

CHAPTER III

REFORM MEASURES AND POLICY INITIATIVES

The Government of India is committed to improve the status of occupational safety and health in the country. The Government of India has declared the National Policy on Safety, Health and Environment at workplace on 20.02.09. The policy seeks to achieve continuous reduction in the incidence of work related injuries, disease, disaster and loss of national assets. The policy contains Preamble, Goal, Objective and action programme comprising of effective enforcement, development of national standards, promoting compliance with the standards through appropriate means, increasing awareness on safety, health and environment, encouraging research and development in the field of occupational safety and health. The National Policy is being implemented by the various stakeholders through seminars, conferences and workshops. The Government of India, in association with the stakeholders is further initiating suitable action programmes for effective implementation of the policy.

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

In the XII- Five Year Plan, the Government of India is considering schemes as mentioned below:

- Strengthening of DGFASLI Organisation and OSH in Factories and Ports
- Development of Regional Labour Institute, Faridabad as Centre of Excellence in Safety Systems in MSME and Chemical Process Units.
- Identification, Elimination and Control of Silicosis and asbestos in India
- Establishment of Regional Labour Institute, Shillong, (NER)

Reform Measures & Policy Initiatives

DGMS

DGMS administers the provisions of the Mines Act 1952 & Rules & Regulation framed thereunder. Statutory measures required to be taken under these Rules/Regulations/Act need to be reformed from time to time to suit the user's need and also to keep pace with the changing scenario of the Mining Industry.

In view of the above, reforms/changes in the Coal Mines Regulation 1957, the Metalliferous Mines Regulation 1961 and the Oil Mines Regulation 1984 have been made to repeal the existing Regulations with the new Regulations. The amendmends are in process. The reforms/changes in the Mines Act, 1952 are also under in the process.

DGLW

Both public (including ESI) and private health providers which provide hospitalization and/or daycare services would be eligible for inclusion under the Rashtriya Sawathya Bima Yojana, subject to such requirements for empanelment as agreed to between the State Government and Insurers.

The Bonded Labour System (Abolition) Act, 1976 do not differentiate between adult bondage and child bondage and on caste or sex. As such no separate data is being maintained for male/female bonded labour.

PLANNING

Research Studies provide a lot of policy inputs. There is a need for deeper research probe with a view to evolve programmes and schemes to promote the welfare of workers in terms of Social Security, Occupational Safety and Health, Enforcement of Minium Wages as well as congenial working conditions. It may, thus be seen that in the coming years, there will be requirement of quality research input in framing our future policies, programmes and their implementation. It would be prudent to identify the problem areas based on the felt needs of the Ministry and assign the studies to reputed research organizations.

REFORM MEASURES & POLICY INITIATIVES

TRAINING

I. Centrally Sponsored Scheme “Establishment of Industrial Training Institutes (ITIs) in North Eastern States, Sikkim and Jammu & Kashmir

Hon’ble Prime Minister in January, 2000 announced an agenda for Socio-economic development of North East region which inter-alia included doubling the number of ITIs in NE Region for imparting training in new trades over the next three years.

The Scheme had tenure from April 2001 to 31st March, 2010 thus was terminated on 31st March, 2010.

II. Skill Development Initiative Scheme (SDIS)

Ministry of Labour & Employment in pursuance of excellence in vocational training has developed a new strategic framework for skill development for early school leavers and existing workers in close consultation with industry, State Governments and experts. EFC and CCEA approved the scheme on 19.2.2007 and 24.5.2007 respectively. Implementation of the SDI scheme was operational from May, 2007. It is a continuing scheme. The project period is of 5 years during XIIth Plan period from April 2012 to March 2017 with a target of training five million persons.

The key features of the new frame work for skill development are:

- I. Demand driven short term training courses based on Modular Employable Skills (MES) decided in consultation with Industry. MES is the ‘minimum skills set’ which is sufficient for gainful employment.
- II. Flexible delivery mechanism (part time, weekends, full time, onsite/ offsite) to suit needs of various target groups.
- III. Different levels of programmes (Foundation level as well as skill upgradation) to meet demands of various target groups.
- IV. Training is provided by Vocational Training Providers (VTPs) under the Govt., Private sector and Industrial establishment.

