

CHAPTER III

Reform Measures and Policy Initiatives

1. Industrial Relations

1.1 The alternative grievance redressal mechanism of Lok-Adalats introduced as a separate scheme in X Five Year Plan within the adjudication system of the CGITs has been made an indispensable part of the system in the XI Plan. The objective is to settle industrial disputes speedily. Cases, which are relatively uncomplicated, are taken up for adjudication through the system of Lok-Adalats. However, its success depends on the readiness of the litigating parties for getting their cases settled through this method. The Presiding Officers of the CGITs play the role of facilitators.

1.2 To maintain continuity of judicial procedure in case of arising of a vacancy of Presiding Officer in the Central Government Industrial Tribunal-cum-Labour Courts, a system of link officers amongst Presiding Officers has been introduced. A conference of Presiding Officers of all CGIT-cum-Labour Courts is organized from time to time to emphasize upon the need of speedy disposal of pending cases.

1.3 To further strengthen the adjudication process in the workers' interest, the following amendments have been made in the Industrial Disputes Act, 1947 with a view to ensure delivering effective and timely justice to the workers to contain the industrial unrest.

- i) Section 2A has been amended and provision has been made enabling the workman to make an application direct to the Labour Court or Tribunal for adjudication of the dispute referred to therein after the expiry of forty-five days from the date he has made the application to the Conciliation Officer of the appropriate Government for conciliation of the dispute, and in receipt of such application the Labour Court or Tribunal shall have powers and jurisdiction to adjudicate upon the dispute, as if it were a dispute referred to it by the appropriate Government.
- ii) Section 11 of the Industrial Disputes Act, 1947 has also been amended whereby every award made, order issued or settlement arrived at by or before Labour Court or Tribunal or National Tribunal shall be executed in accordance with the procedure laid down for execution of orders and decree of a Civil Court under order 21 of the Code of Civil Procedure, 1908. Also, the Labour Court or Tribunal or National Tribunal shall transmit any award, order or settlement to a Civil Court having jurisdiction and such Civil Court shall execute the award, order or settlement as if it were a decree passed by it.

2. Directorate General of Factory Advice Service & Labour Institutes (DGFASLI)

2.1 The Government of India is committed to improve the status of occupational safety and health in the country. The Government of India has declared the National Policy on Safety, Health and Environment at workplace on 20.02.2009. The policy seeks to achieve continuous reduction in the incidence of work related injuries, disease, disaster and loss of national assets.

The policy contains Preamble, Goal, Objective and action programme comprising of effective enforcement, development of national standards, promoting compliance with the standards through appropriate means, increasing awareness on safety, health and environment, encouraging research and development in the field of occupational safety and health. The National Policy is being implemented by the various stakeholders through seminars, conferences and workshops. The Government of India, in association with the stakeholders is further initiating suitable action programmes for effective implementation of the policy.

2.2 As India is one of the founder members of the International Labour Organization (ILO), it is obliged to give effect to the various conventions, protocols etc. adopted by the ILO. These conventions are adopted by way of their incorporation in the laws or regulations, collective agreements, code of practice etc. India has already ratified 43 Conventions and 1 Protocol. The ILO conventions in the area of safety and health namely Occupational Safety and Health Convention, 1981 (No.155), Asbestos Convention, 1986 (No. 162), Chemical Convention, 1990 (No.170) are under active consideration for ratification by the Government of India.

2.3 In the XII- Five Year Plan, following schemes would be implemented:

- i) Strengthening of DGFASLI Organization and OSH in Factories, Ports and Docks;
- ii) Development of Regional Labour Institute, Faridabad as Centre of Advanced Safety Systems in MSME and Chemical Process Units;
- iii) Establishment of Regional Labour Institute at Shillong, (NER).

2.4 DGFASLI is planning following policy initiatives during 2014-15:

- i) Interaction and close follow up with state Governments and other stakeholders for organizing of specialized training programmes on OSH in Factories and Ports.
- ii) Developing questionnaire and organizing field visits for conducting national and state level research studies / surveys in Factories and Ports.
- iii) Training and improvement of the quality of services by deputing officers to various national and inter-national training programmes.
- iv) Creating greater awareness of the various activities of the organization amongst the various stakeholders.

