



# ANNUAL REPORT 2018-19 श्रमेव जयते

## प्रधानमंत्री श्रम योगी मानधन (PM-SYM)

असंगठित कामगारों के लिए पेंशन योजना  
जिनकी मेहनत देश का आधार,  
उनकी पेंशन का सपना साकार

न्यूनतम निश्चित पेंशन:  
रु 3000 प्रति माह

सुरक्षित भविष्य, मेरा अधिकार



### PMRPY

### Pradhan Mantri Rojgar Protsahan Yojana

Government bears the employers' contribution of  
12% (EPS+EPF) for new employees for first 03 years



Incentives to  
Employers ✓



Social Security  
to worker ✓



#### National Child Labour Project

- Mainstreaming of Children withdrawn from work directly in regular schools (5-8 yrs); bridge education in NCLP STCs (9-14 yrs)
- Withdrawal of adolescent in hazardous appropriate occupations
- Awareness generation and tracking of child and adolescent labour



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Ministry of Labour & Employment  
Government of India

## CHAPTER-1

# HIGHLIGHTS OF IMPORTANT ACTIVITIES

### Introduction

**1.1** Work is part of everyone's daily life and is crucial to one's dignity, well-being and development as a human being. Economic development means not only creation of jobs but also working conditions in which one can work in freedom, safety and dignity. Ministry of Labour & Employment, one of the oldest and important Ministries of the Government of India, is functioning to ensure that it remains focussed on improving life and dignity of labour force of the country by protecting & safeguarding the interest of workers, promotion of their welfare and providing social security to the labour force both in Organized and Unorganized Sectors by 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 legislations, as labour is a subject in the Concurrent List under the Constitution of India.

**1.2** Under the dynamic leadership of Hon'ble Prime Minister Shri Narendra Modi, the Ministry of Labour and Employment has taken several initiatives, legislative as well as administrative, to provide decent working conditions, improved quality of life of workers, commitment to free India from Child Labour, employment generation and simplification of Labour Laws for ease of doing business. Under the able leadership of Shri Santosh Kumar Gangwar, Hon'ble Minister of State (Independent Charge) for Labour and Employment, the Ministry has taken initiatives for creating institutional mechanism to ensure and realize wage security and social security to the labour force of the country. The endeavour of the Ministry is to create a climate of trust that is

essential for economic growth and development and for the dignity of the labour force of the country.

### **New Initiatives / Important Activities**

#### **Pradhan Mantri Shram Yogi Maan-Dhan (PM-SYM):**

**1.3** Government of India has introduced a pension scheme for unorganised workers in the name of Pradhan Mantri Shram Yogi Maan-dhan (PM-SYM) to ensure old age protection for Unorganised Workers. Enrollment under the scheme has started since 15<sup>th</sup> February, 2019.



**1.4** The unorganised workers mostly engaged as home based workers, street vendors, mid-day meal workers, head loaders, brick kiln workers, cobblers, rag pickers, domestic workers, washer men, rickshaw pullers, landless labourers, own account workers, agricultural workers, construction workers, beedi workers, handloom workers, leather workers, audio-visual workers and those engaged in similar other occupations, whose monthly income is Rs 15,000/ per month or less are eligible to enroll under PM-SYM subject to following conditions:

- Should belong to the entry age group of 18-40 years;
- Should not be covered under New Pension Scheme (NPS), Employees' State Insurance Corporation (ESIC) scheme or Employees' Provident Fund Organisation (EPFO);
- Should not be an income tax payee.

**1.5** PM-SYM is a voluntary and contributory pension scheme on a 50:50 basis where prescribed age-specific contribution shall be made by the beneficiary and the matching contribution by the Central Government as per the scheme guidelines. For example, if a person enters the scheme at an age of 29 years, he is required to contribute Rs 100/- per month till the age of 60 years. An equal amount of Rs 100/- will be contributed by the Central Government.



*Launch of PM-SYM scheme by Shri Manohar Lal Khattar, Hon'ble CM of Haryana at Panchkula.*

**1.6** A subscriber would receive the following benefits:

- (i) Minimum Assured Pension: Each subscriber under the PM-SYM, shall receive minimum assured pension of Rs 3000/- per month after attaining the age of 60 years.
- (ii) Family Pension: During the receipt of

pension, if the subscriber dies, the spouse of the beneficiary shall be entitled to receive 50% of the pension received by the beneficiary as family pension. Family pension is applicable only to spouse.

- (iii) If a beneficiary has given regular contribution and died due to any cause (before age of 60 years), his/ her spouse will be entitled to join and continue the scheme subsequently by payment of regular contribution or exit the scheme as per provisions of exit and withdrawal.

**1.7** The subscriber's contributions to PM-SYM is through 'auto-debit' facility from his/ her savings bank account/ Jan-Dhan account and it ranges from Rs 55/- to Rs 200/- per month depending at the entry age of the subscriber. The subscriber is required to contribute the prescribed contribution amount from the age of joining PM-SYM till the age of 60 years.



**1.8** The Scheme is being implemented through LIC and Common Services Centres-SPV. LIC is the Pension Fund Manager and responsible for Pension pay out. CSC- SPV is responsible for enrolling the beneficiaries through its approx. 3 lakh CSCs across the country. Under the scheme, contribution amount for the first month is being paid in cash.

**1.9** Considering the hardships and erratic nature of employability of these workers, the exit provisions of the scheme have been kept flexible. Exit provisions are as under:

- (i) In case a subscriber exits the scheme within a period of less than 10 years, the beneficiary's share of contribution only will be returned to him with savings bank interest rate.
- (ii) If subscriber exits after a period of 10 years or more but before superannuation age i.e. 60 years of age, the beneficiary's share of contribution along with accumulated interest as actually earned by fund or at the savings bank interest rate, whichever is higher will be returned.
- (iii) If a beneficiary has given regular contributions and died due to any cause, his/ her spouse will be entitled to continue the scheme subsequently by payment of regular contribution or exit by receiving the beneficiary's contribution along with accumulated interest as actually earned by fund or at the savings bank interest rate whichever, is higher.
- (iv) If a beneficiary has given regular contributions and become permanently disabled due to any cause before the superannuation age, i.e. 60 years, and unable to continue to contribute under the scheme, his/ her spouse will be entitled to continue the scheme subsequently by payment of regular contribution or exit the scheme by receiving the beneficiary's contribution with interest as actually earned by fund or at the savings bank interest rate whichever, is higher.

- (v) After the death of pensioner as well as his/her spouse, the entire corpus will be credited back to the fund.

**1.10** If a subscriber has not paid the contribution continuously he/she will be allowed to regularize the contribution by paying entire outstanding dues, along with penalty charges, if any, decided by the Government.



**1.11** To address any grievances related to the scheme, subscriber can contact at customer care number **1800 267 6888** which will be available on 24\*7 basis.

**1.12** As on 31<sup>st</sup> March, 2019, around 27 lakh beneficiaries have subscribed to the Scheme. Haryana has registered the highest number of beneficiaries, followed by Maharashtra, Uttar Pradesh and Gujarat.

#### **Labour Reforms:**

**1.13** Ministry of Labour & Employment (MoLE) has taken a number of initiatives for bringing transparency and accountability in enforcement of labour laws with the objective of strengthening the safety, security, health and social security for every worker and bringing ease of compliance for running an establishment to catalyze creation/ generation of employment opportunities. These initiatives include governance reforms through use of e-governance

measures and legislative reforms by simplifying, amalgamating and rationalizing the existing labour laws into four Labour Codes.

**1.14 Labour Codes:** As per the recommendations of the 2<sup>nd</sup> National Commission on Labour, the Ministry has taken steps for codification of existing Central labour laws into four codes by simplifying, amalgamating and rationalizing the relevant provisions of the Central Labour laws. At present, the Ministry has been working on to simplify, amalgamate & rationalize the provisions of the existing Central labour laws into four Labour Codes.

**(I) Labour Code on Wages:** By simplifying, amalgamating and rationalizing the relevant provisions of the Minimum Wages Act, 1948, the Payment of Wages Act, 1936, the Payment of Bonus Act, 1965 and the Equal Remuneration Act, 1976, the Code on Wages Bill, 2017 was introduced in the Lok Sabha on 10.08.2017 and referred to the Parliamentary Standing Committee (PSC) on Labour which has submitted its report on 18.12.2018. The recommendations contained in the report submitted by PSC have been considered and accordingly, steps were taken to move the official amendments to the Code on Wages Bill, 2017.

**(II) Labour Code on Industrial Relations:** The draft Labour Code on Industrial Relations subsumes following three Labour Acts:

1. The Trade Union Act, 1926
2. The Industrial Employment (Standing Orders) Act, 1946
3. The Industrial Disputes Act, 1947

The Code is at pre-legislative stage.

**(III) Labour Code on Social Security & Welfare:** The draft Code of Social Security & Welfare subsumes the following Labour Acts:

1. The Employees' Compensation Act, 1923
2. The Maternity Benefit Act, 1961
3. The Payment of Gratuity Act, 1972
4. The Unorganized Workers' Social Security Act, 2008(Act No. 33 of 2008);
5. The Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare (Cess) Act, 1976(Act No. 55 of 1976);
6. The Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare Fund Act, 1976(Act No. 61 of 1976)
7. The Beedi Workers Welfare Cess Act, 1976(Act No. 56 of 1976)
8. The Beedi Workers Welfare Fund Act, 1976(Act No. 62 of 1976);
9. The Cine Workers Welfare Fund Act, 1981(Act No. 33 of 1981);
10. The Building and Other Construction Workers Cess Act, 1996
11. \*Chapters IV and V of the Building and Other Construction Workers (Regulation of Employment and Condition of Service) (BOCW) Act, 1996.

**\*Note- BOCW Act already included in Occupational Safety, Health & Working Conditions (OSH) Code.**

The Code is at pre-legislative stage.

**(IV) Labour Code on Occupational Safety, Health & Working Conditions:** The draft Labour Code on Occupational Safety, Health & Working Conditions subsumes the following Labour Acts:

1. The Factories Act, 1948
2. The Plantation Labour Act, 1951
3. The Mines Act, 1952
4. The Dock Workers (Safety, Health and Welfare) Act, 1986
5. The Building and Other Constructions Workers' (Regulation of Employment and Conditions of Service) Act, 1996
6. The Contract Labour (Regulation and Abolition) Act, 1970 (except chapter III and IV)
7. The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979
8. The Working Journalists and Other News Papers Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955.
9. The Working Journalists (Fixation of Rates of Wages) Act, 1958.
10. The Motor Transport Workers Act, 1961.
11. The Sales Promotion Employees (Conditions of Service) Act, 1976
12. The Cine Workers and Cinema Theatre Workers (Regulation of Employment) Act, 1981
13. The Beedi and Cigar Workers (Conditions of Employment) Act, 1966.

The Code is at pre-legislative stage.

## Industrial Relations

### Software Application For Monitoring And Disposal, Handling Of Apprehended / Existing Industrial Dispute (SAMADHAN) Portal:

**1.15 SAMADHAN** is an Online Portal devised to introduce the workers to an easy way of filing their dispute with the appropriate Conciliation Officer, encouraging transparency, speedy justice and trust by workers on the Government. The system is so designed that it would integrate all the role players (viz. Workman, Conciliation Officer, Appropriate Government and CGITs) in the dispute under one roof i.e. on SAMADHAN. For more details please refer Chapter – 3.

### The Minimum Wages Act, 1948

**1.16** The Minimum Wages Act, 1948 was enacted to safeguard the interests of the workers mostly in the unorganised sector. Under the provision of the Act, both the Central Government and State Governments are the appropriate governments to fix, revise, review and enforce the rate of minimum wages to workers in respect of scheduled employments under their respective jurisdictions. The government has notified increase in the basic rate of minimum wages for all sectors in the central sphere w.e.f. 19.01.2017.

**1.17** In order to protect the minimum wages against inflation, the Central Government has introduced Variable Dearness Allowance (VDA) linked to Consumer Price Index. As regards States/UT Administrations, 27 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. 01.10.2018.

**1.18** 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 (NFLMW) was mooted on the basis of the recommendations of the National Commission on Rural Labour (NCRL) in 1991. NFLMW was revised from time to time. The Central Government has revised the

NFLMW from Rs. 160/- to Rs.176/- per day with effect from 01.06.2017. It, however, needs to be noted that the National Floor Level Minimum Wage, is a Non-statutory measure.

### **The Payment of Wages Act, 1936**

**1.19** The Payment of Wages Act, 1936 ensures timely payment of wages in current coin or currency notes or by cheque or crediting in the bank account of the workers and that no unauthorized deductions are made from the wages of the workers. The Central Government, on the basis of figures of the Consumer Expenditure Survey published by National Sample Survey Office, has enhanced the wage ceiling from Rs. 18,000/- to Rs. 24,000/- per month w.e.f. 29.08.2017 for applicability of the Act.

**1.20** Payment of Wages (Amendment) Act, 2017:- Section 6 of the Payment of Wages Act, 1936 has been amended on 16.02.2017 to enable making payment of wages in cash or by cheque or by crediting in the bank account of the employee. The amendment made also enables that the appropriate Government may, by notification in the Official Gazette, specify the industrial or other establishment, the employer of which shall pay to every person employed in such industrial or other establishment, the wages only by cheque or by crediting the wages in the bank account.

**1.21** Provision for making of payment only by cheque or by crediting in bank account of an employee, in respect of industrial or other establishment in the Central Sphere has been notified on 26.04.2017.

### **GOVERNANCE THROUGH TECHNOLOGY**

#### **Shram Suvidha Portal:**

**1.22** The Ministry of Labour & Employment has developed a unified Web Portal 'Shram

Suvidha Portal', to bring transparency and accountability in enforcement of labour laws and ease complexity of compliance. It caters to four major Organizations under the Ministry of Labour, namely,

- Office of the Chief Labour Commissioner (Central),
- Directorate General of Mines Safety,
- Employees' Provident Fund Organization; and
- Employees' State Insurance Corporation.

#### **1.23 Main features:**

- Unique Labour Identification Number (LIN): LIN is allotted to units after the registration to facilitate online inspection & compliance.
- Online Return: Units are now required to file single self-certified and simplified annual return instead of filing separate returns earlier.
- Transparent Labour Inspection Scheme through computerized system on risk based criteria and uploading the inspection reports within 72 hours by the Labour Inspectors. The time period for uploading the reports has been reduced to 48 hrs since 05.11.2018.

**1.24** Allotment of Unique Labour Identification Number (LIN) to Units after registration to facilitate online inspection & compliance was started on the Portal with its launch on 16.10.2014 itself. The unique Labour Identification Number (LIN) has been allotted to 27,02,077 units as on 31.03.2019.



**1.25** Transparent Labour Inspection Scheme in Central Sphere was started on the Portal with its launch on 16.10.2014 itself. The main features of the inspection scheme are as follows:

- A computerized list of inspections is generated randomly based on risk based objective criteria.
- Serious matters are to be covered under the mandatory inspection list.
- Complaints based inspections determined centrally by Central Analysis and Intelligence Units (CAIU) of each of the enforcement agencies after examination based on data and evidence.
- Mandatory uploading of inspection reports within 48 hours.
- Since the launch of the Labour Inspection Scheme, 4,58,923 inspection reports across the four Central Labour Enforcement Agencies have been uploaded on Shram Suvidha Portal.

### Online Return

**1.26** Unified Online Annual Returns have been made mandatory in respect of eight (8) Central Labour Acts, namely, the Payment of Wages Act, 1936, the Minimum Wages Act, 1948,

the Maternity Benefit Act, 1961, the Payment of Bonus Act, 1965, the Industrial Disputes Act, 1947, the Contract Labour (Regulation and Abolition) Act, 1970, Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, and the Building and Other Construction Workers (Regulation of Employment and Condition of Service) (BOCW) Act, 1996. These Returns which were half yearly/annually earlier, now need to be filed by all employers annually only and are to be filed online. Since launch of the Online Annual Return on 24.04.2015, **56,364** online returns have been filed on the Shram Suvidha Portal **as on 31.03.2019**.

**1.27** Returns under Mines Act, 1952 (Coal Mines Regulations, Metallurgical Mines Regulations and Oil Mines Regulations) have been made online on Shram Suvidha Portal. **As on 31.3.2019, 16,743** online returns have been filed on the Shram Suvidha Portal.

**1.28** Common Online Annual Return in respect of Haryana Labour Department has also been started on the portal. **As on 31.3.2019, 2598** returns have been filed on Shram Suvidha Portal.

**1.29** Unified monthly Electronic Challan-cum-Return (ECR) for EPFO and ESIC has been made operational.

### Common Registration

**1.30** Common Registration form for EPFO and ESIC has been made operational and 131524 units have been registered with EPFO & ESIC as on 31.3.2019.

**1.31** Common Registration under three Central Acts namely the Building and Other Construction Workers (Regulation of Employment and Condition of Service) Act, 1996, the Inter-State Migrant Workmen (Regulation of Employment and conditions of Service) Act, 1979 and the Contract Labour (Regulation and

Abolition) Act, 1970 is being provided online on Shram Suvidha Portal. **3121 registrations have been issued using this facility as on 31.3.2019.**

**1.32** Licenses under two Central Acts, namely, the, Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and the Contract Labour (Regulation and Abolition) Act, 1970 have been made online. **9481 licenses have been issued using this facility as on 31.3.2019.**

### State Integration

**1.33** Integration of States with Shram Suvidha Portal is under way. As on date, Haryana, Gujarat, Rajasthan, Uttar Pradesh, Madhya Pradesh, Maharashtra, Punjab, Uttarakhand and Delhi are being integrated with the Portal. Data is being shared and LIN is being allotted to the establishments covered by the state labour enforcement agencies.

### Start Up India

**1.34** Facility for exemption from Labour Inspections under six (6) Central Labour Acts is being provided to the Start-ups who submit self-certified declarations through Shram Suvidha Portal.

State/UT Governments have been advised to regulate the inspections for the Start-Ups, wherever applicable and extend the self-certification compliance regime from 3 years to 5 years. 27 States/UTs have taken action on the advisory dated 12.01.2016/06.04.2017 issued by this Ministry for self-certification & to regulate inspection under the four (4) labour laws viz. the Building & Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, the Payment of Gratuity Act, 1972 and the Contract Labour

(Regulation and Abolition) Act, 1970 for the start-ups, wherever applicable.

### DIRECTORATE GENERAL OF EMPLOYMENT (DGE):

#### Pradhan Mantri Rojgar Protsahan Yojana (PMRPY):

**1.35** The Pradhan Mantri Rojgar Protsahan Yojana (PMRPY) Scheme was launched on 9<sup>th</sup> August, 2016 to incentivise employers for generation of employment, where Government of India is paying the full employer's contribution of 12% or as applicable towards EPF & EPS both w.e.f 01.04.2018 (earlier benefit was applicable for employer's contribution towards EPS only) for new employment. This scheme has a dual benefit, where, on the one hand, the employer is incentivised for increasing the employment base of workers in the establishment, and on the other hand, a large number of workers will find jobs in such establishments. A direct benefit is that these workers will have access to social security benefits of the organized sector. The scheme is being implemented through EPFO.

Statistics (upto 31<sup>st</sup> March, 2019)

Number of Establishments Registered	1,85,022
Number of Employees Registered	1,37,91,049
Total Establishments benefitted	1,45,512
Total Employees benefitted	1,18,05,003
Total Amount Disbursed (Rs.)	4370.60 Crore

#### National Career Service (NCS):

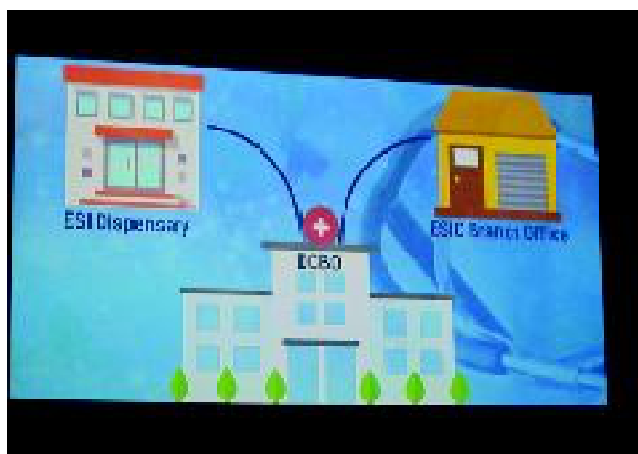
**1.36** The Ministry is implementing the National Career Service (NCS) Project as a Mission Mode Project for transformation of the National Employment Service to provide a variety

of employment related services like career counselling, vocational guidance, information on skill development courses, apprenticeship, internships etc. The NCS Portal ([www.ncs.gov.in](http://www.ncs.gov.in)) was dedicated to the Nation by Hon'ble Prime Minister of India on 20.7.2015. For more details please refer Chapter 23.

## EMPLOYEES' STATE INSURANCE CORPORATION (ESIC):

### 1.37 New Initiatives

1. To strengthen its services delivery mechanism, ESIC has started establishing at least one contact point in every district of the country in phased manner in the form of **Dispensary-cum-Branch Office (DCBO)** to provide the primary medical services and cash benefits delivery.



2. The decision for establishing **Modified Employer's Utilization Dispensary (Modified EUD)** on pilot basis has also been taken, with the objective of strengthening of stake holder's participation in the expansion of primary care services of ESIC. ESIC will hire suitable premises for setting up of dispensary, preferably in the vicinity of clusters of residential area of IPs. ESIC will provide furniture, equipments and medicines. Employer will appoint manpower and supervise the functioning of dispensary.

3. Considering the change in employment pattern and the current scenario of employment in India which has transformed from a long term employment to field short term engagement in form of contract and temping, the ESI Corporation has approved a Scheme named "**ATAL BIMIT VYAKTI KALYAN YOJANA**" for Insured Persons (IPs) covered under the Employees' State Insurance Act, 1948. This scheme is a relief payable in cash directly to their Bank Account in case of unemployment and while they search for new engagement.

4. ESI Corporation has also given in-principle approval to **Modified Insurance Medical Practitioner (IMP) Scheme, 2018** to make IMP Scheme more attractive on pilot basis. The Scheme may further be expanded in the new areas as well as existing areas as per need. In area, where ESI does not have its medical establishment, or in newly implemented area, Primary Medical Care is provided cash less through tie up arrangement, with Insurance Medical Practitioner (IMP). Earlier IMPs used to be normally appointed by the Director Insurance Medical Scheme (DIMS), ESI Scheme and are paid Rs. 500/- per Insured Person per year which includes consultation, basic lab investigation and cost of medicines.

- a) IMP will prescribe medicines as per available medical list (drawn from national essential list of medicines and basic investigations) in the health passbook with signature and upload image of prescription in the app.
- b) In addition through Mobile App, the IMP may recommend sickness benefit of 7 days in a spell up to maximum period of 30 days in a year, subject to remote verification of such recommendation by medical referee/DCBO doctor, the

benefit would be deposited in the bank account of IP.

### 5. “UMANG: ESIC - Chinta Se Mukti”

**Mobile App:** IP centric information services are now made available through ‘ESIC - Chinta Se Mukti’ mobile app launched through UMANG (Unified Mobile Application for New-age Governance) platform. Further details on this are mentioned in Chapter 19 under “IT Initiative in ESIC”.



### 1.38 Other Initiatives of ESIC

1. In addition to SBI gateway, Employers have been provided with an option to make their payments through gateway of Bank of Baroda as well. This functionality has been deployed and similar integration with IDBI is in process.
2. In accordance with Corporation's approval, ICT Division has prepared Condemnation and Disposal Policy in relation with IT Equipments and circulated to all accounting

units for further implementation so that all the field offices may be equipped with latest hardware.

3. In accordance with Email Policy of Govt. of India, ESIC Mail Messaging System has been migrated to NIC Mail Messaging System. Almost all the users have been provided with Email Ids based upon NIC Mail Messaging System to maintain uniformity across all cadres.

### 1.39 New Initiatives under health Reforms Agenda ESIC 2.0

- A) As per its 2nd Generation Reforms ESIC-2.0, the ESI Corporation has decided to implement the ESI Scheme all over India. Accordingly, the ESI Scheme has already been implemented fully in 325 districts and partially in 178 districts.
- B) Extending coverage of Social Security Net of ESI Scheme (under ESIC 2.0)
  1. As part of extending the social security benefits of ESI Scheme in the entire country, the scheme has been notified in all States and Union Territories except Arunachal Pradesh & Lakshadweep Islands.
  2. Under Vision- 2022, it is proposed to extend the coverage of ESI Scheme to entire nation by 2022.
  3. The number of Insured Persons covered under the ESI Scheme on 31.03.18 has increased to 3.43 crores. The number of beneficiaries covered under Scheme has gone up to 13.32 crores.

### EMPLOYEES' PROVIDENT FUND ORGANISATION (EPFO):

**1.40** The Employees' Provident Fund and Miscellaneous Provisions Act, 1952 provides for

Provident Fund, Pension Scheme and Insurance Fund in factories/ establishments employing twenty or more employees in industries mentioned in Schedule-I 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 under the Act:-

- (i) The Employees' Provident Funds Scheme, 1952 (EPF)
- (ii) The Employees' Pension Scheme, 1995 (EPS)
- (iii) The Employees' Deposit Linked Insurance Scheme, 1976 (EDLI)

### Membership

**1.41** As on 31.12.2018, there were 12,03,448 establishments and factories covered under the Act having 22.18 crore accounts, both in the Exempted and Un-exempted sectors.

### Claim Settlement

**1.42** During the year 2018-19, 115.22 lakh EPF claims were settled.

### Contribution by Members

**1.43** Total cumulative investment corpus of all three Schemes administered by EPFO including the corpus managed by exempted Provident Fund Trusts as on 31<sup>st</sup> March, 2018 stands at Rs.13,25,830.37 crore. (Provisional)

### Rate of Interest

**1.44** The rate of interest declared on the deposits of members to the Employees' Provident Fund was 8.55% (on monthly running balance) for 2017-18.

**1.45** EPFO keeps the need for improving coverage under the EPF& MP Act 1952 in sharp focus. In the past the traditional way of carrying out inspections of establishments was given a relook and territorial jurisdiction of Enforcement Officers were done away with.

**1.46** Although for monitoring compliance of covered establishments, the system assisted tool in the form of CCTS (Computerized Compliance Tracking System) was provided to the field offices of EPFO, no concrete system or procedure for detection of coverable establishment was available to the compliance machinery. It resulted in belated coverage of establishments with consequential legal implications as the establishments were mostly found coverable from retrospective dates but refused to take up past liability related to statutory dues, payment of interest and damages for belated remittance, prosecution cases etc. The Act is applicable on its own volition and these legal actions are attracted for non compliance for whatsoever reason.

**1.47** This necessitated issue of revised guidelines for improving Compliance/ Coverage. Accordingly, EPFO has issued fresh guidelines in April 2009 to all the field offices while restoring the territorial jurisdiction of Enforcement Officers with due care taken to address harassment factor from employers side by strengthening the supervisory mechanism on the conduct of the Enforcement Officers through constantly monitoring their performance and outcome and getting direct feed backs from the establishments, employers, employees and their Unions/ Associations.

### Pension Reforms

#### Implementation of Minimum Pension Provision

**1.48** Since the year 2014-15, one of the long-awaited demands for implementation of the

minimum pension was given effect to. The Central Government had issued Gazette Notification No. 593(E) dated 19.08.2014 providing a minimum pension of Rs.1,000/- per month for member / widow (er) / disabled / nominee/ dependent parent pensioners, Rs.750/- per month for orphan pensioners and Rs.250/- per month for children pensioners.

### **Actuarial Valuation of EPS, 1995**

**1.49** Employees' Pension Scheme, 1995 is a funded scheme with combined features of Defined Benefit and Defined Contribution. Accordingly, the scheme prescribes the rate of contribution payable as well as the scale of benefits admissible. A provision has been made under Para 32 of the Employees' Pension Scheme, 1995 for annual valuation of Employees' Pension Fund by a Valuer appointed by the Central Government.

**1.50** Actuary has been appointed for 20<sup>th</sup> and 21<sup>st</sup> valuation of Employees' Pension Fund for the year 2015-16 and 2016-17. The work of valuation is under process.

### **Pension Disbursement**

**1.51** The disbursement of pension is being carried out at present using the Core Banking System (CBS) platform of the pension disbursement banks. Instructions were issued to the field offices to ensure that pension was credited to the pensioners' accounts on the first working day of the month.

**1.52** The disbursement of monthly pension benefits is carried out through the network of branches of banks with which agreements have been made. The Regional Offices have entered into arrangements with Nationalized Commercial Banks for this purpose. Centralized pension disbursement arrangement agreements have also been made with HDFC Bank, ICICI Bank,

Axis Bank and Post offices to disburse pension and other benefits all over India.

### **Employees' Deposit Linked Insurance Scheme**

**1.53** EDLI Scheme came into force on 1<sup>st</sup> August, 1976. This Scheme is supported by a nominal contribution by the employers. No contribution is payable by the Employee for availing the Insurance cover.

### **Application and Coverage**

**1.54** Insurance Scheme is applicable to all factories/establishments to which the EPF & MP Act 1952 applies. All the employees who are members of the provident fund scheme are also members of this Scheme.

### **Benefits under the scheme**

**1.55** The benefits are provided in case of death of an employee who was member of the Scheme at the time of death. For service less than 12 months, insurance benefits upto Rs. 1 Lacs is paid. For service more than 12 months, insurance benefit from Rs. 2.5 Lacs to Rs. 6 Lacs is paid since February, 2018.

**1.56** During the year 2018-19, 36945 EDLI claims were settled. At the end of 2017-18, EPFO had cumulative investments of Rs. 22,111.01 Cr. under this Scheme (Provisional).

### **Information Technology Initiatives**

**1.57** In the financial year 2018-19, several new initiatives have been taken / continued by IS Division of EPFO to provide better services to the beneficiaries and also to the employers: -

- i) **Online Claim Receipt System:** EPFO has launched online claims receipt system whereby members having Aadhar seeded activated UANs can file claims online without

requiring intermediation of employers. The facility is expected to ease the claim submission process for EPF members. The share of online claims as a percentage of total claims settled by EPFO has witnessed a steady growth and during March 2019, 87.35% of all claims settled by EPFO were received online, against 50.34% of all claims received online in September 2018.

**ii) Online submission of Monthly return for International Workers:** - Online submission of IW-1 return by employers of establishments employing International Workers was started from 1<sup>st</sup> November, 2018 and all field offices of EPFO were instructed to conduct a special drive and awareness programme to encourage establishments to submit the return online in a timely manner.

**iii) Issue Tracker Web Application:** - In order to streamline the process of resolution of technical issues related to application software and other utilities of EPFO, a web application has been deployed through which the field offices can report their issues centrally at one platform which will help in effective resolution in a time bound manner.

**iv) New functionality for rectification of wrongly seeded Aadhar Numbers:** - A new functionality was introduced to rectify cases of rejection of Digital Life Certificates due to incorrect Aadhar number seeded against PPOs. This functionality is aimed to reduce grievances of pensioners and provide hassle free services to them.

**1.58** Besides the above, following recent initiatives were also continued -

- Online Filing of Returns of Exempted Establishments.

- All payments made to beneficiaries through Electronic mode or Digital transfer system.
- Software for generation of Certificate of Coverage.
- Transfer to PF account without actual transfer of money between two unexempted member IDs.
- Implementation of composite Pension Payment Order Form to replace the existing Pension Payment Order.
- Introduction of Composite Claim Form (Form -11).
- Track UAN functionality to know the status of Aadhaar linked to UAN.
- Free Aadhaar based E-Sign services to employers.
- Several Employee and Employer Centric Services on UMANG App. (Unified Mobile App for New Age Governance).
- Auto Transfer to member Accounts on change of employment.
- Introduction of Online request functionality to EPF Subscribers for correction in Name, DOB and Gender (Modify basic details).
- Online submission of Form 5A.
- E-sign based Online filing of nomination for members (Form 2) (e-nomination).
- Pensioners' Portal available at EPFO website.

## **DIRECTORATE GENERAL OF MINES SAFETY (DGMS):**

### **New Initiative**

**1.59** To further improve the safety standards in Mines, an MoU between Directorate General

of Mines Safety, Ministry of Labour and Employment and Department of Natural Resources Mines and Energy, Queensland Government, Australia through the Safety in Mines, Testing and Research Station (SIMTARS) has been signed on 07.3.2019 so as to explore opportunities including the feasibility of technical knowledge sharing in the arena of Occupational Safety, Health and welfare of people engaged in mining operations.

## **CHILD LABOUR**

**1.60** Elimination of child labour is an area of great concern and Government of India is committed to address the issue. Considering the magnitude and nature of the problem, Government is following a robust multi-pronged strategy to tackle the problem of child labour. It comprises of statutory and legislative measures, rescue and rehabilitation, universal elementary education along with social protection & poverty alleviation and employment generation schemes. The objective is to create an environment where families are not compelled to send their children to work. Government has adopted an approach to withdraw and rehabilitate working children from all occupations and processes.

### **Policy on Child Labour**

**1.61** The National Policy on Child Labour declared in August, 1987, 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
- Project based action in areas of high concentration of Child Labour
- Focus on general development programmes for the benefit of the families of Child Labour

## **Legislative Action Plan**

**1.62** The Child Labour (Prohibition & Regulation) Amendment Act, 2016 inter-alia, covers complete prohibition on employment or work of children below 14 years of age in all occupations and processes; linking the age of the prohibition of employment with the age for free and compulsory education under Right to Education Act, 2009; prohibition on employment of adolescents (14 to 18 years of age) in hazardous occupations or processes and making stricter punishment for the employers contravening the provisions of the Act.

