



ANNUAL REPORT





2009-10

Ministry of Labour and Employment

Government of India

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HIGHLIGHTS OF IMPORTANT ACTIVITIES

INTRODUCTION

1.1 The Ministry of Labour and Employment is one of the oldest and important Ministries of the Government of India. The main responsibility of the Ministry is to protect and safeguard the interests of workers in general and those who constitute the poor, deprived and disadvantaged sections of the society, in particular, with due regard to creating a healthy work environment for higher production and productivity and to

develop and coordinate vocational skill training and employment services. Government's attention is also focused on promotion of welfare and providing social security to the labour force both in organized and unorganized sectors, in tandem with the process of liberalization. These objectives are sought to be achieved through enactment and implementation of various labour laws, which regulate the terms and conditions of service and employment of workers. The State Governments are also competent to enact



Inauguration of National Safety Awards (Mines) function by Mohd. Hamid Ansari, His Excellency, Vice-President of India on 23rd October, 2009.

legislations, as labour is a subject in the concurrent list under the Constitution of India.

WELFARE OF THE UNORGANISED SECTOR WORKERS

- 1.2 As per the survey carried out by the National Sample Survey Organization in the year 2004-2005, the total employment, in both organized and unorganized sectors in the country was of the order of 45.9 crore comprising of around 2.6 crore in the organized sector and the balance 43.3 crore workers in the unorganized sector. Out of 43.3 crore workers in the unorganized sector, there are 26.8 crore workers employed in agricultural sector, about 2.6 crore in construction work and remaining in manufacturing and service.
- 1.3 In order to take care of the social security and welfare of unorganized workers, twopronged strategy, i.e., legislative measures, and implementation of welfare schemes and programmes have been followed. The legislative measures include the Minimum Wages Act, 1948, the Workmen's Compensation Act, 1923, the Maternity Benefit Act, 1961, the Bonded Labour System (Abolition) Act, 1976, the Contract Labour (Regulation & Abolition) Act, 1970, the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, the Building and Other Construction Workers (Regulation of Employment & Conditions of Service) Act, 1996, etc.
- 1.4 The Ministry of Labour and Employment in order to ensure welfare of workers in the unorganized sector which, inter-alia, include weavers, handloom workers, fishermen and fisherwomen, toddy tappers leather, workers, plantation labour, beedi workers, has enacted the **Unorganized Workers' Social Security**

- Act, 2008. The Act provide for constitution of National Social Security Board which shall recommend formulation of social security schemes viz. life and disability cover, health & maternity benefits, old age protection and any other benefit as may be determined by the Government for unorganized workers. Accordingly, the Ministry has constituted a National Social Security Board.
- 1.5 The 'Rashtriya Swasthya Bima Yojana' was formally launched on 1st October, 2007 to provide smart card based cashless health insurance cover of Rs. 30000 to BPL Families (a unit of five) in Unorganised Sector per annum on family floater basis. The premium is shared in the ratio of 75:25 by the centre and the state Government. In case of States on the North East region and Jammu & Kashmir, the premium is shared in the ratio of 90:10. The RSBY has become operational from 01.04.2008, The scheme is being implemented in a phased manner to cover all the 6 crore BPL workers by 2013-14.
- 1.6 The salient features of the scheme are:
- ✓ Issuance of a smart card to the beneficiary. This card would facilitate cashless transactions up to Rs. 30,000 to cover hospitalization expenses.
- ✓ All ailments and pre-existing diseases to be covered.
- Hospitalization expenses, taking care of most of the illnesses including maternity benefit.
- √ Transportation cost of Rs. 100 per visit with an overall limit of Rs. 1,000 per annum.
- 1.7 26 States/Union Territories have initiated the process to implement the scheme. Out of

these 26 States /UTs, 22 States namely Assam, Bihar, Chandigarh, Chhattisgarh, Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Kerala, Maharashtra, Meghalaya, Nagaland, Orissa, Punjab, Rajasthan, Tamil Nadu, Tripura, Uttar Pradesh, Uttarakhand and West Bengal have started issuing smart cards. More than 1 crore cards have been issued.

- 1.8 The Finance Minister, in his Budget Speech, had announced Aam Aadmi Bima Yojana (AABY) providing for death and disability insurance cover to rural landless households. Under the scheme, the head of the family or one earning member in the family is insured. The Central Government will bear 50% of the premium of Rs.200/- per year per person and the remaining 50% of the premium is borne by State Government. Benefits under the scheme include a cover of Rs.30,000 in case of natural death and Rs.75,000 in case of death or permanent disability due to accident. In case of partial disability due to accident, the insurance cover would be Rs.37,500. The children of the beneficiaries of AABY, studying in classes 9th to 12th, including ITI courses, are eligible for a scholarship @ Rs.300 per quarter per child for a maximum period of 4 years under the Shiksha Sahyog Yojana. The annual premium is Rs. 200 per beneficiary out of which Rs. 100 is paid by Central Government. The scheme which was launched on 2nd October, 2007 is being administered by the Ministry of Finance.
- 1.9 The eligibility criteria for a beneficiary under the National Old Age Pension Scheme (NOAPS) was modified from one "who is 65 years or above and a destitute' to one "who is 65 years and above and belonging to a household below the poverty line according to the criteria prescribed by the Government of India" The Central Government provides

financial assistance of Rs. 200 per month per beneficiary. The scheme is being administered by Ministry of Rural Development.

The Government has set up Welfare 1.10 Funds for providing welfare measures to the beedi, non-coal mine and cine workers. The Funds are used to provide financial assistance to these workers for education of their children, recreation, medical and health facilities, construction of houses, etc. The Building and Other Construction Workers (Regulation of Employment & Conditions of Service) Act, 1996 also has provision for setting up of welfare Board/Fund by every State Government to provide welfare/social security measures to the construction workers. Some States, like Kerala, have constituted welfare funds for specific categories of workers in the unorganised sector.

LABOUR WELFARE FUNDS

- 1.11 The Ministry of Labour & Employment is administering five Welfare Funds for beedi, cine and certain categories of non-coal mine workers. The Funds have been set up under the following Acts of Parliament for the welfare of these workers:-
- ✓ The Mica Mines Labour Welfare Fund Act, 1946;
- ✓ The Limestone and Dolomite Mines Labour Welfare Fund Act, 1972;
- ✓ The Iron Ore, Manganese Ore Mines and Chrome Ore Mines Labour Welfare Fund Act. 1976:
- ✓ The Beedi Workers' Welfare Fund Act, 1976; and
- ✓ The Cine Workers' Welfare Fund Act, 1981.

1.12 The above Acts provide that the Fund may be applied by the Central Government to meet the expenditure incurred in connection with measures and facilities which are necessary to provide for the welfare of such workers. In order to give effect to the objectives laid down in the above Acts, various welfare schemes have been formulated and are under operation in the fields of health, social security, education, housing, recreation and water supply.

OTHER INITIATIVES FOR UNORGANIZED SECTOR WOKERS

- 1.13 According to the Revised Integrated Housing Scheme (RIHS) 2007-08 for beedi workers etc. the central subsidy of Rs.40,000/per tenement per worker for construction of a house is released in two installments, the first in advance after the certificate / receipt of the worker's contribution of Rs.5000/- is deposited with the Welfare Commissioner and the second after the construction reaches roof level.
- 1.14 Several other welfare schemes viz. health and medical care, scholarships for school/college going children (Rs.250/- per year for 1st Standard to Rs.8,000/- for BE/MBBS) etc. are being implemented for workers and their families.
- 1.15 Government has enhanced the rate of Cess levied on manufactured beedis from Rs.2/to Rs.4/- and again to Rs.5/- per thousand beedis w.e.f. 01.04.2006.
- 1.16 There are around 2 crore construction workers in the country. To protect their interest, Government has enacted the Building and Other Construction Workers (Regulation of Employment & Conditions of Service) Act, 1996 and the Building and other Construction Workers Welfare Cess Act, 1996.

- 1.17 Besides providing for good working conditions, these Acts also have provisions to collect a cess @ 1% on every construction activity costing more than Rs.10 lakh. Amount of cess so collected forms the corpus of the fund, out of which various welfare schemes viz. Group Insurance, Medical and Health Care, Scholarships, Pension, etc. are implemented for the construction workers.
- 1.18 In order to expedite the process of implementation, a special Group has been constituted, which has held various region-wise meetings. Further, workshops to assist the State Governments / Union Territories in formulation of Rules etc. have also been held.

Scheme for Grant to Provide Medical Facilities to Beedi Workers

1.19 The Government has launched a scheme on pilot basis for providing one time grant of Rs.2 crore or 75% of the actual cost of construction of the hospital building or including the cost of medical equipments, whichever is less, to all the State Government / Employees State Insurance Corporation / Housing Cooperative Society / Reputed NGOs etc. Similarly, one time grant-in-aid would also be available for purchase of Ambulance / Mobile Van equipped with medical / laparoscopie equipments etc., upto the limit of Rs.4 lakh. Further, an amount equivalent to 75% of the actual cost of the medicines supplied to Beedi workers and their dependents subject to maximum of Rs.10 lakh per annum will also be available towards reimbursement of expenditure on medicines.

PROCEDURAL IMPROVEMENTS

1.20 There is a felt need that the number of registers to be maintained and returns submitted should be reduced so that manpower and other

resources are better utilized. To address this issue, a Bill to amend the Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988 has been introduced in Rajya Sabha on 22.08.2005. The Bill envisages simplification of forms of returns and registers required to be maintained under certain labour laws. The revised forms can be maintained in computer and the reports transmitted by e-mail.

1.21. In order to provide hassle-free industrial environment, and to reduce unnecessary interference of inspecting staff, the following steps have also been taken: -

(i) Employees' State Insurance Corporation (ESIC):

1.22 The revised policy contemplates inspection only in the case of defaulters and where the compliance is irregular. The regular annual inspection has been retained only in the cases of major employers employing more than 250 workers. The inspections / investigations are also undertaken where complaints about non-coverage of establishments are received or detected during the course of regular surveys.

(ii) Employees' Provident Fund Organization (EPFO):

1.23 At present, inspections are carried out only in respect of establishments against which there are specific complaints of evasion or non-compliance. Such inspections are ordered by senior level officers who specifically assign the task, at random, to the inspectors, so that there is no chance of any pre-decided action plan on the part of the inspectors for visiting any particular establishment. The territorial jurisdiction of the inspectors has since been abolished, and they are now engaged for

inspections only for specifically assigned cases as decided by the Assessing Circle Officers with whom the inspectors are pooled.

(iii) Chief Labour Commissioner (Central) CLC(C):

1.24 In respect of IT Software and IT Service Industries, the CLC(C) has advised its subordinate offices that routine and periodic inspections may not be necessary since the employees engaged by these IT industries are usually qualified and, therefore, are in a better position to protect and promote their interests. However, enforcement of labour laws in these establishments through returns submitted by the employers under various labour laws is being continued.

STRENGTHENING OF TRIPARTISM

- 1.25 The Ministry of Labour and Employment has always been striving to promote harmonious industrial relations in the country. The Government, being committed to the ethos and culture of tripartism, took measures to revitalize it. The State Labour Ministers' Conference was held on 22.01.2010 to discuss important labour issues.
- 1.26 The Ministry continues to have consultation with the social partners to obtain a consensus for enacting new laws or bringing about changes in the existing laws. The objective of the Ministry is to knit the views of all the social partners in framing the policy for working class. Accordingly, the Ministry of Labour & Employment held several tripartite meetings of various Committees / Boards during the year which, inter-alia, include:
- ✓ Meetings of Central Board of Trustees (EPF) held on 04.07.2009 and 05.12.2009.
- ✓ Meetings of Executive Committee of



Presidential Address by Shri Mallikarjun Kharge, Hon'ble Minister of Labour & Employment during the State Labour Ministers' Conference on 22nd January, 2010.

- Employees' Provident Fund held on 03.07,2009 and 05.12,2009.
- ✓ Meetings of the Committee on Employees State Insurance Corporation held on 25.08.2009 and 08.12.2009.
- ✓ Meetings of Standing Committee, Employees' State Insurance Corporation held on 08.06.2009 and 07.12.2009.
- ✓ Meeting of Governing Body of Central Board for Workers Education held on 15.07.2009.
- Meeting of Central Advisory Committee on Beedi Workers Welfare Fund was held on 27.12.2009.

- 1.27 Thus, the Ministry, in true spirit, is following the tripartite consultation process to strengthen the labour-management relations.
- 1.28 A number of other legislative and executive initiatives have also been taken to promote, protect and preserve health, safety and social security for workers through observance of the ethos and culture of tripartism. Some of the important initiatives taken during the year in this regard are summarized as below: -
- 1.29 The 43rd Session of Standing Labour Committee (SLC) was held on 30th October, 2009 in Vigyan Bhawan, New Delhi under the

Chairmanship of the Hon'ble Union Minister of Labour & Employment. Hon'ble Minister of State for Labour & Employment was Co-chairman of the meeting. The agenda for SLC included the following items:-

- (i) Review of Action taken Report on the conclusions of the 42nd Session of Indian Labour Conference held on 20-21 February, 2009.
- (ii) Finalization of Agenda for the 43rd Session of Indian Labour Conference.
- 1.30 The Meeting was attended by senior representatives of Central Trade Union Organizations, Central Employer Organizations,

Labour Ministers and senior officers from State Governments / UT Administrations and senior officers from Central Ministries / Departments. Labour Ministers from several states participated in the deliberations.

- 1.31 The SLC reviewed the Action Taken Report on the conclusions of previous Session of ILC and finalized the following items for inclusion in the agenda for the next Session of ILC:-
- ✓ Global Financial Downturn -its impactjob losses- comprehensive package for protection of labour force, etc.
- ✓ Problem of contract labour-social



Inauguration of 43rd Session of the Standing Labour Committee.

security, wages, etc. and amendments in the contract labour legislation.

 Employment generation and skill development.

INDUSTRIAL RELATIONS

- 1.32 Maintenance of harmonious industrial relations situation remains an avowed objective of Ministry of Labour & Employment. Due to constant endeavor of the Industrial Relations Machineries of both Central and the State, the overall industrial relations climate has generally remained peaceful and cordial. The number of incidences of strikes and lockouts was 1305 in 1997 and 69 in 2009 (Provisional) and has exhibited a declining trend over this period. The mandays lost on account of these disturbances was 16.97 million in 1997 and 2.267 million in 2009 (Provisional) and show variations over this period.
- 1.33 As regards the spatial / industry wise dispersion of the incidences of strikes and lockouts is concerned Gujarat, Andhra Pradesh, Kerala & Rajasthan are the States most affected while financial intermediaries (excluding insurance & pension funds) recorded the maximum number of strikes and lockouts.
- 1.34 With a view to strengthen the existing adjudicating system, twenty-two Central Government Industrial Tribunal-cum-Labour Courts are functioning at Dhanbad (Jharkhand), Mumbai, New Delhi and Chandigarh (two courts each) and one each at Kolkata, Jabalpur, Kanpur, Nagpur, Lucknow, Bangalore, Jaipur, Chennai, Hyderabad, Bhubaneshwar, Ahmedabad, Ernakulam, Asansol and Guwahati.
- 1.35 In order to reduce the pendency of cases, Lok Adalats are being organized by the

CGIT-cum-Labour Courts. 15 Lok Adalats were held during 01.04.2009 to 31.10.2009 though which 178 cases were settled.

VULNERABLE SECTIONS

Child Labour

- 1.36 Elimination of child labour is an area of great concern and the Government of India is committed to address the issue. The problem of child labour can be viewed as a socio-economic evil, which primarily results from poverty and illiteracy. Considering the magnitude and the nature of the problem, Government has adopted a sequential approach to withdraw and rehabilitate working children, beginning with those working in hazardous occupations/processes.
- 1.37 With this objective, Government announced a comprehensive National Policy on Child Labour in August, 1987 which among other things envisaged a Project-based Action Plan for the welfare of working children in areas of high concentration of child labour. Under the action plan, National Child Labour Project (NCLP) Scheme was launched in 12 child labour endemic districts in 1988. The number of districts covered under the Scheme has been substantially enhanced to 271 and it is proposed to further expand the coverage in the XIth Plan.
- 1.38 The NCLP Scheme provides for the establishment of the special schools/transitional education centers to impart non-formal/formal education, vocational training, supplementary nutrition, monthly stipend and regular health check-ups, etc. to children withdrawn from hazardous employment so as to prepare them to join mainstream schools.
- 1.39 More than 10,000 special schools have been sanctioned with enrolment of approximately 5.00 lakh children.

- 1.40 Apart from a major increase in the number of districts covered under the scheme, the priority of the Government is evident in increase in the budgetary allocation during the 11th Plan to Rs.625 crore.
- 1.41 For the rehabilitation of migrant and trafficked child labour, Government has initiated a number of steps and has issued a detailed protocol for prevention, rescue, repatriation and rehabilitation of these children, to the State Governments for compliance.
- 1.42. As poverty is the primary cause of such a social evil, the educational rehabilitation of such children is further complemented by the economic rehabilitation of the families of child labour through the convergence approach so that the child labour and their families are
- covered under the benefits of the schemes of various Ministries/Departments of the Government of India like Human Resource Development, Women & Child Development, Housing & Urban Poverty Alleviation, Rural Development as well as Panchayati Raj institutions. Convergence with the Railways is also in the offing to prevent migration/ trafficking of children for work.
- 1.43 Government is also laying lot of stress on the enforcement of the Child Labour (Prohibition & Regulation) Act and special drives have been conducted.

Women Labour

1.44 The Government is committed to improve the working conditions of women workers. In this direction, guidelines for the



Awareness Generation rally by National Child Labour Project (NCLP) students in Jalandhar.

prevention of sexual harassment of women employees in their workplaces have been framed. Simultaneously, instructions have been issued to the Central Ministries / Departments, State Governments / UT Administrations and all CPSUs for strict implementation of the guidelines. The Conduct Rules applicable to the Central Government and the All India Services have since been amended to give effect to these guidelines. The Industrial Employment (Standing Orders) Central Rules, 1946 have also been amended to make the guidelines applicable to employees in the private sector.

1.45 Further amendments in the Industrial Employment (Standing Orders) Central Rules, 1946 to provide that the Complaint Committee established in each establishment for inquiring into a complaint of sexual harassment shall be deemed to be the inquiring authority appointed by the employer for the purpose of these rules, have been notified on 19.01.2006.

Bonded Labour

- 1.46 The system of debt bondage in India originated from the uneven social structure characterized by feudal and semi-feudal conditions. The issue of 'Bonded Labour' came to the forefront in national policies when it was included in the earlier 20 point Programme in 1975. To implement this, the Bonded Labour System (Abolition) Ordinance was promulgated. This was later on replaced by the Bonded Labour System (Abolition) Act, 1976.
- 1.47 In order to assist the State Governments in their task of rehabilitation of released bonded labourers, the Ministry of Labour and Employment launched a Centrally Sponsored Scheme on 50:50 basis in regard to funding in May 1978. Under the Scheme, rehabilitation assistance of Rs.20,000/- per bonded labourers

is provided. The modified scheme also provides for financial assistance to the State Governments/Union Territories for conducting survey of bonded labourers, awareness generation activities and impact evaluation. A sum of **Rs.6,985.86 lakh** has been released under the Scheme to the State Governments upto 30.09.2009 for rehabilitation of **2,88,123** bonded labourers.

SOCIAL SECURITY

1.48 The Government has enacted a number of legislations in the area of Social Security for the workers. The important Acts in this regard are the Workmen's Compensation Act, 1923, the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, the Maternity Benefit Act, 1961, the Payment of Gratuity Act, 1972 and the Employees' State Insurance Act, 1948. Several initiatives have been recently taken to extend larger benefits to workers under these Acts as detailed below:

Employees' State Insurance Corporation (ESIC)

1.49 To provide medical care and cash benefits in the case of sickness, maternity and employment injuries, the Employees' State Insurance Act was enacted in 1948. The Employees' State Insurance Corporation (ESIC) is implementing the ESI Scheme introduced since 1952. The achievements are as under:-

New Implemented Areas:

1.50 The Scheme was extended to 46 new areas covering 70,427 employees during the year 2008-09.

Record Number of Insured Persons / Beneficiaries

1.51 The number of insured persons covered

under the ESI Scheme touched a new high in 2008-09 when the same touched 1.29 crore for the first time. The number of beneficiaries covered under the Scheme has gone up to 5.01 crore.

Enhancement of Cash Benefits

1.52 The ESIC has enhanced the Confinement Expenses for confinement outside ESI Hospitals from Rs.1,000/- to Rs.2,500/- per confinement w.e.f. 01.12.2009. The rate of funeral expenses has been enhanced from Rs.3,000/- to Rs.5000/- w.e.f. 01.09.2009.

Incentives Scheme for employers for providing employment to the persons with disabilities:

1.53 Persons with disabilities employed on or after 01.04.2008 and drawing wages upto Rs.25,000/- are covered under the ESI Scheme and Employers' share of contribution is paid by Government for three years. This Scheme has been largely advertised in national dailies and mailers to the employers were also sent to avail the benefit of the scheme.

Amendments in Rajiv Gandhi Shramik Kalyan Yojana:

1.54 Rajiv Gandhi Shramik Kalyan Yojana, the Unemployment Allowance Scheme for the Insured Persons who are rendered jobless due to retrenchment or closure of factory etc., or on permanent disablement of at least 40% arising out of non-employment injury has been introduced w.e.f. 01.04.2005. The Insured Person and his/her dependant family members are also entitled to medical care for a period of one year from the date of unemployment. The ESI Corporation has decided to enhance the payment of Unemployment Allowance under Rajiv Gandhi Shramik Kalyan Yojana from 6

months to 12 months and relax the condition of five years insurable employment to three years w.e.f. 11.09.2009. Besides this, the beneficiaries under Unemployment Allowance Scheme (RGSKY) have also been made entitled for getting Vocational Rehabilitation Skill Development trainings for re-employment for a maximum period of six months w.e.f. 01.02.2009. The number of beneficiaries who have availed the benefit of Rajiv Gandhi Shramik Kalyan Yojana up to September 2009 is 2857 and the amount disbursed to them is Rs.4,18,96,938/-.

New Inspection Policy:

1.55 A new inspection policy has been introduced w.e.f. 01.04.2008, which places emphasis on inspection of newly covered units, defaulters and those not submitting self-certification with a view to concentrate on improving compliance.

Other Medical Initiatives:

- ✓ Inaugurations / Foundation Stone Laying of ESIC Hospitals, Medical Colleges and Dispensary at Bihta, Patna (Bihar), ESI Hospital at Peenya (Karnataka), ESI Hospital at Tirunelveli (Tamil Nadu) and ESI Dispensary at Okhla, New Delhi.
- ✓ Grading of all ESIC Hospitals by reputed Grading Agencies.
- Major treatments such as Kidney & Liver transplant, Heart treatment, Cochlear implants and Joint replacements have been included under the ESI Scheme.
- ✓ To facilitate early sanction of equipments for ESI Hosptials, SSMCs / SMCs at State level have been delegated powers to sanction equipments upto Rs.15.00 lakhs per unit.

- ✓ Ceiling on reimbursement of expenses on medical care to State governments has been increased from Rs.1,000/- to Rs.1,200/- per Insured Person family unit per annum.
- ✓ In-Vitro Fertilization Treatment (artificial reproduction) to the Insured Persons and their spouses.
- "Project Sankalp" for strengthening ESIC Interventions on HIV/AIDs and Family Welfare launched at Mangalore (Karnataka).

Mass Media Campaign:

1.56 Massive Awareness Campaign through Print Media, Hoardings, Radio, T.V., Commercial and Websites have been launched throughout India in Hindi, English and respective vernacular languages of the States to bring awareness and educate various stake-holders about the benefits available under the Scheme. Besides, Employers' & Employees' Workshops, Seminars, Shikayat Adalats and other programmes have taken place during ESIC Day and ESIC Fortnight Celebration throughout India which started with ESIC Foundation Day, i.e. 24th February and culminated on 10th March, 2009.

ESIC participation in the Rashtriya Swasthya Bima Yojana (RSBY)

1.57 With a view to providing improved health insurance cover to workers covered under ESI Scheme the Employees' State Insurance (Amendment) Bill, 2009 has been introduced in the Parliament with comprehensive amendments. The Bill will also enable ESIC to take up the Rashtriya Swasthya Bima Yojana under the Unorganised Workers Social Security Act, 2008 and other such schemes that may be

framed by the Government by utilising the large infrastructure available with the ESIC wherever it is under-utilised.

Other Initiatives

1.58 A time-frame is given to all the Regional Offices of the ESIC and ESIC Model Hospitals for getting ISO Certification during the current year. The medical education projects and IT roll out plans have been initiated.

Survey

1.59 A door-to-door survey of units (factories/shops/ establishments etc.) covered/coverable under the Act has been started with appointment of outside agency in all the Regions.

Employees' Provident Fund Organisation

- 1.60 The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 provides for compulsory provident fund, pension and deposit-linked insurance in factories / establishments employing twenty or more employees in industries mentioned in Schedule to the Act. The Government of India through the Employees' Provident Fund Organization (EPFO) administers the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 and the following three Schemes framed there under:
- ✓ Employees' Provident Funds Scheme, 1952;
- ✓ Employees' Pension Scheme, 1995 and
- ✓ Employees' Deposit-Linked Insurance Scheme, 1976.
- 1.61 The progress achieved by the EPF organisation under various areas is given in paragraph below. The reforms introduced are also given in brief as under:



Shri Mallikarjun Kharge, Hon'ble Minister of Labour & Employment lighting the ceremonial lamp during the opening ceremony of Sub-regional office of ISSA for South Asia.

Membership: As on 31st March, 2009, there were 5,73,063 establishments covered under the Act out of which 2,755 were exempted establishments. The total membership in the Employees' Provident Fund was 470.72 lakh with membership in the Pension Fund being 445.48 lakh.

Claim settlement: During 2008-09, 71.64 lakh members' claims were settled.

Contribution by Members: Total corpus of cumulative contributions received against all three Schemes administered by EPFO so far, as on 31st March, 2009 stand at Rs.3,17,377,11 crore. During the year 2008-09, the total

contributions received under all three Schemes amounted to Rs.39,515.53 crore.

Rate of interest: The rate of interest declared on the deposits of members to the Employees' Provident Fund was 8.5% (on monthly running balance) for 2008-09. During the year, 570.80 lakh annual statements of accounts were issued to members of un-exempted establishments.

Compliance

1.62 During the year 2008-09, 4,467 prosecutions cases were launched against defaulting establishments under section 14 of the EPF & MP Act, 1952 with 2,825 cases being

decided during the year. 18,159 Recovery Certificates for amount of Rs.388.49 crore dues under EPF Scheme were issued under section 8 of the Act. 17,325 Recovery certificates were issued against dues of Rs.213.52 crore under Employees' Pension Scheme, 1995 and 17,311 Recovery Certificates were issued against dues of Rs.15.95 crore under EDLI Scheme. 550 FIRs and 20 challans were filed by the police in various courts under section 406/409 of Indian Penal Code for recovery of dues from defaulting establishments.

Pension Reforms

- 1.63 The Employees' Pension Scheme, 1995 (EPS) has been conceived as a Benefit Defined Social Insurance Scheme formulated following actuarial principles for ensuring long term financial sustenance. It is financed through contribution from the employers at the rate of 8.33 percent of the wages of employees and the Central Govt. also contributes 1.1/6% of the wages of the employees. Any increase in the amount of pensionary benefit depends on the financial position of Pension Fund. The quantum of pension to members of EPS, '95 is actuarially calculated in accordance with the provisions of the Scheme. To review the rates of contributions and quantum of the pension and other benefits, para 32 of the Scheme provides for annual valuation of the Pension Fund. Last four valuations have shown an increasing deficit in the Scheme which stood at Rs.22,021 crore as on 31.03.2004 as per 8th Valuation Report.
- 1.64 In order to wipe out the actuarial deficit in the Pension Fund, Ministry has carried out the following amendments in the Scheme:
- Factors of Table 'B' and Table 'D' have been revised.
- √ Reduction factor in case of early pension

- under paragraph 12(7) has been changed from 3 to 4 per cent.
- ✓ Paragraph 12A which provides for option for commutation of pension and paragraph 13 which provides for 'Return of Capital' have been deleted.
- 1.65 Further, an Expert Committee under the Chairmanship of Additional Secretary (Labour & Employment) consisting of actuaries, experts from social security and insurance sectors and representatives of the stakeholders has been constituted in June, 2009 for reviewing the Scheme entirely.

Computerization Plan of Employees' Provident Fund Organisation

1.66 EPFO has its operational presence across the country and serves the social security needs for a large cross section of workers and employees in the organized sector. EPFO is attempting improvements in its functioning and operations through a process of computerization of its basic functions under a modernization project that is being implemented with the collaboration of the National Informatics Centre (NIC). The implementation of the project was approved by the CBT, EPF in its meeting held on 17th April 2008. The project is conceived in two phases. The focus of the 1st phase is to implement application software that provides best possible services to the Employees Provident Fund members and helps in creation of a strong local database having features to update and improve legacy data in a phased and practical manner. The 2nd phase concentrates on consolidating services and database at the central level for 'anytime-anywhere' services and to implement a double entry accounting system. After completion of computerization project, the provident fund members will be able to view their PF balances and status position of their claims, etc. through Internet. Similarly, the employers will get a facility to view the compliance status of their establishments on Internet.

1.67 A dedicated team of NIC and EPFO officials has been working on the project under the guidance of a Technical Committee. The progress and developments of the project is being closely monitored by an Apex Committee that is jointly headed by the Secretary (Labour & Employment) and Director General, NIC. The first phase of the project has been implemented in five offices i.e. Hyderabad, Mangalore, Delhi

(North), Indore and Karnal and will also be implemented in 22 more offices by 31.03.2010, thereafter in remaining offices by 31.03.2011.

Minimum Wages Act, 1948

1.68 The Minimum Wages Act, 1948 was enacted to safeguard the interests of workers mostly in the unorganized sector. Under the provisions of the Act, both the Central Government and the State Governments are the appropriate governments to fix, revise, review and enforce the payment of minimum wages to workers in respect of scheduled employments under their respective jurisdictions. There are 45 scheduled employments in the Central Sphere



Shri K.Chandramouli, Central Provident Fund Commissioner processing the first claim on the new application software, making Sub-Regional Office Karnal "go live" under the new Computerization project.

and as many as 1628 in State Sphere. The enforcement of the Minimum Wages Act, 1948 is secured at two levels. While in the Central Sphere, the enforcement is secured through the Inspecting officers of the Chief Labour Commissioner (Central) commonly designated as Central Industrial Relations Machinery (CIRM), the compliance in the State Sphere is ensured through the State Enforcement Machinery.

- 1.69 In order to protect the minimum wages against inflation, the Central Government has made provision of Variable Dearness Allowance (VDA) linked to Consumer Price Index. As regards States/UT Administrations, 26 of them have made VDA as a component of minimum wages. Both Central and State Governments are revising the minimum wages in respect of these scheduled employments from time to time. In the Central sphere, the rates were last revised w.e.f. 01.10.2009.
- 1.70 In order to have a uniform wage structure and to reduce the disparity in minimum wages across the country, a concept of National Floor Level Minimum Wage was mooted on the basis of the recommendations of the National Commission on Rural Labour (NCRL) in 1991. The Central Government has recently revised the National Floor Level Minimum Wages from Rs.80/- to Rs.100/- per day with effect from 01.11.2009. It is, however, clarified that the National Floor Level Minimum Wage, is a non-statutory measure.
- 1.71 Based on the recommendations of the Minimum Wages Advisory Board (MWAB) in its meeting held on 22.01.2008 and 26.06.2008, the Ministry of Labour & Employment has fixed the minimum rates of wages for workers employed in the scheduled employments "Employment of Sweeping and Cleaning" in the

Central sphere at Rs.120/-, Rs.150/- and Rs.180/- per day and for "Employment of Watch and Ward" (a) without arms at Rs.120/-, Rs.150/- and Rs.180/- per day and (b) with arms at Rs.140/-, Rs.170/- and Rs.200/- per day for Area 'C', 'B' and 'A' respectively effective from 07.08.2008 and 18.09.2008 and revised the minimum rates of wages for workers engaged in the scheduled employments of "Construction" and "Loading and Unloading" in the Central sphere at Rs.120/-, Rs.150/- and Rs.180/- per day for unskilled workers to Rs.200/-, Rs.220/and Rs.240/- per day for highly skilled workers in Area 'C', 'B' and 'A' respectively and for workers engaged in "Non-Coal Mines" in the Central sphere at Rs.120/- per day for unskilled Workers (Above Ground) to Rs.240/- per day for highly skilled workers (Below Ground) effective from 20th May, 2009.

The Payment of Wages Act, 1936

1.72 The Payment of Wages Act, 1936, which is a labour friendly legislation, ensures primarily timely payment of wages and that no unauthorized deductions are made from the wages of the workers. In exercise of the powers conferred by sub-section (6) of Section 1 of the Act, the Central Government, on the basis of figures of the Consumer Expenditure Survey published by National Sample Survey Organization, has enhanced the wage ceiling from Rs. 6500/- to Rs. 10,000/- per month w.e.f. 08.08.2007.

The Payment of Wages (Nomination) Rules, 2009

1.73 In pursuance of the recommendation of the Special Task Force set up by the Ministry of Women and Child Development on complete legal equality to women, the Central Government has notified the Payment of Wages

(Nomination) Rules, 2009, vide notification GSR No 822 (E) dated the 29th June, 2009 defining the procedure for nomination and restricting the nomination by workers to his family members as far as applicable in exercise of powers conferred by sub-section (5) of section 26 of the Payment of Wages Act, 1936.

REVIEW OF LABOUR LAWS

1.74 Labour figures in the Concurrent List of Subjects in the Constitution. Thus, both the Centre and the State can legislate in this area. There are 44 labour related statutes enacted by the Central Government dealing with minimum wages, accidental and social security benefits, occupational safety and health, conditions of employment, disciplinary action, formation of trade unions, industrial relations, etc. The list of Acts is annexed as **Box 1.1 at the end of this Chapter.**

1.75 Review / updation of labour laws is a continuous process in order to bring them in tune with the prevailing situation and emerging needs of the stakeholders. The status of recent amendment / updation of various labour laws is as given below: -

The Maternity Benefit Act, 1961

1.76 The Maternity Benefit Act, 1961 regulates the employment of women in factories, mines, the circus industry, plantations and shops or establishments employing 10 or more persons except the employees who are covered under the Employees State Insurance (ESI) for certain periods before and after child birth and provides for maternity and other benefits.

1.77 Maternity Benefit (Amendment) Bill, 2008 which contained proposal to enhance the medical bonus from Rs.250/- to Rs.1,000/- and to empower the Central Government to enhance

the medical bonus within every three years, by notification in the Official Gazette subject to the maximum of Rs.20,000/- received assent of the President on 1st April, 2008 after passing by both the Houses of Parliament. Thereafter, the medical bonus amount was increased to Rs.1,000/- by Gazette Notification dated 2nd April, 2008 and made effective from 15th April, 2008. Subsequently, this amount has been further increased to Rs.2,500/- by Gazette Notification dated 11th August, 2008.

Study on the effective implementation of the Maternity Benefit Act, 1961

1.78 A study is being conducted on the effective implementation of the Act through Tata Institute of Social Sciences, Mumbai, for further improvement and amendments that may be necessary.

The Payment of Gratuity Act, 1972

1.79 In pursuance to a judgment of Hon'ble Supreme Court, the Payment of Gratuity (Amendment) Bill, 2008 to amend the definition of 'employee' under section 2 (e) of the Act in order to cover the teachers in educational institutions retrospectively with effect from 3rd April, 1997, i.e. the date of notifying the educational institutions under the Act, has been passed by the Parliament. Also, Government has initiated the process of amendment to the Payment of Gratuity Act, 1972 for enhancing the ceiling on amount of gratuity from Rs.3.50 lakh to Rs.10 lakh.

Amendments in Workmen's Compensation Act, 1923

1.80 The Workmen's Compensation Act, 1923 has been amended by changing its name as "The Employees' Compensation Act, 1923" and the term "workman" or "workmen" as

"employee" and "employees" for making the Act gender neutral. For covering the workers on equity basis in hazardous industries, the restrictive clauses in Schedule II of the Act have either been amended or omitted. Central Government is given powers to revise enhancement of compensation and funeral expenses from time to time in tune with the rising cost of living. The eligibility criteria for appointment of Commissioner have been widened and the Commissioner shall dispose of the matter relating to compensation under the Act within a period of three months from the date of reference and intimate the decision in respect thereof within said period to the employee. The Workmen's Compensation (Amendment) Bill, 2009 has received the assent of the President on 22.12.2009 and the Act is being published in the Gazette of India as Act No.45 of 2009.

The Plantations Labour (Amendment) Bill, 2008

- 1.81 The Plantations Labour Act, 1951 provides for the welfare of labour and regulates the conditions of work in plantations. The Plantation Labour (Amendment) Bill, 2008 has been introduced in the Rajya Sabha on 21.10.2008.
- 1.82 The Bill seeks to amend the definition of 'employer' to fix the responsibility on the Directors, Partners, Lessee or the Officers of the Government entrusted with the management of the plantation; definition of 'family', to remove the distinction between the family of a male and the female and definition of 'workers' by enhancing wage ceiling from Rs.750/- to rs.10,000/- and to include contract workers.
- 1.83 The Bill also seeks to amend the Act to provide for safeguards to be adopted in the use and handling of use of agro-chemicals,

especially insecticides, pesticides and herbicides; to enable the Central Government to prohibit, restrict or regulate the employment of women and adolescents for handling hazardous chemicals in plantations and to prohibit employment of children below 14 years in plantations.

1.84 The Bill seeks to make penal provisions more stringent. The Bill seeks to enjoin on the new employer the responsibility to notify the change in ownership and to enjoin upon the State Government to provide Medical facilities and recover the costs from the defaulting employer.

The Industrial Disputes (Amendment) Bill, 2009

- 1.85 The Industrial Disputes Act, 1947 provides the machinery and procedure for the investigation and settlement of industrial disputes.
- 1.86 The Industrial Disputes (Amendment) Bill, 2009 was introduced in the Parliament on 26.02.2009.
- The Bill seeks to amplify the definition of term "appropriate Government"; enhancement of wage ceiling of a Supervisors from one thousand six hundred rupees per month to ten thousand rupees per month; to provide direct access for the workman to the Labour Court or Tribunal in case of disputes arising out of section 2A; to expand the scope of qualifications of Presiding Officers of Labour Courts or Tribunals under sections 7 and 7A; Establishment of Grievance Redressal Machinery for the resolution of disputes arising out of individual grievances; to empower the Labour Court or Tribunal to execute the awards, orders of settlements arrived at by Labour Court or Tribunals; and to empower Government to make

rules to decide and review the salaries and allowances and other terms and conditions for appointment of Presiding Officers.

Apart from above initiatives, proposals to bring down the threshold limit from 20 to 10 employees in respect of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 for expanding the coverage of social security in the organized sector, comprehensive amendments in Factories Act, 1948, amendment in the Employment Exchange (Compulsory Notification of Vacancies) Act, 1959 to change the nomenclature of "Employment Exchange" to "Employment Guidance and Promotion Centre" to give primacy to employment promotion, vocation guidance and counseling and to amend the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1970 to make it gender-neutral are at various stage of consideration.

WAGE BOARDS

1.89 The Government in exercise of powers conferred by sub-section (1) of the Section 13(A) and 13(D) of the Working Journalists and Other Newspaper Employees (Conditions of Service) & Miscellaneous Provisions Act, 1955 and in consultation with the Wage Boards for Working Journalists and Non Journalists Newspaper Employees, has notified for grant of interim rates of wages to journalists and other newspaper employees and news agency employees @30% of the basic wage w.e.f. 08.01.2008 vide Notifications No. SO 2524(E) and SO No. 2525(E) dated the 24th October, 2008.

Occupational Safety & Health (OSH)

1.90 The provisions on Occupational Safety & Health (OSH) of workers as provided for in the

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

- 1.91 Some of the important events/initiatives in the area of OSH are:-
- Prime Minister's Shram Awards, National Safety Awards & Vishwakarma Rashtriya Puraskar and National Safety Awards (Mines) to workers.
- ? The Prime Minister's Shram Awards are given to the workers employed in Department/Public Sector Undertakings of the Central and State Governments and the manufacturing units employing 500 or more workers in the private sector in recognition of their performance, devotion to duty etc. The Prime Minister's Shram Awards for the year 2007, to 52 workers including 7 women, were announced on the eve of Independence Day, 2009. The applications for the Prime Minister's Shram Awards for the years 2008 and 2009 are under process.
- ? The Vishwakarma Rashtriya Puraskars (VRP) are given to individual workers or group of workers for their outstanding suggestions leading to improvement in productivity, safety and health as well as the

import substitution resulting in the savings of foreign currency. The National Safety Awards (NSA) are given in recognition of good safety performance on the part of the industrial establishments covered under the Factories Act, 1948, the employers covered under the Dock Workers (Safety, Health and Welfare) Act, 1986 and Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996. Shri Mallikarjun Kharge, Hon'ble Minister for Labour & Employment gave away the NSA & VRP awards for the year 2008 in an awards presentation function organised at Vigyan Bhawan, New Delhi on 17th September, 2009.

? The National Safety Awards (Mines) are given at the national level in recognition of outstanding safety performances in mines covered under the Mines Act, 1952. The awards for the year 2007 were given away by His Excellency Shri Md. Hamid Ansari, the Hon'ble Vice President of India in a function held at National Agriculture Science Centre, ICAR, Pusa, New Delhi on 23rd October, 2009.

CENTRAL BOARD FOR WORKERS EDUCATION (CBWE)

1.92 The Central Board for Workers Education (CBWE) established in 1958, is a tripartite society which implements the Workers Education Programmes at national, regional



The Vishwakarma Rashtriya Puraskar and National Safety Awards function in progress.



Shri Ranjit S. Mooshahary, His Excellency, Governor of Meghalaya, lighting the traditional lamp to mark the inauguration of Workers Education Day celebration at Guwahati on 16th September, 2009.

and unit / village level. The Board undertakes training programmes, which cover workers from organized, unorganized, rural and informal sectors.

1.93 The main objective of the Board's training programmes is to create awareness among all sections of the working population. Supervisory and managerial cadres are also covered through Joint Education Programmes.

- 1.94 With headquarters at Nagpur, the Board has a network of 50 Regional and 9 Sub Regional Directorates spread throughout the country. The six Zonal Directorates at Delhi, Guwahati, Kolkata, Chennai, Mumbai and Bhopal monitor the activities of the Regional Directorates of their respective zones.
- 1.95 The Board has an apex level training institute Indian Institute of Workers Education, Mumbai established in 1970 to



Educational Programme organized for the employees of the Postal Department by the Regional Directorate, Central Board for Workers Education, Ahmedabad in progress.

conduct national level training programmes for the activists of Central Trade Union Organisations / Federations, Voluntary Organisations besides training programmes for Board's officials.

- 1.96 Since 1970 till September, 2009, the Board has conducted 935 programmes of varied durations at national level for 22,584 participants.
- 1.97 In the organized, unorganized and rural sector, the Board has in all conducted 3, 94,805 programmes of varied durations for 1, 13, 21,333 workers since inception till September, 2009.

1.98 Besides, the Board has been generating awareness among the informal sector workers about various welfare schemes through its Labour Welfare and Development Programmes.

LABOUR STATISTICS

1.99 The feedback of accurate, timely and detailed statistics and actionable research on various aspects of labour activities is necessary for taking effective policy decisions. The Consumer Price Index for Industrial Workers (CPI-IW)2001=100 which are compiled and disseminated by Labour Bureau are widely used to determine the dearness allowance of industrial workers and employees of Central,

State and UT governments as also to fix/revise the minimum wages of organised and unorganised sector workers.

- 1.100 The Government has set up an Index Review Committee (IRC), a non-statutory tripartite body, to review and report on various aspects relating to compilation of Price Index Number for Industrial Workers (CPI-IW) New Series (Base 2001=100) including price collection mechanism and make recommendations for further improvement. The Committee has submitted its Report.
- 1.101 Labour Bureau also constructs, maintains and publishes CPI Nos. for (i) Rural and Agricultural Labourers (Base 1986-87=100), (ii) Retail Price Indices of 31 essential commodities for both rural and urban centre, and (iii) Wage Rate Indices for 21 industries.
- 1.102 The statistics on labour, its reports and reviews are available on Labour Bureau's Website (bilingual) http://www.labourbureau.gov.in. and updated regularly.
- 1.103 Labour Bureau organizes regular training programmes for (i) Price Collectors and Price Supervisors from various States and Union Territories; (ii) senior State / Central Government officers dealing with labour statistics collected under various labour laws, and (iii) the primary units furnishing the returns.
- 1.104 Besides, it also imparts training to (a) IES / ISS probationers, (b) the foreign participants of I.S.E.C, Kolkata, sponsored by the C.S.O, and (c) Junior Certificate Course training to Statistical Officers deputed by C.S.O. (d) Senior and middle level officers of I.S.S. for training in Labour and Price Statistics.
- 1.105 The Labour Bureau conducted a sample survey to assess the impact of economic

- slowdown on employment for the period October-December, 2008 in India covering 2581 units pertaining to Mines , Textiles, Metals,, Gems and Jewellery , Automobile Transport and IT/BPO spread over 20 centers in 11 States / Union Territories . The analysis of the employment trends as submitted in the report by Labour Bureau indicated job loss of about half a million persons in the sectors covered by the survey.
- 1.106 With a view to assess the impact of economic slowdown on employment in India, Labour Bureau conducted three quarterly quick surveys in selected sectors supposed to be badly affected. The quarters studied are January- March, 2009, April-June, 2009 and July-September, 2009. Reports on these surveys have been submitted to the Ministry and are available on its website www.labourbureau. nic.in
- 1.107 As revealed by the results of different quarters studied, it may be observed that the employment declined by 4.91 lakh during the quarter October –December,2008; increased by 2.76 lakh during January-March, 2009; again declined by 1.31 lakh during April-June, 2009 probably due to seasonality; and now increased by 4.97 lakh during the quarter July-September, 2009. Thus overall estimated employment in the selected sectors has experienced a net addition of 1.51 lakh during the last one year period i.e. from October, 2008 to September, 2009.
- 1.108 In pursuance of the President's address to joint session of Parliament on 4th June, 2009 with regard to submission of five annual reports on employment among others, the Government has also entrusted to Labour Bureau for conducting annual labour force survey on employment and unemployment.

PLAN OUTLAY

1.109 The Ministry had drawn an ambitious plan for the welfare and development of Labour during the Tenth Plan and the Eleventh Plan. Special emphasis was laid for elimination of child labour, abolition and rehabilitation of the bonded labourers and skill up-gradation. The important schemes being taken up were: National Child Labour Project, Up-gradation of existing Industrial Training Institutes (ITIs) into "Centres of Excellence" and Establishment of New ITIs in North-Eastern States, Sikkim and Jammu & Kashmir. Apart from this, a few new schemes in centrally sponsored sector were launched during 11th Plan. They include Skill Development Initiative through Private Partnership Programme (PPP), Upgradation of 1396 Government ITIs through PPP, Externally Aided Project (EAP) for reforms and improvement in Vocational Training Services rendered by Central & State Governments and Health Insurance for Unorganized Sector Workers.

1.110 The Planning Commission has made an allocation of Rs.2210.02 Crore (at 2006-07 prices) for the Plan Schemes of the Ministry of Labour & Employment during the Eleventh Five Year Plan (2007-12). Against this, during 1st year of Eleventh Plan i.e,2007-08, the Ministry was allocated Rs.325.48 Crore by the Planning Commission (excluding Civil Works (CW) component of Rs.19.52 Crore which was transferred to Ministry of Urban Development). This was later increased to Rs.1250.00 Crore at

RE stage. The actual expenditure, however, was Rs.1280.22 Crore which was met through supplementary provisions. Similarly, an allocation of Rs.771.50 Crore (excluding CW of Rs.28.50 Crore which was transferred to Ministry of Urban Development), was made during 2nd year of Eleventh Plan i.e., 2008-09. This was increased to Rs. 1426.00 Crore at RE stage. Against this, the expenditure was Rs.1388.39 crore. A plan provision of Rs.1630.76 Crore (excluding CW component of Rs.19.25 Crore which was transferred to Ministry of Urban Development) has been made during 2009-10 for the plan schemes of the Ministry of Labour and Employment.

