Secretariat and PMO to allow its release to the people.

4. Child Labour and National Child Labour Project (NCLP)

- Elimination of child labour is an area of great concern and Government of India is committed to address the issue. Considering the magnitude and nature of problem, the Ministry is following a multi-pronged strategy to tackle the problem of child labour. It comprises of statutory and legislative measures, rescue and rehabilitation, universal primary education along with social protection & poverty alleviation and employment generation schemes.
- In pursuance of National Child Labour Policy, the National Child Labour Project (NCLP) Scheme was started in 1988 to rehabilitate child labour which is an ongoing Centrally Sponsored Scheme. Under this Scheme, working children are identified through child labour survey, withdrawn from work and put into the special bridge schools so as to provide them with enabling environment to join mainstream education system.
- Achievements under National Child Labour Projects (NCLP) Scheme:
 - ✓ Under the Scheme children in the age group of 9-14 years are withdrawn from hazardous occupations/processes and provided bridge education, vocational training, nutrition,

stipend, health care and recreation etc. with ultimate objective of mainstreaming them into the formal system of education. Under this scheme grants are released to the District Project Societies headed by District Collectors/District Magistrates. Presently the scheme is being implemented in 266 districts in 20 States covering more than 3 lakh children through 7311 special schools.

- ✓ Since 1995-96 more than 9 lakh children have been mainstreamed from NCLP schools to formal education system, out of which more than 3.5 lakh children have been mainstreamed during the last three years.
- ✓ The working children have been reduced from 90.75 lakh during 2004-05 NSSO survey to 49.84 lakh during 2009-10 NSSO survey which is almost 45% reduction in the working children.
- ✓ The nutrition component of NCLP Scheme has been converged with the Mid-day Meal Scheme of Ministry of Human Resource Department and arrangement has been made to provide mid day meal to NCLP School children for 310 days in a year and also meal of upper primary level.
- ✓ NCLP Scheme has been converged with RTE Act 2009 and as per Para-4 of RTE Act, the facility provided under SSA Schools, have also been extended to the NCLP Special Schools also.
- ✓ Two occupations i.e. caring of elephant and children working in circus has been included in the schedule A of Child Labour (Prohibition & Regulation) Act.
- ✓ Stipend to children studying in the NCLP Special Schools has been increased from Rs.100/- to Rs.150/- per month.
- ✓ The Honorarium of Project Director, Field Officer, Staff and other Volunteers for National Child Labour Project Societies have been enhanced w.e.f. 01.04.2011.
- ✓ Central Advisory Board has been reconstituted under the chairmanship of Hon'ble Labour & Employment Minister and the first meeting was held on 20.1.2012.
- ✓ A Central Monitoring Committee meeting was held on 11.1.2012 under Chairmanship of Secretary, Labour & Employment to discuss the amendment of Child Labour (Prohibition & Regulation) Act.

- ✓ Ministry has also carried out evaluation of performance of the NCLP Scheme in the 11th Plan through an independent agency i.e. M/s Datamation Research Service Private Limited after following open tendering process. The exercise of evaluation in different states was completed in August, 2012. The major findings and recommendations of the report have been considered while drafting the EFC Memo for continuation of the Scheme in the 12th Plan.
- ✓ Hon'ble Labour & Employment Minister has constituted a Task Force for upgradation of NCLP Scheme under the Chairmanship of Joint Secretary (Child Labour) with the members from various Ministries, State Governments, NGOs and trade unions and employer. Based on recommendation of task force the Ministry of Labour & Employment is considering the upgradation of NCLP scheme to make it more child friendly.
- ✓ In order to make the provisions of Child Labour Act more stringent and also to link the age of the prohibition with the age of children under Right to Free and Compulsory Education Act, a proposal for amendment of Child Labour (Prohibition & Regulation) Act, 1986 is under consideration with the Government. The proposal has already been approved by the Cabinet and the Bill is likely to be placed on the table of the House shortly. The proposed amendments are in line with Ratification of ILO Convention 138 and 182.

