



India's impressive growth in the past two decades underlines its emergence as a global economic powerhouse. During this period, the Indian economy recorded annual growth rates of well over 6.5 per cent on an average. The strength of the economy was especially apparent in the resilience it demonstrated during the recent global financial downturn, a performance that leveraged it to one of the most dynamic economies in the world.

To fulfil India's vision of inclusive, equitable and sustainable growth, encompassing all regions and groups of people, the growth trajectories of the recent decades need to be maintained and strengthened. This is also critical in order to reap the benefits of a unique window of opportunity provided by the country's demographic dividend: India's increasingly youthful labour force. The economic vitality released by the effective harnessing of the immense energies of India's youth could well transform the tangible experience of citizenship, revolutionise nation building, and generate unprecedented global competitive advantages.

Fulfilling such potential requires a determined focus on enhancing the skill and knowledge base of the economy, and making available gainful, productive and quality employment for the country's young workforce. Quality employment is, in fact, the foundation of the Government of India's mandate of equitable, inclusive, and sustainable growth. The fundamental premise is that 'decent work' and employment are not merely outcomes, but drivers of economic growth. These call for the removal of barriers to access in the form of education, gender and social inequalities in the labour market, increasing employability through skill development, and the promotion of environmentally sustainable jobs.

The Ministry of Labour & Employment has taken several initiatives for expanding skill development and for ensuring labour welfare and social security of workers. These strategies by the Government of India can be successful only with the active involvement and support of social partners such as the State Governments, trade unions, employers' associations and civil society organisations.

Also integral to these measures is broad-based and effective dissemination, to obtain feedback, identify and overcome weaknesses if any, and consolidate strengths. With this newsletter 'Shram Sansar' as a channel, we at the Ministry of Labour & Employment endeavour to reach out, foster a platform for mutual learning, and look forward to interest and support from readers.

## Message from Hon'ble Union Minister of Labour & Employment



I am very happy to know that the Ministry of Labour & Employment has decided to bring out a newsletter every quarter to provide information on various labour-related initiatives, amendment of labour laws, and other relevant issues concerning labour for wider dissemination. It is particularly gratifying that the newsletter is slated to be released on 1 May, the International Labour Day.

Over the years, the Ministry of Labour & Employment has undertaken a series of measures for the welfare of the working class. A number of amendments in various labour laws have been made to facilitate better implementation of the statutory provisions. Further, a number of schemes are under implementation by the Centre both directly and through the States with a view to helping the working class. Similarly in the State sphere, various State/Union Territory Governments have also taken significant steps for better enforcement of the labour laws and implementation of a number of welfare measures to improve the condition of labour. Clearly, there is a need to highlight these initiatives. The newsletter will provide an effective channel of communication between the Government and the social partners.

I sincerely hope that the newsletter will focus on these issues and emerge as a mouthpiece of the Ministry to highlight various labour welfare initiatives for the intended beneficiaries.

I wish the newsletter all success.

Shri Mallikarjun Kharge  
Union Minister of Labour & Employment

## Message from Hon'ble Secretary, Labour & Employment



The Ministry of Labour & Employment has been taking several important initiatives to promote the welfare of workers in general and those who constitute the poor, deprived and disadvantaged sections of the society in particular. The endeavour has been to create a work environment conducive to achieving a high rate of economic growth with due regard to protecting and safeguarding the interest of the workers through enforcement of relevant labour legislations and undertaking various welfare measures for the working class. Labour being a 'concurrent' subject, the State Governments are also competent to enact legislations besides implementing schemes for the labour.

There are many good practices observed in the Centre and States which can be replicated, with or without modifications, for better results elsewhere. With a view to deriving the maximum benefit, it is important that the information regarding the initiatives and the good practices flows to all concerned on a regular basis.

For channelling information on all such efforts and practices, the Ministry of Labour & Employment has decided to bring out a newsletter with a quarterly periodicity. The first issue of the newsletter is being released on 1 May, the International Labour Day. I am sure that the information contained in the newsletter will be immensely useful to the readers and will contribute to promoting the interests of labour.

Dr. Mrutyunjay Sarangi  
Secretary, Labour & Employment



# MINISTRY OF LABOUR & EMPLOYMENT



*Shram Shakti Bhawan, the Ministry of Labour & Employment headquarters at Rafi Marg, New Delhi*

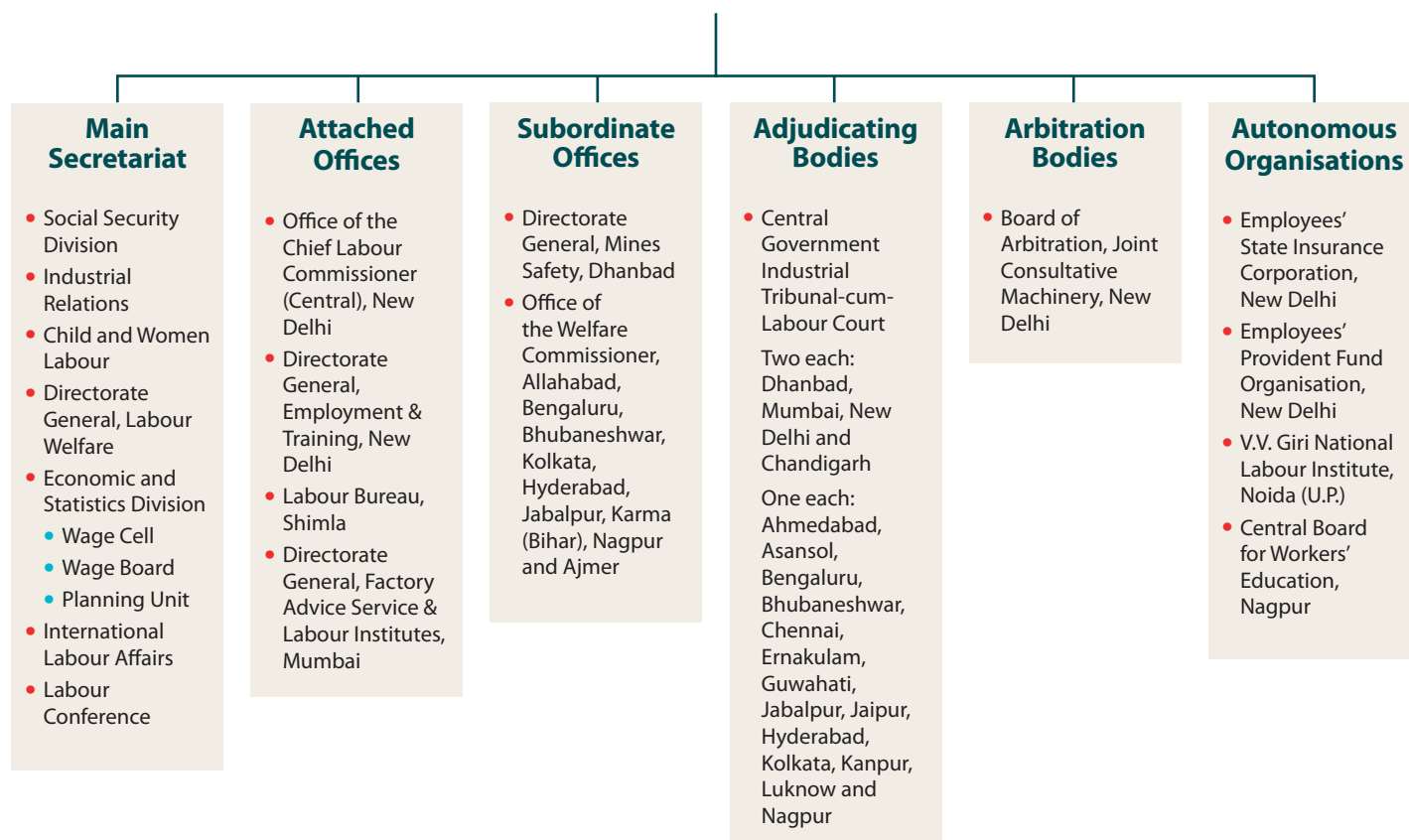
**A**vital ministry of the Government of India, the Ministry of Labour & Employment (MoLE) is the apex body for the formulation and administration of the rules, regulations and laws relating to labour and employment in the country. This is one of the oldest and largest ministries of the Government of India with the primary responsibility of safeguarding the interests of workers in general and those workers falling within the poor, deprived and disadvantaged section of the society in particular. At present, the Ministry is headed by Shri Mallikarjun Kharge, the Union Minister of Labour & Employment. MoLE has its headquarters at Shram Shakti Bhawan, Rafi Marg, New Delhi.

The Ministry has gone through several incarnations, beginning life as a concern within the Public Works Department

(PWD) which was created in 1854, and staying under the umbrella of various inclusive departments over the years. An independent entity for labour, the Department of Labour, came into being in 1937. After Independence, in 1947, the department was redesignated as the Ministry of Labour under the charge of a minister of Cabinet rank. In 1957, the name was changed to Ministry of Labour & Employment, but many more changes occurred before the current nomenclature was reverted to.

A landmark event in the country's labour history was the establishment of the International Labour Organization (ILO) in 1919, of which India became one of the founding and permanent members. The country has a pivotal role in improving labour and work conditions all over the world.

## MINISTRY OF LABOUR & EMPLOYMENT: AT A GLANCE



### Vision

Decent working conditions and improved quality of life for workers, ensuring India without child labour in hazardous sectors and enhancing employability through employment services and skill development on a sustainable basis.

### Mission

Improving the working conditions and quality of life of workers through laying down and implementing policies/programmes/schemes/projects for providing social security and welfare measures, regulating conditions of work, occupational health and safety of workers, eliminating child labour from hazardous occupations and processes, strengthening enforcement of labour laws and promoting skill development and employment services.