INTERNATIONAL COOPERATION

1.111 A high level tripartite delegation from India led by Hon'ble Labour & Employment Minister participated in the 98th Session of International Conference of International Labour Organization. India also participated number of very high level international meetings at the highest level. Some of the prominent meetings attended by India at the highest level include G8 Meeting of Ministers of Labour and Social Policy, Tripartite Meetings of Experts on Strategies for the Extension of Social Security Coverage and Meeting of Employment, Labour ,and Social Affairs Committee . The Ministry also had very fruitful exchange of views on labour related issues with various delegations from other friendly countries like Afghanistan, USA Netherlands and Nigeria during the year.



Meeting with Prince Adetokunbo Kayode, Federal Minister of Labour and Productivity, Nigeria in progress.

V.V.GIRI NATIONAL LABOUR INSTITUTE (VVGNLI)

1.112 V.V. Giri National Labour Institute (VVGNLI), an autonomous body of the Ministry of Labour and Employment, Government of India, set up in July 1974, is a premier Institute of Research, Training and Education in the area of Labour. The main functions of the Institute are:

- to undertake and assist in organising training and educational programmes, seminars and workshops;
- ✓ to undertake, aid, promote and coordinate

research on its own and in collaboration with other agencies, both national and international;

- ✓ to establish wings for:
 - ✓ Education, training and orientation;
 - ✓ Research, including action research;
 - ✓ Consultancy; and
 - ✓ Publication and other such activities as may be necessary for achieving the objectives of the society.



An interactive session in progress in the presence of Dr. Mohini Giri.

NATIONAL ACADEMY FOR RESEARCH AND TRAINING IN SOCIAL SECURITY (NATRSS)

1.113 NATRSS is administered by the EPFO. This institute primarily conducts various research studies and training programmes on labour welfare, labour standards, social security, personnel management and industrial relations. The trainers and faculty members include professionals from private organisations, officers from EPFO and units of the Ministry of Labour and Employment as also representatives of labour institutions and Governments of various countries in Africa, Asia and the Far East.

EMPLOYMENT AND TRAINING

Activities of Directorate General of Employment & Training

1.114 Vocational training and Employment being concurrent subject, both Central and State Governments share the responsibility. Laying down of policies, procedures, standard, norms, affiliation, guidelines, conducting of trade test and certification are the responsibility of the Central Government whereas the implementation of vocational training and administration of Employment Exchanges rests with the respective State Governments/Union Territories. Most of the States have Directorates

of Training and Employment located in the State capitals. In addition to these activities, DGE&T also runs training institutions to meet the training needs of specific target groups.

Centrally sponsored scheme for upgradation of 500 existing ITIs into "Centres of Excellence"

1.115 Government embarked on the strategic objective of modernizing the ITIs and improving the quality of training in Government run ITIs, with involvement of stakeholders. Action has been initiated for upgradation of 100 ITIs with domestic resources and 400 ITIs through World Bank assistance so as to create "Centres of Excellence (COE)" for producing multi-skilled workforce of world standard. The highlights of the scheme are introduction of multiskilling courses during the first year, followed by advanced and specialized modular courses in the second year by adopting industry wise cluster approach, multi entry and multi exit provisions and Public Private Partnership (PPP) in the form of Institute Management Committee (IMC) to ensure greater and more active involvement of industry in all aspects of training.

1.116 In his budget speech 2007-08, Hon'ble Finance Minister announced that the remaining 1396 ITIs would be upgraded into Centres of Excellence in specific trades and skills under public private partnership. Under the proposed scheme, the State Government as the owner of the ITI, continues to regulate admissions and fees except in case of 20% which is determined by Institute Management Committees. The new management is given academic and financial autonomy and the Central Government provides an interest free loan of upto Rs.2.5 crore per ITI. It is proposed to upgrade 300 ITIs every year, beginning 2007-08, under the Public Private

Partnership (PPP) mode. Upto 30.11.2009, 721 ITIs had been covered under the scheme and Rs. 1802.5 crore had been released.

Skill Development Initiative

1.117 A new Scheme titled "Skill Development Initiative" was launched in the year 2007 – 08. It is a five year scheme during which one million persons would be trained or their existing skills tested and certified. Ministry of Labour & Employment has developed demand driven short-term training courses based on Modular Employable Skills (MES) framework for skill development of the school leavers and dropouts and existing workers especially in the informal sector in close consultation with industry, micro enterprises in the informal sector, State Governments, experts and academia. This is essential considering their educational, social and economic background. The scheme offers certain courses with multi-entry and multiexit options, flexible delivery schedule and lifelong learning.

Establishment of New ITIs in North-Eastern States and Sikkim and Strengthening and Modernization of ITIs in the State of Jammu & Kashmir

1.118 DGE&T is currently implementing Centrally Sponsored Scheme (CSS) "Establishment of new Industrial Training Institutes (ITIs) in the North-Eastern states and Sikkim & Strengthening and Modernization of ITIs in the State of Jammu & Kashmir ". The main objective of the scheme is to meet both qualitative and quantitative skilled and semi-skilled manpower requirement for industry, service sector, self employment etc. by way of creating and developing infrastructure for



Capacity Building Programme for ITI Principals at IDEMI, Mumbai.

training of youth in identified skill areas. The scheme envisages establishment of 25 New ITIs and strengthening/ modernization of 35 existing ITIs in North-Eastern Region. On completion of implementation, the seating capacity in ITIs would increase from the existing 7244 to 16144. The scheme also provides Technical Assistance for training of faculty/ sponsored candidates from NE Region. In addition, the scheme also includes strengthening/ modernization of 37 existing ITIs and setting up of one new Women ITI at Jammu under the Jammu & Kashmir component of the scheme. The seating capacity in ITIs would increase from the existing 4364 to 6200 in J&K.

Coaching – cum - Guidance Centres for SC/ST

1.119 Twenty three Coaching-cum-Guidance

Centres (CGCs) for SC/STs have been set up in 23 States. Vocational Guidance and training in Confidence Building is provided to SC/ST job seekers through these Centres. Besides, the facilities for practising typing and shorthand are provided to SC/ST job seekers in 13 Coachingcum-Guidance Centres. These Centres have also been arranging Pre-Recruitment Training Programmes for SC/ST candidates to improve their employability through competitive examinations conducted by Staff Selection Commission and other Recruitment Boards for Group 'C' and equivalent posts. During 2009-2010 (From 01.04.2009 to 30.09.2009), 4757 candidates could make use of facilities provided at CGCs to practice typing and shorthand and 2421 candidates participated in the Pre-Recruitment Training Programmes organized by these CGCs.

Right to Information Act, 2005

- 1.120 In order to achieve the objectives of Good Governance, it is necessary that the administration should be transparent, responsive, citizen-friendly and able to disseminate all the information among the public. Right to Information is a powerful tool to ensure all these qualities in the administration and, therefore, the Government enacted the Right to Information (RTI) Act, 2005, which has come into effect from 12th October 2005.
- 1.121 In pursuance of the provisions contained in the Right to Information Act 2005, action has been taken for the implementation of the Act in various Public authorities under the aegis of Ministry of Labour & Employment. It includes dissemination of information in public domain relating to the particulars of organisation, function and duties, the designation of CPIO and Appellate Authority etc. The Ministry has also initiated suo-motu disclosure of various Labour Acts / Laws / Regulations, which were required to be made public for the use of citizens of this country, on the Ministry's website i.e. www.labour.nic.in. It is also to be mentioned that Attached & Subordinate offices and Autonomous organisations have their own websites which are linked with the Ministry's website.
- 1.122 The Ministry has also set up a Central RTI Cell, headed by CPIO; where the RTI applications from the citizens are received. Based on available records, the total number of applications, under the RTI Act, 2005 received in Main Secretariat, Ministry of Labour & Employment is as follows:

Year	Applications Received
2005-06	37
2006-07	399
2007-08	606
2008-09	733
2009-10	607(as on 31.12.2009)

- 1.123 The number of first appeals, received in the Main Secretariat, Ministry of Labour & Employment is 62 during the period from April-December, 2009, while the same for the year 2008-09 was 63.
- 1.124 67 applicants out of the above have gone to Central Information Commission (CIC) in the form of second appeal, in which CIC has upheld the decision of Appellate Authority in almost all cases.

New Initiatives

Formulation of Important Policies

- ✓ National Policy on Safety, Health and Environment at Workplace (NPSHEW) seeking to provide general guidelines for all stakeholders such as Governments, inspection authorities, employers, research and development institutions, educational institutions for developing a safety culture and ensuring safety, health and congenial environment at all workplaces has been announced on 20th February, 2009.
- ✓ The National Policy on Skill Development has been announced on 23rd February, 2009.
- ✓ The National Policy on HIV / AIDS and the World of Work has been announced on 30th October, 2009.
- ✓ The National Policy on Employment is under finalization.



Lighting of lamp by Shri Mallikarjun Kharge, Hon'ble Minister of Labour & Employment on the occasion of 90th Anniversary of ILO held on 4th February, 2010.

	Box 1.1
	LIST OF CENTRAL ACTS
SI. No.	Name of the Act
01.	The Employees' State Insurance Act, 1948
02.	The Employees' Provident Fund and Miscellaneous Provisions Act, 1952
03.	The Dock Workers (Safety, Health and Welfare) Act, 1986
04.	The Mines Act, 1952
05.	The Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare (Cess) Act, 1976
06.	The Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labor Welfare Fund Act, 1976
07.	The Mica Mines Labour Welfare Fund Act, 1946
08.	The Beedi Workers Welfare Cess Act, 1976
09.	The Limestone and Dolomite Mines Labour Welfare Fund Act, 1972
10.	The Cine Workers Welfare (Cess) Act, 1981
11.	The Beedi Workers Welfare Fund Act, 1976
12.	The Cine Workers Welfare Fund Act, 1981
13.	The Child Labour (Prohibition and Regulation) Act, 1986.
14.	The Building and Other Constructions Workers' (Regulation of Employment and Conditions of Service) Act, 1996.
15.	The Contract Labour (Regulation and Abolition) Act, 1970.
16.	The Equal Remuneration Act, 1976.
17.	The Industrial Disputes Act, 1947.
18.	The Industrial Employment (Standing Orders) Act, 1946.
19.	The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.
20.	The Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988
21.	The Maternity Benefit Act, 1961
22.	The Minimum Wages Act, 1948
23.	The Payment of Bonus Act, 1965
24.	The Payment of Gratuity Act, 1972
25.	The Payment of Wages Act, 1936

26.	The Cine Workers and Cinema Theatre Workers (Regulation of Employment) Act, 1981
27.	The Building and Other Construction Workers Cess Act, 1996
28.	The Apprentices Act, 1961
29.	The Factories Act, 1948
30	The Motor Transport Act, 1961
31.	The Personal Injuries (Compensation Insurance) Act, 1963
32.	The Personal Injuries (Emergency Provisions) Act, 1962
33.	The Plantation Labour Act, 1951
34.	The Sales Promotion Employees (Conditions of Service) Act, 1976
35.	The Trade Unions Act, 1926
36.	The Weekly Holidays Act, 1942
37.	The Working Journalists and Other Newspapers Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955
38.	The Children's (Pledging of Labour) Act, 1938
39.	The Workmen's Compensation Act, 1923
40.	The Employment Exchange (Compulsory Notification of Vacancies) Act, 1959
41.	The Bonded Labour System (Abolition) Act, 1976
42.	The Beedi and Cigar Workers (Conditions of Employment) Act, 1966
43.	The Employees' Liability Act, 1938
44.	The Unorganized Workers' Social Security Act, 2008

2

ORGANISATIONAL STRUCTURE & FUNCTIONS

LABOUR JURISDICTION

2.1 Under the Constitution of India, Labour is a subject in the Concurrent List where both the Central and the State Governments are competent to enact legislations subject to certain matters being reserved for the Centre. (Box 2.1)

Box 2.1

LABOUR JURISDICTION:CONSTITUTIONAL STATUS

Union List	Concurrent List
Entry No.55 - Regulation of labour and safety in mines and oil fields.	Entry No.22 - Trade Unions; industrial and labour disputes.
Entry No.61 - Industrial disputes concerning Union employees.	Entry No.23 Social security and social insurance; employment and unemployment.
Entry No.65- Union agencies and institutions for "vocational training"	Entry No.24 Welfare of labour including conditions of work, provident funds, employers' liability, workmen's compensation, invalidity and old age pensions and maternity benefit

PERSONNEL

Shri Mallikarjun Kharge is holding the charge of the Office of Minister of Labour & Employment. Shri Harish Rawat is holding the charge of Minister of State in the office of the Ministry of Labour & Employment. Smt. Sudha Pillai, IAS (KL:72) has relinquished the charge of the post of Secretary (L&E) on 06.08.2009(A.N) consequent upon her appointment as Secretary, Planning Commission. Shri Prabhat. C. Chaturvedi, IAS (UP:75) took over the charge of the post of Secretary (Labour & Employment) on 06.08.2009 (A.N). Shri S.Krishnan, IAS (UP:75) on his promotion as Secretary relinquished charge of the post of Special Secretary (Labour & Employment) w.e.f 21.10.2009 (A.N). Dr. Ashok Sahu (IES:75) continued to hold the charge of the post of Labour & Employment Adviser in the rank and scale of Additional Secretary . Shri S.K. Srivastava, IAS (AM:78) has been promoted to the post of Additional Secretary (L&E) w.e.f 17.05.2009. He has taken over additional the Directorate General of the charge as Employees' State Insurance Corporation w.e.f 06.08.2009 (A.N) . Shri S.K.Dev Verman (IAS:MT 88) continued to hold the charge of the post of Joint Secretary in the Ministry of Labour and Employment. Shri Anil Swarup , IAS (UP:81) continued to hold the post of Director General, Labour Welfare. Shri Sharda Prasad. IAS (UP: 81) continued to hold the post of Director General, Employment & Training. Dr. Harcharan Singh (ISS:80) continued to hold the

post of Deputy Director General (in the rank of Joint Secretary). Shri K.M.Gupta (IES:1982) assumed charge of the post of Economic Adviser in the rank of Joint Secretary w.e.f. 01.01.2009. Shri Suraj Bhan (IES: 83) has been promoted to the post of Economic Adviser in the rank of Joint Secretary w.e.f 05.06.2009. Shri S.R.Joshi (ISS:85) took over the charge of the post of Dy. Director General (in the rank of Joint Secretary) on12.12.2009 (Forenoon). Shri S.K. Mukhopadhyay, Central Labour Service continued to hold charge of the post of Chief Labour Commissioner (Central).

STRUCTURE AND FORMATION

2.3 The Ministry has the following four attached offices and ten subordinate offices, four autonomous organizations, twenty-two adjudicating bodies and one arbitration body.

ATTACHED OFFICES

Directorate General of Employment & Training (DGE&T)

2.4 This Office is responsible for laying down the policies, standards, norms and guidelines in the area of vocational training throughout the country and also for coordinating employment services.

Office of Chief Labour Commissioner (Central) [CLC(C)]

2.5 This Office is responsible for (a) prevention, investigation and settlement of industrial disputes in the central sphere; (b) enforcement of awards and settlements; (c) implementation of labour laws in industries and establishments in respect of which Central Government is the appropriate government; (d) verification of membership of unions affiliated to the Central Organisations of workers for giving them representation in national and international

conferences and committees; and (e) fixation and revision of dearness allowance component of minimum wages under the Minimum Wages Act, 1948 in the scheduled employments.

Directorate General of Factory Advice Service and Labour Institutes (DGFASLI)

2.6 This Directorate is concerned with formulation of policy relating to the safety, health and welfare of workers in factories and docks. It is responsible for coordinating the implementation of the measures of the Factories Act, 1948 by the State Governments and formulation of Model Rules thereunder. It is also concerned with the administration of the Dock Workers (Safety, Health and Welfare) Act, 1986. It undertakes research in industrial safety, occupational health, industrial hygiene, industrial psychology and industrial physiology. It provides training mainly in the field of industrial psychology and industrial safety & health including a diploma course of one year duration in industrial safety. The Diploma is an essential qualification for appointment of Safety Officers in factories. Regular in-service training of Factory Inspectors is another important activity of the Organisation.

Labour Bureau

2.7 The Bureau with its headquarters at Chandigarh and Shimla, is responsible for collection, compilation and publication of statistical and other information regarding employment, wages, earnings, industrial relations, working conditions etc. It also compiles and publishes the Consumer Price Index Numbers for industrial and agricultural / rural workers. The Bureau further renders necessary assistance to the States for conducting training programmes in labour statistics at State / District / Unit levels.

SUBORDINATE OFFICES

Directorate General of Mines Safety (DGMS)

2.8 This Office is entrusted with enforcement of provisions of the Mines Act, 1952 and the Rules and Regulations framed thereunder. The provisions of the Indian Electricity Act, 1910 as applicable to mines and oil fields are also enforced by it.

Welfare Commissioners

2.9 The nine Offices of Welfare Commissioners are responsible for providing welfare facilities to the workers employed in mica, limestone and dolomite, iron ore, manganese and chrome ore mines and in the beedi and cinema industries. These offices are located at Allahabad, Bangalore, Bhilwara, Bhubaneshwar, Kolkata, Hyderabad, Jabalpur, Karma (Jharkhand) and Nagpur.

AUTONOMOUS ORGANISATIONS

Employees' State Insurance Corporation (ESIC)

2.10 The Corporation is responsible for implementation of the Employees' State Insurance Act 1948, which provides for medical care and treatment to insured persons and their families. Assistance is given in terms of benefits during sickness and maternity, compensation for employment injury, pensions for dependents on the death of workers due to employment injury, etc.

Employees' Provident Fund Organisation (EPFO)

2.11 This Organisation is responsible for administration of the Employees Provident Funds and Miscellaneous Provisions Act, 1952. The Schemes for Provident Fund, Family Pension and Deposit Linked Insurance are

implemented by the Organisation for the benefit of workers covered under the scheme. The Organisation is also responsible for administration of Employees' Pension Scheme, 1995 that came into existence on 16.11.1995.

V.V. Giri National Labour Institute (VVGNLI)

2.12 The Institute, with its headquarters at Noida (U.P.), is a registered society, which conducts action oriented research and provides training to grass-root level workers in the trade union movement, both in urban and rural areas and also to Officers dealing with industrial relations, personnel management, labour welfare etc.

Central Board for Workers' Education (CBWE)

2.13 The Board with its headquarters at Nagpur is a registered society dealing with schemes for training of workers in the techniques of trade unionism and in bringing about consciousness among workers about their rights, duties and responsibilities. The Board also undertakes programme for rural workers' education and functional adult education.

ADJUDICATING BODIES

Central Government Industrial Tribunalscum-Labour Courts (CGITs)

2.14 In all, 22 (twenty two) Industrial Tribunal-cum-Labour Courts have been set up under the provisions of the Industrial Disputes Act, 1947 for adjudication of the industrial disputes in organisations for which the Central Government is the appropriate Government. These Tribunals are located at Dhanbad (Jharkhand), Mumbai, New Delhi and Chandigarh (two courts each) and one each at Kolkata, Jabalpur, Kanpur, Nagpur, Lucknow, Bangalore, Jaipur,

Chennai, Hyderabad, Bhubaneswar, Ahmedabad, Ernakulam, Asansol and Guwahati.

ARBITRATION BODY

Board of Arbitration (Joint Consultative Machinery)

2.15 The Board, with its headquarters at New Delhi, set up under the Scheme for Joint Consultative Machinery and Compulsory Arbitration is an institution for compulsory arbitration of disputes between employees and the Government and on matters of pay and allowances, weekly hours of work and leave of a class or grade of employees.

Main Subjects dealt in the Ministry of Labour and Employment

- 2.16 In pursuance of the powers derived from the respective entries in the Union List and the Concurrent List of Seventh Schedule of the Constitution, the Ministry of Labour and Employment has been allocated the following items of work: -
- 2.17 Labour policy (including wage policy) and legislation, Safety, health and welfare of labour, Social security of labour, Policy relating to special target group such as women, 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 and Employment Statistics, Employment Services and Vocational training, Administration of Central Labour & Employment Services, International Cooperation in Labour & Employment matters.

Central Labour Service (CLS)

- 2.18 The Central Labour Service (CLS) was constituted with effect from 3rd February 1987 to ensure better industrial relations, labour law enforcement and labour welfare. Consequent upon the Cadre Review, the Central Labour Service (CLS) was notified as an organized service in 2004.
- 2.19. The factories and mines employing 500 or more workers and plantations employing 300 or more workers are required to appoint a prescribed number of welfare officers under the relevant statutes. Assistant Labour Welfare Commissioners (Central) and Deputy Labour Welfare Commissioners (Central) under the supervision of Welfare Commissioners discharge these statutory functions and they also advise and assist the management of the concerned establishments in maintaining harmonious industrial relations in the areas of safety, health and welfare of workers etc. Moreover, by assisting in resolution of workers grievances, these officers prevent them from escalating into industrial disputes.
- In addition, officers appointed as Assistant Labour Commissioners (Central), Regional Labour Commissioners (Central), Deputy Chief Labour Commissioner (Central) in the Central Industrial Relations Machinery headed by the Chief Labour Commissioner (Central) are also entrusted with the task of maintaining good industrial relations in the Central sphere. The officers of the CLS appointed as Assistant Welfare Commissioners and Welfare Commissioners in the Welfare Organisation of the Ministry of Labour and Employment under the Director General (Labour Welfare) administer the Welfare Funds for beedi, cine and certain categories of non-coal mine workers.

WORK STUDY

2.21 With a view to bringing about administrative reforms, determining the staffing patterns and designing suitable organisational structure and methods of work, the Internal Work Study Unit has been entrusted with Work Measurement Studies, Method Studies, Records Management Studies and Organisations & Methods (O&M) Inspections of various Sections and field offices under the administrative control of the Ministry of Labour & Employment. With regard to O&M matters, the unit is guided by the Department of Administrative Reforms and Public Grievances and in respect of work relating to Work Measurement Studies, it is guided by the Staff Inspection Unit of the Department of Expenditure, Ministry of Finance. At the beginning of the financial year, an Annual Action Plan of programmes of O&M activities and studies is prepared in consultation with the various Offices/Sections/Units including the attached and subordinate offices. The Internal Work Study Unit functions under the Financial Adviser (L&E) and works through the Controller of Accounts, Senior Analyst and Junior Analysts.

During the year 2008-2009, the Internal 2.22 Work Study Unit conducted O&M inspections of twelve field establishments. In the current financial year 2009-10, O&M inspections of three field units have been conducted. The shortcomings noticed during the inspections, in the areas of administrative matters (vacancy positions/promotional aspects etc.), monitoring of court cases/ audit paras, implementation of provisions of Manual of Office Procedure, Records Management and other day to day functioning, were brought to the notice of the respective Wing heads for taking remedial actions so as to improve the functioning, efficiency and output of these offices.

O & M MEETING

2.23 With a view to reviewing and reducing the pendency in the Ministry, O & M meeting was convened on 20.04.2009 under the chairpersonship of Secretary (L&E). The meeting was attended by all the Bureau Heads including representatives from the Employees' Provident Fund Organization (EPFO) and the Employees' State Insurance Corporation (ESIC).

2.24 In the above O&M meeting, pendency position of PMO/Cabinet references, Public Grievance Cases, Parliamentary Assurances, Other Parliamentary Matters, Vacancy Positions, MP/VIP references, Court Cases, Audit Paras, Records Management etc. was discussed and suitable directions were issued by the Chairperson to all the concerned to expedite disposal of such cases.

Records Management

2.25 With a view to facilitating easy access to public records as envisaged in the Right to Information Act, 2005, due emphasis is being given to the importance of proper management of records in the Ministry in accordance with provisions of the Central Secretariat – Manual of Office Procedure, Public Records Act, 1993 and Public Records Rules, 1997. Also, Records Management aspect has been one of the agenda items in the O&M meetings taken by Secretary (L&E) wherein the necessity of proper management of records, including launching of Special Drives is inter-alia emphasized.

CAREER MANAGEMENT AND TRAINING (CMT)

2.27 The substantial function of Career Management and Training (CMT) Unit is to organize training programmes on a

decentralized basis for LDCs, UDCs and Stenographers etc. and to nominate Officers and members of staff of the Ministry and its attached & subordinate offices and other autonomous organizations under its administrative control, to the Institute of Secretariat Training and Management as well as other such Training Institutes for different training programmes. Also this unit makes arrangements for the need based training programmes for officers and staff members of the Ministry, viz. computer applications for the officers/officials through corporate trainers; and behavioural skills and service matters for Group 'D' staff through corporate and in-house trainers.

- 2.28 During the period from April 2009 to October, 2009, 34 Officers and members of staff have been sponsored for various training programmes.
- 2.29 A Training Curriculum suited to the requirements of Group 'D' employees who do not possess the minimum prescribed qualifications was prepared. All Staff Members of Group D Employees of this Ministry have been imparted for training to improve their working skills and performance conducted by V.V.Giri National labour Institute, Noida as per recommendations of the Sixth Central Pay Commission for fixation of pay . After successfully completion of the training they got revised pay i.e. PB-I as per recommendations of the Commission.

CONSULTATIVE COMMITTEE MEETINGS

2.29 First Meeting of the Consultative Committee attached to this Ministry was held under the Chairmanship of Shri Oscar Fernandes, the then Hon'ble Minister of State (Independent Charge) of the Ministry of Labour & Employment on 18.02.2009 in Parliament

House Annexe, New Delhi. During this Meeting the matter relating to the functioning of Labour Bureau was discussed:

2.30 Second meeting of the Consultative Committee under the Chairmanship of Shri Mallikarjun Kharge, Hon'ble Labour & Employment Minister has been held on 11.11.2009 in Parliament House Annexe, New Delhi to discuss the agenda on 'Promoting Skill Development'.

FINANCE WING

- 2.31 Finance Wing is mainly responsible and to give advice on all financial and allied proposals, preparation of budget and revised estimates related to services concerning the Ministry of Labour and Employment (Main Secretariat) proper and the attached and subordinate offices, Performance Budget, expenditure control and financial review, work measurement studies, internal audit etc
- 2.32 The Controller of Accounts, who is responsible for cash management, heads the accounting set-up. The important tasks and activities of the Integrated Finance Division are:-

to advise the Administrative Ministry on all matters falling within the field of delegated powers;

to screen all expenditure proposals required to be referred to the Finance Ministry for concurrence or comments;

to ensure that the schedule for preparation of budget is adhered to by the Ministry and that the budget is drawn up according to the instructions issued by the Ministry of Finance from time to time;

to scrutinize budget proposals thoroughly

before sending them to the Ministry of Finance:

to see that complete departmental accounts are maintained in accordance with the requirements under the General Financial Rules;

to keep itself closely associated with the formulation of Schemes and important expenditure proposals from their initial stages;

to associate itself with the evaluation of progress / performance in the case of projects and other continuing schemes and to see that the results of such evaluation studies are taken into account in the budget formulation:

to watch the settlement of audit objections, Inspection Reports, draft audit paras etc.;

to ensure prompt action on Audit Reports and Appropriation Accounts, Reports, Reports of the Public Accounts Committee, Estimates Committee and Committee on Public Undertakings;

During the year 2009-10, all budget and 2.33 accounts matters were attended to within the time schedule prescribed. By careful scrutiny of proposals, it was ensured that the expenditure conformed to budgetary appropriations, the rules and regulations prescribed by the Finance Ministry and that it was consistent with economy, efficiency and the objectives of the relevant schemes/programmes in connection with which it was being incurred. The guidelines with regard to fiscal prudence and austerity in Expenditure Management as prescribed by the Ministry of Finance, Department of Expenditure were also sought to be enforced and guidelines relating to effective cash management were also followed.

PROGRESSIVE USE OF HINDI

- 2.34. The Ministry of Labour and Employment has made several efforts to promote the use of Hindi in official work and create interest in officers/employees to work in Hindi during the year 2009-10. Steps were taken to ensure compliance of the provisions of the Official Language Act/Rules and orders / instructions / guidelines issued by the Department of Official Language from time to time. Hindi Division of the Ministry of Labour and Employment is entrusted with the task of implementation of the Official Language Policy of the Government of India and translation of important documents such as papers to be placed before the Parliament, Labour Laws, Hon'ble Labour & Employment Minister's Speech, Press release etc. and the routine work of the Ministry.
- 2.35 Hindi month fortnight was observed during 1-15 September, 2009 to promote the use of Hindi in the Ministry. On this occasion, nine Hindi related competitions were conducted to promote use of Hindi among the officials. A large number Officials of the Ministry participated in these competitions.
- 2.36 The Hindi work is done on computer by the Hindi Division. One stenographer and three typists of the Hindi Section are working on the Computer. Efforts are being made to prepare bilingual and update the Website of the Ministry. Officers attached with the Rajbhasha Wing also conduct inspections regarding the Hindi work from time to time.
- 2.37 All documents under section 3(3) of the Official Language Act, 1963 were issued both in Hindi and English. The Ministry of Labour and

Employment is making all efforts to ensure effective implementation of Government's Official Language Policy and is committed to fulfill this objective.

2.38 Meeting of Hindi Advisory Committee of Ministry of Labour and Employment was conducted on 21.01.2009 at Bangalore in which Hon'ble Members expressed their satisfaction regarding implementation of Official Language.

ACTION TAKEN ON AUDIT PARAS OF C&AG'S REPORT

2.39 Action Taken Notes (ATN) on 7 out of 8 Audit Paras in Comptroller & Auditor General (C&AG)'s Report for the year 2005-06 have been furnished to the Monitoring Cell of Ministry of Finance and the same in respect of Para 1 is being revised. While there was no para in the name of Ministry of Labour & Employment for the year 2006-07, the C&AG's Report for the year 2007-08 is yet to be presented to the Parliament.

ACTION TAKEN ON CITIZEN'S CHARTER

- 2.40 The Citizen's Charter of the Ministry of Labour & Employment has been reviewed. Based on the inputs received from organizations, the Ministry has updated its Citizen's Charter on 1st July, 2009. The charter has been put on the website for easy access by public.
- 2.41 The Citizen's Charter contains the information with respect to services / activities, subjects, vision, goals, clients and Ministry's Commitments to the clients. Separately, information with reference to attached / subordinated offices / autonomous bodies of the Ministry has been incorporated along with address of their websites'.
- 2.42. The Ministry makes continuous efforts to achieve its goals and fulfill commitments to the clients. A Computerized Information facilitation Centre in the Ministry has been set up which is rendering all necessary assistance to the Public by making available information on various activities and schemes of the Ministry and its organizations.

3

INDUSTRIAL RELATIONS CENTRAL INDUSTRIAL RELATIONS MACHINERY (CIRM)

BRIEF REPORT ON ACTIVITIES OF CLC's (C) ORGANISATION

3.1 The Chief Labour Commissioner's (Central) [CLC(C)] Organisation, also known as Central Industrial Relations Machinery (CIRM), is an attached office of the Ministry of Labour and Employment. The CIRM is headed by the Chief Labour Commissioner (Central). It has been entrusted with the task of maintaining Industrial

Relations, enforcement of Labour Laws and verification of Trade Union Membership in central sphere. CIRM has a complement of 18 officers at the Head Quarters and 250 Officers in the field. The offices of CIRM are spread over different parts of the country with zonal, regional and unit level formations.

FUNCTIONS OF THE ORGANISATION:

The functions of CIRM are given as under:



All India Conference of Deputy Chief Labour Commissioners (Central) / Regional Labour Commissioners (Central) (Regional Head) held on 19-20 February, 2010 in progress.

FUNCTIONS OF CIRM

- Prevention and settlement of Industrial Disputes, in the Central Sphere;
- Enforcement of Labour Laws and Rules made thereunder in the Central Sphere;
- Implementation of awards.
- Quasi-Judicial functions.
- Verification of the membership of the Trade Unions.
- Welfare.
- Other Miscellaneous functions.

PREVENTION AND SETTLEMENT OF INDUSTRIAL DISPUTES

3.2 The CIRM ensures harmonious industrial relations in the Central Sphere establishments through: -

Monitoring of industrial relations in the Central Sphere.

Intervention, mediation and conciliation in industrial disputes in order to bring about settlement of disputes.

Intervention in situations of threatened strikes and lockouts with a view to avert the strikes and lockouts.

Implementation of settlements and awards.

Enforcement of other provisions in the Industrial Disputes Act, 1947 relating to: (1) Works Committee, (2) Recovery of Dues, (3) Lay off, (4) Retrenchment, (5) Unfair Labour Practices, etc.

3.4 During the year 2008-09 the CIRM intervened in 379 threatened strikes and its conciliatory efforts succeeded in averting 362 strikes, which represent a success rate of 95.5%. The Industrial Disputes handled by the machinery during the year 2008-2009 are given as under: -

	Details of the Industrial Disputes handled by CIRM						
No. of Disputes received by CIRM*	No. of Disputes which were considered unfit for intervention by CIRM	No. of Disputes which were settled without holding formal Conciliation Proceedings (CP)	No. of Disputes in which formal CP were held	No. of Disputes in which CP led to the settlement of Disputes	No. of Disputes in which CP ended in failure	No. of Disputes Pending with the CIRM on the close of the year	
8586	-	1661	3175	1377	1798	3750	

^{*} including brought forward from the previous year

ENFORCEMENT OF LABOUR LAWS:

- 3.5 Another important function of CIRM is the enforcement of Labour Laws in the establishments for which the Central Government is the Appropriate Government. The machinery enforces following Labour Laws and Rules framed there under: -
- (i) The Payment of Wages Act, 1936 & Rules made there under for Mines, Railways, Air Transport Services & Docks, Wharves and Jetties.
- (ii) The Minimum Wages Act, 1948 and Rules.
- (iii) The Contract Labour (Regulation & Abolition) Act, 1970 and Rules.
- (iv) The Equal Remuneration Act, 1976 & Rules.
- (v) The Inter-State Migrant Workmen (RE&CS) Act, 1979 and Rules.
- (vi) The Child Labour (Prohibition & Regulation) Act, 1986 and Rules.
- (vii) The Payment of Gratuity Act, 1972 and Rules.
- (viii) The Labour Laws (Exemption from Furnishing returns and Maintaining Registers by certain Establishments) Act, 1988.
- (ix) The Building and Other Constructions

- workers (Regulation of Employment & Conditions of Service) Act, 1996 and Rules.
- (x) Chapter VI-A of Indian Railway Act; Hours of Employment Regulations for Railways Employees.
- (xi) The Industrial Employment (Standing Orders) Act, 1946 & Rules.
- (xii) The Maternity Benefit Act, 1961 (Mines and Circus Rules, 1963) & Rules.
- (xiii) The Payment of Bonus Act, 1965.
- 3.6 There are approximately 1.5 lakh establishments in the Central Sphere. Inspecting Officers of CIRM inspect these establishments under different Labour enactments through routine inspections, special drives for inspections under the crash inspection programmes and taskforce inspections to secure benefits of the beneficial legislations to workers. Special emphasis is given to enforcement of beneficial enactments such as the Contract Labour (Regulation & Abolition) Act, 1970, the Minimum Wages Act, 1948 and the Building and Other Construction Workers (Regulation of Employment & Conditions of Service) Act, 1996 in the unorganised sector. Prosecutions are launched against persistent defaulters and in respect of major violations. Details for the year 2008-09 are given as under:-

STATEMENT SHOWING NUMBER OF INSPECTIONS ETC. UNDER VARIOUS LABOUR LAWS FOR THE YEAR 2008-09					
Number of Inspections	Number of I	rregularities	Number of Prosecutions	Number of Convictions	
	Detected*	Rectified	launched		
43376*	734175	399138	13244	7571	

^{*}including brought forward from the previous year

IMPLEMENTATION OF AWARDS:

3.7 The officers of the CIRM implement Awards issued by the Central Government Industrial Tribunal-cum-Labour Courts (CGITs). During the year 2008-2009, 2111 awards were received (including BF). Out of these 306 were implemented, implementation of 774 Awards was in progress, implementation of 782 Awards was stayed by High Courts & implementation of 442 Awards was pending due to other reasons. Difficulties in implementing the awards are experienced as employers obtain stay orders from High Courts on implementation. Besides, sanction for prosecution of employers by the employing Ministries as required under section 197 of Cr. PC is seldom granted.

QUASI-JUDICIAL WORK:

3.8 CIRM officers from the level of Assistant Labour Commissioner (Central) {ALC(C)}up to the level of Chief Labour Commissioner (Central){CLC(C)}also perform certain Quasi Judicial Functions as shown below:

CLC(C) -Director General (Inspection) under the Building and Other Construction Workers (Regulation of Employment & Conditions of

Service) Act, 1996, Appellate Authority under Industrial Employment (Standing Orders) Act, 1946

Dy. CLC(C)-Appellate Authority under the Industrial Employment (Standing Orders) Act, 1946. Authority under Rule 25(2)(v)(a) and (b) of the Contract Labour (Regulation and Abolition), Rules 1971

RLC (C)-Authority under the Minimum Wages Act, 1948. Appellate Authority under the Contract Labour (Regulation and Abolition), Rules 1971. the Payment of Gratuity Act, 1972 and Equal Remuneration Act, 1976. Certifying officer under Industrial Employment (Standing Orders) Act, 1946, Supervisor of Railway Labour under Hours of Employment & Regulation Act, 1889

ALC(C)-Controlling Authority under Payment of Gratuity Act, 1972; Authority under Equal Remuneration Act, 1976; Registering and Licensing Officer under Contract Labour (Regulation and Abolition) Act, 1970.

3.9 The cases decided by these officers under some of the above enactments / rules are given in the table below:

Nature of Quasi Judicial Work	Cases/ Applications / Claims B/F from previous year	Cases/ Applications / Claims received during the year	Total	Cases/ Applications / Claims disposed off	Amount Awarded (in Rupees)
Gratuity Applications under the Payment of Gratuity Act, 1972 (2008-09)	7364	5293	12657	5285	196048691
Gratuity Appeals by RLCs under the Payment of Gratuity Act, 1972 (2008-09)	640	845	1485	939	9721395

Nature of Quasi Judicial Work	Cases/ Applications / Claims B/F from previous year	Cases/ Applications / Claims received during the year	Total	Cases/ Applications / Claims disposed off	Amount Awarded (in Rupees)
Claim applications by RLCs(C) under the Minimum Wages Act, 1948 (2008-09)	2648	2080	4728	2232	18071583
Applications for certification/modification of Standing Orders by RLCs(C) (2008-09)	63	34	97	53	-
Cases under BOCW Act (2008-09) (P)	1107	539	1646	250	771800

P= All figures are provisional.

VERIFICATION OF MEMBERSHIP OF CENTRAL TRADE UNION ORGANISATIONS:

3.10 The General Verification of membership of trade unions affiliated to Central Trade Union Organisations (CTUOs) is an important exercise, which is undertaken by the CLC(C) organization. The purpose of general verification is to give representation to CTUOs in the International and National conferences, Committee, Councils, Wage Boards, etc.

3.11 The General Verification with date of reckoning as 31.12.2002 was completed and the final result was sent to Ministry of Labour & Employment on 31.12.2007 and the result of general verification was declared notified by the Ministry of Labour & Employment on 11.01.2008.

Code of Discipline

3.12 Verification of membership of trade unions operating in establishment in Central Sphere is conducted by Chief Labour Commissioner(Central)'s office under Code of

Discipline for recognition purpose, as and when directed by the Ministry of Labour & Employment. Verification of memberships of unions operating in 17 establishments (Bhakra Beas Management Board, Sunder Nagar Project., M/s Bhakra Beas Management Board, Nangal Unit., Tuticorin Port Trust, Tuticorin, Chennai., Bharat Sanchar Nigam Limited, New Delhi., Food Corporation of India., Mahanagar Telephone Limited, New Delhi & Mumbai., ONGC Western Region, Ahmedabad., Hindustan Aeronautics Limited, Koraput Division, Orissa., Jawaharlal Nehru Port Trust, Navi Mumbai., Oil & Natural Gas Commission, Mumbai., Marine Products Export Development Authority, Cochin., M/s Kudremukh Iron Ore Co. Limited, Bangalore., Hindustan Copper Limited Khetri Copper Complex, Khetri Nagar, Ajmer., FCI Workers' Union., ONGC Eastern Region, Guwahati., NALCO Mines, Damanjodi Koraput, Orissa., Hindustan Shipyard Limited, Andhra Pradesh.) through Secret Ballot was conducted and final verification reports were sent to Ministry of Labour & Employment.

Statutory verification of membership of unions operating in Nationalized Banks:

3.13 Verification of membership of trade unions operating in 27 nationalized banks, State Bank of India and their subsidiary banks is conducted under four statutory rules / schemes viz. State Bank of India (Appointment of Employee Director Rules, 1974); The Nationalized Banks (Management and Misc. Provisions) Scheme 1970; The Nationalized Banks (Management and Misc. Provisions) Scheme 1980 and The Subsidiary Banks (Appointment of Employee Director Rules, 1974).

3.14 The Verification was conducted by the CLC(C) office on the request of Ministry of Finance, Department of Financial Services for appointing Workmen Director of Bank. The final reports of verification of membership of unions operating in Allahabad Bank was completed and result communicated to Ministry of Finance. Verification of membership of unions operation in 2 Banks are in progress and the final verification result in respect of Punjab National Bank and Punjab & Sind Bank will be sent to Ministry of Finance, Department of Financial Service as early as possible. Now the Ministry of Finance, Department of Financial Services has revised the procedure for conducting verification of membership strength of various unions of workmen operating in Public Sector Banks for determining the majority status for the purpose of nominations of workmen employees, Directors on the Boards of Directors of the banks vide its notification dated 19.11.2008.

3.15 According to the new procedure the management of the bank shall be advised by the Central Government, one year before the expiry of the tenure of the incumbent workmen directors, to verify the membership strength of the unions belonging to workmen employee of the bank for the purpose of determination of representative union. The management of the Bank, the Chairmancum Managing Director of Executive Director shall nominate an officer at the level of General Manager as the Designated Officer, who shall make the aforesaid verification. The verification of the membership of the union, Federation, or Association is to the done on the basis of the deduction made from the salary of the workmen, for the month of March of the relevant year based on the check off mandate. The designated officer shall finalize the verification of membership of the union and submit his report to the Central Government through the CMD or in his absence through the E.D of the bank.

3.16 An appeal shall lie against the report of the Designated Officer before the Appellate Authority i.e. Dy. CLC(C) if the difference in membership contested or objected is more than 5% of the total workmen employee strength of the bank or to change the status of the representative union. Any union, Federation or Association having objection to the status of representative union as determined by the Designated Officer may file on appeal before the appellate authority in writing within 7 days from the date of issue of such report by the Designated Officer.

The Right to Information Act, 2005

3.17 During the year 2009 ,209 applications including those forwarded by Ministry of Labour & Employment to CLC(C) Headquarter were disposed off as per the provisions of the Right to Information Act, 2005

MISCELLANEOUS FUNCTIONS

- 3.18 The CIRM performs the following miscellaneous functions also: -
 - Conducting periodic meetings of Minimum Wages Advisory Board and notifying Variable Dearness Allowance every six months as per A.I.C.P.I. number.
 - Defending the Ministry of Labour and Employment in Writ Petitions filed against the Ministry in different High Courts.
 - Investigations of Complaints as per direction of the Ministry of Labour and Employment.
 - Assisting Central Advisory Contract Labour Board as conveners of different sub-committees to examine prohibition of contract Labour in different employments.
 - 5. Assisting the Ministry in preparation of different reports required to be submitted to International Labour Organisation.
 - Supplying information to the Ministry in replying Parliament Questions on statutes enforced by CLC(C) organization.
 - 7. Advising the Ministry of Labour and Employment in conflict situations like

- strikes of All India Nature and other Labour matters.
- 8. Attending to Parliamentary Committees and other important delegations as per the advice of the Ministry.
- Keeping Liaison with State Government Labour Departments for collection of information as per direction of the Ministry.
- Assisting the Ministry of Labour and Employment in training of Central Labour Service Officers.

WELFARE

The Assistant Labour Welfare 3.19 Commissioners (ALWCs) and Deputy Labour Welfare Commissioners (DLWCs) are posted in Defence and other establishments, such as, CPWD, Security Presses, Mints, Ordnance Factories, Telecom Factories, and Hospitals etc., which are under the control of Central Government. The LWCs are posted at the Head Quarters of these establishments. Together these officers ensure harmonious Industrial Relations in their respective establishments. They also look after the welfare and redressal of grievances of the workers, administration of Welfare Schemes and advise the managements on various Labour matters including constitution of bilateral committees, such as, Shop Councils, Works Committees etc.

MAJOR INDUSTRIAL RELATION EVENTS DURING THE YEAR (2009-2010) IN WHICH CIRM PLAYED IMPORTANT ROLE

BANKS

3.20 The General Secretary, All India State Bank Officers' Federation Bangalore served a strike notice dated 19.03.2009 proposing to go on two days countrywide strike on 8th and 9th April 2009 over the following demands:-

- Minimum of two officers at all existing CBS Branches.
- ii. IR structure in Circles and posing of DGM (Admn.) at administrative offices.

opposing

- i. Opening of New Branches without minimum component of staff and adequate infrastructure
- ii. Disrespect to bilateral forums / agreements.
- 3.21 CLC (C) held conciliation proceedings on 02.04.2009 at New Delhi and persuaded the parties to have bilateral discussions. On the advice of CLC(C) the parties held bilateral discussions and called off the proposed strike. The Officer's Federations expressed satisfaction.
- 3.22 Convener of United Forum of Bank Unions (UFBU) comprising of All India Bank Employees Association (AIBEA) All India Bank Officers Confederation (AIBOC) National Confederation of Bank Employees (NCBE) Bank Employees Federation of India (BEFI) Indian National Bank Employees Federation (INBOC) National Organisation of Bank Workers (NOBW) served strike notice dated 17.05.2009 on the Chairman, Indian Bank Association (IBA) proposing nation-wide strike on 12.06.2009 to press their four points charter of demands. The main demands were as under:-
 - (i) Separate Wage settlement with adequate increase in wages of employees and officers.

- (ii) To extend another option for pension scheme without any pre-conditions.
- 3.23 Chief Labour Commissioner (C) intervened & held conciliation proceedings on 4.06.2009. After prolonged discussion and on the suggestion of CLC (C), the parties agreed to discuss the issue within 7 days to resolve the matter. IBA informed that as per suggestion of CLC (C) parties held discussions on 08.06.2009 at Mumbai in the presence of IBA Chairman Shri M.V. Nair. Following discussion, UFBU decided to call off the proposed strike on 12.06.2009.
- All India Bank Officers Association 3.24 (AIBOA), Bank Employees Federation (INBEF), Indian National Bank Officers Congress (INBOC) & All India State Bank of Indore Officers Coordination Committee served a strike notice on Chairman, State Bank of India, State Bank of Indore, State Bank of Patiala, State Bank of Hyderabad, State Bank of Travancore, State Bank of Bikaner & Jaipur and Chairman Indian Bank Association proposing to go on strike on 06.07.2009 in all the establishment of State Bank of Indore and other Associate Banks of SBI in protest against the proposal for merger of State Bank of Indore and other Associate Banks with State Bank of India. The Dy. CLC (HQ) intervened and held conciliation proceedings on 03.07.2009. During discussion, all the Associate Banks of SBI (except – State Bank of Indore) stated that they had no proposal for merger with State Bank of India (SBI). Further the representatives of State Bank of India (SBI) & State Bank of Indore stated that the proposal for merger had been finalized by the respective Board of Directors and proposal of merger had been submitted to the Reserve Bank of India and Government for final approval. The unions / Association's contention was that management

should have discussed regarding proposed merger before finalising the issue of merger.

3.25 However, after prolonged discussions and persuasion of the Dy. CLC (HQ) management of SBI agreed to have bilateral discussions with the unions on the issue of merger and Union /Association also agreed to defer the strike. In addition to above, both the parties also agreed to maintain cordial relations. Due to intense efforts of the conciliation machinery, a major All India Strike had been averted.

3.26 Madhya Bharat Gramin Bank Workers / Officers Organisation affiliated to BMS served strike notice proposing to go on 2 days strike on 20th & 21st July, 2009 in 213 branches of Madhya Bharat Gramin Bank to press their demands not to transfer / harassment of members of the Unions / Association. Dy. CLC (C) Jabalpur held conciliation proceedings on 17.07.2009 and on his persuasion the union agreed to defer the strike.

3.27 The General Secretary, Dena Bank Employees Union (Rajasthan) and Dena Bank Officers Union (Rajasthan) served a strike notice proposing to go on strike on 3rd November, 2009 to press 8 points charter of demands. The main demand was to stop authoritarian attitude of the management. The Regional Labour Commissioner (C), Jaipur intervened and after his prolonged discussion and persuasion strike was called off.