## **Project Based Action Plan**

**1.63** In pursuance of National Child Labour Policy, the National Child Labour Project (NCLP) Scheme was started in 1988 to rehabilitate children rescued from child labour. It is an ongoing Central Sector Scheme and at present sanctioned in 323 districts in the country. Under the Scheme, working children are identified through child labour survey, withdrawn from work and put into the special training centers so as to provide them with an environment to subsequently join mainstream education system. In these Special Training Centers, besides formal education, the children are provided stipend, mid-day meal, vocational training and regular health check-up.

**1.64** 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 children and their families are covered under the benefits of the schemes of various Ministries/ Departments of the Government of India.

## **PLANNING DIVISION**

**1.65** Planning Division is mainly responsible for coordinating the information/material including

liaison work of schemes of this Ministry with NITI Aayog, M/o Tribal Affairs, M/o Social Justice and Empowerment and M/o Development of North Eastern Region. It is also the Nodal Unit of Output Outcome Monitoring Framework (OOMF), Monitoring of Scheduled Tribe Component (STC) and Allocation for Welfare of Scheduled Caste (AWSC) for Ministry of Labour and Employment. It also deals with Fifteen-Year Vision Document (2030), Seven-Year Strategy Document and Three-Year Action Plan of the Schemes of Ministry.

**1.66** The M/o Finance has provided an outlay of Rs. 7411.52 Crore for the **Central Sector Schemes/Centrally Sponsored Schemes** of the Ministry of Labour & Employment during the Financial Year (2018-2019).

## RESEARCH & TRAINING

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

**1.67** V.V. Giri National Labour Institute (VVGNI), an autonomous body of the Ministry of Labour and Employment, Government of India, set up in July 1974, has grown into a premier Institute of labour research and education. Since its inception, the Institute has endeavoured through its research, training, education and publications to reach out to diverse groups concerned with various aspects of labour in the organised and the unorganised sectors. The focus of such endeavours is the concern to transfer academic insights and understanding for application to policy formulation and action, so as to ensure a just place for labour in an egalitarian and democratic society.

**1.68** VVGNI is mandated to forge professional collaborations with major international and national institutions involved with labour and related issues. As a part of its international outreach, the Institute has signed a

Memorandum of Understanding with International Training Centre of International Labour Organisation, Turin on 28<sup>th</sup> November, 2018 extending the Memorandum of Understanding for another 5 years. The Institute over the years has been working in collaboration with international institutions like International Labour Organisation (ILO), United Nations International Children's Emergency Fund (UNICEF), United National Development Programme (UNDP) and National Institutions like Indian Institute of Management, Lucknow (IIM-L), National Institute of Rural Development & Panchayat Raj, Hyderabad (NIRD&PR-H); Tata Institute of Social Sciences, Guwahati (TISS-G), Late Narayan Meghaji Lokhande Maharashtra Institute of Labour Studies Mumbai (LNML MILS-M), Mahatma Gandhi Labour Institute, Ahmedabad (MGLI-A), Dashrath Manjhi Institute of Labour and Employment Studies, Patna (DMIL&ES-P) and State Labour Institutes.

### (b) Dattopant Thengadi National Board For Workers Education And Development (DTNBWED)

**1.69** The Dattopant Thengadi National Board for Workers Education and Development (erstwhile CBWE) established in 1958, is a tripartite society which implement the Workers Education Programmes at national, regional and unit/ village level. The Board undertakes training programmes, which cover workers from organized, unorganized, rural and informal sectors.

**1.70** 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.

**1.71** With headquarters at Nagpur, the Board has a network of 50 Regional and 7 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 zone.

**1.72** The Board has an apex level training institute – Indian Institute of Workers Education, Mumbai established in 1970 to conduct national level training programmes for the activists of Central Trade Union Organisations/Federations, Voluntary Organisations besides training programmes for Board's Officials.

**1.73** During 2018-19, the Board has conducted **1288** programmes of varied durations, at national level for **31411** participants.

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

**1.75** The special programmes for the beneficiaries of Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) are being conducted by DTNBWED from the financial year 2011-12. During 2018-19, the Board has conducted **238** programmes for the **9188** workers in rural sector under MGNREGA scheme.

### **SWACHH BHARAT MISSION**

**1.76** The Ministry of Labour and Employment has been implementing Swachh Bharat Mission to achieve the target set by this Ministry in its annual action plan since its launch.

**1.77** The Ministry celebrated International Labour Day on 1<sup>st</sup> May, 2018, by way of initiating a cleanliness drive in the first fortnight of May, 2018 (1<sup>st</sup>-15<sup>th</sup> May) in all ESIC hospitals, dispensaries, factories, manufacturing premises. The Office of Chief Labour Commissioner (Central) issued directions to establishments for observing cleanliness drive during the fortnight to commemorate Labour Day.

**1.78** Cleanliness drive was carried out during the pakhwadas in the Main Ministry as well as all attached/ subordinate office during the year.

**1.79** An intensive cleanliness drive was carried out in Shram Shakti Bhawan and Jaisalmer House. Officers are nominated floor wise for day-to-day monitoring of cleanliness. Besides a team under the chairmanship of nodal officer, DS (Adm) was constituted for overall implementation of drive. The activities included:

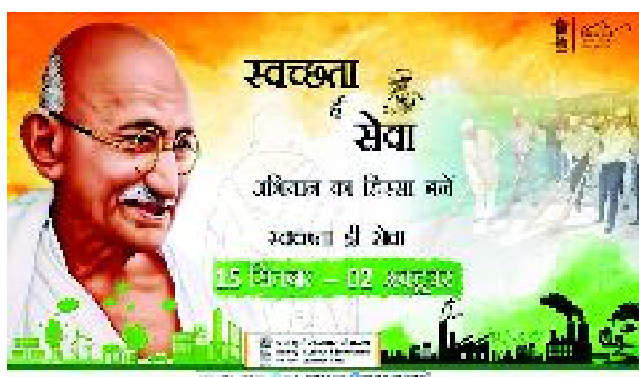
- Personal inspection by Hon'ble Minister/ Secretary (L&E) on different occasions.
- Continued personal monitoring of all cleanliness activities by the Joint Secretary level officers.
- Removal of extra/broken furniture items and records from the Corridors. (photos attached)
- Proper cleaning of the Parking lot and open lawn/premises area for maintaining cleanliness and
- avoidance of accumulation of debris/malwa.
- Special drive for weeding out of old files/ records in the sections on 03.05.2018.
- Pruning and beautification of outdoor and indoor plants are being done at regular intervals to give a clean and better look of the building.
- Regular cleaning of departmental Canteen, library and store room to maintain cleanliness and hygiene.
- Prohibition of unnecessary pasting/ sticking of notices on the walls.
- Buildings are made completely covered under CCTV surveillance system. Notices are displayed to prohibit spitting, loitering etc.

**1.80** Action Plans for the Second year of campaign and for the rest period upto March 2019

have been drawn. The activities are being followed as specified in the Action Plans.

**1.81** Swachhta Action Plan (SAP) of the Ministry for the year 2018-19 was conveyed to the Ministry of Drinking Water and Sanitation. Toilets have been renovated in the Shram Shakti Bhawan under SAP.

**1.82** All attached/subordinate and autonomous organizations of the Ministry are also carrying out the activities pursuant to Prime Minister's call for 'Swachh Bharat' as a mission mode.



**1.83** During **Swachhata Hi Seva, 2018** several activities have been performed in all attached/subordinate office of Ministry of Labour & Employment and more 20,000 thousand peoples participated in Swachhata Hi Seva, 2018.



**1.84** During **Swachhata Pakhwada, 2018**, Ministry of Labour & Employment distributed 3 Trophies to Sections of the Ministry who have done exemplary work in sanitation.

**1.85** DGFA SLI organized **Swachhata Abhiyan** for cleanliness campaign in Major Port Trust, Mumbai by involving 200-300 employees of the Major Port Trust, Mumbai on 14<sup>th</sup> May, 2018.

## GRIEVANCE REDRESSAL IN MAIN SECRETARIAT

**1.86** Grievance Redressal Mechanism is part and parcel of the machinery of any administration. The public grievances are received in the Ministry mainly in two modes, viz. online through the **CENTRALISED PUBLIC GRIEVANCE REDRESS AND MONITORING SYSTEM (CPGRAMS) portal** (<https://pgportal.gov.in>) and also in off-line (physical) form from various sources. Of late, many aggrieved persons/parties are also raising their grievances to the Ministry through e-mail and Social Media. The Ministry of Labour and Employment is one of the top 20 Ministries which receive largest number of grievances.

**1.87** The work of Public Grievance redressal is given high importance by this Ministry and it is regularly reviewed at highest level of Secretary (L&E). Majority of the grievances received in this Ministry are related to the Employees Provident Fund Organisation (EPFO), Chief Labour Commissioner (Central) Organisation (CLC(C)), the Employees State Insurance Corporation (ESIC) and the Directorate General of Employment (DGE). While the Ministry gives due importance to grievances received through all sources/medium, the online Public Grievances received in the Ministry on the CPGRAMS portal are being closely monitored and due to the regular and close monitoring at all levels, most of these grievances are presently being disposed of by various units, organisations and offices of the Ministry within 30 days.

**1.88** Comparative figures of Public Grievances received and disposed of in the CPGRAMS portal by the Ministry of Labour and

Employment and percentage of disposal of such Grievances during the period 2016-2019 (Year-wise) are given in detail in Chapter No. 20.

### **RTI Cell**

**1.90** 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 to 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 12.10.2005.

**1.91** 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 organization, its function and duties, the designation of CPIO and Appellate Authority etc. The Ministry has also initiated suo-motu disclosure of information about various Labour Acts / 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.gov.in](http://www.labour.gov.in). It is also to be mentioned that Attached & Subordinate offices and Autonomous organisations of the Ministry have their own websites which are linked to the Ministry's website.

**1.92** The Ministry has also set up a Central RTI Cell, headed by a Nodal Officer where the RTI applications from the citizens are received. Year wise number of RTI applications received (manually and electronically) in Main Secretariat, Ministry of Labour & Employment since inception of the RTI Act, 2005 are as below :

<b>Year</b>	<b>RTI Applications Received</b>
2005-2006	37
2006-2007	399
2007-2008	606
2008-2009	733
2009-2010	832
2010-2011	1154
2011-2012	1537
2012-2013	1110
2013-2014	1386
2014-2015	4539
2015-2016	4275
2016-2017	4801
2017-2018	4529
2018-2019	4743

**1.93** During the year 2018-19, 20 applicants have gone to Central Information Commission (CIC) in the form of second appeal, in which CIC has upheld the decision of Appellate Authority cases in Central Government Ministries/ Departments to introduce transparency and ownership and, thereby, enabling efficient monitoring of court in almost all cases.

### **Legal Cell:**

**1.94** Legal information Management & Briefing System (LIMBS) was introduced by the Department of Legal Affairs with an aim to digitalize the entire process of court cases. Legal Cell of the Ministry has strived to ensure that LIMBS is implemented by all Organisations under the Ministry. Ministry of Labour & Employment is one of the front runners in implementing LIMBS by uploading information of almost all court cases (around 60900 court cases till March 2019) on LIMBS portal.

## CHAPTER-2

# ORGANISATIONAL STRUCTURE & FUNCTIONS

### LABOUR JURISDICTION

**2.1** Under the Constitution of India, Labour is a subject in the Concurrent List and, therefore, both the Central and 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.

### Vision, Mission and Objectives of the Ministry of Labour and Employment

#### Vision

**2.2** Decent working conditions and improved quality of life for workers, ensuring India without

Child Labour and enhancing employability on a sustainable basis.

#### Mission

**2.3** Formulating and implementing Policies/ Programmes/Schemes/Projects for providing Social Security and Welfare, regulating Conditions of Work, Occupational Health and Safety of Workers, eliminating Child Labour, promoting Harmonious Industrial Relations, ensuring Enforcement of Labour Laws and promoting Employment Services.

#### 2.4 Objectives

1. Enhancing welfare and social security provisions for unorganised sector workers
2. Providing social security to organised sectors workers
3. Eliminating child labour
4. Enhancing employability of youth
5. Strengthening employment services
6. Prevention and settlement of Industrial Disputes and strengthening Labour Laws enforcement machinery
7. Improving safety conditions and safety of workers

### MINISTRY OF LABOUR & EMPLOYMENT

**Shri Santosh Kumar Gangwar** had taken over the charge as Minister of State (Independent Charge), Labour and Employment w.e.f. 03.09.2017.

**Shri Heeralal Samariya, IAS (TG:1985)** has taken over the charge as Secretary (L&E) w.e.f. 21.05.2018.

#### **Bureau Heads**

**Smt. Anuradha Prasad, AS(L&E) (IDAS : 1986)** took over the charge as Additional Secretary (L&E) w.e.f. 11.07.2018. She is functioning as Chief Vigilance Officer and the Director General of Employment (DGE). She is also looking after all legal matters, convergence of Social Security Schemes for unorganized workers, all matters relating to Coordination/2nd National Commission on Labour (NCL), Dattopant Thengadi National Board for Workers Education and Development (DTNBWEB).

**Shri Biranchi Narayan Nanda (IES : 1983)** took over the charge of Principal Labour and Employment Economic Adviser w.e.f. 11.03.2019. He is looking after the work of Economic and Statistical Analysis (ESA) (Labour Bureau), Disaster Management and Planning Unit.

**Smt. Sibani Swain, AS&FA (IES:1986 )** has taken over the charge of Additional Secretary and Financial Advisor w.e.f. 11.07.201. She is looking after the work of Finance, Budget & Accounts (B&A), Cash and matters relating to Demand for Grants before Parliamentary Standing Committee on Labour and monitoring of Expenditure of Ministry.

**Sh. Vijay Kumar (ISS:1983)** took over charge as Director General (Statistics) w.e.f. 18.10.2018. He is looking after the work of all matters related to National Career Service Centres for Differently Abled (erstwhile Vocational Rehabilitation Centres) and National Institute for Career Service (erstwhile CIRTES), Employment statistics & related reports and Parliament Unit.

**Ms Vibha Bhalla (IRS (IT) :1991)** took over the charge as Joint Secretary w.e.f. 20.02.2019. She

is looking after the work of Industrial Safety & Health Division - DGFASLI matters related to Factories Act and Dock Workers (Safety & Health) Act etc, Shram Suvidha Portal, Social Security **excluding Employees' Provident Fund Organisation (EPFO)**, Employee's State Insurance Corporation (ESIC), Wage Board, Wage Cell.

**Shri Ajay Tewari, IAS (AM:1993)** took over the charge as Joint Secretary & Director General of Labour Welfare w.e.f. 02.11.2018. He is looking after the work of Labour Welfare – Rural and Unorganized Labour, Bonded Labour, residual work of RSBY, all aspects related to Unorganised Workers Social Security Act **including** registration of the workers BOCW Act, 1996 And BOCW's Welfare Cess Act, 1996. He is also dealing with the newly launched pension Scheme for unorganized workers called PM-Shram–Yogi-Maandhan.

**Shri R.K. Gupta, (CSS)** took over the charge as Joint Secretary w.e.f. 01.08.2016. He is looking after the work of Administration, IT, Central Labour Service & matters relating to EPF & MP Act / EPFO including Social Security Agreements, Central Provident Fund Act 1925, Labour Laws Reforms, matters relating to Central Government Industrial Tribunals and Nodal officer for AVMS (ACC Vacancy Monitoring System), Bhavishya, e-Sparrow, Swachh Bharat Mission, APARs, Coordination with DPARG, NIC and national e-Governance.

**Ms Kalpana Rajsinghot, (IPoS : 1992)** took over the charge as Joint Secretary w.e.f. 26.10.2017. She is looking after the work of V.V. Giri National Labour Institute (VVGNI), Media Cell, all matters relating to Industrial Relations including Appellate Authority for Railways (HOER), Child & Women Labour, Industrial Safety & Health Division – matters related to Directorate General Mine Safety (DGMS).

**Sh. N.K. Santos hi (ISS:1992)** is holding the post of DDG w.e.f. 20.03.2017. He is looking after the work of ESA(Labour Bureau), Planning Unit and Parliament Unit.

**Shri Devender Singh (IES:1986)** took over the charge of Economic Advisor w.e.f 15/12/2015. He is looking after the work of Official Language, Public Grievances, Chief/Nodal Record Officer, Evaluation & Monitoring of Schemes, all matters related to RTI & VIL CPC, Labour Conference (LC) /ILAS. He is also Chief Information Security Officer.

#### **OFFICE OF DIRECTOR GENERAL & EMPLOYMENT (DGE)**

**Shri Satyendra Bahadur Singh, (ISS :1987)** is holding the post of Deputy Director General (Employment) since 22.08.2017.

#### **OFFICE OF CHIEF LABOUR COMMISSIONER (CENTRAL) {CLC(C)}**

**Shri Rajan Verma, CLS (1987)** has assumed the charge of the post of Chief Labour Commissioner (Central) w.e.f. 01.01.2019.

#### **EMPLOYEES' STATE INSURANCE CORPORATION (ESIC)**

**Shri Raj Kumar, IAS (GJ:1987)**, took over the charge of Director General of ESIC w.e.f. 21.07.2017.

#### **EMPLOYEES' PROVIDENT FUND ORGANISATION (EPFO)**

**Shri Sunil Barthwal, IAS (BH:1989)** has assumed the charge as Central Provident Fund Commissioner EPFO w.e.f. 30.06.2018.

#### **ATTACHED OFFICES**

##### **Directorate General of Employment (DGE)**

**2.5** The Directorate of Employment (DGE) is responsible for laying policies, standards and

guidelines throughout the country for coordinating employment related services. 'Employment' being concurrent subject, both Central and State Governments are competent to lay down policies, standards, guidelines. Most of the States have Directorates of Employment located in the State capitals which administer the Employment Exchanges within the State/ UT jurisdiction. In addition to these activities, DGE also runs various schemes to increase the employability of specific target groups through its subordinate offices.

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

**2.6** 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 (DGFSLI)**

**2.7** 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 provisions 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 also provides training

mainly in the field of industrial psychology and industrial safety & health including a diploma course of one year duration in industrial safety. 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 Organization.

### **Labour Bureau**

**2.8** The Labour Bureau with its headquarters at Chandigarh and Shimla, is responsible for collection, compilation and publication of labour statistics and other information relating to labour such as employment and unemployment, wages, earnings, industrial relations, working conditions etc. It also compiles and publishes the Consumer Price Index Numbers for industrial and agricultural /rural workers.

## **SUBORDINATE OFFICES**

### **Directorate General of Mines Safety (DGMS)**

**2.9** 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**

**2.10** The seventeen (17) offices of Welfare Commissioners are responsible for providing welfare services to the workers employed in mica, limestone and dolomite, iron ore, manganese, & chrome ore mines and in the beedi and cinema industries. These offices are located at New Delhi (Headquarter) Allahabad, Ahmedabad, Ajmer, Bangalore, Bhubaneswar, Chandigarh, Cannanore, Dehradun, Hyderabad, Jabalpur, Kolkata, Nagpur, Patna, Ranchi (Jharkhand), Raipur and Tirunelveli.

## **AUTONOMOUS ORGANISATIONS**

### **Employees State Insurance Corporation (ESIC)**

**2.11** The ESIC 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 related injury, pension for dependents on the death of workers due to employment related injury, etc.

### **Employees Provident Fund Organization (EPFO)**

**2.12** 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 (VVGNI)**

**2.13** The V.V. Giri National Labour Institute, Noida (Uttar Pradesh) 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.

### **Dattopant Thengadi National Board for Workers Education and Development (erstwhile CBWE)**

**2.14** The Board with its headquarters at Nagpur

is a registered society dealing with schemes for training of workers on 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 BODY**

### **Central Government Industrial Tribunals-cum-Labour Courts (CGITs)**

**2.15** Twenty two Central Government Industrial Tribunal (CGIT)-cum-Labour Courts have been set up under the provisions of the Industrial Disputes Act, 1947 for adjudication of industrial disputes in organizations for which the Central Government is the appropriate Government. Through Finance Act, 2017, the powers to settle the Appeals arising out of EPF&MP Act, 1952 have also been entrusted upon to these Tribunals. 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. Further, the two Industrial Tribunals at Mumbai (No.1) and Kolkata also function as National Tribunals.

## **ARBITRATION BODY**

### **Board of Arbitration, Joint Consultative Machinery (JCM) Scheme**

**2.16** In 1966, the Government of India had introduced a Scheme for Joint Consultative Machinery (JCM) and Compulsory Arbitration for Central Government Employees for resolving unresolved differences between the Government, as an employer, and the general body of its employees in certain matters of common concern.

**2.17** As per clause 16 of the JCM Scheme, Compulsory Arbitration is limited to disputes on Pay and Allowances, Weekly Hours of Work and Leave of a class or grade of employees. As per clauses 18 & 19 of the JCM Scheme for Arbitration, if so desired by either side, a dispute on an arbitrable matter is referred to the Board of Arbitration (BOA), only after it has been considered by the National Council or appropriate Departmental Council, as the case may be, and a final disagreement between the two sides has been recorded in the matter.

### **Main Subjects dealt in the Ministry of Labour and Employment**

**2.18** 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: -

**2.19** 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 labour, 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)**

**2.20** The Central Labour Service (CLS) was constituted on 3<sup>rd</sup> 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 the year 2004.

**2.21** 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) discharge 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.

**2.22** In addition, officers appointed as Assistant Labour Commissioners (Central), Regional Labour Commissioners (C), Deputy Chief Labour Commissioners (C) and Additional Chief Labour Commissioner(c) in the Central Industrial Relations Machinery (CIRM), headed by the Chief Labour Commissioner (C) are also entrusted with the task of maintaining harmonious Industrial relations in the Central sphere. The officers under CIRM are responsible for enforcement of all applicable labour laws in the central Sphere establishments/ industries. They also work as a quasi-judicial authority under the Minimum Wages Act, the Payment of Wages Act, Payment of Gratuity Act and Conciliation Officer under Industrial Disputes Act, 1947. In addition, these officers also conduct general verification of Central Trade Union Organisation and also Trade Unions unit level membership verification under Code of Discipline.

**2.23** The officers of CLS appointed as Assistant Welfare Commissioner (C), Deputy Welfare Commissioner (C) and Welfare Commissioner in the Welfare Organisation of the Ministry of Labour and Employment under the Director General (Labour Welfare) look after the various Labour Welfare schemes for beedi, Cine and certain categories of non-coal mine workers.

**2.24** Consequent upon the 2<sup>nd</sup> Cadre Review of the Central Labour Service (CLS) in 2014, the present Cadre strength of the Service in various grades was restructured and revised viz. 01 post in HAG, 02 posts in SAG, 59 posts in JAG, 115 posts in STS and 163 posts in JTS Grade.

#### **PARLIAMENT UNIT:**

**2.25** Parliament Unit is the Nodal Unit for Parliament related matters. The main functions of this Unit are as under:-

- To receive all notices on Starred/Un-starred Parliament Questions as well as Special Mention/Resolution/ Short Duration Discussion etc. from Lok Sabha / Rajya Sabha Question Branches and to forward to all concerned Section in the Ministry for necessary action.
- To coordinate with the concerned Sections/Divisions of the Ministry to provide information related to Legislative Business before every Session of Parliament.
- To forward information in respect of matters of Urgent Public Importance raised in the House under Rule 377 in Lok Sabha and by way of Special Mention in Rajya Sabha during Zero Hour to respective House of Parliament.
- To coordinate with the concerned Sections/Divisions of the Ministry to provide information related to Parliament Standing Committee Meetings.
- To conduct meetings of the Consultative Committee attached to this Ministry as per the convenience of Hon'ble Labour & Employment Minister.

In Year 2018 (till 30<sup>th</sup> November) two meetings were held on the following subjects:

- (i) EPS-95 (held on 05.01.2018 at Parliament House Annexe, New Delhi)
- (ii) Welfare of Unorganised Workers (held on 28.06.2018 at Tirupati, Andhra Pradesh)

## FINANCE WING

### Integrated Finance Division

**2.26** The Secretary (M/o Labour & Employment) is the Chief Accounting Authority of the Ministry of Labour & Employment and discharges his/her duties with the assistance of Additional Secretary & Financial Adviser (AS & FA) and Chief Controller of Accounts (CCA). AS & FA is the Head of Budget and Finance and CCA is the Head of the Accounting Organization in the Ministry of Labour & Employment.

**2.27** Integrated Finance Division is headed by AS & FA in the Ministry. DS (F) assists the Financial Advisor on all matters relating to tendering financial advice.

**2.28** As provided in Appendix 2 of DFPRs, IFD, headed by AS&FA, carries out the following functions:-

- To advise the Administrative Ministry on all matters falling within the powers delegated to the Ministry by the M/o Finance.
- To screen all expenditure proposals, except those coming within the delegated powers, that are required to be referred to the Finance Ministry for concurrence or comments;
- To closely associate with the

formulation of Schemes and important expenditure proposals from the initial stages;

- To closely associate with the evaluation of progress and performance of projects/schemes and ensure that results of such evaluation studies are taken into consideration while formulating budget;
- To examine & scrutinize SFC/EFC proposals received from various Wings of the Ministry.
- Interface both Ministry of Finance & Ministry of Labour & Employment.

### Budget & Accounts Section

**2.29** B&A Section is an integral part of Ministry of Labour & Employment and plays a vital role in the smooth implementation of schemes of MoLE. This Section is headed by Additional Secretary & Financial Adviser (AS&FA) in the Ministry and CCA/US(budget) assists the Financial Advisor in all the matter related to the Section.

**2.30** Functions & Duties of the B&A Section are given below :-

- To ensure that the schedule for preparation of budget is adhered to by the Ministry and Budget is drawn up according to the instructions issued by Finance Ministry from time to time.
- To examine thoroughly the annual budget proposals received from various Divisions/Section of this Ministry for placing the same before AS&FA for finalizing the Ministry's annual demand for grants in consultation with Bureau Heads concerned before forwarding the same to the Ministry of Finance for considering the annual demand for grants.

- Preparation of Detailed Demand for Grants based on the final ceiling conveyed by the Ministry of Finance and also comply the instructions regarding allocation of budget for SCSPs, STs and North Eastern Region.
- To watch and review the progress of expenditure against sanctioned grants through holding of regular meeting being chaired by AS&FA, wherein, it is sensitized to maintain the even pace of expenditure so that it conforms to the Monthly Expenditure Projection and Quarterly Expenditure Projection approved by Parliament.
- To screen the proposals received from Divisions/Section of this Ministry for supplementary demand for grants and forward the proposal to Ministry of Finance for Parliamentary approval.
- To screen re-appropriation proposals before forwarding the same to the Ministry of Finance for approval.
- To monitor settlement of audit objections, Inspection Reports, draft audit paras, etc. and to ensure prompt action on Audit Reports and Appropriation Accounts.
- Compilation of documents/material viz., Notes on Schemes, Output-Outcome Framework, etc. for submitting the same, along with a presentation on Demand for Grants, to Lok Sabha Secretariat in connection with Parliamentary Standing Committee's meeting on "Demand for Grants" held in Parliament House Annexe on yearly basis. A full-fledged Report based on the discussion held and the information provided in the aforesaid documents,

is also sent by Lok Sabha Secretariat for submitting Action Taken Report. Accordingly, the Section compiles Action Taken Report on the Report containing the recommendations of Parliamentary Standing Committee. Laying of the Action Taken Report in both the Houses of the Parliament within the six months of submitting the ATR to Lok Sabha Secretariat.

- To forward/upload the updated status of implementation of Budget Announcements to Ministry of Finance.
- Liaisoning with Autonomous Bodies, Attached & Subordinate offices for various budget related matters
- AS&FA is reviewing quarterly and annual expenditure progress of this Ministry.
- AS&FA provides secretariat services to Standing Audit Committee headed by Secretary (L&E) for which AS&FA is the nodal officer.

### **Official Language**

#### **Progressive use of Hindi**

**2.31** The Ministry of Labour & Employment has made efforts to promote the use of Hindi in official work and create interest among officers / staff to work in Hindi during the year 2018-19. 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 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 Speeches, Press release etc. and other routine work of the Ministry. 40<sup>th</sup> Hindi Salahkar Samiti which was headed by the Hon'ble Minister was organised at Thirupati, Andhra Pradesh on 18.06.2018.

**2.32** Hindi Fortnight was observed during 04-17, September, 2018 to promote the use of Hindi in the Ministry. On this occasion, eight Hindi related competitions were conducted to promote the use of Hindi among the officials. A large number of Officials of the Ministry participated in these competitions and the winners of the competition were given cash awards and certificates.

**2.33** Efforts are being made to update bilingual Website of the Ministry. Officers attached with the Rajbhasha Wing also conduct inspections regarding the Hindi work from time to time.

**2.34** The documents under Section 3(3) of the Official Language Act, 1963 were issued both in Hindi and English. The Meetings of the Official

Language Implementation Committee is organised regularly in the Ministry where detailed evaluation is done of the Quarterly report received from the sections/divisions of the ministry and dependency upon the knowledge of Hindi and training received by the officials/employees under the ministry are sent from training accordingly. Officials who have acquired proficiency in Hindi and have working knowledge are motivated to do most of their work in Hindi and workshop are also conducted under specialised school.

### **Implementation of Direct Benefit Transfer (DBT)**

#### **DBT Cell**

**2.35** The following 13 Schemes [11 Cash Transfer, 01 in-kind transfer and 01 Aadhaar Enabled Service] of the Ministry of Labour & Employment are covered under the DBT Program during 2018-19

<b>Sl. No.</b>	<b>Name of the Scheme</b>	<b>Number of Beneficiaries during 2017-18</b>	<b>Amount Given to the Beneficiaries during 2017-18 [In Rs.]</b>
<b>Cash Transfer Schemes</b>			
1	Financial Assistance for Education for the Wards of Beedi, Cine, IOMC, LSDM Workers	1,29,158	20,79,49,280.00
2	Scholarship under Aam Aadmi Bima Yojana (AABY) [converged with PMJJBY & PMSBY]	0	0.00
3	Revised Integrated Housing Scheme (RIHS) - 2016 for Beedi, IOMC, LSDM, Cine Workers	11,899	44,01,85,000.00
4	Stipend to Children in Special Schools under National Child Labour Project (NCLP)	54,181	6,41,39,035.00
5	Stipend to Trainees under the Scheme of Welfare of SC/ ST Job-Seekers through Coaching, Guidance & Vocational Training (CGC)	4,300	2,43,96,322.00

6	Stipend to Differently Abled Candidates under the Scheme of Vocational Rehabilitation Centres for Handicapped (VRCs)	100	5,63,297.00
7	Grants to Dattopant Thengdi National Board for Workers' Education & Development (DTNBWED)	2,54,718	4,77,58,216.00
8	Family Pension-cum-Life Assurance & Deposit Linked Insurance Schemes for the Plantation Workers in Assam	22,043	16,10,71,780.00
9	Rehabilitation Assistance under the Scheme of Rehabilitation of Bonded Labour	6,413	6,64,50,000.00 (Reimbursed to State Governments)
10	Employees Pensions Scheme (EPS)	4,50,12,882	5111.18 Crore (Given to EPFO)
11	Pradhan Mantri Rojgar Protsahan Yojana (PMRPY)	47,67,635	5,02,73,27,125.00
<b>In-Kind Transfer Scheme</b>			
12	Grants to V.V. Giri National Labour Institute (VVGNI)	1,739	NA
<b>Aadhaar Enabled Service</b>			
13	National Career Service (NCS)	40,94,713	NA

## ACTION TAKEN ON CITIZENS' / CLIENT'S CHARTER (CCC)

### RFD Cell

**2.36** The Citizens' / Clients' Charter (CCC) of the Ministry of Labour & Employment has been last updated in April, 2019 on the basis of the guidelines of the Department of Administrative Reforms & Public Grievances (DAR&PG) and the Performance Management Division (PMD), Cabinet Secretariat and in consultation with the stakeholders of the Ministry. The charter has been put on the website of the Ministry for easy access by public and sufficient copies have been kept in the Information Facilitation Centre of the Ministry for use by visitors.

**2.37** The Citizens' / Clients' Charter (CCC) contains information with respect to vision,

mission, services / transactions rendered by the Ministry along with responsible persons, their contact details, service standards. Separately, contact details of Grievance Redressal Officer and information with reference to Attached / Subordinate Offices / Autonomous Bodies of the Ministry along with contact details and address of their websites have been incorporated in the Charter.

**2.38** An Information Facilitation Centre has been set up in the Ministry with Internet and Telephone Facility, which is rendering all necessary assistance to the Public by making available information on various activities and schemes of the Ministry and its Organizations.

Action Taken Notes on PAC and C&AG Audit Paras					
S. No.	Report No. & Year	No. of Paras / PA Reports on which ATNs have been submitted after vetting by Audit	Details of the Paras / PA Reports on which ATNs are pending		
			No. of ATNs not sent by the Ministry even for the first time	No. of ATNs sent but returned with observations and audit is awaiting their re-submission by the Ministry	No. of ATNs which have been finally vetted by Audit but have not been submitted by the Ministry to PAC by the Ministry.
1	CAG Report No. 4 of 2018 – Short realisation of Administrative Charge (EPFO)	One Para(Para No.14.1)	1	1	0
2	Report No.115 on the Action Taken submitted by the Government on the recommendations of the Committee contained in their Sixty Seventh Report on “Performance of Employees State Insurance Corporation and Special Audit of ESIC.	Seven(6, 13, 18, 23, 28, 33 & 38)	0	0	0

## CHAPTER-3

# INDUSTRIAL RELATIONS

## CENTRAL INDUSTRIAL RELATIONS MACHINERY (CIRM)

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### BRIEF REPORT ON ACTIVITIES OF CHIEF LABOUR COMMISSIONER (CENTRAL) ORGANISATION

**3.1** Chief Labour Commissioner (Central) Organisation, also known as Central Industrial Relations Machinery (CIRM) is an attached office of the Ministry of Labour & Employment. The CIRM is headed by the Chief Labour Commissioner (Central). It has been entrusted with the task of maintaining harmonious Industrial Relations, Enforcement of Labour Laws and Verification of CTUOs (Central Trade Union Organisations). CIRM has complement of 33 officers at the Head Quarters and 269 Officers in the field. The offices of these Officers are spread over different parts of the country with zonal, regional and unit level formations.