5. **Bonded Labour**

- In order to assist the State Governments in the task of rehabilitation of released bonded labourers, the Ministry of Labour & Employment launched a "Centrally Sponsored Plan Scheme on 50:50 sharing basis in regard to funding in May, 1978. Under the scheme, namely, Abolition of Bonded Labour, rehabilitation assistance of Rs.20, 000/- per bonded labourer is provided. The modified scheme also provides financial assistance to the State Governments/ Union Territories for conducting survey of bonded labourers, awareness generation activities and impact evaluation.

- During the last three years, rehabilitation assistance amounting to Rs.597.27 lakh was provided to the State Governments for rehabilitation of 6059 freed bonded labourers. In addition, Rs.155.40 lakh was provided to the State Governments for conducting survey, Rs.5 lakh for conducting evaluation studies and Rs.10 lakh for awareness generation activities.
- The Ministry has been working with the ILO to develop and implement an integrated convergence based approach to prevent bonded labour.

6. **Occupational Safety and Health**

The provisions on Occupational Safety & Health (OSH) of workers as provided for in the Constitution of India are being implemented through the offices of Directorate General of Mines Safety (DGMS) and the Directorate General of Factory Advice Service & Labour Institutes (DGFASLI). The DGMS enforces the safety and health provisions for the workers in the mining industry through its Inspectors appointed under the Mines Act, 1952. The DGFASLI, through its Inspectorate of Dock Safety, enforces safety provisions in the Docks and also acts as the coordinating Agency at the national level for the Inspectorate of Factories functioning under different State Governments.

Some of the important events/ initiatives in the area of OSH are:-

- Every year, Ministry of Labour & Employment distributes awards viz. Prime Minister's Shram Awards, National Safety Awards & Vishwakarma Rashtriya Puraskar and National Safety Awards (Mines) to workers.
- The Prime Minister's Shram Awards are given to the workers employed in Departments / Public Sector Undertakings of the Central and State Governments and the manufacturing units employing 500 or more workers in the private sector in recognition of their performance, devotion to duty etc. The Prime Minister's Shram Awards for the years

2008 ,2009 & 2010 were given away by the Hon'ble Prime Minister, Dr. Manmohan Singh in a function held on 13.10.2011 at New Delhi

- The Vishwakarma Rashtriya Puraskars (VRP) are given to individual workers or group of workers for their outstanding suggestions leading to improvement in productivity, safety and health as well as the import substitution resulting in the savings of foreign currency. The National Safety Awards (NSA) are given in recognition of good safety performance on the part of the industrial establishments covered under the Factories Act, 1948, the employers covered under the Dock Workers (Safety, Health and Welfare) Act, 1986 and Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996. Shri Mallikarjun Kharge, Hon'ble Minister for Labour & Employment gave away the NSA & VRP awards for the performance year 2009 and 2010 in a function held on 29.11.2011 17.09.2012 respectively at New Delhi.
- The National Safety Awards (Mines) are given at the national level in recognition of outstanding safety performances in mines covered under the Mines Act, 1952. The awards for the year 2008 & 2009 have been finalized and will be distributed in a function ON21.11.2012.

7. Industrial Relations

Due to sustained and concerted efforts of the officers of the CLC(C)'s Organisation industrial relations situation falling under the central sphere remained by and large peaceful. In the year 2011-12 as many as 393 strike notices have been received out of which 365 proposed strikes have been averted indicating a success rate of 92%. Similarly, 8530 industrial disputes have been handled out of which 4358 have been disposed off. No violence due to industrial unrest was reported in the establishment falling under the Central sphere.

Due to constant endeavour of the Industrial Relations Machineries of both the Centre and States, the Industrial relations climate in the country has generally remained peaceful and cordial. While the number of

incidences of strikes and lockouts reported during 2006 were 430, these figures stood at 165 (Provisional) upto December, 2011 and have exhibited a declining trend over a period.

There are 22 Central Government Industrial Tribunals (CGITs), set up under the Industrial Disputes Act, 1947. The CGIT-I, Mumbai and CGIT, Kolkata also function as National Tribunals. These CGITs are headed by Presiding Officers who are selected from amongst High Court Judges (serving/ retired) or District / Additional District Judges (serving / retired).