### Current Core Concerns

- Labour policy and legislation
- Safety, health and welfare of labour
- Social security of labour
- Policy relating to special target groups such as women and child labour
- Industrial relations and enforcement of labour laws in the Central sphere
- Adjudication of industrial disputes through Central Government Industrial Tribunals-cum-Labour Courts and National Industrial Tribunals
- Workers' education
- Labour & employment statistics
- Employment services and vocational training
- Administration of Central labour & employment services
- International cooperation in labour & employment matters

# Scaling up Skills Innovatively

## Skill Development Schemes in India

**A**vital factor in improving labour market outcomes and economic growth is skill development. The Ministry of Labour & Employment in India has evolved a number of pragmatic strategies to upgrade relevant skill training and to improve access to skills for workers. The aim is to trigger a cycle of higher productivity, higher employability, higher income levels, and faster and sustainable economic growth.

**Expansion of Skill Development Institutions:** Considerable efforts have been made in recent years for operationalising new government & private Industrial Training Institutes (ITIs)/Industrial Training Centres (ITCs), especially in backward regions. Considering that ITIs/ITCs mainly cater to the skill development requirements of the disadvantaged social groups, the significant growth in ITIs/ITCs – from 6079 in 2007-08 to 8800 by 2011, with the total seating capacity increasing from 8.29 lakh to 12.27 lakh during the same period – is a major step towards further improving the access of the disadvantaged sections to skill development initiatives.

**Skill Development Initiative (SDI) Scheme:** Based on the Modular Employable Skills (MES) framework, the SDI scheme has been operationalised from May 2007 to provide vocational training for early school leavers and existing workers, especially in the unorganised sector. It seeks to improve their employability by optimally utilising the infrastructure available in government and private institutions and the industry. One million persons were required to be trained or their existing skills tested and certified, over a period of five years, and one million every year thereafter. During the past four years, 6891 Vocational Training Providers (VTPs) were registered to provide training under the scheme adopting flexible delivery mechanism (part-time, weekends, full-time, onsite/offsite) to suit the needs of various target groups. As many as 1386 demand-driven short-term training courses based on MES were developed and approved by the National Council for Vocational Training (NCVT). A total of 13.08 lakh persons were trained/tested, and 36 organisations were empanelled as Assessing Bodies for the testing of the skills of trainees to ensure that it is done impartially.



*A discussion on vocational education and training strategy in progress*

### **Upgradation of 500 ITIs through Domestic Funding and World Bank Assisted Vocational Training Improvement Project:**

With domestic funding, existing 100 ITIs were upgraded into 'Centres of Excellence' for producing a multi-skilled workforce of global standards. Under the scheme, multi-skilling courses are offered during the first year, followed by advanced and specialised modular courses in the second year by adopting the industry-wise cluster approach, 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. Under the Vocational Training Improvement Project (VTIP) taken up with the assistance of World Bank, 400 ITIs are being upgraded.

### **Scheme of Upgradation of 1396 Government ITIs through Public-Private Partnership:**

This scheme was launched in 2007-08 to improve the employment prospects of graduates from the vocational training system, by making the delivery of training more demand-responsive. Under the scheme, an Institute Management Committee (IMC), headed by an industry partner, is constituted in the ITI and registered as a Society. The Central Government grants an interest-free loan of up to ₹ 2.50 crore directly to the IMC, which is given financial and academic autonomy. Till date, interest-free loans amounting to ₹ 2785 crore have been released for the upgradation of 1114 ITIs. Recent evidences indicate that the placement rate in modernised ITIs has increased from 35% in 2003 to about 80% in 2010-11.



## Upgrading ITIs and Employability

The scheme of upgradation of 1396 ITIs through public-private partnership has resulted in a remarkable expansion of training infrastructure in a large number of ITIs across the country. Many ITIs have developed high-class workshop areas in new and emerging trades, providing the students opportunities for hands-on experience of modern technology. This has considerably enhanced the employability of ITI students and improved their placement prospects. The modernisation of training infrastructure has also enabled ITIs to forge more meaningful linkages with major industrial establishments in their areas of operation.



Many ITIs have been transformed into quality institutes under MoLE's schemes

## Enhancing Skill Development Infrastructure in North East States and Sikkim:

A major development objective for the North East Region (NER) – the North Eastern states and Sikkim – is the strengthening of its human resource base, particularly the youth, to make them more skilled and employable. The North Eastern Region Vision, 2020, states that despite expansion of the education infrastructure, and a satisfactory literacy rate and pupil-teacher ratios in the region, the skills and knowledge base of the youth in NER does not equip them to compete at national and international levels for employment or entrepreneurial activities. The vision for the region, therefore, is a vast expansion in opportunities for acquiring skills and competencies. However, there are, for example, only 68 ITIs in NER, with a seating capacity of 10,308 as against the total seating capacity of 12.27 lakh in the country. The number of ITIs in NER constitutes barely 0.895% of the total ITIs in the country. This highlights the urgent need to draw up specialised programmes to expand the base of skill development institutions in NER. A new centrally sponsored scheme 'Enhancing Skill Development Infrastructure in NE States and Sikkim' has been approved at a cost of ₹ 57.39 crore, with the following components:

- Upgradation of 20 ITIs at a cost of ₹ 30.18 crore
- Supplementing deficient infrastructure in 28 ITIs at a total cost of ₹ 24.24 crore
- Establishment of Project Management Units at the Centre and eight state headquarters at a total cost of ₹ 2.97 crore

**Training of 8000 Youth of Jammu & Kashmir:** Following the Hon'ble Prime Minister's announcement during his visit

to Jammu & Kashmir on 28-29 October 2009, this scheme is being implemented to provide training to 8000 youth of the state of J&K under SDI scheme for their gainful employment in 2010-11 and for 8000 youth in 2011-12. The strategy is to, first, identify sectors with large employment potential and second, to focus on placement-oriented training based on the experience of J&K and the rest of India. For this, the selected sectors are tourism, handicraft, IT & IT enabled services, agriculture, horticulture and health, in which a total of 4175 youth have been trained so far; the State Government is in the process of deputing the remaining candidates for training in 35 VTPs outside J&K. A total of ₹ 10.20 crore for the scheme was released to the state in 2010-11.

## Setting up of ITIs and Skill Development Centres (SDCs) in Left Wing Extremism Affected States:

There is a regional imbalance in skill development opportunities in districts affected by Left wing extremism. Thus, the youth are vulnerable and easily fall prey to groups propagating extremist and destructive activities. To wean them away from such activities, MoLE has formulated a 'Skill Development Plan' for the youth of 34 districts affected by Left wing extremism at a cost of ₹ 232.95 crore. The scheme has a two-pronged strategy. As an immediate measure, short-term and long-term skill training programmes will be conducted for 5000 youth in the existing institutes (government and private) during 2011-12. Also, additional infrastructure will be created for 34 ITIs, one ITI per district and 68 SDCs, two SDCs per district. In the long-term, the strategies will be scaled up during the next Plan period depending on the progress.

# A Unique Step in Social Security

## Rashtriya Swasthya Bima Yojana



Inaugural session of the RSBY National Workshop held at Chhattisgarh, May 2011

**T**he design and implementation of effective social protection measures for those engaged in unorganised sector activities is emerging as a top priority for governments, especially in developing countries like India. A formidable challenge indeed, as deprivation and vulnerability appear integral to the lives of millions of workers in the unorganised sector. India is responding to this challenge mainly by introducing innovative social security measures for the unorganised sector as well as by redesigning existing social security measures to include those excluded so far. A pioneering social security measure introduced for unorganised sector workers in recent years is Rashtriya Swasthya Bima Yojana (RSBY).

Launched on 1 October 2007 and operational from 1 April 2008, RSBY provides for smart card-based cashless health insurance cover of ₹ 30,000 per annum on a family floater basis to Below Poverty Line (BPL) families (a unit of five) in the unorganised sector.

### Basic Features

- The Government of India contributes 75% of the annual premium. State Governments contribute 25%. In the case of the North East and Jammu & Kashmir, the premium is shared in the ratio of 90:10.
- The beneficiary family pays ₹ 30 per annum per family as registration/renewal fee. The administrative cost is borne by the State Governments.
- Beneficiaries are entitled to smart card-based cashless health insurance cover of ₹ 30,000 per family per annum on a family floater basis.
- Coverage of all pre-existing diseases.
- Coverage of hospitalisation expenses, including maternity benefit.
- Reimbursement of transportation cost of ₹ 100 per visit.



## Performance

As on 31 March 2012 the scheme is in operation in 24 states/UTs – Assam, Arunachal Pradesh, Bihar, Chhattisgarh, Delhi, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Kerala, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Punjab, Tripura, Uttar Pradesh, Uttarakhand, West Bengal and Chandigarh. More than 2.83 crore smart cards have been issued, and around 33.92 lakh persons have availed hospitalisation.

## Expansion

The Central Government has approved the extension of RSBY to Building and Other Construction Workers, Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) beneficiaries who have worked for more than 15 days during the preceding year, street vendors, *beedi* workers and domestic workers.

### RSBY to the Rescue

A worker in the coir industry in Kerala, Shri Rajappan's job was to load coconut fibre on to trucks. In his long stint of 40 years as a coir worker, he had never met with an accident while on duty. But one ill-fated Wednesday an accident occurred that almost took him away from his family. Shri Rajappan was admitted to Medical College Hospital, Kottayam, in a coma. His backbone was fractured, necessitating long and expensive treatment that would have been unaffordable for the family in the absence of RSBY. The scheme made it possible for him to avail of quality treatment, medicines, food and even a waterbed. Shri Rajappan is improving in THQ Hospital, Cherthala. He can now move his limbs and can look forward to a more hopeful future.