POWER

3.28 The Hoogly Met Coke & Power Co. Servicing & Maintenance Contractors Workers Union (CITU) served a strike notice on the Management of Hoogly Met Coke & Power Company Limited (HMCPCL) proposing to go on token strike from 21.10.2009 to 26.10.2009 to

press their demands. The Assistant Labour Commissioner (C) Kolkata-II intervened in the matter and after prolonged discussions and persuasion the union agreed to call of the strike.

COAL

3.29 A memorandum of settlement was signed on 09.04.2009 before RLC (C) Hyderabad between the management of M/s Singareni Collieries Company Ltd., Kothagudem and their workmen represented by Singareni Collieries Workers Union (AITUC) in the matter of payment of arrears of change allowance to the fitters and electricians for the period from 01.01.1979 to 30.09.2002. Nearly 4,473 workmen are benefitted by this settlement.

3.30 On a strike notice dated 17.06.2009 served by President, Jharkhand Mines Lal Jhanda Mazdoor Union (IFTU) Dhanbad proposing strike from 6.07.2009 over 5 points charter of demands. ALC(C) Dhanbad held conciliation proceedings and brought about a memorandum of settlement on 24.08.2009 between the management of M/s Coal India Limited, M/s Bharat Cocking Coal Limited and Jharkhand Mines Lal Jhanda Mazdoor Union. This settlement would benefit more than 13,000 workers approximately.

PORT & DOCK

3.31 Protesting against the introduction of implementation of the National Labour Tribunal Award passed in the year 2006 on manning pattern at the Cargo Handling & Marine Departments by the management of Cochin Port Trust Cochin & deploying of private labours & naval officials for operations, the employees suddenly resorted to cessation of work since 26th April 2009. The Award stipulated reduction in gang strength from 15 persons to 4 persons. As

the major ports decided to implement the Award, the federations requested CLC (C) to intervene in the matter to resolve the impending threat of industrial action by port & dock workers. Accordingly CLC (C) intervened & held conciliation proceeding on 01.05.2009. After prolonged discussion & persuasion, federations agreed to postpone the proposed strike & normalcy was restored.

3.32 Unions / federations operating in Major Port Trust and Dock Labour Board served strike notice proposing indefinite strike on or after 15th September, 2009 to press their charter of demands for revision of wages and liberalization of other service conditions of Port & Dock Workers w.e.f. 01.01.2007. Chief Labour Commissioner (Central) intervened and held conciliation proceedings on 09.09.2009 and after his persuasion the parties agreed to defer the proposed strike.

OIL

A memorandum of settlement was 3.33 signed on 05.0-.2009 before RLC (C) Ahmedabad between the management Gujarat Company Ltd., their workmen represented by GGCL Employees Union, Surat over a charter of demands including wage revision dated 11.02.2008. This settlement will benefit 140 workmen each of whom will get an increase at the rate of about Rs.4,000/- per months, every year for 3 years period of settlement. Thus the total monetary benefit to all these employees would be @ Rs.67,20,000/- (Rupees Sixty Seven lakh Twenty Thousand only) per year. In addition, the employees will also get bonus /exgratia every year @ 30% of their basic pay.

AIR TRANSPORT

3.34 National Aviator's Guild (NAG) operating in M/s Jet Airways served a strike notice dated

24.08.2009 proposing strike on 07.09.2009 to press their demand of reinstatement of two pilots, namely Capt. D. Balaraman and Capt. Sam Thomas, General Secretary and Joint Secretary of the Guild, whose services were terminated on 31.07.2009. Regional Labour Commissioner (C) Mumbai held conciliation proceedings on 31.08.2009. As the discussions were inconclusive, the conciliation proceedings were adjourned till 14th September, 2009.

3.35 In the mean time the pilots went on mass sick leave w.e.f. 08.09.2009 and management of Jet Airways terminated two more pilots. The Chief Labour Commissioner (C) intervened in the matter and held conciliation proceeding on 10.09.2009 and 11.09.2009. After 9 hours prolonged discussion on 11.09.2009 and persuasion, the parties agreed on principle that the pilots would resume work and the management would reinstate all the terminated pilots. The pilot reported on duty on 13.09.2009.

OTHERS

3.36 Government of India Security Printing Press Employees Union (AITUC) Hyderabad served a strike notice dated 15.06.2009 proposing to go on strike on or after 03.07.2009 over 12 points charter of demands. The main demands were Works Committee Election, notification of Bargaining Agent, Assured Career Progression (ACP) etc. The RLC (C) Hyderabad intervened in the matters and held conciliation proceedings on 29.06.2009. After his persuasion, the union agreed to defer the strike.

3.37 The General Secretary, Neyveli Lignite Corporation Jeeva Oppantha Thozhilalar Sangam, (AITUC) served a strike notice dated 04.06.2009 proposing to go on strike on or after 15.06.2009 over 6 point charter of demands including Implementation of settlement signed

on 16.06.2008 before Chief Labour Commissioner (C) New Delhi. Dy. CLC (C) Chennai intervened in the matter & after his persuasion, the union agreed to defer the strike.

3.38 The General Secretary, Rajasthan State Mines and Minerals Workers Federation (INTUC) submitted a charter of demands before the management of Rajasthan State Mines & Minerals Ltd., Udaipur regarding revision of wage of workers w.e.f. 01.10.2007. Labour Enforcement Officer (Central), Udaipur intervened and held conciliation proceeding on 18.06.2009 and 10.08.2009. After prolonged discussions the issues were resolved and a Memorandum of Settlement was singed on 10.08.2009. The management, RSMML agreed that the pay revision will be applicable in line with the pay revision of the employees of Government of Rajasthan. Approximately 1700 employees will be benefited by this settlement.

3.39 A Memorandum of Settlement was signed on 27.08.2009 before Regional Labour Commissioner (C) Nagpur between the management of manganese Ore (India) Ltd., Nagpur and MOIL Kamgar Sangthan (INTUC) Nagpur. The settlement will be effective for 10 years, i.e. from 01.08.2007 to 31.07.2017. All the Non-executive employees consisting of monthly paid staff and piece rated workers numbering around 6558 working in various manganese Mines of MOIL situated in M.P. & Maharashtra shall be benefited due to 35% increase in their wages from 01.08.2007. The wage agreement will have a financial implication of Rs.35 crores for the company per annum.

3.40 All India Unit Trust Employees Association (AIUTEA) raised an Industrial Dispute against the management of Unit Trust of India AMC Ltd., for revision of wages and allowances and other benefits. Regional Labour Commissioner (C) Mumbai intervened. After prolonged discussions and persuasion both the parties agreed to sign a memorandum of settlement on 12.10.2009. Approximately 463 employees will be benefited by this settlement.

Sanyukta Sangharsh Samittee UCIL, Jaduguda vide their letter dated 21.09.2009 served strike notice proposing strike on 8.10.2009 or there after in the establishment of Uranium Corporation of India Ltd., Jaduguda, to press their demands relating to revision of scale of pay. ALC (C) Chaibasa intervened but the matter could not be resolved. Hence RLC (C) Dhanbad intervened subsequently and held discussions with both the parties. While the matter was under discussion union resorted to strike from 8.10.2009. Inspite of the strike, RLC (C) Dhanbad continued his effort and held discussions with the parties on several dates. However, on 31.10.2009 after prolonged discussions and persuasion, parties agreed to sign a memorandum of settlement and resolved the dispute. The period of settlement shall be for 5 years and approximately 5000 workmen will be benefited.

VISION STATEMENT OF CLC(C) ORGANISATION

- To simplify labour laws capable of protecting the interests of social partners and economy.
- To secure social security measures for workmen in unorganised sectors through umbrella legislation.
- ✓ To further improve conciliation services, administration and enforcement of labour laws to meet the expectations of social partner and future changes in economy and global scenario through a system of meaningful dialogue and regular interactions with them.

- ✓ To secure national minimum wages for workers in all employments.
- ✓ To equip the CLC's(C) organisation with trained and motivated officials with proper orientation through continuous training and development programmes.
- To maintain a data bank at the national level relating to industrial relations, administration and enforcement of labour laws with facilities of continuous updating through computer network across the country.

Trade Unions Act, 2006

- 3.42 The Trade Unions Act, 1926 provides provisions for registration of trade unions of employers and workers and in certain respects, it defines the law relating to registered trade unions. It confers legal and corporate status on registered trade unions. The Act is administered by the concerned State Governments.
- 3.43 The Trade Unions Act, 1926 has been amended and enforced w.e.f. 09.01.2002. The objective of these amendments, in brief, is to ensure orderly growth of trade unions and reduce multiplicity of trade unions and promote internal democracy.

Amendment proposals to the Industrial Disputes Act, 1947

3.44 The Industrial Disputes Act, 1947 provides for investigation and settlement of industrial disputes. The main objectives of the Act are: promotion of measures for securing and preserving amity and good relations between the employer and workmen; investigation and settlement of industrial disputes, between employers and employers, employers and workmen or workmen and workmen, prevention of illegal strikes and lock-outs; relief to workmen in the matter of lay-off and retrenchment; and

collective bargaining.

3.45 The Industrial Disputes (Amendment) Bill, 2009 was introduced in the Rajya Sabha on 26.02.2009 and has been referred to Parliamentary Standing Committee on Labour for examination and report. The Parliamentary Standing Committee on Labour has recommended the proposal on 09.12.2009. Further necessary action is being taken up.

Plantations Labour Act, 1951

- 3.46 The Plantation Labour Act, 1951, is a Central Act enacted by the Union Government in 1951. The Act is in operation since 1954. The Act is enforced by the respective State Governments, who designate Chief Inspectors under the Act. The Chief Inspectors under the Act, on the basis of rules framed by the respective State Governments, ensure implementation of welfare measures relating to medical facilities, educational facility, housing facilities, drinking water facility, sanitation and conservancy etc. However, since 1951, the socio-economic conditions, the infrastructure facilities and the welfare activities of the State Governments have evolved significantly.
- 3.47 The Plantation Labour (Amendment) Bill, 2008 was introduced in the Rajya Sabha on 21.10.2008 and had been referred to Parliamentary Standing Committee on Labour for examination and report. The Parliamentary Standing Committee on Labour has submitted its report to the Rajya Sabha on 13.02.2009. The comments of Ministry of Commerce & Industry and Plantation States which were called for on the observations of the Parliamentary Standing Committee on Labour have been received. Further necessary action is being taken up.

Monitoring of Industrial Relations

- 3.48 The Ministry monitors the extent of industrial harmony based on the information that it collects on the number and spatial dispersion of strikes/lockouts, number of workers involved and man days lost, number of units reporting retrenchment and the extent of lay offs.
- 3.49 The total number of strikes and lockouts in 2009 (Provisional) was 69. The workers affected due to these disturbances were 2267 thousands.
- 3.50 The spatial/industry wise dispersion of the number of strikes and lockouts and the workers consequently affected is not uniform.
- 3.51 The total Mandays lost due to strikes & lockouts in 2009 (Provisional) was 2.267 millions.
- 3.52 Most of the industrial unrest, as indicated by strikes and lockouts has been primarily related to indiscipline & violence, wages & allowances, personnel matters. During 2009 (Provisional), wages & allowance was the major causal factor.

Closure

3.53 The number of units effecting closure in both Central and State sphere, has been 56 in 2009 (Provisional). Financial Stringency was the main reason for 20 closures during the period.

Lay-Off

3.54 Lay-off can be defined as the failure, refusal or inability of an employer on account of shortage of power, raw materials, accumulation of stocks or breakdown of machinery, to give employment to a workman whose name is borne on the muster rolls of his industrial establishment and who has not been retrenched. It is usually an indication of the supply side bottlenecks faced by the industrial unit leading to low

capacity utilization. The number of units effecting lay-off was 27 in 2009(P) and the number of workers affected due to lay-off was 3378.

Retrenchment

- 3.55 The number of units reporting retrenchment in 2009(P) was 12 and the number of workers effected were 2146 during the same period.
- 3.56 As per the provisions contained in Chapter V-B of the Industrial Disputes Act, 1947. establishments employing 100 persons or more are required to seek prior permission of the appropriate Government in the prescribed application form before effecting closure, retrenchment or lay-off. In this Ministry, applications are received from CPSUs and other establishments falling in the Central sphere. These applications are examined and a hearing is held in order to provide an opportunity to both the management and the workers to make submissions on issues pertaining to the proposed action of the management. Based on the oral and written submissions made by the parties, and considering the reasonableness/ genuineness of the management's application, a decision as to granting or not granting permission for closure, retrenchment or lay-off is taken. Wherever permission is granted, it is ensured that workers' interests are protected as far as possible.

Industrial Tripartite Committees

3.57 Industrial Tripartite Committees (ITCs) have been constituted with the view to promote the spirit of tripartism. These tripartite bodies provide a forum whereby the social partners through dialogue can appreciate the problems of industries and workers affected by Economic Reforms. These Committees are non-statutory

Standing Committees meetings of which are convened as and when required. Government's proactive role has successfully harmonized the interest of the employers and the workers resulting in a change of attitude from confrontation to that of co-operation.

3.58 There are seven Industrial Tripartite Committees (ITCs) one each on Cotton Textiles, Jute, Road transport, Electricity Generation & Distribution, Engineering, Sugar and Plantation industry to discuss the labour related issues concerning to that particular industry.

ADJUDICATION

3.59 In all 22 (twenty two) Industrial Tribunal-cum-Labour Courts (CGITs) have been set up under the provisions of the Industrial Disputes Act, 1947 for adjudication of the industrial disputes in organizations for which the Central Government is the appropriate Government. These Tribunals are located at Dhanbad (Jharkhand), Mumbai, New Delhi and Chandigarh(two courts each) and one each at Kolkata, Jabalpur, Kanpur, Nagpur, Lucknow, Bangalore, Jaipur, Chennai, Hyderabad, Bhubaneswar, Ahmedabad, Ernakulam, Asansol and Guwahati.

3.60 In order to take care of the huge pendency of unsolved industrial disputes, Lok Adalats have been introduced as an alternative grievance redressal mechanism within the adjudication system of CGITs from the 10th Five Year Plan. The objective is to settle industrial disputes through this parallel forum. Cases, which are relatively uncomplicated, are taken up for adjudication through this system. 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.

- 3.61 In the XI Plan, this mechanism of Lok Adalats has been made an indispensable part of the adjudication system.
- 3.62 During the period from 01.04.2009 to 31.10.2009, 15 Lok Adalats were held through which 178 cases have been settled.

BOARD OF ARBITRATION (JOINT CONSULTATIVE MACHINERY)

- 3.63 Government of India had introduced in 1966 a Scheme for Joint Consultative Machinery and Compulsory Arbitration for resolving differences between the Government as an employer and the general body of its employees.
- 3.64 The Scheme provides for compulsory arbitration on Pay and Allowances, weekly hours of work and leave of a class or grade of employees. Under the Scheme the Board of Arbitration (JCM) was set up in July, 1968. The Board consists of a Chairman and two other members. The Chairman is a whole time person. The Ministry of Labour appoints the other two members at the time of referring the dispute to the Board out of a panel of members from the Staff Side as well as from the Official Side maintained by it.
- 3.65 The Board has given 257 Awards out of 259 references referred to them. Presently the post of Chairman, Board of Arbitration is lying

4

PRODUCTIVITY

4.1 Productivity is a measure of efficiency with which resources, both human and material, are converted into goods and services.

Faster rate of economic growth can be ensured through accelerated production and higher productivity in all branches of economic activity. The productivity of human resources (labour), being an important input besides land and capital, plays a significant role in determining the overall economic growth of a nation.

Apart from the level of human skills, the quantity of raw material and the technology employed are also responsible for productivity of human resources.

LABOUR PRODUCTIVITY

Comparison of labour productivity growth across APO member countries during the year 1997 to 2006 as depicted in Table 4.1 shows that labour productivity growth in 2006 has been the highest in India (6.79%), followed by Vietnam (6.51%), Bangladesh (4.74%), Pakistan (4.64%), Phillippines (4.64%), Mongolia (4.05%) and so on. India rank 1st among the 17 APO members countries for which the study has been made. The labour productivity growth for India exhibited an increase from 6.13% in 2005 to 6.79% during the The labour productivity in vear 2006. benchmark countries has however been the highest at 10.25% in China.

- 4.3 The labour productivity growth in India measures in terms of growth in real GDP per person employed is worked out to be ranging from 1.16% in 2002 to 6.79% during 2006 thus maintain a satisfactory higher level in labour productivity on a continuous basis during the last 5 years. The labour productivity growth in India was 5.84% and 6.13% during 2004 and 2005 respectively. It may be noted that India's labour productivity growth during 2005 was the second highest among the 17 APO member countries. The labour productivity growth during 1995 to 2005 in India has all along been better than the comparative position in respect of benchmark countries such as United States (Excepting China). Thus indicating the shift betterment of Indian economy through higher labour productivity in all these years of globalization.
- 4.4 A statement giving the labour productivity measured in terms of Gross Domestic Products (Purchasing Power Parity) per person employed per hour and Overall Productivity-Real Growth i.e. Percentage change of Real GDP per person Employed in Asian Countries and gour benchmark countries during 2008 from the world Competitiveness Year Book 2009 are given in the **Table 4.2**.
- 4.5 The comparison reveals that productivity in India during the year 2008 in comparison to other select Asian countries is the lowest at 3.27US\$. The labour productivity in selected ten Asian Countries has been reported to the highest at 37.28US\$ in case of Japan followed by Singapore (36.36US\$) and Hong Kong

(36.13 US\$) and the countries with labour productivity in proximity with India are Phillippines (4.22US\$) and China-Mainland (4.70US\$).

- 4.6 The labour productivity in four benchmark countries during 2009 is measured to be much higher at 47.78 US\$ for United States of America, 41.26US\$ for Germany, 39.24 US\$ for Australia, and 39.08 US\$ for United Kingdom.
- 4.7 The growth in overall productivity estimated in terms of "Percentage Change of Real GDP per Person Employed" in India during 2008 is, however, observed to be 9.10% which is higher than four benchmark countries as well as all other Asian Countries except Republic of Korea (13.83%).
- 4.8 The observation in World Employment Report, 2004-05, ILO in respect of variations in Labour Productivity among different countries need to be kept in mind for comparing the labour productivity among different countries, which is given as quoted below:

"There is wide variation in labour productivity among different countries in the world owing to a host of factors, most of which are directly and positively related to the level of economic development of the countries concerned. It is important to underscore the fact that differences in labour productivity levels have essentially nothing to do with differences in how hard workers work-on the contrary they often indicate differences in working conditions. A poor worker in a developing country can work long hours, strenuously, under bad physical conditions, but yet have low labour productivity and, therefore, receive a low income because he or she lacks access of technology, education, or the factors needed to raise productivity. Similarly a worker in a highly developed economy may have high

labour productivity despite working relatively fewer hours.

MEASURES FOR INCREASING LABOUR PRODUCTIVITY

- 4.9 Increasing labour productivity is not an automatic process. A developing country needs to have a certain level of human capital, and technological and industrial endowment in order to reap the benefits of higher labour productivity under the regimes of free trade and consultancy services in both the formal and informal sectors during liberalization. It also requires substantial investment in vocational training facilities in order to enable job aspirants to harness emerging employment opportunities while making the final products globally competitive.
- 4.10 The basic thrust for enhancing labour productivity throughout the country is emphasized by way of overall skill dev elopement and up-gradation through:

General upgradation of existing trade/introduction of multi skill trade by upgrading 500 ITIs into Centres of Excellence:

Upgradation of 1396 ITIs under Public Private Partnership through Tripartite Management Committee;

Skill Development initiative through Modular Employable skills;

Establishment and up gradation of ITIs in North Eastern States, Sikkim and Jammu & Kashmir;

Training for industrial workers for skill up gradation;

Align and start courses as per industrial needs:

Introducing courses on Information Technology;

Industry-Institute linkages

NATIONAL PRODUCTIVITY COUNCIL

4.11 The National Productivity Council is an autonomous body and is partly funded by the Government of India:-

It aims at dissemination of knowledge and experience in productivity, promotion of consciousness and improvement in productivity, strengthening of the performance and competitiveness of the economy and improving the conditions and quality of working life.

It operates through 13 Regional Professional Management Groups (RPMGs).

The Ministries of the Government of India and representatives of employers' and workers' organizations are members of the Council.

It undertakes training programmes in the area of management services, industrial training and human resource development and also provides consultancy services in both the formal and informal sectors of the company.

It has instituted National Productivity Awards

for selected sectors of the economy such as agriculture and food processing industries with the objective to recognize the enterprises, which excel in productivity performance and to motivate other enterprises to enhance their productivity.

PRIME MINISTER'S SHRAM AWARDS

To give recognition to outstanding contribution towards production and productivity, technological innovations, cost saving, import substitution, saving of foreign exchange and for showing exemplary zeal and enthusiasm in the discharge of duties, the Ministry of Labour and Employment administers a scheme entitled 'Prime Minister's Shram Awards' for workers (as defined in Industrial Dispute Act, 1947) employed in departmental/ public sector undertakings of the Central/State Governments and the manufacturing units employing 500 ore more workers in the private sector in recognition of their performance, devotion to duty etc. Only those workers are eligible for the awards, who are engaged in manufacturing and productive processes and whose performance is assessable. These awards are announced every year generally on the eve of either Republic Day or Independence Day. The awards in the order of precedence are Shram Ratna, Shram Bhushan, Shram Vir/Shram Veerangana and Shram Shree/Shram Devi. The cash prize and number of awards for each category are as under:-

Name of Awards	Amount of Cash Prize (Rupees)	No. of Awards
Shram Ratna	2,00,000	1
Shram Bhushan	1,00,000	4
Shram Vir/Shram Veerangana	60,000	12
Shram Shree/Shram Devi	40,000	16
Total		33

- 4.13 Besides the cash prize, the awardees also receive a "Sanad" from the Prime Minister.
- 4.14 The Prime Minister's Shram Awards for

the year 2007, announced on the eve of Independence Day, 2009 to 52 workers including 7 women workers, are proposed to be given away.

Table 4.1

SI. No.	Country/ Year	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
1.	Bangladesh	2.67	2.51	2.15	3.16	0.91	0.12	0.89	4.03	3.38	4.74
2.	ROC	5.13	3.25	4.69	4.72	-1.14	3.60	2.09	3.98	2.60	3.19
3.	Fiji	4.56	-1.08	6.65	-4.21	1.07	1.93	-0.55	0.05	-1.30	2.18
4.	India	1.35	3.69	4.26	1.64	2.52	1.16	5.46	5.84	6.13	6.79
5.	Indonesia	3.14	-13.78	046	3.76	2,59	3.59	3.48	4.02	5.46	3.86
6.	Iran	2.45	1.55	0.42	1.09	2.10	2.35	4.47	-0.71	1.69	1.34
7.	Japan	0.88	-0.74	1.30	3.51	0.94	1.98	1.75	2.49	1.58	1.88
8.	Korea	2.90	-0.88	7.63	4.11	1.44	3.95	3.21	3.04	2.89	3.85
9.	Malaysia	5.19	-7.69	3.27	3.20	-1.92	4.15	2.09	5.97	4.47	-7.12
10.	Mongolia	4.68	-0.11	0.55	1.68	-1.73	-0.97	0.77	7.84	5.38	4.05
11.	Nepal	-0.65	0.09	1.30	0.38	-5.10	0.16	-0.461	0.41	1.08	1.53
12.	Pakistan	-3.41	1.55	3.21	1.76	-1.70	0.71	-0.01	5.37	-1.80	4.64
13.	Phillipines	3.51	-1.73	0.94	10.60	-5.89	3.87	0.70	5.83	1.46	4.64
14.	Singapore	3.48	-3.48	6.29	-0.91	-0.14	5.72	2.63	7.25	-2.16	2.13
15.	Sri Lanka	5.10	-2.82	3.70	2.21	-0.12	-0.42	4.54	3.99	4.98	2.99
16.	Thailand	-3.85	-7.00	4.32	3.67	0.32	2.65	3.70	3.30	3.56	3.42
17.	Vietnam	6.01	3.46	2.68	2.19	3.80	3.93	3.47	7.10	6.65	6.51
				Bencl	hmark Co	ountries					
01	China	7.94	6.54	6.46	7.35	6.90	8.03	8.97	8.98	9.52	10.25
02	US	2.16	2.61	2.78	2.35	0.80	0.51	1.71	2.47	1.20	0.921
03	EU15	1.98	1.20	1.33	1.88	0.23	3.01	-1.27	2.58	0.63	0.89

Source: Estimated from "APO Productivity Data Book 2009"

	Table 4.2				
Labour Productivity – Asian Countries, 2008					
S.No.	Name of the Country	Gross Domestic Product (at Purchasing Power Parity) Per Person Employed Per Hour (in US \$)	Percentage Change of Real GDP Per Person Employed Per Hour		
1.	China-Mainland	4.70	8.31		
2	Hong Kong	36.13	0.92		
3	India	3.27	9.10		
4	Indonesia	4.09	3.35		
5	Japan	37.28	0.58		
6	Republic of Korea	25.33	13.83		
7	Malaysia	16.51	2.86		
8	Philippines	4.22	2.09		
9	Singapore	36.36	-26.06		
10	Thailand	6.76	0.47		
	Benchmark Countries				
1	United States of America	47.78	1.58		
2	Germany	41.26	-0.11		
3	Australia	39.24	-0.24		
4	United Kingdom	39.08	-0.03		

Source : World Competitiveness Yearbook 2009, Institute of Management & Development, Lausanne, Switzerland (National Productivity Council is the Partner from India)

5

WAGES

Introduction

5.1 Even though there is no uniform and comprehensive wage policy for all sectors of the economy in India, a mechanism exists for determination of wages in the Organized and Unorganized sectors and their enforcement. Wages in the organized sector are determined through negotiations and settlements between employer and employees. In the unorganized sector, where labour is vulnerable to exploitation due to illiteracy and lack of effective bargaining power, the minimum rates of wages are fixed both by Central and State Governments in the scheduled employments falling within their respective jurisdictions under the provisions of the Minimum Wages Act, 1948. The Act binds the employers to pay to the workers the minimum wages so fixed from time to time.

Minimum Wages Act, 1948

5.2 On the recommendation of the 8th Standing Labour Committee, the Minimum Wages Bill was introduced in the Central Legislative Assembly on 11.04.1946 to provide for fixation of minimum wages in certain employments. The Minimum Wages Bill was passed by the Indian Dominion Legislature and came into force on 15th March 1948. Under the Act both State and Central Government are "Appropriate Governments" for fixation/revision of minimum rates of wages for employments covered by the Schedule to the Act. The minimum rates of wages also include Special Allowance i.e. Variable Dearness Allowance

(VDA) linked to Consumer Price Index Number, which is revised twice a year effective from April and October. The Central Government and twenty-six States/UTs have adopted VDA as a component of minimum wage. The range of wages for the unskilled workers as fixed/revised in respect of employments covered under Central and State sphere are at **Table 5.1**.

National Floor Level Minimum Wage

5.3 In order to have a uniform wage structure and to reduce the disparity in minimum wages across the country, a concept of National Floor Level Minimum Wage, a non statutory measure, was mooted on the basis of the recommendations of the National Commission on Rural Labour (NCRL) in 1991. On the basis of increase in the Consumer Price Index, the Central Government has fixed the National Floor Level Minimum Wages at Rs.80/- per day with effect from 01.09.2007.

Central Advisory Board (CAB)

5.4 Amendments discussed in the 40th session of ILC held on 9th & 10th Dec, 2005 are under consideration of the Government. The matter was further discussed in the meetings of reconstituted Central Advisory Board on Minimum Wages held on 22nd February 2008 and 7th July, 2008. The draft note for Cabinet for amendment in Minimum Wages Act, 1948 is under formulation stage. The Minimum Wages Act 1948 was last amended in the year 1986.

Minimum Wages Advisory Board (MWAB)

Recent Achievements

5.5 Based on the recommendations of the Minimum Wages Advisory Board (MWAB) in its meeting held on 22.01.2008 and 26.06.2008, the Ministry of Labour & Employment has fixed the minimum rates of wages for workers employed in the scheduled employments "Employment of Sweeping and Cleaning" in the Central sphere at Rs.120/-, Rs. 150/- and Rs.180/- per day and for "Employment of Watch and Ward" (a) without arms at Rs.120/-, Rs.150/and Rs.180/- per day and (b) with arms at Rs.140/-, Rs.170/- and Rs.200/- per day for Area 'C', 'B' and 'A' respectively effective from 07.08.2008 and 18.09.2008 and revised the minimum rates of wages for workers engaged in the scheduled employments of "Construction" and "Loading and Unloading" in the Central sphere at Rs.120/-, Rs.150/- and Rs.180/- per day for unskilled workers to Rs.200/-, Rs.220/and Rs.240/- per day for highly skilled workers in Area 'C', 'B' and 'A' respectively and for workers engaged in "Non-Coal Mines" in the Central sphere at Rs.120/- per day for unskilled Workers (Above Ground) to Rs.240/- per day for highly skilled workers (Below Ground) effective from 20th May, 2009.

A statement indicating the minimum rates of wages for scheduled employments in the Central Sphere is at **Table 5.2**.

Enforcement of Minimum Wages Act, 1948

5.6 The UPA Government is committed to enhance the welfare and well being of farm labour and workers particularly those in the Unorganized sector and to ensure the fullest implementation of Minimum Wage laws for labour. Minimum Wages under Central sphere

are enforced through Central Industrial Relations Machinery (CIRM). The position in respect of cases of enforcement by CIRM is provided in Table 5.3. In the State Sphere, the State Industrial Relations Machinery ensures enforcement of the Minimum Wages Act. The position of enforcement of this Act in different States / Union Territories during 2007-08 is shown in **Table 5.4 (a) and Table 5.4(b)**.

The Payment of Wages Act, 1936

5.7 The Payment of Wages Act, 1936 was enacted to regulate payment of wages to workers employed in industries and to ensure a speedy and effective remedy to them against illegal deductions and/or unjustified delay caused in paying wages to them. The wage ceiling under Payment of Wages Act, 1936, was fixed at Rs.1600/- p.m. in 1982. With a view to enhance the wage ceiling to Rs.6500/- p.m. for applicability of the Act, to empower the Central Government to further increase the ceiling in future by way of notification and to enhance the penal provisions etc., the Payment of Wages (Amendment) Act, 2005, which was passed by both Houses of Parliament, has been notified on 6.9.2005 as an Act 41 of 2005 by the Ministry of Law & Justice. Subsequently, the Ministry of Labour & Employment has issued the Notification S.O. 1577(E) to make the Payment of Wages (Amendment) Act, 2005 effective from the 9th November 2005. In exercise of the powers conferred by sub-section (6) of Section 1 of the Act, the Central Government, on the basis of figures of the Consumer Expenditure Survey published by National Sample Survey Organization, has enhanced the wage ceiling from Rs.6500/- to Rs.10,000/- per month vide gazette notification No. S.O. 1380 (E) dated 8th August, 2007.

The Payment of Wages (Nomination) Rules, 2009

5.8 In pursuance of the recommendation of the Special Task Force set up by the Ministry of Women and Child Development on complete legal equality to women, the Central Government has notified the Payment of Wages (Nomination) Rules, 2009, vide notification GSR No 822 (E) dated the 29th June, 2009 defining the procedure for nomination and restricting the nomination by workers to his family members as far as applicable in exercise of powers conferred by sub-section (5) of section 26 of the Payment of Wages Act, 1936.

The Payment of Bonus Act, 1965:

5.9 The Payment of Bonus Act, 1965 provides for the payment of bonus to persons employed in certain establishments, employing 20 or more persons, on the basis of profits or on the basis of production or productivity and for matters connected therewith.

5.10 The minimum bonus of 8.33% is payable by every industry and establishment under the section 10 of the Act. The maximum bonus including productivity linked bonus that can be paid in any accounting year shall not exceed 20% of the salary/wage of an employee under the section 31 A of the Act.

5.11 Two ceilings are available under the Payment of Bonus Act, 1965. Section 2(13) which defines an employee is generally known as the eligibility limit and Section 12 is known as the calculation ceiling. The two ceilings are revised to keep pace with the price rise and increase in the salary structure. The two ceilings revised over the years are as follows:

SL.	Year of	Eligibility	Calculation
No	Amendment	limit	ceiling
		(Rs. Per	(Rs. Per
		Month)	Month)
1.	1965	Rs. 1600	Rs.750
2.	1985	Rs.2500	Rs. 1600
3.	1995	Rs. 3500	Rs. 2500
4.	2007	Rs. 10000	Rs. 3500

5.12 At present, employees drawing salary or wage not exceeding Rs.10,000/- per month in any industry to do any skilled or unskilled, manual, supervisory, managerial, administrative, technical or clerical work for hire or reward are eligible for payment of Bonus. The eligibility limit and calculation ceiling under clause 13 of section 2 and Section 12 of the Act respectively were last revised from Rs.3,500/- to Rs.10,000/- per month and from Rs.2500/- to Rs.3500/- per month, in the year 2007 and made effective from 1st April,2006.

WAGE BOARDS

5.13 In the 1950s and 60s, when the organised labour sector was at a nascent stage of its development without adequate unionisation or with trade unions without adequate bargaining power, Government in appreciation of the problems which arise in the arena of wage fixation, constituted various Wage Boards. The Wage Boards are tripartite in character in which representatives of workers, employers and independent members participate and finalise the recommendations. The utility and contribution of such boards in the present context are not beyond question. Except for the Wage Boards for Journalists and Non-

Journalists newspaper employees, which are statutory Wage Boards, all other Wage Boards are non-statutory in nature.

5.14 The National Commission on Labour (NCL) has recommended that 'there is no need for any wage board, statutory or otherwise, for fixing wage rates for workers in any industry'. However, Government decided not to accept the recommendations regarding the statutory wage boards i.e. Wage Boards for Working Journalists and Non-Journalists Newspaper Employees under the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955.

WAGE BOARDS FOR NEWSPAPER EMPLOYEES

5.15 The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 provides for regulation of conditions of service of working journalists and other persons employed in newspaper establishments. The Section 9 and 13 C of the Act, inter alia, provides for setting up of Wage Boards for fixation and revision of rates of wages in respect of working journalists and non-journalists newspaper/news agency employees respectively. According to the Act, Wage Boards shall consist of the following:

- Three persons representing employers in relation to newspaper establishment;
- ✓ Three persons representing working journalists for Wage Board under Section 9 and three persons representing nonjournalists newspaper employees for Wage Board under section 13 C of the Act.
- ✓ Four independent persons, one of whom shall be a person who is or has been a Judge

of High Court or the Supreme Court, and who shall be appointed by the Government as the Chairman thereof.

- 5.16 The Act does not lay down the periodicity for constituting the Wage Boards. The Wage Boards for such employees were set up in the years 1956, 1963, 1975, 1985 and 1994.
- 5.17 The Government has constituted two new Wage Boards one for Working Journalists and other for Non-Journalists Newspaper Employees under Sections 9 and 13 C respectively of the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 vide notifications in the Gazette of India (Extra Ordinary) S.O. Nos. 809 (E) and 810 (E) dated 24.05.2007. The Wage Boards have been given three years time to submit their reports to the Union Government. The Wage Boards are functioning from their Headquarters at New Delhi.
- 5.18 The Government, in consultation with the Wage Boards for working journalists and non-journalist newspaper employees, has notified the grant of interim rates of wages to journalists and other newspaper employees and new agency employees at the rate of 30% of the basic wage with effect from 8th January, 2008 vide notifications S.O. No.2524 (E) and S.O. No. 2525(E) dated 24th October, 2008.
- 5.19 The Government has appointed Justice G.R.Majithia, retired Judge of High Court of Bombay as common Chairman of the two wage Boards, one for Working Journalists and the other for Non-Journalists Newspaper Employees in place of Justice K.Narayana Kurup who resigned w.e.f 31.08.2008. Justice G.R.Majithia has assumed charge on 04.03.2009.

Table - 5.1

RANGE OF MINIMUM WAGES FOR UNSKILLED WORKERS IN DIFFERENT STATES/UNION TERRITORIES.

SI. No	State/Union Territory	Range of Minimum Wages per
(4)	(2)	day (in rupees)
(1)	(2)	(3)
	Central	78.00 – 186.00
	States/Union Territories	
1.	Andhra Pradesh	58.25 - 163.00
2.	Arunachal Pradesh	55.00
3.	Assam	54.80 -79.60
4.	Bihar	75.00 - 89.00
5.	Chhattisgarh	69.00 -103.28
6.	Goa	90.00 - 110.00
7.	Gujarat	55.00 - 115.80
8.	Haryana	138.00
9.	Himachal Pradesh	100.00
10.	Jammu & Kashmir	66.00
11.	Jharkhand	86.40 - 90.00
12.	Karnataka	73.96 -133.10
13	Kerala	72.00 -328.80
14.	Madhya Pradesh	88.20 - 133.65
15.	Maharashtra	46.13 - 201.30
16.	Manipur	72.40
17.	Meghalaya	70.00
18.	Mizoram	103.00
19.	Nagaland	66.00 - 70.00
20.	Orissa	70.00
21.	Punjab	102.60 - 104.31
22.	Rajasthan	87.81 - 100.00
23.	Sikkim	100.00
24.	Tamil Nadu	57.94 - 158.70
25.	Tripura	62.00 - 98.08
26.	Uttar Pradesh	76.31 - 115.87
27.	Uttarakhand	72.22 – 142.42
28.	West Bengal	57.01 – 126.42
29.	Andaman & Nicobar	130.00 - 161.77
30.	Chandigarh	136.40
31.	Dadra & Nagar Haveli	102.00
32.	Daman & Diu	95.00
33.	Delhi	142.00
34.	Lakshadweep	71.90
35.	Puducherry	55.77-124.00

MINISTRY OF LABOUR AND EMPLOYMENT

				lable - 5.2
A Statemen	A Statement showing the Area wise Rates of Minimum Wages for Scheduled Employments in the Central sphere	ployments in the Centra	l sphere	
			(as on	(as on 01.10.2009)
Name of Scheduled	Category of Worker	Rates of wages including V.D.A per day (in Rs.)	ng V.D.A per o	lay (in Rs.)
Employment		Area A	Area B	Area C
1. Agriculture	Unskilled	146.00	132.00	130.00
	Semi-Skilled/Unskilled Supervisory	160.00	148.00	135.00
	Skilled/Clerical	174.00	160.00	147.00
	Highly Skilled	194.00	179.00	160.00
2. Workers engaged in Stone Mines for Stone	1. Excavation & removal of over burden with 50 meters lead/1.5 meters lift:	ters lift:		
Breaking and Stone Crushing	(a) Soft Soil	13	136.84	
	(b) Soft Soil with Rock	20.	207.74	
	(c) Rock	27,	274.72	
	2. Removal and Staking of rejected stones with 50 metres lead 1.5 metres lift	01	109.09	
	Stone breaking or Stone Crushing for the stone size			
	(a) 1.0 inch to 1.5 inches	82	852.99	
	(b) Above 1.5 Inches to 3.0 Inches	37	728.67	
	(c) Above 3.0 Inches to 5 Inches	42)	425.96	
	(d) Above 5.0 Inches	34	349.42	
3. Sweeping and Cleaning	Unskilled	203.00	169.00	135.00
4. Watch and Ward	Without Arms	203.00	169.00	135.00
	With arms	225.00	192.00	158.00
5. Loading and Unloading	Unskilled	203.00	169.00	135.00
6. Construction	Unskilled	203.00	169.00	135.00
	Semi-Skilled/Unskilled Supervisory	225.00	192.00	158.00
	Skilled/Clerical	248.00	225.00	192.00
	Highly Skilled	270.00	248.00	225.00
7. Non-Coal Mines		Above Ground	Below Ground	iround
	Unskilled	135.00	169.00	00
	Semi-Skilled/Unskilled Supervisory	169.00	203.00	00
	Skilled/Clerical	203.00	237.00	00
	Highly Skilled	237.00	270.00	00

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		Enforce	ment of Provisio Relations Mach	Enforcement of Provisions of Wage Laws by Central Industrial Relations Machinery (CIRM) during 2008-09.	y Central Industria g 2008-09.		
SI.No	Name	Name of the Act	No of Inspections done	Irregularities Rectified	Prosecutions Launched	Convictions Obtained	Claims filed
1		2	3	4	2	9	7
1	Payment Act,1936	Payment of Wages Act,1936					
	(i	Mines	3916	27213	1923	975	5
	ii)	Railways	1047	6257	4	1	0
	iii)	Air Transport	164	1329	8	11	0
2	Minimum Act, 1948	Minimum Wages Act,1948	15671	121567	4631	3947	2829

Table 5.4 (a)

DETAILS REGARDING ENFORCEMENT OF MINIMUM WAGAES ACT, 1948 IN THE CENTRAL SPHERE DURING 2006-07 & 2007-08

Amount of Fine(Rs. '000)	Recovered	12	•	•
Amount of F	pesodul	11	999	2191
Amount of Compensatio n Awarded (Rs.'000)		10	1506	1960
cases	Decided	6	4942	-
Prosecution cases	filed	8	3835	2486
Prose	Pending	2	43374 3835	44389
Claims	Settled	9	2721	2697
Ö	Filed	2	1822	2002
arities	Rectified Filed Settled Pending filed Decided	4	91040	140913
Irregularities	Detected	ε	101289	132496
Inspection s made		2	19475	14039
Central sphere		1	2006-07	2007-08

Table 5.4 (b)

S.No	DETAILS REGARDING Name of the State/UTs Inspe	NDING ENFOR	SCEMENT OF MII	OF MINIMU arities	IM WAGA	GAES ACT, 19 Claims	948 IN TH	IN THE STATE S Prosecution cases	E SPHE	ENFORCEMENT OF MINIMUM WAGAES ACT, 1948 IN THE STATE SPHERE DURING 2007-08 cition Irregularities Claims Prosecution cases Amount of Amo	7-08 Amount of F	7-08 Amount of Fine(Rs. '000)
		s made	Detecte	Rectifie	Filed	Settled	Pendin	Filed	Decid	Compensatio	Imposed	Recovered
			р	q			g		eq	n Awarded (Rs.'000)		
1	2	8	4	5	9	7	8	6	10	11	12	13
1	Andhra Pradesh	77683	17829	12505	27071	23051	1057	328	458	152	86	83
2	Arunachal Pradesh*	ΙΪΝ	ΙΪΝ	Nil	Nil	Nil	Nil	ΙΪΝ	I!N	Nil	Nil	Nil
3	Assam	37905	16464	4936	476	247	307	148	99	570	Nil	Nil
4	Bihar	217682	44534	41225	18134	14596	1160	82	25	14282	541	-
2	Chhattisgarh*	5380	2159	909	146	92	6256	1245	998	1280	0.1	573
9	Delhi	8992	6229	9809	481	452	1432	993	210	2106	334	211
7	Goa*	1195	7172	6159	9	9	_	9	2	-	28	
∞	Gujarat	140381	119143	81790		81	49763	6146	4015	5586	3268	172
6	Haryana	2433	531	531	238	262	1029	189	92	4160	44	-
10	Himachal Pradesh	2595	2595	2217	2	1	31	378	347	2	284	
11	Jammu & Kashmir	2041	330	227	3		447	105	135	-	0.3	0.3
12	Jharkhand	80839	9237	8971	1364	1623	868	17	44	7802	9	0
13	Karnataka	27482	9638	8291	1085	629	685	1368	929	13198	783	738
14	Kerala	29160	60850	19634	179	06	537	807	847	992	866	866
15	Madhya Pradesh	22831	1629	158	627	993	5337	1471	719	278	156	156
16	Maharashtra	87459	79921	68386			6029	317	1162	-	495	
17	Manipur	595	30	18							1	
18	Meghalaya	384	ΞZ	ij	Ē	Ē	ij	Ē	Ē	Nii	Ξ	ïZ
19	Mizoram	ij	ΞZ	ij	Ē	Ē	Ξ	Ē	Ē	Nii	Ξ	ij
20	Nagaland	12	ΞZ	ij	Ē	Ē	Ē	Ē	Ē	Nii	ijŽ	ïZ
21	Orissa	23962	18903	11538	197		9674	675	145	Nil	39	
22	Punjab	15301	1295	1188	88	120	306	317	202	479	86	
23	Rajasthan	9527	307	112	385	282	770	197	137	5275	52	
24	Sikkim	7003	ı	1		1						
22	Tamil Nadu	105906	746	98	644	1134	2965	616	295	39349	176	122
26	Tripura	5989	ΙΪΖ	ΙΪΖ	ΙΪ	Nii	ΙΪ	Ē	Ξ	Nil	Nii	Nii
27	Uttarakhand	3804	1136	374	251	295	107	233	243	5904	90	88
28	Uttar Pradesh	37022	19227	842	4996	4716	7494	1225	606	2690000	247	
29	West Bengal	16188	3838	3715	1	,	713	61	51	-	22	-
30	Andaman & Nicobar Islands*	272	1088	1088	Ē	Ē	Ē	Ē	Ē	Ē	Ē	Ē
31	Chandigarh	222	145	-	47	164	201	22	73	13	53	-
32	Dadra & Nagar Haveli	28	7	7	1	_		2	-	41	-	
33	Daman & Diu*	397	1	1		1	-		-	-	-	
34	Lakshadweep	Ξ	ΞŻ	ij	Ē	Ē	Ξ	Ē	Ē	Nii	Ξ	ïZ
35	Puducherry	9225	185	185	Ē	Ī	2	Ē	Ē	Zii	0.7	0.7

* Relates to the Calendar Year i.e. 2007

SOCIAL SECURITY

6.1 The social security schemes in India cover only a small segment of the organized work-force, which may be defined as workers who are having a direct regular employer-employee relationship within an organization. The social security legislation in India derives their strength and spirit from the Directive Principles of the State Policy as contained in the Constitution of India. These provide for mandatory social security benefits either solely at the cost of the employers or on the basis of joint contribution of the employers and the employees. While protective entitlements accrue to the employees, the responsibilities for compliance largely rest with the employers.

SOCIAL SECURITY LAWS

- 6.2 The principal social security laws enacted in India are the following:
- ✓ The Employees' State Insurance Act, 1948
- ✓ The Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (Separate provident fund legislations exist for workers employed in Coal mines and tea plantations in the state of Assam and for seamen).
- ✓ The Workmen's Compensation Act, 1923
- ✓ The Maternity Benefit Act, 1961
- ▼ The Payment of Gratuity Act, 1972

ADMINISTRATION OF SOCIAL SECURITY ACTS

6.3 The provisions of the Workmen's Compensation Act, 1923 are being administered exclusively by the State Governments. Cash benefits under the Employees' State Insurance Act, 1948 are administered by the Central Government through the Employees' State Insurance Corporation (ESIC), whereas the State Governments and Union Territory Administrations are administering medical care under the Employees' State Insurance Act, 1948. The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 is administered by the Government of India through the Employees' Provident Fund Organisation (EPFO). In mines and circus industry, the provisions of the Maternity Benefit Act, 1961 are being administered by the Central Government through the Chief Labour Commissioner (Central) and by the State Governments in factories, plantations and other establishments. The Payment of Gratuity Act, 1972 is administered by the Central Government in establishments under its control, establishments having branches in more than one State, major ports, mines, oil-fields and railway companies and by the State Governments and Union Territory Administrations in all other cases. This Act applies to factories and other establishments.

WORKMEN'S COMPENSATION ACT, 1923

6.4 The main objective of the Act is to impose an obligation upon the employers to pay

compensation to workers for accidents arising out of and in the course of employment.

6.5 The Act applies to any person who is employed otherwise than in a clerical capacity, in railway, factories, mines, plantations, vehicles propelled by steam or other mechanical power or by electricity or in connection with loading and unloading work, construction, maintenance and repairs of roads and bridges, electricity generation, cinemas, catching or trading of wild elephants, circus, and other hazardous occupations and other employments specified in Schedule II to the Act. Under section 2(3) of the Act, the State Governments are empowered to extend the scope of the Act to any class of persons whose occupations are considered hazardous after giving three months' notice in the Official Gazette. The Act, however does not apply to members serving in the Armed Forces of the Indian Union, and employees covered under the provisions of the Employees' State Insurance Act. 1948 as disablement and dependents' benefits are available under this Act.

Entitlement

6.6 In order to be a "workman" within the meaning of section 2(1) (n) of the Workmen's Compensation Act, firstly, a person should be employed for the proposes of the employer's trade or business; and lastly, the capacity in which he works should be one set out in the list in Schedule II of the Act.