Following steps have also been taken for expeditious disposal of cases in CGIT-cum-LCs: -

- ✓ The Scheme of Holding of Lok Adalats as an "Alternative Grievance Redressal Mechanism" for speedy disposal of industrial disputes introduced.
- ✓ The objective is to settle industrial disputes through this parallel forum to reduce pendency and speed up case disposal rate.
- ✓ During 2009-10 to 2011-12, 144 Lok Adalats were held wherein 441 cases were settled.

A total of 7187 cases and 2462 applications have been disposed of by the CGIT-cum-LCs from 2009-10 to 2011-12.

8. Labour Statistics

- Quarterly Quick Employment Surveys are being conducted by the Labour Bureau since January, 2009 for selected sectors namely textiles including apparels, leather, metals, automobiles, gems and jewellery, transport, information technology (IT)/business process outsourcing (BPO) and handloom/powerloom. Comparing the results of the last four quarterly surveys (i.e. July, 2011 to June, 2012), overall employment has increased in June, 2012 over July, 2011 by

6.94 lakh, for the selected sectors with the highest increase of 4.44 lakh in IT/BPO followed by 1.70 lakh in textiles, 0.45 lakh in transport, 0.26 lakh in metals, 0.19 lakh in gems & jewellery and 0.11 lakh in automobiles.

- Second Annual Employment & Unemployment Survey 2011-12 (Reference period Agriculture Year 2010-11) was conducted in all the States/UTs by covering all the districts. During the survey, data was collected from a sample of 1,28,298 households, out of which 81,430 households were in the rural sector and the remaining 46,868 households in the urban sector. Based on Usual Principal Status Approach, the unemployment rate during the Agriculture Year 2010-11 is estimated to be 3.8 per cent at All-India level. In rural areas, it is estimated to be 3.4 per cent whereas it is 5.0 per cent in case of urban areas. Majority of the employed persons i.e. 52.9 per cent are engaged in the primary sector (agriculture, forestry and fishing) followed by 27.8 per cent in tertiary or services sector and 19.3 per cent persons in manufacturing and construction sector i.e. the secondary sector, at the All-India level.

9. Labour Research

- V.V. Giri National Labour Institute is a premier institution involved with research, training, education, publication, and consultancy on labour and related issues. The Institute, established in 1974, is an autonomous body of the Ministry of Labour and Employment, Government of India. The Institute was renamed in 1995 in honour of Shri V.V. Giri, the former President of India and a renowned trade union leader.
- Emerging as a globally reputed institution: The Institute continued its quest to emerge as a globally reputed institution and

centre of excellence in labour research and training committed to enhancing quality of work and work relations.

- **Knowledge base for policy formulation:** The Institute completed 50 major research projects that provided the requisite knowledge base for policy formulation. These research studies highlight that employment growth along with equity and distributive justice can be a powerful instrument for achieving the national agenda of inclusive growth.
- **Preparing the social partners to respond to the challenges of change:** India is currently witnessing rapid transformations in the world of work which in turn is providing both opportunities and challenges. The Institute organised nearly 380 training programmes attended by 11,000 participants representing major stakeholders like labour administrators, industrial relations managers, trade union leaders, social activists and researchers, with a view to enhance their skills and capabilities to respond to the challenges of change.
- **Empowering unorganized workers:** The Institute organised 100 capacity building training programmes attended by 3000 leaders representing the unorganized sector. Such training interventions were primarily aimed at addressing the problems encountered by socially disadvantaged groups in the labour market and demonstrate how empowerment can be a powerful instrument of social inclusion.
- **Specialized research and training addressing concerns of North-East region:** The Institute undertook 10 research projects addressing key concerns of labour and employment in the North-East region and organised 50 training programmes exclusively for social

partners representing the North Eastern States.