When Shrimati Sharmila of Orkatayil village in Kozhikode district, Kerala, who worked as a mat weaver, suffered a sudden heart attack, she was admitted to Medical College Hospital, Kozhikode. Her condition called for urgent bypass surgery, which her indigent family could not afford. That was when the amount of ₹ 30,000 allowed by her RSBY smart card came of immense use. The rest of the money required for her medical care was collected by means of donations from her locality through the efforts of her kind neighbour. The timely support from RSBY went a long way in giving Shrimati Sharmila a fresh lease of life.



Social protection measures like RSBY are crucial for workers in the unorganised sector

# Protecting Construction Workers

## Laws for Building & Other Construction Workers



*The vulnerable nature of the work performed by construction workers calls for effective regulation of their conditions of service*

**W**ith as much as over 10% of India's total workforce engaged in the construction sector (which is close to the workforce engaged in the manufacturing sector – 11-12%), the welfare of this category of workers is a major concern. The construction worker category is one of the most vulnerable segments of the unorganised sector in India. Building and other construction works are characterised by an inherent risk to the life and limb of the workers. Such work is also marked by its casual nature, temporary relationship between employer and employee, uncertain working hours, lack of basic amenities and inadequacy of welfare facilities. A need was thus felt for a comprehensive Central legislation for this category of workers. Accordingly, two Acts, initially framed as ordinances on 3 November 1995, were brought into effect from 20 August 1996:

- The Building & Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996
- The Building & Other Construction Workers' Welfare Cess Act, 1996

### Objectives

The Building & Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996, aims to regularise employment and conditions of service of building and other construction workers as also ensure measures for their safety, health and welfare in every establishment that employs, or employed during the preceding year, ten or more workers. The only exceptions made are in respect of residential houses for own purpose constructed with a cost not exceeding ₹ 10 lakh and such other activities to which the provisions of Factories Act, 1948, and Mines Act, 1952, apply.

### Main Provisions

- Provision for an Advisory Committee at the Central and the state levels with the function of advising the governments concerned on such matters arising out of the administration of the Act as may be referred to it.
- Provision for the registration of each establishment within a period of 60 days from the commencement of work to ensure that there are no malpractices and to discourage non-compliance of law by circumventing.
- Provision for the registration of building workers as beneficiaries under this Act.
- Provision for the constitution of a Building & Other Construction Workers' Welfare Board by every State Government to exercise the powers conferred on it, and perform the functions assigned to it, under the Act.
- Provision for immediate assistance in case of accidents, old age pension, loans for the construction of house, premiums for group insurance, financial needs for education, medical requirements, maternity benefits, etc.
- Provision for health and safety measures for construction workers in conformity with ILO Convention No. 167 concerning safety and health in construction, revising the Safety Provisions (Building) Convention, 1937. For this purpose, comprehensive Central rules, i.e. Building and Other Construction Workers (Regulation of Service and Conditions of Service) Central Rules, 1998, have been notified by the Central Government.
- Provision for the constitution of safety committees in every establishment employing 500 or more workers with equal representation from workers and employers, in addition to the appointment of safety officers qualified in the field.
- Provision for penalties of fines and imprisonment for violation and contravention of the Act.

## Funding

To raise funds for the realisation of the various welfare measures, the main Act provides for the constitution of Welfare Boards. For the raising of funds, the Building & Other Construction Work Welfare Cess Act, 1996, was enacted, which provides for the collection of funds from cess at rates not exceeding 2% (at present 1%) of the cost of construction incurred by an employer. The collection of funds and administration of the Welfare Boards would be the responsibility of the concerned State Governments.



Construction workers' life and limb are often at risk

### Karnataka BOCW Welfare Board: Taking Care of Construction Workers

One of the prominent states to set up a Welfare Board (on 18 January 2007) and operationalise benefits schemes for disadvantaged construction workers is Karnataka. Smooth functioning of the Board has ensured effective cess collection and disbursement of benefits to eligible construction workers, making a huge positive impact on their lives.

The Hon'ble Minister for Labour is the Chairman of the Board. Other members of the Board are four employers' representatives; four employees' representatives; the Secretary, State Labour Department; State Commissioner of Labour; the Principal Secretary, State Rural Development & Panchayathi Raj; and the Principal Secretary, State Urban Development.



Certificate of benefit being handed over to a construction worker in Karnataka

Special software has been developed to record data relating to cess payment made through cheques and issuance of acknowledgments. Software pertaining to the registration of beneficiaries and disbursement of welfare schemes is currently being tested. This will be used in future to deliver quick service to the stakeholders.

#### Functions of the Board

- Collection of 1% cess levied on the cost of construction on all construction activity beginning from the Gram Panchayat level to the Central/State Government departments, undertakings, corporations, autonomous bodies, and private builders and developers. The cess collection by the Board as on 29 March 2012 was ₹ 1098,37,18,083.
- Registration of construction workers as beneficiaries of the Board. The total number of registered workers is 1,74,168.
- Disbursement of welfare benefits to the beneficiaries. The Board ensures the payment of benefits to beneficiaries through banks by Real Time Gross Settlement (RTGS) within 24 hours. The latest figures are as follows:

Name of the Scheme	Total No. of Beneficiaries	Total Amount Paid (in ₹)
Accidental Death / Permanent Disability	114	88,25,000
Funeral Expenses	823	1,01,38,000
Educational Assistance	4919	1,36,98,550
Marriage Assistance	1184	61,50,000
Medical Assistance	620	6,38,900
Maternity Assistance	263	15,56,000
Assistance for Treatment of Major Ailments	74	33,69,954
<b>Total</b>	<b>7997</b>	<b>4,43,76,404</b>



## Karnataka BOCW Welfare Board

### Benefits at Various Stages of Registration

#### Benefits Available Immediately After

- ₹ 4,000 Funeral Expenses and ₹ 15,000 Ex-gratia Payment: To the deceased's family.
- ₹ 400 to ₹ 2,000 Hospitalization Assistance: For inpatient treatment to the beneficiary in government hospitals and recognised private hospitals.
- ₹ 1,00,000 Accident Compensation: To the nominee of the beneficiary on account of his death due to accident during the course of employment or due to accident while travelling from the place of work to the residence or vice versa or for permanent total disablement due to accident during the course of employment at the work site only. For permanent partial disablement during the course of employment at the work site, only compensation equal to such proportion of ₹ 1,00,000 corresponding to the percentage of partial disability is to be paid (e.g. for 40% permanent partial disability, ₹ 40,000 compensation can be paid)
- ₹ 50,000 Assistance for Major Ailments Treatment: Heart operation, kidney transplantation, treatment for cancer, eye operation, treatment of paralysis, orthopaedics operation, uterus operation, treatment of asthma, maternity miscarriage cases, treatment of gall bladder ailments, kidney stone removal, treatment of brain haemorrhage, treatment of ulcer.
- ₹ 300 per month Disability Pension: Due to paralysis, leprosy, cancer and TB and ₹ 5,000 ex-gratia based on percentage of disability.

- ₹ 50,000 Ex-gratia Compensation: To the survivors of an unregistered construction worker resulting in his accidental death due to collapse of a building under construction.
- ₹ 10,000 to ₹ 20,000 Ex-gratia Compensation: To an unregistered construction worker grievously injured due to this type of accident.

#### Benefits Available After One Year

- ₹ 6,000 Maternity Assistance: Female beneficiary, limited for two deliveries.
- Education Assistance: For two children of the beneficiary.
- ₹ 1,000 for studying in 8th and 9th; ₹ 3,000 SSLC pass; ₹ 2000 each year studying in I & II Pre University Course; ₹ 3,600 studying in ITI/Diploma; ₹ 2,000 each year studying in General Degree course; ₹ 10,000 each year studying in PG course; ₹ 5,000 per semester studying in Medical/Engineering & Other Professional Courses.
- ₹ 10,000 Marriage Assistance: To the beneficiary or his two children.

#### Benefits Available After Two Years

- ₹ 5,000 Purchase of Tool/Instruments: Interest-free loan.

#### Benefits Available After Five Years

- ₹ 500 Pension per month: To female and male beneficiaries who have completed the age of 50 years and 55 years respectively.
- ₹ 50,000 Loan for Construction or Purchase of House: 5% interest per annum.

## श्रम विभाग की सहायता से पुत्री के विवाह की जिम्मेवारी का निर्वाह

मेरा नाम नारायण लाल है। मैं गांव — ओबरा खुर्द, तहसील — गोगुंडा, जिला — उदयपुर, राजस्थान का निवासी हूँ। मैं भूमिहीन परिवार से हूँ। गांव में किसी तरह का रोजगार नहीं मिलने के कारण उदयपुर शहर में भवन निर्माण का कार्य पिछले कई सालों से कर रहा हूँ। मुझे काम भी महीने में 15 — 20 दिन ही मिलता है। मेरे परिवार में एक बूढ़ी माँ, दो बेटियाँ एवं एक बेटा है। अत्यंत गरीबी के कारण मैं किसी भी बच्चे को स्कूल में नहीं पढ़ा सका। कोई जमा पूंजी न होने के कारण मैं अपनी बेटी जिसका नाम रेखा है, का समय पर विवाह करवाने में बहुत ही असहाय महसूस कर रहा था। एक रोज श्रम विभाग के एक अधिकारी निरीक्षण के लिए आए। जब वे मुझसे मेरी मजदूरी की दर के बारे में पूछ रहे थे, तब मैंने उनको अपनी व्यथा बताई। उन्होंने मुझे जानकारी दी, कि भवन निर्माण श्रमिक कल्याण बोर्ड, राजस्थान सरकार द्वारा भवन निर्माण मजदूर की बेटी की शादी के लिए 51,000/- रुपये की सहायता दी जाती है। मैंने संयुक्त श्रम आयुक्त कार्यालय, उदयपुर जाकर इसके लिए आवेदन पत्र दाखिल किया। अधिकारियों ने कुछ अन्य जानकारियाँ मांगी जिन्हें मैंने दे दिया। इसके बाद मुझे जब यह आश्वासन मिला कि 51,000/- रुपये की धनराशि मुझे दी जाएगी, मैंने अपनी बेटी का संबंध पक्का कर दिया एवं विवाह की तारीख 26/4/2012 को