Benefits

6.7 The compensation has to be paid by the employer to a workman for any personal injury caused by an accident arising out of and in the course of his employment (section 3 of the Act). The employer will not be liable to pay

compensation in respect of any injury which does not result in the total or partial disablement of the workman for a period exceeding three days and in respect of any injury, not resulting in death or permanent total disablement caused by an accident which is directly attributable to (i) the workman having been at the time thereof under the influence of drink or drugs, or (ii) the wilful disobedience of the workman to an order expressly given, or to a rule expressly framed, for the purpose of securing the safety of workmen, or (iii) the wilful removal or disregard by the workman of any safety guard or other device which he knew to have been provided for the purpose of securing the safety of workman. The rate of compensation in case of death is an amount equal to fifty per cent of the monthly wages of the deceased workman multiplied by the relevant factor or an amount of Rs.80,000/-,whichever is more. Where permanent total disablement results from the injury, the compensation will be an amount equal to sixty per cent of the monthly wages of the injured workman multiplied by the relevant factor or an amount of Rs.90,000/-, whichever is more. Where the monthly wages of a workman exceed four thousand rupees, his monthly wages for the above purposes will be deemed to be four thousand rupees only. Maximum amount for death and permanent total disablement can go up to Rs.4.56 lakh and Rs.5.48 lakh respectively depending on age and wages of workman.

Administration

6.8 The State Governments administer the provisions of this Act through the Commissioners appointed for specified areas. The State Governments also make rules for ensuring that the provisions of the Act are complied with.

Amendments

6.9 Keeping in view the recommendation of the Second National Commission on Labour and suggestions received from the related Ministries / Departments and State Governments/Union Territory Administrations, the Workmen's Compensation (Amendment) Bill, 2009 has been passed by the Parliament and has received the assent of the President on 22.12.2009. On notification in the Gazette of India, the following amendments will take effect.

- (i) The title of the Act will be "The Employees' Compensation Act, 1923" instead of "The Workmen's Compensation Act, 1923" and Section 2(1)(n) has been replaced with Section 2(1)(dd) as per recommendation of the Second National Commission on Labour and accordingly, wherever the term "workman" or "workmen" occurs in the Act it will become "employee" and "employees" being gender neutral.
- (ii) A large number of restrictive clauses in Schedule II of the Act will either be amended or be omitted with a view to provide coverage to workers on equity basis;
- (iii) Enhancement of the funeral expenses to Rs.5,000/- from Rs.2,500/- at present with powers to the Central Government to review and revise the same from time to time;
- (iv) Power to the Central Government to review and revise the wage ceiling of an employee from time to time;
- (v) Provision of re-imbursement of actual medical expenditure incurred for

- treatment of injuries caused during course of employment;
- (vi) Enhancement of the minimum rates of compensation payable to a worker from Rs.80,000/- to Rs.1.20 lakh for death and Rs.90,000/- to Rs.1.40 lakh for permanent disability with power to the Central Government to enhance the minimum rates of compensation from time to time;
- (vii) Eligibility criteria for appointment of Commissioner have been widened so as to include a member of a State Judicial Service with five years' experience or an advocate or a pleader with five years' experience or a person who has been Gazetted Officer for not less than five years having educational qualification and experience in personnel management, human resource development and industrial relations.
- (viii) The Commissioner shall dispose of the matter relating to compensation under the Act within a period of three months from the date of reference and intimate the decision in respect thereof within said period to the employee.

THE EMPLOYEES' STATE INSURANCE SCHEME

COVERAGE

6.10 The Employees' State Insurance Act, 1948 provides for health care and cash benefit payments in the case of sickness, maternity and employment injury. The Act is applicable to non-seasonal factories using power and employing 10 or more employees. The Act is being

implemented area-wise, in a phased manner. The ESI Scheme is operated in 783 centres situated in 29 States/Union Territories. As on 31.03.2009, 1.29 crores insured persons and about 5.01 crores beneficiaries are covered under the Scheme. The number of factories and establishments covered by the end of the year had gone up to about 394332.

ADMINISTRATION

6.11 The ESI Scheme is administered by a statutory body called the Employees' State Insurance Corporation (ESIC), which has members representing Employers, Employees. Central and State Governments, Medical Profession and the Parliament. The Union Minister for Labour & Employment is the Chairman. A Standing Committee constituted from among the members of the Corporation acts as the executive body for administration of the Scheme and is chaired by the Secretary to the Government of India, Ministry of Labour & Employment. There are 24 Regional Boards and 303 Local Committees in existence as on 31.03.2009. The Director General is the Chief Executive Officer of the Corporation and is also an ex-office member of the Corporation as well as its Standing Committee. The Hqrs. of the ESI Corporation is located at Delhi and has 53 field offices such as 23 Regional Office, 26 Sub-Regional Office and 2 Divisional Office and Camp Office throughout the country. Besides, there are 611 Branch Offices and 197 Pay Offices for administration of cash benefits to Insured Persons. For inspection and coverage of new factories/Establishment, 346 Inspection Offices also set up across the Country.

FUNDING AND OPERATION OF THE SCHEME

6.12 The ESI Scheme is mainly financed by contributions from the employers and

employees. The rates of the employers' and the employees' share of contribution are 4.75% and 1.75% respectively. The State Governments' share of the expenditure on the provision of medical care is to the extent of 12.5% (1.8th within the per capita ceiling). The Corporation has prescribed a ceiling on the shareable expenditure on medical care. From 1st April, 2007 the ceiling on expenditure on construction of ESI Hospitals and other buildings including their maintenance is borne exclusively by the All capital expenditure on Corporation. construction of ESI Hospitals and other buildings including their maintenance is borne exclusively by the Corporation.

INVESTMENT

6.13 All contributions received under the ESI Act and all other moneys belonging to the fund which are not immediately required for defraying day to day expenses are invested in the manner prescribed statutorily. As on 31.03.09, the total investment of fund was Rs.20,426.37 crore. Out of this, an amount of Rs7,105.25 crore was invested in the Special Deposit Account with Central Government and the balance amount of Rs.13,321.12 crore was invested in fixed deposits with nationalized banks, financial institutions etc.

ARREARS OF ESI DUES

6.14 A sum of Rs.1267.32 crores was in arrears as on 31.03.2009 on account of default by the employers of covered factories/ establishments. Out of this, an amount of Rs.912.26 crores was not recoverable, for the present due to various reasons, such as factories having gone into liquidation recovery having been disputed in Courts etc. The balance, amounting to Rs.355.06 crore,

represents recoverable arrears. The Corporation has been taking necessary recovery action through Recovery Machinery, Legal and penal actions, under various provisions of the Employees' State Insurance Act, 1948 and under the Indian Penal Code for recovery of ESI dues. During the year 2008-2009, the Corporation realized Rs.140.16 crore from the defaulters through its own recovery machinery. Further, an amount of Rs.50.99 crore was recovered from April 2009 to September, 2009.

HEALTH BENEFITS

6.15 The Scheme provides full medical facilities from primary health care to super speciality treatment in respect of the insured persons and their family members. The medical care under the Scheme is administered by the State Governments, except in Delhi. The Corporation also directly runs 23 Hospitals including 18 Model hospitals and 5 Hospitals as Occupational Disease Centre (ODC) cum Model Hospitals in various States details are given in **Table 6.1**



Shri Mallikarjun Kharge, Hon'ble Minister of Labour & Employment inaugurating the ESIC Model Dispensary at Modi Mill, Okhla in the presence of Shri Harish Rawat, Hon'ble Minister of State for Labour & Employment and Smt. Kiran Walia, Hon'ble Minister of Health & Family Welfare, Government of NCT of Delhi.



Release of booklet during the inaugural ceremony.

Opening of Medical Colleges/Post Graduate Institute of Medical Sciences & Research (PGIMSRs) and Dental Colleges

6.16 The ESI Corporation has been facing acute shortage of medical staff for quite some time and was managing to provide super specialty medical care through tie-up arrangements with private medical institutions. However, the super specialty treatment provided by the private medical institutions is unsatisfactory and expensive. It has become imperative for the Corporation to upgrade its medical infrastructure and quality. Accordingly, in 139th meeting of Employees' State Insurance Corporation held on 17.07.2007, the issue of shortage of medical/para-medical staff in ESI Hospitals and Dispensaries was raised by many Members of the Corporation. It has been decided to initiate action for setting up of its own medical institutions so as to ensure availability of sufficient medical and Para-medical staff and save expenditure on super specialty facilities provided to insured persons. Recruitment Regulations have been framed for filling up of teaching faculty.

Employees' State Insurance (Amendment) Bill, 2008:

6.17 The Employees' State Insurance Corporation in its 139th meeting held on 17.07.2007, decided to constitute a Sub-Committee of the Corporation to review the existing provision of the said Act and suggest amendments keeping in view the changed economic scenario. The Sub-Committee gave its report recommending certain amendments in the Employees' State Insurance Act, 1948. The report of the Sub-Committee was considered and approved by the Employees' State Insurance Corporation at its 142nd meeting held

on 22.02.2008. Based on the recommendations made by the Sub-Committee, the Corporation approved amendment proposals in various sections of the ESI Act, 1948. Accordingly, the Employees' State Insurance (Amendment) Bill, 2008 was introduced in the Parliament on 30.7.2009.

6.18 The Bill was examined by the Parliamentary Standing Committee on Labour. The Committee has submitted its report which is being examined.

EMPLOYEES' PROVIDENT FUNDS AND MISCELLANEOUS PROVISIONS ACT, 1952

6.19 The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 is a welfare legislation enacted for the purpose of instituting provident funds, pension fund and deposit linked insurance fund for employees working in factories and other establishments. The Act aims at providing social security and timely monetary assistance to industrial employees and their families when they are in distress and/or unable to meet family and social obligations and to protect them in old age, disablement, early death of the bread winner and in some other contingencies. Presently, the following three Schemes are in operation under the Act through the Employees' Provident Fund Organisation (EPFO):

6.20 Presently, the following three Schemes are in operation under the Act through the Employees' Provident Fund Organisation:

- ✓ Employees' Provident Funds Scheme, 1952
- ✓ Employees' Deposit Linked Insurance Scheme, 1976
- ✓ Employees' Pension Scheme, 1995

COVERAGE OF ESTABLISHMENTS AND MEMBERS

6.21 Presently, the Act is applicable to 186 specified industries/classes of establishments as is specified in Schedule I of the Act or any activity notified by the Central Government in the Official Gazette and employing twenty or more persons. Apart from the provision for compulsory coverage, provision also exists under section 1(4) of the Act for voluntary coverage. As on 31.03.2009, there were 5,73,063 establishments and factories covered under the Act with a membership of 470.72 lakh under EPF Scheme, both in the Exempted and Un-exempted sectors. With effect from 01.06.2001, an employee on joining the employment in a covered establishment and getting wages upto Rs.6,500/- is required to become a member of the fund.

EMPLOYEES' PROVIDENT FUNDS ARREARS

The arrears under all the schemes as on 31st March 2009 were of the order of Rs.2933.12 crore. Out of this 78.58% pertains to not immediately realizable category being the amount locked in courts and where stay has been granted by the courts. In order to recover the arrears, the EPF Organisation takes various actions under the provisions of section 8 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. It takes steps to get the stay orders vacated to recover arrears under the not realizable category. It also launches prosecution against the defaulting employers under section 14 of the Act and prosecutes employers under section 406/409 of the Indian Penal Code in case they deduct employee's share of contribution but do not remit the same to the Fund. During the year 2008-09, arrears amounting to Rs.918.16 crore were realized

under both unexempted and exempted sector of establishments.

Service to Members

6.23 A member of the Employees Provident Fund Scheme is entitled to withdraw the amount lying in his account together with interest on quitting service. During the year 2008-09,34.73 lakh EPF claims were settled. The scheme also provides for partial withdrawals from the Provident Fund Account to meet contingencies like illness, invalidation and also to provide financial assistance to discharge their social responsibilities like marriage of self, children or higher education of children and construction of dwelling house. At the end of a financial year a member is also entitled to receive annual statement of account indicating his balances. During the year 2008-09, 570.80 lakh annual statement of accounts were issued. At the end of the year 440.35 lakh annual statement of accounts remained pending for issue.

Employees Deposit Linked Insurance Scheme, 1976

6.24 Employees Deposit-Linked Insurance Scheme, 1976 (EDLI) is applicable to all factories / establishments with effect from 1st August, 1976. All the employees, who are members of the Employees' Provident Fund Scheme, are required to become members of this Scheme. Employers are required to pay contributions to the Insurance Fund at the rate of 0.5 per cent of pay i.e., basic wages, dearness allowance including cash value of food concession and retaining allowance, if any. During the year 2008-09, a sum of Rs.368.40 crore comprising of employers' contribution was deposited. During the year 2008-09, 20,455 EDLI claims were settled. At the end of 2008-09. the EPFO had cumulative investments of Rs.7,155.33 crore under this Scheme.

EMPLOYEES' PENSION SCHEME, 1995

6.25 The Employees' Pension Scheme, 1995 has been introduced w.e.f. 16-11-1995. With the introduction of the Pension Scheme, the erstwhile Employees' Family Pension Scheme, 1971, has ceased to operate. However, the pensioners who were drawing benefits under the erstwhile Employees' Family Pension Scheme, 1971 will continue to draw Family Pension under the Employees Pension Scheme, 1995.

Pension criteria

6.26 Members on attaining the age of 58 years and having rendered minimum ten years' contributory service (including the membership period with ceased Employees' Family Pension Scheme, 1971) shall qualify for superannuation pension. Those members who serve less than ten years' service shall be eligible for Scheme certificate or withdrawal benefit, as the case may be.

Benefits under the Scheme

6.27 The Employees' Pension Scheme, 1995 provides the following benefits to the members and their families:

- ✓ Monthly member pension
- ✓ Permanent total disablement pension
- ✓ Widow/ widower pension
- ✓ Children pension
- ✓ Orphan pension
- ✓ Nominee pension
- ✓ Pension to dependent parents.

6.28 The category-wise break up of pension claims (all benefits) settled by the Employees' Provident Fund Organisation during the year 2008-09 is indicated in the following Table:

Category of Claims	Number of Claims Settled
Monthly Pension Benefits	4.10 lakh
Life Assurance Benefit	26.59 lakh
Retirement-cum-withdrawal benefit	
Refunds	
TOTAL	30.69 lakh

Contribution to Pension Fund

6.29 The Scheme is financed by transferring 8.33% of the Provident Fund contributions from employers' share and by contribution @ 1.16% of basic wages of employees by the Central Government. All accumulations in the ceased Employees' Family Pension Fund constitute the corpus of the Pension Fund. During the year 2008-09, Rs.10487.78 crores were received as

Pension Fund Contributions, out of which Rs.9320.56 crores were collected from employers' share and Rs. 1167.22 crores were contributed by the Central Government. At the end of 2008-09, the EPFO had cumulative investments of Rs.108578.28 crores under the EPS Scheme.

Pension beneficiaries

6.30 The beneficiaries of the ceased Employees' Family Pension Scheme, 1971 continue to get benefits under the new employees' Pension Scheme, 1995. As on 31.03.2009, there were 20,36,655 members, 6,27,077 spouses, 10,016 parents 5,49,496 children, 14,828 orphans and 8,059 nominees receiving pension under the Scheme. Total amount disbursed among the pensioners during the year was Rs. 3120.84 crores through the nationalized banks and post offices.



Signing of the Bilateral Social Security agreement between Mr. Michael Suchmidt, representing Ministry of Labour & Social Affairs, Federal Republic of Germany and Shri A.Vishwanthan, Central Provident Fund Commissioner.

THE MATERNITY BENEFIT ACT, 1961

6.31 The Maternity Benefit Act, 1961 is a piece of social legislation 2008-2009, enacted to promote the welfare of working women. Act prohibits the working of pregnant women for a specified period before and after delivery. It also provides for maternity leave and payment of certain monetary benefits to women workers subject to fulfilment of certain conditions during the period when they are out of employment on account of their pregnancy. The services of a woman worker cannot be terminated during the period of her absence on account of pregnancy except for gross misconduct. Maximum period for which a woman can get maternity benefit is twelve weeks. Of this, six weeks must be taken prior to the date of delivery of the child and six weeks immediately following that date.

6.32 The Maternity Benefit (Amendment) Bill, 2008 which contained proposal to enhance the medical bonus from Rs.250/- to Rs.1,000/- and to empower the Central Government to enhance the medical bonus within every three years, by notification in the Official Gazette subject to the maximum of Rs.20,000/- received assent of the President on 1st April, 2008 after passing by both the Houses of Parliament. Thereafter, the medical bonus amount was increased to Rs.1,000/- by Gazette Notification dated 2nd April, 2008 and made effective from 15th April, 2008. Subsequently, this amount has been further increased to Rs.2,500/- by Gazette Notification dated 11th August, 2008.

Study on the effective implementation of the Maternity Benefit Act, 1961

6.33 A study is being conducted on the effective implementation of the Act through Tata Institute of Social Sciences, Mumbai, for further improvement and amendments that may be necessary.

THE PAYMENT OF GRATUITY ACT, 1972

Objective

6.34 The Payment of Gratuity Act, 1972 provides for a scheme of compulsory payment of gratuity to employees engaged in factories, mines, oil-fields, plantations, ports, railway companies, motor transport undertakings, shops or other establishments.

Coverage

- ✓ Every factory, mine, oil-field, plantation, port and Railway Company.
- ✓ Every shop or establishment within the meaning of any law for the time being in force in relation to shops and establishments in a State, in which ten or more persons are employed or were employed on any day of the preceding twelve months.
- Every motor transport undertaking in which ten or more were employed on any day of the preceding twelve months.
- ✓ Such other establishments or class of establishments in which ten or more employees are employed or were employed on any day of the preceding twelve months as the Central government may, by notification, specify in this behalf.
- 6.35 A shop or establishment once covered shall continue to be covered notwithstanding that the number of persons employed therein at any time falls below ten.

Entitlement

6.36 Every employee, other than apprentice irrespective of his wages is entitled to receive gratuity after he has rendered continuous

service for five years or more. Gratuity is payable at the time of termination of his service either (i) on superannuation or (ii) on retirement or resignation or (iii) on death or disablement due to accident or disease. Termination of services includes retrenchment. However, the condition of five years' continuous service is not necessary if services are terminated due to death or disablement. In case of death of the employee, the gratuity payable to him is to be paid to his nominee, and if no nomination has been made, then to his heirs.

Calculation of Benefits

6.37 For every completed year of service or part thereof in excess of six months, the employer pays gratuity to an employee at the rate of fifteen days' wages based on the rate of wages last drawn. As per section 4(3) of the Act, the amount of the gratuity payable to an employee shall not exceed Rs.3,50,000/-.

Administration

6.38 The Act is enforced both by the Central and State Governments. Section 3 authorizes the appropriate government to appoint any officer as a controlling authority for the administration of the Act. Mines, major ports, oilfields, railway companies and established owned or controlled by the Central Government and establishment having branches in more than one State are controlled by the Central Government. The remaining factories and/establishments are looked after by the State Governments.

6.39 The Central / State Governments appoint the Controlling Authorities and Inspectors for different areas, to ensure that the provisions of the Act are complied with. The Central/State Governments also frame rules for administration of the Act. In Maharashtra, the

labour courts in different localities are notified as Controlling Authority for the administration of the Act.

6.40 In pursuance to a judgment of Hon'ble Supreme Court, the Payment of Gratuity (Amendment) Bill, 2008 to amend the definition of 'employee' under section 2 (e) of the act in order to cover the teachers in educational institutions retrospectively i.e. with effect from 3rd April, 1997, i.e. the date of notifying the educational institutions under the Act, has since been passed by the Parliament. It will come to effect as soon as assent of the President is received and notified. Also, Government has initiated the process of amendment to the Payment of Gratuity Act, 1972 for enhancing the ceiling on amount of gratuity from Rs.3.50 lakh to Rs.10 lakh.

Study on the effective implementation of the Payment of Gratuity Act, 1972

6.41 A study is being undertaken through Shri Ram Centre for Industrial Relations and Human Resources, New Delhi to assess the effective implementation of the Act in labour intensive establishments in order to improve and take measures for amendments that may be necessary

PARTICIPATION IN INTERNATIONAL EVENTS ON SOCIAL SECURITY

Inaugural Ceremony of the ISSA Liaison Office for South Asia, Vigyan Bhawan, New Delhi, India, 22 June 2009

6.42 The Employees' State Insurance Corporation of India has been a member of the International Social Security Association (ISSA) since the early 60s. The ISSA, which is an international organization whose membership is made up of national social security

administrations and agencies throughout the world, has its headquarters in Geneva, provides information, research, expert advice and a platform for member countries to build and promote social security. In order to have a more efficient mechanism for regional consultation, programme planning and delivery of ISSA activities tailored to the diverse priorities and needs of member organizations in different subregions, the ISSA decided to create a subregional structure and develop a strong network among the Chief Executive Officers (CEOs) of different sub-regions to be chaired by the CEO of the host organization of each sub-regional liaison office. It was in this context that the International Social Security Association decided to open a Liaison Office for South Asia at the headquarters of the Employees' State Insurance Corporation (ESIC) in New Delhi, which will work with the social security institutions in the region with the aim of extending and developing social security in the countries covered by this region. The sub-region will cover social security organizations from Bhutan, India, the Islamic Republic of Iran, Nepal, Pakistan and Sri Lanka. The inaugural ceremony of the Liaison Office was held on 22 June 2009 at Vigyan Bhawan, New Delhi. The Liaison Office was officially inaugurated by Mr. Mallikarjun Kharge, Union Minister for Labour & Employment, Government of India. The function was attended by approximately 1,000 invitees representing international organizations, ISSA member countries from the region, the Secretary General and Senior Regional Coordinator from ISSA headquarters in Geneva, representatives of trade unions and employers' associations, senior officers from the Ministry of Labour & Employment, representatives of other ISSA member institutions in India and the staff and officers of ESIC, Ministry of Labour & Employment and the Employees' Provident Fund Organization (EPFO).

On 23 June 2009, a Technical Seminar 6.43 on the theme Extension of Social Security Coverage was held at Vigyan Bhawan. The seminar was attended by Mr. Hans-Horst Konkolewsky, Secretary General, International Social Security Association (ISSA), Ms. Nayantara Pathmarajah Banna, Senior Regional Coordinator, ISSA, representatives of social security institutions of Bhutan, the Islamic Republic of Iran and the Republic of Korea, representatives of the International Labour Office (ILO) and the Social Security Association of India, members of the Employees' State Insurance Corporation (ESIC) and senior officers of the Ministry of Labour & Employment, Employees State Insurance Corporation the Employees Provident Fund Organisation. Approximately 200 delegates attended the seminar.

	Table 6.1					
		cupational Disease Centre (ODC) cum el Hospitals in various States				
SI. No.	State	Place				
01.	Andhra Pradesh	Nacharam, Hyderabad				
02.	Assam	Beltola				
03.	Jharkhand	Ranchi				
04.	Karnataka	Rajajinagar, Bangalore				
05.	Kerala	Asramam, Kollam				
06.	Orissa	Rourkela				
07.	Punjab	Ludhiana				
08.	Rajasthan	Jaipur				
09.	Uttar Pradesh	Noida				
10.	Bihar	Phulwarisharif				
11.	Gujarat	Bapu Nagar, Ahmedabad				
12.	Jammu	Bari Brahmna				
13.	NCT Delhi	Basaidarapur (ODC cum Model Hospital)				
14.	West Bengal	Joka, Kolkata (ODC cum Model Hospital)				
15.	Tamil Nadu	KK Nagar, Chennai (ODC cum Model Hospital)				
16.	Madhya Pradesh	Nanda Nagar, Indore (ODC cum Model Hospital)				
17.	Chandigarh UT	Chandigarh				
18.	Mumbai	Andheri (ODC cum Model Hospital)				
19.	Jharkhand	Adityapur				
20.	Kerala	Udyogmandal				
21.	NCT Delhi	Rohini				
22.	NCT Delhi	Jhilmil				
23.	NCT Delhi	Okhla				

ESI Medical Infrastructure (As on 31.0	03.2009)
ESI Hospitals (Nos.)	145
ESI Annexes (Nos.)	42
Beds available in ESI Hospitals (Nos.)	23,088
Reserve Beds in State Government Hospitals	2,967
Insurance Medical Officers	7,247
ESI Dispensaries / ISM Units	1388+44
Panel Clinics	1678

LABOUR WELFARE

- The Government has provided social security cover to most of the workers in the organized sector through the Employees Provident Fund Organization (EPFO) and Employees State Insurance Corporation within the legal framework. However, by and large, no such social security cover has been provided to the workers in the unorganized sector who constitute 93% of the total work force. The concept of Labour Welfare Fund was, therefore, evolved in order to extend a measure of social assistance to workers in the unorganized sector. Towards this end, separate legislations have been enacted by Parliament to set up five Welfare Funds to be administered by Ministry of Labour & Employment to provide housing, medical care, educational and recreational facilities to workers employed in beedi industry, certain non-coal mines, and cine workers.
- 7.2 The scheme of Welfare Funds is outside the framework of specific employer and employee relationship in, as much as the resources are raised by the Government on a non-contributory basis and delivery of welfare services affected without linkage to individual worker's contribution. Welfare funds, which follow a sectoral approach, are in addition to a large number of various other poverty alleviation and employment generation programmes, which follow a regional approach and for which most of these workers are eligible.

LABOUR WELFARE FUNDS

7.3 The Ministry of Labour & Employment is administering five Welfare Funds for beedi, cine

and certain categories of non-coal mine workers. The Funds have been set up under the following Acts of Parliament for the welfare of these workers:-

The Mica Mines Labour Welfare Fund Act, 1946;

The Limestone and Dolomite Mines Labour Welfare Fund Act, 1972;

The Iron Ore, Manganese Ore and Chrome Ore Mines Labour Welfare Fund Act, 1976;

The Beedi Workers' Welfare Fund Act, 1976; and

The Cine Workers' Welfare Fund Act, 1981.

- 7.4 The Acts enable the Central Government to meet the expenditure incurred in connection with measures and facilities which are necessary or expedient to promote the welfare of such workers. In order to give effect to the objectives laid down in the above Acts, various welfare schemes have been formulated and are under operation in the fields of Health, Social Security, Education, Housing, Recreation and Water Supply.
- 7.5 Ministry of Labour and Employment has initiated action for rehabilitation of the beedi workers to provide them alternate source of employment for viable alternative sources of livelihood as there is apprehension among

Beedi Manufacturers / Beedi Workers Associations that employment may be reduced in beedi industry due to the labeling the pictorial warning on beedi bundles specified under the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003.

- 7.6 30-bedded Hospital at Mukkudal (Tamil Nadu) has been made fully functional from 16th July, 2008.
- 7.7 The setting up of 15-bedded hospital for beedi workers at Jhalda (West Bengal) has been approved. The total expenditure on setting up of the hospital is work out to be Rs.8.25 crore.
- 7.8 Upgradation of 65-bedded Central hospital for beedi workers at Dhuliyan (West Bengal) to 100-bedded hospital is under process.
- 7.9 Under the Education Scheme, instructions have been issued to all Welfare Commissioners to pay scholarship through Savings Bank Accounts.
- 7.10 The Revised Integrated Housing Scheme (RIHS), 2005 for Beedi workers etc., amended as RIHS, 2007 was approved by the Ministry of Finance, Department of Expenditure, is being implemented from 1st April, 2007. Under the amended scheme, the worker contribution of Rs.5.000/- per worker is deposited only after administrative approval is granted by the Ministry. The 1st installment of Rs. 20,000/-, as advance subsidy, is released after receipt of worker's contribution to enable house construction up to roof level. The subsidy is released by the Director General Labour Welfare (DGLW) on 50:50 basis, in two equal installments to (a) Welfare Commissioner of the region concerned in case of construction of

houses by the worker individually; (b) Cooperative Group Housing Society of workers for construction of houses under Group Housing Scheme (GHS); and (c) State Government concerned for construction of houses for Beedi workers under Economically Weaker Section (EWS) component of the scheme. installment of Rs. 20,000/-per worker, as advance subsidy, is released at the time of grant of administrative approval for the purpose of construction of the house till roof level. The balance of 50% i.e. 2nd installment of Rs. 20,000/- of the total subsidy is released when 50% progress i.e. construction reaching at roof level is reported to the DGLW. Details of houses sanctioned and expenditure incurred during last two years and current year (till date) under the Revised Integrated Housing Scheme (RIHS) are as under:

Financial Year	No. of Houses sanctioned for which subsidy released	Expenditure (Rs. in crore)
2007-08	38,322	109.15
2008-09	23,398	71.00
2009-10	4,465	57.95*

*Budget Estimates after general economic cut.

7.11 A special drive to close down all erstwhile Integrated Housing Scheme, 1999, 2001 & 2004 was launched during 2007-08 under the direct supervision and personal monitoring of DG (LW). All previous cases have been settled and outstanding subsidy in respect of remaining houses is being released during the current year. Besides, a concerted efforts are being made to settle cases sanctioned from 2005-06 to 2007-08 under RIHS, 2005 during the current year. Due to the sincere efforts made by the officers of the Ministry, Utilization Certificates of Rs. 25 Crores for the houses under Economically

Weaker Sector sanctioned during 1985-86 to 1996-97 have been obtained from the Govt. of Andhra Pradesh.

7.12 The Labour Welfare Organization which administers these Funds is headed by a Director General (Labour Welfare)/Joint Secretary. He is assisted by the Welfare Commissioner (Headquarters) of Director rank, who supervises nine Regional Welfare Commissioners for the purpose of administration of these Funds in the States. The jurisdiction of each Welfare Commissioner has been shown in the **Table 7.1**.

ADVISORY COMMITTEES AND THEIR MEETINGS:

7.13 To advise the Central Government on matters related to administration of the above Funds, tripartite Central Advisory Committees have been set up under the respective Welfare Fund Acts. Minister of Labour and Employment or a person nominated by him heads these Committees. The Central Advisory Committees on Beedi Workers Welfare Fund and Cine Workers Welfare Fund have 21 members, 7 each from Central Government, Employers' Organizations, and Employees' Organizations respectively and Central Advisory Committee on Iron Ore. Manganese Ore and Chrome Ore Mines Labour Welfare Fund and Limestone & Dolomite Mines Labour Welfare Fund have 18 members. 6 each from Central Government. Employers' Organizations, and Employees' Organizations respectively excluding the Chairman and Secretary.

7.14 In the year 2008-09, the meeting of Central Advisory Committee on Beedi Workers Welfare Fund was held on 27.02.2009. The next meeting will be held on 10rh December, 2009. The meeting of Central Advisory Committee on Cine Workers Welfare Fund was held on

19.12.2008. The meetings of the other Central Advisory Committees i.e. (i) Cine Workers Welfare Fund, (ii) Limestone & Dolomite Mines Labour Welfare Fund, & (iii) Iron Ore Mines, Manganese Ore Mines & Chrome Ore Mines Labour Welfare Fund will be held shortly.

LEVY OF CESS:

7.15 Labour Welfare Funds are financed out of the proceeds of the cess levied under the respective Cess/Fund Acts on manufactured beedis, feature films, export of mica, consumption of limestone & dolomite and consumption and export of iron ore, manganese ore & chrome ore as per the rates given below:-

Beedi Workers Welfare Cess Act, 1976 provides for levy of cess by way of excise duty on manufactured beedis from Re.1/- to Rs.5/- per thousand manufactured beedis. This is presently Rs 5/- per thousand manufactured beedis w.e.f. 1st April, 2006.

The Cine Workers Welfare Cess Act, 1981 provides for duty of cess, at such rate not being less than one thousand rupees and not exceeding twenty thousand rupees, on every feature film submitted to the Chairman, Central Board of Film Certification. This is Rs.20,000/- per feature film of Hindi and English and for regional films it is Rs.10,000/- per film w.e.f. 20.04.2001.

The Iron Ore, Manganese Ore & Chrome Ore Mines Labour Welfare Cess Act, 1976 provides for levy and collection of cess on Iron Ore, Manganese Ore & Chrome Ore between paise 50 to Re.1/-, Re.1/- to Rs.6/- and Rs.3/- to Rs.6/- respectively. The rate of cess is Re.1/- per MT on Iron Ore. The rate of cess is Rs 4/- per MT on Manganese Ore

and Rs 6/- per MT on Chrome Ore w.e.f. 11.01.2001.

The Limestone and Mines Labour Welfare Fund Act, 1972 provides for the levy and collection of cess on Limestone and Dolomite as a duty of excise at such rate not exceeding one rupee per metric tone of limestone & dolomite. The rate of cess on

Limestone and Dolomite is Re.1/- w.e.f. 27.12.2000.

Mica Mines Labour Welfare Fund Act, 1946, provides for levy and collection of cess on all mica exported as duty of Customs not exceeding 6.25% ad valorem. This is 4.5% ad-valorem on export w.e.f. 01.11.1990. Achievements of Welfare Funds, in brief, are given in **Table-7.2**.

	WELFARE COMMISSIONERS AN	Table 7.1 ID THEIR JURISDICTION
SI. No.	Name of Region	States Covered
1	Welfare Commissioner, Allahabad	Uttar Pradesh, Himachal Pradesh, Punjab, Jammu & Kashmir and Uttaranchal
2	Welfare Commissioner, Bangalore	Karnataka & Kerala
3	Welfare Commissioner, Ajmer	Gujarat, Rajasthan & Haryana
4	Welfare Commissioner, Bhubaneswar	Orissa
5	Welfare Commissioner, Kolkata	West Bengal, Assam, Tripura & Meghalaya
6	Welfare Commissioner, Hyderabad	Tamil Nadu & Andhra Pradesh
7	Welfare Commissioner, Jabalpur	Madhya Pradesh and Chhattisgarh
8	Welfare Commissioner, Karma	Bihar and Jharkhand
9	Welfare Commissioner, Nagpur	Maharashtra & Goa

WELFARE FUNDS COLLECTION AND EXPENDITURE

(Rs. in crore)

Beedi Workers	Welfare Fund	2008-09	2009-10 (Upto Sept., 2009)
Utilization of Welfare Fund		228.16	69.84
Cess Collection		202.42	18.58
Expenditure	Health	49.13	30.51
	Housing	68.02	7.14
	Education	105.22	28.11
	Recreation	0.19	0.10
Limestone & Dolomite Mi	nes Labour Welfare Fund	2008-09	2009-10 (Upto Sept., 2009)
Utilization of Welfare Fund		10.13	4.72
Cess Collection		24.60	0.00
Expenditure	Health	4.97	2.68
	Housing	0.74	0.10
	Education	1.36	0.17
	Recreation	0.66	0.32
	re & Chrome Ore Mines elfare Fund	2008-09	2009-10 (Upto Sep t., 2009)
Utilization of Welfare Fund		10.94	4.61
Cess Collection		25.51	10.76
Expenditure	Health	6.27	2.80
	Housing	0.34	0.06
	Education	2.50	0.55
	Recreation	0.16	0.06
Mica Mines Labour Welfare Fund		2008-09	2009-10 (Upto Sept., 2009)
Utilization of Welfare Fund		1.86	1.13
Cess Collection		1.02	2.62
Expenditure	Health	0.86	0.57
	Housing	0.00	0.00
	Education	0.58	0.26
	Recreation	0.05	0.03
Cine Workers	Welfare Fund	2008-09	2009-10 (Upto Sept., 2009)
Utilization of Welfare Fund		1.25	0.62
Cess Collection		2.43	0.00
Expenditure	Health	0.86	0.61
	Housing	0.00	0.00
	Education	0.35	0.00
	Recreation	0.00	0.00
Utilization of Welfare Fund	S	0.97	0.40
Cess Collection		1.35	2.00
Expenditure	Health	0.62	0.39
	Education	0.95	0.00

NOTE:(The Cess collection for 2008-09 is upto August, 2008)

UNORGANISED WORKER

- 8.1 The term 'unorganised worker' has been defined under the Unorganised Workers Social Security Act, 2008 as a home-based worker, self-employed worker or a wage worker in the organized sector and includes a worker in the organised sector who is not covered by any of the Acts mentioned in Schedule-II of this Act i.e. (i) The Workmen's Compensation Act, 1923 (8 of 1923), (ii) The Industrial Disputes Act, 1947 (14 of 1947), (iii) The Employees' State Insurance Act, 1948 (34 of 1948), (iv) The Employees' Provident Funds and Miscellaneous Provision Act, 1952 (19 of 1952), (v) The Maternity Benefit Act, 1961 (53 of 1961) and The Payment of Gratuity Act, 1972 (39 of 1972)
- As per the survey carried out by the National Sample Survey Organization in the year 2004-05, the total employment in both organized and unorganised sector in the country was of the order of 45.9 crore. Out of this, about 2.6 crore were in the organised sector and the balance 43.3. crore in the unorganised sector. Out of 43.3 crore workers in the unorganised sector, 26.9 crore workers were employed in agriculture sector, 2.6 crore in construction, and remaining were in manufacturing activities, trade and transport, communication & services. A large number of unorganized workers are home based and are engaged in occupations such as beedi rolling, agarbatti making, papad making, tailoring, and embroidery work.
- 8.3 The unorganised sector workers suffer from cycles of excessive seasonality of employment, lack of a formal employer-

- employee relationship and absence of social security protection. Several legislations such as the Workmen's Compensation Act, 1923; the Minimum Wages Act, 1948; the Maternity Benefit Act, 1961; the Contract Labour (Abolition and Prohibition) Act, 1970; Building and Other Construction Workers (Regulation of Employment & Conditions of Service) Act, 1996; and the Building and Other Construction Workers Welfare (Cess) Act, 1996 etc. are directly or indirectly applicable to the workers in the unorganised sector also.
- 8.4 The Ministry of Labour is also operating Welfare Funds for some specific categories of workers in the unorganised sector like beedi workers, cine workers and certain non-coal mine workers. The funds are used to provide various kinds of welfare activities to the workers in the field of health care, housing, education assistance for children, water supply etc.
- 8.5 The Government has launched Group Insurance Schemes, such as the Janshree Bima Yojana for people living below or marginally above the poverty line and Aam Aadmi Bima Yojana for landless rural households which also include workers in the unorganised sector. There are some employment oriented schemes like Swarnjayanti Gram Swarojgar Yojana and National Rural Employment Guarantee scheme etc. which are benefiting unorganized workers.

COMPREHENSIVE LEGISLATION FOR WORKERS IN THE UNORGANIZED SECTOR

8.6 The Government examined the proposal regarding enactment of central legislation for

unorganized workers in consultation with Central Trade Unions, NGOs, and other stakeholders and also considered the recommendation of the National Commission for Enterprises in the unorganized Sector (NCEUS) for central legislation for unorganized workers. Thereafter, the 'Unorganised Workers' Social Security Bill' 2007 was introduced in Rajya Sabha on 10.9.2007 which was referred to the Parliamentary Standing Committee. On careful examination of the recommendations of the Standing Committee and suggestion of stakeholders, the Government moved official amendments in the Rajya Sabha. The Bill was passed by the Rajya Sabha with amendments on 23.20.2008 and by the Lok-Sabha on 17.12.2008. The Unorganised Workers' Social Security Act, 2008 was enacted on 31.12.2008 and notified in Gazette of India. The Act has come into force with effect from 16th May, 2009.

8.7 Salient features of the Act are as under:

- Section (2) provides for the definitions, including those relating to unorganised worker, self-employed and wage worker.
- ✓ Section 3 (1) provides for formulation of schemes by the Central Government for different sections of unorganised workers on matters relating to (a) life and disability cover; (b) health and maternity benefits; (c) old age protection (d) any other benefit as may be determined by the Central Government.
- ✓ Section 3 (4) provides formulation of schemes relating to provident fund, employment injury benefits, housing, educational schemes for children, skill upgradation, funeral assistance and old age homes by the State Governments.

- Section 4 relates to funding of the schemes formulated by Central Government.
- ✓ Section 5 envisages constitution of National Social Security Board under the chairmanship of Union Minister for Labour & Employment with Member Secretary and 34 nominated members representing Members of Parliament, unorganised workers, employers of unorganised workers, civil society, Central Ministries and State Governments.
- Provision for adequate representation to persons belonging to the Scheduled Castes, the Scheduled Tribes, the Minorities and Women.
- ✓ The National Board, would recommend the Central Government suitable schemes for different sections of unorganised workers; monitor implementation of schemes and advise the Central Government on matters arising out of the administration of the Act.
- Section 6 has provision for constitution of similar Boards at the State level.
- ✓ Section 7 relates to funding pattern of the schemes formulated by the State Governments.
- ✓ Section 8 prescribes record keeping functions by the District Administration. For this purpose, the State Government may direct (a) the District Panchayat in rural areas; and (b) the Urban Local Bodies in urban areas to perform such functions.
- Section 9 provides for setting up of Workers' Facilitation Centre to (a) disseminate information on social security schemes available to them (ii) facilitate registration of workers by the district administration and enrollment of unorganised workers.

- Section 10 provides for eligibility criteria for registration as also the procedure for registration under the Act.
- ✓ Sections 11-17 contain miscellaneous provisions for implementing the Act.
- 8.8 The Unorganised Workers Social Security Rules, 2009 under the Act have been framed and notified and the National Social Security Board has been constituted. The National Board shall recommend social security schenews viz life and disability cover, health maternity benefits, old age protection and any other benefi9t as may be determined by the Government for unorganized workers. The first meeting the National Board was held on 23.09.2009. In its first meeting, the Board decided to constitute a Sub-Committee to consider the extension of RSBY to other occupational Groups in the unorganized sector (Non-BPL) and formulation of the other social security schemes for unorganized workers. The Sub-Committee has met twice.
- 8.9 Apart from the above, a Health Insurance Scheme namely, the 'Rashtriya Swasthya Bima Yojana' for BPL families (a unit of five) in Unorganised Sector was formally launched on 1st October, 2007. The scheme became operational from 1st April, 2008 and benefit under scheme started accruing to the beneficiaries. The benefits under the scheme include:
- (i) Smart card based cashless health insurance cover of Rs. 30,000 to a BPL family of five per annum on family floater basis.
- (ii) All pre-existing diseases to be covered
- (iii) Hospitalisation expenses, taking care of the most of the illnesses including maternity benefits.

- (iv) Transportation cost of Rs. 100 per visit with an overall limit of Rs. 1000/ per annum.
- 8.10 Till 16.12.2009, 26 States/Union Territories have initiated the process to implement the scheme. Out of these 26 States/UTs, 22 States namely Assam, Bihar, Chandigarh, Chhattisgarh, Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Kerala, Maharashtra, Meghalaya, Nagaland, Orissa, Punjab, Rajasthan, Tamilnadu, Tripura, Uttar Pradesh, Uttarakhand and West Bengal have started issuing smart cards and more than 80.17. Jakh cards have been issued.
- 8.11 With a view to providing death and disability cover to rural landless households between age 18-59 years, the 'Aam Aadmi Bima Yojana' has also been launched on 2nd October, 2007. Under the scheme, the head of the family or one earning member in the family is insured. The Central Government bears 50% of the premium of Rs. 200/- per year per person and the remaining 50% of the premium is borne by State Government. The benefits under the scheme include a cover of Rs.30,000 in case of natural death and Rs.75,000 in case of death due to accident or total permanent disability (loss to two eyes or two limbs or loss of one eye and one limb in accident). In case of partial permanent disability (loss of one eye or one limb in an accident), the insurance cover is Rs. 37,500/-. The Scheme also envisages an addon benefit of providing scholarship upto a maximum of two children of beneficiary studying in 9th to 12th Standard at the rate of Rs.300/- per guarter per child. The scheme is intended to cover 1.5 crore rural landless households. A separate fund of Rs. 500 crores is also being created for the purpose of providing scholarship to children of beneficiaries.

8.12 Similarly, the National Old Age Pension Scheme (Indira Gandhi National Old Age Pension Scheme) has been expanded to cover all BPL citizens above the age of 65 years with effect from 19.11.2007.

THE BUILDING AND OTHER CONSTRUCTION WORKERS

8.13 The construction workers constitute one of the largest categories of workers in the unorganized sector. According to the Sample Survey conducted by NSSO in 2004-2005, about 2.57 crore workers are employed in the construction activities. The Government has enacted the following two legislations for the construction workers: -

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

Further, the Building and Other Construction Workers (RECS) Central Rules, 1998 have been notified on 19.11.1998.

8.14 The Act is applicable to every establishment which employs 10 or more workers in any building or other construction work and to the project cost of which is more than Rs.10 lakh. There is also a provisions for constitution of Central and the State Advisory Committees to advise the appropriate Governments on matters arising out of administration of the legislation besides constitution of Welfare Boards by the State Governments and registration of beneficiaries under the Fund and provision for their identity cards etc. These legislations provide for

regulating the employment and conditions of service, safety and health and welfare measures for the construction workers by setting up a Welfare Fund at the State level to be financed by contribution made by beneficiaries, levy of cess on all construction works at rates between 1 to 2% of the construction cost incurred by an employer (the Government has notified the cess @1%).. The Fund is to be used for providing financial assistance to the families of beneficiaries in case of accident, old age pension, housing loans, payment of insurance premia, children's education, medical and maternity benefits, etc.

8.15 Most of the State Governments and Union Territories have constituted State Welfare Boards. The Government of Tamil Nadu has been implementing its own Act. Government of India notified the cess @ 1%. Most state Governments have also notified the same rate. So far, an amount of Rs.1998.01 Crore has been collected as Cess upto 30.06.2009 by the State Governments / Union Territories and an amount of Rs.384.68 Crore has been spent on welfare schemes formulated by them.

SPECIAL GROUP

8.16 In pursuance of the directions given by the Prime Minister's Office, a Special Group under the Chairpersonship of Secretary (L&E), with the representatives of DGFASLI, Ministries of Railways and Urban Development, etc. was constituted in September,2004 to review and monitor the implementation of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996. The Group has held thirteen regional meetings with the representatives of State Governments / Union Territories in various States.

MIGRANT WORKERS AND THE INTER-STATE MIGRANT WORKMEN

- 8.17 According to the 2001 Census, 314.54 million persons have changed their place of residence within the country and out. Of this, 29.90 million or 9% have left for work. The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 was enacted to protect the rights and safeguard the interests, of migrant workers.
- 8.18 The Act is intended to regulate the employment of inter-state migrant workmen and to provide for their conditions of service. It applies to every establishment (and contractor) that employs five or more inter-state migrant workmen. The Act has provision for issue of Pass-Book to every inter-state migrant workman with full details, payment of displacement allowance equivalent to 50% of monthly wages or Rs.75/- which ever is higher, payment of journey allowance including payment of wages during of the period of journey, suitable residential accommodation, medical facilities and protective clothing, payment of wages, equal pay for equal work irrespective of sex etc.

- 8.19 The main responsibility for enforcement of the provision of the Act lies with the Central and the State Governments / Union Territories in the establishment falling in respective domain.
- The problem of migration is sought to be 8.20 checked through a multi dimensional course of action through rural development, provision of improved infrastructural facilities, equitable dispersal of resources to remove regional disparities, employment generation, land reforms, increased literacy, financial assistance etc. In order to generate better employment opportunities at State level, the Government have launched a number of schemes like Swarnjayanti Gram Swarozgar Yojna (SGSY), Pradhan Mantri Gram Sadak Yojana (PMGSY), Sampoorna Gramin Rozgar Yojana (SGRY), National Food for Work Programme (NFFWP), Indra Awass Yojna (IAY), Integrated Wastelands Development Programme (IWDP), Drought Prone Areas Programme (DPAP), Desert Development Programme (DDP) etc. Further, Government have recently enacted the National Rural Employment Guarantee Act to provide 100 days guaranteed employment to rural households.

BONDED LABOUR

- 9.1 The Bonded Labour System stands abolished throughout the country with effect from 25th October, 1975 with the enactment of Bonded Labour System (Abolition) Act, 1976. It freed unilaterally all the bonded labourers from bondage with simultaneous liquidation of their debts. It made the practice of bondage a cognizable offence punishable by law.
- 9.2 The Act is being implemented by the State Governments concerned. Salient features of the Act are given below:

On commencement of this Act, the bonded labour system stood abolished and every bonded labourers stood freed and discharged free from any obligation to render bonded labour.

Any custom, agreement or other instrument by virtue of which a person was required to render any service as bonded labour was rendered void.

Liability to repay bonded debt was deemed to have been extinguished.

Property of the bonded labourer was freed from mortgage etc.

Freed bonded labourer was not to be evicted from homesteads or other residential premises which he was occupying as part of consideration for the bonded labour.

District Magistrates have been entrusted with certain duties and responsibilities for implementing the provisions of this Act.

Vigilance committees are required to be constituted at district and sub-divisional levels.

Offences for contravention of provisions of the Act are punishable with imprisonment for a term, which may extend to three years and also with fines, which may extend to two thousand rupees.

Powers of Judicial Magistrates are required to be conferred on Executive Magistrates for trial of offences under this Act. Offences under this Act could be tried summarily.

Every offence under the Act is cognizable and bailable.