### **3.2 Functions of the Organisation:**

The functions of CIRM broadly are given as under:

- i. Prevention and Settlement of Industrial Disputes, in Central Sphere,
- ii. Enforcement of Labour Laws and Rules made there under in central sphere,
- iii. Implementation of awards,
- iv. Quasi-Judicial functions,
- v. Verification of the membership of the CTUOs,
- vi. Welfare,

- vii. Other Miscellaneous functions,

### **3.3 Prevention and Settlement of Industrial Disputes**

The CIRM ensures harmonious Industrial Relations in the central sphere establishments through: -

- o Monitoring of Industrial Relations in Central Sphere,
- o Intervention, mediation and conciliation in Industrial Disputes in order to bring about settlement of disputes,
- o Intervention in situations of threatened strikes and lockouts with a view to avert the strikes and lockouts,
- o Implementation of settlements and awards,
- o Enforcement of other provisions in 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 (i)** During the year 2018-2019 the CIRM has intervened in 465 number of threatened strike and by their conciliatory efforts succeeded in averting 461 strikes, which represent a success rate of 99.13%. As for industrial disputes handled by the machinery during the year 2017-2018 and April 2018 to March, 2019 the details is as under: -

Head	2017-18	April 2018 - March 2019
Industrial Disputes Handled	12450	12427
Industrial Disputes Disposed of	7774	7976
Strikes Averted	475	461

#### **BENEFITS TO WORKERS DUE TO INTERVENTION BY CIRM**

YEAR	2017-18	April 2018 - March 2019
Numbers of Workers Benefited	88,086	1,27,577
Amount of Relief to the above workers (In Crore)	1,290.63	1323
Number of workers Regularised / Re-instated	542	2693

#### **ENFORCEMENT OF LABOUR LAWS:**

**3.5** Another important function of CIRM is enforcement of Labour Laws in the establishments for which Central Government is the Appropriate Government. The machinery enforces following Labour Laws and Rules framed there under:

- The Payment of Wages Act 1936 & rules made thereunder for Mines, Railways, Air Transport Services & Docks, Wharves and Jetties,
- The Minimum Wages Act 1948 and Rules,
- The Contract Labour (Regulation & Abolition) Act, 1970 and Rules,
- The Equal Remuneration Act 1976 & Rules,

- The Inter-State Migrant Workmen (RE&CS) Act 1979 and Rules,
- The Child and Adolescent Labour (Prohibition & Regulation) Act, 1986 and Rules,
- The Payment of Gratuity Act, 1972 and Rules,
- The Labour Laws (Exemption from Furnishing returns and Maintaining Registers by certain Establishments) Act 1988,
- The Building and other Construction Workers (RE&CS) Act, 1996 and Rules.
- The Chapter VI-A of Indian Railways Act; Hours of Employment Regulations for Railways Employees,
- The Industrial Employment (Standing Orders) Act, 1946 & Rules,
- The Maternity Benefit Act, 1961 & Mines and Circus Rules, 1963 & Rules and
- The Payment of Bonus Act, 1965.

**3.6** There are approximately 1.92 lacs establishments in the Central Sphere. The Inspecting Officers of CIRM inspect these establishments under different labour enactments through routine Inspections and Special Drives for Inspections under the crash inspection programmes and taskforce inspections to secure benefits of the beneficial legislations to workers. To ensure transparency and accountability in the system, all the inspections are conducted through web enabled Shram Suvidha Portal. The inspection reports are uploaded on the Shram Suvidha Portal within 48 hours, so as to enable employers to make good the irregularities and deficiencies noticed during inspections. 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 un-organised Sector. Prosecutions are launched against persistent defaulters and in respect of major violations. Details for the year 2017-2018 and 2018-19 (April to March, 2019) are given as under:-

**STATEMENT SHOWING NO. OF INSPECTIONS AND RELATED INFORMATION UNDER VARIOUS LABOUR LAWS FOR THE YEAR 2017-2018 AND 2018-2019 (APRIL to MARCH 2019) -**

Head	2017-2018	2018-2019 (April to March, 2019)
Inspection Conducted	38,336	36,470
No. of irregularities detected	2,37,629	2,10,697
No. of irregularities rectified	1,06,129	1,13,119
No. of prosecution cases filed	6,333	6613
No. of convictions secured	4,326	2433

\* Number of convictions means obtained plus acquittal

**IMPLEMENTATION OF AWARDS:**

**3.7** The officers of CIRM implement Awards issued by Central Government Industrial Tribunal-cum-Labour Courts (CGITs). During the year 2017-2018, 2898 awards were received (including brought forward). Out of these 947 were implemented, implementation of 1092 Awards were stayed by Hon'ble High Courts & implementation of 859 Awards are under process.

During the year 2018-2019 (Apr to March.2019), 2755 awards were received (including brought forward). Out of these 946 were implemented, implementation of 1073 Awards are stayed by Hon'ble High Courts & implementation of 512 Awards are under process. However, 224 number of prosecution cases have been filed before the Hon'ble Courts.

**3.8** Difficulties in implementing the awards are experienced as employers obtain stay orders from Hon'ble High Courts on implementation. Prosecution proposal is submitted to the Ministry for sanction under Cr.PC 197.

**STATEMENT SHOWING DETAILS OF AWARDS FOR THE YEAR 2017-2018 AND 2018-2019 (APRIL to MARCH, 2019)**

Head	2017-2018	2018-2019 (April to March, 2019)
Awards Received during the year	2898	2755
Awards Implemented	947	946
Stayed by Courts	1092	1073
Prosecution filed in Courts	-	224
Under process	859	512

**QUASI JUDICIAL FUNCTIONS:**

**3.9** The CIRM officers from the level of LEO(C) up to the level of CLC (C) also perform certain Quasi-Judicial Functions as shown below :

**CLC(C):-** Director General (Inspections) under The Building and Other Construction Workers (Regulation of Employment & Conditions of Service) Act, 1996 but power has been delegated to a DyCLC(C) at headquarters; Appellate Authority under The Industrial Employment

(Standing Orders) Act, 1946, Conciliation Officer under The Industrial Disputes Act, 1947 for intervening in the disputes as per occasion arises.

**Addl.CLC(C):-** Conciliation Officer under The Industrial Disputes Act, 1947. Appellate Authority under The Industrial Employment (Standing Orders) Act, 1946. He is an officer of senior level of CIRM to assist CLC (C) in all his functioning.

**Dy. CLC(C):-** Appellate Authority under The Industrial Employment (Standing Orders) Act, 1946, The Payment of Gratuity Act, 1972, The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and appellate authority to deal with appeals u/s 7 and 12 of The Contract Labour (Regulation and Abolition) Act, 1970; Authority under Rule 25 (2) (v) (a) and (b) of The Contract Labour (Regulation and Abolition), Rules 1971; Conciliation Officer under the Industrial Disputes Act, 1947;

**RLC (C):-** Authority under The Minimum Wages Act, 1948, The Payment of Wages Act, 1936; The Payment of Gratuity Act, 1972 and The Equal Remuneration Act, 1976. Certifying Officer under The Industrial Employment (Standing Orders) Act, 1946 and Appellate Authority under RAILWAY SERVANTS (HOURS OF WORK AND PERIOD OF REST) RULES, 2005 Conciliation Officer under the Industrial Disputes Act, 1947, notified as Registering and Licensing Officer under The Contract Labour (Regulation and Abolition) Act, 1970 and Inter-State Migrant Workmen (RE & CS) Act, 1979; Registering Officer under The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996.

**ALC(C):-** Controlling Authority under The Payment of Gratuity Act, 1972; Authority under

The Equal Remuneration Act, 1976; Registering and Licensing Officer under The Contract Labour (Regulation and Abolition) Act, 1970, Conciliation Officer under the Industrial Disputes Act, 1947; Inter-State Migrant Workmen Act, 1979 and Building and Other Construction Workers Act, 1996. Supervisor under RAILWAY SERVANTS (HOURS OF WORK AND PERIOD OF REST) RULES 2005.

**LEO (C) :-** Notified as Inspector under various Labour Law s and Conciliation Officer under the Industrial Disputes Act, 1947 in some places.

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

Disposal of claim cases under MW, PW and PG Act		
Head	2017-18	Apr 2018-Mar 2019
Claim cases received	18,370	19,937
Claims cases decided	7,877	8,006
Amount awarded (In Crore)	132.01	215 Cr.
Claims pending	11,558	11,931

Amount of relief provided during the course of inspections other than claim is Rs. 17.94 Crore.

#### COURT CASES:-

Head	Supreme Court	High Court and other Courts
Received	101	2,790
Disposed off	10	325
Pending up to 31 <sup>st</sup> December 2018	91	2,465

#### ANNUAL RETURNS:-

Year	2016	2017	2018
Number of Establishments (latest)			1,83,442
Number of online Annual Returns Received	10,478	20,287	23,417
Number of off line Annual Returns Received	1,561	5	-
Number of online Show Cause Notice issued	85,243	7,305	-
Number of off line Show Cause Notice	9,733	34,784	-

#### General Verification of membership of Trade Unions affiliated to Central Trade Union Organisation (CTUO).

**3.11** General verification of membership of Trade Union affiliated to Central Trade Union Organisations (CTUO) is an important exercise which is undertaken by the office of CLC(C) Organisation which is accomplished on the directions of Ministry of Labour & Employment. The purpose of General Verification is to determine the representative character of CTUO's to represent in the various National and International Councils, Committees, Conferences, etc.

**3.12** The last three General Verifications were conducted with the date of reckoning 31.12.1980, 31.12.1989 and 31.12.2002 and the results of the Verifications were published by the Ministry of Labour & Employment in January, 1985, December, 1996 and January, 2008 respectively.

**3.13** The process of fresh General Verification

of Trade Unions affiliated to Central Unions has been initiated in the month of November, 2012 by inviting claims of Central Trade Union Organisations as per the directives of the Ministry of Labour & Employment. Till date 10 meetings of the Standing Committee on General Verification have been held under the Chairmanship of Chief Labour Commissioner(C) and the following issues have been decided for the fresh verification:-

- Date of reckoning as 31.12.2011
- Procedure for General Verification
- Criteria for granting status of Central Trade Union Organisation. As per the revised procedure approved by the Standing Committee on Verification, only those Trade Union Organisation whose affiliates have at least a combined verified membership of 8 Lakh and unions registered in at least 8 states and membership presence in at least 8 industries would be recognized by the Government of India as Central Trade Union Organisations.
- A Notification was issued on 01.11.2012 through an advertisement in all important national daily newspaper inviting interested Central Trade Unions to file their membership claims for verification latest by 31.01.2013. The date of filing claims was extended up to 31.03.2013 as per the decision taken by the standing committee in its 6<sup>th</sup> meeting held on 21.12.2012. The notice of time extension was also published in National Dailies on 16.01.2013.
- Total 15 claims were filed by CTUOs out of which four claims were dropped by Standing Committee in its

7<sup>th</sup> meeting held on 21.06.2013 after due consideration. Claims received from the 11 CTUOs were sent to the field offices for conducting first phase of general verification which is underway.

- As per decision taken by the Standing Committee in its 7<sup>th</sup> meeting the date for raising objections by the CTUOs has been fixed as 15.11.2013.
- In the meantime, the Office of CLC(C) imparted special training on General Verification to all RLCs, ALCs and Staff of the Regions on 5<sup>th</sup> & 6<sup>th</sup> December, 2016 at VV Giri, NLI, Noida.
- 1<sup>st</sup> Phase of General Verification has been completed in the month of July, 2016 and the direction for starting 2nd phase of verification has been issued by CLC (C) in the month of August, 2016. 1<sup>st</sup> part of 2<sup>nd</sup> phase i.e. physical verification has been almost completed.
- As per the direction of Hon'ble High Court, Delhi vide judgment dated 28.01.2015 in the case filed by NFITU (DHN) against Union of India, the claim of NFITU has also been included as 12<sup>th</sup> CTUO in the process of General Verification.

#### **Representation of Employers' Organisations in Tripartite Bodies**

- Ministry of Labour and Employment on the request of various Employers' Organisation/Federation agreed to conduct General Verification of their membership on the similar lines of CTUOs to recognise them as Central Employers' Organisation for the purpose of giving proper representation on the ILO conference and committees as well as tripartite bodies.
- The date reckoning for General Verification of Employer's Organisation will be 31<sup>st</sup> March 2018.
- Procedure of fixing the criteria for General Verification of Employer's Organisation is under process. In this regard, two meetings of Standing Committee have been organised on 17.05.2018 & 04.10.2018.

#### **Verification of membership of Trade unions operating in an establishment to identify majority union under Code of Discipline.**

**3.14** The verification of membership of unions operating in establishment in central sphere is conducted by Chief Labour Commissioner (Central)'s office under Code of Discipline for the purpose of granting recognition as and when directed by the Ministry of Labour and Employment.

**3.15** In the year 2018-19 (01.04.2018 to 31.03.2019) the verification of membership of unions operating in 14 establishments was conducted through secret ballot election. The establishments are:

1. M/s IOCL, (AOD), Digboi
2. M/s Electronic Corporation of India Ltd., (ECIL), Hyderabad
3. Corporate Office NALCO, Bhubaneswar, Odisha
4. M/s Oil & Natural Gas Corporation Ltd., Western Offshore Unit (WOU)
5. M/s BBMB,BSL Project, Sundernagar (HP)
6. M/s Haldia Refinery, IOCL, West Bengal

7. M/s Hindustan Aeronautics Limited, Engine Division, Sunabeda, Dist. Koraput, Odisha
8. M/s Hindustan Insecticides Ltd. (HIL), Bathinda
9. M/s Kerala Minerals and Metals Ltd., Chavara, cochin
10. Captive Power Plant, Banarpal, Angul, Odisha of M/s NALCO Ltd.
11. M/s Konkan Railway Corporation Ltd., Mumbai
12. M/s ONGC, Assam Asset & Arakan Basin
13. M/s SAIL, Salem Steel Plant
14. Central Warehousing Corporation (CWC)

#### Statutory verification of Membership of Unions operating in Nationalized Banks

**3.16.** 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 Nationalised Banks for determining the majority status to identify Representative union and for the purpose of nominating a Workmen/Employee as Director, on the Board of Director of Banks vide its notification dated 19.11.2008. As per this notification the verification of membership of trade unions is to be conducted through check off system by the designated officers at the level of General Manager nominated by Chairman or Managing Director of Bank. An appeal lies against the report of the Designated Officer before the Appellate Authority.

**3.17** Appellate Authority for the above purpose is the Central Government or the Deputy Chief Labour Commissioner(C), Ministry of Labour & Employment, Government of India. No appeal has been received in the period (2018-2019).

#### THE R.T.I. ACT, 2005

**3.18** CLC(C) Organisation is dealing with all the RTI applications at a nodal point as well as at regional level. There are 36 nos. of CPIOs and 21 nos. of First Appellate Authorities designated to deal with RTI applications / appeals received online as well as off line. At nodal point, Nodal Officer has dealt with 808 RTI applications and 142 nos. of appeals. However, details of RTI applications dealt during previous years and current year is as below :-

Year	Online	Offline	Total
2016-17	314	576	890
2017-18	282	554	836
<b>2018-19</b>	<b>658</b>	<b>374</b>	<b>1032</b>

#### PUBLIC GRIEVANCE:-

**3.19** During the Year 2018-2019 a total number of 15650 (11336 online and 4314 offline) public grievances were received and a total number of 15155 (11050 online and 4105 offline) public grievances have been disposed of, which accounts for 96.83 % of disposal.

#### Statement showing : Online\Offline Grievances Statuses

Period	Grievance	BF	Received	Total	Disposed off	Pending
2017-18		678	11255	11933	11613	320
2018-19 (Apr-March, 2019)	online	320	11016	<b>11336</b>	<b>11050</b>	<b>286</b>
2017-18		163	3888	4051	3944	107
<b>2018-19</b> (Apr-March, 2019)	offline	107	4207	<b>4314</b>	<b>4105</b>	<b>209</b>

Besides, during the period from 01.04.2018 to 31.03.2019 the organisation has dealt 693 Grievances received on Social Media through FB and Twitter and all were disposed off.

### **MISCELLANEOUS FUNCTIONS:-**

**3.20** The CIRM performs the following miscellaneous functions also:

1. Conducting periodic meetings of Minimum Wages Advisory Board and notifying Variable Dearness Allowance every six months as per A.I.C.P.I. number.
2. Defending Ministry of Labour & Employment in various Writ Petitions filed against Ministry in different High Courts.
3. Investigations of Complaints as per direction of the Ministry of Labour & Employment.
4. Assisting Central Advisory Contract Labour Board as conveners of different sub-committees to examine prohibition of contract Labour in different employments.
5. Assisting Ministry in preparation of different reports required to be submitted to International Labour Organisation.
6. Supplying information to Ministry in replying Parliament Question on statutes enforced by CLC(C) organisation.
7. Advising Ministry of Labour & 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 advice of the Ministry.
9. Keeping Liaison with State Government Labour Departments for collection of information as per direction of Ministry.

10. Imparting training to the Officers of 'Central Labour Service'.

### **WELFARE & TRAINING:-**

#### **WELFARE**

**3.21** The ALWCs and DLWCs are posted in Defence and other establishments such as CPWD, Security Presses, Mints, Ordnance Factories, Telecom Factories, Hospitals, etc., which are under the control of Central Government. The LWCs are posted at the Head Quarters of these establishments. 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.

#### **TRAINING:-**

**3.22** In house training on regular basis to the officers of Central Labour Service (CLS) posted in three streams i.e. 1. Central Industrial Relation Machinery (CIRM)/Chief Labour Commissioner Organisation: 2. Director General Labour Welfare Organisation and 3. As Welfare Officers under The Factories Act in the Industrial Establishments under the control of Central Government. Under a plan scheme titled "Improvement and Strengthening of Training Wing Labour Officers". The objective of the scheme is to provide trainings to the CLC officers & LEO(C) with a view to enhance their skills & knowledge in various areas of their functioning for effective discharge of their duties. A committee was constituted with the approval of secretary, Ministry of Labour & Employment on "Training Need Analysis" and on the basis of its recommendations; trainings were provided to the officers at the selected specialized Institutes.

**MAJOR INDUSTRIAL RELATIONS EVENTS  
DURING 1<sup>st</sup> JANUARY, 2018 TO MARCH 2019  
IN WHICH CIRM PLAYED IMPORTANT ROLE:**

**3.23 AIR TRANSPORT**

**i. Indian Airports Kamgar Union**

General Secretary, Indian Airports Kamgar Union, New Delhi had served notice to the Chairman, Airports Authority of India proposing to go on strike from 1.8.2018 to press their demands i.e. payment of PPL to the workers for the year 2016-17, recruitment against the vacant entry level posts in AAI etc.

ALC(C)-I, New Delhi has intervened and seized the matter into conciliation and the strike was averted.

**ii. Aviation Karamchari Sanghatana**

The President, Aviation Karamchari Sanghatana had served the notice to the CMD, Pawan Hans Ltd., Noida proposing to go on "Mass Hunger Strike" on 29.10.2018 to express their grievances like to start negotiation on C.O.D., Payment of Allowances to members etc.

ALC(C)-I Mumbai, intervened in the matter and held conciliation proceedings on 23.10.2018 and after protracted and deliberate discussion the union called off the proposed Mass Hunger strike.

**3.24 BANKS**

**(i) United Forum of Bank Unions (UFBU)**

A strike notice dated 10.05.2018 was served by Convener, United Forum of Bank Unions (UFBU) proposing to go on strike on 30th & 31st May 2018 to press their demands i.e. expeditious and early wages revision settlement, adequate increase in salary, improvement in other service conditions and wage revision settlement to include all officers up to Scale VII

CLC (C)/Addl. CLC(C) seized the matter into conciliation on 28.05.2018 and appealed to the unions not to go on proposed strike. The representatives of IBA & Deptt. of Financial Services were advised to hold an urgent bilateral discussion to resolve the issue of wage increase and other matters related to service conditions. Accordingly, since no discussion could be held, hence, the UFBU decided to proceed on strike on 30th & 31st May 2018 and approximately 82% absenteeism was reported throughout the country.

**(ii) Pragathi Krishna Grameena Bank Naukarara Okkota**

General Secretary, Pragathi Krishna Grameena Bank Naukarara Okkota served a notice to the Chairman, Pragathi Krishna Grameena Bank, Bellary proposing to go on strike on 16.07.2018 and onwards to press their various demands.

Dy. CLC(C) Bangalore intervened and seized the matter into conciliation and the strike was averted

**(iii) Bengal Provincial Banks' Contract Employees' Association**

General Secretary, Bengal Provincial Banks' Contract Employees' Association, Kolkata to the MD & CEO, Karur Vaysya Bank Ltd. had proposed to go on strike in all ATMs in West Bengal on 30.07.2018 on the issues of termination of 73 Nos. of workers deployed in ATMs counters scattered in West Bengal.

However, the matter was seized into conciliation by ALC(C)-I, Kolkata and on his persuasion the union did not resort to proposed strike on 30.07.2018.

**(iv) All India IDBI Officers' Association**

General Secretary, All India IDBI Officers' Association had served a notice to the MD & CEO,

IDBI Bank, Mumbai proposing to go on two day nationwide strike on 9th & 10th August 2018 to press their various demands i.e. i. Govt. should keep its assurance to the parliament and implement clause 4 of the articles of Association of IDBI Bank by maintaining minimum 51% of equity in IDBI Bank, ii. Stop privatization of IDBI Bank and iii. Take stringent measures to recover bad loans.

ALC(C)-II, Mumbai intervened and seized the matter into conciliation on 2.8.2018 and after prolonged discussion, union agreed to defer the strike.

### 3.25 COAL/NON-COAL MINES

- (i) The all India NMDC worker Federation and its affiliated Unions of NMDC Ltd working submitted Charter of demands for revision of wages and allied matters. The CLC(C), New Delhi intervene and held conciliation proceeding on 6.2.2019 after prolonged discussion and persuasion a memorandum of Settlement was signed on 6.2.2019, benefitted around 3800 workmen to the tune of Rs. 61 Crore per annum.
- (ii) For Unions operating in the Hindustan Zinc Ltd. Submitted Charter of demand for wage revision the Dy.CLC(C), Ajmer intervene and held conciliation proceeding and memorandum of settlement was signed on 31.5.2018 which benefitted 8145 workmen. The benefits in terms of money will be appx. 20,000/- per worker/ per month amounting to 130 Crore per annum for a period of 5 years.
- (iii) Notice of strike dated 14.03.2018 had been served by the representatives of Coal Federation affiliated to BMS, AITUC, HMS & CITU to the Chairman, Coal India Ltd. proposing to go on strike on 16th April 2018 to oppose the commencement of Commercial Coal Mining .

After the intervention of Dy. CLC(C) Kolkata,

the matter was seized into conciliation and the strike call was withdrawn.

#### (iv) Janta Mazdoor Sangh

A strike notice dated 7.6.2018 was served by Janta Mazdoor Sangh to the General Manager, Bastacolla Area, Bharat Coking Coal Ltd. proposing to go on strike on 25th, 26th & 27th June 2018 to press their demands.

Dy. CLC(C) Dhanbad intervened in the matter and held joint discussion on 22.6.2018 after which the strike was deferred.

#### (v) Orissa Coalfields Workers Union

Working President, Orissa Coalfields Workers Union served a notice to the MD, Vikash Facilitators Pvt. Ltd. and CMD, Mahanadi Coal Field Ltd. proposing to go on strike from 1st September 2018 to press their 10 point charter of demands like MCL Management should regularize all the contractor workers, to implement the clause of All India Settlement held between the MCL and All India Coal Workers Federation, to introduce CMPF and ESI Scheme for contract workers etc.

RLC(C) Bhubaneswar intervened in the matter and held conciliation proceedings. The strike was averted.

### 3.26 Cement Industry

The five Federations operating in Cement Industries submitted Charter of demands for wage revision the Chief Labour Commissioner (C) intervene and held conciliation proceedings on 20.2.2019, an All India Wage Settlement was signed by Cement Manufacturers Association & Federation of Unions of 21 Cement Industries after protracted conciliation before Chief Labour Commissioner (Central). The Settlement would cover 60% appx. 20,000 workmen, who shall be benefitted by wage enhancement of 28% i.e appx. 5000/ PM for period of 4 years.

## **FOOD CORPORATION OF INDIA**

### **3.27 Food Corporation of India**

General Secretary, Bhartiya Khadya Nigam Karamchari Sangh proposed to go on two days country-wide token strike on 12th & 13th June 2018 in protest of delay in starting of Wage Negotiation for Cat. III & IV w.e.f. 1.1.2017.

Dy. CLC(C) New Delhi intervene in the matter after which the strike was deferred.

### **3.28 MISCELLANEOUS**

#### **Akhil Bhartiya Safai Mazdoor Congress**

National Secretary, Akhil Bhartiya Safai Mazdoor Congress had served a strike notice proposing to go on a strike on or after any day of 06.06.2018 to press their demands like illegal terminations, payment of weekly rests, payment of bonus skilled wages, additional recruitment of work supervisors etc.

ALC (C) Hyderabad intervened and seized the matter into conciliation. Consequently the strike was deferred.

### **3.29 OIL INDUSTRY**

The Gujarat Refinery Kamgar Sangh working in the Indian Oil Corp. Ltd, Gujarat Refinery vadodara submitted Charter of demands relating to revision of allowances and facilities the Unions. Due to conciliatory efforts of the RLC(C), Vadodara, memorandum of settlements was signed on 26.2.2019 which benefited 1396 workmen to the tune of Rs. 24 Lakhs per month and arrears of Rs. Approx.. 4.15 Cr. w.e.f 1<sup>st</sup> October, 2017.

#### **(i) OMPL All Employees Union (R)**

General Secretary, OMPL All Employees Union (R), had served notice to the Chief Executive Officer, M/s ONGC Mangalore Petrochemicals

Ltd. proposing to go on strike on 14.09.2018 to press for their demands i.e. Implementation of pay as per IDA Rules/ DPE guidelines w.e.f. 28.2.2015, Delay in 7th round of wage negotiation settlement etc.

Dy. CLC(C) Bangalore intervened in the matter and held conciliation proceedings and the union deferred the proposed strike.

#### **(ii) ONGC Karamchari Sangathan**

General Secretary, General Secretary, ONGC Karamchari Sangathan, Mumbai served notice to the CMD, ONGC, New Delhi proposing to go on an indefinite strike on 4.09.2018 to press for their demands like compensatory to the offshore going employees and granting of overtime to non-executives.

ALC(C) Mumbai intervened in the matter and conciliation proceedings were held on 31.8.2018 after which the strike was averted.

### **3.30 PORT & DOCK**

Notices of strike were served by various Port Federations/ Unions proposing to call on strike on 28th May 2018 and also after 30th May 2018 to press their demands i.e. wages negotiation, MPA Bill 2016 and recognition of trade union etc.

Adl. CLC(C) intervened and held conciliation meeting on 22.05.2018 with the representatives of the Management of IPA and Federations/ Unions. After discussion further meeting was fixed with the Secretary, Ministry of Shipping on 18.6.2018. The Federations unanimously decided to defer the proposed strikes.

#### **(i) Vishakhapatnam Dock Labour Board and Dock Worker's Union**

Notice dated 1.10.2018 was served by General Secretary, Vishakhapatnam Dock Labour Board and Dock Workers' Union to the management of

Vishakhapatnam Steamship Agents Association, Vishakhapatnam proposed to go on an indefinite strike from any day after 20.10.2018 to press their charter of demands.

Due to intervention by the RLC(C) Hyderabad the union deferred the proposed strike.

### 3.31 POST & TELEGRAPH

#### (i) All India Postal Employees Union-GDS

The General Secretary All India Postal Employees Union- GDS has served a notice proposing to go on an indefinite strike from 22.5.2018 to press their demands i.e. (i) immediate implementation of all positive recommendations of Kamlesh Chandra Committee for Gramin Dak Sevak and (ii) immediate completion of membership verification process in Gramin Dak Sevak Cadre.

RLC(C) New Delhi intervened and seized the matter into conciliation but the union went on strike.

#### (ii) Bhartiya Extra Departmental Employees Union

General Secretary, Bhartiya Extra Departmental Employees Union has served a strike notice to the Secretary, Departmental of Posts proposing to go on an indefinite strike from 14.5.2018 on the issue of implementation of Kamlesh Chandar GD Committee report.

ALC(C)-II New Delhi intervened in the matter and held conciliation proceedings on 11.5.2018. However the strike took place.

### 3.32 POWER

#### (i) NTPC Mazdoor Sangh

A joint notice was served by the General Secretaries, NTPC Mazdoor Sangh, Dadari, NTPC Employees Union, Badarpur & NTPC

Karamchari Sangh, Faridabad to the Director, NTPC Ltd. proposing to go on an indefinite strike from 4.9.2018 to press for their demands like implementation of wage revision etc.

Dy. CLC(C) Chandigarh informed that ALC(C) Karnal intervened in the matter and held conciliation proceedings and the union agreed to defer the strike.

#### (ii) BHEL Canteen Workers Union

General Secretary, BHEL Canteen Workers Union had served a notice to the General Manager, BHEL proposing to go on strike on 24.10.2018 to press their demands.

The ALC(C)-I, Chennai intervened and seized the matter into conciliation and the union averted the proposed strike.

### 3.33 RAILWAY

#### (1) BMRCCL Employees Union(R)

General Secretary, Bangalore Metro Rail Corporation Ltd. (BMRCCL) Employees Union served a notice dated 7.3.2018 to the MD, BMRCCL, Bangalore proposing to go on an indefinite strike on and from 22.3.2018 to press their demands.

Dy. CLC(C) Bangalore intervened in the matter and held conciliation proceedings on 16.3.2018 & 19.03.2018. On his persuasion, the union deferred the indefinite strike by one month after the BMRCCL management submitted before the Hon'ble High Court of Karnataka that they are ready to hold bilateral talks with the union to deliberate on their demands.

#### ii. KRC Employees Union

President, KRC Employees Union, Mumbai had served notice to the Chairman and MD, Konkan Railway Corporation Ltd., Mumbai proposing to

go on an indefinite strike from 16.8.2018 to press their demands i.e. cancel illegal administrative transfers of TSM/s of Karwar region, non-implementation of the decision of post-retirement medical facilities to KRCL employees and their families etc.

ALC(C)-II, Mumbai intervened in the matter and held conciliation proceedings on 10.8.2018 and the union agreed to defer the proposed strike.

### **3.34 VISION STATEMENT OF CLC's (C) ORGANISATION**

#### **Vision 2030:**

- I. Maintaining harmonious industrial relations by timely and meaningful conciliation of industrial disputes and settlement of grievances.
- II. Securing full compliance of Labour Laws by continuous tracking of default and violations and timely corrective action.

	<b>Seven Year Strategy</b>		<b>Three Year Action Plan</b>
1.	Disposal of Industrial Disputes in conciliation in <b>30 days</b> by i. Continuous engagement with employers & Trade unions .ii. Strengthening grievance handling machinery at establishment level.	1.	Disposal of Industrial Disputes in conciliation in <b>40 days</b> by i. Continuous engagement with employers & Trade unions .ii. Strengthening grievance handling machinery at establishment level.
2.	Securing full compliance in r/o 10 Labour Laws by i. Real time tracking of default and violations through IT-enabled systems .ii. Taking corrective action within <b>2-3 days</b> .	2.	Securing full compliance in r/o 10 Labour Laws by i. Continuous tracking of default and violations through field level intelligence and IT-enabled systems .ii. Taking corrective action within <b>7 days</b> .
3.	Disposal of claim applications under MW Act, PW Act, and ER Act within <b>2 months</b> by i. On-line filling of claims .ii. Disposal on the basis of on-line records.	3.	Disposal of claim applications under MW Act, PW Act, and ER Act within <b>3 months</b> by i.  On-line filling of claims .ii. Disposal on the basis of available records.
4.	Passing of order under Payment of Gratuity Act within <b>2 months</b> by i. On-line filling of claims .ii. Disposal on the basis of on-line records.	4.	Passing of order under Payment of Gratuity Act within <b>3 months</b> by i. On-line filling of claims .ii. Disposal on the basis of available records.
5.	Disposal of appeals under Payment of Gratuity Act within <b>20 days</b> .	5.	Disposal of appeals under Payment of Gratuity Act within <b>30 days</b> .
6.	Issue of Registration/License under CL(R&A) Act, BOCW Act and ISMW Act within <b>3 days</b> .	6.	Issue of Registration/License under CL(R&A) Act, BOCW Act and ISMW Act within <b>5 days</b> .
7.	Disposal of appeals under CL(R&A) Act, BOCW Act and ISMW Act within <b>15 days</b> .	7.	Disposal of appeals under CL(R&A) Act, BOCW Act and ISMW Act within <b>30 days</b> .

## Technology Initiative for Seamless handling of Industrial Disputes:

**SAMADHAN Portal for Industrial Dispute under Section 2-A and 2(k) of Industrial Disputes Act, 1947.** (<https://samadhan.labour.gov.in/>)

**3.35** The prime responsibility of Ministry of Labour and Employment has always been to protect, preserve and uplift the interest of the workers. Industrial workers are the most marginalized group in any economy and need assistance of government for handling the complexities of law. Out of the plethora of Labour Laws handled and implemented/enforced by Ministry through its various offices, Industrial Disputes Act is considered to be most important one as its primary objective is to make provisions for the investigation and settlement of industrial disputes which are defined under section 2-A and 2(k) of the Industrial Disputes Act, 1947.

**3.36** The Act provides for dealing of the disputes by way of mediation by the Conciliation Officer of the Appropriate Government. The Conciliation Officer endeavors to make a settlement and in case of failure he sends a report on failure of conciliation (FOC report) with their observations substantiating reference and non-reference.