निर्धारित की। श्रम विभाग के द्वारा मुझे 51,000/- रुपये की धनराशि 22/3/2012 को दे दी गई। इस धनराशि से मैं अपनी बेटी का विवाह 26/4/2012 कर, पिता की जिम्मेदारी का निर्वाह कर पाया। मैं, मेरी बेटी और मेरा समस्त परिवार श्रम विभाग, राजस्थान सरकार का जीवन पर्यंत आभारी रहेगा।

## मजदूर के बेटे का इंजीनियर बनने का सपना श्रम विभाग ने किया साकार

मेरा नाम रमेश चंद है। मेरे पिता श्री देवीलाल डांगी भवन निर्माण का काम करते हैं। हमारा परिवार बेहद गरीब है। मेरे पिताजी ने बड़ी कठिन परिस्थितियों में परिवार को पालते हुए मुझे 12वीं कक्षा तक पढ़ाया। मेरी हार्दिक इच्छा थी कि मैं इंजीनियर बनूँ और यही सपना मेरे पिताजी भी देखा करते थे। 12वीं तक पढ़ने के बाद हमारे परिवार की आर्थिक स्थिति इस योग्य नहीं थी कि मेरे इंजीनियरिंग कोर्स की पढ़ाई का खर्चा उठा पाएं। एक दिन अखबार के माध्यम से मुझे ज्ञात हुआ कि भवन निर्माण श्रमिक कल्याण बोर्ड, राजस्थान सरकार द्वारा भवन निर्माण कर्मचारियों के बच्चों की उच्च शिक्षा के लिए छात्रवृत्ति की सहायता दी जाती है। मेरे पिताजी ने इसके लिए श्रम विभाग में आवेदन पत्र दिया जो स्वीकार कर लिया गया और मुझे 1000 रुपये धनराशि की छात्रवृत्ति का चैक मिल चुका है और भविष्य में छात्रवृत्ति की सहायता के साथ मेरे इंजीनियर बनने के सपने जो मेरे परिवार

ने देखे थे, वो साकार हो सकेंगे।

## मेधावी छात्र/छात्राओं को नकद पुरस्कार योजना, 2011

निर्माण श्रमिकों के वे पुत्र/पुत्रियां जिन्होंने कक्षा 8 से हायर सैकण्डरी तक की परीक्षा में 75 प्रतिशत अथवा यथा समकक्ष ग्रेड/अंक प्राप्त किए हों तथा स्नातक के प्रथम वर्ष से स्नातकोत्तर स्तर की परीक्षा (चिकित्सा, यांत्रिकी) में 60 प्रतिशत से अधिक अंक अथवा समकक्ष ग्रेड अर्जित किया हो, को उत्कृष्ट अध्ययन हेतु प्रेरित करने के उद्देश्य से भवन निर्माण श्रमिक कल्याण मण्डल द्वारा नकद आर्थिक सहायता प्रदान की जाती है। इस सहायता का संक्षिप्त विवरण इस प्रकार है:

शैक्षणिक स्तर	पुरस्कार राशि
8वीं कक्षा से माध्यमिक स्तर तक	₹ 2,000
11वीं कक्षा से सीनियर सैकण्डरी स्तर तक	₹ 3,000
स्नातक (पास कोर्स)	₹ 5,000
पॉलीटेक्निक/डिग्री	₹ 7,000
स्नातकोत्तर (पास कोर्स)	₹ 10,000
स्नातकोत्तर (चिकित्सा, यांत्रिकी, एम.बी.ए. आदि प्रोफेशनल कोर्स)	₹ 20,000

## भवन निर्माण कर्मकार लाभार्थी की पुत्री/महिला लाभार्थी के स्वयं के विवाह हेतु सहायता योजना

इस योजना का उद्देश्य भवन एवं निर्माण कर्मकार लाभार्थी की पुत्री के विवाह अथवा ऐसी महिला लाभार्थी जो स्वयं के विवाह से पहले निर्माण कर्मकार लाभार्थी के रूप में पंजीबद्ध है, के विवाह के लिए वित्तीय सहायता देना है। विवाह हेतु 51,000/- रुपये की सहायता राशि सम्बन्धित पुत्री/महिला लाभार्थी के स्वयं के विवाह से एक माह पूर्व, विवाहिता को एकमुश्त रेखांकित चेक/बैंक ड्राफ्ट द्वारा दी जाती है। इस योजना के अंतर्गत लाभार्थी की दो पुत्रियों से अधिक के लिए सहायता देय नहीं है।

## निराशा से आशा की ओर

गांव पिपरिया, जिला होशंगाबाद (मध्य प्रदेश) के रहने वाले लगभग 50 वर्षीय श्री विजय शंकर पांडे पिछले लगभग चार सालों से भोपाल शहर और इसके आस-पास के क्षेत्र में बेलदारी का काम करते हैं। इन्होंने भोपाल शहर के पास ही नीलबढ़ गांव में अपना खुद का एक कच्चा घर बना लिया है। वहीं ये अपनी बुजुर्ग मां, पत्नी तथा लगभग 19 साल की अपनी बेटी के साथ रहते हैं। इनकी बेटी भोपाल स्थित एक कालेज से बी. एस.सी. द्वितीय वर्ष की पढ़ाई कर रही है। इनकी बेटी हाई स्कूल करने के बाद से ही आस-पड़ोस के बच्चों को ट्यूशन पढ़ाती है और अपनी पढ़ाई का अधिकतम खर्च खुद उठाती है।

अब से लगभग पांच महीने पहले इनके सीधे हाथ की कुहनी के निचले



हिस्से में एक गांठ हो गई थी जो ठीक नहीं हो रही थी। इन्होंने बैरागढ़ स्थित सरकारी अस्पताल में खुद को दिखाया। अस्पताल वालों ने हाथ में चीरा लगा कर गांठ निकाल कर हमीदिया मेडिकल कालेज, भोपाल में इसकी जांच कराने को कहा। एक सप्ताह के बाद जब इनकी बेटी हमीदिया मेडिकल कालेज से जांच की रिपोर्ट लेने गई तो उसे बताया गया कि उसके पिता के हाथ में कैंसर है तथा इसका अच्छे से इलाज कराना जरूरी है। इसके बाद श्री विजय शंकर अपनी बेटी के साथ भोपाल के जवाहर लाल नेहरू कैंसर अस्पताल गए। वहां उन्हें एक बार दुबारा जांच की स्लाइड लेकर आने को कहा गया। दुबारा जांच में भी कैंसर की पूरी तरह पुष्टि हो जाने पर इनके द्वारा इलाज का खर्च जानने पर इनको बताया गया कि कम से कम सवा-डेढ़ लाख के करीब खर्च आएगा। इसे सुनकर विजय शंकर काफी निराश हो गए। इन्होंने अपनी परेशानी अपने भवन निर्माण मजदूर साथियों के साथ साझा की। संयोग से इन्होंने अपनी बीमारी के बारे में पता लगने से तकरीबन नौ महीने पहले भवन निर्माण मजदूर कार्ड बनवाया था उसे लेकर विजय शंकर अपने मजदूर साथियों के साथ पुराना सचिवालय स्थित श्रम कार्यालय गए। वहां उनसे चिकित्सा सहायता आवेदन पत्र भरने को कहा गया। इसके साथ ही श्रम निरीक्षक ने इन्हें बताया कि इसके लिए आवेदक को कैंसर अस्पताल से इलाज पर आने वाले खर्च का अनुमानित व्यय लाना होगा। अनुमानित व्यय लाने के दो दिन बाद ही श्रम विभाग ने संबंधित अस्पताल के नाम एक लाख का चेक काट दिया। इसके बाद तुरंत ही इनका इलाज शुरू हो गया जो पिछले लगभग तीन महीने से जारी है। हाथ की कीमोथेरेपी हो रही है और अभी करीब तीन महीने और इलाज चलेगा। श्रम विभाग ने इनसे कहा है कि यह अच्छे से अपना इलाज कराएं और इलाज का पूरा पैसा सीधे अस्पताल को भेज दिया जाएगा।

विजय शंकर जी का मानना है कि यदि भवन निर्माण कानून के तहत मिलने वाली चिकित्सा सहायता योजना का लाभ इनको न मिलता तो यह अपना इलाज न करा पाते। इन्हें कैंसर की बीमारी के लिए चिकित्सा मदद करने में श्रम विभाग तथा अपने मजदूर साथियों का पूरा पूरा सहयोग मिला जिनका यह आभार मानते हैं।

# Towards Eliminating Child Labour

## National Child Labour Project

**T**he issue of child labour is a huge area of concern for the Government of India, which has sought to follow a proactive policy to combat the problem through constitutional, statutory and development measures. The formulation of the National Child Labour Project (NCLP) and its implementation by the Ministry of Labour & Employment is a step in this direction.

As a part of a larger plan arising out of the National Child Labour Policy, NCLP was initiated in 1988. Providing education for child labourers through special schools, and subsequently (within a period of six months to three years) mainstreaming them in regular schools are the major activities under NCLP at the ground level. The working children are identified through surveys. However, NCLP's task does not end with mainstreaming of the enrolled children. In order to check and minimise relapse, NCLP also does follow-ups of the mainstreamed children, either in further education or employment, for the next few years.

### Procedure

The stages of operations of NCLP include:

- Establishment of a Project Office in each child labour-endemic district
- Conducting surveys and identification of child labour, particularly in hazardous occupations
- Setting up and supporting special schools
- Enrolment of working children in the special schools and ensuring their formal/informal education up to a maximum period of three years
- Providing mid-day meals and regular health check-ups to the enrolled children
- Mainstreaming the children and keeping track of them for some time after mainstreaming

Additionally, the Project Office is expected to forge the convergence of services and schemes with other departments. Further, these stages are components of one integrated approach aimed not only at reducing the intensity of child labour but also contributing to the overall development of children belonging to vulnerable sections of the society in the concerned districts and subsequently at the all-India level.