CENTRALLY SPONSORED PLAN SCHEME FOR REHABILITATION OF BONDED LABOUR

9.3 With a view to supplement the efforts of the State Governments; a Centrally Sponsored Plan Scheme for rehabilitation of bonded labour was launched by this Ministry in May, 1978. Under the Scheme, State Governments are provided Central assistance on matching grants (50:50) basis for the rehabilitation of bonded labour. The said Plan Scheme has been drastically modified in May 2000 to provide for 100% assistance for conducting district wise surveys for identification of bonded labour, awareness generation activities, and evaluatory studies. The Rehabilitation grant has also been raised from Rs.10,000/-per identified bonded labour to Rs.20,000/-per identified bonded

labour. Further, in the case of Seven (7) North-Eastern States ,100% rehabilitation grant is provided in case they fail to provide their matching contribution.

- 9.4 Besides , the State Governments have also been advised to integrate/dovetail the Centrally Sponsored Scheme for rehabilitation of bonded labour with other ongoing poverty alleviation schemes, such as, Swaran Jayanti Gram Swa-Rojgar Yojana (SJGSRY), Special Component Plan for Scheduled Castes, Tribal Sub-Plan etc. Accordingly, the rehabilitation package provided by the concerned State Governments for the freed bonded labourers includes the following major components:
- > Allotment of house-site and agricultural land;
- > Land development;
- > Provision of low cost dwelling units;
- Animal husbandry, dairy, poultry, piggery etc.:
- Training for acquiring new skills; developing existing skills;
- Wage employment, enforcement of minimum wages etc.;
- Collection and processing of minor forest products;
- Supply of essential commodities under targeted public distribution system;
- > Education for children; and
- > Protection of civil rights
- 9.5 Details of bonded labourers identified / released and rehabilitated up to 31.09.2009, as reported by the respective State Governments and the Central assistance released so far under

the above-mentioned Centrally Sponsored Scheme are given in the **Table 9.1**

9.6 Further, an amount of Rs.678.00 lakh has been released up to 31.09.2009 to the State Governments of Arunachal Pradesh, Bihar, Chhattisgarh, Delhi, Gujarat, Haryana, Jharkhand, Karnataka, Madhya Pradesh, Maharashtra, Manipur, Orissa, Punjab, Rajasthan, Tami Nadu, Uttar Pradesh and Uttarakhand for conducting survey of Bonded Labour, evaluatory studies and awareness generation.

SPECIAL GROUP

9.7 A Special Group in pursuance of PMO constituted under the Chairmanship of the Secretary (Labour and Employment) with the representatives of Director General, Factory Advice Service and Labour Institute (DGFASLI), Ministries of Railways and Urban Development has, inter-alia, reviewed the implementation of the Bonded Labour System (Abolition) Act, 1976 by holding thirteen region-wise meetings with the representatives of the State Governments / Union Territories in various States.

ROLE OF THE NATIONAL HUMAN RIGHTS COMMISSION

9.8 The Apex Court in its order dated 11.11.1997 in PUCL Vs. State of Tamil Nadu & Others has directed that the National Human Rights Commission (NHRC) to be involved in the supervision of the issues relating to bonded labour. In pursuance to the above order, a Central Action Group has been constituted in the NHRC. This group, with the collaboration of the Ministry of Labour & Employment, is holding sensitization workshop on bonded labour at State Headquarters to sensitize the District Magistrates and other functionaries dealing with identification, release and rehabilitation of bonded labour.

9.9. The **Table 9.2** shows that as a result of concerted efforts made by the Government through various anti-poverty programmes, awareness, sensitization, etc. the incidence of bonded labour year-wise since 1997-98 has witnessed a downward trend.

9.10 A pilot project was launched with the ILO

in Tamil Nadu for the purpose of reducing vulnerability to bondage through promotion of decent work. In the first year of operation of this project, there have been very encouraging results. Consequently, efforts are now being made to extend the project to the States of Andhra Pradesh, Haryana and Orissa.

Table 9.1						
Number of bonded labourers identified , released and rehabilitated under the Centrally						
		Scheme upto 30.09.2009				
Name of the State		Number of Bonded Lab	ourers			
Governments	Identified and	Rehabilitated	Central assistance			
	Released		provided (Rupees in			
			Lakh)			
Andhra Pradesh	37,988	31,534	850.00			
Arunachal Pradesh	3,526	2,992	568.48			
Bihar	14,351	13,533	454.38			
Chhattisgarh	124	124	12.40			
Gujarat	64	64	1.01			
Haryana	591	89	4.93			
Jharkhand	196	196	19.60			
Karnataka	63,437	57,185	1578.18			
Kerala	823	710	15.56			
Madhya Pradesh	13,317	12.392	164.49			
Maharashtra	1,404	1.325	15.52			
Orissa	50,029	46,9001	903.34			
Punjab	69	69	6.90			
Rajasthan	7,488	6,331	72.42			
Tamil Nadu	65,573	65,573	1661.94			
Uttar Pradesh	28,871	28,871	6356.80			
Uttrakhand	5	5	0.50			
West Bengal	267	267	20.41			
Total	2,88,123*	2,68,161	6,985.86			

Note:

- ✓ 19962 Bonded Labourers are not available for rehabilitation . Either they have died or left the place without leaving their addresses.
- ✓ Rehabilitation grants equal to Rs.6983.36 lakh has also been provided by the State Governments as State's Share for rehabilitation of bonded labour.
- ✓ In the case of Arunachal Pradesh, 100% central assistance amounting to Rs.568.48 lakh has been provided by the Ministry of Labour & Employment. In the case of North-East regions and Sikkim, 100% Central Grants (without matching States share) are provided for rehabilitation of bonded labour.

		Table 9.2
Year	Incidence of Bonded Labour reported	
1997-1998		6000
1998-1999		5960
1999-2000		8195
2000-2001		5256
2001-2002		3929
2002-2003		2198
2003-2004		2465
2004-2005		866
2005-2006		397
2006-2007		197
2007-2008		716
2008-09		543
2009-10(upto 30.09.2009)		25

CONTRACT LABOUR

- 10.1 Contract labour generally refers to workers engaged by a contractor for user enterprises. It is a significant and growing form of employment. These workers are millions in number and are engaged primarily in agricultural operations, plantation, construction industry, ports & docks, oil fields, factories, railways, shipping, airlines, road transport etc.
- 10.2 The Contract Labour (Regulation and Abolition) Act, 1970 was enacted to protect and safeguard the interests of these workers. It applies to every establishment / contractor in which 20 or more workmen are employed. It also applies to establishment of the Government and local authorities.
- 10.3 The Central Government has jurisdiction over establishments like railways, banks, mines etc. and the State Governments have jurisdiction over units located in that State.
- 10.4 The Central Government and State Governments, in their capacity as "appropriate" Governments, are required to set up Central and State Advisory Contract Labour Boards to advise respective Governments on matters arising out of the administration of the Act as are referred to them. The Boards are authorized to constitute Committees as deemed appropriate.
- 10.5 The Central Advisory Contract Labour Board (CACLB) is a Statutory Body, tripartite in constitution and quasi-judicial in nature. The non-official members hold office for a term of three years. Till date, 74 meetings of the Central Advisory Contract Labour Board have been

- held. The last one was held on 27th February, 2009 at New Delhi under the Chairmanship of former Hon'ble Minister of State (IC) for Labour & Employment. Recently Central Advisory Contract Labour Board has been reconstituted with Hon'ble Labour & Employment Minister as chairman.
- 10.6 So far, 76 notifications have been issued u/s 10 of the Act abolishing employment of contract labour in specified establishments in consultation with the Central Advisory Contract Labour Board.
- 10.7 Every establishment and contractor, to whom the Act applies, has to register itself/obtain a license for execution of the contract work. The interests of contract workers are protected in terms of wages, hours of work, welfare, health and social security. The amenities to be provided to contract labour include canteen, rest rooms, first aid facilities and other basic necessities at the work place like drinking water etc. The responsibility to ensure payment of wages and other benefits is primarily that of the contractor, and, in case of default, that of the principal employer.
- 10.8 15 notifications have been issued u/s 31 of the Act granting exemption to establishments from the purview of the Act.
- 10.9 A tripartite Group has been constituted as per decision in the 42nd Session of Indian Labour Conference(ILC) held on 20-21 February, 2009 . The Group will revisit the provisions of the Contract Labour (Regulation

and Abolition) Act, 1970 in order to protect the interest of workers. The last Meeting (4th) of the Group was held on 05.10.2009. The group has to submit its report by 31.12.2009.

10.10 In the Central sphere, the Central Industrial Relations Machinery (CIRM) headed

by Chief Labour Commissioner (Central) and his officers, have been entrusted with the responsibility of enforcing the provisions of the Act and the rules made thereunder. A Statement indicating enforcement action taken is given in the **Table 10.1**

				Table 10.1
ENFORCEMENT OF CONTRACT LABOUR (REGULATION AND ABOLITION) ACT, 1970				
SI. No.	Item	2006-07	2007-08	2008-09
1.	Number of Registration Certificates issued to principal employers.	752	819	930
2.	Number of Licenses issued to contractors	9280	9587	10389
3.	Number of Inspections conducted.	5365	6843	6925
4.	Number of Irregularities detected.	77422	104401	94162
5.	Number of prosecutions launched.	2648	3675	3573
6.	Number of convictions.	887	1228	733
7.	Number of contract labourers covered by licenses.	1001947	1313742	1377610
8.	Number of Licenses revoked / cancelled.	8186	5657	7419
9.	Number of registration certificates revoked.	51	14	35

WOMEN AND WORK

PROFILE OF WOMEN WORKERS

- 11.1 Women form an integral part of the Indian workforce. According to the information provided by the Registrar General of India, the work participation rate for women was 25.63 per cent in 2001. This is an improvement from 22.27 per cent in 1991 and 19.67 per cent in 1981. The two important aspects that require mention are that while there has been an improvement in the work participation rate of women, it continues to be substantially less in comparison to the work participation rate of men. In 2001, the work participation rate for women in rural areas was 30.79 per cent as compared to 11.88 per cent in the urban areas. In the rural areas, women are mainly involved as cultivators and agricultural labourers. In the urban areas, almost 80 per cent of the women workers are working in the unorganized sectors such as household industries, petty trades and services, buildings and construction.
- 11.2 In so far as the organized sector is concerned, in March 2007 women workers constituted 19.5 percent of the total organised sector employment in the country and it increased by 0.5 percent as compared to the preceding year. As on 31st March, 2007, there were about 53.12 lakh women workers employed in the organised sector (Public and Private Sector). Of this, nearly 29.61 lakh were employed in community, social and personnel services sector.

WOMEN'S ACCESS TO EDUCATION AND SKILLS/VOCATIONAL TRAINING

- 11.3 DGE&T, is the nodal agency in providing vocational training in contemporary courses to women in the country. These courses help women to achieve their career goals and become independent. The Training courses are revised from time to time to suit the requirement of the industry. The Women's Training Cell of DGE&T is dedicated to designing & pursuing long term policies related to Women's Vocational Training in the country. The Training courses are revised from time to time to suit the requirement of the industry.
- 11.4 The Institutional Network comprises 11 Institutes in the Central sector, which offer training courses to women to develop professional skills required to find highly paid jobs or to be self-employed. The institutes set up to impart training exclusively for Women under the Women's Occupational Training Directorate are:
- National Vocational Training Institute (NVTI) for Women, NOIDA.
- Regional Vocational Training Institutes (RVTIs) for Women at Mumbai, Bangalore, Thiruvananthapuram, Panipat, Kolkata, Tura, Allahabad, Indore, Vadodara and Jaipur.
- 11.5 The National/ Regional Vocational Training Institutes provide facilities for advanced skill and post-advanced training for women who

have passed 10th or 12th standard and qualify the specified eligibility criteria for various courses. Apart from the regular courses, these institutes also organize short term/ad-hoc courses as per the requirements of the industry. Short term courses in prepare/use of Audio-Visual aids for general women groupshousewives, students and school drop-outs and Training Programmes in Pedagogy for ITI Instructors.

- 11.6 In the State sector, Vocational Training facilities exclusively for women at Craftsmen level are provided through a network of Women Industrial Training Institutes / Women wings in general ITIs under the administrative control of the State Governments. The Women's Training Directorate of DGE&T collected & compiles data on the no. of WITIs / Wings and the trg. Seats details on number of WITIs / wings etc. & the training seats sanctioned are collected from the respective State Governments. There are about 1213 Women ITIs and women wings in general ITIs (289 Government Women ITIs and 80 Private Women ITCs, 726 Women training Wings in Government ITIs and 118 Women training Wings in Private ITCs) having a total of 51,804 Training seats
- 11.7 Besides this, the Indian Institute of Workers Education, Mumbai has established a separate cell on "Women and Child Labour" and evolved advance training programmes for women activists who are members of the Central Trade Unions Organizations and are involved in the upliftment and welfare of women and child labour in the country. From 1992-93 to September, 2009, 1582 women activists were trained in the various training programmes conducted by the Women and Child Labour Cell of the Institute.

ASSISTANCE TO WOMEN JOB SEEKERS

11.8 The Employment Exchanges take special care to cater to the job needs of women registered with them. During 2009 (upto July), 26,300 women were placed in various employments.

PROTECTION OF THE INTEREST OF WOMEN WORKERS

- 11.9 The Government has taken several steps for creating a congenial work environment for women workers. A number of protective provisions have been incorporated in the various Labour Laws. These are elaborated in **Box 11.1.**
- 11.10 Besides this, a separate Cell for Women Labour was set up in this Ministry in 1975. The intention was to focus attention on the condition of working women and bring about an improvement therein. The Cell has the following functions:
- ✓ Formulation and coordination of policies and programmes for the female labour force within the frame work of national manpower and economic policies.
- Maintaining liaison with other Government agencies to secure effective implementation of the programmes in respect of women workers.
- ✓ Monitoring the implementation of the Equal Remuneration Act,1976.
- ✓ Setting up of an Advisory Committee under the Equal Remuneration Act,1976.
- ✓ Giving grants-in-aid to Non-Governmental Organizations / Voluntary Organizations to formulate and execute action oriented projects for women workers.

11.11 In recent years, the Ministry has been actively involved in creating awareness among women workers especially in respect of their legal rights and duties. This is being done in cooperation with Non-Governmental Organizations/Voluntary Organizations.

EQUAL REMUNERATION

- 11.12 The ILO Convention No.100 of 1951 relating to equal remuneration for men and women was ratified by the Government of India in the year 1958. To give effect to the Constitutional provisions and also to ensure the enforcement of ILO Convention No.100, the Equal Remuneration Ordinance was subsequently replaced by the Equal Remuneration Act, 1976.
- 11.13 State/Union Territories have appointed competent authorities under the Equal Remuneration Act, 1976 and have also set up Advisory Committees under the Act. The situation regarding enforcement of the provisions of Equal Remuneration Act is regularly monitored by the Ministry and the Central Advisory Committee. Annual returns are called for by the special cell from the State Governments in order to monitor implementation of the Act. The State Governments/Union Territories are being advised from time to time to ensure more rigorous enforcement of the Act so as to improve the condition of women workers.
- 11.14 The following social welfare organizations have been recognized under the Equal Remuneration Act, 1976 for the purpose of filing complaints in Courts against employers for violation of the provisions of the Act.
- ✓ The Centre for Women's Development Studies, New Delhi

- √ The Self Employed Women's Association. Ahmedabad
- ✓ The Working Women's Forum(India), Chennai
- ✓ The Institute of Social Studies Trust, New Delhi.

CHILD CARE CENTRES

11.15 Statutory provisions have been made in certain Labour laws for organizing child care centers for the benefit of women workers. The Factories Act,1948, the Beedi & Cigar Workers (Conditions of Employment) Act,1966 and the Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act,1996. The Mines Creche Rules, 1966 provide for establishment of crèches for the benefit of women workers. The Plantation Labour Act, 1951 provides that the women workers be provided time-off for feeding children.

SUPREME COURT GUIDELINES ON SEXUAL HARASSMENT OF WOMEN WORKERS.

11.16 The Hon'ble Supreme Court of India, in the case of WritPpetition No.666-70 of 1992 filed by Vishaka & Ors. Vs State of Rajasthan & Ors. laid down certain guidelines for the prevention of sexual harassment of women employees in their work places. A number of initiatives have been taken to give effect to the guidelines. All Central Ministries/Departments, State Govt./U.Ts and CPSUs have been informed of the provisions contained in the Judgment. They have been asked to implement the guidelines laid down in the said Judgment. The Conduct Rule applicable to the officers of the Central Government and the All India Services has since been amended to give effect to the guidelines. The Industrial Employment (Standing Orders) Act,1946 has also been amended to make the guidelines applicable to the employees in the Private Sector.

FUTURE STRATEGY

11.17 In this period of economic liberalization and globalization, the quality of women's employment will depend upon several factors. The foremost among these are access to education and opportunities for skill development. The solution lies in creating awareness among women about their legal

rights and duties and by providing them adequate opportunities to upgrade their skill levels. The emphasis should be on effective enforcement of the Minimum Wages Act, 1948 and the Equal Remuneration Act, 1976. Proper enforcement of these Acts will create on enabling environment for women workers. Besides these protective measures, policies which encourage education, skill development, and training among women also need to be given priority.

	Box 11.1		
EMPLOYMENT OF WOMEN - PROTECTIVE LEGAL PROVISIONS			
Name of the Enactment	Protective Provisions		
The Beedi & Cigar Workers (Conditions of Employment) Act,1966	Provision of crèches for the benefit of women workers in the industrial premises wherein more than fifty female employees are ordinarily employed.		
The Plantation Labour Act, 1951	O Provision of crèches in every plantation wherein fifty or mor women workers (including women workers employed by an contractor) are employed or where the number of children of women workers (including women workers employed by an contractor) is twenty or more.		
The Contract Labour (Regulation & Abolition) Act,1970	 Women workers are provided time off for feeding children. Provision of crèches where twenty or more women ar ordinarily employed as contract labour. 		
	• Female contract labour to be employed by any contractor between 6.00 AM to & 7.00 PM with the exception of mid wives and nurses in hospitals and dispensaries.		
The Inter State Migrant establishments Workmen (Regulation of Employment & Conditions of Service) Act,1979	Provision of crèches for the benefit of women worker wherein twenty or more women are ordinarily employed as mit workers and in which employment of migrant workers is like continue for three months or more.		

The Factories Act, 1948	0	Provision of crèches in every factory wherein more than thirty women workers are ordinarily employed.
	O Employment of women in factory is prohibited except between the hours of 6.00 A.M. to 7.00 P.M. However, in exception circumstances, employment of women is permitted 10.00 P.M.	
	0	Employment of women is also prohibited in certain factories involving dangerous manufacturing process or operations
The Mines Act, 1952	Employment in mines below ground prohibited and in any min- above ground except between the hours of 6 am and 7 pm however no employment of women between 10 pm and 5 am is permitted. Further, women employed aboveground shall have rest period not less then eleven hours. Provision of separate toilets and washing facilities for women workers.	
The Maternity Benefit Act, 1961	0	Maternity benefits to be provided on completion of 80 days working.
	Not required to work during six weeks immediately follow the day of delivery or miscarriage. No work of arduct nature, long hours of standing likely to interfere we pregnancy/normal development of fetus or which may cau miscarriage or is likely to affect health to be given for a period six months immediately preceding the period of one we before delivery. On medical certificate, advance matern benefit to be allowed.	
	0	Rs.250/- as Medical bonus to be given when no prenatal confinement and post natal care is provided free of charge.
The Equal Remuneration Act,1976	O Payment of equal remuneration to men and women wor for same or similar nature of work protected under the Act.	
	0	No discrimination is permissible in recruitment and service conditions except where employment of women is prohibited or restricted by or under any law.
The Employee's State Insurance (General) Regulation,1950	0	Claim for maternity benefit becomes due on the date medical certificate is issued for miscarriage, sickness arising out of pregnancy, confinement or premature birth of child.

	Claim for maternity benefit becomes due on (General Regulation 1950) the date medical certificate issued for miscarriage, sickness arising out of pregnancy, confinement or premature birth of child.		
The Beedi Workers Welfare Fund Act,1976			
The Iron Or Mines, Manganese Or Mines and Chrome Or Mines Labour Welfare Fund Act,1976	Appointment of women member in the Advisory and Centra Advisory Committee is mandatory under these Acts		
The Lime Stone and Dolomite Mines Labour Welfare Fund Act,1972			
The Mica Mines Labour Welfare Fund Act,1946			
The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act,1996	 Representation of a women member on Building and of Construction Worker Welfare Boards. Provisions for maternity benefit to female beneficiaries the Welfare Fund. Provision for crèches where more than 50 female construct workers are ordinarily employed. 		
The Industrial Employment (Standing Orders) Act,1946	Provision regarding safeguards against sexual harassment of women workers at their work places.		

12

CHILDREN AND WORK

INTRODUCTION

- **12.1** Government of India stands committed to the elimination of child labour in the country. Our Constitution provides for protection of children from involvement in economic activities and avocations unsuited to their age. Directive Principles of State Policy in the Constitution strongly reiterates this commitment and this is also provided for in the Fundamental Rights.
- 12.2 Realizing the multifaceted nature of this problem, Government has embarked on a holistic and multi-pronged programme to eliminate child labour from the country in a phased manner, beginning with children working in hazardous occupations and processes and progressively covering those working in other occupations also. On the one hand, it provides for legal action for enforcement purposes and on the other, focuses on general development programmes for the economic empowerment of the families of children as well as project based action in areas of high concentration of child labour.

Legal Protection of Children at Work

As per the Child Labour (Prohibition & Regulation) Act, employment of children below the age of 14 years is prohibited in notified hazardous occupations and processes. The Act also regulates employment of children in nonhazardous occupations and processes. There are at present 16 hazardous occupations and 65 processes, where employment of children is prohibited. Some of the important prohibited occupations and processes are carpet weaving; building and construction work; brick kilns; production of hosiery goods; work as domestic servants; in tea-shops, road side eateries; mechanized fishing; beverage industry; warehousing; etc. The Act also regulates the working conditions of children in other employments, which are not prohibited under the Child Labour (Prohibition & Regulation) Act, 1986.(Box 12.1)

12.4 The Act provides for constitution of the

Box 12.1

Constitutional Provisions

Article 21 A

Right to Education The State shall provide free and compulsory education to all children of the age of 6 to 14 years in such manner as the State, by law, may determine.

Article 24

Prohibition of employment of children in factories, etc. No child below the age fourteen years shall be employed in work in any factory or mine or engaged in any other hazardous employment.

Article 39

The State shall, in particular, direct its policy towards securing:- (e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength.

Child Labour Technical Advisory Committee (which is a body of experts) to advise the Central Government on inclusion of additional occupations and processes to the Schedule of the Act. The Committee consists of a Chairman and such other members, not exceeding 10, as may be appointed by the Central Government. The Government of India vide notification No.S.O.2280(E) dated 25th September, 2008, has added the occupation of "Diving" to the Part 'A' to the Schedule and the process of (i) processes involving exposure to excessive heat (e.g. working near furnace) and cold; (ii) mechanised fishing; (iii) food processing; (iv) beverage industry; (v) timber handling and loading; (vi) mechanical lumbering; (vii) warehousing; and (viii) processes involving exposure to free silica such as slate, pencil industry, stone grinding, slate stone, mining, stone quarries, agate industry, in part 'B' to the Schedule to the Child Labour (Prohibition & Regulation) Act, 1986, thereby prohibiting employment of children in the aforesaid occupations/processes.

2.5 Section 2 (i) of the Child Labour (Prohibition and Regulation) Act, 1986, defines the jurisdiction of both Central and State Governments in implementing the Act. The Central Government is the "appropriate Government" in relation to establishment under the control of the Central Government or a railway administration or a major port or a mine or oilfield, and in all other cases the State Government is the "appropriate Government". Thus, the onus of enforcement of the provisions of the Act lies primarily with the State Governments.

12.6 Under the Child Labour (Prohibition & Regulation) Act since 1997-98 to 2007-08, overall about 3.15 million inspections have been

carried out, resulting in 82176 prosecutions out of which 23.220 convictions were obtained.

12.7 As per the Census 2001, there are 12.6 million economically active children in the age group of 5 to 14 years, of which approximately 0.12 million are working in hazardous occupations. The Government of India has decided to entrust conduct of survey by National Sample Survey Organisation (NSSO) to get a clearer picture of child labour situation in the Country. The NSSO has agreed to conduct the survey during 66th round of survey. This will help formulate future plan and policy on eradication of child labour from the country.

12.8 As per the Global Report on Child Labour published by International Labour Organization last year, the activity rate of children in the age group of 5-14 years is 5.1% in Latin America and Caribbean Region, which is the lowest in the world. In the Asia-Pacific Region, it is 18.8%. In comparison to that, the activity rate of children in India, as per 2001 census is 5%.

NATIONAL CHILD LABOUR POLICY

12.9 Constitutional and legislative provisions providing protection to children against employment has been elaborated in the National Child Labour Policy announced in 1987. The policy addresses the complex issue of child labour in a comprehensive, holistic and integrated manner. The action plan under this policy is multi-pronged and mainly consists of:

- ✓ A legislative action plan;
- √ Focuses on general development programmes for the benefit of the families of children; and
- Project-based action plan in areas of high concentration of child labour.

NATIONAL CHILD LABOUR PROJECT SCHEME

12.10 For rehabilitation of child labour, Government had initiated the National Child Labour Project (NCLP) Scheme in 1988 to rehabilitate working children in 13 child labour endemic districts of the country. Its coverage has increased progressively to cover 271 districts in the country presently. The list of districts in which Special Schools for child labour are in operation under NCLP Scheme is at Table 12.1.

12.11 Under the NCLP Scheme, children are withdrawn from work and put into special schools, where they are provided with bridging

education, vocational training, mid-day meal, stipend, health-care facilities etc. and finally mainstreamed to the formal education system. At present, there are around 10,000 NCLP schools being run in the country with an enrolment of 5 lakh children. Till date 5.21 lakh working children have already been mainstreamed to regular education under the NCLP Scheme.

12.12 The NCLP scheme is a Central Sector scheme. Under the scheme, project societies are set up at the district level under the Chairpersonship of the Collector/District Magistrate for overseeing the implementation of the project. Instructions to involve civil society and NGOs have also been issued.



Meeting with parents of the child labour withdrawn and enrolled in National Child Labour Project (NCLP) School.

RECENT INITIATIVES OF THE GOVERNMENT TOWARDS ELIMINATION OF CHILD LABOUR

CONVERGENCE:

12.13 Considering that the poverty and illiteracy are the root causes for child labour, Government is following a multi-pronged strategy to tackle this problem. Educational rehabilitation of these children has to be supplemented with economic rehabilitation of their families so that they are not compelled by their economic circumstances to send their children to work. The Ministry of Labour & Employment is taking various proactive measures towards convergence between the schemes of different Ministries like Ministries of Human Resource Development, Women & Child Development, Urban Housing & Rural Poverty Alleviation, Rural Development, Panchayati Raj institutions etc. so that child labour and their families get covered under the benefits of the schemes of these ministries also. A Core Group under the Chairpersonship of Union Labour Secretary involving all these ministries has also been formed for convergence on a sustained basis among these Ministries at the national level. The Ministry of Labour & Employment has also proposed convergence with Railways to stop trafficking and illegal migration of children for work. Further, for developing specific convergence based models for elimination of child labour, Ministry of Labour & Employment has also formed a Working Group on Convergence based models with representatives from Ministries. State Governments. International Labour Organisation, etc.

TRACKING & MONITORING

12.14 The Ministry of Labour & Employment had set up a Working Group on Tracking and

Monitoring of child labour to recommend an appropriate tracking and monitoring system for child labour covered under the NCLP Scheme. The Working Group has submitted its report. The important aspects mentioned in the report are:

- √ developing a model Child Profile Card,
- tracking of 9-14 year old children be done by instructors/teachers of the special schools and for children in the age group of 5-8 years be done by Education departments,
- the tracking of children should start from the time of their enrollment in special schools till two years after their mainstreaming,
- √ data to be updated every quarter,
- to ensure accuracy and reliability of data, validation of child-wise tracking information by Panchayati Raj Institutions,
- ✓ allocation of additional funds to each NCLP district for purchase of computers and retraining of officials accordingly,
- the system be also used for project management.

PROTOCOL ON MIGRATION & TRAFFICKING OF CHILDREN FOR LABOUR

12.15 Ministry of Labour & Employment is taking number of steps for rescue, safe repatriation and rehabilitation of migrant and trafficked child labour. Towards this end, a high level Committee was constituted under the Chairpersonship of the Secretary (L&E) with representatives from various Ministries of the Government of India and State Labour Departments and NGOs. A detailed protocol for

prevention, rescue, repatriation, rehabilitation and re-integration of migrant and trafficked child labour has been issued as a guideline to be followed by the State Governments. Workshops have also been held to sensitize the various stakeholders, including officials of State Governments. A few more workshops will be conducted by the V. V. Giri National Labour Institute, to ensure better understanding of the problem of child labour, especially trafficking them for work.

MONITORING OF THE NCLP SCHEME

12.16 A Central Monitoring Committee under the Chairpersonship of Secretary, Ministry of Labour & Employment, was set up for the overall supervision, monitoring, evaluation of the National Child Labour Projects. State Governments have also been advised to set up State Level Monitoring Committees similar to the Central Monitoring Committee. Action is also being taken at the district and the State level to monitor the pace and progress of operationalisation of NCLPs. During the last meeting of the Central Monitoring Committee, four Sub-Committees were formed to examine (i) tracking and monitoring of child labour strategy; (ii) the protocol on rescue, repatriation and rehabilitation of migrated and trafficked children for labour; (iii) awareness generation programmes; and (iv) convergence of welfare schemes at state level.

EVALUATION OF THE NCLP SCHEME

12.17 A comprehensive exercise to evaluate the NCLPs in the country was conducted in 2001by independent agencies. The evaluation exercise was coordinated by the V. V. Giri National Labour Institute, Noida. A fresh evaluation of the Scheme has been conducted recently by NLI through independent agencies.

The final report has since been received and action has been initiated on various aspects of the report.

ASSISTANCE TO VOLUNTARY ORGANIZATIONS

12.18 During 2009-10, under the Grants-in-aid scheme, about 75 voluntary organizations/ NGOs are being financially assisted to the extent of 75% of the project cost, for taking up action-oriented projects for rehabilitation of working children. Periodic reports from the assisted NGOs, field visits by official of the Central and State Governments play an important role in monitoring these projects.

SUPREME COURT JUDGEMENT ON CHILD LABOUR

12.19 Hon'ble Supreme Court of India was also seized of the issue of elimination of child labour. It had issued various directions from time to time. Some of these directions are:

- completion of survey of children working in hazardous employments;
- ✓ payment of compensation amounting to Rs.20,000/- by the offending employer for every child employed in contravention of the provisions of the Act;
- giving alternative employment to an adult member of the child withdrawn from the hazardous occupations or payment of an amount of Rs.5,000/- for each child employed in hazardous employment by the appropriate Government;
- ✓ payment of interest on the corpus of Rs.25,000/- (Rs.20,000/- by the employer and Rs.5,000/- by the appropriate Government) to the family of the child withdrawn from work:

- provision of education in a suitable institution for the child withdrawn from work;
- ✓ constitution of the Child Labour Rehabilitation-cum-Welfare Fund;
- constitution of a separate cell in the Labour Department of the appropriate Government for the purpose of monitoring.
- 12.20 As per the information received from the State Governments, around Rs.34.30 crore has been deposited in the Corpus fund and more than 1.21 lakh adult members of the families of child labour have been provided employment by the State Governments.
- 12.21 The implementation of the directions of the Hon'ble Supreme Court is being monitored by the Ministry of Labour & Employment and compliance of the directions is reported to the Hon'ble Court on the basis of information received from the State/UT Governments from time to time.

INTERNATIONAL PROGRAMME ON ELEMINATION OF CHILD LABOUR (IPEC)

- 12.22 The International Programme on elimination of Child Labour is a global programme launched by the International Labour Organisation in December, 1991. India was the first country to join it in 1992. The long-term objective of IPEC is to contribute to the effective abolition of child labour. Its immediate objectives are:
- Enhancement of the capability of ILO constituents and NGOs to design, implement and evaluate programmes for child labour;

- √ To identify interventions at community and national levels which could serve as models for replication; and
- Creation of awareness and social mobilization for securing elimination of child labour.

KARNATAKA PROJECT

12.23 This State based project is being implemented in 2 districts of the State, i.e. Chamarajanagar & Bidar. The project is being funded by Government of Italy and has budget of US\$ 3.29 million. It has already been launched and the duration of the project is three years. The project implements all the components of the NCLP Scheme with some additionality. Interventions under the Project are being made on pilot basis for future replication in other areas.

GOI-UNICEF JOINT MASTER PLAN

12.24 Under Joint Master Plan of Operations on Child Protection between Government of India and UNICEF, this Ministry is implementing activities on child labour elimination. UNICEF will fund these activities and the present budget is US\$ 120,000. Main activities include development of National Tracking System to monitor children in NCLPs and development of National Communication Strategy on Child Labour. A Prototype of National Tracking System has already been developed and field trials are being conducted in the states of Karnataka, Andhra Pradesh, Uttar Pradesh and West Bengal.

'CONVERGING AGAINST CHILD LABOUR: SUPPORT FOR INDIA'S MODEL' IN COLLABORATION WITH US-DOL AND IN ASSOCIATION WITH ILO

12.25 The ILO-IPEC proposes to launch this convergence programme with financial support

from the Department of Labour, United States of America. Ten districts in five States, viz. Bihar, Jharkhand, Orissa, Madhya Pradesh and Gujarat, have been identified for implementation of the convergence based models as a pilot which would later be replicated to other districts. The Government of India has approved the proposal and further modalities are being worked out.

12.26 Children, who constitute a very large segment of our society, are undeniably our assets and our future. Hence, they need to be taken care of and nurtured in their natural place i.e. the school and playground. This is the goal towards which the Government policies and programmes are aimed.

List of Occupations & Processes prohibited under the Act. THE SCHEDULE (See Sec.3)

PART A - Occupations

Any occupation concerned with:

- 1. Transport of passengers, goods or mails by railways;
- 2. Cinder picking, clearing of an ash pit or building operation in the railway premises;
- 3. Work in a catering establishment at a railway station, involving the movement of a vendor or any other employee of the establishment from the one platform to another or in to or out of a moving train;
- 4. Work relating to the construction of a railway station or with any other work where such work is done in close proximity to or between the railway lines;
- 5. A port authority within the limits of any port;
- 6. Work relating to selling of crackers and fireworks in shops with temporary licenses;
- 7. Abattoirs/Slaughter House;
- 8. Automobile workshops and garages;
- 9. | Foundries:
- 10. Handling of toxic or inflammable substances or explosives;
- 11. Handloom and power loom industry;
- 12. Mines (underground and under water) and collieries;
- 13. Plastic units and fibreglass workshops;
- 14. Domestic workers or servants:
- 15. Dhabas (roadside eateries), restaurants, hotels, motels, tea shops, resorts, spas or other recreational centers; and
- 16. Diving.

PART B-Processes

- 1. Beedi-making.
- 2. Carpet-weaving weaving including preparatory and incidental process thereof
- 3. Cement manufacture, including bagging of cement.
- 4. Cloth printing, dyeing and weaving including processes preparatory and incidental thereto
- 5. Manufacture of matches, explosives and fire-works.
- 6. Mica-cutting and splitting.
- 7. | Shellac manufacture.
- 8. Soap manufacture.
- 9. Tanning.
- 10. Wool-cleaning.
- 11. Building and Construction Industry including processing and polishing of granite stones.
- 12. Manufacture of slate pencils (including packing).
- 13. Manufacture of products from agate.
- 14. Manufacturing processes using toxic metals and substances such as lead, mercury, manganese, chromium, cadmium, benzene, pesticides and asbestos.
- 15. "Hazardous processes" as defined in Sec. 2 (cb) and 'dangerous operation' as notice in rules made under section 87 of the Factories Act, 1948 (63 of 1948)
- 16. Printing as defined in Section 2(k) (iv) of the Factories Act, 1948 (63 of 1948)
- 17. Cashew and cashewnut descaling and processing.
- 18. Soldering processes in electronic industries.
- 19. Aggarbatti' manufacturing.
- 20. Automobile repairs and maintenance including processes incidental thereto namely, welding, lathe work, dent beating and painting.
- 21. Brick kilns and Roof tiles units.
- 22. Cotton ginning and processing and production of hosiery goods.
- 23. Detergent manufacturing.
- 24. Fabrication workshops (ferrous and non ferrous)
- 25. Gem cutting and polishing.
- 26. Handling of chromite and manganese ores.
- 27. Jute textile manufacture and coir making.
- 28. Lime Kilns and Manufacture of Lime.
- 29. Lock Making.
- 30. Manufacturing processes having exposure to lead such as primary and secondary smelting, welding and cutting of lead-painted metal constructions, welding of galvanized or zinc silicate, polyvinyl chloride, mixing (by hand) of crystal glass mass, sanding or scraping of lead paint,

burning of lead in enameling workshops, lead mining, plumbing, cable making, wiring patenting, lead casting, type founding in printing shops. Store type setting, assembling of cars, shot making and lead glass blowing.

- 31. Manufacture of cement pipes, cement products and other related work.
- 32. Manufacture of glass, glass ware including bangles, florescent tubes, bulbs and other similar glass products.
- 33. Manufacture of dyes and dye stuff.
- 34. Manufacturing or handling of pesticides and insecticides.
- 35. Manufacturing or processing and handling of corrosive and toxic substances, metal cleaning and photo engraving and soldering processes in electronic industry.
- 36. Manufacturing of burning coal and coal briquettes.
- 37. Manufacturing of sports goods involving exposure to synthetic materials, chemicals and leather.
- 38. Moulding and processing of fiberglass and plastic.
- 39. Oil expelling and refinery.
- 40. Paper making.
- 41. Potteries and ceramic industry.
- 42. Polishing, moulding, cutting, welding and manufacturing of brass goods in all forms.
- 43. Processes in agriculture where tractors, threshing and harvesting machines are used and chaff cutting.
- 44. Saw mill all processes.
- 45. Sericulture processing.
- 46. Skinning, dyeing and processes for manufacturing of leather and leather products.
- 47. Stone breaking and stone crushing.
- 48. Tobacco processing including manufacturing of tobacco, tobacco paste and handling of tobacco in any form.
- 49. Tyre making, repairing, re-treading and graphite beneficiation.
- 50. Utensils making, polishing and metal buffing.
- 51. Zari' making (all processes)'.
- 52. Electroplating;
- 53. Graphite powdering and incidental processing;
- 54. Grinding or glazing of metals;
- 55. Diamond cutting and polishing;
- 56. Extraction of slate from mines;
- 57. Rag picking and scavenging;
- 58. Processes involving exposure to excessive heat (e.g. working near furnace) and cold;
- 59. Mechanised fishing:

- 60. Food Processing;
- 61. Beverage Industry;
- 62. Timber handling and loading;
- 63. Mechanical Lumbering;
- 64. Warehousing;
- 65. Processes involving exposure to free silica such as slate, pencil industry, stone grinding, slate stone mining, stone quarries and agate industry.

Table 12.1

CONSOLIDATED LIST OF DISTRICTS IN WHICH SPECIAL SCHOOLS ARE IN OPERATION UNDER THE NCLP SCHEME

SI. No.	Name of States	No. of Districts	Name of the Districts	
1.	Andhra Pradesh	23	Ananatapur, Chittor, Cuddapah, East Godavari, Guntul Hyderabad, Karimnagar, Kurnool, Medak, Nalgonda Khammam, Nellore, Nizamabad, Prakasam, Rangareddy Srikakulam, Vizianagaram, Vishakhapatnam, Waranga West Godavari, Mehbubnagar, Adilabad and Krishna	
2.	Assam	3	Nagaon, Kamrup and Lakhimpur	
3.	Bihar	24	Nalanda, Saharsa, Jamui, Katihar, Araria, Gaya, East Champaran, West Champaran, Madhepura, Patna, Supaul, Samastipur, Madhubani, Darbhanga, Muzaffarpur, Nawada, Khagaria, Sitamarhi, Kishangani, Begusarai, Banka, Saran, Purnia and Bhagalpur	
4.	Chhattisgarh	8	Durg, Bilaspur, Rajnandgaon, Surguja, Raigarh, Dantewada, Raipur and Korba	
5.	Gujarat	9	Surat, Panchmahals, Bhuj, Banas Kantha, Dahod, Vadodara, Bhavnagar, Ahmedabad and Rajkot	
6.	Haryana	3	Gurgaon, Faridabad and Panipat	
7.	Jammu & Kashmir	3	Jammu, Srinagar and Udhampur	
8.	Jharkhand	9	Garwah, Sahibganj, Dumka, Pakur, West Singhbhum (Chaibasa), Gumla, Palamu, Ranchi and Hazaribagh	
9.	Karnataka	17	Bijapur, Raichur, Dharwad, Bangalore Rural, Bangalore Urban, Belgaum, Koppal, Tumkur, Devangere, Haveri, Mysore, Bagalkot, Chitradurga, Gulbarga, Bellary, Kolar and Mandya.	
10.	Madhya Pradesh	22	Mandsaur, Gwalior, Ujjain, Barwani, Rewa, Dhar, East Nimar(Khandwa), Rajgarh, Chhindwara, Shivpuri, Sidhi, Guna, Betul, Shajapur, Ratlam, West Nimar(khargon), Jhabua, Damoh, Sagar, Jabalpur, Satna and Katni	

11.	Maharashtra	18	Solapur, Thane, Pune, Ahmadnagar, Sangli, Kolhapur, Jalgaon, Nandurbar, Nanded, Nasik, Yavatmal, Dhule, Beed, Amravati, Jalna, Aurangabad, Gondia and Mumbai Suburban
12.	Mizoram	1	Lawngtalai
13	Nagaland	1	Dimapur
14.	Orissa	18	Angul, Balasore, Bargarh, Bolangir, Cuttack, Deogarh, Gajapati (Udayagiri), Ganjam, Jharsuguda, Kalahandi, Koraput, Malkangiri, Mayurbhanj, Nabarangpur, Nuapada, Rayagada, Sambalpur and Sonepur
15.	Punjab	3	Jalandhar, Ludhiana and Amritsar
16.	Rajasthan	23	Jaipur, Udaipur, Tonk, Jodhpur, Ajmer, Alwar, Jalor, Churu, Nagaur, Chittaurgarh, Banswara, Dhaulpur, Sikar, Dungarpur, Bharatpur, Bikaner, Jhunjhunu, Bundi, Jhalawar, Pali, Bhilwara, Ganganagar and Barmer.
17.	Tamil Nadu	18	Chidambaranar (Tuticorin), Coimbatore, Dharmapuri, Vellore, Pudukkottai, Salem, Tiruchirapallli, Tirunelveli, Krishnagiri, Chennai, Erode, Dindigul, Theni. Kanchipuram, Thiruvannamallai, Tiruvallur, Nammakkal and Virudhunagar
18.	Uttar Pradesh	47	Varanasi, Mirzapur, Bhadohi, Bulandshahar, Saharanpur, Azamgarh, Bijnour, Gonda, Kheri, Bahraich, Balrampur, Hardoi, Barabanki, Sitapur, Faizabad, Badaun, Gorakhpur, Kushinagar, Kannuaj, Shajahanpur, Rae Bareli, Unnao, Sultanpur, Fatehpur, Shravasti, Pratapgarh, Basti, Sonebhadra, Mau, Kaushambi, Banda, Ghaziabad, Jaunpur, Rampur, Bareilly, Lucknow, Meerut, Etawah, Agra, Ghazipur, Mathura, Etah, Moradabad, Allahabad, Kanpur Nagar, Aligarh and Ferozabad.
19.	Uttaranchal	1	Dehradun
20.	West Bengal	18	Burdwan, North Dinajpur, South Dinajpur, North 24- Parganas, South 24-Parganas, Kolkata, Murshidabad, West Midnapur, Malda, Bankura, Purulia, Birbhum, Nadia, Hugli, Howrah, Jalpaiguri, Cooch Bihar, East Midnapur & Darjeeling.
21.	Delhi	1	NCT of Delhi
Total		271	

13

OCCUPATIONAL SAFETY AND HEALTH

13.1 The Constitution of India contains specific provisions on occupational safety and health of workers (Box 13.1). The Directorate General of Mines Safety (DGMS) and the Directorate General of Factory Advice Service and Labour Institutes (DGFASLI), the two field

organisations of Ministry of Labour and Employment strive to achieve the principles enshrined in the Constitution of India in the area of occupational safety and health in mines, factories and ports.

	Box 13.1		
C	CONSTITUTIONAL PROVISIONS OF OCCUPATIONAL, SAFETY AND HEALTH		
Article	Constitutional Provision		
24	No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment.		
39(e&f)	The State shall, in particular, direct its policy towards securing:		
	(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;		
	(f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.		
42	The State shall make provision for securing just and humane conditions of work and for maternity relief.		

DIRECTORATE GENERAL FACTORY ADVICE SERVICE & LABOUR INSTITUTES

THE ORGANISATION

13.2 The Directorate General Factory Advice Service & Labour Institutes (DGFASLI), Mumbai which is an attached office of the Ministry of Labour & Employment, functions as a technical arm of the Ministry in regard to matters concerned with safety, health and welfare of

workers in factories and ports. It assists the Central Government in formulation/review of policies and legislations on occupational safety and health in factories and ports, maintains a liaison with Factory Inspectorates of States and Union Territories in regard to the implementation and enforcement of provisions of the Factories Act, 1948; renders advice on technical matters, enforces the Dock Workers (Safety Health & Welfare) Act, 1986; undertakes research in

industrial safety, occupational health, industrial hygiene, industrial psychology etc.; and provides training, mainly, in the field of industrial safety and health including one year Diploma Course in Industrial Safety, three-months Certificate Course in Industrial Health (Associate Fellow of Industrial Health -AFIH), One month Specialised Certificate Course in Safety and Health for Supervisory Personnel working in Hazardous Process Industries.

- 13.3 The DGFASLI organisation comprises of the headquarters; five Labour Institutes and 11 Inspectorates of Dock Safety in Major Ports. The Headquarters in Mumbai has three divisions/cells, namely, Factory Advice Service Division, Dock Safety Division and Awards Cell.
- 13.4 The Central Labour Institute in Mumbai started working from 1959. The Institute was shifted to the present premises at Sion, Mumbai-400022 in February 1966 and all the disciplines functioning at different locations under the Chief Advisor of Factories were brought under one roof. Over the years, the Institute has grown and assumed the status of a major National Resource Centre with the following divisions:

Industrial Safety
Industrial Hygiene
Industrial Medicine
Industrial Physiology
Industrial Psychology
Industrial Ergonomics
Environmental Engineering
Staff Training
Small Scale Industries
Productivity

Major Hazards & Chemical Safety Management Information Services Safety and Health Communication Construction Safety

- 13.5 The different divisions at the Institute undertake activities such as carrying out Studies and Surveys, organising training programmes, seminars and workshops, rendering services, such as, technical advice, Safety Audits, testing and issuance of performance reports for personal protective equipment, delivering talks, etc.
- 13.6 The Regional Labour Institutes (RLIs) located in Kolkata, Chennai Kanpur and Faridabad are serving the respective regions of the country. Each of these institutes have the following divisions/sections:

Industrial Safety
Industrial Hygiene
Industrial Medicine
Staff Training and Productivity
Safety and Health Communication
Major Hazards & Chemical Safety
Computer Centre

13.7 The Inspectorates of Dock Safety are established at 11 major ports of India viz. Kolkata, Mumbai, Chennai, Visakhapatnam, Paradip, Kandla, Mormugao, Tuticorin, Cochin, New Manglore and Jawaharlal Nehru Port. The Inspectorate of Dock Safety at Ennore Port is in the process of being set up. The manpower inventory of the organisation as on 31.09.2009 is given in **Box 13.2**

Units	Box 13.2					
Offics	Techni		Administrative		Total	
	Sanctioned Working		Sanctioned	Working	Sanctioned	Working
Headquarters	13	10	49	45	62	55
CLI, Mumbai	60	57	74	70	134	127
4 RLIs*	46	43	61	54	107	97
Dock-Safety Inspectorates	22	12	28	28	50	40
Total:	141	122	212	197	353	319

Staff position of DGFASLI

ACTIVITIES

Commemoration of Celebrating 2008-09 as the 'Year of Industrial Safety and Health'

13.8 The Factories Act, 1948 which governs occupational safety and health in industries completed sixty years of its enactment in 2008. On the 28th April 2008, Shri Oscar Fernandes, Hon'ble Union Minister of State (Independent Charge) for Labour and Employment, Government of India declared 2008-09 as the "Year of Industrial Safety and Health" during the tripartite national seminar on "Industrial Safety and Health – Vision 2020: Challenges & Strategies".