**3.37** The Ministry, as an appropriate government, administratively examines an industrial dispute to see whether a dispute exists or not and either makes a reference to the CGIT or declines such reference stating the reason for non-reference.

**3.38** However, these disputes fall under procedural trap, ignorance and red-tapism which take years to get solved. In the process workers suffer waiting for the disposal of the cases and sometimes die before seeing the outcome of their effort to get justice. Lack of knowledge with

workers, unorganized way of handling, accessibility to information, cost of hiring advocates, accountability of the role players and considerable delay in settling the disputes. In the present scenario of digitalization, the Ministry has taken the initiative to develop **e-dispute portal** i.e. **SAMADHAN (Software Application for Monitoring and Disposal, Handling of Apprehended/ Existing Industrial Disputes)** for filing disputes by a workman in a very simple and lucid way which would make the filing of dispute easy. The system is so devised that it would integrate all the role players in the dispute under one roof i.e. online portal which not only is a worker friendly but also makes monitoring of the status of disputes transparent, besides retrieval of information quickly.



**3.39** SAMADHAN portal was launched on 6.02.2019 and is currently operative on pilot basis in these 5 regions: Delhi, Rajasthan, Odisha, Karnataka and Chhattisgarh.

### **3.40 Purpose of SAMADHAN portal:**

1. This online portal is devised to make it workers friendly, easy to understand for filing dispute, transparency in a way that status will be visible to all stake holders at all times.
2. It would introduce the workers to an easy way of filing their dispute with the appropriate Conciliation Officer, uploading of documents thereby reducing the time taken in filing and

compiling documents for the industrial disputes.

3. The provision of the concept of draft before submission would enable the worker to file/upload document as per his convenience before final submission.
4. Processing of the dispute is made easy.
5. Consolidated documents can now directly go to CGIT in case of reference to CGIT, thus saving considerable time of communication.

**3.41 Objective- The Advantage of the SAMADHAN portal is to**

1. Encourage transparency which ensures justice and trust by workers on the governance of the Government.
2. Ensures Quick disposal of disputes.
3. Ensures monitoring of progress of disputes.
4. Process made simple and lucid for the workers to understand.
5. Aggrieved worker can handle his own case independently by himself without taking assistance of any middle man or trade union.
6. Cases falling under Section 2-A can directly be referred to CGIT after lapse of 45 days before Conciliation officer which would reduce the time taken in manual application for redressal.
7. System would enable automatic distribution of disputes to the concerned Conciliation Officers.
8. This would be an indicator of successful conciliation and make assessment easy.
9. Being an integrated portal, the workers, Conciliation Officers, CGIT and Government will have access to the documents for analysis.
10. Will facilitate officers handling the dispute and make dispute redressal faster by doing away with red-tapism.
11. Increase awareness of workers about their rights.
12. Bunch of document uploaded can be utilized from time to time by the concerned officers and doing away with missing and repeated submission of document.
13. The portal used by workers, Conciliation Officers/Appropriate Government and CGIT will complement the functioning of each other which would reduce the gap in communication.
14. It would give bird's eye view of the status of cases files, disposed of, pending, implemented, including statistics and thus will strengthen the monitoring system.

**Monitoring of Industrial Relations**

**3.42** Based on the information received from Labour Bureau on the number and spatial dispersion of strikes/lockouts, number of workers involved and mandays lost, number of units reporting retrenchment and the extent of layoffs, the Ministry monitors the industrial harmony prevalent in the country.

**3.43** The total number of strikes and lockouts and mandays lost during the period 2013-2019(P) are as follows:

No. of Strikes and Lockouts and Mandays lost during 2013-2019 (P)

Year	strikes	lockouts	total	Man-days lost
2013	103	155	258	12645371
2014	119	168	287	11095370
2015(P)	112	29	141	4014559
2016(P)	104	26	130	4619868
2017(P)	100	24	124	4396815
2018(P)	78	13	91	1740150
2019(P)	36	6	42	640976

**Source: Labour Bureau, Shimla**  
**(P): Provisional**

**3.44** The spatial/industry wise dispersion of the number of strikes and lockouts and the workers consequently affected is not uniform. Mandays lost is a direct measure of the impact of industrial unrest on industrial production.

**3.45** Most of the industrial unrest, as indicated by strikes and lockouts, are primarily caused by issues relating to indiscipline & violence, wages & allowances and personnel matters. During 2017, wages & allowance has been the major causal factor for industrial unrest.

### Closure

**3.46** The number of units effecting closure in both Central and State sphere during the last five years are as follows:

**3.47** Closures and workers affected (both in Central and State spheres) during 2013-2019 (P)

Year	Closures	Workers affected
2013	95	4476
2014	34	4726
2015(P)	21	1496
2016(P)	26	2079

2017(P)	22	2740
2018(P)	5	344
2019(P) (Jan. & Feb.)	**	**

**Source: Labour Bureau, Shimla**  
**(P): Provisional**

**\*\*:** Not available

**3.48** Financial Stringency, shortage of raw material, question of pollution and others are the main reasons for closures during the period.

### Lay-Off

**3.49** Lay-off can be defined as the failure, refusal or inability of an employer to give employment to a workman whose name is borne on the muster rolls of his industrial establishment and who has not been retrenched. Supply side bottlenecks such as shortage of power, shortage of raw materials, financial stringency and others as well as seasonal fall in demand for products may result in lay-offs.

**3.50** The number of units effecting lay-off and the number of workers affected due to such lay-off during 2013-2019(P) were as follows:

**3.51** Layoffs and workers affected during 2013 - 2019(P) (both in Central and State spheres)

Year	Lay-offs	Workers affected
2013	59	7226
2014	21	2515
2015(P)	51	3654
2016(P)	29	4200
2017(P)	38	6449
2018(P)	20	3556
2019(P) (Jan&Feb)	12	2646

**Source: Labour Bureau, Shimla**  
**(P): Provisional figures**

### Retrenchment

**3.52** 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 the Ministry of Labour & Employment, applications are received for such closures / retrenchments / lay-offs from establishment 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 to grant / not grant permission for closure, retrenchment or lay-off is taken. Whenever permission is granted, it is ensured that workers' interests are protected as far as possible.

**3.53** The number of units effecting retrenchment and workers retrenched therein during the period 2013-2019(P) are as follows:

Table : Retrenchment and workers affected (both in Central and State spheres)

Year	Retrenchment	Workers affected
2013	22	1297
2014	14	1798
2015(P)	12	533
2016(P)	5	3654
2017(P)	3	86
2018(P)	5	70

**Source: Labour Bureau, Shimla**  
**(P): Provisional figures**

### Industrial Tripartite Committees

**3.54** Industrial Tripartite Committees (ITCs) have been constituted with the view to promote the spirit of tripartism. These tripartite bodies provide a forum where the social partners can appreciate each other's industry specific problems through dialogue and help in evolving consensual policy options. These Committees are non-statutory Committees and their meetings are convened as and when required. Government's proactive role in these Committees has successfully harmonized the interest of the employers and workers resulting in a change of attitude from confrontation to that of co-operation.

### The Trade Unions Act, 1926.

**3.55** The Trade Unions Act, 1926 is a Central Act, but administered by the State Governments. This Act provides for registration of Trade Unions of workers and in certain respects, it defines the law relating to registered Trade Unions.

**3.56** The Trade Unions Act, 1926 was last amended vide the Trade Unions (Amendment) Act, 2001 and enforced w.e.f. 9.1.2002. The Objective of these amendments is to ensure orderly growth of Trade Unions and reduce multiplicity of Trade Unions and promote internal democracy.

**3.57** The proposal to amend the Trade Unions Act, 1926 to make provisions for Recognition of Trade Unions is under consideration in the Ministry.

### **The Industrial Disputes Act, 1947.**

**3.58** 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 employees, 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.

**3.59** Keeping in view the changing social, economic and industrial relations scenario in the country, the Government amended the Industrial Disputes Act, 1947 enforced w.e.f. 15.9.2010 enhancing the wage ceiling of supervisors, providing direct access for the workman to the Labour Court or Tribunal and establishing of Grievance Redressal Machinery.

**3.60** Government has amended the First Schedule to the Industrial Disputes Act, 1947 by inserting item 32 as "Services in Bank Note Paper Mill India Private Ltd., Mysore, Karnataka" vide notification No.S.O.251(E) dated 25.1.2017 and by inserting the words "or distribution" in item 29 as "Processing or production or distribution of fuel gases (coal gas, natural gas and the like)" vide notification No.1955(E) dated 20.6.2017.

### **The Plantations Labour Act, 1951**

**3.61** The Plantations Labour Act, 1951 is a Central Act but administered by the State Governments. The Act provides for the welfare of plantation labour and it regulates the conditions of work in plantations. This Legislation is applied to all tea, coffee, rubber, cinchona and cardamom plantations which measures 5 hectares or more in which 15 or more persons are working. The State Governments are also vested with powers to extend all or any of the provisions of the Act to any plantation notwithstanding it measures less than 5 hectares or the number of persons employed therein is less than 15. The Act covers Offices, hospitals, dispensaries, schools and

crèches within the plantation premises. The Act contains important provisions related to health, welfare, hours of work, rest intervals, prohibition on employment of Children etc.

**3.62** Keeping in view the changing social, economic and industrial relations scenario in the country, the Government amended the Plantations Labour Act, 1951 which was enforced w.e.f. 7.6.2010. The objectives of these amendments are to make the Act more welfare oriented for the workers in the plantations sector.

**3.63** Proposals to further amend the Plantations Labour Act, 1951 are under consideration of Ministry of Labour & Employment.

### **The Industrial Employment (Standing Orders) Act, 1946**

**3.64** The Industrial Employment (Standing Orders) Act 1946 is an Act enacted to require employers in the industrial establishments formally to define with sufficient precision the conditions of employment under them and to make the said conditions of employment known to workmen employed by them for which they have to get the Standing Orders certified which should be in conformity with the Model Standing Order. This Act applies to every industrial establishment wherein one hundred or more workmen are employed, or were employed on any day of the preceding twelve months viz. (i) industrial establishments as defined in Section 2(ii) of the Payment of Wages Act, 1936; (ii) Section 2(m) of the Factories Act, 1948; (iii) Railways; (iv) establishment of a person who, for the purpose of fulfilling a contract with the owner of any industrial establishment, employs workmen. Appropriate Government is competent to extend the Act to other Classes of industrial establishments or to grant exemption where necessary.

**3.65** Ministry of Labour and Employment has incorporated the category of 'Fixed Term Employment Workman' under the Industrial Employment (Standing Orders) Act, 1946 and Rules made thereunder for all sectors Vide Notiûcation No.G.S.R.235(E) dated 16.3.2018.

**The Sales Promotion Employees (Conditions of Service) Act, 1976.**

**3.66** The Sales Promotion Employees (Conditions of Service) Act, 1976 is a Central Act Which came into force w.e.f. 6.3.1976. The main purpose of the Act is to regulate certain conditions of service of sales promotion employees in certain establishments. Initially this Act was applicable only to the sales promotion employees engaged in pharmaceutical industry. Thereafter the schedule of the Act has been amended and the Act was made applicable to additional 10 Industries Vide Notiûcation No.S.O.217(E) dated 31.1.2011 which are as under:

- (i) Cosmetics, soaps, household cleaners and disinfectants,
- (ii) Readymade garments
- (iii) Soft drink manufacturing industries
- (iv) Biscuits and confectioneries
- (V) Ayurvedic, Unani and Homeopathic Medicines

- (vi) Automobiles including accessories and spare parts
- (vii) Surgical equipments, artificial prosthesis and diagnostics
- (viii) Electronics, computers including accessories and spares
- (ix) Electrical appliances
- (x) Paints and varnishes

**3.67** The Act stipulates that provision of Workmen's Compensation Act, 1923, the Industrial Disputes Act, 1947, the Minimum Wages Act, 1948, the Maternity Benefit Act, 1961, the Payment of Bonus Act, 1965, the Payment of Gratuity Act, 1972 may apply to the sales promotion employees.

**3.68** Central Government is empowered to make rules under the Act.

**3.69** A meeting of the Industrial Tripartite Committee for Sales Promotion Employees was held on 8.8.2017 under the chairmanship of Hon'ble Minister of State for Labour & Employment (IC) wherein it was decided to frame statutory working rules for sales promotion employees. The statutory working rules for sales promotion employees are under consideration of this Ministry.

## CHAPTER-4

### PRODUCTIVITY

#### **Prime Minister's Shram Award Scheme**

**4.1** To give recognition to outstanding contributions 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 & Employment administers a scheme entitled 'Prime Minister's Shram Awards' to workmen (as defined in the Industrial Dispute Act, 1947) employed in Departmental / 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. Only those workmen 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. Shram Awards were set up by the Government of India in 1985 to recognize the outstanding contributions of workers in different fields.

**4.2** The cash prize and number of awards given for each category are indicated in **Table 4.1**.

**4.3** Besides the cash prize, the awardees also receive a "SANAD" from the Prime Minister. The awardees are also eligible for 75% concession in second class rail fare.

**4.4** The Prime Minister's Shram Awards for the Year 2016, 32 in number, have been awarded to 50 workers/Group of workers employed in the Departmental Undertakings & Public Sector Undertakings of the Central and State Government and Private Sector Units employing 500 or more. There was no awardee in the category of Shram Ratna during 2016.

Table 4.1

#### **PRIME MINISTER SHRAM AWARDS**

##### **The Cash Prize and Number of Awards under different categories**

S. No	Name of Award	Number of Awards	Cash Prize
1.	Shram Ratna	1	Rs. 2,00,000
2.	Shram Bhushan	4	Rs. 1,00,000 each
3.	Shram Vir/Shram Veerangana	12	Rs. 60,000 each
4.	Shram Devi/ Shram Shree	16	Rs. 40,000 each

## CHAPTER-5

### WAGES

#### Introduction

**5.1** In a labour surplus country like India, it is difficult to have an uniform and comprehensive wage policy for all sectors of the economy. Wages in the organized sector is generally determined through negotiations and settlements between the employer and the employees. In the unorganized sector, however, 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 the workers the minimum wages so fixed from time to time.

#### **Minimum Wages Act, 1948**

**5.2** Under the Minimum Wages Act, 1948 both Central and State Governments are “Appropriate Governments” for fixation/revision of minimum rates of wages for employments covered by the Schedule to the Act as it may think fit, such interval not exceeding five years. There are 45 scheduled employments in the Central sphere while in the State sphere the number (cumulative) of such employments is as many as 1709. The government has notified increase in the basic rate of minimum wages for all sectors in the central sphere w.e.f. 19.01.2017. For the first time minimum wages for all sectors; agricultural, non-Agricultural, construction etc. have been increased by approx 42%.

**5.3** On the recommendation of Central Advisory Board (CAB) on minimum wages, an Expert Committee on “Determining the Methodology for

fixing the National Minimum Wage” under the Chairmanship of Dr. Anoop Satpathy, Fellow, V. V. Giri National Labour Institute, with members, Mr. Xavier Estupinan, Wages Specialist, ILO DWT for South Asia and Country Office for India; Dr. Anup K Karan, Additional Professor, Public Health Foundation of India (PHFI); Ms. Anuja Bapat, ISS, Director(MoLE); Mr. Mushtaque Ahmad Khan, ISS, Deputy Director(MoLE); Mr. Bikash Kumar Malick, IES, Assistant Director(MoLE); and Ms. Rachana Bolimera, IES, Assistant Director(MoLE) was setup on 12.01.2018. The Committee submitted its report on 14th February, 2019 to the Secretary, Ministry of Labour & Employment.



**5.4** 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 1<sup>st</sup> April and 1<sup>st</sup> October. The Central Government and twenty-seven States/UTs have adopted VDA as a component of minimum wage. Both the Central and the State Governments are revising the minimum wages in respect of scheduled employments from time to time. Latest revised rates of minimum wages including VDA applicable in Central Sphere w. e. f. 01.10.2018 is at **Table 5.1**.

## National Floor Level Minimum Wage

**5.5** In order to have a uniform wage structure and to reduce the disparity in minimum wages across the country, the concept of National Floor Level Minimum Wage as 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 from Rs. 160/- to Rs.176/- per day with effect from 01.06.2017.

## Central Advisory Board (CAB)

**5.6** The Central Government has re-constituted the Central Advisory Board (CAB) vide Notification No. S.O. 898 (E) dated 27<sup>th</sup> February, 2019 under Section 8 of the Minimum Wages Act, 1948. The present Chairman of this board is Shri Pankaj Chowdhary.

## Minimum Wages Advisory Board (MWAB)

**5.7** The Central Government has re-constituted the Minimum Wages Advisory Board (MWAB) vide Notification No. S.O. 527 (E) dated 29<sup>th</sup> January, 2019 under Section 7 of the Minimum Wages Act, 1948. The Chairman of this Board is Hon'ble Minister of Labour & Employment.

## Status of Amendments to the Minimum Wages Act, 1948

**5.8** Department of Legal Affairs has advised that since the omission of Section 2(g) of the Minimum Wages Act, 1948 i.e. definition of “ scheduled employment” is evolved in the Minimum Wages Act, 1948 as well as in the Payment of Bonus (Amendment) Act, 2015 and the latter has been challenged in various High Courts. Department of Legal Affairs has opined to wait till vacation of stay and disposal of the Writ Petitions. Accordingly as per the advice of Ministry of Law & Justice, the proposal for amendment of the

Minimum Wages Act, 1948 is not being pursued presently.

**5.9** However, the bill on “Code on Wages” was introduced in the Parliament. The revised wages will be determined as per the bill on “Code on Wages” after the approval of Parliament.

## Enforcement of the Minimum Wages Act, 1948

**5.10** The 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 implementation of Minimum Wage enactments. The enforcement of the Minimum Wages Act, 1948 is ensured at two levels. Minimum Wages under Central sphere are enforced through Central Industrial Relations Machinery (CIRM). The position in respect of cases of enforcement by CIRM for the Year 2018-19 is provided in **Table 5.2**. In the State Sphere, the State Enforcement Machinery ensures enforcement of the Minimum Wages Act. The position of enforcement of this Act in different States/UTs during 2016-17 is shown in **Table 5.3**.

## The Payment of Wages Act, 1936

**5.11** 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 in current coin or currency notes or by cheque or crediting in the bank account of the workers.

**5.12** The Payment of Wages (Amendment) Act, 2017:- Section 6 of the Payment of Wages Act, 1936 has been amended on 16.02.2017 to enable making payment of wages in current coin or currency notes or by cheque or by crediting in the bank account of the workers. The amendment made also enables that the appropriate Government may, by notification in the Official Gazette, specify the industrial or other

establishment, the employer of which shall pay to every person employed in such industrial or other establishment, the wages only by cheque or by crediting the wages in the bank account.

**5.13** Provision for making of payment only by cheque or by crediting in the bank account of an employee, in respect of industrial or other establishments namely Railways, Air transport services, Mines and Oil fields in the Central Sphere has been notified on 26.04.2017.

**5.14** The wage ceiling for applicability of the Payment of Wages Act, 1936, was fixed at Rs. 1600/- p.m. in 1982. This wage ceiling has been periodically revised on the basis of the Consumer Expenditure Survey brought out by the National Sample Survey Office, after every five years. The Central Government has enhanced the wage ceiling from Rs.18,000/- to Rs. 24, 000/- per month w.e.f.29.08.2017 for applicability of the Act.

#### **The Payment of Wages (Nomination) Rules, 2009**

**5.15** In pursuance of the recommendation of the Special Task Force set up by the Ministry of Women and Child Development for providing complete equality to women vis-a-vis men in terms of payment of wages, the Central Government, in exercise of powers conferred in sub-section (3) of section 26 of the Payment of Wages Act, 1936, has notified the Payment of Wages (Nomination) Rules, 2009, vide notification GSR No 822 (E) dated 29<sup>th</sup> June, 2009 defining the procedure for nomination and restricting the nomination by workers to his /her family members as far as applicable.

#### **Wage Board**

**5.16** In the 1950s and 60s, when the organized labour sector was at a nascent stage of its development, Government in appreciation of the problems of wage fixation in some sectors, constituted need based Wage Boards from time

to time in line with the accepted policy of the Ministry of Labour. The Wage Boards are tripartite in character in which representatives of workers, employers and independent members participate and finalize the recommendations. At present, there is provision for only two Wage Boards, one for the Working Journalists and the other for the Non-Journalist newspaper employees which are in operation as statutory Wage Boards. All other Wage Boards have ceased to exist.

**5.17** In 2002, the second National Commission on Labour (NCL) in its report had recommended that at present 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 recommendation of NCL regarding setting up of the statutory Wage Boards i.e. Wage Boards for Working Journalists and Non-Journalist Newspaper Employees under the Working Journalists & other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955.

#### **Wage Boards for Newspaper Employees.**

**5.18** 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 13C 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-journalist newspaper/new s 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 non-journalist 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.

**5.19** The Act does not lay down the periodicity for constituting the Wage Boards. In the past, the Wage Boards for these employees were set up in the years 1956, 1963, 1975, 1985, 1994 and 2007.

**5.20** The Government constituted two Wage Boards – one for Working Journalists and other for Non-Journalist Newspaper Employees under Section 9 and 13 C respectively under the Working Journalists and other Newspaper Employees (Conditions of Service) & Miscellaneous Provisions Act, 1955 vide notifications in the Gazette of India (Extra Ordinary) S.O. Nos. 809 (E) and 810(E) dated 24.5.2007. The Wage Boards were given three years time to submit their reports to the Union Government. The Wage Boards functioned from their Headquarters at New Delhi.

**5.21** The Government, in consultation with the Wage Boards for Working Journalists and non-journalists newspaper employees, notified the grant of interim rates of wages to journalists and other newspaper employees and news agency employees at the rate of 30% of the basic wage with effect from 08.01.2008 vide Notification numbers S. O. No.2524 (E) and S. O. No. 2525 (E) dated 24.10.2008.

**5.22** 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-Journalist Newspaper Employees in place of

Justice K. Narayana Kurup who resigned w.e.f. 31.07.2008. Justice Majithia assumed charge on 04.03.2009.

**5.23** The Central Government, in exercise of powers conferred by Section 9 and 13C of the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955), extended the tenure of the Wage Boards for Working Journalists and Non-Journalist Newspaper Employees under the Chairmanship of Justice Majithia, up to 31.12.2010 so as to finalize the recommendations of the Wage Boards on or before 31.12.2010, vide notification numbers S. O. 1304 (E) and S. O. 1305 (E) dated 02.06.2010.

**5.24** The Wage Boards submitted their final Report to the Government on 31.12.2010. The Cabinet in its meeting held on 25.10.2011 approved the proposal to accept the recommendations of the Wage Boards for Working Journalists and Non-Journalists Newspaper Employees of Newspaper Establishments and News Agencies, as contained in this Ministry's Cabinet Note dated 07.10.2011.

**5.25** The recommendations of the Majithia Wage Boards has been accepted by the Government and notified in the Official Gazette vide S. O. No. 2532 (E) dated 11.11.2011. As the implementation part vests with the State Government/UTs., copies of notification have been forwarded to all the State Government/UTs with the request for its implementation.

**5.26** Meanwhile, a Writ Petition No. 246 of 2011 in the matter of ABP Private Limited Vs. UOI & Others along with 11 other Writ Petitions by other Newspaper employers were filed before the Hon'ble Supreme Court of India challenging the constitution and recommendations of the Majithia Wage Boards. The Hon'ble Supreme Court vide its Judgement dated 07.02.2014 in the said Writ

Petition No. 246 of 2011 has directed that all the Writ Petitions have been dismissed and the wages as revised / determined shall be payable from 11.11.2011 when the Government of India notified the recommendations of the Majithia Wage Boards. All the arrears upto March, 2014 shall be paid to all the eligible persons in four equal installments within a period of one year from 07.02.2014 and the revised wages from April, 2014 onwards.

**5.27** As the above order of the Hon'ble Supreme court was not complied with, the Hon'ble Supreme Court in Contempt Petition (C) No. 411/2014 in W. P. (C) No. 246 of 2011, vide its order dated 28<sup>th</sup> April, 2015 has issued directions that all the State Governments acting through their respective Chief Secretaries shall, within four weeks from 28/4/2015, appoint Inspectors under Section 17B of the Working Journalists Act, 1955 to determine as to whether the dues and entitlements of all categories of Newspaper Employees including journalists under the Majithia Wage Board Award has been implemented in accordance with the terms thereof. The Inspectors appointed by the State Government will exercise their powers as provided under the Act and shall submit their report to the Court through the Labour Commissioners of each State indicating the precise finding on the issue. This will be done within a period of three months from the date of appointment under Section 17B of the Act. This was communicated to the State Governments and Union Territory Administrations for compliance on 8<sup>th</sup> July, 2015. The Hon'ble Supreme Court has delivered its final judgement on 19<sup>th</sup> June, 2017 which can be accessed at [http://www.sci.gov.in/supremecourt/2014/23540/23540\\_2014\\_Judgement\\_19-Jun-2017.pdf](http://www.sci.gov.in/supremecourt/2014/23540/23540_2014_Judgement_19-Jun-2017.pdf).

**5.28** In order to monitor the implementation of the notification, a Central Level Monitoring Committee (CLMC) has been set up under the Chairmanship of Principal Labour & Employment

Advisor. The composition of the CLMC was modified vide this Ministry's order No.V-24011/1/2018-WB dated 15.5.2018.

### **Composition**

- i. Additional Secretary, Ministry of Labour & Employment - **Chairman**
- ii. Joint Secretary, Ministry of Labour & Employment - **Member**
- iii. Joint Secretary, Ministry of Information & Broadcasting - **Member**
- iv. Chief Labour Commissioner (Central) - **Member**
- v. Director, Ministry of Labour & Employment - **Member Secretary**

**5.29** The first meeting of the Committee was held at Hyderabad on 24.09.2012 covering the 7 Southern States/ UTs. So far 9 meetings of the Central Level Monitoring Committee (CLMC) have been held in different regions of India. The last meeting of the Committee was held at New Delhi on 09.07.2018 covering all States/UTs to review the implementation of the Wage Board Awards in the country. The implementation status is obtained from the States/ UTs through Quarterly Progress Reports. Out of 36 (States+ UTs), 27 (States+ UTs) have constituted Tripartite Committee in order to monitor the state level implementation status. In the last CLMC meeting the representatives of States/ UTs were directed to gear up the monitoring mechanism at the State Level and to conduct regular inspections. The implementation status of Majithia Wage Board recommendations in the States/ UTs as on date are: 24.4% - Fully Implemented, 5.2% - Partially Implemented. Tamil Nadu (98.7%), Rajasthan (87.5%), Andhra Pradesh (82.4%), Kerala (64.7%) and Chhattisgarh (62.2%) are the leading states in implementing the Majithia Wage Board recommendations.

## THE PAYMENT OF BONUS ACT, 1965

**5.30** 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.

**5.31** 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 sections 31 A of the Act.

**5.32** Two ceilings are available under the Payment of Bonus Act, 1965. The limit specified under Section 2 (13) which defines an eligible employee under the Act, is generally known as the eligibility limit. Similarly, the limit prescribed for calculation of bonus under 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 revisions of the two ceilings over the years are as under.

**Table: Revised ceiling as per Bonus Act**

Sl. No.	Year of Amendment	Eligibility limit (Rupees per month)	Calculating Ceiling (Rupees per month)
1.	1965	1,600	750
2.	1985	2,500	1,600
3.	1995	3,500	2,500
4.	2007	10,000	3,500
5.	2016 (w.e.f. 01.04.2014)	21,000	7,000 per mensem or the minimum wage for the scheduled employment, as fixed by the appropriate Government, whichever is higher.

**5.33** As per the Payment of Bonus (Amendment) Act, 2015, which was notified in the Gazette of India on 1.1.2016 and brought into operation with effect from 1.4.2014, various establishments throughout the country have filed the writ petitions challenging the constitutional validity of the said amendment. Ministry has taken a view that all the cases be transferred to Hon'ble Supreme Court under Article 139A of the Constitution. So far, Ministry has received 149 Writ Petitions filed in various High Courts in the country and Ministry have filed all the transfer petitions in the Hon'ble Supreme Court.

## CHAPTER-6

# SOCIAL SECURITY

**6.1** The social security schemes in India cover only a small segment of the organized workforce, which may be defined as workers who are having a direct regular employer–employee relationship within an organization. The social security legislations in India derive 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 for the organised sector in India are:

- **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 Employee'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 Employee'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 along with ESIC 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.

### THE EMPLOYEES' STATE INSURANCE ACT, 1948

#### 6.4 Coverage

The Employees' State Insurance Act, 1948 applies to factories employing 10 or more persons. The provisions of the Act are being brought into force area-wise in stages. The Act contains an enabling provision under which the "Appropriate Government" is empowered to extend the provisions of the Act to other classes of establishments, industrial, commercial agricultural or otherwise. Under these provisions,

the State Governments have extended the provisions of the Acts to shops, hotels, restaurants, cinemas including preview theatres, road motor transport undertakings, newspaper establishments, education and medical institutions employing 10 or more employees. Employees of factories and establishments covered under the Act drawing monthly wages up-to Rs. 21000/- per month and Rs. 25,000/- per month for persons with disabilities are covered under the scheme. The ESI Scheme is now operated in 36 States/Union Territories. As on 31.3.2018, 3.43 crore insured persons and 13.32 crore beneficiaries are covered under the scheme. The number of factories and establishments covered by the end of the year 2018 had gone up to about 10.34 lakhs.

### Administration

**6.5** 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, Ministry of Labour & Employment. There are **26** Regional Boards and **236** Local Committees. The Director General is the Chief Executive Officer of the Corporation and is also an ex-officio member of the Corporation as well as its Standing Committee. The Hqrs. of the ESI Corporation is located at New Delhi. The Corporation has **69** field offices – **24** Regional Offices, **40** Sub-Regional Offices, **2** Camp Offices and 3 Liaison Offices throughout the Country. Besides, there are **630** Branch Offices **185** Pay Offices for administration of cash benefits to Insured Persons. For inspection and coverage of new factories/establishments, **341** Inspection offices also set up across the Country.



*Hon'ble Prime Minister inaugurating ESIC Medical College and 510 Bedded Hospital at Faridabad (Haryana)*

### Funding and operating of the ESI Scheme

**6.6** The ESI Scheme is mainly financed by contributions from the employers and employees. The rates of the employer's and the employee's share of contribution are 4.75% and 1.75% respectively. For newly implemented areas w.e.f. 6.10.2016, the rate of contribution is 4% (1% being employee's share & 3% Employer's share) for the first 24 months. The Corporation has prescribed a ceiling on reimbursement of Medical care Expenditure of State Govt. At present the prescribed ceiling is Rs. 3000/- per Insured Persons Family Unit per annum. The expenditure on medical benefit is shared between ESI Corporation and State Government in the ratio of 7:1 with the ceiling. Subject to certain conditions, creation of State Autonomous Body by the states under section 58 (5) of ESI Act has been initiated where additional incentive of bearing 100% expenditure up to the ceiling is proposed. All capital expenditure on construction of ESI Hospital and other building including their maintenance is borne exclusively by the Corporation.

### Investment

**6.7** All contributions received under the ESI Act and all other money belonging to the funds which are not immediately required for defraying day to day expenses are invested in the manner

prescribed under ESI (Central) Rules. As on 31/10/2018, the total investment of fund was Rs.83,620.04 crore. Out of this, an amount of Rs.14,491.32 crore was invested in the Special Deposit Account with Central Government and the balance amount of Rs.69,128.72 crore was invested in fixed deposits with public sector banks.

### **ARREARS OF ESI DUES**

**6.8** A sum of Rs.3073.29 crores is in arrears as on 31.3.2018 on account of default by the employers of covered factories/establishments. Out of this, an amount of Rs.1641.93 crores was not recoverable due to various reasons, such as factories having gone into liquidation, whereabouts of employers not known, dispute in courts, etc. The balance amounting to Rs.1431.36 crores 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 Indian Penal Code for recovery of ESI dues.

### **HEALTH & CASH BENEFITS UNDER ESI SCHEME**

**6.9** Besides medical care, the beneficiaries under the ESI Scheme are also provided an array of cash benefits. It is payable in times of physical distress due to sickness, temporary or permanent disablement resulting in loss of earning capacity, confinement in respect of insured women etc. Dependents of insured persons who die due to employment injury caused by accident or occupational disease are entitled to monthly payments called the dependants' benefits.

**6.10** Cash benefits payments are made to the Insured Persons and their beneficiaries through direct bank transfer (DBT) by the Branch Offices and Pay Offices set up by the Corporation in areas where the Scheme is in operation. The list of Cash Benefits provided under the ESI

Scheme is as follows:-

#### **1. SICKNESS BENEFIT**

- Sickness Benefit
- Enhanced Sickness Benefit
- Extended Sickness Benefit

#### **2. DISABLEMENT BENEFIT**

- Temporary Disablement Benefit
- Permanent Disablement Benefit

#### **3. DEPENDANTS' BENEFIT**

#### **4. MATERNITY BENEFIT**

#### **5. MEDICAL BENEFIT**

#### **6. Relief paid to IPs during unemployment under "ATAL BIMIT VYAKTI KALYAN YOJANA"**

#### **7. UNEMPLOYMENT ALLOWANCES (RGSKY)**

#### **8. OTHER BENEFIT:-**

- Confinement Expenses
- Vocational Rehabilitation
- Physical Rehabilitation
- Skill Upgradation Training under RGSKY
- Funeral Expenses
- Medical facility to Retd. IP and his spouse for Primary & Secondary care (excluding SST) within ESI Medical Institutions.

### **MEDICAL CARE**

**6.11** The Scheme provides reasonable medical facilities from primary health care to Super specialty 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 and Noida (UP). The Corporation also directly runs 44 Hospitals as on 31.03.2018 including 5 ODC

Hospitals in various States as per details given in Table 6.1.