- V. Optimum utilisation of existing infrastructure to make training cost effective.
- VI. Testing of skills of trainees by independent assessing bodies not involved in training delivery, to ensure that it is done impartially.
- VII. Courses are available for persons having completed 5th standard and ability to read and write.
- VIII. The essence of the scheme is in the certification that is nationally and internationally recognized.

III. Upgradation of 500 ITIs into Centre of Excellence

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

Salient features of the Multi-Skill Courses are:

- Upgradation of ITIs into “Centres of Excellence (CoE)” by providing infrastructural facilities, introduction of multi-skill courses catering to the need of a particular cluster of industry around an ITI to produce multi-skilled workforce of world standard.
- The highlights of the scheme are :
 - o Introduction of Broad Based Basic Training (BBBT) courses of one year followed by 6 month duration advanced modular courses.
 - o Specialized 6 month modules mainly in Industry (shop floor training).
 - o Multi-entry and multi-exit provisions.
 - o Industry wise cluster approach.
 - o Public-Private-Partnership in the form of Institute Management Committee (IMC) to ensure greater and more active involvement of industry in all aspects of training.

IV. Upgradation of 100 ITIs into Centre of Excellence

The objective of the scheme is to upgrade the existing 100 Govt. ITIs into “Centers of Excellence (CoE)” for producing multi skilled workforce of world standard.

The Expenditure Finance Committee (EFC) recommended the scheme in its meeting held on 15th February, 2005. CCEA in its meeting held on 16th March, 2005, approved the scheme. 100 ITIs be funded from domestic resources are distributed in 22 States/UTs (other than J&K, Sikkim and NE States) in proportion to the number of Government ITIs in these States. The total cost of the scheme is Rs. 160 crore, out of which the central share is Rs. 120 crore, on a pattern of 75:25 cost sharing between Central and the State Government.

Training already started in all the ITIs in a particular sector. The scheme had tenure from April 2004 to 31st March, 2010 thus was terminated on 31st March, 2010.

Upgradation of 400 ITIs with World Bank assistance “Vocational Improvement Project (VTIP)”

Out of the 400 ITIs to be upgraded with World Bank assistance, 100 ITIs were taken up during FY 2006-07 and 150 ITIs each were selected during 2007-08 & 2008-09.

The agreement was signed with the World Bank on 2.11.2007 & originally planned to be closed on Dec. 2012. An agreement has been signed by Govt. of India and World Bank for no additional cost extension of the project for another 23 months beyond December 2012 i.e. upto November 2014.

The scheme is being implemented by 33 State Governments/ UTs and Central Govt. State Governments have been entered into Memorandum of Understanding (MoU) to empower the Institute Management Committee (IMC), enhance powers of the Principals of the ITIs and have commitment for implementation / sustainability of the scheme during the project period and beyond.

V. Upgradation of 1396 Government ITIs through Public Private Partnership

Out of 1896 Government ITIs in the country (as on 1.1.2007), 500 Government ITIs are being upgraded into Centers of Excellence under a scheme started from 2005-06. The Hon. Finance Minister announced in his Budget Speech 2007-08, about upgradation of remaining 1396 Government ITIs into Centers of Excellence through Public Private Partnership. Accordingly, with total outlay of Rs 3550 crore (Rs 3490 crore for upgradation of 1396 ITIs @ Rs. 2.5 crore per ITI and Rs 60 crore for management, monitoring and evaluation of the scheme) has been framed.

The objective of the scheme is to improve the employment outcomes of graduates from the vocational training system, by making design and delivery of training more demand responsive.

- o For each ITI to be upgraded, an Industry Partner will be associated to lead the process of upgradation. The Industry Partner will be selected by the State Government in consultation with the Industry Associations.
- o Institute Management Committee (IMC) will be constituted/ reconstituted for each selected ITI consisting of Industry Partner or his representative, as the Chairperson, four members from local industry to be nominated by the Industry Partner, five

members to be nominated by the State Government, Principal, ITI, as ex-officio member Secretary. The IMC will be registered by the State Government as a Society under Societies Registration Act.