- Hub of organizing international training programmes on labour issues: The Institute is empanelled as a training institution under the ITEC/SCAAP of the Ministry of External Affairs, Government of India. The Institute organised 19 international training programmes on key themes like globalization and labour, social security, gender issues, HIV/AIDS and labour, research methods and leadership development, attended by 400 senior level scholars and practitioners representing nearly 60 countries. The Institute organized special training programmes for the officials of Government of Afghanistan.
- **Forum for intense debates on policy issues and dissemination of major initiatives:** The Institute organised 15 major workshops on contemporary concerns related to labour with a view to facilitate constructive debates among concerned stake holders on policy issues and to disseminate information relating to the major initiatives of the government aimed at providing decent work, particularly to those who are excluded and marginalised in the labour market.
- **Forging and strengthening professional partnerships:** This is an era of networking. The Institute continued its commitment to establish and strengthen professional networking by formalizing collaborative arrangements with both national and international institutions. The Institute has established collaboration with seven State Labour Institutes, Sikkim University, Gangtok, Indian Council of Overseas Employment (ICOE), Ministry of Overseas Indian Affairs and major international institutions like Korea Labour Institute, South Korea and National Institute of Labour Studies, Sri Lanka. The Institute is also in the process of signing an MOU with International Training

- **Disseminating information and analysis on labour issues:** The Institute brought out 80 publications on different dimensions of labour aimed at disseminating the latest information on research, policy, and labour jurisprudence.
- **Highlighting the role of labour in shaping modern India:** The Institute has set up a Digital Archive on Labour to serve as an apex repository of historical documents related to labour. It has around **172000 pages of important documents on labour history in digital form uploaded in the website of labour archives** (www.indialabourarchives.org). **55000 pages were additionally digitized and processed during the last two years.**
- **Recognizing the contribution to labour studies:** VV. Giri Memorial Award in Labour Studies instituted to recognise professional contributions in the area of labour studies. The theme for the Award in 2009, 2010 & 2011 was Labour Migration; Research & Training on Industrial Relations and Labour Administration; and Research on Agrarian Relations and Rural Labour respectively.

10. Labour Education

The Central Board for Workers Education (CBWE)

- The Central Board for Workers Education (CBWE) established in 1958, is a tripartite society which implement the Workers Education Programmes at national, regional and unit/village levels. The Board undertakes training programmes, which cover workers from organized, unorganized, rural and informal sectors.

- The main objective of the Board's training programmes is to create awareness among all sections of the working population. Supervisory and managerial cadres are also covered through Joint Education Programmes.
- The Board has been generating awareness among the informal sector workers about various welfare schemes through its Labour Welfare and Development Programmes.
- The special programmes for the beneficiaries of Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) are being conducted by CBWE from the financial year 2011-12. During April-November 2011, the Board has conducted 1416 programmes for the 58,079 workers in rural sector under MGNREGA scheme.

11. Implementation of Majithia Wage Boards Recommendations

- The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 provides for regulation of conditions of service of working journalists and other persons employed in newspaper establishments.
- The Section 9 and 13 C of the Act, inter alia, provides for setting up of Wage Boards for fixation and revision of rates of wages in respect of working journalists and non-journalists newspaper / news agency employees respectively.
- The Majithia Wage Boards was set up on 24.05.2007.
- The Majithia Wage Boards submitted its report on 31.12.2010.
- The Government notified the recommendations on 11.11.2011.
- The recommendations have been uploaded in the Ministry's web-site and in public domain.

- As on date, there is no stay order by the Hon'ble Supreme Court on the implementation of the recommendations of Majithia Wage Boards.
- A writ petition No. 246/2011 was filed by ABP Pvt. Ltd. on 13.05.2011 against the constitution and recommendations of the Majithia Wage Boards. Since then 9 other Writ Petitions have been filed before the Hon'ble Supreme Court in the matter.
- The implementation of the Majithia Wage Boards lies with the State Governments / UTs.
- States Governments / UTs have been requested to implement the Majithia Wage Boards recommendations.
- In order to monitor the implementation of the notification, a Central Level Monitoring Committee has also been set up under the Chairmanship of Principal Labour & Employment Adviser. The Committee met at Hyderabad on 24.9.2012 to review implementation of the awards in the southern states/UTs.

(12). Wages

- The Minimum Wages Act, 1948 provides for fixation, review, revision and enforcement of minimum wage, both by the Central Government and the State Governments, in respect of scheduled employments in their respective jurisdictions. There are 45 scheduled employments in the Central sphere whereas the number of these employments in the State sphere is about 1679.
- To protect the wages against inflation, the Central Government has introduced a component of Variable Dearness Allowance (VDA), which is linked to Consumer Price Index. The VDA is revised every six months effective 1st April and 1st October every year. So far, 24 States/UTs have also adopted the VDA as a component of minimum wage.