3. Directorate General of Mines Safety (DGMS)

3.1 DGMS administers the provisions of the Mines Act, 1952 & Rules & Regulation framed thereunder. Statutory measures required to be taken under these Rules/Regulations/Act need to be reformed from time to time to suit the user's need and also to keep pace with the changing scenario of the Mining Industry. In view of above, reforms/changes in the Coal Mines Regulation 1957, the Metalliferous Mines Regulation 1961 and the Oil Mines Regulation 1984 have been made to repeal the existing Regulations with the new Regulations. The amendments are in process. The reforms/changes in the Mines Act, 1952 are also under process.

3.2 Following policy initiatives are planned for 2014-15:

- i) SOCFOD - (Strengthening of Core Functions of DGMS) & MAMID - (Mine Accident Analysis and Modernization of Information Databases).
- ii) e-DGMS - [e-governance in DGMS].

4. Directorate General of Labour Welfare (DGLW)

4.1 Rashtriya Swasthya Bima Yojana (RSBY) was launched by Ministry of Labour and Employment, Government of India w.e.f. 01st April, 2008 to provide health insurance coverage for Below Poverty Line (BPL) families. The objective of RSBY is to provide protection to BPL households from financial liabilities arising out of health shocks that involve hospitalization.

4.2 The issue of providing a comprehensive social security package and a robust implementation architecture, to cover the unorganized workers in the country through a "Single-Window" architecture for implementing the minimum social security package was discussed in successive meetings of the Committee of Secretaries (CoS). Convergence of the schemes namely RSBY, AABY & IGNOPS on pilot basis has been under active consideration. In the meeting held on 20.01.2014, the CoS decided the following:-

- i) To gain further insight, to begin with M/o Labour & Employment will initiate a pilot project in 20 select districts to ensure convergence of the four identified existing schemes. The pilot would make clear how effective the project is and how it can be strengthened.
- ii) MoLE will constitute an Inter-Ministerial Group of Ministries/Departments concerned to consider various issues raised in the meeting and to monitor implementation of the pilot. If so required, the Ministry will bring the specific issues for consideration of CoS.
- iii) Further course of action will be decided based on the experience gained in the pilot. Presently, pilot is being undertaken in 20 districts in consultation with concerned Ministries.

4.3 Following policy initiatives are planned for 2014-15:

- i) The Ministry is in the process of revamping the RSBY scheme with focus on better IT architecture and focused approach.
- ii) Performance of Insurance Companies is proposed to be monitored on the basis of key performance indicators through standard RFP and MCA.
- iii) MIS would be made more robust using IT architecture.
- iv) Centralized issue of Smart Card by CPSUs being introduced to avoid any conflict of interest.
- v) Concept of wellness check through public health facilities in collaboration with MoHFW being introduced.

5. Directorate General of Employment & Training (DGE&T)

5.1.(a)(I) Skill Development Initiative Scheme (SDIS): Ministry of Labour & Employment launched SDIS for the early school leavers and existing workers especially in the unorganized sector in close consultation with industries, State Governments and experts. The scheme has been operationalized since May 2007. During XI plan period (2007-12), against an approved outlay of Rs. 550 crore, an amount of Rs. 407 crore was spent and 13.67 lakh persons were trained or directly tested under the scheme. Cabinet Committee on Skill Development has approved the continuation of Skill Development Initiative Scheme for 12th Plan period with certain changes on 13-08-2013. Under the 12th Plan period, a target to train 25 lakhs persons have been fixed and accordingly, an outlay of Rs. 2000 crore has been kept for the scheme in 12th plan period.

5.1.(a) (II) MES allows skills up gradation, multi-skilling, multi entry and exit, vertical mobility and lifelong learning opportunities in a flexible manner. It also allows recognition of prior learning (certification of skills acquired informally) effectively.

5.1.(a) (III) Demand driven short term training courses based on Modular Employable Skills (MES) are decided in consultation with Industry Courses are also available for persons having completed 5th standard and attained the age of 14 years.

5.1.(a) (IV) The scheme runs through vocational training providers registered by State Governments. The courses are demand driven based on modular pattern identified and decided in consultation with industry. The skill so acquired by the trainee is tested by third party assessor. For persons having skill but no certification is also tested by assessing bodies directly. The NCVT certification for passed out persons are issued by DGE&T, Ministry of labour & Employment.

5.2 Upgradation of 500 ITIs into Centre of Excellence: The Union Finance Minister in his Budget Speech 2004-05 and 2005-06 announced measures for up-gradation of 500 ITIs in the country. Subsequently, as per advice of Finance Minister, up-gradation of 100 ITIs was taken up from domestic resources and 400 ITIs through World Bank assistance.