## **EMPLOYEES' PROVIDENT FUND SCHEME 1952**

**6.12** 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 bread winner and similar contingencies.

### **Schemes framed under the EPF & MP Act, 1952**

**6.13** Following three Schemes have been framed under the Act:-

- (i) The Employees' Provident Funds Scheme, 1952 (EPF) – (w.e.f 1<sup>st</sup> November, 1952)

*Provident Fund is based on a defined contribution scheme where both the employees and the employers contribute their mandated share.*

- (ii) The Employees' Pension Scheme, 1995 (EPS) (w.e.f 16<sup>th</sup> November, 1995) {replacing the Employees' Family Pension Scheme, 1971}

*A mix of "defined contribution" and "defined benefit" forms the Pension Scheme. The employees do not have to contribute to this scheme.*

- (iii) The Employees' Deposit Linked Insurance Scheme, 1976 (EDLI) (w.e.f. 1<sup>st</sup> August, 1976)

*Insurance Scheme is a deposit linked Scheme that provides insurance benefits upto Rs. 1 Lacs for service less than 12 months and insurance benefits from Rs. 2.5 Lacs to Rs. 6 Lacs for service more than 12 months.*

## **Coverage of Establishments And Members**

**6.14** Presently, the Act is applicable to industries/classes of establishments 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. As on 31.12.2018, there were 12,03,448 establishments and factories covered under the Act having 22.18 crore accounts, both in the Exempted and Un-exempted sectors. With effect from 01-09-2014, an employee, on joining employment in a covered establishment and getting wages upto Rs.15,000/- is required to become a member of the fund. During March, 2019, contribution was received against 4.37 crore members from 5,08,799 establishments covered under the Act.

### **Compliance and arrear management**

**6.15** A special enrolment drive was launched starting January 2017 up to June 2017 to enroll and bring left out eligible workers under the ambit of EPFO. The salient features of the enrolment campaign included non-levy of administrative charges on the declarations made, nominal damages @ Rs. 1 p.a only, waiver of employee contribution if not deducted in respect of employees enrolled during the campaign period, Pradhan Mantri Rojgar Protshan Yojana (**PMRPY**)/ Pradhan Mantri Paridhan Rojgar Prostahan Yojana (**PMPRPY**) benefits available for new workers. During the enrolment drive, 1,01,31,453 members (with contribution) were enrolled with EPFO.

**6.16** During the year 2017-18, 2,979 prosecution cases were launched against defaulting establishments under section 14 of the EPF & MP Act, 1952 and 6,856 cases were decided during the year. 49,517 Recovery Certificates for dues amounting to Rs. 640.70 crore under EPF Scheme, Rs 310.17 crore under EPS, 1995 and Rs.26.95 crore under EDLI Scheme were issued under section 8 of the Act.

During the year 2017-18, arrears amounting to Rs. 2,929.96 crore were realized. The arrears under all the schemes as on 31<sup>st</sup> March 2018 were of the order of Rs. 7,273.25 crore. (Figures are provisional).

#### **Cumulative corpus under the act**

**6.17** Total cumulative investment corpus of all three Schemes administered by EPFO including the corpus managed by exempted Provident Fund Trusts as on 31<sup>st</sup> March, 2018 stands at Rs.13,25,830.37 crore. (Provisional)

#### **Service to members**

**6.18** 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 2018-19, 115.22 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

#### **EMPLOYEES' DEPOSIT LINKED INSURANCE SCHEME, 1976**

**6.19** Employees Deposit Linked Insurance Scheme, 1976 (EDLI) is applicable to all factories/establishments w.e.f. 1<sup>st</sup> August, 1976. All the employees who are members of the provident fund are members of this Scheme.

#### **Benefits under the scheme**

**6.20** The benefits are provided in case of death of an employee who was member of the Scheme at the time of death. For service less than 12 months, insurance benefits upto Rs. 1 Lacs is paid. For service more than 12 months, insurance benefit from Rs. 2.5 Lacs to Rs. 6 Lacs is paid.

#### **EMPLOYEES' PENSION SCHEME 1995**

**6.21** The Employees' Pension Scheme 1995 has been introduced with effect from 16.11.1995.

#### **Benefits under the pension scheme**

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

- Monthly member pension
- Disablement pension
- Widow / widower pension
- Children pension
- Orphan pension
- Disabled Children/Orphan Pension
- Nominee pension
- Pension to dependent parents
- Withdrawal benefit

**6.23** The category-wise break up of pension claims (all benefits) settled by the Employees' Provident Fund Organisation during the year 2018-19 is indicated in the following Table:

Category of Claims	Number of Claims Settled
Monthly Pension Benefits	3.24 lakh
Other than Monthly Pension	44.95 lakh
<b>TOTAL</b>	<b>48.19 lakh</b>

#### **THE EMPLOYEE'S COMPENSATION ACT, 1923**

**6.24** The Employees' Compensation Act, 1923, earlier known as "Workmen's Compensation Act" is an old but an important enactment, as it introduced a kind of social security scheme for the workers of this country. It enables an employee, and in case of death of an employee, his dependents, to get, at the cost of his employer, compensation for employment injury.

**6.25** The object of the Act is to provide for the payment of compensation by employers to their employees for injury caused to them by accident while in employment. If an employee contracts an occupational disease while in employment, it is also treated under the Act as injury caused by accident.

**6.26** The compensation has been enhanced to Rs.1, 20,000/- in case of death and Rs.1, 40,000/- in case of disablement resulting from injury. The amount of funeral expenses has been enhanced to Rs.5,000/-. Wage ceiling for calculation of compensation is Rs.8,000/- p.m. w.e.f. 31.5.2010. Through the amendment carried out in the Act w.e.f. 18.01.2010, a clause has been inserted in the Act to enable the Government to raise the compensation, funeral expenses and wage limit by notification in the official Gazette. A new Section 25A has been added for the Commissioner to dispose of the matter relating to compensation under this Act within a period of three months from the date of reference and intimate the decision.

**6.27** As per the Employee's Compensation (Amendment) Act, 2017 Section 17A has been added. Now, *"Every employer shall immediately at the time of employment of an employee, inform the employee of his rights to compensation under this Act, in writing as well as through electronic means, in English or Hindi or in the official language of the area of employment, as may be understood by the employee."* Further, under Section 18A, penalty for contravention of Act has been increased from present Rs.5,000/- to Rs.50,000/- which may extend to one lakh rupees. As per Section 30, the amount of dispute has been revised to go for an appeal from Rs.300/- to Rs.10,000/- or such higher amount notified by the Central Government, so as to reduce litigation.

#### **THE MATERNITY BENEFIT ACT, 1961**

**6.28** The Maternity Benefit Act, 1961 regulates the employment of women in factories,

mines, the circus industry, plantation units and shops or establishments employing 10 or more persons except the employees covered under the Employees State Insurance (ESI) Act, 1948 for certain period before and after birth and provides for maternity and other benefits. It extends to the whole of India. It also provides for maternity leave and payment of certain monetary benefits to women workers subject to fulfillment of certain conditions during the period when they are out of employment on account of pregnancy. The services of a woman worker cannot be terminated during the period of her absence on account of pregnancy except for gross misconduct. As per amendment of Section 5 of the Maternity Benefit (Amendment) Act, 2017, maximum period for which a woman can get paid maternity benefit is twenty-six weeks upto two surviving children. For adopting/commissioning mothers and for more than two surviving children, 12 weeks of paid maternity leave is also available. A medical bonus of Rs.3,500/- is being provided from 19.12.2011 under the Act. The crèche facility has also been provided by the Maternity Benefit (Amendment) Act, 2017 after insertion of new Section 11A, according to which every establishment having fifty or more employees shall have the facility of crèche within such distance, as may be prescribed, either separately or along with common facilities.

#### **THE PAYMENT OF GRATUITY ACT, 1972**

##### **Objective**

**6.29** 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 on the termination of his employment after he has rendered continuous service for not less than five years on his superannuation, or on his retirement or resignation, or on his death or disablement due to accident or disease. Provided that the

completion of continuous service of five years shall not be necessary where the termination of the employment of any employees is due to death or disablement. Payment of Gratuity is an employer's liability under the extant provisions of the PG Act.

### **6.30 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.
- 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.
- 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**

**6.31** 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**

**6.32** 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 such amount as may be notified by the Central Government from time to time, at present the ceiling under the Act is Rs.20,00,000/-.

### **Administration**

**6.33** 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 establishment 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.

**6.34** 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.

**6.35** In pursuance to a judgment of Hon'ble Supreme Court, the definition of 'employee' as per the section 2(e) of the Act in order to cover the teachers in educational institutions under the Act has been amended vide the Payment of Gratuity (Amendment) Act, 2009 notified on 31.12.2009 with effect retrospectively i.e. from 3rd April, 1997.

**6.36** Consequent upon the Payment of Gratuity (Amendment) Act, 2018, notified on

29.03.2018, this Ministry has enhanced the ceiling on amount of gratuity from Rs.10 lakh to Rs.20 lakh under the Act vide Notification No. S.O.

1420(E) dated 29.03.2018 with effect prospectively i.e. from 29.03.2018.

**Table 6.1**

<b>List of ESIC run Hospitals as on 31.03.2018</b>		
<b>Sl. No.</b>	<b>State</b>	<b>Location of Hospital</b>
1	Assam	Beltola
2	Bihar	Phulwarisharif
3	Chandigarh	Ramdarbar
4	Delhi	Basaidarapur
5	Delhi	Jhilmil
6	Delhi	Okhla
7	Delhi	Rohini
8	Gujarat	Bapunagar
9	Gujarat	Naroda
10	Gujarat	Vapi
11	Gujarat	Ankleswar
12	Haryana	Faridabad Hospital & MC
13	Haryana	Gurugaoon
14	Haryana	Manesar
15	Himachal Pradesh	Baddi
16	Jammu & Kashmir	Bari-Brahma
17	Jharkhand	Ranchi
18	Jharkhand	Adityapur
19	Karnataka	Rajajinagar
20	Karnataka	Peenya
21	Karnataka	Gulbarga
22	Kerala	Udyog Mandal
23	Kerala	Asramam
24	Kerala	Ezhukone

Sl. No.	State	Location of Hospital
25	Madhya Pradesh	Indore
26	Maharashtra	Andheri
27	Maharashtra	Kolhapur
28	Maharashtra	Bibvew adi
29	Odisha	Rourkela
30	Punjab	Ludhiana
31	Rajasthan	Bhiwadi
32	Rajasthan	Jaipur
33	Rajasthan	Alwar
34	Tamil Nadu	Tirunavelli
35	Tamil Nadu	KK Nagar
36	Telangana	Sanathnagar
37	Telangana	SS Sanathnagar
38	Uttar Pradesh	Noida
39	Uttar Pradesh	Sarojini Nagar, Lucknow
40	Uttar Pradesh	Sahibabad
41	Uttar Pradesh	Jajmau, Kanpur
42	Uttar Pradesh	Varanasi
43	Uttar Pradesh	Bareilly
44	West Bengal	Joka

## CHAPTER-7

### LABOUR WELFARE

**7.1** The concept of Labour Welfare Fund was evolved in order to extend a measure of social assistance to workers in the unorganized sector. Towards this end, separate legislations were enacted by Parliament to set up five Welfare Funds to be administered by Ministry of Labour & Employment to provide medical care 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 working for the welfare of Beedi, Cine and Non Coal Mine workers under the following Acts:-

- 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; (under power of repeal).
- The Beedi Workers' Welfare Fund Act, 1976; and (under power of repeal)
- The Cine Workers' Welfare Fund Act, 1981.

**7.4** With the implementation of GST, the cess has been subsumed in the GST and the Ministry of Labour & Employment has requested to Ministry of Law and Justice repeal these Acts.

**7.5** 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, Health Scheme has been formulated. Details of the schemes are as follows:

S.No	HEALTH SCHEME	Salient Features	
1.	Health care facilities are being provided to Beedi, Cine and Non Coal Mine workers and to their families through 10 Hospitals and 286 Dispensaries located across the country.	Reimbursement of expenditure for specialized treatment taken under Government recognized Hospitals in case of critical disease.	
		Cancer	Reimbursement of actual expenses on treatment, medicines and diet charges incurred by workers, or their dependents.
		Tuberculosis	Reservation of beds in T.B. Hospitals and domiciliary treatment for workers. Subsistence allowance of Rs. 750/- to

			Rs. 1000/- p.m is granted as per the advice of the treating physician.
		Heart Diseases	Reimbursement of expenditure up to Rs. 1,30,000/- to workers.
		Kidney Transplantation	Reimbursement of expenditure up to Rs.2,00,000/- to workers.
		Hernia, Appendectomy, Ulcer Gynecological diseases and Prostrate diseases	Reimbursement of expenditure up to Rs. 30,000/- to workers and their dependents.

**7.6** Ministry of Labour & Employment has also initiated action for skill development of the beedi workers to provide them alternate source of employment for viable alternative sources of livelihood. A total of 4643 beneficiaries has been trained under this programme in the year 2018-19, out of which 756 beneficiaries have been shifted to alternative jobs.

**7.7** The Labour Welfare Organization is headed by a Director General (Labour Welfare). He is assisted by seventeen (17) 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 below.

<b>WELFARE COMMISSIONERES AND THEIR JURISDICTION</b>		
<b>S. No.</b>	<b>Name of the Region</b>	<b>States Covered</b>
01	Allahabad	Uttar Pradesh
02	Ahmadabad	Gujarat, Diu
03	Ajmer	Rajasthan
04	Bangalore	Karnataka
05	Bhubaneswar	Orissa
06	Hyderabad	Andhra Pradesh, Telangana

07	Jabalpur	Madhya Pradesh
08	Nagpur	Maharashtra, Goa, Dadar Nagar Haveli & Daman
09	Ranchi	Jharkhand
10	Patna	Bihar
11	Raipur	Chhattisgarh
12	Dehradun	Uttarakhand, Himachal Pradesh
13	Kolkata	West Bengal, Andaman & Nicobar, Sikkim
14	Guwahati	Assam, Meghalaya, Nagaland, Tripura, Arunachal Pradesh, Manipur, Mizoram
15	Tirunelveli	Tamil Nadu, Puducherry
16	Chandigarh	Punjab, Delhi, Chandigarh, Haryana, Jammu & Kashmir
17	Cannanore	Kerala, Lakshadweep

## 7.8 DETAILS OF EXPENDITURE UNDER HEALTH SCHEME

Details of Beneficiaries and Expenditure							
S. No	Name of Component	2016-17		2017-18		2018-19	
		Expenditure (in Rupees)	Number of Beneficiaries	Expenditure (in Rupees)	Number of Beneficiaries	Expenditure (in Rupees)	Number of Beneficiaries
1	Health	115.65 Cr	15,59,744	108.70 Cr	14,23,152	8,76,68 Cr	11,85,209

### Revised Integrated Housing Scheme, 2016

**7.9** A revamped housing scheme (RIHS, 2016) has been introduced from December, 2016 with a subsidy of Rs. 1,50,000 per beneficiary household. RIHS, 2016 is applicable to the workers engaged in Beedi/Iron Ore Mines, Manganese Ore & Chrome Ore Mines (IOMC)/ Limestone Ore Mines, Dolomite Ore Mines (LSDM) /Mica Mines and Cine Industries, registered with the Labour Welfare Organisation (LWO).

**7.10** In the scheme, subsidy of Rs. 1,50,000/- is released in three instalments on 25:60:15 ratio (First as advance, second on reaching the lintel level and third after receipt of inspection report that the construction of houses has been completed in all respect.

**7.11** Under this scheme subsidy is released through DBT.

**7.12** Details during last three years under the Revised Integrated Housing Scheme (RIHS) are as under:

Financial Year	No. of beneficiaries households	Expenditure (Rs.in crore)
2015-16	6903	13.80
2016-17	9831	20.39
2017-18	12876	45.74
2018-19	12394	49.20

### Convergence of Housing Scheme

**7.13** In meeting of Expenditure Finance Committee (EFC) under the Ministry of Finance for appraisal and continuation of the Labour Welfare Scheme held on 11.05.2018 under the Chairmanship of Secretary (Expenditure), it was decided that the Ministry of Labour & Employment will explore the possibilities to converge the RIHS with the PradhanMantriAwasYojna (PMAY) (URBAN) of the Ministry of Urban Development & Poverty Alleviation and Pradhan Mantri Awas Yojna (Rural) of the Ministry of Rural Development. It was suggested to frame a timeline and to draw a transition plan, when all new sanctions under RIHS will be stopped and housing subsidy will be drawn from PMAY and a transition plan may be drawn up when all new sanction under RIHS will be stopped and housing subsidy will be drawn from PMAY. Accordingly all Welfare Commissioner were directed not to release subsidy towards 1<sup>st</sup> installment under RIHS and send pending applications to the concerned Blocks /Urban Local Bodies for sanction under PMAY.

### 7.14 Financial Assistance for Education:

The benefits under the Scheme Financial Assistance for Education are currently being transferred through the National scholarship Portal.

# Details of expenditure

Sl. No	Financial Year	Financial	Progress
		No. of Beneficiaries	Expn incurred in Rs.
1	2017-18	188241	296754350
2	2018-19	262306	413134350

Name of Scheme	Benefits		
Financial Assistance for Education	Class	Girls	Boys
	I to IV (for purchase of dress/books etc.)	250	250
	V to VIII	940	500
	IX	1140	700
	X	1840	1400
	PUC I & II	2440	2000
	ITI	10,000	10,000
	Degree Course	3000	3000
	Professional Courses (BE/MBBS/ BSc. - Agri.)	15000	15000

## CHAPTER-8

# UNORGANISED WORKER

### UNORGANISED WORKERS

**8.1** The term unorganised worker has been defined under the Unorganised Workers' Social Security Act, 2008, as a homebased worker, self-employed worker or a wage worker in the unorganised sector and includes a worker in the organised sector who is not covered by any of the Acts mentioned in Schedule-II of Act i.e. The Employee's Compensation Act, 1923 (3 of 1923), The Industrial Disputes Act, 1947 (14 of 1947), The Employees' State Insurance Act, 1948 (34 of 1948), The Employees Provident Funds and Miscellaneous Provision Act, 1952 (19 of 1952), The Maternity Benefit Act, 1961 (53 of 1961) and The Payment of Gratuity Act, 1972 (39 of 1972).

**8.2** As per survey carried out by the National Sample Survey Organisation in the year 2011-12, the total employment in both organized and unorganised sector in the country was of the order of 47 crores. Out of this, about 8 crore were in the organized sector and the balance of 39 crore in the unorganized sector. The workers in the unorganized sector constitute more than 90 percent of the total employment in the country. 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 workers suffer from cycles of excessive seasonality of employment, lack of a formal employer-employee relationship and absence of social security protection. However, several legislations such as the Employee'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 & Employment 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 and education assistance for children.

### COMPREHENSIVE LEGISLATION FOR WORKERS IN THE UNORGANIZED SECTOR

**8.5** In order to ensure welfare of workers in the unorganized sector, the Ministry of Labour & Employment has enacted the Unorganised Workers' Social Security Act, 2008. The Act has come into force with effect from 16.05.2009. The Central Rules under the Act have been framed.

**8.6** The Salient features of the Act are 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 for formulation of schemes relating to provident fund, employment injury benefits, housing, educational schemes for children, skill up gradation, 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 Director General (Labour Welfare) as 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 in the Board has been made.
- 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 are as 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 (b) 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.

**8.7** The Unorganised Workers' Social Security Rules, 2009 under the Act have been framed and the National Social Security Board was constituted on 18.08.2009. The National Board shall recommend social security schemes viz. life and disability cover, health and maternity benefits, old age protection and any other benefit as may be determined by the Government for unorganized workers.

**8.8** The Central Government in 2017, converged the social security scheme of Aam Aadmi Bima Yojana (AABY) with Pradhan Mantri Jeevan Jyoti Bima Yojana/ Pradhan Mantri Suraksha Bima Yojana. The converged PMJJBY/PMSBY scheme is providing life and disability coverage to the unorganized workers, depending upon their eligibility. The converged PMJJBY/PMSBY scheme is for the beneficiaries in the age group 18-50 years and provides for coverage of Rs. 2 lakhs, in case of natural death and Rs. 4 lakhs in case of accidental death. The Converged schemes are being implemented through Life Insurance Corporation of India. A premium of Rs. 342(330+12) per annum would be required for the converged schemes. The premium would be shared between the State Government and

Central Government in the ratio of 50:50. This Ministry has urged all the State/UT Governments to give their financial concurrence to cover 50 percent of the premium for all eligible unorganised workers. Around 2.80 crore beneficiaries have been covered under this scheme, as per data furnished by LIC, during the current year 2018-19.

**8.9** In India approximately 93% of workers are in the unorganized sector. The various social security schemes are currently being run by different Ministries/Departments under Schedule II of the “Unorganized Workers Social Security Act (UWSSA), 2008” for welfare of the unorganized workers and agencies at the State level, with different eligibility criteria, enrolment processes and benefits there under, etc.

- i. PradhanMantriShram Yogi Maan-Dhan (PM-SYM) (MoL&E)-A pension scheme for Unorganized Workers.
- ii. (Ministry of Labour and Employment); (now converged with PMJJBY/PMSBY)
- iii. National Old Age Pension Scheme (Ministry of Rural Development);
- iv. National Family Benefit Scheme (Ministry of Rural Development);
- v. JananiSurakshaYojana (Ministry of Health and Family Welfare);
- vi. Handloom Weavers’ Comprehensive Welfare Scheme (Ministry of Textiles);
- vii. Handicraft Artisans’ Comprehensive Welfare Scheme (Ministry of Textiles);
- viii. Pension to Master Craft Persons (Ministry of Textiles);
- ix. National Scheme for Welfare of Fishermen and Training and Extension

(Department of Animal Husbandry, Dairying & Fisheries);

- x. Rashtriya Swasthya Bima Yojana (Ministry of Health and Family Welfare), now Ayushman Bharat-Pradhan Mantri Jan Arogya Yojana

## **8.10 PradhanMantriShram Yogi Maan-dhan (PM-SYM):**

**8.10.1** Government of India has introduced a pension scheme for unorganised workers in the name of **PradhanMantriShram Yogi Maan-dhan (PM-SYM)** to ensure old age protection for Unorganised Workers. The enrollment under the scheme has started since 15<sup>th</sup> February, 2019.

**8.10.2** The unorganised workers mostly engaged as home based workers, street vendors, mid-day meal workers, head loaders, brick kiln workers, cobblers, rag pickers, domestic workers, washer men, rickshaw pullers, landless labourers, own account workers, agricultural workers, construction workers, beedi workers, handloom workers, leather workers, audio-visual workers and similar other occupations whose monthly income is Rs 15,000/ per month or less and belong to the entry age group of 18-40 years. They should not be covered under New Pension Scheme (NPS), Employees’ State Insurance Corporation (ESIC) scheme or Employees’ Provident Fund Organisation (EPFO). Further, he/she should not be an income tax payee.

**8.10.3** It is a voluntary and contributory pension scheme, under which the subscriber would receive the following benefits:

- (i) **Minimum Assured Pension:** Each subscriber under the PM-SYM, shall receive minimum assured pension of Rs 3000/- per month after attaining the age of 60 years.

- (ii) **Family Pension:** During the receipt of pension, if the subscriber dies, the spouse of the beneficiary shall be entitled to receive 50% of the pension received by the beneficiary as family pension. Family pension is applicable only to spouse.
- (iii) If a beneficiary has given regular contribution and died due to any cause (before age of 60 years), his/her spouse will be entitled to join and continue the scheme subsequently by payment of regular contribution or exit the scheme as per provisions of exit and withdrawal.

**8.10.4** The subscriber's contributions to PM-SYM is through 'auto-debit' facility from his/ her savings bank account/ Jan- Dhan account and it ranges from Rs 55/- to Rs 200/- per month depending at the entry age of the subscriber. The subscriber is required to contribute the prescribed contribution amount from the age of joining PM-SYM till the age of 60 years.

**8.10.5** PM-SYM is a voluntary and contributory pension scheme on a 50:50 basis where prescribed age-specific contribution shall be made by the beneficiary and the matching contribution by the Central Government as per the chart. For example, if a person enters the scheme at an age of 29 years, he is required to contribute Rs 100/- per month till the age of 60 years. An equal amount of Rs 100/- will be contributed by the Central Government.

The Scheme is being implemented through LIC and Common Services Centres-SPV. LIC is the Pension Fund Manager and responsible for Pension pay out. CSC - SPV is responsible enrolling the beneficiaries through its approx. 3 lakh CSCs across the country. Under the scheme, contribution amount for the first month is being paid in cash.

Considering the hardships and erratic nature of employability of these workers, the exit provisions of scheme have been kept flexible. Exit provisions are as under:

- (i) In case a subscriber exits the scheme within a period of less than 10 years, the beneficiary's share of contribution only will be returned to him with savings bank interest rate.
- (ii) If subscriber exits after a period of 10 years or more but before superannuation age i.e. 60 years of age, the beneficiary's share of contribution along with accumulated interest as actually earned by fund or at the savings bank interest rate whichever is higher.
- (iii) If a beneficiary has given regular contributions and died due to any cause, his/ her spouse will be entitled to continue the scheme subsequently by payment of regular contribution or exit by receiving the beneficiary's contribution along with accumulated interest as actually earned by fund or at the savings bank interest rate whichever is higher.
- (iv) If a beneficiary has given regular contributions and become permanently disabled due to any cause before the superannuation age, i.e. 60 years, and unable to continue to contribute under the scheme, his/ her spouse will be entitled to continue the scheme subsequently by payment of regular contribution or exit the scheme by receiving the beneficiary's contribution with interest as actually earned by fund or at the savings bank interest rate whichever is higher.
- (v) After the death of subscriber as well as his/her spouse, the entire corpus will be credited back to the fund.

- (vi) Any other exit provision, as may be decided by the Government on advice of NSSB.

**8.10.6** If a subscriber has not paid the contribution continuously he/she will be allowed to regularize his contribution by paying entire outstanding dues, along with penalty charges, if any, decided by the Government. To address any grievances related to the scheme, subscriber can contact at customer care number 1800 267 6888 which will be available on 24\*7 basis. Web portal/app will also have the facility for registering the complaints. As on 31<sup>st</sup> March, 2019, around 27 lakh beneficiaries have subscribed the Scheme. Haryana has registered the highest number of beneficiaries, followed by Maharashtra, Uttar Pradesh and Gujarat.

## THE BUILDING AND OTHER CONSTRUCTION WORKERS

**8.11** The construction workers constitute one of the largest categories of workers in the unorganized sector. Based on the Sample Survey conducted by NSSO, MoSPI in 2011-12, about 5.02 crore workers are employed in construction activities. In order to safeguard the interest of the workers of this sector, Government has enacted the following 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;

**8.12** Further, the Building and Other Construction Workers' Welfare Cess Rules, 1998 and the Building and Other Construction Workers (Regulation of Employment & Conditions of Service) Central Rules, 1998 have been notified on 26.03.1998 and 19.11.1998 respectively.

**8.13** These legislations regulate the employment and conditions of service, safety and health measures for the construction workers through State Welfare Boards constituted at the State level. Welfare measures are financed by 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 funds so collected are to be used for providing financial assistance to the families of registered workers in case of accident, old age pension, housing loans, payment of insurance premia, children's education, medical and maternity benefits, etc.

**8.14** All State Governments and Union Territories have constituted State Welfare Boards. The Government of Tamil Nadu has been implementing its own Act. Till **31.03.2019**, an amount of approx. Rs. 49688.07 crore has been collected as Cess by the State Governments and Union Territories and an amount of Rs. 19379.922 crore has been spent on welfare schemes formulated by them.

**8.15** From time to time, Central Government has been issuing directions under Section 60 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996, to all the State Governments and UT Administrations for proper implementation of the Act. To monitor the implementation of these directions, specifically with reference to utilization of Cess fund for Welfare Schemes enumerated under Section 22 of the Act, by the State Building and Other Construction Workers' Welfare Boards, a Committee under the Chairmanship of Secretary (Labour and Employment) has been constituted. The Monitoring Committee holds its meeting from time to time with the Principal Secretaries/ Secretaries of Labour departments of the State/ UTs.

**8.16** Implementation of the Building and Other Construction Workers (RECS) Act, 1996 and the

Building and Other Construction Workers' Welfare Cess Act, 1996 was under close scrutiny of the Hon'ble Court in Writ Petition (Civil) No. 318 of 2006 between M/s National Campaign Committee for Central Legislation on Construction Labour V/s Union of India and others. Pursuant to the judgment dated 19<sup>th</sup> March, 2018 and Order dated 04.10.2018 of the Hon'ble Supreme Court in the matter, Model Scheme for Building and Other Construction Workers and Action Plan (for strengthening Implementation Machinery) were framed and circulated to all States/UTs for implementation. The model scheme is also available on the website of Ministry. Further, as per the directions of the Hon'ble Supreme Court a framework for social audit of implementation of BOCW Act has been developed in consultation with the State Governments and other stake holders and based on which a social audit on pilot basis has also been conducted in certain districts of Rajasthan and GNCT Delhi.

## **MIGRANT WORKERS AND THE INTER-STATE MIGRANT WORKMEN**

**8.17** According to the 2011 Census (Provisional Report), 45 Crore persons have changed their place of residence within the country and out of this, 4.6 Crore or 10.22% left their place for work.

**8.18** 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.

**8.19** The Act regulates the employment of inter-state migrant workmen and provides for their conditions of service. It applies to every establishment, and the contractor, who employ five or more inter-state migrant workmen. The

Act has provision for issue of Pass-Book to every inter-state migrant workmen with full details, payment of displacement allowance equivalent to 50% of monthly wages, payment of journey allowance including payment of wage during the period of journey, suitable residential accommodation, medical facilities and protective clothing, payment of wages, equal pay for equal work etc.

**8.20** 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 the Central and State Sphere respectively.

**8.21** The problem of migration is sought to be 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 PradhanMantri Gram SadakYojana (PMGSY), PradhanMantriAwassYojna (IAY) etc. Further, the Government have also enacted the Mahatma Gandhi Rural Employment Guarantee Act, 2005 to provide 100 days guaranteed employment to rural households

**8.22** Ministry of Labour & Employment and State Governments of Andhra Pradesh and Odisha have signed MoUs to facilitate strengthening of Inter-State Coordination Mechanism for smooth implementation of the activities in source and destination areas of migrant workers. Similar MoUs have also been signed with the State Governments of Uttar Pradesh, Bihar, Jharkhand and Chhattisgarh.

## CHAPTER-9

# BONDED LABOUR

### Bonded Labour

**9.1** The Bonded Labour System stands abolished throughout the country with effect from 25.10.1975 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 labourer 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.

### Central Sector Scheme for Rehabilitation of Bonded Labourer, 2016

**9.3** In order to assist the State Governments in their task of rehabilitation of released bonded labourers, the Ministry of Labour launched a Centrally Sponsored Scheme in May, 1978 for rehabilitation of bonded labourers. Under this Scheme rehabilitation assistance of Rs. 20,000/- per freed bonded labour was provided, which was shared by the Central and State Governments on 50:50 basis; in the case of the Seven North Eastern States, 100% central assistance if they expressed their inability to provide their share.

**9.4** Subsequently in 2016, the scheme was revamped w.e.f. 17.05.2016 and is known as "Central Sector Scheme for Rehabilitation of

Bonded Labourer, 2016. The salient features of the Scheme are as under:

1. Financial assistance for rehabilitation of a rescued bonded labourer has been increased from Rs. 20,000/- to one lakh per adult male beneficiary, Rs. 2 lakh for special category beneficiaries such as children including orphans or those rescued from organized & forced begging rings or other forms of forced child labour, and women and Rs. 3 lakh in cases of bonded or forced labour involving extreme cases of deprivation or marginalization such as trans-genders, or women or children rescued from ostensible sexual exploitation such as brothels, massage parlours, placement agencies etc., or trafficking, or in cases of differently abled persons, or in situations where the District Magistrate deems fit.
2. The State Governments are not required to pay any matching contribution for the purpose of cash rehabilitation assistance.
3. The Scheme provides for financial assistance of Rs. 4.50 lakh per district to the States for conducting survey of bonded labourers once in every three years per sensitive district, Rs. 1.00 Lakh for evaluatory studies (maximum of five Evaluatory Studies per year) and Rs. 10 Lakhs per State per annum for awareness generation. The Central Government will give 50% of the amount required for conducting Survey, Awareness Generation and Evaluatory Studies in advance.
4. The release of rehabilitation assistance has been linked with conviction of the accused.

However, immediate assistance upto Rs. 20,000/- may be provided to the rescued bonded labour by the District Administration irrespective of the status of conviction proceedings. Further, in cases where the trial has not been concluded, but the District Administration has arrived at a prima facie finding and proof of bondage, then the proposal for cash assistance shall not be stopped for want of details of conviction. However, final disbursement of cash assistance and non-cash assistance shall be made upon proof of bondage and other legal consequences as per judicial process.

5. The Scheme provides for creation of a Bonded Labour Rehabilitation Fund at District level by each State with a permanent corpus of at least Rs. 10 lakh at the disposal of the District Magistrate for extending immediate help to the released bonded labourers.
6. The above benefits are in addition to other land and housing elements provided by the States.

*Till date a sum of Rs. 9,581.12 Lakhs has been released to the State Governments for rehabilitation of 2,93,725 bonded labourers.*

**9.5** A number of workshops have been conducted in collaboration with the NHRC, State Governments, ILO and other stakeholders to sensitise the State Government officials, vigilance committees etc. regarding the legal provisions and the revamped Central Scheme and monitor and evaluate the progress.

## CHAPTER-10

# CONTRACT LABOUR

### 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 and 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 establishments 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 the 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. The present CACLB has been re-

constituted on 2<sup>nd</sup> April, 2016. Till date, 94 meetings of the Central Advisory Contract Labour Board have been held.

**10.6** So far, 94 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** So far, 28 notifications have been issued u/s 31 of the Act granting exemption to establishments from the purview of the Act.