- In the absence of a uniform national minimum wage, the concept of a national floor level minimum wage (NFLMW) was mooted by the Central Government in 1996, based on the recommendations of the National Commission on Rural Labour in 1991, and fixed it initially at Rs.35/- per day. Since the adoption of national minimum wage is a non-statutory measure, all States Governments / Union Territories are requested to ensure that in none of the scheduled employments the rate of minimum wages fixed / revised are lower than the national floor level minimum wage of Rs.115/- per day revised with effect from 01.04.2011. Government is currently proposing certain amendments to the Minimum Wages Act, 1948 inter alia, including making NFLMW statutory. The proposals are under consideration of the Government.

13. Labour Conference & International Labour Matters

Signing of Memoranda of Understanding and Agreements

- On the sidelines of 99th Session of ILC 2010 of ILO in Geneva, a Memorandum of Understanding was signed between Government of India and Government of Islamic Republic of Afghanistan on cooperation in labour related areas.
- A delegation led by Ms. Amena Afzali, Minister for Labour, Social Affairs, Martyrs and Disabled (MOLSAMD), Government of Afghanistan visited Ministry of Labour & Employment on 12.10.2011. A Memorandum of Understanding (MoU) between Ministry of Labour & Employment, Government of India with Government of Afghanistan regarding "Implementation of a twinning arrangement for public sector capacity development in Afghanistan" was signed on 12.10.2011.
- A four member delegation led by Hon'ble Minister of Labour & Employment visited USA during 30th January, to 3rd February, 2012 for signing a Memorandum of Understanding with US, Department of Labour in the field of Labour & Employment. The areas covered under

MOU are: (i) Skill Development (ii) Youth Employment, (iii) Occupational Safety Health; and (iv) Mine Safety and Health.

- On 12.06.2012 the Labour & Employment Ministers of India, Brazil and South Africa met on the sidelines of 101st ILC in ILO and an IBSA Declaration for South-South Cooperation was signed.
- An Agreement on mutual cooperation between the Ministry of Labour and Social Protection of Population of the Republic of Tajikistan and the Ministry of Labour & Employment, Government of India on labour and social issues was signed in New Delhi on 03.09.2012.
- A delegation led by Dr. Mrutyunjay Sarangi, Secretary (L&E) visited Turin, Italy to Sign Memorandum of Understanding between V.V. Giri National Labour Institute, Noida and International Training Centre of ILO, Turin (30 – 31 October, 2012) and also to attend the 74th Session of the Board Meeting of International Training Centre of the ILO (1-2 November, 2012).

Indian Labour Conference, Standing Labour Committee Meetings.

A session each of Indian Labour Conference (ILC) and Standing Labour Committee (SLC) is held every year under the chairmanship of Union Labour & Employment Minister. ILC is generally inaugurated by the Hon'ble Prime Minister and is preceded by SLC which reviews the Action taken report of the previous ILC and sets Agenda for the next ILC. Both ILC and SLC are tripartite forums and are attended by State Labour Ministers and representatives of Central Ministries/Departments as well.

- The 43rd Session of ILC was held on 23–24th November, 2010 in New Delhi.
- The 44th Session of SLC was held on 17.10.2011 in New Delhi
- The 44th Session of ILC was held on 14th & 15th February, 2012 in New Delhi.

State Labour Ministers Conference

- A State Labour Ministers Conference was held under the Chairmanship of Union Minister of Labour & Employment in New Delhi on 22.01.2010. The Agenda of the Conference included Skill Development,

Unorganised Workers Social Security Act, Issues concerning construction workers, Contract Labour Act, Employees' State Insurance Corporation Schemes in States and Child Labour.

- The 43rd Session of State Labour Ministers' Conference was held on 27.09.2012 in New Delhi. The Agenda for this Conference included Minimum Wages, Industrial Relations, Skill Development and Upgradation of National Child Labour Project Scheme.

Celebration Of 90th Anniversary Of International Labour Organisation

A Special Event was organized by Ministry of Labour & Employment on 04.02.2010 at New Delhi in connection with the celebration of the 90th Anniversary of International Labour Organisation.