13.9 DGFASLI being the technical arm of the Ministry in all matters related to OSH in industries and Ports, took the onus to spearhead the activities for commemorating the Year of Industrial Safety and Health. Four Regional workshops one each in Mumbai (western region), NOIDA (northern region), Kolkata (eastern region) and Chennai (southern region) were held by involving other OSH stakeholders. Following the workshop, series of activities such as conduct of national seminars on various topics for various sectors in different parts of the country, preparation of posters, production of films, sending messages through SMS, and promotion of safety and health through Meghdoot post cards of Deptt. Of Post & Telegraph were undertaken. A new Regional Labour Institute at Faridabad was set up and made fully functional to cater to the OSH needs of the northern region.

13.10 During this period as a part of the year long celebration, DGFASLI had organized 1st National Film & Books Exhibition on Occupational Safety & Health at SCOPE Complex, Lodhi Road, New Delhi on 29th May 2009. Smt. Sudha Pillai, Secretary to the Govt. of India, Ministry of Labour & Employment inaugurated the function in the august presence of Special Secretary and Additional Secretary to the Govt. of India, Ministry of Labour & Employment. After the inaugural function, "Silicosis- A killer Diseases" a documentary film produced by DGFASLI was screened. In total 10 films produced by DGFASLI, Films Division, Ministry of Information & Broadcasting, Govt. of India, IFFCO, L&T and Coastal Training Technologies India Pvt. Ltd. were screened. Ten book publishers and one film producer exhibited their latest publications and films in the field of OS&H in the exhibition.

13.11 On 29th June 2009 the Curtain-down Ceremony for the Year of Industrial Safety and Health 2008-09 was held at Shram Shakti Bhavan, New Delhi. Shri Harish Rawat, Hon'ble

^{*} The posts at RLI, Faridabad are yet to be created

Minister of State, Ministry of Labour and Employment, Government of India graced the occasion. The dignitaries included Smt. Sudha Pillai, Secretary, Ministry of Labour and Employment, Shri S.Krishnan, Special Secretary, Ministry of Labour and Employment, Shri S.K. Srivastava, Addl, Secretary, Ministry of Labour & Employment, Government of India and Shri S.K. Saxena, Director General of DGFASLI. Shri Harish Rawat, Hon'ble Minister of State, stressed upon the need for action plan to make the National Policy on Safety, Health and Environment at Workplace fully operational. The Secretary, Smt. Sudha Pillai appealed that industrial establishments should emulate good practices in the area of OSH in the interest of the working population. The Hon'ble Minister released two DGFASLI publications namely Report on "Commemoration of Industrial Safety and Health Year 2008-09- A Kaleidoscope" and booklet titled "DGFASLI at a Glance"

Safety in Factories

13.12 The 49th Conference of Chief Inspector of Factories was held at Regional Labour Institute, Faridabad from 10th to 12th February, 2009. Five working groups were constituted to deliberate on the following issues:

- a. Guidelines for Hoist and lifts.
- b. Guidelines for Testing of Pressure Vessels.
- Guidelines for Test Procedures / guidelines for Competent Persons and certificate of Stability.
- d. Guidelines for Establishment of uniform procedure for conducting Inspection, initiating legal action etc. by inspectors
- e. Suitable proposal for Government of India sponsored programmes for capacity building measures of state level inspectorates

13.13 Accordingly, on the 3rd and 4th September, 2009 the working group constituted under (a) and (d) agenda points met at RLI, Faridabad, Haryana under the Chairmanship of Director General, FASLI, Mumbai. The other Working Group under agenda points (b), (c) and (e) met on the 10th and 11th September, 2009 under the Chairmanship of Director General, FASLI, Mumbai at Udaipur, Rajasthan. The work on finalization of guidelines / documents is in progress.

Dock Safety:

13.14 The Dock Workers (Safety, Health and Welfare) Act, 1986 was enacted on 14th April, 1987. The Dock Workers (Safety, Health and Welfare) Rules, 1989 and Regulations, 1990 were framed under this Act. As a result of introduction of these new set of statutes, the scope of dock work has considerably increased covering more number of workers employed in ports, who were hitherto not covered for their safety, health and welfare. In addition, the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 framed under the Environment (Protection) Act, 1986 are also enforced by DGFASLI in the major ports of India through the Inspectorates of Dock Safety.

13.15 During the period, April 2009 to September 2009, 1966 inspections of Ships, Gears Docks, and Hazardous Installations etc. were carried out by the Inspectorates of Dock Safety at the major ports. There were 77 reportable accidents in all the ports out of which 15 were fatal.

13.16 The 26th Conference of the Inspectors of Dock Safety was held at Kochi Port on 27th and 28th May, 2009. The Conference was inaugurated by Shri N. Ramchandran Nair, IPS, Chairman, Kochi Port trust. He emphasized that for the productivity and the overall health of the

organization, it was necessary that the organization itself is healthy and only then the safety and health of the workers can be ensured.

13.17 The Director General and Chief Inspector of Dock Safety, Shri S.K.Saxena, in his key-note address brought forward the new challenges facing the Dock Safety Inspectorates. He highlighted that the privatization of the port and employment of contract and private workers was an important issue. He said that in ports, a large number of fatalities were due to the transport equipments. Further, he said that the conference was important as it would be discussing the amendments suggested by the committee constituted for this purpose.

13.18 In the technical sessions, a presentation was made on the amendments to the dock workers (Safety, Health and Welfare) Act, 1986 and Regulation 1990 and the inspectors deliberated on the various amendments suggested by the working group.

Training programmes

13.19 Professional programmes

One year Advanced Diploma in Industrial Safety Course for 2008-09 were held at CLI, Mumbai, RLI Kolkata, RLI Chennain and RLI Kanpur for 149 Safety Officers as required under Section 40-B of the Factories Act, 1948 and Rules made thereunder.

Three months Associate Fellow in Industrial Health (AFIH) Course were held at CLI, Mumbai and RLI Kolkata for 60 medical personnel as required under Section 41-C of the Factories Act, 1948 and Rules made thereunder.

13.20 Training Programmes are conducted in the field of industrial safety and health. Joint participation of management personnel and Trade Union leaders of the same organisations was a unique feature in some of these programmes. During the period April 2009 to September 2009, 57 training programmes including seminar/workshops and in-plant programmes were conducted benefiting 1337 participants. In addition, Appreciation programmes were conducted for 2401 beneficiaries at various divisions of DGFASLI and the four Labour Institutes, in Mumbai, Kolkata, Chennai and Kanpur.

Studies and Surveys

13.21 National Studies and Surveys are undertaken to ascertain status of working conditions and standards of safety in select group of industries and operations. The National Study "Assessment of capabilities & Management of Occupational Safety and Health" in the state of Chhattisgarhwas completed during the period. In addition, the National Study "Assessment of capabilities & Management of Occupational Safety and Health in the states of Bihar" is under progress.

13.22 State level Studies and Surveys are undertaken in the State in certain priority areas to ascertain status of Safety, Health and Environment at work place. During the period Investigation of a multi fatal accident occurred at M/s. Lakhani India Ltd., Faridabad was completed. The State level Studies, viz, Study on Diagnostic camp for the confirmation of the Silicosis affected persons in Madhya Pradesh, Radiological study of workers in ship-breaking industry at Alang, Gujarat, Joint investigation of an accident at NTPC, Dadri in collaboration with Directorate of Factories Uttar Pradesh, Investigation of an accident at M/s. BALCO in Korba, Chattisgarh are in progress.

13.23 Unit level consultancy studies are carried out at the request of the management

and reports are submitted for implementation of recommendations for further improvements. Consultancy studies were carried out in following areas:

Airborne Contaminants	5
Safety Audit	5
Work Environment Study	2
Consequence analysis	2
Occupational Health	1

13.24 National Referral Diagnostic Centre:

Suspected cases of occupational diseases, such as, silicosis, occupational dermatitis etc. are referred to the National Referral Diagnostic Centre for opinion.

PLAN SCHEMES OF DGFASLI

13.25 During the year 2009-10 under the 11th Five Year Plan DGFASLI proposes to undertake

the following two plan schemes for Improving the Occupational Safety and Health in the manufacturing and Port Sectors.

13.25.1 Plan Scheme -I: Establishment of Regional Labour Institute at Faridabad

Objective: The objective of the scheme is to cater to the needs of the industries in the northern regions to promote occupational safety, health and work environment which at present, due to heavy workload on the Regional Labour Institute, Kanpur, is not being effectively met. The Institute building at Faridabad has been taken over and the institute was inaugurated on 10th Feb., 2009. To make the Institute fully functional, it is essential to create posts and develop necessary infrastructure during the 11th Five Year Plan.

Achievements:

SI.No.	Major Component of Activities	Achievements (April - September 2009)
1.	Setting up of laboratories	Achieved
2.	Publication of Manuals, brochers	3
3.	Conduction of specialized training programmes, seminars, workshops	4
4.	Conduction of studies/ surveys/ audits	1
5.	Post Diploma Course in Industrial Safety	Course started
6.	Production of video film	-
7.	Procurement of audio-visual and communication equipment & software for production of video films, posters etc	Audio-visual and communication equipment procured and installed

13.25.2 Plan Scheme-II: Strengthening of DGFASLI Organisation and Occupational Safety & Health (OSH) in Factories, Ports & Docks

Objective: The objective of the scheme is to strengthen the infrastructural facilities for improving occupational safety and health in factories, ports and docks thereby contributing in

prevention of occupational injuries and diseases. The following activities are proposed in the 11th Five Year Plan.

Establishment of a National Board on Occupational Safety & Health

Upgradation of different laboratories of CLI & RLIs

Monitoring of Occupational Safety, Health and Work environment in factories, ports and docks

Strengthening of enforcing systems in the major ports

Improvement in Occupational Safety and Health in Construction and Ship Breaking Industry.

Achievements:

The achievements are given in Table 13.1.

Major Hazards & Chemical Safety:

13.26 The Major Hazards & Chemical Safety Division at the Central Labour Institute, Mumbai advises State Governments and MAH units on control of Major Accident Hazards, preparation of emergency plans, Safety Audit, Risk Assessment etc. As on date, the details of MAH Units, hazardous chemicals & on-site emergency plans in the country are (i) 1724 MAH Units (ii) 203 hazardous chemicals (iii) 1461 On-site emergency plans.

Management Information Services

13.27 The CLI is equipped with microfiches and international softwares such as CCINFO discs, CIS bibliographic database, NIOSH Registry of Toxic Effects of Chemical Substances and information on Chemicals of Environmental and Health Concern(CESARS), etc. published as CDROMs by the Canadian Centre of Occupational Safety and Health. It also has WHAZAN and EPACHEM softwares. Microfiche reader services are provided through a well-equipped library having over 25,000 books and technical journals. **NICNET** connectivity through E-Mail service has been established in CLI. Also, Indian Occupational Safety & Health Network (INDOSHNET) is established by the Ministry of Labour & Employment Government of India with DGFASLI as nodal agency and CIS Centre as the Network facilitator.

DGFASLI Website:

13.28 The DGFASLI website was launched in January 2001. The website www.dgfasli.nic.in is a source of information on various safety and health related matters, such as, database on abstract on OS&H studies, reports; information on advisory services rendered by DGFASLI in the area of testing of respiratory and nonrespiratory personal protective equipment, flame proof equipment approval, material safety data sheets and National Referral Diagnostic Centre, etc. The INDOSHNEWS newsletters of DGFASLI are also available on the website. The training programme calendar for all the labour institutes, announcement on National Safety Awards & Vishwakarma Rashtriya Puraskar awards, AFIH course, Diploma Course in Industrial Safety along with the application forms are available on the website. The website enables users to access other useful websites related to safety and health and get the national directory of organisation-profile of agencies engaged in the field of safety and health. The website also contains the text of the Factories Act, 1948 and the Model Rules framed there under and also the Dock Workers (Safety, Health and Welfare) Act, 1986 etc. Statistics of Factories, Docks, List of Chief Inspectors of Factories, List of Dock Safety Inspectorates are also available.

13.29 The website now has the following modules:

(i) National Inventory of OSH Information: A state-wise inventory on OSH information was developed in respect of 19 States viz. Kerala,

Assam, Orissa, Goa, Uttar Pradesh, Andhra Pradesh, Madhya Pradesh, Himachal Pradesh, Tamil Nadu, West Bengal, Rajasthan, UT of Delhi, UT of Chandigarh, Maharashtra, Gujarat, Jharkhand, Tripura, Uttarakhand. The major areas identified for the national inventory of OSH information are:

- Demographic Details
- Geographical structures
- Economic Sectors
- Manufacturing Activities
- Occupational Injuries & Diseases
- Management of OSH at Unit & State Level
- Resources available and Needed
- (ii) Abstracts of OSH Literature: The division has developed a user-friendly programme for Abstracts of OSH Literatures of the studies:
- Surveys, Research studies, Consultancies & research projects carried out by DGFASLI organization.
- Project reports of Diploma in Industrial Safety (DIS) students.
- Project of Associate of Industrial Health (AFIH) Students.
- OS&H literatures from other organizations in the country.

13.30 Forecast of Activities for the Year 2009-10

A software information system has been designed which will be given and installed in the offices of the Chief Inspector of Factories of all the states. Details about the registration of the factories, their annual returns, accidents details and investigation reports, etc. will be computerized so as to generate useful information in the form of statutory and non-statutory reports in the offices of the Chief Inspector of Factories. The output from the CIF office will be electronically updated on the server at DGFASLI to generate the data at the national level on occupational injuries and diseases. The software will be given to all the CIFs so that it can be installed at their headquarters.

INDOSHNEWS Publication

Safety and Health Communication

13.31 For the purpose of updating the Industrial Safety, Health and Welfare Centre of the Central Labour Institute, as well as to provide art support for the production of video films, publicity material, such as, banners, safety posters, and technical literature, etc., the CLI has an Art Studio equipped with the necessary facilities.

Industrial Safety, Health & Welfare Centre

13.32 Industrial Safety, Health and Welfare Centre of the Central Labour Institute and Regional Labour Institutes promote the hazard communication through display of panels, models, charts, graphs, write-ups etc. which is visited by workers, executives from industry and delegates from other countries. During the period 28 Safety & Health Appreciation programmes were conducted for 745 visitors.

Testing of Personal Protective Equipment

13.33 The laboratories for respiratory and nonrespiratory personal protective equipment testing at Central Labour Institute, Mumbai undertake performance tests of Canisters, Masks, Helmets, Safety Shoes, Safety Goggles, Safety Belts, Welding Glasses etc. Following equipments were tested to ascertain their performance characteristics so as to meet relevant BIS standards.

- 121 dust respirators, canisters, dust filters etc.
- 138 non-respiratory equipment such as helmets, safety shoes, etc.

Approval of Flame proof Electrical Equipment

13.34 As per the BIS standard IS: 2148-2004, DGFASLI is the approving agency for Flame Proof Electrical Enclosures for their use in hazardous atmosphere. Eight approvals were issued to 6 manufacturers for 24 flameproof equipments and 4 manufacturing units were visited for inspection of the testing facilities.

Representation on BIS Committees:

13.35 Officers of DGFASLI represented on several BIS Committees/Sub-committees dealing with Safety and Health matter and offered comments on draft standards.

13.36 The DGFASLI on behalf of the Ministry of Labour has been implementing the Vishwakarma Rashtriya Puraskar (VRP) (earlier known as Shram Vir National Awards) and the National Safety Awards scheme since 1965. These schemes were modified in 1971, 1978 and again in 2007. The schemes presently in operation are as under:

Vishwakarma Rashtriya Puraskar: It is designed to give recognition at the national level to outstanding suggestions resulting in (i) higher productivity (ii) improvement in working conditions (iii) savings in foreign exchange (import substitute as well as quality and safety of products) (iv) improvement in overall efficiency of the establishments. Applications for the awards

under this Scheme are invited every year and these are forwarded by the management on behalf of the workers. Prizes are grouped in three classes i.e. CLASS (A) = 5, CASH AWARD OF RS.75,000/- EACH, CLASS (B) = 8, CASH AWARDS OF RS.50,000/- EACH AND CLASS(C) = 15, CASH AWARD OF RS.25,000/- EACH.

National Safety Awards: National Safety Awards are given in recognition of good safety performance on the part of the industrial establishments. Shields and Citation Certificates are awarded to Winners and Runners Up. Schemes I to X are meant for factories, construction sites and Installations under Atomic Energy Regulatory Board (AERB) and Schemes XI and XII are for Ports.

Both the Schemes are applicable to the workmen covered under the Factories Act,1948. Dock Workers (Safety, Health & Welfare) Act, 1986, the Building & Other Construction Worked Regulation of Employment & Condition of Service) Act, 1996 and Installation under Atomic Energy Regulatory Board (AERB).

13.37 The Awards distribution function for Vishwakarma Rashtriya Puraskar and National Safety Awards for the performance year 2007 was held on 17.9.2009 at Vigyan Bhavan, New Delhi and the awards were presented to the awardees by Shri. Mallikarjun Kharge, Hon'ble Minister for Labour & Employment. Out of 146 applications received for Vishwakarma Rashtriya Puraskar, 120 nos. of awards were given to 119 awardees and out of 331 applications received for National Safety Awards, 60 winners and 41 runners-up in different schemes were given National Safety Awards.



An awardee receiving National Safety Award (Mines).

13.38 New Initiatives

- The national technical meet of "Safety and Health Professional in Port Sector" will be organized.
- The application forms for Vishwakarma Rashtriya Puraskar and National Safety Awards will be made online so that the data can be filed by the end users. This will save the processing and sorting time.
- The admission forms for diploma course and AFIH course will be made online.
- Online status applications Web enabled program will be developed.
- International chemical safety cards will be made available in Hindi.
- To give effect to one of the main elements of the National Policy on SH&E at workplace, i.e. "by suitably incorporating teaching inputs on safety, health and environment at workplace in schools, technical, medical, professional and vocational & distance education programmes", it is, essential to include safety, health and environment subject in the course curriculum in schools, colleges, professional and vocational courses. A two days collaborative workshop at DGFASLI, Mumbai will be held to finalize curriculum and to devise a syllabus for various levels like certificate, diploma and degree courses in engineering/technology.
- A Regional Project on the Status of Safety,

Health & work Environment in Sugar Industry is started with the objectives to develop guideline for the industry.

 A regional Project on" Prioritization of Major Hazard Factories of Uttarakhand" has also been initiated.

DIRECTORATE GENERAL OF MINES SAFETY

13.39 Mineral constitutes the backbone of the economic growth of any nation and India has been eminently endowed with this gift of nature. Progressive industrialization witnessed the rise in demand and hence production of various minerals. Growth of mining under the impact of successive Five Year Plans has been phenomenal. To take care of the enhanced targets, mechanization of mining activities has taken place. Table 13.2 shows the increasing trends of some important parameters like number of mines, value of minerals mined, aggregate machine power installed and explosive used. Large-scale mechanization led to higher risk to health and safety of work persons deployed in mines. Under the Constitution of India, Safety, Welfare and Health of workers employed in mines are the concern of Central Government (Entry 55 - Union List -Article 246). The Mines Act, 1952 and the Rules and Regulations framed thereunder regulate the objective. These are administered by the Directorate-General of Mines Safety (DGMS) under the Union Ministry of Labour and Employment. Apart from administering the Mines Act and Subordinate Legislations thereunder, DGMS also administers other allied legislations. These are as follows:

Mines Act, 1952

Coal Mines Regulations, 1957.

Metalliferous Mines Regulations, 1961.

Oil Mines Regulations, 1984.

Mines – Rules, 1955.

Mines Vocational Training Rules, 1966.

Mines Rescue Rules, 1985.

Mines Crèche Rules, 1966.

Coal Mines Pit Head Bath Rules, 1959.

Electricity Act, 2003

Indian Electricity Rules, 1956

Allied Legislation

Factories Act, 1948: Chapters III & IV

Manufacture, Storage & Import of Hazardous Chemicals Rules. 1989 under Environmental Protection Act, 1986

Land Acquisition (Mines) Act, 1885

The Coal Mines (Conservation & Development) Act, 1974

ORGANISATION SET-UP

13.40 The Directorate General of Mines Safety is a subordinate office under the Ministry of Labour and Employment with its Headquarters at Dhanbad (Jharkhand) and is headed by the Director-General of Mines Safety. At Head Quarters, Director General is assisted by specialist staff—officers of Mining, Electrical and Mechanical Engineering, Occupational Health, Statistics, Law, Survey, Administration and Accounts disciplines. The Head Quarter also has a Technical Library and S&T Laboratory as a back-up support to the Organisation. Field Organisation has a two-tier network. The entire

country is divided into six zones, each under the charge of Deputy Director-General. There are three to four Regional offices under each Zonal office. Each Region is under the charge of Director of Mines safety. There are in all 21 such Regional offices. Five Sub-Regional offices have also been set up in important areas of concentrated mining activities away from Regional offices. Each of these is under charge of Deputy Director. Besides having inspecting officers of Mining cadre in each zone, there are officers of Electrical and Mechanical Engineering and Occupational Health disciplines. DGMS has a total sanctioned strength of 947 persons with 693 in position as on 30.09.09 as indicated below:

CATEGORY	SANCTIONED STRENGTH	IN POSITION STRENGTH
GROUP-A	246	129
GROUP-B	97	79
GROUP-C	448	335
GROUP-D	156	150
TOTAL	947	693

TREND OF ACCIDENT

13.41 Trend in fatal and serious accidents in both Coal as well as Non-Coal mine is given in **Table 13.2A.** Cause-wise distribution of fatal accidents is also given in **Table 13.3** and **Table 13.4** with respect to coal and Non-Coal mines. Dumpers and Trucks were the biggest contributor to fatal accidents in Coal mines, followed by Fall of roof and Non-Transportation Machinery. Dumpers and Trucks had the largest share of fatal accident in Non-Coal mines also, followed by Fall of Sides and Fall of Persons.

To arrest the number of accidents the Directorate-General of Mines Safety has taken various measures.

SAFETY MEASURES

13.42 To ensure enforcement of necessary safety measures in mines, inspections and inquiries are carried out by the inspecting officers of DGMS. Apart from inspecting coal, metalliferous and oil mines DGMS also undertakes investigation into all fatal accidents, certain serious accidents and dangerous occurrences and makes recommendations for remedial measures to prevent recurrence of similar mishaps.

The Trend of accidents from 2000 to 2009 is shown in **Table 13.5**.

The trend in fatal accidents and fatality rate per 1000 persons employed on 10-yearly average basis from the year 1951 to 2000 and 2001-2008 is shown in **Table 13.6.**

Power under section 22 and 22A of the Mines Act, 1952, Regulation 103 of Coal Mines Regulations, 1957 and Regulation 108 of Metalliferous Mines Regulations, 1961 has been vested with DGMS to issue improvement notices and prohibitory orders to resist or prohibit employment of persons in mines or part of mines.

The number of inspections and inquiries carried out from the year 1997 onwards are shown in **Table 13.7**.

CIRCULARS

13.43 The DGMS issues circulars to the mining industry on occupational safety and health matters, which may have wide implications. During the period 01.04.2009 to 30.09.2009 a total of 4 Technical Circulars, 1 Approval Circulars, 3 Legislation Circulars, 2 Office Orders, 01 technical instruction and 01 general instruction were issued to the mining industry during this period.

COMPETENCY TEST

13.44 To ensure that only competent persons are appointed as mine Managers, Surveyors, Overman, Foreman etc. the DGMS on behalf of the Board of Mining Examinations constituted under the Coal Mines Regulation, 1957 and the Metalliferous Mines Regulations, 1961, conducts examinations and issues certificates of competency. Details of applications received and competency certificates issued during the period from April, 2009 to September, 2009 have been given in **Table 13.8**.

APPROVAL OF MINES SAFETY EQUIPMENTS

13.45 Approval is granted by Chief Inspector of Mines (Also designated as Director General of Mines Safety) to various equipments for use in mines to fulfill the statutory obligation enshrined under different provisions of Coal Mines Regulation, 1957, Metalliferous Mines Regulations, 1961, Oil Mines Regulations, 1984, Mines Rescue Rules, 1985 and Indian Electricity Rules, 1956. The procedure of approval includes scrutiny of the applications mainly to find out the quality control system adopted by the manufacturers and their capacity to manufacture equipments/material etc. which will be capable of working safely under the hostile environment of the mines and remain operative during prolong use under adverse condition. The equipments also need to conform to the relevant Indian Standards and in case there is no Indian Standard the standards of the country of origin (ISO/EN/DIN etc.). The application should also include test certificates from approved laboratory as per the relevant standard. After the documents are scrutinized and found in order field trial approval is granted to check the pit worthiness of the equipments in various mines. After the equipments are successfully field tried, performance report from the concerned mine management is obtained. If the above reports are found satisfactory regular approval is granted for a specific period.

The equipments/machinery/appliances and materials requiring approval can be broadly categorized into:-

- (i) Personal protective equipment.
- (ii) Environmental monitoring instruments and devices.
- (iii) Machinery and other equipments for carrying out mining operations and
- (iv) Safety materials for use in underground mines.

The table below shows particulars of items approved during the period 1st April,2009 to 30th September, 2009:

	Equipment, appliances, materials & machinery approved during the period 1 st April,2009 to 30 th September, 2009.			
SI. No.	Equipment/appli ances /materials/machi nery	No. of approvals granted/ renewed/extende d during the period.		
1.	Self Rescuers	01		
2.	Resuscitator/Revi ving Apparatus	02		
	Total 03			

During the period 1st April,2009 to 30th September, 2009, approvals for use of Explosives, Exploders & Detonators etc. in mines were granted as detail given below:-

SI. No.	Type of approval	No. of approved
1.	Approval for field trial/extension	08
2.	Regular approval including extension	10
Tota	I No. of approval granted	18

NATIONAL SAFETY AWARDS (MINES)

13.46 In the year 1983 the National Safety Awards for mines were instituted with 1982 as the contest year. The scheme is designed to give recognition at the national level for outstanding safety performances in mines covered under the Mines Act, 1952. The awards

are given every year. Distribution of National Safety Awards (Mines) for the year 2007 was held on 23.10.2009 at New Delhi. The Hon'ble Vice President of India, His Excellency, Md. Hamid Ansari gave away the awards.

ON-GOING PLAN SCHEMES

13.47 Strengthening of Core Functions of DGMS (SOCFOD):

Origin: This is a continuing plan scheme. The scheme has been formulated by merging three on-going plan schemes of DGMS, namely (i) "Augmentation of S&T Capabilities, Mine Rescue Services and Human Resource Development (S&T) (1975)", (ii) "Strengthening of Machinery for Conduct of Statutory



Mohd. Hamid Ansari, His Excellency, Vice-President of India presenting an award during Vishwakarma Rashtriya Puraskar and National Safety Awards function.

Examinations (SSEX) (2000-01)" and (iii) "Improving Efficiency by Providing Infra Structure Facilities in DGMS (PIF) (2000-01)" along with components like Occupational Safety and Health Surveillance, promotional initiatives and Emergency Response system.

Objectives of the Scheme:

- To render scientific and technological support to the enforcement wing of DGMS in proper fulfillment and discharge of its statutory duties, responsibilities and advisory role.
- To develop, improve and update need based rescue and emergency response services to the mining industry & help field offices of DGMS in the form of technical support while taking up rescue and emergencies of specific nature.
- To establish Mine Safety & Health Academy with institutes at different offices of DGMS for imparting structured training to DGMS officers and key personnel of the mining industry.
- Strengthening of Machinery for Conduct of Statutory Examinations.
- To develop a structured mechanism for Occupational Health Surveillance & Disease Control in Mining Industry.
- To establish a National Council for Mines Safety with a view to generate safety and health awareness among miners and address their training issues.
- To improve the efficiency of DGMS by providing better infrastructure facilities which include providing own office buildings and residential complexes to the officers and staff members, providing better

communication facilities and office equipment and furnishing of offices.

(A) Scientific and Technological Support (S&T)

This scheme aims at providing in-house scientific support to the officers of DGMS in discharge of their enforcemental, regulatory and promotional role. It also provides scientific support to mine operators, workers organization and other institutions concerned with occupational health and safety matters. The activities of the S&T plan scheme covers a wide cross-section of facets of occupational safety and health including occupational hygiene/health, strata control, mine ventilation, mine gases, fires and explosion, mining techniques, mine mechanization, oil and opencast mines safety, standard setting and policy planning.

The support activities are broadly divided into three categories:

(i) Planned support:

This plan support is to be provided to field offices on:

A current issue which has emerged into an enforcemental problem;

An enforcemental strategy calling for development of monitoring equipments or techniques; and

Monitoring of quality assurance of external organisations in sampling, pre-approval testing and other similar activities.

These activities are to be selected on merit, including improvement of efficiency and safety and future needs.

(ii) Reactive support:

Reactive support is proposed to be provided in

response to demands from field offices in areas where:

In-house assessment and analysis of a problem leads to better understanding of enforcemental problem and helps in determining enforcemental strategy;

Support is required on a technical problem without referring to external agency.

(iii) Testing services

This service is to be provided to the field offices as a sample check on quality control standards and in emergency response situation.

Major Programmes: The major programmes of the S&T plan scheme includes:

(i) Occupational Safety:

- (a) Monitoring of implementation of the Technical Standards on support system in bord and Pillar workings.
- (b) Review of standards on stability of multiseam workings.
- (c) Review of standards on detection, control, dealing with and protective measures against fire and revision of standards/guidelines.
- (d) Assessment of hazards associated with mine mechanization and standardization of monitoring techniques and control measures.
 - (i) Standardization of prototype test(s) houses for testing powered support and hydraulic/friction props.
 - (ii) Standardization of Ultrasonic Testing Techniques and formulation of Acceptance & Rejection Norms.
 - (iii) Testing of fire resistant hydraulic oils.

(ii) Occupational Hygiene and Health

- (a) Standardization of techniques for monitoring and control of occupational hazards from noise, air borne dust, mine gases and poor illumination.
- (b) Review and standards of medical examinations.
- (c) Review and standardization of procedures for surveillance of occupational disease already established.

(B) Development of Mines Rescue Services:

This component of the plan scheme aims at promoting proper rescue services in mining industry. The scheme envisages critical appraisal of design characteristics of rescue apparatus and self rescuers, evaluation of field performance of the same, inquiry into accidents in use of rescue apparatus, inspection of rescue stations/rescue rooms organizing rescue competitions, monitoring formulation of emergency plan by the management of all underground mines and to deal with applications for grant of permissions/approval/relaxation under the Mines Rescue Rules, 1985.

Major Programme:

- Installation of testing facility for SCBA of Resuscitator
- 2. Creation of Rescue
 - a) Rescue facilities in the country
 - b) Actual Rescue/Recovery work done in the country
- 3. Inspecting of Rescue facilities in the Mines/Rescue Stations/Rescue Rooms etc.
- 4. Testing of Self-Rescuers

- 5. Co-ordination of Mines Rescue Competition
- 6. Standard setting, review of emergency plans
- Issue of Technical circular's to the mining industry
- 8. Grant of approval/relaxation under the Mines Rescue Rules, 1985

(C) Human Resource Development:

This scheme started on modest scale from 01.04.90. The scheme envisages setting-up of a Mines Safety & health Academy comprising Institutes at Dhanbad and Nagpur for imparting structured training to the Inspection Officers of DGMS so as to update and upgrade their technical and professional competence and improve their effectiveness in regulatory, enforcemental, advisory and promotional roles. The facilities so created would be also utilized for disseminating latest information on mine safety principles and practices amongst the key safety personnel of the mining industry and the Workmen's Inspectors.

Major programmes:

- (1) Development of training schedules
- (2) Conduct of training programmes
 - (a) Training of DGMS Officers
 - (i) New Entrants
 - (ii) Existing Officers
 - (iii) Special Lectures
 - (b) Training of Key personnel in Mining Industry
 - (i) Managerial Personnel
 - (ii) Safety Officers
 - (iii) Ventilation Officers

- (iv) Engineers
- (v) Industrial Hygienists
- (vi) Executive Trainees
- (vii) VTOs
- (c) Training of Workmen's Inspectors

During the year 2009-10, the activities were undertaken by S& T Wing are given in **Table** 13.9.

Details of approval during the the period 1st April,2009 to 30th September, 2009:

Type of approval	No. of approval
Approval for field trial	13
Regular approval including extensions	32
Total	45

13.48 "Mine Accident Analysis and Modernization of Information Database (MAMID)"

This is the restructured plan scheme after merging of the two Plan Schemes of Tenth Plan (2002 -07) namely (i) Study of Mines Accidents and Development of Mines Safety Information System (SOMA) and (ii) Modernization of Information Database in DGMS (MID) as per the Report of Working Group on Occupational Safety & Health for 11th Five Year Plan 2007-12 of Ministry of Labour and Employment, Government of India. - Oct 2006. Keeping the objective of integration in view, these schemes were merged into one scheme "Mine Accident Analysis and Modernization of Information Database (MAMID)"

Objective of the Scheme:

(A) Mine Accident Analysis and Information Database

- To eliminate risk of disasters and accidents in mines through detailed analysis of accidents and dangerous occurrences using risk assessment and risk management techniques;
- Development of standard Safe Operating Procedures (SOPs) and Code of Safe Practices (COPs);
- Identification of mines having potential of accidents/disasters through detailed investigation into the operating systems and environment in the mine;
- Development of mine data acquisition system and analysis through computerized databases and processing system;
- Dissemination of mine information system through various reports, technical instructions/guidelines, circulars on electronic as well as other conventional media;
- Identification of mines having high accident potential and formulation of risk elimination/management plan;

(B) Computerized Mine Safety Information System

- Computerization of process and procedures on Mine Safety Information in DGMS;
- Establishment of Communication Network using LAN and WAN in DGMS;

Achievement: April,2009--September, 2009.

 Reports of enquiry into all fatal accidents were scrutinized. Causes and

- circumstances leading to these accidents were finalized and compiled for inclusion in DGMS Annual Report.
- 2. Fresh accident data for the period 2004-2008 have been collected from 11 (eleven) coal companies and three lignite companies and a new set of accident prone mines have been identified in respect of each individual company after analysis. Follow up action on the mines identified earlier as accidentprone has been taken.
- 3. Work of collection, compilation and analysis of accident data in respect of major cause groups such as fall of roof, fall of sides, wheeled trackless transportation machinery and haulage accidents in coal mines for the year 2007 has been completed in order to identify critical causation of such type of accidents and to find out probable corrective measures to ensure their prevention. The findings have been disseminated to the industry through technical circulars.
- 4. DGMS Annual Report for the year 2007 under process.
- 5. Standard Note on DGMS as on 1.1.2009 has been published.
- 6. Publication of monthly review of accidents.
- Compilation of Statements for the Annual Publications "Statistics of Mines in India Vol.I (Coal) & Vol.II (Non-Coal) for the year 2007 is under process.
- 8. Procurement of hardware and software are under process.
- 9. Distribution of National Safety Awards (Mines) for the year 2007 was successfully held on 23.10.2009 at New Delhi.

CAREER MANAGEMENT AND TRAINING (CMT)

13.49 Several officers were deputed for training in important areas such as administrative and financial matters and technical aspects of mining methodology etc. The details of such trainings during the period 1st April, 2009 to 30th September, 2009 is given in **Table 13.10**.

Details of seminar, Symposium, Workshops & Conference etc. during the period from 1st April, 2009 to 30th September, 2009 are given in **Table 13.11.**

THE NATIONAL SAFETY COUNCIL

INTRODUCTION

13.50 The National Safety Council (NSC), set up by the Ministry of Labour and Employment, Government of India on 4th March, 1966 is an independent, non-commercial, non-profit making and autonomous society. Its mission is building a national movement on safety, health and environment to prevent and mitigate loss of life, human suffering and economic losses, and providing support services.

The management and control of the affairs of the Council are vested in the tripartite Board of Governors. The Board consists of 51 members besides the Chairman who is nominated by the Govt. of India (presently eminent industrialist Shri Anand G. Mahindra is the Chairman). Headquartered in Navi Mumbai, it is an institution of international repute with an all India network of over 7,600 members comprising (i) Corporate Members (industrial establishments, employers' organisations, professional bodies and institutions, and trade union organisations), (ii) Individual Members, (iii) Life Members, and (iv) International Members with 18 Chapters across the country.

13.51 IMPORTANT ACTIVITIES & SERVICES

o At the National level

organizing national level conferences / seminars/workshops

conducting training programmes – both national level and need-based unit level

spearheading national level awareness campaigns (National Safety Day, Fire Service Week & World Environment Day)

developing promotional material (national safety calendar and posters & stickers)

undertaking consultancy services (safety audits, risk assessment & HAZOP studies, safety awareness surveys, disaster management services, OHSMS)

information resources (HSE diary, pocket guides, computerized data-base CAMEO, HSE library)

bringing out periodicals (quarterly industrial safety chronicle and bimonthly industrial safety news)

publications (technical manuals, booklets, safe practice pamphlets of the pocket guides, reprints of important international publications)

development of national safety standards (chairman of the BIS sectional committee CHD 8)

operating national level NSCI safety awards schemes for (a) manufacturing, (b) construction, and (c) micro, small and medium enterprises sectors implementing special projects in emerging key areas of national concern.

o At the International level

organizing international conferences / seminars/workshops

cooperation and collaboration with ILO, UNEP, EPA, Japan Industrial Safety & Health Association, NSC (USA), Korea Industrial Safety Association, European Commission, Swedish Rescue Services Agency, member organisations of APOSHO (Asia Pacific Occupational Safety and Health Organisation) of which NSC is a founder-member.

13.52 MAJOR ACHIEVEMENTS

13.52.1 Presented Salient Activities Undertaken by NSC during 2008 - Year Of Industrial Safety and Health in the Closing Ceremony of Celebration

To commemorate sixty years of enactment of the Factories Act 1948, the Year 2008 was declared as the "Year of Industrial Safety and Health" by the Govt. of India, which was announced by the Hon'ble Minister for Labour and Employment Shri Oscar Fernandes on 28th April, 2008. The formal closing-down ceremony was organized on 29th June, 09 in the Ministry of Labour & Employment, New Delhi. Director General, NSC presented salient activities undertaken by the NSC and its Chapters during the Year of Industrial Safety and Health in the ceremony.

13.52.2 Launched a Separate Safety Awards Scheme for Micro, Small and Medium Enterprises (MSMEs)

Considering the valuable contributions being made by the micro, small and medium enterprises (MSME) sector in the economic development of the country and to give recognition to their meritorious performance in OSH, NSC had developed a separate Safety Awards Scheme during the "2008-Year of Industrial Safety and Health" for the MSME sector (manufacturing). This scheme is announced for participation by the MSMEs from the Awards year-2009 coinciding with the year of Industrial Safety and Health. Any MSME (manufacturing) which has filed the Entrepreneur Memorandum under the MSME Development Act, 2006 is eligible to participate in the Scheme.

13.52.3 Safety, Health and Environment Training

Training is a core activity of NSC. It has therefore, continued to lay emphasis on designing and developing training courses as per the emerging needs of the industry. A total of 37 training courses comprising 12 national level specialized courses and 25 unit level, need-based in-plant programmes covering 79 training-days were conducted for 1,349 different categories of personnel from manufacturing and construction industries.

Further, 16 training courses comprising 14 national level courses and two in-plant programmes will be conducted for about 700 personnel from different categories of employees from industry and enforcement agency. These courses include the following three specialized courses.

Indo-German workshop on occupational safety and health: In joint collaboration with the German Social Accident Insurance Agency (DGUV) which is an umbrella association of the accident institutions for industrial and public sectors in Germany, NSC has scheduled a 2-day national level

workshop in Mumbai on 11-12 December, 09. The objective of the workshop is to strengthen cooperation in the field of OSH and related aspects such as accident and health insurance between the national level organisations of the two countries and share with the participants the latest developments / trends and best practices of the two countries in the field of OSH. It is expected that about 70 participants from industry and insurance companies will attend the workshop.

National workshop for Safety Officers / Professionals: Safety Officer has a key role as adviser, coordinator and consultant in assisting management in fulfillment of its obligations, statutory or otherwise in concerning prevention of personal injuries and maintaining a safe and healthy working environment. Although, the safety officers have the prescribed qualification in industrial safety and the experience, they have to keep abreast with the latest developments in the field of OSH to play their role more effectively. With a view to fulfilling this need of apprising the safety officers / professionals of the recent trends in the OSH field and the social objectives of meeting OSH targets, NSC has scheduled a 3-day specialized national workshop in Mumbai on 11-13 November, 09 and about 70 safety officers / professionals are expected to attend.

Training programmed on health and safety provisions under BOCW Act and Central Rules for the Asset. Labour Commissioners & Labour Enforcement Officers of CLC (C) organization: The Organization of Chief Labour Commissioner (Central) also known as Central Industrial Relations Machinery

(CIRM) has been entrusted with the task of enforcement of Building and Other Construction Workers (Regulation of Employment & Conditions of Service) Act, 1996 and the Central Rules. 1998 in the Establishments under Central Sphere. Effective enforcement of safety and health provisions of the BOCW Act and Rules is of great importance as workers engaged in construction work are highly prone to accidents. The inspecting officers from the CLC organization are key players in the networking of safety and health in the construction sector. At the request of the CLC (C), NSC has designed and scheduled a 5-day specialized training programme on 16-20 November, 09 on health and safety provisions under BOCW Act and Central Rules for the Asst. Labour Commissioners and Labour Enforcement Officers of the CLC (C) organization and about 20 inspection officials will attend it.

13.52.4 Safety Consultancy Services

As a pioneer in occupational safety and health audits and other consultancy services, NSC undertakes safety audits, electrical & fire safety audits, risk assessment, HAZOP studies, preparation / review of on-site emergency plans, preparation of safety reports and safety awareness surveys in industrial establishments.

A total of 46 consultancy assignments were carried out in different types of companies. They include Godrej Properties, West Bengal Power Development Corporation, GAIL (India) Ltd., Heavy Water Plant, ACC, Rail Coach Factory, IOCL, ITC., NTPC., Numaligarh Refinery, Bokaro Steel Plant, and K. Raheja Corporation.

Further, about 25 consultancy assignments will be carried out by the end of March 2010. The

companies include Century Cement, Maharashtra State Electricity Transmission Co. Ltd., NTPC Ltd., Oil India Ltd., United Phosphorus Ltd. and Vedanta Aluminium Ltd.

13.52.5 Disaster Management

Reviewed Disaster Management Plan of Hydro-Power Project

NSC reviewed the on-site disaster management plan of NTPC, Loharinag – Pala Hydro Power Project and submitted its report to NTPC. Based on the review NTPC modified the plan.

Conducted a workshop on Disaster Management

With a view to sensitizing key stakeholders, NSC conducted a 3-day National Workshop on 29-31 July, 09 on Disaster Management in collaboration with its Rajasthan Chapter in Jaipur. It was inaugurated by Master Bhanwar Lalji Meghwal, Hon'ble Minister of Education, Labour & Employment, Govt. of Rajasthan and presided over by Shri Mangi Lalji Garasia, Hon'ble Minister of State for Labour & Employment, Govt. of Rajasthan. In all, 75 participants attended.

Second India Disaster Management Congress

The National Institute of Disaster Management, under the Ministry of Home Affairs, Government of India is organizing the Second India Disaster Management Congress on 4-6 November, 09 in Delhi, which will be inaugurated by the Hon'ble Prime Minister of India. Director General, NSC is invited to organize the session on "Industrial & Chemical Disasters" and chair it. NSC has developed the programme with 10 presentations and identified speakers from regulatory agencies, industry associations, research institutions and industry.

13.52.6 Spearheading National Level Awareness Campaigns

National Safety Day - 2009 Campaign

To commemorate the Foundation Day of the Council on 4th March, 1966, NSC designs and develops a wide variety of safety promotional materials viz., banners, badges and utility article with appropriate safety messages to help its member-organizations to observe 4th March every year as the National Safety Day (NSD). It greatly helps to create and sustain awareness on the importance of safety and health and highlights current issues at the national level.

The Campaign for the NSD - 2009 received full support from the Ministry. The Hon'ble Union Minister of State (Independent Charge) for Labour & Employment, Shri Oscar Fernandes vide his D.O. letter dated 13th February, 09 addressed to the Labour Ministers of all States / UTs requested them to advise the concerned agencies in their States/UTs to ensure that the NSD Campaign is organized in a befitting manner.

The Joint Secretary also vide his D.O. letter dated 28th January, 09 addressed to the Labour Secretaries of all States/UTs requested them to advise all concerned agencies in their States/UTs to ensure that the Campaign is organized in a befitting manner. He also wrote to the Director General, Doordarshan and Dy. Director General, All India Radio requesting them to advise the concerned authorities to give adequate coverage to the various events / activities organized on the occasion.

The 38th National Safety Day - 2009 was celebrated with great enthusiasm and in large scale throughout the country with the theme Take Safety to All Employees Whether Organised or Unorganised.

Fire Service Week-2009 Campaign

The Fire Service Week (FSW) is observed nation-wide under the guidance of the Fire Adviser, Ministry of Home Affairs, Govt. of India from April 14-20 every year in remembrance of the lives lost in the devastating fire and explosions on 14th April, 1944 at the Victoria Dock in the Bombay Port and to highlight the importance of fire prevention and protection. NSC spearheaded the FSW-2009 Campaign by bringing out a special folder containing fire safety-related pocket guides, fire safety posters, photo-luminescent signages and banners with the theme: Install Smoke Alarm – Assure Life Safety.

World Environment Day-2009 Campaign

The World Environment Day (WED), established by the United Nations, General Assembly in 1972 is a people's event and inspires action by governments, industries, community group and individuals to improve the environment. It is a unique opportunity to raise awareness on environment and mobilize action by all stakeholders. The theme for the WED – 2009 was: Your Planet Needs You! Unite to Combat Climate Change. To help the organisations in observing the WED, NSC brought out information package, banners, posters, pocket guides, booklets and stickers relevant to the theme.

For the NSD-2010, a circular is being issued, requesting the members as well as the non-members to celebrate the campaign in a befitting manner and it is expected that the campaign will also be organized in a wider scale.

13.52.7 National Safety Calendar – 2010

A National Safety Calendar with appealing original messages suited to the Indian culture

along with one-page information sheet is brought out every year. To support safety awareness and educational programmes, NSC has developed a multi-coloured 8-sheet Safety Calendar for the year 2010 is being developed. It depicts important aspects on industrial safety, fire prevention and protection, environment protection, road safety and home-based situations through cartoons. The cartoons are executed by Shri Prabhakar Wairkar, an eminent cartoonist in the advertising world, honoured with national and international awards. The calendar will carry an Information Sheet on Water Conservation – Need of the Hour, which is a burning issue. Over 2.8 lakh copies are being printed for distribution among memberorganizations and patrons by the end of December, 2009.

13.52.8 HSE Diary - 2010

NSC has been bringing out Health, Safety and Environment (HSE) Diary, since 1998 with the objective of promoting and propagating useful information on HSE topics for day-to-day reference, besides the date pad. The topics include HSE legislation & policy, chemical safety, fire safety, construction safety, disaster management, environment, health and accident data. Over 27,000 copies are being printed for distribution among member-organizations and patrons by the end of December.

13.52.9 NSCI Safety Awards Schemes

NSCI Safety Awards-2008: Aimed at giving recognition to the attainment of consistent level of achievements in OSH performance and OSH management systems by industrial undertakings, NSC has been operating national level Safety Award Schemes for manufacturing and construction sectors from the Awards Years

1998 and 2005, respectively. An Awards Committee constituted by the NSC Board of Governors assesses the applications by applying rigorous criteria in a four-stage process.

Manufacturing Sector: In all, 32 organisations won the Safety Awards under four levels for the Awards Year- 2008. Kakrapar Atomic Power Station of the Nuclear Power Corporation of India Ltd. bagged the coveted top award 'Sarvashreshtha Suraksha Puraskar'. Five organisations won the second level award 'Shreshtha Suraksha Puraskar', 10 organisations the third level award, 'Suraksha Puraskar', and 16 organisations the fourth level award, the 'Prashansa Patra'.

Construction Sector: Under its Initiative on Safety and Health in Construction industry, a separate Safety Awards Scheme for this sector was started from the Awards Year-2005. In all, 17 establishments won the Awards under four levels for the Awards Year-2008, The ECC Division of Larsen & Toubro Ltd. has bagged the coveted top award, "Golden Safety Award", for their ICICI Bank Building Project of the ICICI Bank Ltd at Hyderabad. Two establishments won the second level award "Silver Safety

Award", three establishments the third level award "Bronze Safety Award" and 11 establishments won the fourth level award "Prashansa Patra". To project the importance of the key role of the Client of the construction project in monitoring and ensuring the implementation of safety systems and procedures by the principal contractor at the construction site, two awards are given for each category of awards - one each to the client and the principal contractor.