### Performance

In its initial year of operation, 1988, NCLP was implemented in nine districts. By the end of 1989, a total of 12 projects were operational in eight states covering 13,668 working children who were employed in hazardous industries such as glass, brassware, lock, carpet, slate, tile, matches and fire-works, gems, agro-chemicals and *beedi*. The main thrust of this scheme has been to reduce the incidence of child labour in the pockets of their concentration. In 1994, the process of rehabilitation of child labour was intensified and NCLP was extended to 76 districts. The coverage progressively increased to 85 projects in 2001, expanding to 100 districts by the end of the 9<sup>th</sup> Five Year Plan, 250 districts during the 10<sup>th</sup> Plan period, and 271 districts during the 11<sup>th</sup> Plan period.

### Triumphing Over Odds: A Personal Saga

I struggled for years in the Pedasankarlapudi quarry, crushing stones along with my family members. I was exposed to hazardous working conditions and paid a pittance for long hours of work. Deprived of the opportunities of childhood, particularly education, I shouldered the responsibility of supplementing the family income at a tender age.

Then, volunteers from a local NGO implementing NCLP approached my parents and convinced them of my need to get an education. They subsequently enrolled me in the NCLP Special School run by Mahila Sramika Deena Seva Samajam in East Godavari District of Andhra Pradesh in 1996-97. The Project Director, Field Officers and Educational Instructors mainstreamed me into formal schooling. I was further encouraged by the NCLP team to complete my Intermediate from Junior College, Yeleswaram. Later I completed BSc from PR Junior College, Kakinada, in 2006.

In 2007, I got a job as a Branch Manager in a microfinance firm in Nalgonda District and continue to work there, earning a good salary. My dream of a good job and a comfortable life has come true, thanks to the guidance and support I received from the NCLP, East Godavari District.

I wish to help others like myself and be instrumental in the elimination of child labour in surrounding villages with the support of NCLP.

DAMMARA RAVI KUMAR, Andhra Pradesh



# Converging for Hope

## Convergence Project for Child Labour



Shri Kharge and Shri Naveen Patnaik at the launch of the project, Odisha

**T**he Convergence Project is a joint initiative of the International Labour Organization (ILO) and the Ministry of Labour & Employment (MoLE) to develop convergence-based, holistic and replicable models for the elimination of child labour. The overall objective is the prevention and elimination of hazardous child labour, including trafficking and migration of children for labour. The project emphasises concerted action on the part of several Ministries, Departments and social partners towards this objective. The focus of the programme is the family; the use of ongoing schemes is intrinsic to its design. It covers two districts in each of five states—Bihar, Gujarat, Jharkhand, Madhya Pradesh and Odisha.

The Convergence Project was formally inaugurated on 31 July 2010, at Bhubaneswar, Odisha. The well-attended launch saw the participation of the Union Minister of Labour & Employment, Shri Mallikarjun Kharge; Odisha Chief Minister, Shri Naveen Patnaik; Director of ILO Decent Work Team for South Asia and Country Office for India, Ms. Tine Staermose; senior officials of the Central Government, and participating states; and representatives of ILO, trade unions, employers' associations, civil society partners and the media.

### Scope

As part of the district-level work:

- About 19,000 children (up to 14 years of age) are being covered for education in the 10 districts, and their progress tracked.
- 2000 adolescents (14-17 years) are being linked to



Ms. Tine Staermose of ILO with a Project Convergence beneficiary, Jharkhand

vocational training under the Skill Development Initiative Scheme (SDIS)/Modular Employable Skill (MES) scheme of MoLE.

- About 5000 families of child labour are being linked to Central and State Government schemes for poverty alleviation, income generation and social protection.

At the state and national levels, the focus is on fortifying the enabling environment by capacity building, coordination, knowledge enhancement, dissemination and replication.

Capacity building of enforcement officials to combat child labour is a key component of the Convergence Project. In collaboration with the V.V Giri National Labour Institute (VVGNI) and the State Governments, Training of Trainers (TOT) programmes have been organised in Bihar, Jharkhand, Madhya Pradesh and Gujarat. The project is also developing training manuals for trade unions and employer organisations, and envisages a centre for capacity building, research and information dissemination.

### Spreading Awareness

Several initiatives have been taken to strengthen the environment for the prevention and elimination of child labour. This includes activities on the World Day Against Child Labour (WDACL). A state-level event was held in Patna, Bihar, in 2010 and district-level events in Bihar, Jharkhand and Gujarat. In 2011, the project enabled the celebration of WDACL in all 10 districts under the project. Enabling effective stakeholder participation, the events generated widespread awareness and sensitisation on the issue.

# Expanding the Frontiers of Learning

## V.V. Giri National Labour Institute



*Participants and faculty of the International Training Programme on Labour and Employment Relations in a Global Economy, held at VVGNI*

**A** premier institution of learning, V.V. Giri National Labour Institute (VVGNI) is involved in research, training, education, publication and consultancy on labour and related issues. Set up in 1974, the institute is an autonomous body of the Ministry of Labour & Employment, Government of India.

Among other things, the institute organises annually a number of international events involving the participation of a large number of countries. Empanelled as a training institution under the Indian Technical and Economic Cooperation/Special Commonwealth Assistance for Africa Programme (ITEC/SCAAP) scheme of the Ministry of External Affairs, Government of India, the institute organised seven international training programmes during 2011-12. Focused on key themes such as Labour & Employment Relations in a Globalised Economy, Leadership Development, Managing Development and Social Security Measures, Prevention of HIV/AIDS in the World of Work, Gender Issues in Labour, Research Methods in Labour Studies, and Skill Development and Employment Generation, these programmes were attended by 185 participants from 52 countries.

Other programmes of the institute during the year 2011-12 include a Training Programme on Labour Administration and Leadership (in collaboration with UNDP and Government of Afghanistan) for officials of Afghanistan, and a Summer Academy on Global Labour History (in collaboration with Modern Indian Studies, University of Goettingen, Germany, and IGK Work and Human Lifecycle in Global History, Humboldt University, Germany) that was attended by 60 eminent international labour historians and research scholars. A recent event, organised during 22-24 March 2012 by VVGNI, was an International Conference on Labour History attended by nearly 100 scholars specialising in different dimensions of historical studies on labour.

The institute has signed Memorandums of Understandings (MoUs) for strengthening professional collaborations with labour institutes of several countries like Korea Labour Institute, South Korea, and National Institute of Labour Studies, Sri Lanka. VVGNI is also in the process of finalising a MoU with the International Training Centre of ILO, Turin, with a view to expanding the collaboration between the two organisations in training activities to promote decent work for all.

# Keeping Track of Prices

## Consumer Price Index Numbers for Industrial Workers

Since its inception, the Labour Bureau has, *inter alia*, been entrusted with the responsibility of compilation and maintenance of the Consumer Price Index Numbers for Industrial Workers (CPI-IW). The CPI-IW is designed to measure the temporal change in the retail prices of a fixed basket of goods and services supposedly consumed by the target group, i.e. an average working class family, and thus is an important indicator of the retail price situation in the country. It is mainly used for the determination of the dearness allowance paid to millions of Central/State Government employees as also to the workers in the industrial sectors, besides fixation and revision of minimum wages in scheduled employments.

A Family Income & Expenditure Survey (FIES) is conducted to capture the latest consumption pattern of the working class population for the determination of the weights for consumer price indices. The first FIES was conducted in 1958-59 at 50 important industrial centres across the country on lines laid down by the Technical Advisory Committee on Cost of Living Index Numbers constituted in 1954. The results of this survey formed the basis for the compilation of CPI-IW on base 1960=100 for all the 50 centres and all-India. This series ran for 20 years from August 1968 to September 1988.

A second FIES was conducted to update the weighting diagram in 1981-82; consequently the base year was shifted to 1982=100. The number of centres was increased to 76. The coverage of the working class was also extended, from the three sectors to seven – Factories, Mines, Plantations, Railways, Public Motor Transport Undertakings, Electricity Generation & Distribution Establishments, and Ports & Docks. This series continued till December 2005. In order to update the series, a fresh FIES was conducted at 78 centres in 1999-2000. A new index on base 2001=100 was released on 9 March 2006. This series of CPI-IW on base 2001=100 is currently operational; so far the index till February 2012 has been released.

# Towards Uniform Wages

## Role of National Floor Level Minimum Wage (NFLMW)



Uniform wages for workers across the country are a vital need

In order to institute a uniform wage structure and to reduce the disparity in minimum wages across the country, the concept of National Floor Level Minimum Wage (NFLMW) on a non-statutory basis was conceived in 1991 on the basis of the recommendations of the National Commission on Rural Labour (NCRL). Keeping in view the advice of NCRL and the status of the price indices, the NFLMW for unskilled labour was initially fixed at ₹ 35 per day in 1996.

On the basis of increases in the Consumer Price Index (Industrial Worker), the Central Government has revised the NFLMW from time to time. The rate was raised to ₹ 40 per day in 1998; to ₹ 45 with effect from 1 December 1999; and to ₹ 50 from 1 September 2002. Based on the suggestions by a Working Group constituted for this purpose and subsequently by the Central Advisory Board in its meeting held on 19 December 2003, the NFLMW was revised upwards to ₹ 66 per day with effect from 1 February 2004. The Central Government further revised the NFLMW to ₹ 80 per day with effect from 1 September 2007 and to ₹ 100 per day from 1 November 2009. Presently, it stands at ₹ 115 per day, effective from 1 April 2011.