Indian-European Union Cooperation

India and European Union had signed a Memorandum of Understanding wherein a Seminar is organized every year in Brussels and New Delhi alternatively. This is a tripartite forum wherein members of Government, Workers and Employers' Group from both sides are attending the Seminar.

The 4th India-EU Seminar on Skills and Jobs with particular focus on the impact of the global crisis and recovery was held in Brussels during 5-6 July, 2012.

The 5th India-EU Seminar on Employment and Social Policy was held in New Delhi during 19-20, September, 2011.

Hosting Of International Delegations

During the period from 2010 to 2012, Ministry of Labour & Employment hosted High Level international delegations from Germany, Nigeria,

Botswana, Bangladesh, Yemen, Switzerland, Australia, New Zealand, Nepal, South Africa, Afghanistan and United States.

Meetings of Governing Body and International Labour Conference of ILO in Geneva and ILO Regional Meetings

- The meeting of Governing Body of ILO is held in March, June and November every year. During the period 2010-2012 Ministry of Labour & Employment delegations led by Secretary attended the 307th to 316th Sessions of GB.
- The International Labour Conference of ILO is held in May-June every year in Geneva. A tripartite Indian delegation led by Union Labour & Employment Minister attended the 99th, 100th and 101st Sessions of ILC in Geneva. The delegations composed of members of Government, Workers', Employers' Group and State Labour Ministers.
- A high level 8-Member tripartite delegation led by Shri Mallikarjun Kharge, Union Minister of Labour & Employment visited Kyoto, Japan to attend the 15th Asia-Pacific Regional Meeting of ILO during 4-7 December, 2011 in Kyoto, Japan.

G-20 Meetings (Preparatory Meetings, Sherpa and Ministerial Meetings)

- A delegation led by Hon'ble LEM visited Washington DC to attend the meeting of the Labour Ministers of G-20 countries during 20-22 April, 2010.
- Shri Ravi Mathur, Additional Secretary (L&E) and Shri A.C. Pandey, Joint Secretary (L&E) attended the First preparatory meeting of very senior officers of G-20 countries (SHERPA's meeting) held on 28.02.2011 in Paris, France.
- A delegation led by Hon'ble LEM attended the G-20 Labour & Employment Ministerial Meeting in Paris, France during 26-27, September, 2011.
- A three member delegation led by Shri A.C. Pandey, Joint Secretary (L&E) attended the G-20 Labour & Employment Ministerial Meeting in Guadalajara, Mexico during 17-20, May 2012.

Asia Europe Meetings (ASEM)

- Shri P.C. Chaturvedi, former Secretary (L&E) attended the ASEM Employment High Level Forum organised by the European Commission during 29-31, March 2010 in Brussels.
- Shri Ravi Mathur, Additional Secretary (L&E) attended the ASEM Forum on “Social Safety Nets: Enhanced Cooperation to adapt post-crisis challenges” organized by the Ministry of Foreign Affairs in coordination with the Ministry of Labour, Invalids and Social Affairs in Hanoi, Viet Nam during 18-19, April 2011.
- Shri Ravi Mathur, Additional Secy. and Shri S.K.Verma, Director attended the “ASEM High Level Forum on Employment & Social Policy” and the “ASEM Senior Officials Meeting for the Labour & Employment” during 24-25, November 2011 in Hanoi, Vietnam.
- A delegation led by Shri Sharda Prasad, AS & DG, DGE&T attended the 4th ASEM Labour & Employment Ministers’ Conference on “Employment and Social Protection – A Key to Sustainable and Inclusive Growth” during 24-26, October 2012 in Hanoi, Vietnam.

Other Important Visits / Delegations Abroad

- A high-level delegation led by Secretary (L&E) visited Washington DC during 14 -16 July, 2010 to exchange information and best practices on “Youth Employment Programme” targeted towards the most vulnerable, initiatives to promote youth employment, and “Foster Youth Demonstration Projects”.
- A delegation led by Hon’ble Minister of Labour & Employment attended the XIX World Congress on Safety and Health at Work in Istanbul, Turkey during 11 – 15 September, 2011.
- A two member delegation led by Secretary (L&E) visited China during 14 – 16th September, 2011 to attend Asia-High Level Seminar on Social Security Extension organized by ILO.