**10.9** 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.

**10.10** To promote ease of doing business and remove multiplicity & duplicity in various forms/reports/returns, the Ministry of Labour & Employment notified the “Rationalisation of Forms

and Reports under Certain Labour Laws Rules, 2017” in the official gazette of India on 28<sup>th</sup> March, 2017. In effect, the number of forms and reports prescribed under the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970), the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979) and the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996) have been reduced from 36 to 12.

**10.11** In order to further simplify and reduce the number of forms prescribed under the above mentioned three Acts, the Ministry has also notified the Rationalisation of Forms and Reports under Certain Labour Laws (Amendment) Rules, 2017 vide G.S.R 1593(E) dated 29<sup>th</sup> December, 2017 reducing a total of 8 other Forms regarding registration of establishment and filing of unified annual return to 2. Now, the number of forms and reports/returns prescribed under the above three Acts have been reduced from 44 to 14.

**10.12** Taking forward the Government’s “Digital India” initiative and to ensure that various Government Services are made available to the citizens electronically, Ministry of Labour & Employment has further made available the following facilities:

- i. Filing of unified annual return mandatory online on the ShramSuvidha

Portal under the above three Acts vide notification(s) G.S.R. 1593 (E) to G.S.R. 1596 (E) notified in the Gazette of India on 29<sup>th</sup> December, 2017.

- ii. Publication of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Central (Amendment) Rules, 2018 in the Gazette of India vide notification number G.S.R. 828(E) dated 4<sup>th</sup> September, 2018 so as to make filing of application(s) for registration of establishments and granting of certificate of registration under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996) mandatorily online on the ShramSuvidha Portal.
- iii. Filing of applications and granting of certificate of registration/license under the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970) and the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979) have been made mandatorily online on the ShramSuvidha Portal vide Gazette of India notification(s) G.S.R. 1125(E) and G.S.R. 1126(E) dated 15<sup>th</sup> November, 2018.

## CHAPTER-11

# WOMEN AND WORK

### PROFILE OF WOMEN WORKERS

**11.1** Women form an integral part of the Indian workforce. The total number of female workers in India is 149.8 million and female workers in rural and urban areas are 121.8 and 28.0 million respectively (source:census,2011). Out of total 149.8 million female workers, 35.9 million females are working as cultivators and another 61.5 million are agricultural labourers. Of the remaining females workers, 8.5 million are in household Industry and 43.7 million are classified as other workers.

**11.2** As per Census 2011, the Work Participation Rate for women is 25.51 per cent as compared to 25.63 per cent in 2001. The Worker Population Rate (WPR) for women in rural areas is 35.1 per cent as compared to 17.5 per cent in urban areas based on 4th Annual Employment Unemployment Survey (2013-14) and same is 30.2 per cent in rural area and 14.8 per cent in urban area under 5th Annual Employment Unemployment Survey (2015-16) under Usual Principal & Subsidiary Status (UPSS) Approach. As per 4th and 5th Annual Employment Unemployment Survey launched by Labour Bureau in December 2013 and April 2015, the overall Female Labour Force Participation Rate under Usual Principal & Subsidiary Status (UPSS) Approach has decreased from 31.1 per cent to 27.4 per cent.

### Periodic Labour Force Survey (PLFS)

**11.3** As per the results of Periodic Labour Force Survey (PLFS) conducted by National Sample Survey Office, Ministry of Statistics and Programme Implementation during 2017-18, the

overall Worker Population Ratio for women in the age group 15 & above was 22% and it was 23.7% in rural areas as compared to 18.2% in urban areas based on usual status (Principal status + Subsidiary status) basis. The overall female Labour Force Participation Rate for the age group 15 & above status (Principal status + Subsidiary status) basis was 23.3% which was 24.6% in rural areas as compared to 20.4% in urban areas. The overall unemployment rate for the female was 5.6% and the unemployment rate of female in rural areas was 3.8% and 10.8% in urban areas.

### PROTECTION OF THE INTEREST OF WOMEN WORKERS

**11.4** Formulation and coordination of policies and programmes for the female labour force within the framework 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 and setting up of an Advisory Committee under the Equal Remuneration Act, 1976.

**11.5** 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 Act was enacted on 1976.

### **EQUAL REMUNERATION ACT, 1976**

**11.6** The Equal Remuneration Act, 1976 provides for payment of equal remuneration to men and women workers for same work or work of similar nature without any discrimination and also prevent discrimination against women employees while making recruitment for the same work or work of similar nature, or in any condition of service subsequent to recruitment such as promotions, training or transfer. The provisions of the Act have been extended to all categories of employment. The Act is implemented at two levels viz. Central level and State level. At the Central sphere, the enforcement of the act is entrusted to the Chief Labour Commissioner (Central) who heads the Central Industrial Relations Machinery (CIRM). A Central Advisory Committee (CAC) on Equal Remuneration Act, 1976 under the Chairmanship of Hon'ble Minister of Labour & Employment has been constituted for reviewing the steps taken for effective implementation of the Act. The last meeting of the CAC was held on 09.10.2018.

**11.7** In cases where the State Government are "appropriate authorities", the enforcement of the provisions of Equal Remuneration Act is done by the officials of State Labour Departments. Annual returns are called for by the special cell in the Ministry 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.

**11.8** A complaint Committee to deal with the complaints of sexual harassment of women employees at workplace of Ministry of Labour & Employment and its attached offices has been reconstituted

### **Amendment in Maternity Benefit Act, 1961**

**11.9** The Government is sensitive to the need for family and social policies aimed at reconciling work and family obligations. The Government has amended the Maternity Benefit Act 1961 in the year 2017 vide enactment of Maternity Benefit (Amendment) Act 2017 which inter-alia provides for increased paid maternity leave from 12 weeks to 26 weeks and provisions for facility of crèche in the establishments having 50 or more employees.

### **Training of Women Workers**

**11.10** In tune with Government of India's stress on empowering the women workers, special efforts were made by Dattopant Thengadi National Board for Workers Education & Development (erstwhile Central Board of Workers Education) to have more participation of Women Workers in Board's various training programmes. During the year 2018-19 (upto November 2018) 1,36,896 women participated in Board's various training Programmes. Among 1,36,896 total women workers, 61,407 were from SC category and 18,377 from ST Category.

**11.11** The Dattopant Thengadi National Board for Workers Education & Development (formerly CBWE) also conducts 2-days special training programmes for women workers in which only women participants of various categories in unorganized sector are enrolled. Till November, 2018, 312 such special programmes for women workers were conducted in which 11901 numbers of workers participated. The women are made aware about their rights and duties, and provisions under various Labour Legislation in respect of women and child welfare and various other provisions of the Central and State Government related to women for upliftment of women and children i.e. on health and hygiene, total care etc.

**11.12** The VVG NLI, which is the training, research and policy institute of the Ministry of Labour & Employment, conducts various customized training programmes on labour and employment issues for women workers (particularly for unorganized workers) on regular basis. In Year 2017-18, VVG NLI conducted 11 training programmes exclusively for women workers with total participants of 234.

### CHILD CARE CENTRES

**11.13** Statutory provisions have been made in certain Labour laws for organizing child care centers for the benefit of women workers. These include Factories Act, 1948, the Beedi & Cigar Workers (Conditions of Employment) Act, 1966, the Mines Act, 1952, the Plantation Act, 1951 and the Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996. The Government has amended the Maternity Benefit Act 1961 in the year 2017 vide enactment of Maternity Benefit (Amendment) Act 2017 which inter-alia provides for paid maternity leave of 26 weeks and provisions for facility of crèche in the establishments having 50 or more employees. Detailed provisions of the amended Maternity Benefit Act have been given in the table attached to this chapter.

### ASSISTANCE TO WOMEN JOB SEEKERS

#### NCS Features for Women

**11.14** In order to promote women empowerment, National Career Service (NCS) assists by providing various features for helping women connect with the right opportunities. A specific title “Jobs for Women” has been featured on NCS Portal Home Page to help them easily search and apply to relevant jobs. Job Fairs and Events are conducted for women centric jobs, eg: Model Career Centre, Coimbatore conducted a Job Fair exclusively for teachers in June, 2019. Also, functionality has been provided on NCS wherein household users can reach out to Local Service Providers like plumbers, electricians, cooks, beauticians etc. in their locality.

**11.15** The Employment Exchanges take special care to cater to the job needs of women registered with them. For the period from 1<sup>st</sup> January 2015 to 31<sup>st</sup> December 2015, 59900 women were placed in various employments.

**11.16** The Employment Exchanges take special care to cater to the job needs of women registered with them. The placement made by the employment exchanges is given at Chapter-24 (table 24.1).

**Table 11.1**

#### EMPLOYMENT OF WOMEN – PROTECTIVE LEGAL PROVISIONS

Name of the Enactment	Protective Provisions
1. The Beedi & Cigar Workers (Conditions of Employment) Act, 1966	Provision of Crèches: In every industrial premises wherein more than thirty female employees are ordinarily employed, they shall be provided and maintained a suitable room or rooms for the use of children under the age of six years of such female employees.
2. The Plantation Labour Act, 1951	<ul style="list-style-type: none"> <li>Provision of crèches in every plantation wherein fifty or more women workers (including women workers employed by any contractor) are employed or where the number of children</li> </ul>

	<p>of women workers (including women workers employed by any contractor) is twenty or more.</p> <ul style="list-style-type: none"> <li>• Definition of family has been made gender neutral so as to remove distinction between the family of male and female workers for availing dependent benefits. Family also includes dependent widow sister of a female worker as well as male worker.</li> <li>• To cover all aspects of safety and occupational health of workers, specifically women and adolescents working in plantations, a new chapter pertaining to the use of handling, storing or transporting chemicals, insecticides and toxic substances used in the plantations has been added.</li> </ul>
3. The Contract Labour (Regulation & Abolition) Act, 1970	<ul style="list-style-type: none"> <li>• Provision of separate rest rooms or alternative accommodations for women employees in every place wherein contract labour is required to halt at night.</li> <li>• Provision of separate reserved portion of dining hall and service counter.</li> <li>• Provision of separate washing places and latrines for women to secure privacy.</li> <li>• Provision of crèches where twenty or more women are ordinarily employed as contract labour.</li> </ul>
4. The Inter State Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979	<ul style="list-style-type: none"> <li>• Provision of crèches for the benefit of women workers in establishments wherein twenty or more women are ordinarily employed as migrant workers is likely to continue for three months or more.</li> </ul>
5. The Factories Act, 1948	<ul style="list-style-type: none"> <li>• Provision of crèches in every factory wherein more than thirty women workers are ordinarily employed.</li> <li>• Employment of women in factory is prohibited except between the hours of 6.00 A.M. to 7.00 P.M. However, in exceptional circumstances, Employment of women is permitted upto 10.00 P.M.</li> <li>• Employment of women is also prohibited/restricted in certain factories involving dangerous operations</li> <li>• No women shall be allowed to clean, lubricate or adjust any part of prime mover while it is in motion</li> <li>• No women shall be employed in any part of a factory for pressing cotton in which a cotton opener is at work</li> </ul>

6. The Mines Act, 1952	<ul style="list-style-type: none"> <li>• The Central Government vide Notification dated 29th January, 2019 exempted the Women employed in mines from the provision of section 46 of the Mines Act, 1952 and allowed deployment of women in the mine above ground including opencast workings between the hours of 7 PM to 6 AM and women employed in technical, supervisory and managerial cadre between 6 AM and 7 PM in any mine below ground, subject to obtaining written consent of the concerned Women employee, deployment in groups and provision of adequate facilities and safeguards regarding occupational safety, security and health. Provision of separate toilets and washing facilities for women workers is also part of the Act.</li> </ul>
7. The Maternity Benefit Act, 1961	<p>Following benefits are available under the Maternity Benefit Act, 1961:-</p> <ul style="list-style-type: none"> <li>• 26 weeks of maternity leave out of which eight weeks before the expected date of delivery for upto 2 surviving children. For more than two children and for adopting/commissioning mothers, 12 weeks of paid maternity leave.</li> <li>• One month maternity leave to a woman worker suffering from illness arising out of pregnancy, delivery, premature birth of child (miscarriage, medical termination of pregnancy or tubectomy operation).</li> <li>• Two nursing breaks of 15 minutes until the child attains the age of 15 months.</li> <li>• Medical Bonus of Rs.3500/- if no prenatal confinement and post-natal care is provided by the employer free of charge.</li> <li>• Light works for 10 weeks.</li> <li>• Immunity from dismissal during absence of pregnancy.</li> <li>• No deduction of wages of woman entitled to maternity benefit.</li> <li>• Facility of work from home'</li> <li>• Facility of crèche if 50 or more employees are working in the establishment with daily four visits.</li> </ul>
8. The Equal Remuneration Act, 1976	<ul style="list-style-type: none"> <li>• Payment of equal remuneration to men and women workers for same or similar nature of work protected under the Act. No discrimination is permissible in recruitment and service conditions except where employment of women is prohibited or restricted by or under any law.</li> </ul>

9. Employee's State Insurance Act 1948 read with The Employee's State Insurance (Central) Regulation, 1950	<p>The benefits available under ESI Scheme are as under:-</p> <ul style="list-style-type: none"> <li>• Medical Benefit</li> <li>• Sickness and extended sickness benefit</li> <li>• Maternity benefit                             <ul style="list-style-type: none"> <li>i) 26 weeks of paid leave for upto 2 children</li> <li>ii) 12 weeks for more than 2 children, adopting and commissioning mothers.</li> <li>iii) 6 weeks for miscarriage.</li> <li>iv) Additional month leave for sickness arising out of pregnancy.</li> <li>v) Medical bonus of Rs. 5000/-</li> </ul> </li> <li>• Disablement benefits</li> <li>• Dependent benefits</li> <li>• Funeral Benefits.</li> </ul>
10 The Beedi Workers Welfare Fund Act, 1976	<ul style="list-style-type: none"> <li>• Appointment of women member in the Advisory and Central Advisory Committee is mandatory under the Acts at Sl. No.10-13</li> </ul>
11. The Iron Ore Mines, Manganese Ore Mines and Chrome Or Mines Labour Welfare Fund Act, 1976	
12. The Lime Stone and Dolomite Mines Labour Welfare Fund Act, 1972	
13. The Mica Mines Labour Welfare Fund Act, 1946	
14. The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996	<ul style="list-style-type: none"> <li>• Representation of a women member on Building and other Construction Worker Welfare Boards.</li> <li>• Provisions for maternity benefit to female beneficiaries of the Welfare Fund.</li> <li>• Provision for crèches where more than 50 female construction workers are ordinarily employed, for the use of children under the age of six years of such female workers.</li> </ul>
15. The Industrial Employment (Standing Orders) Act, 1946	<ul style="list-style-type: none"> <li>• Provision regarding safeguards against sexual harassment of women workers at their work places.</li> </ul>

## CHAPTER-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 and this is provided for in the Fundamental Rights (Article-24). Directive Principles of State Policy in the Constitution also strongly reiterate this commitment.

### 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 of 14 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.

**12.2** Realizing the multifaceted nature of this problem, the Government has embarked on a holistic and multi-pronged approach 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.

### National Child Labour Policy (NCLP)

**12.3** 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:

- (i) A legislative action plan;
- (ii) Focuses on general development programmes for the benefit of the families of children; and
- (iii) Project-based action plan in areas of high concentration of child labour.

### Legal Protection of Children at Work

**12.4** The Child and Adolescent Labour (Prohibition & Regulation) Act, 1986 as amended in 2016 inter-alia covers complete prohibition on employment or work of children below 14 years of age in all occupations and processes; linking the age of the prohibition of employment with the age for free and compulsory education under Right to Education Act, 2009; prohibition on employment of adolescents (14 to 18 years of age) in hazardous occupations or processes and making stricter punishment for the employers contravening the provisions of the Act.

**12.5** The Child Labour (Prohibition & Regulation) Amendment Rules, 2017 inter alia cover provision for prevention, rescue and rehabilitation and convergence, definition of “help” in the family enterprises owned by the family of the child and regulation of child artists to ensure their safety and security. The Rules also provides for District Nodal Officer (DNO) and Task Force under the chairmanship of District Magistrate to ensure that the provisions of the Act are properly enforced.

**12.6** The Act defines the jurisdiction of both Central and State Governments in implementing the Act. The Central Government is the “appropriate Government” in relation to establishments under the control of the Central Government or a railway administration or a major port or a mine or oilfield. In all other cases, the State Government is the “appropriate Government”. The State Action Plan issued by the Ministry enumerates the actions arisen on the part of State Governments/UTs after enactment of the Amendment Act.

**12.7** The Schedule of hazardous occupations and processes of the Act is divided in two parts namely ‘Part A’ covering a list of hazardous occupations and processes in which adolescents are prohibited to work and children are prohibited to help in family or family enterprises and ‘Part B’ covering an additional list of occupations and processes where children are prohibited to help in family or family enterprises (in addition to ‘Part A’). The revised schedule of the Act is at **Annexure 12.1**.

**12.8** After making suitable amendment in the Child Labour (Prohibition & Regulation) Act, in 2016 India ratified ILO conventions No.138 (minimum age of entry to employment) and 182 (worst form of child labour) on 13.06.2017. The ratification of the Convention No.138 and 182 would move a step ahead in the direction of achieving the goal of eradication of child labour from the country as it would be legally binding to comply with the provisions of the Conventions. By ratifying these two core conventions, India join

majority of the countries who have adopted the legislation to prohibit and place severe restrictions on the employment and work of children.

**12.9** Government is also laying lot of stress on the enforcement of the Child and Adolescent Labour (Prohibition & Regulation) Act, 1986. For violation of the provisions under the Act, during the last 6 years (2013-18) about 14.34 lakh inspections were carried out, resulting in approximately 0.10 lakh prosecutions out of which more than 4530 convictions were obtained.

**12.10** The Standard Operating Procedure (SOP) framed by the Ministry works as a ready reckoner for trainers, practitioners and monitoring agencies to ensure complete prohibition of child labour and protection of adolescents from hazardous labour ultimately leading to Child Labour Free India. The online portal PENCiL (Platform for Effective Enforcement for No Child Labour) developed by the Ministry provide for a mechanism for both enforcement of the legislative provisions and effective implementation of the National Child Labour Project (NCLP). The Portal has component like Complaint Corner, State Government, NCLP, Child Tracking System, and Convergence. Now complaint of child labour can be registered electronically on the Portal to the concerned District Nodal Officers (DNOs) for taking prompt action.

### **Project Based action**

**12.11** Government had started the National Child Labour Project (NCLP) Scheme in 1988 to rehabilitate working children in the child labour endemic districts of the country. As on date the Scheme is sanctioned in 323 districts of India. The list of districts in which Special Training Centres for child labour sanctioned under NCLP Scheme is at **Table 12.2**.

**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. Under the NCLP Scheme, children in the age group of 9-14 years, withdrawn from work are put into Special Training Centers, where they are provided with bridge education, vocational training, mid-day meal, stipend, health-care facilities etc. and finally mainstreamed to the formal education system. Children in the age group of 5-8 years are directly linked to the formal education system through a close coordination with the Sarva Shiksha Abhiyan (SSA). Adolescent labour identified in the age group of 14 to 18 years working in hazardous occupations/process are provided with vocational training opportunities through existing scheme of skill developments. In addition, efforts are also made to target the families of these children so as to cover them under various developmental and income/employment generating programmes of the Government to raise the economic standard of the family. Further, under the Scheme the Ministry funds awareness generation campaigns against the evils of child labour and enforcement of child labour laws through electronic and print media. At present, there are around 3000 NCLP training centers being run in the country with an enrolment of approximately 1.20 lakh children. Since inception about 13.00 lakh working children have already been mainstreamed to regular education system under the NCLP Scheme.

**12.13** The year-wise budget allocation and expenditure incurred under the scheme during last five years are as under:

(in crores)

Year	Budget Allocation (Final Grant)	Expenditure
2013-14	111.00	110.73
2014-15	110.87	102.34
2015-16	99.45	93.20
2016-17	105.00	104.73
2017-18	95.17	94.03
2018-19	89.99	89.99

## Monitoring of the NCLP Scheme

**12.14** A Central Monitoring Committee under the Chairpersonship of Secretary, Ministry of Labour & Employment, exists for the overall supervision and monitoring, 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.

**12.15** To ensure involvement of State Government in implementation and monitoring of the NCLP Scheme and to make awareness generation activities to curb the menace of child labour it has been decided to form State Resource Centre (SRC) in every State/UT under the Chairmanship of State Labour Secretary. The PENCil portal developed by the Ministry connect Central Governments, Districts and all Project Societies. The SRCs will coordinate and monitor the implementation of the NCLP Scheme in their respective State through PENCil portal and also update its reports on the portal.

## Revision of the NCLP Scheme

**12.16** Government has enhanced the amount of stipend from Rs.150/- to Rs.400/- per month per child, rates of honorarium for volunteers and other parameters of the scheme. Further, the volunteers involved in the scheme would be provided incentive on the basis of their performance. This new initiative would motivate them to improve their quality and efficiency. Government has simplified the guidelines for implementation of NCLP Scheme and decided to expand the coverage of the Scheme in all districts having incidence of child labour. The Ministry of Labour & Employment has issued instructions to State Governments for conducting survey on child labour in such districts where there is a possibility of incidence of child labour.

## Convergence of government programmes

**12.17** As Child labour is an outcome of various social economic problems such as poverty,

economic backwardness, lack of access to basic services, illiteracy etc, the Government is taking very focused and concerted efforts towards the convergence of the on-going developmental schemes at the Central Government, State Government and the District level. Government of India initiatives to bestow certain rights and schemes for Employment Generation and Social Security are all part of the efforts to eliminate child labour. Under the revised NCLP guidelines, much emphasis has been given for its convergence with Serva Siksha Abhiyan (SSA) and other schemes. School uniforms and text books to each child in the NCLP schools (STCs) is sought for under SSA whereas nutritious cooked mid-day meal is ensured through Mid-Day Meal (MDM) scheme of the Government. The provision of primary health care including health check-ups and maintenance of health cards is also provided through School Health Programme under NRHM.

**12.18** The educational rehabilitation of the children is also to be supplemented with economic rehabilitation of their families. The Government is adopting a sequential approach with focus on proper rehabilitation of not only the working children but their families also through revised NCLP scheme and convergence of various developmental schemes of the Government. Ministry of Women and Child Development is to provide for food and shelter to the children withdrawn from work through their schemes of Shelter Homes, etc as part of the Integrated Child Protection Programme. Ministry of Rural Development is to provide employment opportunities to the parents of the children near their place of residence under MGNREGA. Ministry of Consumer Affairs, Food and Public Distribution is to provide subsidized food grains under the Food Security Act.

#### **Re-alignment of NCLP Scheme with RTE Act, 2009**

**12.19** With the enactment of Right to Education Act, 2009, there has been a need for

realignment of the NCLP Scheme with the provisions of RTE Act, 2009. Ministry of Human Resource Development vide their letter No. 10-4/2009-EE.4 dated 2.7.2010 intimated that the NCLP Schools can serve as special training centers for un-enrolled and out of school children in accordance with the provisions of Section 4 of the RTE Act and Rule 5 of the Right of Children for free and compulsory education (RTE) Rules, 2010.

#### **Supreme Court Judgement on Child Labour**

**12.20** Hon'ble Supreme Court of India has issued various directions to the State Governments 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.

## Provision of Child & Adolescent Labour Rehabilitation Fund:

**12.21** In order to give the statutory back up for the rehabilitation Fund, the Government has made a provision in the Child Labour (Prohibition & Regulation) Amendment Act, 2016 for constitution of Child & Adolescent Labour Rehabilitation Fund at district level to ensure that child and adolescent is not only rescued but his future is secured by the amount collected in fund for his welfare and education. The amount of fine realized from the employer of the child or adolescent shall be credited in the rehabilitation Fund and an amount of fifteen thousand will also be credited by the appropriate Government for each of the child and adolescents rescued from the work.

### Annexure 12.1

#### PART A

#### Hazardous occupations and processes in which adolescents are prohibited to work and children are prohibited to help

- (1) Mines and Collieries (underground and under water) and related work in, -
  - (i) stone quarries;
  - (ii) brick kilns;
  - (iii) preparatory and incidental processes thereof including extraction, grinding, cutting, splitting, polishing, collection, cobbling of stones or lime or slate or silica or mica or any other such element or mineral extracted from the earth; or
  - (iv) open pit mines.
- (2) Inflammable substances and explosives such as -
  - (i) production, storage or sale of fire crackers;
  - (ii) for manufacture, storage, sale, loading, unloading or transport of explosives as defined under the Explosives Act, 1884 (4 of 1884);
  - (iii) work relating to manufacturing, handling, grinding, glazing, cutting, polishing, welding, moulding, electroplating, or any other process involving inflammable substances;
  - (iv) waste management of inflammable substances, explosives and their by-products; or
  - (v) natural gas and other related products.

#### Hazardous processes (serial numbers (3) to (31) below are as specified in the First Schedule of the Factories Act, 1948 (63 of 1948))

- (3) Ferrous Metallurgical Industries
  - (i) Integrated Iron and Steel;
  - (ii) Ferro-alloys;
  - (iii) Special Steels.
- (4) Non-ferrous Metallurgical Industries: Primary Metallurgical Industries, namely zinc, lead, copper, manganese and aluminium.
- (5) Foundries (ferrous and non-ferrous): Castings and forgings including cleaning or smoothening or roughening by sand and shot blasting.
- (6) Coal (including coke) Industries:
  - (i) Coal, Lignite, Coke, similar other substance;
  - (ii) Fuel Gases (including Coal Gas, Producer Gas, Water Gas).
- (7) Power Generating Industries.
- (8) Pulp and paper (including paper products) Industries.
- (9) Fertilizer Industries:
  - (i) Nitrogenous;
  - (ii) Phosphatic;
  - (iii) Mixed.
- (10) Cement Industries: Portland Cement

- (including slag cement, puzzolona cement and their products).
- (11) Petroleum Industries:
- (i) Oil Refining;
  - (ii) Lubricating Oils and Greases.
- (12) Petro-chemical Industries.
- (13) Drugs and Pharmaceutical Industries: Narcotics, Drugs and Pharmaceuticals.
- (14) Fermentation Industries (Distilleries and Breweries).
- (15) Rubber (Synthetic Industries).
- (16) Paints and Pigment Industries.
- (17) Leather Tanning Industries.
- (18) Electro-plating Industries.
- (19) Chemical Industries:
- (i) Coke Oven By-products and Coal tar Distillation products;
  - (ii) Industrial Gases (nitrogen, oxygen, acetylene, argon, carbon dioxide, hydrogen, sulphur dioxide, nitrous oxide, halogenated hydrocarbon, ozone, similar other gas);
  - (iii) Industrial Carbon;
  - (iv) Alkalies and Acids;
  - (v) Chromates and dichromates;
  - (vi) Lead and its compounds;
  - (vii) Electro chemicals (metallic sodium, potassium and magnesium, chlorates, per chlorates and peroxides);
  - (viii) Electro thermal produces (artificial abrasive, calcium carbide);
  - (ix) Nitrogenous compounds (cyanides, cyanamides, and other nitrogenous compounds);
  - (x) Phosphorus and its compounds;
  - (xi) Halogens and Halogenated compounds (chlorine, fluorine, bromine and iodine);
- (xii) Explosives (including industrial explosives and detonators and fuses).
- (20) Insecticides, Fungicides, Herbicides and other pesticides industries.
- (21) Synthetic Resin and Plastics.
- (22) Man-made Fiber (Cellulosic and non-cellulosic) industry.
- (23) Manufacture and repair of electrical accumulators.
- (24) Glass and Ceramics.
- (25) Grinding or glazing of metals.
- (26) Manufacture, handling and processing of asbestos and its products.
- (27) Extraction of oils and fats from vegetable and animal sources.
- (28) Manufacture, handling and use of benzene and substances containing benzene.
- (29) Manufacturing processes and operations involving carbon disulphide.
- (30) Dyes and dyestuff including their intermediates.
- (31) Highly flammable liquids and gases.
- (32) Process involving handling and processing of hazardous and toxic chemicals as specified in Part-II of the Schedule I to the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989.
- (33) Work in slaughter houses and abattoirs including work with guillotines.
- (34) Work involving exposure to radioactive substances including electronic waste and incidental processes therein.
- (35) Ship breaking.
- (36) Salt Mining or Salt Pan Work.
- (37) Hazardous processes as specified in Schedule IX to the Building and Other

Construction Workers' (Regulation of Employment and Conditions of Service) Central Rules, 1998.

- (38) Work in beedi-making or processing of tobacco including manufacturing, pasting and handling tobacco or any drugs or psychotropic substance or alcohol in any form in food processing and beverage industry and at bars, pubs, parties or other similar occasions that serve alcoholic substances.

## **PART B**

### **List of occupations and processes where children are prohibited to help in family or family enterprises (in addition to 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 one platform to another or into 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 tracks;
5. a port authority within the limits of any port;
6. automobile workshops and garages;
7. handloom and powerloom industry;
8. plastic units and fiberglass workshops;
9. domestic workers or servants;
10. dhabas (roadside eateries), restaurants, hotels, motels, resorts;
11. diving;

12. circus;
13. caring of Elephant;
14. power driven bakery machine;
15. shoe making.

#### **Processes**

1. Carpet-weaving including preparatory and incidental process thereof;
2. Cement manufacture, including bagging of cement;
3. Cloth printing, dyeing and weaving including processes, preparatory and incidental thereto;
4. Shellac manufacture;
5. Soap manufacture;
6. Wool-cleaning;
7. Building and construction industry including processing and polishing of granite stones; hauling and stacking materials; carpentry; masonry;
8. Manufacture of slate pencils (including packing);
9. Manufacture of products from agate;
10. Cashew and cashew nut descaling and processing;
11. Metal cleaning, photo engraving and soldering processes in electronic industries;
12. Aggarbatti manufacturing;
13. Automobile repairs and maintenance including processes incidental thereto namely, welding, lathe work, dent beating and painting;
14. Roof tiles units;
15. Cotton ginning and processing and production of hosiery goods;
16. Detergent manufacturing;
17. Fabrication workshops (ferrous and non-ferrous);
18. Gem cutting and polishing;

19. Handling of chromite and manganese ores;
20. Jute textile manufacture and coir making;
21. Lime kilns and manufacture of lime;
22. Lock making;
23. 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 enamelling workshops, lead mining, plumbing, cable making, wire patenting, lead casting, type founding in printing shops. shot making and lead glass blowing;
24. Manufacture of cement pipes, cement products and other related work;
25. Manufacture of glass, glass ware including bangles, fluorescent tubes, bulbs and other similar glass products;
26. Manufacturing or handling of pesticides and insecticides;
27. Manufacturing or processing and handling of corrosive and toxic substances;
28. Manufacturing of burning coal and coal briquettes;
29. Manufacturing of sports goods involving exposure to synthetic materials, chemicals and leather;
30. Oil expelling and refinery;
31. Paper making;
32. Potteries and ceramic industry;
33. Polishing, moulding, cutting, welding and manufacturing of brass goods in all forms;
34. Processes in agriculture where tractors, threshing and harvesting machines are used and chaff cutting;
35. Saw mill – all processes;
36. Sericulture processing;
37. Skinning, dyeing and processes for manufacturing of leather and leather products;
38. Tyre making, repairing, re-treading and graphite beneficiation;
39. Utensils making, polishing and metal buffing;
40. 'Zari' making and processes involving the use of *zari* (all processes);
41. Graphite powdering and incidental processing;
42. Grinding or glazing of metals;
43. Diamond cutting and polishing;
44. Rag picking and scavenging;
45. Mechanized fishing;
46. Food processing;
47. Beverage industry;
48. Cultivating, sorting, drying and packaging in spice industry;
49. Timber handling and loading;
50. Mechanical lumbering;
51. Warehousing;
52. Massage parlours, gymnasiums, or other recreational centres, or in medical facilities;
53. Operations involving the following dangerous machines:-
  - (a) hoists and lifts;
  - (b) lifting machines, chains, ropes and lifting tackles;
  - (c) revolving machinery;
  - (d) power presses;
  - (e) machine tools used in the metal trades;
54. Composing types for printing, printing by letter press, lithography, photogravure or other similar process or book-binding, as specified in sub-clause (iv) of clause (k) of section 2 of the Factories Act, 1948."