The NFLMW, however, has no statutory backing at present. The State Governments are persuaded to fix/revise minimum wages such that the minimum wage does not fall below the NFLMW in any of the scheduled employments.



# Workers' Welfare to the Fore



*An effective system for the resolution and settlement of industrial disputes is essential for the smooth functioning of establishments*

## Recent Amendments in Labour Laws

### Industrial Disputes (Amendment) Act, 2010

The Industrial Disputes Act, 1947, provides the machinery and procedure for the investigation and settlement of industrial disputes. The Act has been amended through the Industrial Disputes (Amendment) Act, 2010, enforced with effect from 15 September 2010.

#### Features

- The definition of 'appropriate Government' has been rendered more specific.
- The wage ceiling of workers in a supervisory capacity has been enhanced from ₹ 1600 to ₹ 10,000 per month.
- Workmen have been provided direct access to Central Government Industrial Tribunals (CGITs) or Labour Courts in case of disputes arising out of Section 2-A of the Act. A workman can directly approach the CGIT-cum-Labour Court after 45 days of filing his grievance before a Conciliation Machinery; he does not need to approach the 'appropriate Government' for making a reference.
- Establishment of a Grievance Redressal Mechanism within all the industrial establishments employing 20 or more workmen has been made statutory.
- The scope of qualifications of Presiding Officers of Labour Courts/Tribunals has been expanded. Officers of the Central Labour Service of the rank of Deputy Chief Labour Commissioner, those of the State Labour Department of the rank of Joint Labour Commissioner and those of the Indian Legal Service (Grade III) are eligible for the post of Presiding Officer.
- The Labour Courts or Tribunals have been empowered to execute their awards as a decree of a Civil Court thereby ensuring better and more effective enforcement.

### Plantations Labour (Amendment) Act, 2010

The Plantations Labour Act, 1951, provides for the welfare of labour and regulation of the conditions of work in plantations. The Act has been amended through the Plantations Labour (Amendment) Act, 2010, enforced with effect from 7 June 2010.

#### Features

- The definition of 'employer' has been made more specific so as to suitably fix responsibility.
- The definition of 'worker' has been enlarged by enhancing the wage ceiling from ₹ 750 to ₹ 10,000 per month. Contract workers who have worked for more than 60 days in a year have been included within the purview of the Act.
- The definition of 'family' has been made gender-neutral to remove the distinction between the family of a male and the female worker for availing dependents' benefits.
- The employment of children below 14 years is prohibited.
- A totally new Chapter (Chapter IV-A) has been incorporated to cover all aspects of safety and occupational health of workers working in the plantations.
- A new Section (Section 32-C) has been inserted to prescribe the manner in which compensation in case of accident shall be registered. The penal provisions have been made more stringent for effective implementation.
- Medical facilities for plantation labourers have been ensured by giving the State Government power and responsibility to provide the same, and recover the costs from the employers in case of default by them.
- Any worker, or an office bearer of the trade union of which such worker is a member, filing a complaint under this Act is assured of immunity.

## मुख्य श्रमायुक्त (केंद्रीय) संगठन के औद्योगिक शान्ति स्थापना संबंधी प्रयास

समाज में वस्तुओं और सेवाओं की निर्बाध आपूर्ति को सुनिश्चित करने में सौहार्द्रपूर्ण औद्योगिक संबंधों का महत्वपूर्ण स्थान है। इन संबंधों में थोड़ी सी भी गड़बड़ी आने पर इसके दुष्परिणामों का खामियाजा किसी उद्योग विशेष से जुड़े मालिक और मजदूरों के साथ-साथ उपभोक्ताओं और कमोबेश रूप में समाज व समूचे राष्ट्र को भी भुगतना पड़ता है। अतः औद्योगिक संबंधों में उत्पन्न हुई किसी भी विवादपूर्ण स्थिति का यथाशीघ्र हल निकाला जाना अत्यंत महत्वपूर्ण है। हमारे देश में इन विवादों के शीघ्र और शांतिपूर्ण निराकरण व निवारण के लिए केन्द्र और राज्य स्तर पर अलग-अलग तंत्र मौजूद हैं। केन्द्रीय स्तर पर इस भूमिका का निर्वाह मुख्यतः केन्द्रीय औद्योगिक सम्बन्ध मशीनरी (सीआईआरएम) द्वारा किया जाता है, जिसमें मुख्य श्रमायुक्त (केन्द्रीय) से लेकर सहायक श्रमायुक्त (केन्द्रीय) तथा कहीं-कहीं पर श्रम प्रवर्तन अधिकारी (केन्द्रीय) स्तर तक के अधिकारी शामिल हैं। इन सभी को अपने-अपने क्षेत्राधिकार के अंतर्गत उत्पन्न/संभावित औद्योगिक विवादों के संबंध में सुलह/संराधन संबंधी कार्यवाहियों की पहल कर औद्योगिक शांति कायम करने का दायित्व सौंपा गया है।

विगत कुछ समय के दौरान मुख्य श्रमायुक्त (केन्द्रीय) के अधीन विभिन्न सुलह/संराधन अधिकारियों के प्रयासों तथा उन प्रयासों के परिणामस्वरूप हुई उपलब्धियों के दो दृष्टांत निम्नवत हैं।

### क्षेत्रीय श्रमायुक्त (केन्द्रीय) अजमेर के सुलह संबंधी प्रयासों से ऑयल इंडिया लिमिटेड (राजस्थान परियोजना), जोधपुर में हड़ताल टली

राजस्थान तेल कर्मचारी संघ (राजस्थान परियोजना), जोधपुर के महासचिव द्वारा राष्ट्रीय स्तर पर केन्द्रीय ट्रेड यूनियनों के आह्वान पर 28 फरवरी, 2012 को हड़ताल पर जाने का नोटिस दिए जाने पर तत्काल क्षेत्रीय श्रमायुक्त (केन्द्रीय), अजमेर ने मामले में सुलह की पहल की। ऐसा न करने पर ऑयल इंडिया लिमिटेड की राजस्थान परियोजना के तहत सभी तेल और गैस के कुओं में उत्पादन कार्य बाधित हो सकता था जिससे कि इस क्षेत्र में गैस और तेल की आपूर्ति में व्यवधान उत्पन्न हो सकता था। इस मामले में हड़ताल के टल जाने से गैस और तेल के उत्पादन आपूर्ति में संभावित एक बड़ी बाधा टल गयी जिसका लाभ उद्योग व क्षेत्र विशेष तक सीमित न रह कर पूरे देश व समाज को मिला।

### उत्पादन एवं उत्पादकता के आधार पर वेतन समझौते के द्वारा कर्मचारियों को 531 करोड़ रुपए का लाभ

उप मुख्य श्रमायुक्त (केन्द्रीय), भुवनेश्वर के हस्तक्षेप से नाल्को कर्मचारियों की पांच यूनियनों एवं नाल्को प्रबंधन के मध्य एक दीर्घकालीन समझौते पर हस्ताक्षर किए गए। यह दीर्घावधि वेतन समझौता उत्पादन एवं उत्पादकता पर आधारित है जिससे कंपनी के 5800 कर्मचारियों को सीधे तौर पर 531 करोड़ रुपए का लाभ वेतन के रूप में मिलेगा। इस समझौते को कराने में कंपनी के प्रबंधन एवं

कंपनी में कार्यरत पांच श्रम संगठनों ने उप मुख्य श्रमायुक्त (केन्द्रीय), भुवनेश्वर के प्रयासों की भूरि-भूरि प्रशंसा की। इस समझौते से नाल्को कंपनी में समय-समय पर होने वाले औद्योगिक अशांति पर विराम लग जाएगा और भविष्य में सौहार्द्रपूर्ण औद्योगिक संबंध बनेंगे।

### श्रम एवं रोजगार मंत्रालय की असंगठित क्षेत्र के कर्मचारियों के लिए बढ़ती प्रतिबद्धता

भारत सरकार का श्रम एवं रोजगार मंत्रालय जहां एक तरफ सौहार्द्रपूर्ण औद्योगिक संबंध बनाने में मदद करता है, वहीं पर असंगठित क्षेत्र के कर्मचारियों के अधिकारों के संरक्षण के लिए भी महत्वपूर्ण भूमिका निभाता है। असंगठित क्षेत्र के मजदूरों का एक महत्वपूर्ण वर्ग ठेका श्रमिक हैं। श्रम एवं रोजगार मंत्रालय ठेका मजदूरों को उनका हक दिलाने के लिए प्रतिबद्ध है। इस दिशा में विगत कुछ समय में श्रम एवं रोजगार मंत्रालय के देश के कुछ हिस्सों में किए गए प्रयास उदाहरण स्वरूप इस प्रकार हैं:-