Officers Sent Abroad for Training / Workshops Etc.

The International Training Centre, Turin, Italy is the training arm of the ILO, entrusted with promoting social justice, including internationally recognized human rights and labour standards. It provides training in subjects that further the ILO’s pursuit of decent work for all. Officers of

Ministry of Labour & Employment are nominated every year to attend the training programmes on the specialised subjects at the ITC, Turin. During the years 2010, 2011 and 2012, 20, 15 and 7 officers from Ministry of Labour & Employment were sent abroad including to ITC, Turin, to attend various training programmes and workshops.

14. Legislative initiatives

(A) New Enactment

To provide social security to workers in the unorganized sector, **The Unorganized Workers' Social Security Act, 2008** has been enacted. The Act was notified on 31.12.2008 and made effective from 16.05.2009. The salient features of the Act include formulation of welfare schemes for different sections of the unorganized sector workers on matters relating to: (a) life and disability cover, (b) health and maternity benefits, (c) old age protection, and (d) any other benefits that may be decided by the Central Government and constitution of a National Social Security Advisory Board at Central level and similar Boards at State level.

(B) Amendment in Labour Acts

(i) The Workmen's Compensation Act, 1923 has been amended to make it gender neutral. The Act is now called "the **Employees' Compensation Act, 1923**". Besides, the compensation under the Act has been enhanced from Rs.80,000/- to Rs.1,20,000/- in case of death, from Rs.90,000/- to Rs.1,40,000/- in case of disablement and from Rs.2,500/- to Rs.5,000/- towards funeral expenses. The wage ceiling limit for working out compensation has been increased from Rs.4,000/- to Rs.8,000/- per month. The amendment was notified on 23.12.2009 and made effective from 18.01.2010.

(ii) The Payment of Gratuity Act, 1972 was amended for covering the teachers in educational institutions, which was notified on 31.12.2009 giving the retrospective effect from 03.04.1997. Further, the Act was also

amended for enhancing the ceiling limit of gratuity from Rs.3.5 lakh to Rs.10 lakh with effect from 24.05.2010.

(iii) The Employees' State Insurance Act, 1948 has been amended w.e.f. 01.06.2010 to improve the quality of delivery of benefits under the scheme and also to enable ESI infrastructures to be used to provide health care to workers of the unorganized sector.

(iv) The Plantations Labour Act, 1951 amended w.e.f. 01.06.2010 to provide safety and occupational health care to plantations workers.

(v) The Industrial Disputes Act, 1947 amended w.e.f.15.09.2010 to amplify the term 'appropriate government' defined under section 2(a) of the Act, enhance the wage ceiling from Rs.1600/- to Rs.10,000/- per month to cover workmen working in supervising capacity, provide direct access for the workman to the Labour Court or Tribunal in case of disputes arising out of Section 2(A) of the Act, expand the scope of qualifications of Presiding Officers of Labour Courts or Tribunals, establish Grievance Redressal Machinery and empowering the Labour Court or Tribunal to execute the awards etc.

(vi) The scope of the Sales Promotion Employees (Conditions of Service) Act, 1976 was expanded w.e.f. 01.02.2011 to include 10 additional industries, i.e., Cosmetics, soaps, household cleaners etc.; Readymade garments, etc.; Soft drinks manufacturing industries; Biscuits and confectioneries; Ayurvedic, Unani, etc.; Automobiles including accessories, etc.; Surgical equipments, etc.; Electronics, computers, etc.; Electrical appliances; Paints and varnishes.

(vii) Under the **Maternity Benefit Act, 1970**, the Medical Bonus has been enhanced from Rs.2500/- per month to Rs.3500/- per month w.e.f. 19.12.2011.

(viii) The **Apprentices Act, 1961** has been amended w.e.f. 01.02.2008 to provide reservation for other Backward Classes.

(C) Amendment Bills introduced in the Parliament: -

(i) **The Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988** with a view to expand the coverage of the Act to establishments employing upto 40 persons and in respect of 16 Labour Acts. The amendment proposal also enables maintaining of registers on computer / other electronic media and furnishing of returns through e-mail.