- o The IMC will be given financial and academic autonomy to manage the affairs of the ITI. The IMC will also be allowed to determine upto 20% of the admissions in the ITI.
- o The interest free loan of upto Rs. 2.5 crores shall be given by the Central Govt. directly to the IMC, which will be given powers to make use of the funds for upgrading the ITI.
- o The interest free loan shall be repayable by the IMC. For the repayment of loan there shall be a moratorium of 10 years and thereafter the loan shall be payable in equal annual instalments over a period of 20 years.
- o State Government will continue to be the owner of the ITI and regulate admissions and fees except up to 20% of the admissions which are allowed to be determined by the IMC.

CCEA has approved the Scheme in its meeting held on 03.10.08 for Upgradation of 1096 Govt. ITIs with an outlay of Rs. 2,800 crore during 2008-09 to 2011-12.

The Scheme has been approved by SFC for continuation during XIIth Plan period with an outlay of Rs. 50.00 Crore.

VI. WOMEN VOCATIONAL TRAINING PROGRAMME

The women training programme aims for social development and economic growth of women through vocational training scheme.

Under the Central Sector, a National Vocational Training Institute (NVTI) for Women, NOIDA and ten Regional Vocational Training Institutes (RVTIs) for Women have been setup at Mumbai, Bangalore, Thirivanthapuram, Panipat, Kolkata, Tura, Allahabad, Indore, Vadodara and Jaipur.

These institutes organise NCVT approved skill training programs under Craftsmen Training Scheme and Crafts Instructor Training Scheme.

CLS II Section

1. The alternative grievance Redressal mechanism of Lok Adalats introduced as a separate scheme in X Five Year Plan within the adjudication system of the CGITs has been made an indispensable part of the system in the XI Plan. The objective is to settle industrial disputes speedily. Cases, which are relatively uncomplicated, are taken up for adjudication through the system of Lok Adalats. However, its success depends on the readiness of the litigating parties for getting their cases settled through this method. The Presiding Officers of the CGITs play the role of facilitators.
2. To maintain continuity of judicial procedure in case of arising of a vacancy of Presiding Officer in the Central Government Industrial Tribunal-cum-Labour Courts, a system of link officers amongst Presiding Officers has been introduced. A conference of Presiding Officers of all CGIT-cum-Labour Courts is organized from time to time to emphasize upon the need of speedy disposal of pending cases.
3. To further strengthen the adjudication process in the workers' interest, the following amendments have been made in the Industrial Disputes Act, 1947 with a view to ensure delivering effective and timely justice to the workers to contain the industrial unrest.
 - (i) Section 2A has been amended and provision has been made enabling the workman to make an application direct to the Labour Court or Tribunal for adjudication of the dispute referred to therein after the expiry of forty-five days from the date he has made the application to the Conciliation Officer of the appropriate Government for conciliation of the dispute, and in receipt of such application the Labour Court or Tribunal shall have powers and jurisdiction to adjudicate upon the dispute, as if it were a dispute referred to it by the appropriate Government.
 - (ii) Section 11 of the Industrial Disputes Act, 1947 has also been amended whereby every award made, order issued or settlement arrived at by or before Labour Court or Tribunal or National Tribunal shall be executed in accordance with the procedure laid down for execution of orders and decree of a Civil Court under order 21 of the Code of Civil Procedure, 1908. Also, the Labour Court or Tribunal or National Tribunal shall transmit any award, order or settlement to a Civil Court having jurisdiction and such Civil Court shall execute the award, order or settlement as if it were a decree passed by it.

WAGE BOARD FOR NEWSPAPER EMPLOYEES

The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 is concerned with conditions of service of working journalists and other persons employed in newspaper establishments. Section 9 and 13 of the Act, inter alia, provide 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:

- (i) Three persons representing employers in relation to newspaper establishment.
 - (ii) Three persons representing working journalists for Wage Board under Section 9 and three persons representing non-journalists newspaper employees for Wage Board under section 13 C of the Act.
 - (iii) Four independent persons, one of whom shall be person who is or has been a judge of High Court or the Supreme Court, and who shall be appointed by Government as the Chairman thereof.
- 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.
 - Government had constituted two new Wage Boards one for Working Journalists and other for Non-Journalists Newspaper Employees under Section 9 and 13 C respectively of the Working Journalists and Non-Journalists Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 under the Chairmanship of Justice K. Narayan Kurup vide notification in the Gazette of India (Extra Ordinary) S.O. Nos. 809(E) and 810(E) dated 24.05.2007. The Wage Boards had been given three years time to submit their reports to the Union Government. The Wage Boards was functioning from their Headquarter at New Delhi.
 - The Government, in consultation with the Wage Boards for working journalists and non-journalist newspaper employees, 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 notification S.O. No. 2524 (E) and S.O. No. 2525(E) dated 24th October, 2008.