Table 12.2

**CONSOLIDATED LIST OF DISTRICTS STATE-WISE UNDER THE NCLP SCHEME**

Sl. No.	Name of State	No. of Sanctioned Districts	Name of District
1.	Andhra Pradesh	13	Anantapur, Chittor, Kadapa, Guntur, Kurnool, Nellore, Prakasam, Srikakulam, Vizianagaram, Vishakhapatnam, West Godavari, East Godavari, and Krishna.
2.	Assam	5	Nagaon, Kamrup, Bongaigaon, Nalbari 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, Kishanganj, Begusarai, Banka, Saran, Purnia and Bhagalpur
4.	Chhattisgarh	8	Durg, Bilaspur, Rajnandgaon, Surguja, Raigarh, Raipur, Dantewada and Korba
5.	Gujarat	9	Surat, Panchmahals, Kutch (Bhuj), Banaskantha, Dahod, Vadodara, Bhavnagar, Ahmedabad and Rajkot
6.	Haryana	3	Gurgaon, Faridabad and Panipat
7.	Jammu & Kashmir	3	Srinagar, Jammu and Udhampur
8.	Jharkhand	9	Garwaha, Sahibganj, Dumka, Pakur, West Singhbhum (Chaibasa), Ranchi, Palamu, Gumla and Hazaribagh
9.	Karnataka	17	Bijapur, Raichur, Dharwad, Bangalore Rural, Bangalore Urban, Belgaum, Koppal, Devangere, Mysore, Bagalkot, Chitradurga, Gulbarga, Bellary, Kolar, Mandya, Haveri and Tumkur
10.	Madhya Pradesh	22	Mandsaur, Gwalior, Ujjain, Barwani, Rewa, Dhar, East Nimar(Khandwa), Rajgarh, Chhindwara, Shivpuri, Sidhi, Guna, Shajapur, Ratlam, West Nimar(Khargon), Jhabua, Damoh, Sagar, Jabalpur, Satna, Indore and Katni.
11.	Maharashtra	18	Solapur, Thane, Sangli, Jalgaon, Nandurbar, Nanded, Nasik, Yavatmal, Dhule, Beed, Amravati, Jalna, Aurangabad, Gondia, Mumbai Suburban, Pune, Buldana and Parbhani.
12.	Nagaland	1	Dimapur
13.	Odisha	24	Angul, Balasore, Bargarh, Bolangir, Cuttack, Deogarh, Gajapati (Udayagiri), Ganjam, Jharsuguda, Kalahandi, Koraput, Malkangiri, Mayurbhanj, Nabarangpur, Nuapada, Rayagada, Sambalpur, Sonapur, Jajpur, Keonjhar,

			Dhenkenal, Khurda, Nayagarh and Sundergarh.
14.	Punjab	3	Jalandhar, Ludhiana and Amritsar
15.	Rajasthan	27	Jaipur, Udaipur, Tonk, Jodhpur, Ajmer, Alwar, Jalore, Churu, Nagaur, Chittaurgarh, Banswara, Dhaulpur, Sikar, Dungarpur, Bharatpur, Bikaner, Jhunjhunu, Bundi, Jhalawar, Pali, Bhilwara, Sri Ganganagar, Barmer, Dausa, Hanumangarh, Kota and Baran.
16.	Tamil Nadu	18	Chidambaranar/Toothikudi (Tuticorin), Coimbatore, Dharmapuri, Vellore, Salem, Tiruchirapalli, Tirunelveli, Krishnagiri, Chennai, Erode, Dindigul, Theni. Kanchipuram, Thiruvannamalai, Tiruvallur, Pudukkottai, Nammakkal and Virudhunagar.
17.	Telangana	31	Hyderabad, Karimnagar, Khammam, Nizamabad, Rangareddy, Warangal, Nalgonda, Medak, Mehbubnagar, Adilabad, Mancherial, Nirmal, Komuram Bheem Asifabad, Jagtial, Warrangal (Urban), Jayashankar Bhupalpally, Jangaon, Sangareddy, Siddipet, Wanaparthy, Nagarkurnool, Jogulambab Gajwal, Suryapet, Medchal Malkajgiri, Vikarabad, Mahabubabad, Pedapally, Rajanna Sircilla, B.Kothagudem, Y.Bhuvanagiri and Kamareddy.
18.	Uttar Pradesh	55	Varanasi, Mirzapur, Bhadohi (Sant Ravi Das Nagar), Bulandshahar, Saharanpur, Azamgarh, Bijnour, Gonda, Kheri, Bahraich, Balrampur, Hardoi, Barabanki, Sitapur, Faizabad, Badaun, Gorakhpur, Kushinagar, Kannauj, Shajahanpur, Rae Bareilly, Unnao, Sultanpur, Fatehpur, Shravasti, Pratapgarh, Basti, Sonbhadra, Mau, Kaushambi, Banda, Ghaziabad, Jaunpur, Rampur, Bareilly, Lucknow, Meerut, Etawah, Agra, Ghazipur, Mathura, Etah, Moradabad, Allahabad, Kanpur Nagar, Aligarh, Ambedkar Nagar, Balia, Gautambudh Nagar, Hapur, Jhansi, Lalitpur, Mainpuri, Sambhal and Ferozabad.
19.	Uttarakhand	13	Dehradun, Chamoli, Nainital, Champawat, Almora, Haridwar, Tehri Garhwal, Pauri Garhwal, Udham Singh Nagar, Pithoragarh, Rudrapur, Bageshwar and Uttarkashi.
20.	West Bengal	19	Burdwan, North Dinajpur, Dakshin Dinajpur, North 24-Parganas, South 24-Parganas, Kolkata, Murshidabad, West Midnapore, Maldah, Bankura, Purulia, Birbhum, Nadia, Hoogli, Howrah, Jalpaiguri, Cooch Behar, East Midnapore and Darjeeling.
21.	Delhi	1	NCT of Delhi
	<b>Total</b>	<b>323</b>	

## CHAPTER-13

# OCCUPATIONAL SAFETY & HEALTH (OSH)

### Directorate General Factory Advice Service & Labour Institutes (DGFASLI)

#### A. The Organisation

**13.1** 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), 5-week Specialized Certificate Course in Safety and Health for Supervisory Personnel working in Hazardous Process Industries.

**13.2** 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 an Award Cell.

**13.3** The Central Labour Institute in Mumbai started working from 1959 and was shifted to its present premises in February' 1966. 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 Cell**
- **Productivity**
- **Major Hazards & Chemical Safety**
- **Management Information Services**
- **Safety and Health Communication**
- **Construction Safety**

**13.4** The different divisions at the Institute undertake activities such as carrying out Studies and Surveys, organizing 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.

**13.5** The Regional Labour Institutes (RLIs) located in Kolkata, Chennai, Kanpur and Faridabad are serving the respective regions of the country. Each of these institutes has the following divisions/ sections:

- **Industrial Safety**
- **Industrial Hygiene**
- **Industrial Medicine**
- **Staff Training and Productivity**
- **Safety and Health Communication**
- **Major Hazards & Chemical Safety**

**13.6** The Inspectorates of Dock Safety are established at 11 major ports of India viz. Kolkata, Mumbai, Chennai, Visakhapatnam, Paradip, Kandla, Mormugao, Tuticorin, Cochin, New Mangalore and Jawaharlal Nehru Port. The Inspectorate of Dock Safety at Ennore Port is in the process of being set up.

**13.7** The manpower inventory of the organization as on 30.09.2018 is given in box as below :

**Staff Position of DGFA SLI**

Units	Technical		Administrative		Total	
	Sanctioned	Working	Sanctioned	Working	Sanctioned	Working
Head quarters	12	8	45	30	57	38
CLU, Mumbai	49	30	69	41	118	71
4 RLIs	61	43	80	38	141	81
Dock-Safety Inspectorates	28	18	28	10	56	28
<b>Total</b>	<b>150</b>	<b>99</b>	<b>222</b>	<b>119</b>	<b>372</b>	<b>218</b>

## **B. Activities of the Organisation**

### **I. Safety and Health in Factories**

**13.8** The Factories Act, 1948 is the principal legislation for regulating various aspects relating to safety, health and welfare of workers employed in factories. This Act is a Central Enactment, which aims at protecting workers employed in

factories from industrial and occupational hazards. The State Governments and Union Territory Administration frame their Rules under the Act and enforce provisions of the Act and Rules through their Factory Inspectorates/Directorates.

**13.9** The Ministry of Labour and Employment is accountable to the Parliament for proper enforcement of the Act. Uniformity in the application of the provisions of the Act in various States and Union Territories is achieved by circulating the Model Rules prepared by DGFA SLI, which are incorporated by them in their State Factories Rules with necessary modifications to suit local needs. In the task of framing the Model Rules, the DGFA SLI, on behalf of the Ministry of Labour and Employment, enlists the cooperation and involvement of the State Governments by convening annually a Conference of Chief Inspectors of Factories (CIF) of the states and UTs. The Conference discusses all matters relating to the administration of the Act as well as proposed amendments. Besides, the Conference also serves as a forum for discussion of the progress made in the techniques and methods of prevention of accidents and ill health in factories. The Model Rules are being upgraded in consultation with the CIFs.

## **II. Dock Safety**

**13.10** 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. The act and regulations cover the safety, health & welfare aspects of dock worker engaged in loading, unloading & transportation of cargo, including the work incidental to dock work. In addition, the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 framed under the Environment (Protection) Act, 1986 are also

enforced by DGFA SLI in the major ports of India through the Inspectorates of Dock Safety.

**13.11** Administration of the Act and the Regulations in major ports is carried out by the Ministry of Labour & Employment, through DGFA SLI, Mumbai. The Director General is the Chief Inspector of Dock Safety appointed under the Act. The Chief Inspector of Dock Safety is also an authority for enforcement of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 framed under the Environment (Protection) Act, 1986 in the major ports.

**13.12** The above statutes are enforced by the Inspectors posted at Inspectorate of Dock Safety at all the major ports viz. Mumbai, Kolkata, Chennai, Kandla, Mormugao, New Mangalore, Cochin, Tuticorin, Visakhapatnam, Paradip and Jawaharlal Nehru Port except Ennore where the Inspectorate is being set up. Presently, the enforcement in this Port is carried out by the Inspectors posted in Inspectorate Dock Safety, Chennai. Inspectors also enforce the Marking of Heavy Packages Act, 1951 and Rules framed there under in the major ports.

**13.13** The main function of the Inspectorates is to ensure the compliance with the provisions under the statutes. The statutory responsibilities of Inspector include inspection of ships, tankers, loose-gears, container-handling equipment, docks, container-yard and terminal, hazardous installations and isolated storages, tanks; carrying out the investigation of accidents (fatal and serious) and dangerous occurrences; prosecution of employers, attending to complaints, providing advisory services and conducting safety promotional activities like training programmes, workshops, celebration of safety week etc. The Inspectorate also prosecutes the agency responsible for violation of any provision of the Act and Regulations framed there under.

#### **(a) Activities- Performed**

1. Enforcement activities (various inspections, investigations, prosecutions, promotional activities etc.) were carried out by the Dock Safety Inspectorates at all major ports for the administration and enforcement of the Dock Safety statutes.
2. Organized 03 refresher training workshops on "Testing, Examination & Certification of Lifting Appliances, Loose Gears and Wire Ropes" for competent persons.
3. Organised the 14th meeting of Advisory Committee
4. Organised one day National Workshop on "Emerging trend/ Technology in Testing, Examination and certification of Lifting Appliances, Loose Gears, Wire Ropes, etc., for competent persons.
5. Swachhta Pakhwada was celebrated at all the Inspectorate Dock Safety offices from 01.05.2018 to 15.05.2018.
6. Implementation of Risk Based Random Inspection System (RBRIS).
7. Phase-I comprehensive amendment proposed to the Dock Workers (Safety, Health & Welfare) Regulations, 1990 was prepared & sent to the ministry.

#### **(b) Activities- Forecast**

1. Enforcement activities (various inspections, investigations, prosecutions, promotional activities etc.) will be carried out by the Dock Safety Inspectorates at all major ports for the administration and enforcement of the Dock Safety statutes.
2. National Workshop for Inspectors of Dock Safety will be organised.
3. Follow-up action on implementation of

decisions taken during the 14th meeting of Advisory Committee.

4. Workshop(s) for OSH professionals working in major ports of India will be organized.
5. Phase-II comprehensive amendment proposed to the Dock Workers (Safety, Health & Welfare) Act, 1986 & Regulations, 1990 will be prepared.

### III. TRAINING PROGRAMMES

#### Professional Programmes

- One year Advanced / Post Diploma in Industrial Safety Courses for 2018-19 were held at CLI Mumbai, RLI Kolkata, RLI Chennai, RLI Kanpur and RLI Faridabad, benefitting 201 participants from 182 organisations to become qualified Safety Officers as required under Section 40-B of the Factories Act, 1948 and Rules made there under.
- Three months Associate Fellow in Industrial Health (AFIH) Course for 2018-19 was held at CLI, Mumbai & RLI, Kolkata and RLI, Faridabad benefitting 82 Medical personnel from 82 organisations

Training Programmes are conducted in the field of Industrial Safety and Health. During the period April-October' 2018, 12 training programmes including seminar/workshops and in-plant training were conducted. Also, 99 Appreciation programmes were conducted for 2350 beneficiaries at various divisions of DGFA SLI, CLI, Mumbai and the four Labour Institutes, in Faridabad, Kanpur, Kolkata and Chennai.

### IV. STUDIES AND SURVEYS

**National Studies and Surveys** are undertaken by DGFA SLI, in its efforts towards helping the Central Government to ascertain the status of working conditions, safety and health in factories

and port sector, and to formulate the appropriate standards for inclusion in statutes. A national level 'National Survey on Occupational Safety & Health' (as per Section 91-A of the Factories Act, 1948) in silicosis affected areas in India wrt to the implementation of the order of the Hon'ble Supreme Court.

**Unit level consultancy studies** are carried out at the request of the management and reports are submitted for implementation of the recommendations for further improvements in factories concerned. A total 18 Consultancy studies were carried out during the period April – October' 2018.

### V. NATIONAL REFERRAL DIAGNOSTIC CENTRE

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

### VI. MAJOR HAZARDS & CHEMICAL SAFETY

The Major Hazards & Chemical Safety Division at the Central Labour Institute, Mumbai advises State Governments and Major Accident Hazard (MAH) Units on control of Major Accident Hazards, preparation of emergency plans, Safety Audit, Risk Assessment etc. As on date, the information on MAH Units, hazardous chemicals & on-site emergency plans in the country is as under:

(a) MAH Units	: 1756
(b) Hazardous chemicals	: 225
(c) On-site emergency plans	: 1448

### VII. MANAGEMENT INFORMATION SERVICES

Management Information Service (MIS) Division of Central Labour Institute, Mumbai is a source of information about the activities of DGFA SLI. The goals of MIS are to implement the

organizational structure and dynamics of the department for managing the organization in a better way and capturing the potential of the information's on OSH for competitive advantage to the Industries as well as state Governments. The basic functioning of MIS is:

- Website updating and management: - DGFA SLI website had been launched with URL: [www.dgfasli.nic.in](http://www.dgfasli.nic.in). This website contains the information on Statutes on safety and Occupational Health, Factories Act 1948, Dockworkers safety & Health regulation, Information major research project initiated during five-year plan, Advisory services on PPE of Respiratory and Non-Respiratory system.
- Under 'Digital India' campaign online form for approval of competent person, flame proof equipment and Notification of site has been developed and hosted on website of DGFA SLI and being monitored by national portal.
- The Library cum information centre has been equipped with more than 25,000 books on occupational safety and health along with various journals on OSH.

Website also uploaded with information on Material Safety Data Sheet (MSDS), abstracts of studies, Training Calendar, Tenders and Notices on Area Detection and Identification System (ADIS), Associate Fellow of Industrial Health (AFIH) related information.

### **VIII. INDUSTRIAL SAFETY, HEALTH & WELFARE CENTRE**

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 April – October' 2018, total 2350 visitors benefitted through 99 Appreciation programmes conducted on Safety & Health in this centre.

### **IX. TESTING OF PERSONAL PROTECTIVE EQUIPMENT**

The laboratories for respiratory and non-respiratory personal protective equipment testing at Central Labour Institute, Mumbai undertake performance tests of Canisters, Dust Masks, SCBA Air Quality equipments, Helmets, Safety Shoes, Safety Goggles, Safety Belts and Welding Glasses etc. Respiratory protective equipments such as dust respirators, canisters, dust filters etc. and Non-Respiratory equipment such as helmets, safety shoes etc. are tested to ascertain their performance characteristics as per relevant BIS standards.

### **X. REPRESENTATION ON BIS COMMITTEES**

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

### **XI. PROMOTIONAL ACTIVITIES- (AWARD SCHEMES)**



The DGFA SLI 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 safety and working conditions
  - (iii) Savings in foreign exchange (import substitution as well as quality and safety of products) and
  - (iv) Improvement in the overall efficiency of the establishments. It covers workers employed in factories, docks, construction sites and Nuclear Installation.

28 Vishwakarma Rashtriya Puraskar (VRP) awards are given in the form of cash prize and a certificate of merit in three categories: Five Awards of Rs. 75,000/- in Class 'A', Eight Awards of Rs. 50,000/- in Class 'B' and Fifteen Awards of Rs. 25,000/- in class 'C' categories.

- **National Safety Awards:** National Safety Awards are given in recognition of good safety performance on the part of the industrial establishments registered under The Factories Act, 1948, the employers covered under The Dock Worker (Safety, Health and Welfare) Act, 1986 and The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and installations under The Atomic Energy Regulatory Board (AERB). The awards are given under twelve schemes, out of which ten are meant for

Factories /Construction sites /Installations under AERB and two are for Ports. Under each award, a Shield and a Certificate of Merit is given to each of the Award Winners and Runners-up. The establishments are classified in different schemes based on working of highest man-hours.



**Awards Distribution Function for VRP and NSA (Performance year 2016):**

Vishwakarma Rashtriya Puraskar (VRP) & National Safety Awards (NSA) function was organised at New Delhi on 17th September 2018. The awards were given by Hon'ble Minister of State (Independent Charge) for Labour & Employment Shri Santosh Kumar Gangwar. 28 Vishwakarma Rashtriya Puraskar (VRP) shared by 139 individuals and 128 National Safety Awards (NSA) in twelve categories which include 76 winners and 52 runners-up were given for the performance year 2016.

The VRP and NSA awards work both as an impetus as well as a catalyst to unleash the latent and untapped potentials of the promising workers at the plant level while recognizing the excellent performance of the companies in preventing accidents and promoting safety at work place. They stimulate and sustain the interest of both the managements and the workers alike in accident prevention and safety promotional programmes. The applications of these awards are invited through wide publicity across the

country. The applications thus, received for VRP as well as NSA are adjudged by a Tripartite Awards Committee consisting of representation from employers' organizations, employees' organizations and Central/State Governments. This Tripartite Committee is constituted by the Ministry of Labour & Employment, Govt. of India. Apart from the tripartite representation, there are also experts on the Committee from renowned Institutions, Universities and industry in the field of safety, health, environment, productivity and quality.

## **XII. MoU between DGFASLI and DGUV, Germany**

The Directorate General Factory Advice Service and DGUV, Germany share the opinion that a safe working environment is a prerequisite for decent work in the organised as well as the unorganised sectors and that social protection of workers in particular where there is a high risk such as construction industries is a prerequisite for the health, the working capacity and well-being of workers and their families. Having arrived at the said consensus, DGFASLI and DGUV entered into an Memorandum of Understanding (MoU) on 20.11.2015 with the objective of a mutual collaboration that seeks to enhance safety and health at work, to reduce the occurrence of work related accidents and diseases and to promote social protection. The cooperation between DGFASLI and DGUV is to be extended for a further period of three years. The Memorandum of Understanding (MoU) for continuation of cooperation between Directorate General Factory Advice Service and DGUV, Germany was signed at DGUV (HQ), Berlin (Germany) on 13<sup>th</sup> of November, 2018.



***Signing of Memorandum of Understanding (MoU) between Directorate General Factory Advice Service and DGUV, Germany, at DGUV (HQ), Berlin (Germany) on 13<sup>th</sup> of November, 2018.***



***The Indian delegation consisting of Dr. Avneesh Singh, Director General, DGFASLI, Min. of Lab. & Employment and Mr. Devender Singh, Economic Advisor, Min. of Lab. & Employment attended the meeting with DGUV officials at DGUV (HQ) to discuss the way forward to carry out the activities as per the Memorandum of Understanding.***

The Indian delegation also visited training institution under DGUV, Germany at Frankfurt. In this training centre the students were undergoing training in the area of construction safety. The delegation also visited the manufacturing facility of protective clothing at Cologne.

### XIII. SCHEMES OF DGFASLI

During the year 2018-19 DGFASLI is implementing the Scheme Strengthening of DGFA SLI Organisation and Development of OSH in Factories, Ports & Docks. The Scheme has three components.

#### 1. Component-I: “Strengthening of DGFASLI Organization and OSH in Factories, Ports & Docks”

##### Objectives:

To strengthen the infrastructure facilities at DGFA SLI organisation including Central Labour Institute at Mumbai and Regional Labour Institutes located at Chennai, Kanpur and Kolkata and Inspectorates Dock Safety at the 11 major ports for improving occupational safety and health status of workers in factories, ports and docks throughout the country thereby contributing in prevention and control of occupational injuries and diseases.

##### Achievements and Forecast Activities

Sl. No.	Major Component and Activities	Achievements (Apr-Sep' 2018)	Forecast Activities Oct' 2018 (– Mar' 2019)
1.	a) Development of National Inventory on OSH information and follow up	-	1
	b) Upgradation and development of data bases	-	-
	c) Development of Application Programmes	-	2
	d) Material Safety Data Sheet (MSDS)	-	-

	on request		
	e) Industry-wise safety and health information	40	-
	f) Publication of Manuals, brochures	25	-
a)	Implementation of minimum agenda for e-governance	10	12
b)	Conduction of specialized training programmes, seminars, workshops	34	-
c)	Conduction of studies /surveys/audits	18	-
d)	Enforcement activities in major ports (inspection of ships, container ship, loose gears, docks, container yards, hazardous installations, etc.)	2658	-
e)	Testing of Respiratory & Non-Respiratory PPE	RPPE:148 NRPPE:136	-

#### 2. Component-II: “Development of Regional Labour Institute Faridabad as Advanced Centre of Safety Systems for MSME and Chemical Process Units”

##### Objectives:

- The objective of the scheme is to develop Regional Labour Institute, Faridabad as an advance centre of Safety Systems to meet the specialized needs of MSMEs and Chemical Process Industry.

- Development of Advance Training Centre, Advance Research Centre and Awareness Centre for carrying out the Technical activities.
- To develop wide spectrum Door-step Facility to impart knowledge, skills and develop awareness among the workforce and owner-managers of MSMEs.

### Achievements and Forecast Activities

Sl. No.	Major Component and Activities	Achievements (Apr-Sep' 2018)	Forecast Activities Oct' 2018 (- Mar' 2019)
1.	Creation of various posts	Nil	Nil
2.	Setting up of Centres / Laboratories*	1	-
3.	1 or 2 days duration training programme	1	1
4.	3 or more days duration training programme	6	3
5.	In-plant Training*	Nil	3
6.	Training programme for Target Groups i.e. Factory Inspectors / Safety Officers etc.	6	3
7.	One-year post Diploma course in Industrial Safety	1	Continuing
8.	Certificate course – Associate Fellow of Industrial Health (AFIH) for Medical Officers	1	Nil
9.	Training programme	Nil	2

	for small & Medium enterprises		
10.	Studies/Surveys/Audits	4	4
11.	National Seminar/ conference /Workshops	1	1
12.	Publications/ Posters	Nil	1
13.	Video film	Nil	1
14.	Awards	2	2

\*depending upon the requirement

### 3. Component-III: “Development of Regional Labour Institute Shillong.

The objective of the scheme is to cater to the needs of the North-Eastern Region in the areas of Occupational, Safety & Health. During the year the CPWD has initiated the construction of the building for RLI, Shillong.

#### C. NEW INITIATIVES

- The CLI/ RLIs have been assigned as Centre of Excellence in specific areas as follows:

CLI, Mumbai	Dock Safety and Engineering Industry.
RLI, Faridabad	MSME and Chemical Process Safety
RLI, Chennai	Construction and Automobile Industry.
RLI, Kanpur	Sugar Industry and Power Generation
RLI, Kolkata	Ferrous and Non-Ferrous Metals and Paper Industry

#### Directorate General Of Mines Safety (DGMS)

**13.14 Directorate General of Mines Safety (DGMS)** under the Ministry of Labour and

Employment administers Safety and Health of workers employed in mines in India. 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 objectives. Apart from administering the Mines Act and Subordinate Legislations thereunder, DGMS also administers other allied legislations.

Minerals are depleting assets of a nation. Extraction of the same from below the surface of the earth is fraught with innumerable dangers. Mining has been and continues to be a hazardous profession and has rightly been deemed to be a war with the unpredictable forces of nature. The condition of roof and sides of underground mines can change without any prior indication. Dangers due to sudden inrush of water, release of lethal and inflammable gases or the fall of roof and side are inherent to mining and it is essentially because of such unpredictable dangers that mining is considered the most hazardous of all peace-time occupations.

**13.15** Minerals constitute 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. 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. Large-scale mechanization led to higher risk to health and safety of the persons deployed in mines. Accordingly the role of the **Directorate-General of Mines Safety (DGMS)** has also broadened.

**13.16** The Mines Act, Subordinate Legislations thereunder and other allied legislations administered by the Directorate General of Mines Safety (DGMS) are as follows:

### **Mines Act, 1952**

- Coal Mines Regulations, 1917.
- Metalliferous Mines Regulations, 1961.
- Oil Mines Regulations, 2017.
- Mines – Rules, 1955.
- Mines Vocational Training Rules, 1966.
- Mines Rescue Rules, 1985.
- Mines Crèche Rules, 1966.
- Coal Mines Pit Head Bath Rules, 1959.

### Section 1.01 Electricity Act, 2003

- Central Electricity Authority Regulations, 2010

### Section 1.02 Allied Legislation

- Factories Act, 1948: Chapters III & IV
- Manufacture, Storage & Import of Hazardous Chemicals Rules, 1989 under Environmental Protection Act, 1986
- The Coal Mines (Conservation & Development) Act, 1974

### **Role and Functions of DGMS**

#### **13.17 Vision of DGMS**

To attain and hazard free conditions at work and welfare of persons employed in mines.

#### **13.18 Mission of DGMS :**

To identify and reduce risk of accidents and occupational diseases in and around the mines through :-

- Development of suitable legislation, rules, regulations, standards and guidelines

- Adequate measures to ensure compliance and
- Awareness initiatives to inculcate safety and health culture amongst work-persons and stakeholders

### 13.19 Current functions of DGMS broadly include:

1. Inspections of mines
2. Investigations into -
  - (a) accidents
  - (b) dangerous occurrences - emergency response
  - (c) complaints & other matters
3. Grant of :
  - (a) statutory permission, exemptions & relaxations
  - (b) approval of mines safety equipment, materials & appliances
4. Interactions for development of safety equipments, materials and safe work practices through workshop etc.
5. To compile, process and maintain the data related to employment, machinery, explosives, accidents statistics pertaining to Mines (Coal & Non-Coal)
6. Publication: To bring out the following publications periodically :
  - (a) Statistics of Mines in India, Volume – I (Coal) - (Yearly)
  - (b) Statistics of Mines in India, Volume – II (Non-Coal) - (Yearly)
  - (c) Monthly Review of Accident (on the DGMS web-site) (Monthly)
  - (d) DGMS Standard Note – Yearly

7. Dissemination of mines related data to other organisations viz. CSO, IBM, Labour Bureau and State Governments, Ministry of Coal etc.
8. Development of Safety Legislation & Standards
9. Safety Information Dissemination.
10. Conduct of examinations for grant of competency certificates.
11. Safety promotional initiatives including:
  - (a) Organisation of -
    - Conferences on Safety in Mines
    - National Safety Awards to the mines practicing best safety standards; awarded by Hon'ble President of India
    - Safety Weeks & Campaigns
  - (b) Promoting -
    - safety education and awareness programmes
    - workers' participation in safety management through
      - workmen's inspector
      - safety committee
      - tripartite reviews

### ORGANISATION SET-UP

**13.20** This is a subordinate office under the Ministry of Labour and Employment with its Headquarters at Dhanbad (Jharkhand). It is headed by the Director General of Mines Safety. At Head Quarters, Director General is assisted by specialist officers of Mining, Electrical and Mechanical Engineering, Statistics, Occupational Health, 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 Organization. Field Organization has a two-tier network. The entire country is divided into eight zones 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 29 such Regional Offices. Three Sub-Regional offices have also been set up in important areas of concentrated mining activities away from Regional offices. Each of these is under the 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 732 persons with 574 in position as on 01.10.2018 as shown below :

CATEGORY OF OFFICIALS	NO. OF SANCTIONED POST	NO. OF EMPLOYEE IN POSITION
GROUP-A	279	147
GROUP-B (Gazetted)	38	24
GROUP-B (Non -Gazetted)	186	147**
GROUP-C	229	156
GROUP C Sanctioned for outsourcing	231#	100*
TOTAL	732	574
<p>* Incumbents present on such posts will stand abolished as and when existing incumbents vacate the posts on account of promotion/ reversion/ superannuation.</p> <p>** Total 12 Gr B Non-Gazetted posts have not been abolished till date as the incumbents are there on such posts.</p> <p>#To be filled up by outsourcing.</p>		

## a) TREND OF ACCIDENT

**13.21** Trend in fatal and serious accidents in both Coal as well as Non-Coal mines is given in Table 13.2. 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. To minimise the number of accidents the Directorate-General of Mines Safety has taken various measures.

### Section 1.03 SAFETY MEASURES

**13.22** 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 investigations 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 2001 to 2018 is shown in Table 13.5A. The trend of fatal accidents and fatality rate per 1000 persons employed on 10 yearly average basis from the year 1951 to 2010 and 2011-2018 is shown in Table 13.5B.

**13.23** 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 2006 onwards are shown in Table 13.6.

### CIRCULARS

**13.24** The DGMS issues circulars to the mining industry on occupational safety and health matters, which may have wide implications. Technical Circulars, Approval Circulars, General

Circulars, General Instructions, Technical Instructions, Legislation Circulars and Legislation instructions are issued as per requirement.

## COMPETENCY TEST

**13.25** 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 01.04.2018 to 30.09.2018 have been given in Table 13.7.

## APPROVAL OF MINES SAFETY EQUIPMENT

**13.26** Approval is granted by Chief Inspector of Mines (Also designated as Director General of Mines Safety) to various equipments for use in mines to fulfil the statutory obligation enshrined under different provisions of Coal Mines Regulation, 2017, Metalliferous Mines Regulations, 1961, Oil Mines Regulations, 2017, Central Electricity Authority Regulations, 2010 and Mines Rescue Rules, 1985. 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 prolonged use under adverse conditions. 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 worthiness of the equipments in various mines.

After the equipments are successfully tried in the field, the performance report from the concerned mine management is obtained. If the above reports are found satisfactory regular approval is granted for a specific period.

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

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

**13.28** The table below shows particulars of items approved

<b>Resuscitator, Self Rescuer, Breathing Apparatus approved during 01.04.2018 to 30.09.2018</b>			
<b>Items</b>	<b>Number of regular approvals/ Regular approval extension granted</b>	<b>Number of Field Trial approvals/ Field Trial Approval Extension granted</b>	<b>Total number of Approvals granted</b>
Breathing Apparatus	02	00	02
Resuscitator/ Reviving Apparatus	00	00	00
Self Rescuers (COSR)	02	00	02
<b>Total</b>	<b>04</b>	<b>00</b>	<b>04</b>

Equipments, appliances, materials and machinery approved during 01.04.2018 to 30.09.2018		
Number of regular approvals/ Regular approval extension granted	Number of field trial approvals/ field trial approval extension granted	Total number of approvals granted
02	00	02

Explosives, Exploders & Detonators, etc. approved during 01.04.2018 to 30.09.2018		
Number of regular approvals/ approval extension granted	Number of field trial approvals/ field trial approval extension granted	Total number of approvals granted
03	02	05

**13.29** Approvals for use of Mechanical Equipments etc. in mines were granted during 01.04.2018 to 30.09.2018 which is given below :-

Sl. No.	Type of approvals	No. of approvals granted
1.	Field trial approval/ extension	9
2.	Regular approval/ renewal	12
Total no. of approval granted		21

**13.30** Approvals for use of Electrical Equipments etc. in mines were granted during 01.04.2018 to 30.09.2018 which is given below :-

Sl. No.	Type of approvals	No. of approvals granted
1.	Field trial approval	08
2.	Field trial extension	12
3.	Regular approval	06
4.	Renewal	13
Total no. of approval granted		39

#### a) STATISTICS DIVISION, DGMS

**13.31** DGMS has a computerized information management (Statistics) system which is maintained by Statistics Division. The Division after receipt of various mines safety related data (in the form of returns & reports) scrutinizes, processes and compiles the same.

#### Vision:

**13.32** To complement and supplement in the direction of ensuring nationally acceptable and internationally competitive standards of health, safety and welfare for employees of the mines of India.

**13.33** The Statistics Division maintains various computerized data base of information and statistics regarding the various activities of mines safety. The database maintenance and the processing of data are done on the software platform developed by the Division.

#### NATIONAL SAFETY AWARDS (MINES)

**13.34** Ministry of Labour & Employment, Government of India instituted National Safety Awards (Mines) in 1983 (for the contest year 1982) with a view to promote a competitive spirit amongst mine operators for the betterment of safety standards in mines and to give due recognition to outstanding safety performance at national level. This award is generally given by

the Hon'ble President of India every year and has generated considerable enthusiasm amongst the Mining community. National Safety Awards (Mines) for the contest years 2013 & 2014 were given on 17th August, 2017 at New Delhi by the Hon'ble President of India.

**13.35** The applications for National Safety Awards (Mines) for the contest years 2015 & 2016 have been received and short-listing of award winning mines has been done. The list of short-listed awardees, proposal for administrative approval and financial sanction for organizing National Safety Awards (Mines) function have been sent to the Ministry for approval. The process of receiving applications, scrutiny of application, its verification and generation of award winning mines for the contest year 2017 is under process.



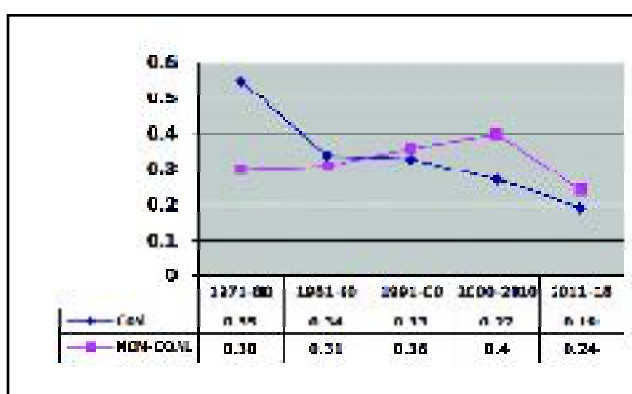
**13.36** The growth of the mining activities from the year 2006 to 2015 is reflected in Table 13.1. Trends of accidents in mines are reflected in Table 13.2. Table 13.3 reflects trend of accidents in Coal Mines cause wise. Table 13.4 reflects trends of accident in Non-Coal cause wise. Status of accidents and the resultant casualties in mines are important aspects related to mines safety. These are reflected in the Table 13.5 A and 13.5B.