- क्षेत्रीय श्रमायुक्त (केन्द्रीय), भुवनेश्वर के हस्तक्षेप से मेसर्स वीवीजी इंडिया लिमिटेड, जो कि रेलवे के ठेकेदार हैं, उनके तीन कर्मचारियों को 24,000 रुपया चेक द्वारा दिया गया। अन्य 26 रेलवे ठेका मजदूरों को 1,05,369 रुपया दिया गया। ठेका मजदूरों को नियमित कर्मचारियों के बराबर मजदूरी देने के लिए क्षेत्रीय श्रमायुक्त (केन्द्रीय), भुवनेश्वर के आदेशानुसार पांच कर्मचारियों को 60,855 रुपए का चेक दिया गया।
- उप मुख्य श्रमायुक्त (केन्द्रीय), भुवनेश्वर कार्यालय के अधिकारियों के सतत प्रयासों से उड़ीसा माइनिंग कारपोरेशन लिमिटेड (उड़ीसा सरकार का उपक्रम) के ठेकेदार मेसर्स कलिंगा माइनिंग एंड सिविल कंस्ट्रक्शन प्राइवेट लिमिटेड के 167 ठेका मजदूरों को नियमित कर्मचारियों की सेवा शर्तों के अनुरूप छंटनी भत्ता, अवकाश नकदीकरण, बोनस एवं ग्रेजुएट का हक दिलाया गया। इस संदर्भ में इन कर्मचारियों को 69,66,187 रुपए का चेक द्वारा भुगतान कराया गया। इसका सकारात्मक प्रभाव माइनिंग क्षेत्र में अन्य कंपनियों के ठेका मजदूरों की सेवा शर्तों पर भी पड़ा है और अन्य कंपनियों ने भी ये सभी सुविधाएं देना शुरू कर दिया है।
- हाल ही में ऑयल इंडिया लिमिटेड (राजस्थान परियोजना), जोधपुर के ठेका मजदूरों को कंपनी के नियमित कर्मचारियों के बराबर मजदूरी देने के संबंध में ऑयल इंडिया लिमिटेड (राजस्थान परियोजना), जोधपुर व राजस्थान ऑयल कैजुअल एम्प्लॉईज यूनियन के बीच एक समझौता ज्ञापन पर सहमति कायम हुई है। इस परियोजना के तहत वर्ष 1991 से करीब 20 ठेका मजदूर काम कर रहे हैं। सहायक श्रमायुक्त (केन्द्रीय), अजमेर के सुलह संबंधी सतत प्रयासों के माध्यम से दोनों पक्षकारों के बीच एक दीर्घकालीन समझौते पर सहमति कायम की गई है जिसके तहत ठेका मजदूर कंपनी के ग्रेड 5 कर्मचारियों के समान मजदूरी तथा अन्य विभिन्न भत्ते और लाभ प्राप्त करने के अधिकारी हो गये हैं जिनमें प्रमुखता से शामिल हैं: महंगाई भत्ता, 20 प्रतिशत मकान किराया भत्ता, चिकित्सा एवं अन्य भत्ते, मजदूरी सहित छुट्टियां तथा बोनस। इस समझौते के तहत लाभों को 1 जनवरी, 2010 से प्रभावी माना गया है जिसके परिणामस्वरूप सभी ठेका मजदूरों को विगत लाभों के रूप में लगभग रुपए 2 लाख प्रति कर्मचारी की दर से एरियर दिया गया। इस दीर्घकालीन समझौते का लाभ ठेका मजदूरों को लम्बे समय तक प्राप्त होगा।

# Tripartism at Work

## Indian Labour Conference

India's commitment to evolving mechanisms to strengthen social dialogue in matters pertaining to labour and social policy formulation has a long history. Tripartite consultations over social policy in the country began during the colonial period itself. These efforts have led to the evolution of a three-tier structure for facilitating social dialogue:

- National level
- State level
- Plant/enterprise level

The premier policy advisory bodies in the field at the national level are the tripartite Indian Labour Conference (ILC) and its tripartite Standing Labour Committee (SLC), which consists of representatives of the Central Government, governments of states and union territories, and employers and workers organisations.

Labour being a subject in the concurrent list of the Indian Constitution, several policies pertaining to labour are framed at the state levels. Accordingly, a number of State Governments have established different tripartite advisory bodies to provide guidance in matters related to labour policy formulation. Legislative measures have also been enacted to promote bipartite committees at the plant/enterprise level. The Industrial Disputes Act, 1947 (amended in 2010), provides for the participation of representatives in bipartite work committees.

### A Significant Institution

As an apex body of national-level tripartism, the ILC is the testing ground of tripartite consultations. The first tripartite consultation at the national level, known as the Tripartite National Labour Conference, was held in 1942. It was subsequently renamed and has been known as Indian Labour Conference since 1944. So far, 43 sessions of ILC have been held to discuss prominent labour-related issues. Over a period of time, it has come to signify a confluence of creative force and energies as well as consensus in decision-making, shaping and influencing important components of India's labour policy. Several key labour enactments in India, such as the Contract Labour (Regulation and Abolition)

Act, 1970, Payment of Gratuity Act, 1972, Child Labour (Prohibition and Regulation) Act, 1986, were based on the recommendations of ILC. Tripartite discussions involving ILC have also been largely responsible for bringing about major amendments in key labour enactments.

### Recent ILC Session



The 44<sup>th</sup> session of ILC was held on 14-15 February, 2012, under the chairmanship of Shri Mallikarjun Kharge, Union Minister of Labour & Employment. The Conference deliberated upon some very topical and critical issues: (i) Minimum Wages; (ii) Social Security; and (iii) Employability and Employment. Inaugurated by the Hon'ble Prime Minister Dr. Manmohan Singh, the Conference was attended by senior representatives of workers' and employers' organisations, State Labour Ministers and senior officers from Central Ministries/Departments and State Governments. Central Ministers were also invited to attend the Conference.



*The Hon'ble Prime Minister inaugurating the 44<sup>th</sup> session of ILC*

This session of the Conference carried forward the rich tradition of healthy social dialogue, spirit of accommodation and prioritising the interests of the country's workforce. The tripartite partners demonstrated full awareness of their critical responsibility towards India's growth and safeguarding the basic interests of the nation's workers.



# Empowering Workers

## Central Board for Workers' Education

**T**he Central Board for Workers' Education (CBWE), an autonomous body under the Ministry of Labour & Employment, Government of India, has been playing a highly significant role in India's development by bringing about desirable behavioural changes in the workforce in the organised, unorganised and rural sectors, and creating an enlightened and disciplined workforce for the country. Various training programmes are conducted by the Board for the workers of both the formal and informal sectors at national, regional and unit levels through a network of 50 Regional and 9 Sub-Regional Directorates spread all over the country and an apex training institute – the Indian Institute of Workers' Education (IIWE) – in Mumbai.

### Programmes for MGNREGA Beneficiaries

Special programmes for the beneficiaries of the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) are being conducted by CBWE from the financial year 2011-12 at the village/block/district levels. During April 2011 to February 2012, the Board conducted 2357 programmes for 97,211 workers in the rural sector under MGNREGA.



CBWE has been instrumental in enhancing the quality of India's workforce

Programmes	No. of Programmes	No. of Participants
Village-level Programmes (For 40 participants in each prog.)	2276	89,942
Block-level Programmes (For 100 participants in each prog.)	71	6976
District-level Programmes (For 20 participants in each prog.)	10	293
<b>Total</b>	<b>2357</b>	<b>97,211</b>



### MGNREGA Programmes in Jangipur, West Bengal

Considering the socio-economic conditions and geographical characteristics of Murshidabad District in West Bengal, especially the Jangipur region, the Union Bank of India came forward to extend full financial support for five block-level and one district-level programmes for MGNREGA beneficiaries. Conducted from April 2011 to February 2012, these programmes covered 3239 MGNREGA beneficiaries. Hon'ble Union Finance Minister Shri Pranab Mukherjee, Hon'ble Chairman of Central Board for Workers' Education (CBWE), Md. Sohrab, and Hon'ble MLAs of West Bengal were among the eminent dignitaries to have attended the programmes.

*Union Finance Minister,  
Dr. Pranab Mukherjee,  
inaugurating the district-level  
programme under MGNREGA  
on 5 February 2012 at Jangipur,  
Murshidabad District*

# Offering Care, Inspiring Hope

## Employees' State Insurance Corporation



Several state-of-the-art hospitals across the country have been developed by ESIC

**S**ixty years after the launch of the Employees' State Insurance (ESI) scheme in 1952, ESI has become a wave of hope—a movement in the social security sector offering succour to the working class in the country.

The Employees' State Insurance Act of 1948 was the first comprehensive social security legislation in independent India. It envisaged an integrated need-based social insurance scheme that would protect the interest of workers. The Employees' State Insurance Corporation (ESIC) was set up to administer the scheme. Based on the principle of pooling of risks and resource, this unique multi-dimensional health insurance scheme provides full medical facilities to the beneficiaries, besides adequate cash compensation to insured persons for the loss of wages or earning capacity in times of physical distress arising out of sickness, employment injury or unemployment. Today, ESIC is a mammoth organisation: the ESI scheme is implemented in over 790 centres in 29 States/Union Territories and the ESI Act applies to over 4.43 lakh factories and establishments across the country, benefitting about 1.55 crore family units of workers. The total number of ESI beneficiaries is over 6.02 crore.

### ESIC COVERAGE

Total Number of Insured Persons	1.55 crores
Number of Insured Women	24 lakhs
Total Number of ESI Beneficiaries	6.02 crores
Total Number of Factories/Establishments	4,43,010

### ESIC FIELD INFRASTRUCTURE (ADMINISTRATIVE)

States/UTs Covered	29
RO, SROs, Divisional Offices	57
Branch Offices/Pay Offices	799

### ESIC FIELD INFRASTRUCTURE (MEDICAL)

Hospitals	149
Annexes	42
ESI Beds	27,739
Model Hospitals directly run by ESIC	32
Dispensaries/ISM Units	1402 / 93
Insurance Medical Officers	6536





An ESIC model hospital, Ahmedabad



Inaugural session of a recent ESIC meeting

## Diamond Jubilee Celebrations of ESIC 60 Years of Care

The grand finale of the Diamond Jubilee celebrations of ESIC was a glittering function organised at Vigyan Bhawan on 24 February 2012. Speaking at this concluding function, Shri Mallikarjun Kharge, Union Minister of Labour & Employment, called attention to the numerous benchmarks of excellence, quality and services achieved by ESIC during the last six decades. He emphasised the ever-increasing commitments of ESIC to Insured Persons (IPs) and employers, applauding the constant improvement of service provided by ESIC to the beneficiaries.