The Awards will be presented in a Function proposed to be held in December, 2009.

The Hon'ble Union Minister for Labour & Employment has been invited to present the Awards for the Awards Year-2008 to the award winning organisations and construction establishments at a Function being scheduled in Mumbai as per his convenience.

NSCI Safety Awards-2009: Applications received for manufacturing, construction and MSME sectors are being assessed.

13.59.10 Activities of NSC Chapters

Besides the above activities/services provided by the NSC Hqs., the 18 Chapters also provide a wide range of safety activities / services at the State and the local levels, particularly in regional languages.

		Table 13.1
SI.No.	Major Component and Activities	Achievements (April - September 2009)
1.	Upgradation of various laboratories at CLI & RLIs	Procurement of the items-7* Nos.
2.	a) Development of National Inventory on OSH information and follow up	-
	b) Upgradation and development of data bases	1
	c) Development of Application Programmes	1
	d) Material Safety Data Sheet (MSDS) on request	-
	e) Industry-wise safety and health information	-
	f) INDOSHNEWS Publication	1
	g) Publication of Manuals, brochures	1
3.	Implementation of minimum agenda for e-Governance	-
4.	Conduction of specialized training programmes, seminars, workshops	16
5.	Conduction of studies/surveys/audits	13
6.	Enforcement activities in major ports (inspection of ships, container ship, loose gears, docks, container yards, hazardous installations, etc.)	550
7.	Testing of Respiratory & Non Respiratory PPE	152
8.	Production of films	-
9.	Procurement of audio-visual and communication equipment & software for production of video films, posters, etc.	-

^{* 1.}Dynamometer, 2. Repair of Physiology, 3. Human Vibration Meter, 4. Machine Vibration meter, 5. Kata Thermometer (In progress), 6. IR spectrophotometer for testing of goggles. (In progress), 7. Procurement of Sound level meter (In progress)

	Table 13.2											
Growth of Mining Activities in India												
Year	No. of reporting Year mines			Value of minerals (in Million Rupees)			Aggregate H.P. (in 000s)			Explosives used (in 000 tonnes)		
	Coal	Metal	Oil	Coal	Coal Metal Oil Coal Metal Oil				Coal	Metal		
1997	580	1834	34	193877	43758	40813	5314	2016	570	232.7	43.4	
1998	594	1864	37	205307	45286	53136	5399	2020	602	247.0	47.1	
1999	598	1957	44	219101	46415	83982	5660	2147	744	267.6	49.8	
2000	595	2022	45	234531	53111	92954	5561	2371	757	290.5	55.4	
2001	568	1907	43	261082	54032	106747	5586	2190	778	292.6	55.8	
2002	567	1870	42	286390	64965	123326	5432	1997	757	315.3	55.6	
2003	562	1761	49	299954	77605	131897	5677	1950	747	309.8	63.7	
2004	560	1764	47	322425	104283	166083	5728	2336	685	334.0	70.5	
2005	569	1835	50	371391 133417 230586			5415	2495	701	297.1	80.7	
2006	568	1720	44	374671	162160	370657	5954	2496	468	345.3	95.1	
2007*	575	1990	50	412500	138470	240600	5540	2700	720	310.0	85.0	

						Table 13.2A				
	1) Trend of Accidents in Mines									
Year	Number	of Accidents Mines	s in Coal	Number of Accidents in Non-Coal Mines						
	Fatal	Serious	Total	Fatal	Serious	Total				
1999	1999 127 595 722 61 230									
2000	000 117 661 778 51 187 23									
2001	105	667	772	71	199	270				
2002	81	629	710	52	205	257				
2003	83	563	646	52	168	220				
2004	87	962	1049	57	188	245				
2005	96	1106	1202	48	108	156				
2006	78	861	939	58	78	136				
2007*	77	922	999	57	79	136				
2008*	87	665	752	64	83	147				
2009*	67	299	366	25	63	88				
* Data are p	rovisional an	d figures for 2	2009 are up t	o September 2	2009					

	Table 13.3												
	Trend of Accidents in Coal Mines – Cause-wise												
Causes		Numbe	er of Fa	tal Acci	dents			Numbe	er of Serious Accidents				
Causes	2004	2005	2006	2007*	2008*	2009*	2004	2005	2006	2007*	2008*	2009*	
Fall of Roof	26	18	13	13	14	13	44	38	27	31	30	13	
Fall of Sides	8	7	4	4	6	7	67	45	28	38	39	10	
Other Ground Movements	0	0	1	0	1	0	1	1	1	0	0	0	
Winding in Shafts	0	0	3	0	1	0	5	2	5	2	0	2	
Rope Haulage	5	12	9	4	4	2	127	168	178	131	89	40	
Dumpers, Trucks, etc.	22	18	11	24	23	19	20	34	41	32	20	14	
Other Transportation Machinery	3	4	5	1	2	3	10	16	48	35	16	3	
Non- Transportation Machinery	7	15	8	13	10	11	28	46	54	79	39	17	
Explosives	5	2	0	1	1	0	8	5	1	4	1	1	
Electricity	4	4	3	4	5	0	4	5	5	3	0	0	
Gas, Dust, Fire, etc.	2	0	4	2	2	0	2	0	1	1	0	1	
Fall of Persons	3	7	4	3	8	2	307	284	221	268	194	82	
Fall of Objects	0	6	8	4	5	5	183	264	153	185	142	54	
Other Causes	2	3	5	4	5	5	156	198	98	113	95	62	
Total	87	96	78	77	87	67	962	1106	861	922	665	299	

^{*} Data are provisional and figures for 2009 are up to September 2009

											Tab	le 13.4
			Tre	nd of A	ccident	s in Nor	-coal I	Mines -	- Cause	wise		
Causes	Number of Fatal Accidents Number of Serious Accide								ccident	S		
	2004	2005	2006	2007*	2008*	2009*	2004	2005	2006	2007*	2008*	2009*
Fall of Roof	2	1	0	1	2	2	2	2	0	1	1	0
Fall of Sides	12	5	9	9	14	8	3	0	2	3	0	0
Other Ground Movements	0	0	0	0	0	0	0	0	0	0	0	0
Winding in Shafts	0	0	0	0	0	0	0	0	1	2	2	2
Rope Haulage	0	0	0	0	0	0	0	1	0	2	1	0
Dumpers, Trucks, etc.	18	12	17	19	13	7	11	10	6	3	5	3
Other Transportation Machinery	3	1	2	6	3	0	2	3	6	5	3	4
Non- Transportation Machinery	6	9	5	7	5	2	22	15	9	17	10	8
Explosives	3	4	3	2	2	0	0	1	0	1	1	1
Electricity	2	0	0	0	2	0	0	0	1	1	1	1
Gas, Dust, Fire, etc.	0	0	0	0	2	0	0	3	0	1	1	0
Fall of Persons	6	13	15	8	10	1	41	22	20	14	17	12
Fall of Objects	3	2	7	3	2	3	38	20	17	9	20	19
Other Causes	2	1	0	2	9	2	69	31	16	20	21	13
Total	57	48	58	57	64	25	188	108	78	79	83	63

^{*} Data are provisional and figures for 2009 are up to September 2009

									Та	ble 13.5				
	Accidents and resultant casualties in mines													
			Coal					Non-Co	al					
Year	Fatal Accident			Serious Accident		Fatal Accident			Serious Accident					
	Acc	Killed	lnj	Acc	lnj	Acc	Killed	Inj	Acc	lnj				
2000	117	144	28	661	679	51	55	2	187	192				
2001	105	141	14	667	706	71	81	8	199	200				
2002	81	97	15	629	650	52	64	3	205	206				
2003	83	113	12	563	578	52	62	16	168	169				
2004	87	96	14	962	977	57	64	9	188	194				
2005	96	117	19	1106	1119	48	52	4	108	109				
2006	78	137	15	861	876	58	71	9	78	79				
2007*	77	79	11	922	939	57	69	15	79	92				
2008*	87	100	16	665	672	64	86	36	83	85				
2009*	67	74	10	299	307	25	32	4	63	64				

^{*} Data are provisional and figures for 2009 are up to September 2009

Toward to 1			l Fatalita	D = 1 = = = = = =	4000 Dave	F		Table 13.6			
Trend in Fatal Accidents and Fatality Rates per 1000 Persons Employed (Ten Yearly Average)											
Coal Mines Non coal Mines											
Year	Avg. Acc	Acc. Rate	Avg. Killed	Death Rate	Avg. Acc	Acc. Rate	Avg. Killed	Death Rate			
1951-60	222	0.61	295	0.82	64	0.27	81	0.34			
1961-70	202	0.48	260	0.62	72	0.28	85	0.33			
1971-80	187	0.40	264	0.55	66	0.27	74	0.30			
1981-90	162	0.30	185	0.34	65	0.27	73	0.31			
1991-2000	140	0.27	170	0.33	65	0.31	77	0.36			
2001-2009*	85	0.21	106	0.26	54	0.34	65	0.41			

^{*} Data for the years 2007 to 2009 are provisional and data for 2009 are up to 30.09.2009.

								T	able 13.7				
	Number of Inspections and Enquiries												
	ı	lo. of Ins	pections	3		No. of E	nquiries	3					
Year	Coal	Metal	Oil	Total	Coal	Metal	Oil	Total	Grand Total				
1997	4563	2404	189	7156	1157	406	34	1597	8753				
1998	4752	2539	166	7457	1127	398	29	1554	9011				
1999	6106	3061	198	9365	1319	483	26	1828	11193				
2000	5642	3614	245	9501	1163	325	26	1514	11015				
2001	5410	2908	229	8547	1148	418	51	1617	10164				
2002	5667	2856	269	8792	1022	402	30	1454	10246				
2003	5574	3247	246	9067	966	427	13	1406	10473				
2004	5214	2983	228	8425	834	436	08	1278	9703				
2005	5247	3107	295	8649	933	372	30	1335	9984				
2006	4192	2630	219	7041	951	338	27	1316	8357				
2007	4330	2309	183	6822	796	380	24	1200	8022				
2008	4614	2838	216	7668	840	417	24	1281	8949				
2009*	2714	1659	121	4494	576	221	17	814	5308				

^{*}Data are provisional and figures for 2009 are up to September,09.., 09

				Table 13.8						
Applications received & Certificates of Competency issued during April, 2009 to September, 2009										
Category of certificates of Coal Mines Regulation, 1957 Metalliferous Mines Regulations, 1961										
competency	Applications received	Certificates issued	Applications received	Certificates issued						
Manager	1279	231	2630	224						
Surveyor	37	24	113	14						
Overman / Foreman	235	153	560	99						
Sirdar / Mate	177	109	Nil	Nil						
Shotfirer/Blaster	Shotfirer/Blaster Nil Nil 458 322									
Winding Engine Driver	Winding Engine Driver 62 49 Nil Nil									
Gas-testing	803	520	Nil	Nil						

		Table 13.9
Action Plan	Achievement from April,2009 to September,20 09	Remarks
(A) S&T Cell		
1. Mine Environment surveys	09+1(Cont.)	
2. Occupational Health Review, Survey & Medical Exam.	04	
3. Ground Control	06+1(C0nt.)	
4. Mine Mechanization (Testing of Machinery Parts)	1	
5.Additional Joy: FRHF Testing (Fire Resistant Hydraulic Fluid)	01	
(B) Mines Rescue Services cell :		
Testing of filter self Rescuer	-	Targets in
2. Testing of self contained self Rescuer	-	some of the
3. Rescue competition	-	project activities
4. Field visits	-	could not be
5. Organization of conference on Rescue/Recovery experience	-	achieved due to shortage of
6. Monitoring of first aid competition	-	manpower.
7. Creation of rescue database on Rescue facilities	-1	
8. Creation of rescue database on actual Rescue/Recoveries	-	
9. Issue of technical circulars		
(C) Human resource Development Cell :		
1. Conduct of Training Programs		
(a) DGMS officers	01	
(b) Key personnel from mining industry		
(c) Workmen's Inspectors		

				Table 13.10						
	Training of DGMS Officers									
SI.No.	Course	Venue	Period	No. of Officers attended						
1.	Technological assessment of testing two legged powered roof support mines technology.	China	07.05.2009 to 22.05.2009	03						

				Table 13.11
SI. No.	Subject	Venue	Duration	No. of officers attended
1	Short term course on "Rock Mechanics and Ground Control"	BHU, Varanasi	25.05.2009 to 30.05.2009	02
2	Workshop on "Mine Fires in Indian Coal Industry overview of Problem Dimensions and Measures for Mitigation and Control"	Kolkata	21.07.2009 to 22.07.2009	03
3	International Conference on "Recent Trends in Life Science Researches vis-à- vis Natural resource Management, Sustainable Development and Human Welfare".	VBU, Hazaribagh	27.06.2009 to 29.06.2009	01
4	Workshop on "Winning Strategies to Revitalize the Mineral Sector"	Mangalore	08.07.2009 to 09.07.2009	03
5	Seminar on "Search for excellence".	Nagpur	30.07.2009 to 30.07.2009	02
6	Workshop on "Management Tools for efficient Operations in Mining Industry"	Sikkim	12.09.2009 to 14.09.2009	02
7	Workshop on "Indian Mining Sectors: Policies and Constraints"	Kolkata	15.09.2009 to 15.09.2009	05
8	Workshop on "Feature in tippers/dumpers"	Chennai	07.10.2009 to 07.10.2009	04

14

WORKERS EDUCATION

14.1 The Central Board for Workers Education (CBWE), Ministry of Labour, Government of India, was established in 1958 to implement Workers Education Scheme at National, Regional, Unit and Village Levels.

The Board is tripartite in character and consists of representatives from Central Organisations of Workers/Employers, Central/State Governments and Educational Institutions.

Awarness is sought to be created among the working class about their rights and

obligations for their effective participation in socio-economic development of the country.

Board organizes different types of training programmes for the workers in organised, unorganised, rural and informal sectors as indicated in **Table 14.1.**

Board's programmes reflect the new orientation, direction and dimensions for meeting the wider educational needs of the worker, trade unions and managements, keeping in view the changed scenario.



Shri Abdul Gani Malik, Hon'ble Minister for Higher Education and Labour & Employment, Government of Jammu and Kashmir addressing the participants of the Workers Education Day celebration on 16th September, 2009 at Regional Directorate, Central Board for Workers Education, Jammu.

STRUCTURE

14.2 Central Board for Workers Education is headed by a Chairman. Its headquarters is at Nagpur. The Chief Executive of the Board is the Director who is assisted by an Additional Director, Deputy Directors and Financial Adviser etc. The Board operates through 50 Regional Directorates and 9 Sub-Regional Directorates. The six Zonal Directorates situated at Delhi, Guwahati, Kolkata, Mumbai, Chennai and Bhopal monitor the activities of the Regional Directorates in their respective zones.

14.3 Tripartite Regional Advisory Committees constituted for each Regional Directorate review the progress of the scheme and recommend measures for effective implementation of Workers Education Programmes. The Indian Institute of Workers Education (IIWE), Mumbai, an apex level training Institute of the Board, was established in 1970.

TRAINING PROGRAMMES OF THE BOARD

Training programmes of the Board for workers in Organized Sector are conducted at three levels.

- At the first level training is imparted to the candidates selected as Education Officers. After successful completion of the training, these Education Officers conduct various programmes from the Regional Directorates.
- At the second level, workers from different establishments, sponsored by trade unions and released by employers are trained.
 These trained workers are called Trainers.
- At the third level, the Trainers conduct classes for the rank and file of workers in their respective establishments.

NATIONAL LEVEL PROGRAMMES

14.4 Programmes for representatives from Central Trade Union Organizations/ Federations and Voluntary Organizations on different subjects are conducted by the IIWE in addition to giving pre-employment training to Education Officers and reorientation to Regional Director and Education Officers of the Board as well. In view of the specialized training needs to tackle some of the specific issues by Trade Unions, three cells namely (i) Industrial Health, Safety and Environment (ii) Education for Rural and Unorganised Sector Workers and (iii) Women and Child Labour have been established in the Institute. During the period from April, 2009 to September, 2009, the details of programmes conducted at the institute are at Table 14.2.

PROGRAMMES AT REGIONAL LEVEL

14.5 Details of training programmes conducted by the Regional Directorates during the period April, 2009 to September, 2009 including Unit Level Classes, programmes for rural workers and workers belonging to unorganized sector and weaker sections are indicated in the **Table 14.3**.

ORGANISATION OF UNORGANISED LABOUR AND TRAINING OF RURAL VOLUNTEERS

14.6 Initially the Board concentrated its activities in the organized sector. The Board shifted its emphasis to rural sector since 1977–1978 on the recommendations of Workers Education Review Committee. Initially started with 7 pilot projects, the rural workers education programmes have now become a regular and continuing programme. The objectives of the programme are:

To promote critical awareness of problems, privileges and obligations as workers and citizens;

To enhance self confidence and build up scientific attitude;

To educate them to develop their organizations through which they can fulfill socio-economic functions and responsibilities in rural economy and strengthen democratic, secular and socialist fibre of rural society;

To educate them in protecting and Promoting their individual and social interest:

To motivate for family welfare planning and to combat social evils.

- 14.7 Rural Volunteers are given one week orientation / Refresher Courses at Regional Directorates to assist Education Officers in conducting Rural Awareness Camps. These camps are attended by landless labour, tribal labour, artisans, forest workers and educated unemployed in rural areas etc.
- 14.8 Tailor made programmes of one to four days durations, based on the functional and educational needs of workers, for Handloom, Powerloom, Khadi & Village Industries,

Industrial Estates, Small Scale Units, Handicrafts, Sericulture, Coir Industry, Beedi Industry and Workers of Weaker Sections such as women workers, handicapped workers rickshaw drivers, construction workers, civic and sanitation workers are also organized by the Board.

Performance

14.9 During the period from April, 2009 to September, 2009, the Board has conducted 3,175 programmes of various durations and trained 1,07,115 workers of various sectors (Annexure-II).

MAJOR ACHIEVEMENTS

Empowerment Programmes

- 14.10 In pursuance of the recommendations to the Committee on Rural Camps, the Board has introduced 4-day Empowerment Programmes from the financial year 2003-04.
- 14.11 During the period from April, 2009 to September, 2009, 3,421 workers have been benefited in 87 Empowerment Programmes organized for Unorganized, Weaker and Rural Sector workers.



Rural Awareness Camp organized by Regional Directorate, Central Board for Workers Education, Delhi at village Kundli in progress.

Programmes for Panchayati Raj Functionaries

14.12 The Panchayati Raj Institutions have been entrusted with the responsibility of preparing plans and implementation of various programmes of rural infrastructure development and poverty alleviation programmes which calls for necessary knowledge and skills among the elected members of Panchayati Raj. For the success of Panchayati Raj, its members need to be educated and trained to shoulder their responsibilities in a best manner. Owing to the increasing thrust of the Govt. of India for educating the elected members of Panchayati Raj Institutions, the Board has started, during the year under report, exclusive training programmes of 2-days duration for the elected members of the Panchayati Raj Institutions.

14.13 During the period from April, 2009 to September, 2009, the Board conducted 5 programmes for 168 elected members of the Panchayati Raj Institutions.

Retraining Programme for Trained Workers of Rural/Unorganized Sector

14.14 The Board also introduced a new one-day programme called Retraining Programme for those Trained Workers, who were trained long back say before five years, to update their knowledge and also to make them aware about the various welfare schemes launched by the Central/State Governments after their initial training.

14.15 During the period from April, 2009 to September, 2009, 44 such retraining programmes were conducted for 2,528 rural / unorganized workers.

Labour Welfare and Development Programmes

14.16 The Ministry of Labour has assigned to the CBWE the task of Generating Awareness

among the Rural/Unorganized sector workers about the various welfare schemes of the Government for their socio-economic development.

14.17 Accordingly, the Board has designed and introduced from the year 2003-2004, a new programme called "Labour Welfare and Development" of 2 days duration for the workers of rural/unorganized sector for implementation through its 50 Regional Directorates. During the period from April, 2009 to September, 2009, the Board has organized 245 awareness generation programmes for 9,527 workers of rural and unorganized sectors under Labour Welfare & Development programmes.

14.18 Besides, informative study material developed by the Board in the form of booklets and leaflets for distribution to the participants of the training programmes was finalized during the year under report.

LITERATURE AND AUDIO VISUAL AIDS

14.19 Simple literatures in the form of textual and pictorial booklets in Indian Languages are brought out. These are made available to workers at a subsidized price of Rs. 5/- per booklets. Revision and reprinting of the booklets is also undertaken.

14.20 To sustain the interest of the participants in the class and to make teaching-learning process more interesting and meaningful, A.V. Aids in the form of Posters, Flip Book, Pictorial Booklets, Flip Charts etc. are also brought-out.

14.21 During the period under report a Pictorial Booklet on 'Minimum Wages' in six regional languages was brought out.

STUDY MATERIAL

14.22 Study materials in the form of Seminar Papers, Case Studies, Talking points, etc. to

supplement teaching at the Indian Institute of Workers Education and Regional Directorates have been prepared.

GRANTS IN AID

14.23 The Central Board for Workers Education through its Grants-in-Aid Scheme extends financial assistance to Trade Union Organizations and Educational Institutions etc. to conduct Workers Education Programmes for their own workers.

14.24 The Grants-in-Aid Scheme of the Board was introduced in the year 1960 and developed considerably since then. It is modified and improved from time to time after taking into consideration the suggestions and demands from the Trade Unions. The last revision of the Grants-in Aid scheme and its pattern of expenditure was done in April, 2005 with a view to induce the trade unions to avail this faculty on a wider scale. Similarly the rules and procedure of the Grants-in-Aid Scheme have also been simplified accordingly to meet the Trade Union needs.

14.25 Grants-in-aid is available for conducting full time Residential and Non-residential Programmes of 3 to 7 days duration according to the local requirement of the Trade Union Organizations. The grantees are allowed flexibility regarding subjects to be covered and number of participants. The grants-in-aid scheme has also been extended to the Rural Workers.

14.26 The Board also sanctions grants-in-aid for National Level Courses to the Central Trade Union Organizations and National Federations. During the period April, 2009 to September, 2009, the Board provided grants-in-aid amounting to Rs.5,06,322/- to 21 Unions / Institutions which conducted 33 programmes for 1,320 workers.

USE OF HINDI

14.27 During the period from April, 2009 to September, 2009, total 7 Officers and 20 Group "C" employees of the Board were given incentives / allowances / awards for passing Hindi examination under Hindi Teaching Scheme of Government of India, Department of Official Language, Ministry of Home Affairs, giving dictation in Hindi and for doing their official work in official language Hindi in addition to English. The Official Language Implementation Committee of the Board held 02 meetings at Head Office, Nagpur and reviewed the progress made in the use of Hindi at Head Office, Nagpur, Indian Institute of Workers Education, Mumbai and all Zonal / Regional Directorates.

14.28 During the year under report, two Official Language Hindi Workshops were conducted in which 42 Group "A" Officers of the Board participated. All the participants of the above workshops were imparted training for doing their official work in Rajbhasha - Hindi. Hindi Day was celebrated on 14th September, 2009.

14.29 During the year under report, the CBWE accorded sanction of Rs.9,000/- (Rs. Nine thousand only) to its subordinate Regional Directorates as contribution to their respective Town Official Language Implementation Committees for organizing half yearly meetings, competitions, activities of Town Official Language Implementation Committees, publication of Hindi Magazines etc.

OBSERVANCE / CELEBRATION OF VARIOUS DAYS

14.30 The Head Office, IIWE, Mumbai all the Zonal and Regional Offices of Central Board for Workers Education observed the following days to mark the occasions. Seminars, Symposia, special lecture, film shows, competitions etc.

were organized. Pledges wherever required were administered to the trainees and members of staff.

- Anti-Terrorism Day
- Independence Day
- Sadbhavana Day
- Hindi Fortnight
- Hindi Day
- Workers Education Day

MASTER TRAINERS TRAINING COURSE (MTTC) HELD

14.31 The Master Trainers Training Course (MTTC) organised for selected Officers of CBWE was inaugurated by Dr. Ashok Sahu, Labour and Employment Adviser and Director, CBWE on 15th June, 2009. Shri Anil Swarup, Director General, Labour Welfare and Shri Shanta Prasad, Director General, Employment & Training addressed the participating Officers on Rashtriya Swasthya Bima Yojana and Skill Development Initiative Scheme respectively.

CBWE Develops Booklets on RSBY and SDIS

14.32 The CBWE developed two booklets on the two schemes viz "Rashtriya Swasthya Bima Yojana (RSBY) and Skill Development Initiative Scheme (SDIS)" to generate awareness among the rural / unorganised workers about these two schemes. Besides it has also developed other three booklets on "Self Help Group", "Empowerment of Women" and "Problems of Unorganised and Rural Workers".

CBWE Celebrates Workers Education Day

14.33 The Central Board for Workers Education celebrated its foundation day as Workers Education Day on 16th September,

2009 throughout the country by organizing various events.

The mega event was organized at Guwahati on 16th September, 2009 which was inaugurated by His Excellency the Governor of Meghalaya Shri Ranjit S. Mooshahary, while Shri S. Dev Verman, Joint Secretary, Ministry of Labour & Employment, Government of India, New Delhi presided Dr. Ashok Sahu, Labour & over. Employment Adviser, Ministry of Labour & Employment, Government of India & Director, CBWE delivered the Key-note address while Shri K. K. Mittal, Principal Secretary, Ministry of Labour & Employment, Govt. of Assam was the Guest of Honour.

The Regional Directorate, CBWE, Chennai celebrated the Workers Education Day at Neyveli Lignite Corporation (NLC), Neyveli, on 16th September, 2009. The celebration function was coincided with the opening of the 201st Unit Level Class. management of NLC appreciated the efforts of Central Board for Workers Education in moulding the attitude of the workers towards right direction and in inculcating in them a sprit of belongingness. The programme was presided over by Shri Ansari, Chief Executive of the company. Besides other dignitaries, nearly 350 participants attended the programme. The participants of 10 ULCs were awarded the certificates on the occasion.

CBWE Receives Appreciation Award

14.34 The ILO presented to Central Board for Workers Education (CBWE) a momento as a token of Appreciation in recognition of the

leadership shown by CBWE in mainstreaming HIV/AIDS in its training programmmes by the hands of Hon'ble Union Labour & Employment Minister Shri M. Kharage at a grand function held at New Delhi on 9th September, 2009. Similarly the ILO felicitated the four Education Officers Incharge of the HIV/AIDS Block-Level Intervention Project in the four selected blocks one each in M. P., Jharkhand, Delhi and Puducherry. The ILO also felicitated the Deputy Director (Edn.) and Editor of CBWE for their contribution in the HIV/AIDS Project. Officers received the Appreciation Certificate at the hands of Shri P. C. Chaturvedi, Secretary, Ministry of Labour and Employment, Govt. of India on 10th September, 2009. Shri S. K. Srivastava, Additional Secretary (Labour & Employment) was also present and graced the occasion.

IMPACT

14.35 A feedback is obtained from the participants and management about the impact of the various training programmes conducted by the Board. The feed back has revealed that

the participants have admitted and realized the importance of discipline, productivity, reducing the cost of production, improving quality to withstand global competition, feel enlightened on various problems of industry, changes in economic scenario etc.

14.36 The programmes have brought changes in their attitude and they have developed their identification in their respective organization. The inclination of the activists towards democratic processes and practices has strengthened the Trade Unions. Similarly the workers have approached the managements for creation of common forum to discuss the problems.

14.37 The participants also gave up social evils like smoking, tobacco chewing, indebtedness and instead switched to savings. In Rural camps the participants realized the importance of Rural Workers Organization, small savings, health, hygiene, literacy, etc. and pledged to carry on the message of awareness to those who are not aware.

Table 14.1

COURSES ORGANISED UNDER WORKERS EDUCATION SCHEME

Sr. No.	National Level	Sr. No.	Regional Level	Sr. No.	Unit Level	Sr. No.	Specific Categories
1	Education Officers Training and Retraining Course	1	Training of Trainers	1	Unit Level Classes	1	Functional Adult Literacy Classes
2	Training Programme for Group 'C' & 'D" officials of CBWE	2	Personality Development Programmes	2	Need Based Special Programmes	2	Empowerment Programme for Un-organised Workers (4 days)
3	Training Programme for Trade Union Activists	3	Joint Education Programmes (1 day)	3	Joint Education Programmes (2-days)	3	Empowerment Programme for Weaker Section (4-days)
4	Workers Participation in Management entrusted by MoL, Gol.	4	Programmes under Self Generation of Funds (1/2/3- days)	4	Plant Level Programme for Trained Workers (1 days)	4	Empowerment Programme for Rural Workers (4-days)
5	Mind Management through NLP	5	Need Based Seminars (2- days)			5	Retraining programme for Unorganised (1 day)
6	Skills for Power Point Presentation High Performance Culture	6	Quality of Life for Workers and their Spouses (4/2 days)			6	Rural Awarness Camps (2 days)
7	Emerging challenges before Trade Unions	7	Seminar for Wage Board (Journalist) (1 day)			7	Retraining programme for Rural (1 day)
8	Organizational excellence through Organisational Behaviour					8	2 days programme for :
9	Organizational empowerment					а	Unorganised workers
10	Personality Development					b	Women Workers
11	Challenges before Informal Sector					С	SC/ST Workers

12	Global Customer Delightness in Service Sector			d	Parents of Child Labour/ Child Labour.
13	Computer Awareness			е	Labour Welfare and Development
14	Problems & Prospects of Construction			f	Retrenched Employees
15	Role of Trade Union Movement & Personal Effectiveness			g	VRS Optees
16	Organising Pharmaceutical & Chemical Workers				
17	Trade Union Management	·			

Table 14.2

Title of the programme	No. of programmes	No. of participants
Advanced training programmes for the activists of Trade Union Organizations like Western Railway Employees Union, CTUO, CRMS, HMS, INTUC, BMS, AITUC, INBCWE, NFIR AIRMF and BKSM.	16	333
Training programme for Group "C" and "D" employees of Board.	2	38
Refresher Course for Education Officers of CBWE.	2	46
Workers Participation in Management Programme	1	9

Table 14.3 Activities of Central Board for Workers Education for the period 2009-10

Activity	Target 2009-	Achievement from 1.04.2009 to 30.09.2009		
	10	Progs.	Participants	
REGIONAL LEVEL				
Training of Trainers (1 ½ month)	13	1	40	
Personality Development Programme (21- days)	80	48	1094	
Refresher Course for Trainers (1 week)	13	2	23	
Joint Education Programme (3 days)	-	1	7	
Joint Education Programme (1 day)	398	364	10157	
Self Generation of Funds Programme (3 days)	1	19	352	
Self Generation of Funds Programme (2 days)	329	247	4899	
Self Generation of Funds Programme (1 day)	146	95	1823	
Need Based Seminars (2 days)	443	223	6150	
Quality of Life for Workers and their spouses (4 days)	54	-	-	
Quality of Life for Workers and their spouses (2 days)	155	21	756	
Seminar at Plant Level (1 day)	149	72	1989	
Special Programme for VRS Opted Employees (2 days)	4	-	-	
Special Programme for ITI Trainees (5 days)	-	27	1784	
UNIT LEVEL				
Part Time Unit Level Classes (3-months/3-weeks/1 ½ months)	138	43	1192	
Joint Education Programmes for New Members of Joint Councils at Enterprise Level (2 days)	421	242	6162	
Need Based Special Programmes (1-week)	4	-	-	
Functional Adult Literacy Classes (6 months)	37	1	24	
UNORGANISED SECTOR				
Empowerment Programme for Unorganized Workers/Weaker Section (4 days)	500	76	2987	
Programme for Unorganized Sector/Stone Quary Workers (2 days)	611	282	11380	
Programme for Women Workers (2 days)	514	272	10805	
Programme for Parents of Child Labour/Child Labour (2 days)	320	71	2778	
Programme for SC/ST (2 days)	500	149	5853	

Labour Welfare & Development Programme (2 days)	662	245	9527
Quality of Life for Workers and their spouses (4 days)	147	20	772
Quality of Life for Workers and their spouses (2 days)	281	60	2284
Retraining Programme for Unorganized (1 day)	180	21	1287
Programme for Panchayati Raj (2 days)	115	5	168
RURAL SECTOR			
Rural Awareness Camps (2 days)	2015	533	21118
Empowerment Programme for Rural workers (4-days)	184	11	434
Retraining Programme for Rural (1 day)	190	23	1241
Workers Participation in Management (Government of India's Scheme)	-	2	53

PLAN AND NON-PLAN PROGRAMMES

15.1 The Ministry had drawn an ambitious plan for the welfare and development of labour during the Tenth Plan and Eleventh Plan. Special emphasis was laid for elimination of child labour, abolition and rehabilitation of the bonded labourers and skill up-gradation. The important schemes taken up during the Tenth Plan were: National Child Labour Project, Upgradation of existing ITIs into "Centres of Excellence", and Establishment of New ITIs in North-Eastern States, Sikkim and Jammu & Kashmir. Apart from this, a few new Schemes were launched during Eleventh Plan. They include Skill Development initiative through PPP, Up-gradation of 1396 Government ITIs through PPP, Externally Aided Project(EAP) for reforms and improvement in Vocational Training Services rendered by Central & State Governments and Health Insurance for Unorganized Sector Workers.

15.2 The Planning Commission has made an allocation of Rs.2210.02 Crore (at 2006-07 prices) for the Plan Schemes of the Ministry of Labour & Employment during the Eleventh Five Year Plan (2007-12). Against this, during 1st year of Eleventh Plan i.e,2007-08, the Ministry was allocated Rs.325.48 Crore by the Planning Commission (excluding CW of Rs.19.52 Crore which was transferred to Ministry of Urban Development). This was later increased to Rs.1250.00 Crore at RE stage. The actual expenditure, however, was Rs.1280.22 Crore

which was met through supplementary provisions. Similarly, an allocation of Rs.771.50 Crore (excluding CW of Rs.28.50 Crore which was transferred to Ministry of Urban Development), was made during 2nd year of Eleventh Plan i.e, 2008-09. This was increased to Rs. 1426.00 Crore at RE stage. Against this, the expenditure was Rs. 1388.39 Crore. A plan provision of Rs.1630.76 Crore (excluding CW component of Rs 19.25 Crore which was transferred to Ministry of Urban Development) has been made by the Planning Commission during 2009-10 for the plan schemes of the Ministry of Labour and Employment. The details of Plan provision and expenditure are given in **Table 15.1.**

15.3 The Women's Training Cell of the DGE&T and Woman Labour Cell deal with the schemes exclusively meant for women and women's welfare. Presently, there are two schemes (after merger) relating to women in the Ministry.

15.4 The Ministry of Labour & Employment has Plan Schemes in the areas of Employment, Central Board For Worker's Education, National Labour Institute, Rehabilitation of Bonded Labour and Labour Bureau for the benefit of Scheduled Castes and Scheduled Tribes. Together these constitute the Scheduled Caste Sub Plan (SCSP) and Tribal Sub Plan (TSP) respectively.

15.5 As per the Government's directives, 10% of plan allocations are to be earmarked for specific projects/schemes in the North-Eastern States and Sikkim. Thus, Ministry of Labour has allocated funds to the tune of Rs. 90.00 Crore during 2009-10 for such Schemes.

15.6 The Ministry of Labour & Employment provides Grants-in-aid to Research and Academic Institutions and Voluntary Organisations for undertaking research in labour related matters. During 2009-10, a budget allocation of Rs.25.00 lakh has been made. During last three years, 24 research studies in the areas of Labour Welfare, Social Security, Industrial Relations, Enforcement of Minimum Wages and Employment Services and Training etc. have been completed. Presently, 16 Research Studies are in the pipeline.

15.7 Apart from the Plan programmes, the Ministry also has Non-Plan programmes for various activities relating to Employment & Training, Industrial Relations, Safety & Health of workers, Workers' Education, Social Security of the Workers in the Organized Sector, International Cooperation, Research & Statistics, Welfare of SC/ST and Other Backward Classes etc. besides other Secretariat Social Services and Schemes. The non-plan expenditure during 2007-08 was Rs.1647.75 crore as against BE of Rs.1571.79 crore. In 2008-09, as against BE of Rs.1726.53, the expenditure was Rs.1903.76 Crore. For the year 2009-10, the BE provision is Rs. 1832.13 Crore. The details of Non-Plan BE and Expenditure are given in **Table 15.2**.

Table 15.1
PLAN PROVISIONS AND EXPENDITURE

(Rs. in crore)

SI. No	` '		Annua (2007	-	Annua (2008	Annual Plan (2009-10)	
		Outlay	Approv ed Outlay	Actual Exp.	Approv ed outlay	Actual Exp.	Approved Outlay
1	2	3	4	5	6	7	8
1	DGE&T	828.18	108.33	1086.3 2	314.04	1083.83	1134.17
2	Occupational Health & Safety (DGMS & DGFASLI)	56.45	5.80	5.93	15.90	12.47	15.09
3	Industrial Relations	41.38	6.65	5.40	7.45	7.14	6.50
4	Child Labour	579.16	175.05	155.91	156.06	157.81	100.00
5	Women Labour	2.39	0.51	0.38			
6	Labour Statistics	38.02	5.59	8.41	7.80	8.00	9.00

7	National Labour Institute (NLI)	22.10	5.00	5.00	5.00	5.00	5.00
8	Grants-in-aid Scheme for Research Studies	1.33	0.25	0.15	0.75	0.29	0.50
9	Workers' Education	44.21	9.30	9.30	9.50	9.50	9.00
10	Rehabilitation of Bonded Labour	13.26	2.00	1.09	2.00	1.20	1.00
11	Information Technology	8.84	2.00	1.57	2.00	1.50	0.50
12.	Social Security for unorganized Sector Workers and Health Insurance for unorganized Sector Workers	574.70	5.00	0.76	1.00	0.00	0.00
13.	Rashtriya Swasthya Bima Yojana				250.00	101.65	350.00
	TOTAL	2210.02	325.48*	280.22	771.50**	1388.39	1630.76***

^{*} Excludes civil work component of Rs.19.52 Crore transferred to Ministry of Urban Development.

^{**} Excludes civil work component of Rs.28.50 Crore transferred to Ministry of Urban Development.

^{***} Excludes civil work component of Rs.19.25 Crore transferred to Ministry of Urban Development.

Table 15.2

	NON-PLAN PROVISIONS AND EXPENDITURE								
	(Rs. in crore)								
		200	6-07	200	2007-08		8-09	2009-10	
SI. No.	Scheme	BE	Actual Exp	BE	Actual Exp	BE	Actual Exp	BE	
1	Secretariat Social Services	17.20	15.09	19.80	16.44	22.50	23.05	35.00	
2	Research & Statistics	5.72	5.39	6.38	5.81	6.68	8.11	10.93	
3	Industrial Relations	20.81	19.82	28.50	21.71	28.75	31.38	47.15	
4	Working Conditions & Safety	31.22	27.10	32.17	29.55	35.00	40.43	51.75	
5	Labour Education	22.00	23.71	27.06	27.06	27.00	29.85	29.70	
6	Labour Welfare Schemes	162.22	153.03	263.79	252.37	268.53	255.52	269.91	
7	Transfer to Reserve Funds	161.05	162.42	273.05	231.69	279.50	253.68	270.00	
8	Social Security	853.44	1353.44	854.80	1005.79	982.63	1183.57	1010.90	
9	International Cooperation	7.55	5.61	8.06	6.14	8.56	8.17	9.40	
10	Other Grants- Compensation to Families of HD Inter- State Vehicle drivers killed in accidents	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
11	Other Items	0.76	0.24	0.78	0.21	0.86	0.61	0.86	
12	Welfare of SC/ST and other Backward Classes	2.25	2.01	2.50	2.19	3.52	3.24	5.06	
13	Aid material & equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
14	Employment	20.00	18.32	22.40	19.4	26.00	28.46	39.47	
15	Training	28.00	26.59	32.50	29.39	37.00	37.69	52.00	
	Total	1332.22	1812.77	1571.79	1647.75	1726.53	1903.76	1832.13	

16

WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

16.1 In line with the general policy of the Government, the Ministry of Labour & Employment has formulated several special schemes, which provide various benefits to the members of Scheduled Castes and Scheduled Tribes.

SPECIAL SCHEMES FOR SCHEDULED CASTES/TRIBES

Coaching-cum-Guidance Centres for Scheduled Castes and Scheduled Tribes

Special Coaching Schemes

Computer Training

Labour Welfare Funds / Schemes

Rehabilitation of Bonded Labour

Survey & Research Studies

Coaching-cum-Guidance Centres for Scheduled Castes and Scheduled Tribes.

16.2 The scheme was launched in 1969-70 in 4 Centres on a pilot basis. Keeping in view the success of the scheme, it was extended to another 18 States. At present, 23 Coaching-cum-Guidance Centres are functioning in 23 states / Union Territories (one of them at Jowai is in the process of being made fully functional). These centres provide Occupational Information, Individual Guidance and organize confidence Building Programme for the benefit of the job seekers belonging to Scheduled

Castes and Scheduled Tribes and review the Old registered cases. The applicants are provided guidance at the time of their registration with the Employment Exchanges and also when they are sponsored against notified vacancies. The Centres also follow up with the employers for placement against vacancies reserved for the Scheduled Caste and Scheduled Tribe candidates.

16.3 In addition, thirteen of these Centres provide facilities for training in shorthand and typing. The physical achievements of various Coaching-cum-Guidance Centres from 01.04.2009 to 30.09.2009 are given below:

Activity	Number of candidates covered
Registration Guidance	27099
Pre-Submission Guidance*	1235
Confidence Building Programme	8532
Training in Typing and Shorthand	4757
Pre-Recruitment Training(PRT)	2421

^{*} Guidance given to candidates before submission to the respective employer for selection / interview.

Special Coaching Scheme

16.4 To facilitate the recruitment against reserved vacancies in various Central Government Ministries / Departments, the Directorate General of Employment & Training

has launched another scheme namely 'Special Coaching Scheme' for Scheduled Castes and Scheduled Tribes so as to enable SC / ST job seekers to appear in competitive examinations conducted by Staff Selection Commission and other Recruitment Boards for recruitment to Group 'C' posts. This scheme was launched in 1973 on a pilot basis at Delhi and Ghaziabad and 26 phases of this scheme have been completed so far.

16.5 Encouraged with the success of the above scheme, the scheme was extended to more places through the Coaching-cum-Guidance Centres located at Bangalore, Bhubaneshwar, Chennai, Delhi, Guwahati, Hissar, Hyderabad, Imphal, Jabalpur, Jaipur, Jammu, Jallaundhar, Kanpur, Kohima, Kolkata, Mandi, Nagpur, Ranchi, Surat & Thiruvanathapuram, in a phased manner and so far fourteen phases of the Scheme have been completed and 15 phase is in progress w.e.f. 1.7.2009. 11599 SC / ST candidates have successfully completed coaching under this programme upto 30.09.2009.

Computer Training to SC / ST Educated Job Seekers

This Scheme was started with effect 16.6 from February, 2004, with a view to provide six months Computer Training to SC / ST educated Job seekers registered with the Employment Exchanges through outsourcing training facilities. The scheme has been modified keeping in view the demand of trained Manpower in the job market. During the current year w.e.f. August, 2009, 'O' level computer training for one year to 1000 SC / ST candidates through DOEACC society is being provided under the supervision of 20 CGCs. This training will enhance the employability of the candidates and fetch them better jobs in the labour market.

LABOUR WELFARE FUNDS/SCHEMES

A number of schemes providing medical, 16.7 housing, educational, recreational, water supply and family welfare benefits are being implemented for workers (including SCs / STs persons and Persons With Disabilities) engaged in Mica Mines, Iron Ore, Manganese Ore and Chrome Ore Mines, Limestone and Dolomite Mines. Cine and Beedi workers under the five Welfare Funds, namely, Mica Mines Labour Welfare Fund; Limestone & Dolomite Mines Labour Welfare Fund; Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare Fund; Cine Workers Welfare Fund; and Beedi Workers Welfare Fund set up by the Acts of Parliament. No separate data is maintained with regard to budget / expenditure / number of persons benefited in respect of SCs / STs Persons and Persons with Disabilities.

REHABILITATION OF BONDED LABOUR

16.8 The system of debt bondage in India is an outcome of certain categories of indebtedness involving certain economically exploited, helpless and weaker sections of the society. This system originated from the uneven social structure characterized by inequitable distribution of land and assets. It has been observed that a very large number of identified and released bonded labourers belong to the Scheduled Castes and Scheduled Tribes Categories.

16.9 In order to assist the State Governments in the task of rehabilitation of released bonded labourers, this Ministry of Labour & Employment launched a "Centrally Sponsored Plan Scheme for Rehabilitation of Bonded Labour" in May, 1978. Under the scheme grants are provided towards rehabilitation assistance to the State Governments on 50:50 basis. The scheme has

undergone qualitative changes from time to time and has been progressively liberalized. The rehabilitation assistance has since been enhanced to Rs. 20,000/- per bonded labourer w.e.f. May, 2000 and in case of North Eastern States, 100% rehabilitation assistance is provided. An amount of Rs. 48.00 Lakh was incurred as financial assistance to the States under the above Centrally Sponsored Scheme during 2009-10(upto 30.9.2009). As many as 25 bonded labourers were identified and rehabilitated in the same period. assistance has also provided to states for awareness generation, survey and identification of bonded labour. So far 2,68,161 bonded labourers have been rehabilitated under this scheme. As per the report of the National Commission on Rural Labour, 1991, 86.6% of the identified bonded labour belong to SC/ST category, so benefits of the scheme are flowing in that proportion to these categories of bonded labourers.

16.10 Detailed guidelines have been issued to the State Governments for implementing the scheme. It has been emphasized that the rehabilitation process should have two components (i) psychological rehabilitation and (ii) physical and economic rehabilitation. In so far as psychological rehabilitation is concerned, the released bonded labourers who have been used to the world of domination and servitude need to be assured that he is entitled to earn his economic livelihood and decent living like other Regarding economic human beings. rehabilitation, the scheme for rehabilitation of bonded labourer should be selected keeping in view the choice of the bonded labourer. The State Governments have also been advised to integrate / dovetail this scheme with other ongoing poverty alleviation schemes such as Swaran Jayanti Gram Swa Rozgar Yojana(SJGSRY), Special Component Plan for SC/ST, Tribal Sub Plan etc. so as to pool the resources for meaningful rehabilitation of bonded labourers. A Special Group under the chairpersonship of Secretary(Labour & Employment) has been monitoring the implementation of the Bonded Labour System(Abolition) Act, 1976 through regional meetings with the representatives of State Governments / Union Territories. So far the Special Group has held 18 meetings.

Survey and Research Studies

16.11 Labour Bureau has been conducting, inter-alia, the following two separate Studies on Scheduled Castes and Scheduled Tribes Workers:-

- i) Working and Living Conditions of the Scheduled Caste Workers engaged in four groups of Unclean occupations viz. Sweeping and Scavenging, Flaying and Tanning, Bone crushing and Shoemaking in urban areas. Coverage of these has now been extended to also cover clean occupations and the adjoining rural areas of the selected centres.
- ii) Socio-economic conditions of Scheduled Tribe Labour in industrial cities at selected centres / belt.
- 16.12 Bureau has so far conducted 9 surveys in Scheduled Castes centres and 9 surveys in Scheduled Tribes centres. Reports on all the 9 surveys relating to SC centres and 8 ST centres have been released. The last survey has been conducted in Scheduled Tribes belt of

Kalahandi, Bolangir & Koraput districts of Orissa in the month of September, 2009. The processing of data is in pregress.

16.13 Sixteenth meeting of the Inter Departmental Direction Committee (IDDC) on the surveys relating to working and living conditions / socio economic conditions of workers belonging to the SC / ST communities was held in Labour Bureau, Shimla on 22nd August, 2007. The committee, inter-alia, decided that in future the Scheduled Castes surveys may be conducted in two States adjoining each other by repeating one centre where SC survey has already been conducted.

RESERVATION IN THE MINISTRY OF LABOUR & EMPLOYMENT

16.14 Data on representation of Scheduled Castes(SCs) / Scheduled Tribes(STs) employees in the Ministry of Labour & Employment is furnished in Table 16.1.

16.15 As per the requirement of the 'Persons With Disabilities' (Equal Opportunities, Protection of Rights and full participation) Act, 1995, 3% posts are to be reserved for Persons With Disabilities (Physically Handicapped Persons). The data and number of posts held by disabled persons is furnished in **Table 16.2**.