- Following resignation of Justice Kurup as Chairman of the Wage Boards w.e.f. 31.07.2008, the Government 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. Justice Majithia assumed charge on 04.03.2009.
- As the Wage Boards for Working Journalists and Non-Journalists Newspaper Employees not submitted their Reports within stipulated time i.e. 23rd May, 2010, the Government extended the tenure of the Wage Board for Working Journalists and Non-Journalists Newspaper Employees under the Chairmanship of justice Gurbax Rai Majithia, up to the 31st December, 2010, so as to finalize the recommendations of the Wage Boards on or before 31st December, 2010, without any further extension of time vide notifications S. O. 1304(E) and 1305(E) dated 2nd June, 2010.
- The Wage Boards submitted their final Report to the Government on 31.12.2010. The Cabinet in its meeting held on 25th October, 2011 approved the proposal to accept the recommendations of the Wage Boards for Working Journalists and Non-Journalist Newspaper Employees of Newspaper Establishments and News Agencies, as contained in this Ministry's Cabinet Note dated 7th October, 2011.
- The recommendations of the Majithia Wage Boards had been accepted by the Government and notified in the Official Gazette vide S.O. No. 2532 (E) dated 11.11.2011 subject to the outcome of the WP (C) No. 246 of 2011 in the matter of ABP Pvt. Ltd. vs UOI & Others. The recommendations have been uploaded in the Ministry's website and are in public domain.
- Since the primary responsibility for implementation of the recommendations lies with the State Governments / UTs, a copy of the notifications was forwarded to all the State Governments / UTs. In order to monitor the implementation of the notification, a Central Level Monitoring Committee has been set up under the Chairmanship of Principal Labour & Employment Adviser. The first meeting of the Central Level Monitoring Committee was held on 24/9/2012 at Hyderabad covering the 7 Southern States / UTs.

OUTCOME BUDGET 2013-14

(Rs. In lakhs)

S. No	Name of Scheme/ Programme	Objective/Outcome	Outlay 2013-14			Quantifiable deliverables/ physical outputs	Projected outcomes	Processes/ Timeline	Remarks/ Risk Factors
			4(i)	4(ii)	4(iii)				
1	2	3	4			5	6	7	8
			<i>Non Plan Budget</i>	<i>Plan Budget</i>	<i>Complementary Extra Budgetary Resources</i>				
1.	Development of Information Technology (Plan)	To ensure implementation of Govt. agenda on National e-Governance Plan (NeGP), the Plan Scheme of Information Technology is under implementation for bringing transparency in the functioning of Govt. The main objective of the Scheme is to initiate a computerization drive in various programmes of the Ministry and to improve their efficacy.		200.00		These can't be quantified in terms of any physical numbers. Benefits will accrue in form of data base generation, quicker access to information which will result into better and timely decision making	On-line Releasing of grants under child labour schemes. Linking up all CLC offices through internet. Payment to consultants hired by DGET		LAN expansion, computerization, connectivity to regional offices, upgradation of tech. Skills, software to run & manage the network etc.

REFORM MEASURES & POLICY INITIATIVES

EPFO

Computerization Project

Keeping in view rapid growth leading to huge volumes, a Computerization Project has been taken up to address challenges of providing efficient, accessible and timely services to subscribers and employers. The Project thus aims to facilitate an environment of transparency and responsiveness which are the essence of all e-governance projects. The Project is being implemented in phases in collaboration with National Informatics Centre (NIC).

Other services planned: Certain other services that would enhance quicker and more efficient services are also planned: -

- (a) Member registration through website
- (b) Electronic submission of returns by employers
- (c) Receipts of contribution through Net Banking
- (d) Payments through NEFT mode