5.2.(a) Salient features of the Multi-Skill Courses is upgradation of ITIs into “Centres of Excellence (CoE)” by providing infrastructural facilities, introduction of multi-skill courses catering to the need of a particular cluster of industry around an ITI to produce multi-skilled workforce of world standard.

5.2.(b) The highlights of the scheme are (I) Introduction of Broad Based Basic Training (BBBT) courses of one year followed by 6 month duration advanced modular courses; (II) Specialized 6 month modules mainly in Industry (shop floor training); (III) Multi-entry and multi-exit provisions; (IV) Industry wise cluster approach; and (V) Public-Private-Partnership in the form of Institute Management Committee (IMC) to ensure greater and more active involvement of industry in all aspects of training.

5.2.(c) Upgradation of 100 ITIs into Centre of Excellence: The objective of the scheme was to upgrade the existing 100 Govt. ITIs into “Centers of Excellence (CoE)” for producing multi skilled workforce of world standard. The total Project cost was Rs. 160 crore. Training program in the identified CoE sector, has commenced in Project ITIs. The scheme was implemented from April 2004 to March, 2010 and accordingly scheme was closed on 31st March, 2010.

5.2.(d) Upgradation of 400 ITIs with World Bank assistance “Vocational Improvement Project (VTIP)”: Out of the 400 ITIs to be upgraded with World Bank assistance, 100 ITIs were taken up during FY 2006-07 and 150 ITIs each were selected during 2007-08 & 2008-09. The agreement was signed with the World Bank on 2.11.2007. The closing date of the project is November 2014, after extension for 23 months beyond December 2012. The scheme is being implemented by 33 State Governments/ UTs and Central Govt. State Governments have been entered into Memorandum of Understanding (MoU) to empower the Institute Management Committee (IMC), enhance powers of the Principals of the ITIs and have commitment for implementation / sustainability of the scheme during the project period and beyond.

5.3 Upgradation of 1396 Government ITIs through Public Private Partnership: Out of 1396 Government ITIs in the country (as on 1.1.2007), 1227 Government ITIs are being upgraded through Public Private Partnership. The objective of the scheme is to improve the employment outcomes of graduates from the vocational training system, by making design and delivery of training more demand responsive. For each ITI being upgraded, an Industry Partner is associated to lead the process of upgradation. The Industry Partner is selected by the State Government in consultation with the Industry Associations. Institute Management Committee (IMC) is constituted/ reconstituted for each Project ITI consisting of Industry Partner or his representative, as the Chairperson, four members from local industry nominated by the Industry Partner, five members nominated by the State Government, and Principal, ITI, as ex-officio member Secretary. The IMC is registered by the State Government as a Society under Societies Registration Act. The IMC is given financial and academic autonomy to manage the affairs of the ITI. The IMC has been allowed to determine upto 20% of the admissions in the ITI. The interest free loan of upto Rs. 2.5 Crore has been given by the Central Govt. directly to the IMC, which has been given powers to make use of the funds for upgrading the ITI. The interest free loan shall be repayable by the IMC. For the repayment of loan there shall be a moratorium of 10 years and thereafter the loan shall be payable in equal annual installments over a period of 20 years. State Government will continue to be the owner of the ITI and regulate admissions and fees except up to 20% of the admissions which are allowed to be determined by the IMC.

5.4 Women Vocational Training Programme: The women’s vocational training programme, launched in 1977, aims for social development and economic growth of women through vocational training scheme. Under the Central Sector, a National Vocational Training Institute (NVTI) for women, NOIDA and ten Regional Vocational Training Institutes (RVTIs) for women have been set up at Mumbai, Bengaluru, Thiruvananthapuram, Panipat, Kolkata, Tura, Allahabad, Indore, Vadodara & Jaipur. These institutes organise NCVT approved skill training programmes under Craftsmen Training Scheme (CTS) and Craft Instructors’ Training scheme (CITS).

5.5 Following policy initiatives are planned for 2014-15:

Sl. No.	Major innovations	Focus
1	Establishment of Incubation Centres	Strong industry interaction and academic support for continuous syllabus revamp
2	Conducting distance learning courses	Outreach of services
3	Effective regulatory oversight-ITI Grading: Launch of scheme	Improving the quality of training
4	e-governance for effective monitoring and supervision	Improving the quality of training
5	Restructuring employment services and offering career services	Delivery of services
6	Centralized admission system for DGE&T Institutions	Outreach of services
7	Restructuring of Central Institute for Research and Training in Employment Service (CIRTES) as resource centre for National Career Service (NCS)	Outreach of services