(ii) **The Mines Act, 1952 Amendment Bill was introduced in Rajya Sabha on 23.03.2011** to make it more relevant and effective through enhancing the penal provisions and expanding coverage of the Act to the whole of India including areas coming under the jurisdiction of Territorial Waters, Continental Shelf, Exclusive Zones and other Maritime Zones Act, 1976, etc.

(iii) **The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979** to make it gender neutral.

(D) Amendments in the pipeline

➤ **Proposal to amend the Minimum Wages Act, 1948 to: -**

- ✓ Make the National Floor Level Minimum Wage Statutory and to make it applicable to any employment.

- ✓ Review / revise the minimum rates of wages of scheduled employment every two years, if there is no provision of VDA.
 - ✓ Increase the maximum compensation in case of payment less than minimum wages from Rs.10/- to Rs.100/-.
 - ✓ Extend the penal provision for imprisonment from six months to one year and fine from Rs.500/- to Rs.5000/- and for subsequent contraventions, a fine between Rs.5000/- to 10000/-.
 - ✓ In respect of same employment either in the Central or in the State sphere, the higher of the wages to be made applicable to the other sphere.
- Proposal to amend the **Contract Labour (Regulation and Abolition) Act, 1970** to ensure that in case contract labour perform the same or similar kind of work as the workmen directly appointed by the Principal Employer, they shall be entitled to the same wage rates, holidays and social security provisions.
 - Proposal to amend the **Factories Act, 1948** to introduce new terms like 'hazardous substance', 'disability' etc., bring a number of less serious offences under the compounding clauses and to amend section 66 to provide flexibility in the matter of employment of women during night in factories.
 - Proposal to amend the **Building and Other Constructions Workers' (Regulation of Employment and Conditions of Service) Act, 1996** and the **Building and Other Construction Workers Cess**

Act, 1996 to overcome difficulties experienced by States / UTs in effective implementation of these Acts.

- Proposal to amend the **Employees' Provident Fund and Miscellaneous Provisions Act, 1952** to bring down the threshold limit from 20 and above to 10 and above for coverage of establishments.
- Proposal to amend the **Employment Exchange (Compulsory Notification of Vacancies) Act, 1959**, inter-alia, to change the nomenclature of 'Employment Exchange' to 'Employment Guidance and Promotion Centre' to give primacy to employment promotion, vocational guidance and counseling and also to bring more establishments under the Act for the purpose of submitting employment returns to obtain more realistic labour market information.
- Proposal to amend the **Apprentices Act, 1961**, in order to bring more establishments under the framework of Apprenticeship Training Scheme and also to revamp the system by emphasizing qualitative improvement through activating training in actual workplace environment.
- Proposal to amend the **Child Labour (Regulation & Abolition) Act, 1986** for banning child labour upto 14 years, linking the age of ban in the employment of child with the age of compulsory education under the Right to Education Act and providing for strict punishment for the offender.
- A Task Force has been set up to evolve policy framework for **domestic worker** in the context of regulatory mechanism and providing social security. The Task Force has also prepared a draft

National Policy. The draft policy provides a direction for Central and State Governments to establish formal rights of domestic workers and ensure exercise of such rights by way of legislative inclusions by extending scope of existing legislation, setting-up of legislative mechanism and institutional mechanism to provide social security cover, social protection benefit, fair terms of employment, grievance redressal and dispute resolution mechanism, facilitate registration of domestic workers, promote their rights to organize, promote skill development, set-up necessary mechanism to protect the rights of domestic workers seeking work abroad and create public awareness etc. The draft policy is under consideration of the Government.

- A Task Force has been constituted to draft a legislation for regulating the working conditions of the sanitation workers and for welfare of these workers.

(15) Shram Sansar

The Ministry of Labour & Employment has started releasing a quarterly newsletter titled 'Shram Sansar' giving information on various initiatives made by the Government and the best practices both in the Central and the State spheres. The inaugural issue was released on 1st May, 2012 the International Labour Day. Two quarterly issues have been released and distributed amongst all States / UTs / Union Ministries and Field Offices of the Ministry of Labour & Employment