Table 16.1								
REPRESENTATION OF SCs / STs IN THE MINISTRY OF LABOUR & EMPLOYMENT INCLUDING ITS ATTACHED AND SUBORDINATE OFFICES								
Category of Employees	Total number of Employees (as on 1.1.2009)	Due as per reservation		· · · · · · · · · · · · · · · · · · ·		tion	Surplus(+) Shortfall(-)	
		SC	ST	sc	ST	SC	ST	
Group 'A'	790	119	55	160	58	41 (+)	3 (+)	
Group 'B'	974	146	68	178	70	32 (+)	2 (+)	
Group 'C'	3514	527	246	726	256	199 (+)	10 (+)	
Group 'D'	1884	283	132	742	165	459 (+)	33 (+)	
Total	7162	1075	501	1806	549	731 (+)	48 (+)	

Table 16.2 REPRESENTATION OF PERSONS WITH DISABILITIES (PHYSICALLY HANDICAPPED PERSONS) IN THE MINISTRY OF LABOUR AND EMPLOYMENT INCLUDING ITS							
ATTACHED AND SUBORDINATE OFFICES Categories of Employees							
	(as on 1.1.2009)	disabled persons					
Group 'A'	790	3					
Group 'B'	974	8					
Group 'C'	3514	87					
Group 'D'	1884	49					

17

LABOUR STATISTICS

Functions and Organizational Set-up of Labour Bureau Chandigarh / Shimla:

17.1 Ever since its inception in 1946, Labour Bureau has been engaged in collection, compilation, analysis and dissemination of labour statistics at All India level on different facets of labour. The statistics help in providing vital inputs for formulation of suitable policies and for suggesting appropriate ameliorative measures to improve the conditions of different segments of labour force.

The main activities of the Bureau include:

- Compilation and maintenance of Consumer Price Index Numbers for (i) Industrial Workers; (ii) Agricultural and Rural Labourers, (iii) Retail Price Index of Selected Essential Commodities in Urban and Rural Areas and (iv) Wage Rate Indices;
- Collection, compilation and dissemination of statistical information on various aspects of labour such as employment, wages and earnings, absenteeism, labour turnover, social security, welfare amenities, industrial relations, etc. on the basis of statutory and voluntary returns under different Labour Acts;
- Conducting research studies and surveys on labour related matters in organized/ unorganized sectors covering, inter alia, SC/ST Workers, Women Labour, Contract

- Workers and occupational wage survey in manufacturing industries, mines, plantations and service sector:
- Imparting training to State/UT personnel and the trainees sponsored by various State and Central agencies; and
- Bringing out regular and ad-hoc publications in the field of labour.
- 17.2 The two main wings of Labour Bureau are at Chandigarh and Shimla and its four Regional offices are at Ahmedabad, Kolkata, Chennai and Kanpur with a Sub-Regional office of Ahemdabad office at Mumbai.

Major Activities and Achievements of Labour Bureau

(I) Consumer Price Indices

17.3 The Consumer Price Indices compiled & maintained by Labour Bureau on a regular monthly basis are as under:-

(a) Consumer Price Index Numbers for Industrial Workers (CPI-IW) base 2001=100

 Consumer Price Index Numbers for Industrial Workers (CPI-IW) which measure the rate of change in prices of a fixed basket of goods and services consumed by the working class population, are compiled and maintained by Labour Bureau, an attached office of the Ministry of Labour and Employment, since 1946.

- Labour Bureau has compiled and released the Consumer Price Index Numbers for Industrial Workers on base: 2001=100 from January, 2006 to September, 2009.
- 3. These Index Numbers are utilized for revision of wages, determination of variable dearness allowance, measuring inflationary trends and for policy formulation.
- 4. The weighting diagrams for new series were derived on the basis of the Working Class Family Income and Expenditure Survey conducted during 1999-2000. The details of weights for broad groups under CPI -IW 2001=100 is given in **Box 17.1**
- 5. Repeat House Rent Surveys are also conducted at six monthly regular intervals. One hundred fifty six housing indices for 78 centres @ 2 indices per centre are compiled every year. The house rent indices upto the 15th round (survey period January, 2009 to June, 2009) in respect of 78 centres have been compiled and utilised in the compilation of indices.
- 6. The index numbers are released on the last working day of every succeeding month through Press Release, Fax, E-mail, Monthly Index Letter. These are also published in the Bureau's monthly publication "Indian Labour Journal" besides putting them on the Bureau's Websitewww.labourbureau.nic.in
- 7. 18th Central Training Programme for Price Collectors/Price Supervisors from various states was organized at Shimla during 10-14 September, 2009.
- 8. The indices on base: 2001=100 upto the month of September, 2009 have been compiled and released.

- The three statements on CPI (IW) on Annual Percentage Variations, Monthly Percentage Variations and Annual Rates of Inflation are at Tables 17.1, 17.2 and 17.3 respectively.
- 17.4 An annual Report on Consumer Price Index Numbers for Industrial Workers containing useful information on index numbers at Group/Sub group level is also brought out by the Bureau. The Annual Report on CPI(IW) on base:2001=100 for the year 2008 is under printing.

(b) Index Review Committee

- 17.5 The Ministry of Labour & Employment, Government of India had constituted a high powered Index Review Committee (IRC) under the Chairmanship of Prof. G.K. Chadha, Member of the Prime Minister's Economic Advisory Council, in the rank of Minister of State in the Union Cabinet, in November, 2006. The tripartite Committee consisted of representatives from Central Trade Unions, Employer's Organizations, Central/State Government representatives and an academician. Prof. G.K. Chadha. Chairman of the Index Review Committee submitted its report to the Labour Secretary, Government of India, New Delhi on 22nd April, 2009.
- 17.6 The Committee held its deliberations at various places throughout the spread of the country. The Committee considered all the aspects relating to the compilation of Consumer Price Index Numbers for Industrial Workers (CPI-IW). Some of the main recommendations include setting up of a National Level Standing Tripartite Committee so as to have regular

consultations with the stake holders viz. Trade Unions, Employers' Organizations, Government, associations of Women's Organizations and NGOs., Regional Level Committees to oversee price collection work, early revision of base year (CPI-IW) but not later than 10 years so as to be in line with the recommendations of International Labour Organization, toning up of price supervision mechanism, improvements in training programmes, enhancement of Price Collection/Price Supervision honorarium, inclusion of sectors such as construction and handloom in addition to seven sectors presently covered and selection of more centres, certain methodological changes in compilation of House Rent Indices to be applicable in the next series etc.

17.7 The recommendations of the IRC has been examined in response to the action proposed to be taken by Labour Bureau, who has agreed for implementation, in general, in the next series, to be revised.

(c) Consumer Price Index Numbers for Rural Labourers and for Agricultural Labourers [CPI (RL/AL)] (Base: 1986-87=100)

17.8 CPI Numbers for Rural labourers and its subset Agricultural Labourers are being compiled for 20 States and All-India on base 1986-87=100 on a monthly basis. These index numbers are used for revision and fixation of minimum wages in respect of the employments in agriculture under the Minimum Wages Act, 1948.

17.9 The Monthly indices and annual rate of inflation are presented in **Table 17.4 & Table 17.5.** The Annual Report on CPI Numbers for

Agricultural and Rural Labourers (Base:1986-87=100) for the year 2007-08 has been released.

(d) Retail Price Index of 31 Essential Commodities in Urban areas

17.10 Retail Price Indices in respect of 31 selected essential commodities in urban areas are also compiled every month and supplied to the Ministry of Consumer Affairs, Food and Public Distribution every month with the objective to monitor the movement in prices of these selected commodities and to take timely remedial action. These indices are compiled on the basis of Weighting Diagrams derived from the Weights determined under Consumer Price Index Numbers for Industrial Workers and Price data collected under these series. Retail Price Indices in respect of 31 selected items on the basis of New Series on base: 2001=100 are also being compiled every month with effect from January, 2006 index. The indices upto September, 2009 have been compiled and supplied to the Ministry of Consumer Affairs, Food and Public Distribution, New Delhi.

17.11 As per the recommendation of the ILO, the Family Income and Expenditure Surveys should at least be conducted at intervals not more than 10 years. These surveys are conducted under the guidance of the Technical Advisory Committee on Statistics of Prices and Cost of Living (TAC on SPCL). Accordingly, Labour Bureau, adhering to the recommendation of ILO, has started the work to update the existing series to probable base: 2011=100.

(e) Repeat House Rent Survey

17.12 As a corollary to the main Working Class Family Income and Expenditure Survey, Repeat House Rent Surveys at 78 centres with the base:

2001=100 are conducted and 156 Housing Indices for 78 centres @ 2 indices per centre are to be compiled. These indices are used in compilation of CPI (IW). The House Rent Indices for 15th round (Survey period Jan., 2009 to June., 2009) in respect of 78 centres were also compiled and released with the base: 2001=100.

(f) Wage Rate Index Numbers

17.13 Wage Rate Index Numbers are compiled on the basis of data thrown up by the Second Round of Occupational Wage Survey (1963-65). These depict the relative change experienced in wage rates over a period of time with 1963-65=100 as base year. These indices are compiled for twenty one selected industries in three sectors viz., Manufacturing, Plantations and Mining. Sector-wise details of industries covered and percentage of workers covered to total employment in each sector is given in **Box 17.2**

17.14 The indices are compiled using data on basic wage and dearness allowance, which are of regular nature of earnings of the workers in organised sector in India. Wage Rate Index Numbers have been compiled upto the year 2006. Processing of data and compilation of Wage Rate Index Numbers for the year 2007 is under progress. Information of Wage Rate Index Numbers, Absolute Wage Rates and Real Wage Rates (at 1960 price) in selected 21 industries for the year 2003 to 2006 are also given in **Table 17.6**.

(II) Statutory and Voluntary Returns

17.15 Labour Bureau collects, compiles and disseminates labour statistics on different facets of labour based on Annual statutory returns received from various States and UT authorities under the provisions of various Labour

Enactments and voluntary statistics relating to industrial disputes, closures, lay-offs and retrenchments furnished every month by the State and Central Labour Departments to the Labour Bureau as given in **Table 17.7**.

(III) Field Surveys and Studies

17.16 As the data compiled from periodic returns do not meet all the requirements for planning and policy formulation in the field of labour. The Bureau conducts periodic/ad-hoc surveys on different aspects of labour such as: i) Employment, ii) Wages and Earnings, iii) Working and Living Conditions of workers engaged in the Organized and Unorganized sectors of the economy to bridge the gap in the availability of labour statistics..

DETAILS OF IMPORTANT SURVEYS / STUDIES

(a) Rural Labour Enquiry

Rural Labour Enquiries are of great assistance in designing the policies and programmes undertaken with the objective of ameliorating the living and working conditions of rural labour. The data for the purpose is collected by the NSSO as a part of its general Employment & Unemployment Surveys conducted on guinguennial basis. The responsibility of preparation and publication of reports on the findings of the survey is upon Labour Bureau. The Organisation brings out reports on different aspects of Rural Labour Households viz., (i) Indebtedness, (ii) Consumption Expenditure, (iii) Wages & Earnings, (iv) Employment & Unemployment and (v) General Characteristics of Rural Labour Households.

- The consumer expenditure data collected through RLE is being utilised for derivation of weighting diagrams for construction of series of CPI Numbers for Agricultural and Rural Labourers. The weighting diagrams for the current series of CPI Numbers for Agricultural and Rural Labourers with base 1986-87=100 were derived from the consumer expenditure data collected during 38th Round of NSS (1983). This series (1986-87=100) had replaced the old series (1960-61=100) with effect from November, The CPI Numbers for 1995 index. Agricultural and Rural Labourers facilitate fixation and revision of minimum wages in employment in agriculture and rural areas under the Minimum Wages Act, 1948.
- Under this scheme, Labour Bureau also collects wage rate data for 18 agricultural and non-agricultural occupations regularly every month from 600 sample villages. This data is used for ascertaining the extent of implementation of the Minimum Wages Act, 1948. The data is also of immense use for drawing up appropriate policies and programmes for conducting cost studies and for estimating the national/State income.

ACHIEVEMENTS UPTO 31.10.2009:

Report writing

RLE (2004-2005) report on "Employment & Unemployment of Rural Labour Households" has been released.

RLE (2004-2005) report on "Wages & Earnings of Rural Labour Households" has been compiled and submitted for approval.

CPI Numbers on Base: 1986-87=100:

Processing of rural retail price data collected from 600 sample villages are being done regularly on monthly basis. Consumer Price Index Numbers with base 1986-87=100 separately for Agricultural and Rural Labourers for 20 States and all-India were compiled and published upto the month of September, 2009.

Annual Report on CPI Numbers for Agricultural and Rural Labourers (Base:1986-87=100) for the year 2007-2008 was released.

Wage Rate Data:

Collection of wage rate data for 18 agricultural and non-agricultural occupations from 600 sample villages with effect from July, 1986 is being done regularly on monthly basis.

Wage rate statistics were compiled and published upto the month of September, 2009 in the Indian Labour Journal.

A booklet titled "Wage Rates in Rural India" for the year 2007-2008 was released.

(b) Occupational Wage Surveys

Occupational Wage Surveys (OWS) are being conducted since the year 1958-59 in different rounds with the objective of providing data/information required to obtain:

- Occupation-wise data on employment, wage rates and dearness allowance for building up Wage Rate Index Numbers; and
- Data on different components of pay roll earnings in different occupations for scientific studies of inter-industry and intraindustry differentials in earnings in plantation, mining manufacturing and service sector industries.

Achievements:

- The report on Four Mining (Coal Mines, Iron Ore Mines, Manganese Mines and Oil Mines) industries has been released under 6th round of OWS.
- ii) The report in respect of Five Textiles (Cotton, Woollen, Silk, Synthetic and Jute) Industries has been released. The report on Textile Garments industry has also been released.
- iii) The field survey in respect of Ten Engineering Industries namely i) Ship Building and Repairing, ii) Manufacture of Locomotives, Railway Wagons, Coaches and Parts, iii) Manufacture of Motor Vehicles and Parts, iv) Manufacture of Motor Cycles Scooters and Parts, v)Manufacture of Bicycles, Cycle Rickshaws and Parts, vi) Manufacture of Air Crafts and Parts, vii) Manufacture of Refrigerators and Air Conditioners, viii) Manufacture of Television sets and Tele-printers, ix) Manufacture of Electronic Computers, Components Control Instruments, Accessories and parts and x) Manufacture of Watches and Clocks, under 6th round of OWS launched in December, 2007 has been completed. processing and drafting of the report has also been completed. The report has been released.
- iv) The field survey in respect of Nine Engineering i) Iron and Steel Industry, ii) Manufacturing of Casting and Forging (Ferrous), iii) Manufacturing of Agricultural Machinery, Equipments and Parts, iv) Manufacturing of Textile Machinery and Jute Machinery, v) Manufacturing of Machine Tools, their Parts and Accessories, vi) Manufacturing of Electrical Apparatus, Appliances and Other Parts Excluding

- Repair, viii) Manufacturing of Prime Movers, Boilers, Steam Generation Plants and Parts and ix) Aluminum Manufacturing Industries was launched in the third week of August, 2008 and the field survey in respect of all the 536 sample units has been completed. Data entry of 520 units has also been completed.
- v) Finalisation of frame and sampling of units in respect of ten Manufacturing Industries, namely, i) Manufacture of Footwear (excluding repair) except vulcanized or moulded rubber or plastic footwear, ii) Petroleum Refineries, iii) Manufacture of Basic Industrial Organic, Inorganic Chemicals and Gases, iv) Manufacture of Fertilizers (Inorganic, Organic and Mixed), v) Manufacture of Drugs and Medicines, vi) Manufacture of Toilet Soap, Washing Soap and Soap Powder, vii) Manufacture of Matches, viii) Manufacture of Glass and Glass Products, ix) Manufacture of Cement, x) Manufacture of Tyre and Tubes under Sixth round of OWS has been completed. The planning of the field survey remained under progress.

(c) Contract Labour Survey

17.17 Contract Labour Surveys aims at studying the extent & nature of problems and working conditions of contract labour employed in different segments of industries. Under the contract labour surveys information is collected on Employment, Wages and Earnings, Working Conditions, Labour Welfare, Social Security and Industrial Relations, etc.

17.18 Labour Bureau has been conducting all –India, industry specific Contract Labour Surveys since 1956-57. So far 45 surveys have been conducted in 39 industries (including repeat surveys conducted in 6 industries, viz.

Iron Ore Mines, Rice Milling, Petroleum Refineries and Oil Fields, Building & Construction, Iron & Steel Industry and Mica Mines). Reports on all these surveys have been released.

17.19 The next Contract Labour Survey in Petroleum Refineries and Oil Fields has been launched in Oct., 2009 and is in progress.

(d) Socio-Economic Conditions of Women Workers:

17.20 The scheme aims at collecting data on women workers with a view to study their working and living conditions and welfare facilities available to them vis-a-vis the relevant Labour Laws. So far 21 surveys have been conducted under the segment and all the reports thereon released. The last survey was conducted in the plantation industry in Oct., 2008 for which the report has already been released.

(e) Working and Living Conditions of Workers in Unorganised Sector of Industries/Employments:

17.21 The aim of the survey is to collect data on working and living conditions of workers engaged in the Unorganised Sector of Industries / employments for amelioration of their lot. So far, 31 surveys have been conducted and all the reports have been released.

(f) All India Survey on Evaluation of the Minimum Wages Act, 1948:

17.22 The scheme aims at evaluating the extent to which the Minimum Wages Act, 1948 has been implemented in various scheduled employments in different parts of the country. So far 27 such studies has been conducted and all the reports released. The last two studies was conducted in "Stone Breaking and Stone Crushing" in Gujarat and Karnataka.

(g) Working and Living Conditions of Labour belonging to SC/ST Communities:

17.23 Labour Bureau conducts following types of enquiries under the segment.

Working and Living Conditions of the Scheduled Castes workers engaged in four Unclean-occupation in urban areas

- Sweeping and Scavenging
- Tanning and Flaying
- o Bone-crushing
- Shoe Making

17.24 Scope of the survey has, however, been extended to unclean occupations in factories and the adjoining rural areas as well.

Working and Living Conditions of Scheduled Tribes workers in Industrial Cities.

17.25 So far, Labour Bureau has conducted 9 Scheduled Castes workers and 9 Scheduled Tribes workers surveys. The last ST survey was conducted in Scheduled Tribes belt of Kalahandi, Bilangir & Korapat district in the month of Sept., 2009. The processing of the data is under progress.

(h) "Quick Survey on Effect of Economic Slowdown on Employment in India"

17.26 The Government has been continuously watching the effect of employment situation due to global financial crisis/economic slowdown in India. A second quick survey was conducted in 2581 units relating to important sectors like mining, textiles, metals, gems & jewellery, automobile, transport and IT/BPO for the quarter January-March, 2009 and an increase of 2.76 lakhs jobs have been

estimated in the survey as against a job loss of about 5 lakh in various sectors during the previous quarter ending December, 2008.

17.27 The Third Quarterly Report on "Effect of Economic Slowdown on Employment in India" for the quarter April to June, 2009 brought out by Labour Bureau on the basis of survey conducted in 3003 units pertaining to the sectors like textiles, metals, leather, automobiles, Gems & Jewellery, Transport, IT/BPO and Handloom/Powerloom in 21 centres across 11 States/UTs, however, indicate the decline in overall employment by 1.31 lakh.

17.28 In the fourth quarterly survey conducted for the period July-September, 2009 in 2,873 units pertaining to textiles, leather, metal, automobiles, gems & jewellery, transport, IT/BPO and handloom/powerloom drawn from 21 centres in 11 States/UT by Labour Bureau, it was observed that the overall employment has increased by about 5 lakh.

17.29 As revealed by the results of different quarters studied, it may be observed that the employment declined by 4.91 lakh during the quarter Oct-Dec, 2008; increased by 2.76 lakh during Jan-March, 2009; again declined by 1.31 lakh during April-June 2009 probably due to seasonality; and now increased by 4.97 lakh during the current quarter July-Sep, 2009. Thus overall estimated employment in the selected sectors has experienced a net addition of 1.51 lakh during the last one year period i.e from Oct, 2008 to Sept, 2009. A statement

giving sector-wise changes in estimated employment based on various quarterly survey results is at **Box 17.3.**

17.30 In pursuance of the President's address to joint session of Parliament on 4th June, 2009 with regards to submission of five annual reports on employment among others, the Government has also entrusted to Labour Bureau for conducting one-time annual labour force survey on employment and unemployment during October-December, 2009 in about 5000 villages/urban blocks covering 50000 households (@10 households per village/urban blocks).

(i) Annual Survey of Industries

17.31 Labour Bureau is responsible for processing and dissemination of data on absenteeism, labour turnover, employment, mandays worked, social security benefits, earnings, labour cost and cost of production collected through the Annual Survey of Industries (ASI) under the Collection of Statistics Act, 1953. The main objective of the ASI is to build a systematic database on Absenteeism; Labour Turnover; Earings; Employment, Labour Cost and Cost of Production, and to analyze various components of Labour Cost in Manufacturing Industries.

17.32 Scope of the ASI extends to the entire country except the States of Arunachal Pradesh, Mizoram, Sikkim and the Union Territory of Lakshadweep. The coverage of ASI is extended to all factories registered under sections 2m(i) and 2m(ii) of the Factories Act, 1948 and Beedi and Cigar manufacturing establishments registered under the Beedi and Cigar Workers (Condition of Employment) Act, 1966. For

collection of data under ASI, factories in the frame are classified into two sectors, viz. the Census Sector and the Sample Sector. For ASI 2003-04, the Census Sector consists of all factories in five less industrially developed States/Union Territories; viz. Manipur, Meghalaya, Nagaland, Tripura and Andaman & Nicobar Islands, all factories employing or more workers for rest of the States / Territories and factories declared as Union submitting Joint Returns. The units not covered under the Census Sector are covered under Sample Sector. The comparative labour statistics for the years 2003-04, 2004-05 and 2005-06, combined for both Census as well as Sample Sector of industries is given in **Box 17.4.**

(j) Research

17.33 On the recommendations of the Estimates Committee of the Lok Sabha in its 88th Report, a small cell was set up in the Labour Bureau in June, 1963 with a view to undertake research on selected problems. publications; i) Statistical Profile on Women Labour; and ii) Digest of Indian Labour Research are brought out by this cell. The main objective of bringing out the Statistical Profile is to make available all important data relating to women labour at one place. The 8th edition of this Profile (2007-08) is under finalisation. The Digest of Indian Labour Research is brought out with the main objective of making available the annotated bibliography relating to research work done in India in the field of Labour during a specified time. Its eighth edition covering the period 1998-2003 has been released. Studies under ninth digest 2004-07 are under approval.

IV Training in Labour Statistics

17.34 The 47th Central Training programme in Improvement of Labour Statistics was

conducted during 3-8 September, 2009 at Shimla. In this programme 38 officers / officials from various States / UTs /Central Departments participated.

17.35 The 18th Central Training Programme on Price Collection and Index compilation for Price Supervisors and Price Collectors was held during 10-14 September, 2008 at Labour Bureau, Shimla. In this programme 44 officers/officials from various State Governments participated.

17.36 A training programme was conducted on 14th Sept., 2009 sponsored by NASA in which twenty three participants from Andaman & Nicobar island took part.

17.37 A training programme for in service officers of ISS cadre was organised from 15th to 19th Sept., 2009 for 11 officers of the rank of Joint Director and above.

17.38 The Kanpur Regional Office of Labour Bureau also renders assistance to different State Governments / Union Territories in the region for conducting the training programmes for the benefit of the primary units. During the period 12 programmes in the States of Bihar, Himachal Pradesh, Haryana and Uttar Pradesh have been organized by the Regional Office and 396 participants took part in them.

17.39 Two decentralized training programmes were organized in State Capitals for the officers of State Government. One in Chhattisgarh (Raipur) during 16-17 February, 2009 and another in West Bengal (Kolkata) during 26-27 October 2009 on improvement of Labour Statistics and 71 State officers / officials participated in these programme.

17.40 In Andhra Pradesh (Hyderabad) one decentralized training programme has been proposed to be held during 16-18 November

2009 regarding the improvement of Labour Statistics.

17.41 One training programme in Price and Labour Statistics is proposed to be conducted in North-Eastern Region and the nominations have been invited for this programme from N.E. States.

V Publications:

17.42 The Bureau brings out a number of publications based on the statistical research work, studies and surveys. The list of publication brought out during 2008 is given in **Table 17.8**

		Box 17.1
WEIGHTS FOR BROAD GROUPS UNDER CPI-IV	W 2001=100	
Group	Weight	
Food	46.20	
Pan, Supari, Tobacco & Intoxicants	2.27	
Fuel & Light	6.43	
Housing	15.27	
Clothing, Bedding & Footwear	6.57	
Miscellaneous	23.26	
Total	100.00	

		Box 17.2
Sector	No. of Industries	Percentage of Workers covered to total employment in the sector
Manufacturing	14	67
Plantation	3	100
Mining	4	95

Box 17.3

Sector-wise changes in estimated employment based on four quarterly surveys results.

(in lakh)

SI.No.	Industry / Group	Changes in er	mployment duri	ng	
		Dec,08 over Sep, 08	Mar, 09 over Dec, 08	Jun, 09 over Mar, 09	Sep,09 over June, 09
1	Mining	-0.11	-	-	-
2	Textiles	-1.72	2.08	-1.54	3.18
3	Leather	-	-0.33	0.07	-0.08
4	Metals	-1.06	-0.29	-0.01	0.65
5	Automobiles	-0.83	0.02	0.23	0.24
6	Gems & Jewellery	-0.99	0.33	-0.20	0.58
7	Transport	-0.96	-0.04	-0.01	0.00
8	IT/BPO	0.76	0.92	-0.34	0.26
9	Handloom/ Powerloom	-	0.07	0.49	0.15
	Overall	-4.91	2.76	-1.31	4.97

(-) Not covered.

					Box 17.4
SI.	Parameters		Years		% Increase in
No.		2003-04	2004-05	2005-06	2005-06 over 2004-05
1	2	3	4	5	6
1.	Absenteeism Rate (%)	10.01	8.96	8.10	- 9.60
2.	Labour Turnover Rates (%) a. Accession b. Separation	16.79 18.11	18.45 16.94	18.25 22.37	- 1.09 32.06
3.	Employment a. All Employees (No.) b. All Workers (%) c. Contract Workers (%)	7870081 77.34 19.00	8453624 78.06 20.68	9081024 78.31 22.38	7.43 0.32 8.22
4.	Wages/Salaries per Manday Worked (Rs.) a. All Employees b. All Workers c. Contract Workers	233.71 165.55 100.96	239.91 168.58 109.71	255.94 174.73 116.40	6.69 3.65 6.10
5.	Labour Cost per Manday worked on Employees (Rs.)	305.89	307.76	323.64	5.16

Table 17.1

Comparative Statement of variations in Consumer Price Indices (CPI)

for Industrial Workers (IW)

	Year	CPI (IW)	Percentage variation (annual)
II. Base 1982=100	1989-90	173	6.36
	1990-91	193	11.56
	1991-92	219	13.47
	1992-93	240	9.59
	1993-94	258	7.50
	1994-95	284	10.08
	1995-96	313	10.21
	1996-97	342	9.27
	1997-98	366	7.02
	1998-99	414	13.11
	1999-2000	428	3.38
	2000-2001	444	3.74
	2001-2002	463	4.28
	2002-2003	482	4.10
	2003-2004	500	3.73
	2004-2005	520	4.00
	2005-2006	542	4.23
III. Base 2001=100	2006-07	125	6.83
	2007-08	133	6.40
	2008-09	145	9.02

Note: i). Index values are annual average of the respective financial year.

- ii). The percentage variation for 1989-90 has been derived by converting the figures of 1982=100 by using linking factor i.e. 4.93. The converted figure for 1989-90 was 853.
- iii) Similarly the percentage variation for 2006-07 has been derived by converting the fitures of 2001=100 by using linking factor i.e. 4.63. The converted fiture for 2006-07 was 579.
- iv) Value for the year 2005-06 w.e.f. Jan., 2006 have been derived from the figures of 2001=100 by using convertion factor (4.63)

Monthly variation in CPI (IW) (Base: 2001=100)

	2(2005-06	2(2006-07	20	2007-08	2	2008-09		2009-10
Month	Index	Index Percentag e variation over previous month	Index	Percentag e variation over previous month	Index	Percentag e variation over previous month	Index	Percentage variation over previous month	Index	Percentage variation over previous month
April			120	+0.91	128	+0.79	138	+0.73	150	+1.35
Мау			121	+0.72	129	+0.78	139	+0.72	151	+0.67
June			123	+1.61	130	+0.78	140	+0.72	153	+1.32
July			124	+0.88	132	+1.54	143	+2.14	160	+4.58
August			124	+0.00	133	+0.76	145	+1.40	162	+1.25
September			125	+0.81	133	0.00	146	+0.69	163	+0.62
October			127	+1.60	134	+0.75	148	+1.37		
November			127	+0.00	134	0.00	148	0.00		
December			127	0.00	134	0.00	147	-0.68		
January	119	+0.18@	127	0.00	134	0.00	148	+0.68		
February	119	+0.00	128	+0.79	135	+0.75	148	0.00		
March	119	+0.00	127	-0.78	137	+1.48	148	0.00		

@ The Percentage variation for January, 2006 has been derived by converting the figures on base 2001=100 to the previous base: 1982=100 by using linking factor of 4.63.

ANNAUAL RATE OF INFLATION BASED ON ALL INDIA CONSUMER PRICE INDEX NUMBERS FOR INDUSTRIAL WORKERS

(1982=100) UPTO DECEMBER, 2005 AND (2001=100) ON WARDS

	of ion	5	3	3	0	3	6	61	.5	4			
2009	Rate of Inflation	10.45	69.63	8.03	8.70	8.63	9.29	11.89	11.72	11.64			
•	Index	148	148	148	150	151	153	160	162	163			
2008	Rate of Inflation	5.51	5.47	78.7	7.81	7.75	69.7	8.33	9.05	<i>LL</i> '6	10.45	10.45	9.70
2	Index	134	135	137	138	139	140	143	145	146	148	148	147
2007	Rate of Inflation	6.72	7.56	6.72	6.67	19:9	5.69	6.45	7.26	6.40	5.51	5.51	5.51
2	Index	127	128	127	128	129	130	132	133	133	134	134	134
2006#	Rate of Inflation	4.75	4.95	4.95	5.10	6.26	7.56	69.9	6.30	6.83	7.30	6.33	6.91
20	Index	119	119	119	120	121	123	124	124	125	127	127	127
2005	Rate of Inflation	4.37	4.17	4.17	4.96	3.74	3.32	4.06	3.45	3.63	4.18	5.33	5.57
2(Index	526	525	525	529	527	529	538	540	542	548	553	550
2004	Rate of Inflation @	4.35	4.13	3.49	2.23	2.83	3.02	3.19	4.61	4.81	4.57	4.17	3.78
2(Index	504	504	504	504	208	512	517	522	523	526	525	521
2003	Rate of Inflation	3.43	3.86	4.06	5.12	4.66	4.41	4.16	3.10	2.89	3.29	3.07	3.72
20	Index	483	484	487	493	464	497	501	466	466	503	504	502
2002	Rate of Inflation	4.94	5.19	5.17	4.69	4.66	4.16	3.89	3.86	4.30	4.06	3.60	3.20
2(Index	467	466	468	469	472	476	481	484	485	487	489	484
	Month	January	February	March	April	May	June	July	August	September	October	November	December

N.B. @ Percentage increase over the figure of the corresponding month of the previous year. # The inflation rate from Jan., 2006 to Dec, 2006 has been derived by converting the figures on base 2001=100 to the previous base: 1982=100 by using the linking factor of 4.63.

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Annual Rate of Inflation based on all-India Consumer Price Index for Agricultural Labourers (Base: 1986-87=100)

2009-10	Rate of inflati on@	19	60.6	10.21	11.52	12.90	12.89	13.19						
200	Index	18	468	475	484	466	208	515						
60-	Rate of inflati on@	17	8.88	9.11	8.77	9.41	10.29	10.98	11.14	11.11	11.14	11.62	10.79	9.46
2008-09	Index	16	429	431	434	442	450	455	459	460	459	461	462	463
-08	Rate of inflati on@	15	9.44	8.22	7.84	8.60	8.80	7.89	66.9	6.15	5.90	5.63	6.38	7.91
2007-08	Index	14	394	395	399	404	408	410	413	414	413	413	417	423
20-0	Rate of inflati on@	13	5.57	6.41	7.25	6.29	6.53	7.34	8.43	8.33	8.94	9.52	9.80	9.50
2006-07	Index	12	360	365	370	372	375	380	386	390	390	391	392	392
90-	Rate of inflati on@	11	3.02	3.00	2.68	3.55	3.23	3.21	3.19	4.65	4.68	4.69	5.00	5.29
2005-06	Index	10	341	343	345	350	352	354	356	360	358	357	357	358
-05	Rate of inflati on@	6	1.53	1.83	1.82	2.11	3.02	3.31	3.60	3.30	3.01	2.71	2.41	2.41
2004-05	Index	8	331	333	336	338	341	343	345	344	342	341	340	340
2003-04	Rate of inflati on@	7	5.50	5.14	5.10	4.75	3.76	3.43	3.42	3.10	3.43	3.75	3.11	2.47
2003	Index	9	326	327	330	331	331	332	333	333	332	332	332	332
Month		,	April	May	June	July	August	September	October	November	December	January	February	March

@Percentage increase over the figures of the corresponding month of the previous year.

Source: Labour Bureau, Shimla.

Table 17.5

Annual Rate of Inflation based on all-India Consumer Price Index for Rural Labourers (Base: 1986-87=100)

	0 E 0		_	_	2	7	7	7						
2009-10	Rate of inflati on@	19	60'6	10.21	11.26	12.67	12.67	12.97						
200	ndex	18	468	475	484	498	202	514						
2008-09	Rate of inflati on@	17	8.61	8.84	8.75	9.41	10.29	10.98	11.14	11.11	11.14	11.35	10.79	69.6
2008	Index	16	429	431	435	442	450	455	459	460	459	461	462	464
2007-08	Rate of inflation@	15	9.12	7.90	7.53	8.02	8.51	7.61	6.72	5.88	5.63	5.88	6.11	7.63
200	Index	14	362	396	400	404	408	410	413	414	413	414	417	423
5-07	Rate of inflati on@	13	5.23	6.38	7.20	26.3	6.21	7.02	8.10	8.01	8.31	8.91	9.47	9.17
2006-07	Index	12	362	367	372	374	376	381	387	391	391	391	393	393
2005-06	Rate of inflati on@	11	2.99	2.99	2.66	3.82	3.21	3.19	3.17	4.62	4.94	4.66	4.66	5.26
200	Index	10	344	345	347	353	354	356	358	362	361	326	326	360
1-05	Rate of inflati on@	6	1.83	1.82	1.81	1.80	3.00	3.29	3.58	3.28	2.99	2.69	2.39	2.40
2004-05	Index	8	334	335	338	340	343	345	347	346	344	343	343	342
3-04	Rate of inflati on@	7	5.13	5.11	4.73	4.70	3.74	3.41	3.40	2.76	3.09	3.73	3.40	2.45
2003-04	Index	9	328	329	332	334	333	334	332	332	334	334	335	334
Month		_	April	May	June	July	August	September	October	November	December	January	February	March

@Percentage increase over the figures of the corresponding month of the previous year.

Source: Labour Bureau, Shimla.

	Wage Rate Index, Absolute Wage Rates and Real Wage Rates for the year 2002-2005 (As in January)	Index, Ak	Solute W	age Rate	s and Rea	II Wage Ra	ates for the	year 2002	2-2005 (As	in Janua	ıry)		
SI.	Industry		Wage Rate Index (1963-65=100)	'age Rate Index (1963-65=100)			Absolute Wage Rate (At Current Prices)	Vage Rate nt Prices)		Real Wa (At 1960	Real Wage Rate (At 1960 Prices)		
		2003	2004	2005	2006	2003	2004	2002	2006	2003	2004	2002	2006
Ą.	Manufacturing Ind.(1-14)	3756.4	3894.6	3967.0	4138.7	178.05	184.80	187.85	196.04	7.28	7.29	7.11	86.9
	1. Cotton Textiles	3000.7	3120.5	3169.2	3305.6	162.65	169.35	172.35	179.99	9.92	89.9	6.52	6.41
	2. Cement	4634.9	4795.1	5242.7	5496.3	208.74	215.96	236.11	247.53	8.54	8.52	8.94	8.82
	3. CigaretteFactories	3714.9	4126.1	4451.0	4594.0	182.19	202.35	218.29	225.30	7.45	7.99	8.26	8.02
	4. Hydrogenated Oils	3439.3	3643.7	3665.0	3782.1	175.74	186.19	187.28	193.26	7.19	7.35	7.09	88.9
	5. Jute Textiles	4531.3	4600.9	4873.1	5024.5	166.86	169.41	179.43	185.00	6.82	69.9	6.79	6.59
	6. Electrical Machinery	5095.7	5253.2	4441.1	4584.7	258.46	266.45	225.26	232.54	10.57	10.52	8.53	8.28
	7. Match Factories	2637.9	3091.6	3179.4	3319.7	90.39	105.94	108.95	113.76	3.70	4.18	4.12	4.05
	8. Paper/Paper Products	4474.4	4663.5	4664.1	4927.4	166.38	173.41	173.43	183.22	08.9	6.84	99:9	6.52
	9. Railway Workshops	5038.4	5224.0	5510.2	5784.3	276.99	287.19	302.93	318.00	11.33	11.33	11.47	11.32
	10. Smelting & Refining	3085.9	3256.9	3426.5	3582.2	159.45	168.29	177.05	185.10	6.52	6.64	6.70	6.59
	11. Soap Factories	4415.6	4706.8	4847.2	5082.3	226.47	241.41	248.61	260.67	9.26	9.53	9.41	9.28
	12. Sugar	4758.0	4960.7	5206.7	5538.6	159.20	162.91	174.44	185.53	6.51	6.55	09.9	6.61
	13. Silk Textiles	2973.2	3101.9	3109.3	3237.0	135.74	141.79	142.02	147.77	5.55	5.60	5.38	5.26
	14. Woollen Textiles	2492.3	2605.9	2693.1	2775.7	124.83	130.50	134.98	138.91	5.11	5.15	5.11	4.95
œ.	Mining Industries	5845.8	5942.0	9.7665	6286.5	247.90	252.13	253.98	265.48	10.14	9.95	9.61	9.45
	15. Coal Mines	6061.7	6169.9	6195.9	6458.8	272.10	276.98	278.14	289.94	11.13	10.93	10.53	10.33
	16. Iron Ore Mines	4702.5	4694.9	4969.3	5210.3	143.87	143.73	152.05	159.51	5.88	2.67	5.76	2.68
	17. Manganese Mines	5126.7	5157.5	5373.4	6115.8	104.95	105.58	110.00	125.20	4.29	4.17	4.16	4.46
	18. Mica Mines	3323.7	3470.1	3514.6	3590.5	74.02	77.28	78.27	79.96	3.03	3.05	2.96	2.85
ن	Plantation Industries	2482.0	2537.0	2586.2	2638.5	54.89	56.16	57.20	58.19	2.24	2.22	2.17	2.07
	19. Coffee Plantations	4271.0	4283.1	4397.3	4622.8	00.79	67.19	68.89	72.52	2.74	2.65	2.61	2.58
	20. Rubber Plantations	4724.7	4941.0	5264.2	5227.7	85.57	89.49	95.34	94.68	3.50	3.53	3.61	3.37
	21. Tea Plantations	2225.9	2281.4	2316.3	2351.7	52.75	54.07	54.90	55.66	2.16	2.13	2.08	1.98
	<u>All Industries</u>	3675.9	3778.5	3840.1	3990.9	147.80	152.24	154.41	160.70	6.04	6.01	5.84	5.72

		Table 17.7
SI. No.	Statutory Returns	Latest Year for which Review released/data published
1	2	3
1.	The Factories Act, 1948	2004
2.	The Payment of Wages Act, 1936	2005
3.	The Plantations Labour Act, 1951	2006
4.	The Motor Transport Workers' Act, 1961	2006
5.	The Shops and Commercial Establishments Act	2006
6.	The Industrial Employment (Standing Orders) Act, 1946	2006
7.	The Workmen's Compensation Act, 1923	2006
8.	The Maternity Benefits Act, 1961	2006
9.	The Trade Unions Act, 1926	2004
10.	The Minimum Wages Act, 1948	2006

	Voluntary Returns	
1.	Statistics relating to (a) Closures, (b) Retrenchments	Reports for the year 2007
	and (c) Lay-offs	released.
2.	Industrial Disputes in India.	
Note:	Reviews for the succeeding years are at different stages	of completion.

Table 17.8		
LIST OF PUBLICATIONS RELEASED/FINALISED DURING 2009		
SI.No.	Publications	
1.	Indian Labour Journal (Monthly)	
2.	Pocket Book of Labour Statistics - 2008 (Hindi and English version)	
3.	Annual Report on Consumer Price Index Numbers for Agricultural and Rural labourers 2007-08.	
4.	Annual Survey of Industries - Report of Statistics on Employment & Labour Cost 2005-06 Vol.(I)	
5.	Annual Survey of Industries, Report on Absenteeism, Labour Turnover, Employment & Labour Cost 2005-06 Vol.(II)	
6.	Occupational Wage Survey 6th Round - Report on Ten Engineering Industries.	
7.	Indian Labour Year Book - 2007.	
8.	Occupational Wage Survey 6th Round-Report on Textile Industry.	
9.	Occupational Wage Survey 6th Round-Report on Textile Garments Industry.	
10.	Report on the working of the Minimum Wages Act, 1948 for the year 2005 and 2006.	
11.	Evaluation study on Implementation of Minimum Wages Act, 1948 in Stone Breaking and Stone Crushing Industry in Karnataka.	
12.	Evaluation study on Implementation of Minimum Wages Act, 1948 in Stone Breaking and Stone Crushing Industry in Gujarat.	
13.	Report on Socio-economic conditions of women labour in Plantation Sector.	
14.	Annual Report on Consumer Price Index Numbers for Industrial Workers on base 2001=100 for the year 2007.	
15.	Wage Rates in Rural India for the year 2007-08.	
16.	RLE (2004-05) report on Employment & Unemployment of Rural Labour Households.	

18

LABOUR RESEARCH & TRAINING

INTRODUCTION

18.1 V.V. Giri National Labour Institute (VVGNLI), an autonomous body of the Ministry of Labour and Employment, Government of India, set up in July, 1974, is a premier Institute of Research, Training and Education in the area of Labour.

Objectives and Mandate

18.2 The Memorandum of Association spells out clearly a wide range of activities, which are essential to fulfill the objectives of the Institute. It mandates the Institute:

to undertake and assist in organizing training and educational programmes, seminars and workshops;



MoU being signed by Shri V.P. Yajurvedi, Director, V.V.Giri National Labour Institute, India and Mr. N.G. Kularatne, Director General, NILS, Sri Lanka in the presence of Mr. Athauda Seneviratne, Hon'ble Minister of Labour Relations & Manpower, Sri Lanka.

- ? to undertake, aid, promote and coordinate research on its own and in collaboration with other agencies, both national and international;
- ? to establish wings for:
 - o Education, training and orientation;
 - o Research, including action research;
 - o Consultancy; and
- o Publication and other such activities as may be necessary for achieving the objectives of the society.
- ? to analyse specific problems encountered in the planning and implementation of labour and allied programmes and to suggest remedial measures;
- ? to establish and maintain library and information services; and

? to collaborate with other institutions and agencies in India and abroad which have similar objectives.

Structure

18.3 The General Council, the apex governing body of the Institute, with Union Labour and Employment Minister as its President, lays down the broad policy parameters for the functioning of the Institute. The Executive Council with Secretary (Labour & Employment) as a Chairman, monitors and guides the activities of the Institute. Both the General Council and the Executive Council are tripartite in nature and consist of members representing the government, trade unions federations, employers' associations and also eminent scholars and practitioners in the field of labour. Director of the Institute is the Principal



A view of the dignitaries present on the occasion of signing of the MoU.

Executive and is responsible for management and administration. Director is aided in the day to day functioning by a faculty consisting of 10 professionals representing a wide range of disciplines and support by administrative staff.

FUNDING

18.4 During the current year (2009-2010), the sanctioned amount is as follows:

Non – Plan	- Rs.330 Lakh
Plan	- Rs. 500 Lakh

(Including 70 Lakh For North East)

MAJOR ACTIVITIES

RESEARCH

18.5 Research occupies a primary place in the activities of the Institute. The subject of research comprises a broad spectrum of labour related problems, in both the organized and the unorganized sectors. Priority is accorded to analyse the problems and issues of labour in the unorganized sector such as bonded labourers, working children, women workers, migrant workers, landless agricultural workers, etc. The Institute undertakes action research projects in rural areas to study the problems of rural workers with a view to explore possible ways, means and methods to organize rural labourers.

COMPLETED & ON-GOING RESEARCH PROJECTS

Some of the completed and on-going research projects of the different research centres of the Institute are listed below:

CENTRE FOR AGRARIAN RELATIONS AND RURAL LABOUR

Completed Projects

Towards Evolving Suitable Measures for

- enchancing Road Transport Workers Living and Working Conditions with special reference to improving the road transport system in India: A Study
- Agrarian Structure, Social Relations and Agricultural Development:- A Study of Ganga Nagar and Jodhpur Districts of Rajasthan.

On-going Projects

- National Rural Employment Guarantee Act and the Schedule of Rates: An Assessment Study.
- Augmentation of Avenues and Opportunities for the Meaningful Employment of the Physically Challenged
- A Study of Welfare Measures for Beedi Workers in Bangalore & H y d e r a b a d Regions.
- Marine Fishery Industry and Marine Fish Workers in India: A Study with Special reference to Exploring Employment Potentials in the Sector.
- Employment, Income and Food Security: A Study of Rural Households in Orissa.
- Assessing Employment Potential

CENTRE FOR LABOUR MARKET STUDIES

Completed Projects

 Labour Migration and Livelihoods in India: Issues and Policy Perspectives

On-going Projects

- Global Downturn and Export Sector in India: Impact on Production, Export and Employment
- Labour Market Participation of Working Women Post Maternity: A Case Study of

Private Sectors

CENTRE FOR EMPLOYMENT RELATIONS AND REGULATIONS

On-going Project

 Labour, Employment and Social Security Issues of Security Guards engaged in Private Security Agencies - A Case Study of National Capital Region (NCR)

INTEGRATED LABOUR HISTORY RESEARCH PROGRAMME (ILHRP)

Completed Projects

- Digitization of Documents on interaction of Caste Movement and Working Class during 1920 to 1945 in Maharasthra.
- Digitization of Document of Labour in the Indian Textile & Apparel Industry: Understanding the Impact of Government Policies.

On-going Projects

- Digitization of Documents of the National Campaign of Construction Workers for a Central Legislation form 1985.
- Digitization of Documents on Contested Streets-Mapping Street Vending in Delhi.
- Digitization of Documents on Accidents and Work: The Everyday Lives at Jharia Coalfield and Oral History Documents.
- Digitization of Documents on Bhojpuri Pravasi Shramikon ki Sanskriti Aur Bhikhari Thakur ka Sahitya.

NATIONAL RESOURCE CENTRE ON CHILD LABOUR (NRCCL)

Completed Projects

Evaluation of the National Child Labour

Projects.

- Grants-in-Aid for projects benefiting Women Labour: A Review and Action Programme towards sensitizing women on child labour.
- Insecurities and Vulnerabilities of Informal Sector Vendors with special focus on Street Vending Children of NOIDA.
- Linkages between HIV/AIDS and Child Labour: Developing an Integrated Approach towards Effective Policy Formulation.
- Sensitization and Capacity Building towards Eliminating Child Labour.

On-going Projects

- Convergence of Services towards Prevention and Elimination of Child Labour: A Case study of Nizamabad District of Andhra Pradesh.
- Situational Analysis of Girl Children and Empowerment through Action Programmes
- Forced Child Labour: A Study of Children at the Traffic Lights.

CENTRE FOR LABOUR AND HEALTH

On-going Projects

- Inland Fishing: A Study of Emerging Issues,
 Opportunities and Insecurities of the
 Workers with special focus on Health Issues
- Prevention of HIV/AIDS in the World of Work: A Tripartite Response Phase-II stage VI. As a part of the project Training Manual for the Training of the ITI Faculty is being prepared.

CENTRE FOR GENDER AND LABOUR

Completed Projects

The Employment and Condition of Domestic