A highlight of the event was the release of a book on ESIC by Shri Pranab Mukherjee, Union Minister of Finance. Titled 'ESIC: Sparkling Diamond', it details the history of ESIC from 1952 to 2011 and the journey of activities/fulfilment of commitments made during the Diamond Jubilee Year by all field offices of ESIC. Shri Mukherjee also announced the complete digitisation of ESIC on the occasion. The function also featured the release of a commemorative postal stamp depicting ESIC's far-reaching contributions to India's social security scenario by Shri Kapil Sibal, Union Minister of Communications & IT. Other highlights included the announcement of the opening of a model branch office of ESIC at Hadapsar, Pune, and the release of a multimedia CD on ESIC's Diamond Jubilee commitments by Shri Kharge.



Dignitaries at the concluding event of the ESIC Diamond Jubilee celebrations at Vigyan Bhawan, New Delhi



Union Minister of Communications & IT, Shri Kapil Sibal, releasing a stamp commemorating ESIC's contributions



## International Conference on South-South Cooperation



Union Minister of Labour & Employment, Shri Mallikarjun Kharge, with delegates at the IBSA Conference on South-South Cooperation, held in March 2012 in New Delhi

To share the best world's practices and to strengthen South-South Cooperation, the Ministry of Labour & Employment (MoLE) organised the India-Brazil-South Africa (IBSA) International Conference on South-South Innovations in Public Employment Programmes on Sustainable Inclusive Growth in New Delhi on 1-3 March 2012. The concept of South-South Cooperation, referring to the exchange of resources, technology, and knowledge between developing countries (also known as Southern countries), has emerged as an important tool to establish partnerships for sustainable growth and social development. South-South Cooperation has become more visible recently thanks to the intensification of technical, cultural, economic and political exchanges between Southern countries, especially within different UN agencies. The IBSA trilateral development initiative has been a major driver of South-South Cooperation and exchange.

The conference was organised in collaboration with the Ministries of Rural Development and External Affairs, and the International Labour Organization (ILO). The Labour Ministers and delegates of about 22 countries from Asia,

Africa and South America participated in this conference. Representatives of State Governments, Central Ministries, MoLE institutions and ILO also participated in the event.

### Objectives of the Conference

- To build capacity and to share knowledge between countries on innovations based on holistic frameworks and to assess the strategic entry points for different contexts which can lead to better inclusive growth with equity, linking employment and social protection to productive works.
- To use the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGA) as a case study for public policy, as one of the internationally recognised large-scale public employment programmes, to share insights – highlighting the innovations as well as the challenges faced in supporting sustainable development through it.
- To better appreciate the range of policy issues relevant to public work programmes/employment guarantee schemes and to obtain guidance on the design of effective public employment programmes.

- To highlight how public work programmes/employment guarantee schemes can be effective as labour market programmes.

The organisation of the IBSA International Conference by the Government of India has conveyed a strong message to the world community regarding the country's serious

commitment and leading role in the response to global challenges in the field of employment to guarantee 'decent work' (defined as 'opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, security and human dignity') to workers. It has also effectively showcased the achievements of MGNREGA internationally.

## Prime Minister's Shram Awards



*The Hon'ble Prime Minister of India, Dr. Manmohan Singh, presenting Shram Award to one of the recipients*

A total of 189 workers were honoured with the Prime Minister's Shram Awards for the years 2008, 2009 and 2010 at a glittering function organised by the Ministry of Labour & Employment on 13 October 2011, at Vigyan Bhawan, New Delhi. The Prime Minister's Shram Awards recognise outstanding contributions made by workmen (as defined in the Industrial Disputes Act, 1947) both in public and

private sector organisations. These are awarded to workers who have a distinguished record of performance, devotion to duty of a high order, specific contributions in the field of productivity, proven innovative abilities, presence of mind or exceptional courage, and also to the workmen who have made the supreme sacrifice of laying down their lives in the conscientious discharge of their duties.

## MoU with USA on Labour & Employment

The Union Minister of Labour & Employment, Shri Mallikarjun Kharge, and the US Labor Secretary, Hilda Solis, signed a Memorandum of Understanding (MoU) on labour and employment between India and the USA, at Washington, DC, on 2 February 2012.

The road map as laid down in the MoU is expected to facilitate close cooperation and interaction between the two countries, bringing about improvements in the life of workers and their working conditions. The MoU specifically focuses on cooperation between India and the USA in the areas of skill development, youth

employment and occupational safety, especially health and mines safety. The MoU will not only enable increased knowhow in the areas of accreditation systems, self-regulation and auditing through collaboration, exchange and sharing of ideas, etc. with the US but will also enhance knowledge in the area of occupational diseases, toxicology and occupational medicine. Yet another milestone and testimony to the increasing cooperation between India and the USA in various strategic areas, the MoU will help in further developing an appropriate employment strategy for inclusive growth in India and strong bonds between the people of these two great nations.

## MoU with Afghanistan for Public Sector Capacity Development

On 12 October 2011, India and Afghanistan signed a MoU for the implementation of a twinning arrangement for public sector capacity development in Afghanistan. The MoU was signed by the Union Labour & Employment Minister, Shri Mallikarjun Kharge, and Ms. Amena Afzali, Minister of Labour, Social Affairs, Martyrs & Disabled, Government of the Islamic Republic of Afghanistan. Under it the countries will cooperate in the field of public sector capacity development in accordance with the applicable domestic law in force in the respective countries in which the activities are undertaken.

The MoU also focuses on important labour and employment dimensions such as providing technical support to Afghanistan for developing their national labour policy and labour market information systems as well as evolving policies on protecting the rights of workers from Afghanistan migrating abroad for employment. Other major features of the MoU are strengthening of the technical capacities of that country's labour enforcement officials and developing of customised training programmes for Afghan officials dealing with different aspects of labour and employment.

## EPFO Launches Employer E-Sewa

The Employees' Provident Fund Organisation (EPFO) has introduced Electronic Challan-cum-Return (ECR) from April 2012 for depositing contributions by the employers. Under this service, the employers can register their establishments online, creating their own user id and password, and generate challans for making monthly deposits. They can then use the challan for either electronically or physically depositing the PF contributions at any designated branch of the State Bank of India (SBI). This will enable EPFO to provide annual account slips and detailed account statements online.

### Benefits

- No paper return to be prepared and submitted to EPFO.
- No need to submit other returns such as Form 5/10/12A, 3A and 6A.
- Employers will get the confirmation of payment instantly through SMS.
- The contribution will be credited to the members' accounts on a monthly basis.
- Employers can generate annual account slips for their employees for the accounting year 2011-12 online.
- Employers can make requests for annual slips for earlier years through this portal.



## India-EU Cooperation on Employment and Social Policy



*Mr. Jacobus Nicolaas Maria Richelle, Director General, Employment, Social Affairs & Inclusion, European Commission, addressing the 5<sup>th</sup> India-EU Seminar on Employment and Social Policy, Occupational Safety and Health, New Delhi, held during 19-20 September 2011*

India and the European Union (EU) have entered into a Joint Action Plan for a structured dialogue on employment and social policy. In line with the Joint Action Plan, the Ministry of Labour & Employment, Government of India, has signed a MoU with EU to exchange views and information on issues of common interests within the area of employment and social policy, such as skills, training and employment, social security, occupational health and safety, workers' participation in management and other relevant issues.

As a part of the MoU, an India-EU Seminar on Occupational

Safety and Health was held during 19-20 September 2011 in New Delhi. The seminar deliberated on emerging issues in occupational safety and health in India and EU relating to sectors such as manufacturing, ports, mines, construction, etc. Discussions also focused on strengthening enforcement systems by enhancing capabilities in modern techniques of inspection, chemical process safety, hazard identification and risk assessment, auditing, surveying, etc. The seminar was attended by EU and Indian Government experts, social partners and other stakeholders in occupational safety and health.

## Important Web Links

### Ministry of Labour and Employment

<http://www.labour.nic.in/>

### Archives of Indian Labour

<http://www.indialabourarchives.org/>

### Central Board for Workers Education (CBWE)

<http://cbwe.gov.in/>

### Chief Labour Commissioner (CLC)

<http://labour.nic.in/clc/welcome.html>

### Directorate General Employment & Training (DGET)

<http://dget.gov.in/>

### Directorate General, Factory Advice Service & Labour Institute (DGFASLI)

<http://dgfasli.nic.in/>

### Directorate General of Mines Safety (DGMS)

<http://www.dgms.net/>

### Employees' Provident Fund Organisation (EPFO)

<http://www.epfindia.com/>

### Employees' State Insurance Corporation (ESIC)

<http://esic.nic.in/>

### Labour Bureau

<http://labourbureau.gov.in/>

### National Academy for Training & Research in Social Security (NATRSS)

<http://natrass.gov.in/>

### Rashtriya Swasthya Bima Yojana (RSBY)

<http://www.rsby.gov.in/>

### V.V. Giri National Labour Institute (VVGNI)

<http://www.vvgni.org/>

## पाठकों से अपील / Appeal to the Readers

हम सभी संबंधित व्यक्तियों और संगठनों से इस न्यूज पत्रिका में प्रतिभागिता करने की अपील करते हैं।

पत्रिका के संबंध में अपने विचार/सुझाव कृपया निम्नलिखित पते पर भेजें:

संपादक, 'श्रम संसार', श्रम व रोजगार मंत्रालय की न्यूज पत्रिका, वी० वी० गिरि राष्ट्रीय श्रम संस्थान, सेक्टर 24, नोएडा 201301

ई-मेल आई डी: [shramsansar@gmail.com](mailto:shramsansar@gmail.com)

We request the participation of all concerned people and organisations in this newsletter.

Comments/suggestions on the contents of this newsletter may kindly be sent to:

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E-mail ID: [shramsansar@gmail.com](mailto:shramsansar@gmail.com)

इस न्यूज पत्रिका का प्रकाशन भारत सरकार के श्रम और रोजगार मंत्रालय की ओर से वी० वी० गिरि राष्ट्रीय श्रम संस्थान द्वारा किया गया है।

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PHOTO: MCKAY SAVAGE

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