**13.37** DGMS conducts technical inspections and inquiries of the mines pertaining to safety as per established standards. The concerned database is also maintained and the figures for different years are reflected in Table 13.6.

**13.38** Table 13.7 reflects the number of applications received from various managers and other employees of mines and accordingly certificates of competency issued.

### Accident Experience

**13.39** The accident trends in terms of fatal accidents and fatality rates per thousand persons employed at 10 yearly average since 1971-80 to 2011-18 (upto August, 2018) are indicated below :



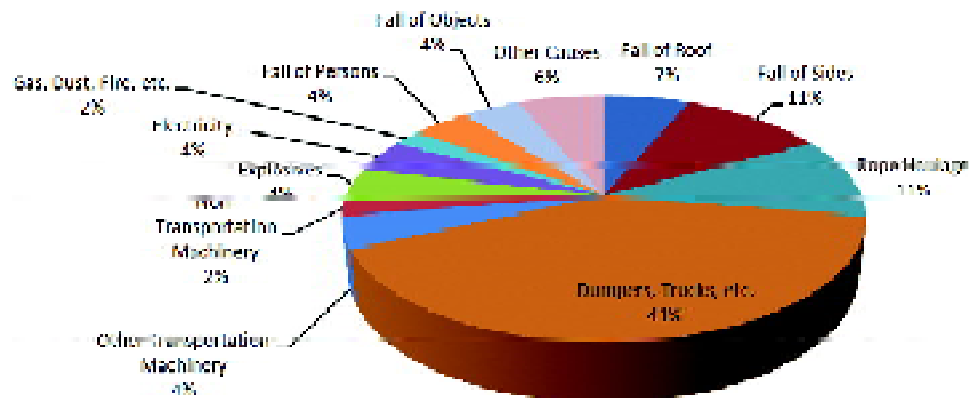
**13.40** The chart above outlines the trend fatality rates per 1000 persons employed in coal and non-coal mines on a ten yearly average basis. The trend in coal mines show a steady decline over the years, however, the same cannot be said about the non-coal mines. A closer analysis of accidents reveals that during 2017, fatal accidents in coal mines caused by dumpers, trucks, etc. contributed about 41% of the accidents, followed by about 22% caused by ground movement, i.e. roof and side falls (aggregate 18%).

**13.41** 4% of all fatal accidents in coal mines were caused by fall of persons and the same caused 32% of the serious injuries. For non-coal mines, the fatality rate per 1000 persons

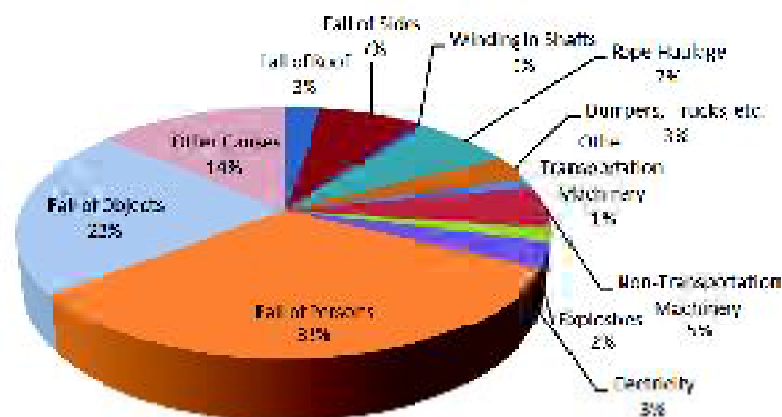
employed shows a fluctuating trend since 1970s on a ten yearly average basis. During 2017, highest percentage of fatal accidents was due to fall of sides in non-coal and it was about 20%. It was followed by fall of persons which is about 16%, Non-transportation machinery is about 14%,

explosives about 13 % and Fall of object about 11%.

**13.42** Figures 1 & 2 below show cause-wise fatal and serious accidents respectively in coal mines during the year 2017.

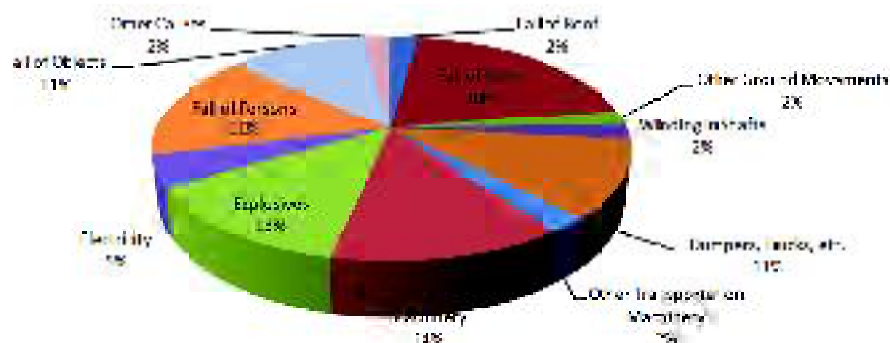


**Fig.1: Cause-wise distribution of fatal accidents in coal mines during 2017**



**Fig.2: Cause-wise distribution of serious accidents in coal mines during 2017**

**13.43** Figures 3 and 4 below show cause-wise fatal and serious accidents respectively in non-coal mines in 2017.



**Fig. 3 Cause-wise distribution of fatal accidents in non-coal mines during 2017**

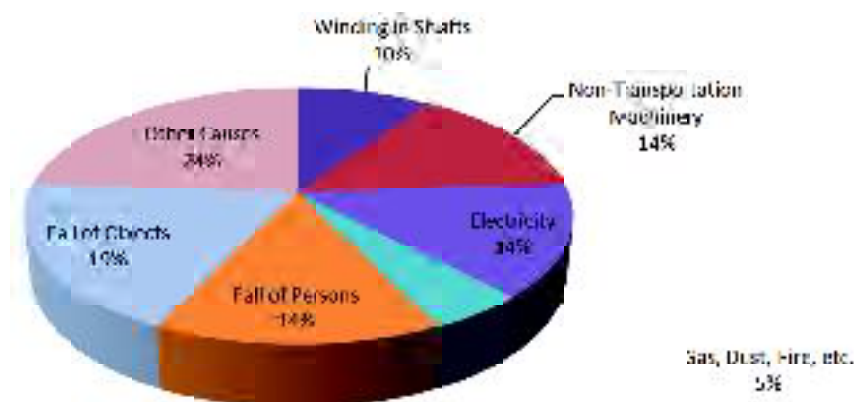


Fig.4 Cause-wise distribution of serious accidents in non-coal mines during 2017

Table 13.1

## Growth of Mining Activities in India

Year	Number of reporting mines			Value of minerals (in Million Rupees)			Aggregate H.P. (in 000s)			Explosives used (in 000 tonnes)	
	Coal	Metal	Oil	Coal	Metal	Oil	Coal	Metal	Oil	Coal	Metal
2006	568	1720	44	374671	162160	370657	5953	2666	468	345.3	95.1
2007	567	1770	49	419279	235351	256944	5843	2646	457	353.0	97.8
2008	569	1904	67	481635	289354	294290	5935	2857	711	395.3	121
2009	583	2002	74	581240	325453	351652	6248	3309	842	461.0	101.7
2010	592	1961	82	618357	434283	404801	6362	3310	851	493.2	97.2
2011	601	1956	85	666415	419109	399397	6809	3801	937	503.5	98.2
2012	582	2148	86	744934	448843	492060	6936	4101	854	474.6	102.2
2013	605	2230	88	1037522	423740	565656	7557	4104	1014	523.6	100.2
2014	588	2254	92	1212547	462475	544443	5799	3932	993	590.8	113.2
2015	590	2398	112	1068745	629814	473290	5770	4502	1443	591.1	105.4

**Note:** Based on the information as reported by mines through ZO's/ RO's

Data for the years 2016 & 2017 have not been compiled as the software for annual return is not complete,

**13.44** Table 13.1 shows the growth of mining activities in India from 2006 to 2015. Mining activities have been classified into Coal, Metal and Oil. The values of minerals mined from the Coal, Metal and Oil have been shown. The table also shows the aggregate horse power and explosive used in the mining activities in India.

Table 13.2

Year	Trend of Accidents in Mines					
	Number of Accidents in Coal Mines			Number of Accidents in Non-Coal Mines		
	Fatal	Serious	Total	Fatal	Serious	Total
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	76	923	999	56	79	135
2008	80	686	766	54	83	137
2009	83	636	719	36	94	130
2010	97	480	577	54	61	115
2011	65	533	598	44	82	126
2012	79	536	615	36	45	81
2013	77	456	533	58	52	110
2014	59	379	438	39	44	83
2015	54	302	356	45	35	80
2016*	67	268	335	40	37	77
2017*	56	183	239	45	21	66
<b>2018*</b>	<b>29</b>	<b>138</b>	<b>167</b>	<b>32</b>	<b>10</b>	<b>42</b>

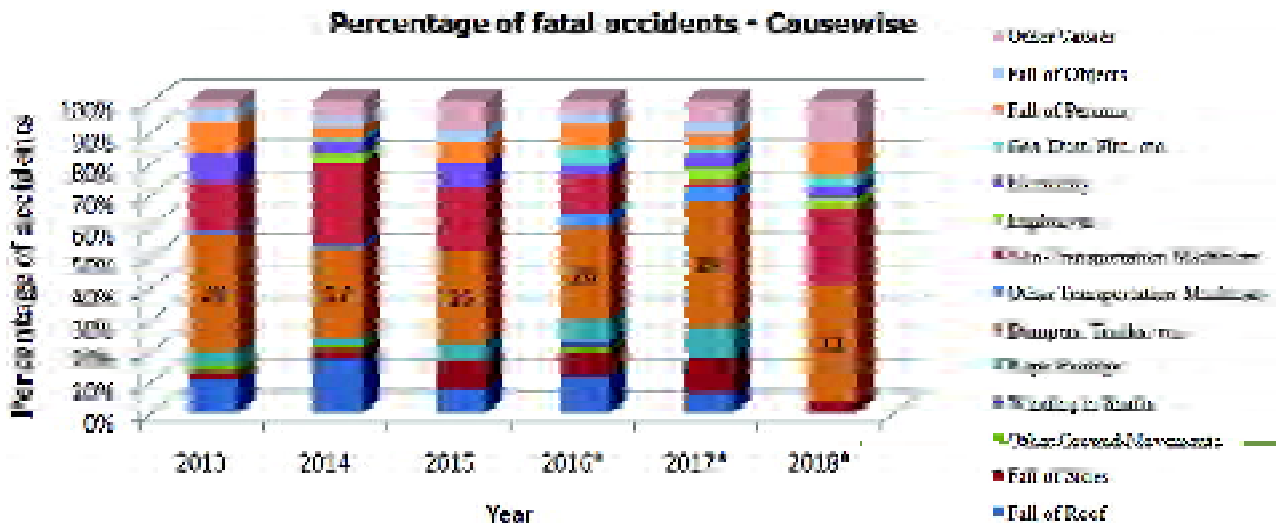
**13.45** Table 13.2 shows the trend of accidents in mines from 2001 to 2018. Accidents have been classified into coal and non-coal mines. Accidents are further classified into fatal and serious accidents.

Table 13.3

Trend of Accidents in Coal Mines – Cause-wise												
Causes	Number of Fatal Accidents						Number of Serious Accidents					
	2013	2014	2015	2016*	2017*	2018*	2013	2014	2015	2016*	2017*	2018*
Fall of Roof	8	10	4	8	3	0	17	18	9	11	5	4
Fall of Sides	2	2	5	5	5	1	19	17	11	8	13	9
Other Ground Movements	2	1	0	1	0	0	0	0	1	0	0	0
Winding in Shafts	0	0	0	1	0	0	3	5	3	0	1	11
Rope Haulage	3	1	3	5	5	0	42	33	28	26	13	10
Dumpers, Trucks, etc.	29	17	16	20	19	11	22	15	14	12	6	7
Other Transportation Machinery	1	1	0	3	2	0	9	2	4	7	2	5
Non-Transportation Machinery	12	15	11	8	1	7	27	25	18	17	10	7
Explosives	0	2	0	0	2	1	1	3	5	3	3	0
Electricity	7	2	4	2	2	1	2	3	3	6	6	3
Gas, Dust, Fire, etc.	0	1	0	4	1	1	0	2	1	0	0	0
Fall of Persons	8	2	4	5	2	3	135	129	105	87	59	48
Fall of Objects	3	2	2	2	2	0	88	59	46	43	40	25
Other Causes	2	3	5	3	3	4	91	68	54	48	25	9
<b>Total</b>	<b>77</b>	<b>59</b>	<b>54</b>	<b>67</b>	<b>56</b>	<b>29</b>	<b>456</b>	<b>379</b>	<b>302</b>	<b>268</b>	<b>183</b>	<b>138</b>

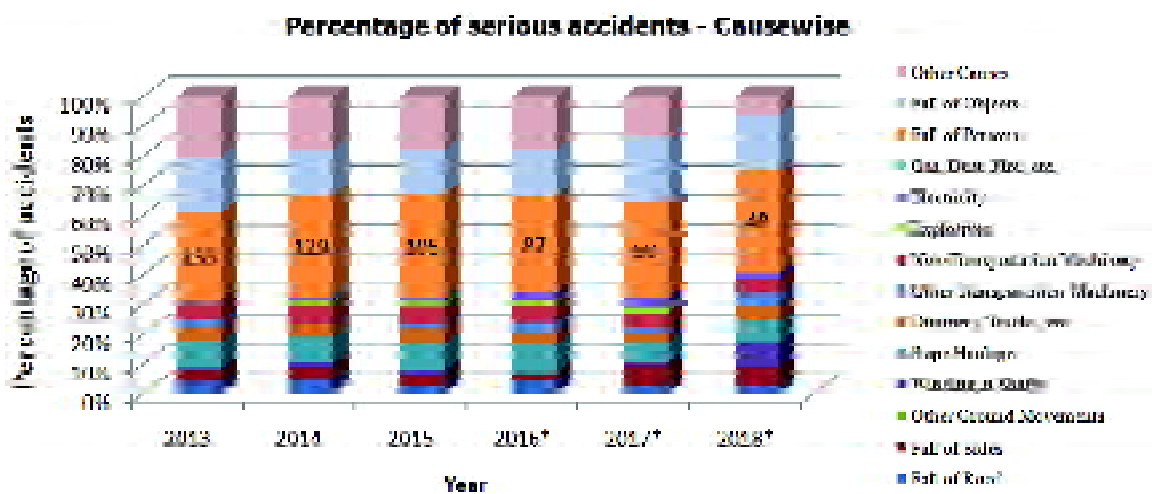
\* Data for the year 2016 to 2018 are provisional and data for 2018 are up to 31.08.2018.

**13.46** Table 13.3 shows the trend of accidents in coal mines from 2013 to 2018, cause wise. There are 14 broad causes of accidents in coal mines. Accidents are further classified into fatal and serious accidents.



**Fig.5 Percentage of fatal accident- causewise**

**13.47** Figure 5 shows the percentage of fatal accidents cause wise in mines from 2013-2018. It can be found that the major reason for fatal accident is Dumpers, Truck etc. followed by Non-Transportation machinery.



**Fig.6 Percentage of Serious accidents- causewise**

**13.48** Figure 6 shows the percentage of serious accidents cause wise in mines from 2013-2018. It can be found that the major reason for serious accidents is Fall of persons followed by Fall of objects and other causes.

**13.49** From figure 5 and figure 6, it can be found that the reasons for fatal and serious accidents are different. The major cause for fatal accident is "Dumpers, Trucks etc." while for serious accident is "fall of persons".

Table 13.4

Trend of Accidents in Coal Mines – Cause-wise												
Causes	Number of Fatal Accidents						Number of Serious Accidents					
	2013	2014	2015	2016*	2017*	2018*	2013	2014	2015	2016*	2017*	2018*
Fall of Roof	2	3	2	0	1	1	2	0	3	0	0	0
Fall of Sides	13	5	5	6	9	5	0	0	2	3	0	1
Other Ground Movements	0	0	0	0	1	1	0	0	0	0	0	0
Winding in Shafts	1	2	2	1	1	1	0	2	1	0	2	0
Rope Haulage	0	0	0	0	0	0	0	0	0	1	0	1
Dumpers, Trucks, etc.	8	7	13	9	5	5	6	4	0	1	0	1
Other Transportation Machinery	3	0	2	0	1	0	0	2	1	1	0	0
Non-Transportation Machinery	4	5	2	1	6	2	12	11	5	3	3	1
Explosives	2	2	0	3	6	0	0	0	0	0	0	1
Electricity	2	3	2	0	2	2	0	1	1	2	3	0
Gas, Dust, Fire, etc.	3	0	1	1	0	1	0	2	1	1	1	0
Fall of Persons	9	8	9	9	7	2	11	10	5	14	3	1
Fall of Objects	8	2	4	4	5	6	16	9	9	6	4	3
Other Causes	3	2	3	6	1	6	5	3	7	5	5	1
<b>Total</b>	<b>58</b>	<b>39</b>	<b>45</b>	<b>40</b>	<b>45</b>	<b>32</b>	<b>52</b>	<b>44</b>	<b>35</b>	<b>37</b>	<b>21</b>	<b>10</b>

\* Data for the year 2016 to 2018 provisional and data for 2018 up to 31.08.2018.

**13.50** Table 13.4 shows the trend of accidents in non-coal mines from 2013 to 2018, cause wise. There are 14 broad causes of accidents in non-coal mines. Accidents are further classified into fatal and serious accidents.

Table 13.5A

Accidents and resultant casualties in mines										
Year	Coal					Non-Coal				
	Fatal Accident			Serious Accident		Fatal Accident			Serious Accident	
	Acc.	Killed	Inj.	Acc.	Inj.	Acc.	Killed	Inj.	Acc.	Inj.
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	76	78	77	923	940	56	64	13	79	92
2008	80	93	16	686	693	54	73	35	83	85
2009	83	93	14	636	646	36	44	3	94	101
2010	97	118	23	480	488	54	91	5	61	63
2011	65	67	10	533	546	44	50	9	82	84
2012	79	83	6	536	542	36	38	5	45	45
2013	77	82	11	456	457	58	74	15	52	53
2014	59	62	3	379	391	39	45	10	44	50
2015	54	55	9	302	307	45	48	13	35	38
2016*	67	94	7	268	271	40	51	10	37	38
2017*	56	61	0	183	188	45	67	11	21	32
2018*	29	33	9	138	141	32	36	6	10	11

\* Data for the year 2016 to 2018 provisional and data for 2018 are up to 31.08.2018.

**13.51** Table 13.5A shows the trend of accidents and resultant casualties in mines from 2001 to 2018. The mines are classified into coal and non-coal mines. Accidents have been classified into fatal and serious accidents.

Table No. 13.5B

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.	Avg. Acc	Killed Rate	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
2001-2010	87	0.22	108	0.27	54	0.32	67	0.40
2011-2018*	61	0.17	67	0.19	42	0.20	51	0.24

\* Data for the year 2016 to 2018 are provisional and data for 2018 are up to 31.08.2018.

**13.52** Table 13.5B shows the trend in fatal accidents and fatality rates per 1000 persons employed (ten yearly average). The table shows the average accident, accident rate, average killed and death rate.

Table 13.6

Number of Inspections and Enquiries									
Year	Number of Inspections				Number of Enquiries				Grand Total
	Coal	Metal	Oil	Total	Coal	Metal	Oil	Total	
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	4404	3325	250	7979	899	372	52	1323	9302
2010	3486	3297	243	7026	911	463	52	1425	8451
2011	3216	3688	321	7225	956	452	68	1476	8701
2012	3811	3635	292	7738	933	537	40	1510	9248
2013	4038	3898	329	8265	890	449	60	1399	9664
2014	4664	4694	588	9946	1035	540	111	1686	11632
2015	6047	5889	786	12722	1280	653	36	1969	14691
2016	4634	7766	638	13038	1165	586	96	1847	14885
2017	4259	4813	639	9711	1169	1068	32	2269	11980
2018*	1816	2543	345	4704	507	382	24	913	5617

\* Data for the year 2018 are provisional and it is up to 31.07.2018

**13.53** Table 13.6 shows the number of inspections and enquiries in mines from 2006 to 2018. The mines have been further segregated into coal, metal and oil mines. The inspections and enquiries are showing slightly increasing trend in long period.

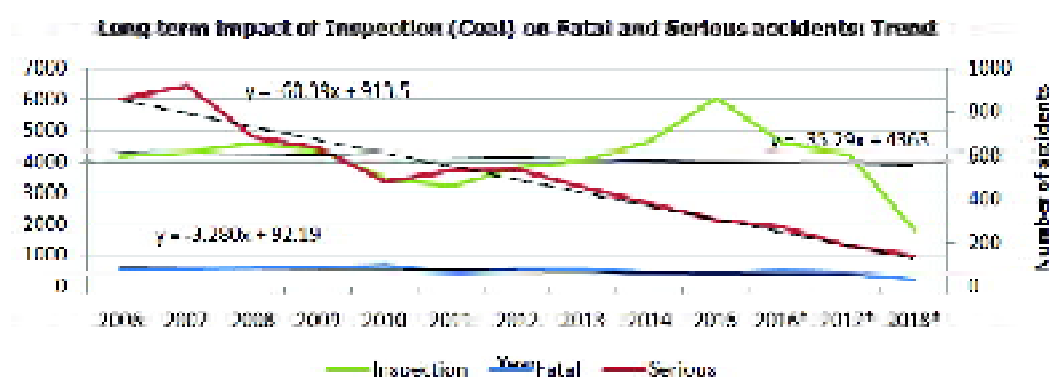


Fig.5 Long term impact of Inspection (Coal) on Fatal and Serious accidents: Trend

**13.54** In the above graph for inspection, the trend is plotted taking number of inspection on primary axis. The trends of fatal and serious accidents are plotted on secondary axis taking number of accidents as dependent variable. It can be observed that over a long period, the trend of both fatal and serious accidents have gone down. For serious accidents the gradient of decline is steeper than that of fatal

accidents. The spread of number of enquiry over a long period is showing a sharp increase during 2015. On the basis of all the facts, we can infer that inspection have very positive impact on the improvement of overall safety in the coal mines (i.e. decline in the number of fatal and serious accidents).

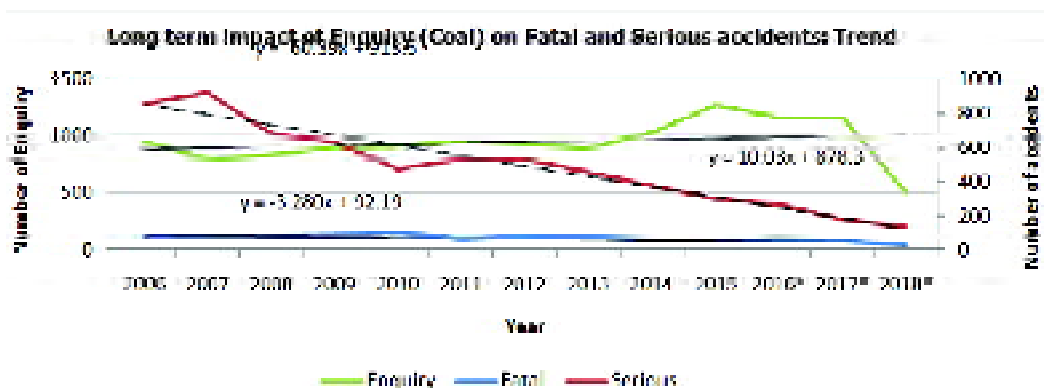


Fig.6 Long term impact of Enquiry (Coal) on Fatal and Serious accidents: Trend

**13.55** In the above graph for enquiry, the trend is plotted taking number of enquiry on primary axis. The trends of fatal and serious accidents are plotted on secondary axis taking number of accidents as dependent variable. It can be observed that over a long period, the trend of both fatal and serious accidents have gone down i.e. the number of accidents has declined. For serious accidents the gradient of decline is more steeper than that of fatal accident. The spread of number of enquiry over a long period is showing a slight increase. On the basis of all the facts, we can infer that enquiry have very positive impact on the improvement of overall safety in the coal mines (i.e. decline in the number of fatal and serious accidents).

Table 13.7

Applications Received & Certificates of Competency issued during April 2018 to September 2018				
Category of certificates of competency	Coal Mines Regulation, 1957		Metalliferous Mines Regulations, 1961	
	Applications received	Certificates issued	Applications received	Certificates issued
Manager	213	332	198	291
Surveyor	48	55	16	12
Overman / Foreman	976	1361	272	232
Sirdar / Mate	181	17	58	0
Shotfirer/Blaster	0	0	19	0
Winding Engine Driver	0	0	0	6
Gas-testing	1726	262	0	0

\* Applications received prior to April 2018 have also been dealt during April 2018 to September 2018. In view of that, certificates issued may not be in proportionate with that of applications received.

## NATIONAL CONFERENCE ON SAFETY IN MINES

**13.56** The Conference on Safety in Mines is a tripartite forum at the national level in which the employers' representatives, the trade unions' representatives, the Government represented by Ministry of Labour & Employment, DGMS, various administrative ministries/ departments and State Governments and associated institutions, professional bodies, service associations, etc. take part. They review the status of safety in mines and the adequacy of existing measures in a spirit of mutual cooperation. The conference also suggests measures for further improvement in safety, welfare and health of mine workers. The first Conference was held in the year 1958. The eleventh conference was held on 4<sup>th</sup> & 5<sup>th</sup> July, 2013 at New Delhi during which three major issues (i) Small Scale Mining, (ii) Safety, health & welfare of Contractual workers & (iii) Surface & underground transportation machinery were deliberated in detail. A number of recommendations of these conferences have been given statutory backing and most of the others have been absorbed in management practices and policies. The conclusions and recommendations drawn during the conference have already been circulated to the mining industries for compliance. The 12th National Conference on Safety in mines is proposed to be conducted in November 2018.



## ON-GOING SCHEMES

### Strengthening of Systems & Infrastructure of DGMS (SSID):

**13.57** This is a continuing scheme. The scheme has been formulated by merging two on-going schemes of DGMS, namely (i) "Strengthening of Core Functions of DGMS (SOCFOD)", and (ii) Mine Accident Analysis and Modernization of Information Database (MAMID)".

#### Section 3.04

The objectives of the scheme are:

- To mitigate risk of disasters and accidents in mines through detailed analysis of accidents and dangerous occurrences and accordingly activate promotional channels;
- To implement Risk-based Inspection System for coal and non-coal mines;
  - To disseminate mine information through various reports, technical instructions/ guidelines, circulars on electronic as well as other conventional media;
  - To implement e-Governance in DGMS including digitization of plans, abandoned mine plans and other important documents;
  - To render scientific and technical supports to the field officers of DGMS;
  - To develop and maintain infrastructures of all kinds for DGMS and its backup supports;
  - To introduce, implement and support the e-based examinations systems including digital record management system;

- To develop, improve and update need based rescue and emergency response guidelines to the mining industry;
- To conduct need based Safety and Occupational Health Survey in mines;
- To update training facilities in DGMS for imparting structured training to DGMS officers and key personnel of mining industry;
- To develop, improve and update protocols, guidelines and standards in key areas for guidance of operations in mines;
- To implement “Sw achhta Abhiyan” within DGMS.

Activities undertaken by S&T Division during 01.04.2018 to 30.09.2018	
Activity	Achievement
<b>A.</b> Imparting training and facilitating for preparation of Safety Management Plan	28 mines
<b>B.</b> Organizing Programmes for safety awareness in small mines with the help of state governments.	16 programmes
<b>C.</b> Development of DGMS Officials on OHS & Technical Subjects Through Training/ Seminars, etc. by exposing them to National & International institutes, Seminars, Conferences etc.	42 officials
<b>D.</b> Digitization of Plans, abandoned mine plans, etc.	300 plans

<b>E.</b> Scientific studies in mines on various subjects in key problem areas of mining for providing continual support to the mining industry by setting appropriate standards, protocols & guidelines.	11 studies
<b>F.</b> Issue of Circulars/ guidelines/standards/ protocols on Occupational Safety and Health in mines	2 circulars
<b>G.</b> Workshops and seminars on development of guidelines/ standards/ protocols, new technologies, Occupational Safety and Health matters and on other subjects	3 workshops
<b>H.</b> Implementation of computer based Statutory Examinations for Senior Exams (Coal & Metal)	Continued
<b>I.</b> Computerization and digitization of examination records, validation recording & tracking system	Continued
<b>J.</b> Training of middle-level management officials, Workmen's Inspectors, Workers and others by MSHA	32 officials

**13.58** During the period 01.04.2018 to 30.09.2018 approvals of equipments, appliances, materials and machinery granted for use in mines are given below :

<b>Approvals of Equipment, Apparatus &amp; PPEs during 01.04.2018 to 30.09.2018:</b>		
<b>Sl. No.</b>	<b>Type of approvals</b>	<b>No. of approvals granted</b>
1.	No. of field trial/ extension	Nil
2.	Regular approval/extension	Nil
	<b>Total</b>	Nil

### **E-Governance in DGMS**

**13.59** Under plan scheme, DGMS has moved on the path of e-governance, utilizing the power of IT in accordance with the recommendations of the Central Cabinet. In order to achieve this goal, an e-Governance Road map has been made, which has suggested implementing it in a phased manner giving importance on the establishment of formal organizational structure and project management structure.

### **13.60 In the current year, following new initiatives are taken up by DGMS :**

- Under the provisions of the Mines Act 1952, statutory examinations were earlier being conducted in written and oral format. With a view to maintain transparency and speedy disposal of examination work, computer based statutory examination were introduced and successfully conducted for 1st Class & 2nd Class Manager's Certificate's of Competency under Mines Act since 2015.
- It is planned to extend the coverage of the online examination system to the other categories of the statutory examinations conducted under the Mines Act 1952. The website of DGMS has been redesigned and customized for providing better user interface and transparency for different stakeholders.

- Under the provisions of the Mines Act 1952 Permissions, exemptions, relaxations and approvals etc. were earlier being issued on submission of offline applications by the stakeholders. In view of the Digital India initiative, three software modules namely "Approval System", "Permission/Exemption/Relaxation System" and "National Safety Award (Mines) System" have been developed and made live.
- Two more software namely "Accidents & Statistics System" and "Accounts & Budget System" is being developed as a part of "Digital DGMS". The software modules will bring in more transparency & accountability and speedy disposal of works.
- The modalities for "Risk-based Inspection System" for coal mines have been developed. The software for the purpose has been developed by NIC and implemented by incorporating it in Shram Suvidha Portal. Risk-based inspection system for metalliferous mines is under progress and shall be developed during 2018-19. The inspections will be generated for online assignment through shram suvidha portal prioritizing on the actual risk rating of the mines of all categories.
- The digitization of old records including mine plans has been going in view of Digital India and secured record keeping. This will ensure secured record keeping and easy and timely access.
- Shram Suvidha unified web portal has been launched in November 2014 for the online registration of user industry (mines), online interface of inspection

and reporting system and unified online filing of Annual returns by the registered mines. It will bring transparency and accountability in the inspection system, ease of reporting, ease of compliance, simplification in filing of returns online, speedy redressal of grievances, provide online registration of mines etc.

S. No.	Software Module	Status
1	Approval System	Made live on 01.07.2017
2	Permission, Exemption and Relaxation System	Made live on 01.07.2017
3	National Safety Awards (Mines)	Made live on 01.07.2017
4	Accidents & Statistics	Under Process
5	Accounts and Budget	Under Testing
6	Administration/ Establishment	To be taken up in IInd Phase
7	Legal Management System	
8	Material Management	

- Further a Unified Web Portal (UWP) i.e. Shram Suvidha Portal, for on-line system for Registration of all establishments (mines) for Labour Identification Number (LIN), Reporting of Inspections, Submission of Annual Returns and Redressal of Grievances, Risk-based Inspection system

for Coal Mines have been developed by National Informatics Center (NIC) with an aim to:

- ❖ enhance transparency in labour inspection system;
- ❖ facilitate ease of reporting inspection under various Labour Laws at one place;
- ❖ facilitate submission of on line return (s);
- ❖ to improve the monitoring of labour inspection based on Key Performance indicators;
- ❖ consolidated information of Labour Inspection and its enforcement; and
- ❖ effective Grievance Redressal System hyperlinked with Department of Administrative Reforms & Public Grievance (DARPG) Portal.



Table 13.8

<b>The details of trainings/workshops/seminars attended by DGMS officers during 01.01.2018 to 30.09.2018</b>				
<b>S. No.</b>	<b>Name of the Seminar, Workshop, Symposium etc</b>	<b>Venue</b>	<b>Period</b>	<b>No. of Officers attended</b>
1	Indian Mining Legislation Workshop.	Raipur	19 <sup>th</sup> February, 2018	02
2	Indian Mining Legislation Workshop.	Bengaluru	21 <sup>st</sup> February, 2018	03
3	Indian Mining Legislation Workshop.	Bhubaneswar	23 <sup>rd</sup> February, 2018	02
4	Inaugural Session of the Red Tape Challenge (RTC) Workshop being organized by DIPP with support of British High Commission.	New Delhi	26 <sup>th</sup> February, 2018	01
5	National Seminar on “Future Trends in Mining” (Tomorrow Mine – SAFE MINE)	Bengaluru	25 <sup>th</sup> & 26 <sup>th</sup> May, 2018	02
6	One day workshop on “Occupational Health Hazards in Mining and Work Places and Control Measures”	Jaipur	9 <sup>th</sup> June, 2018	06
7	National Training Workshop on Prime Minister's Agenda 10 Disaster Management plan of Sectors & Central Ministries Departments.	New Delhi	17 <sup>th</sup> & 18 <sup>th</sup> July, 2018.	01
8	12 <sup>th</sup> edition of Safety Symposium & Exposition.	Kolkata	8 <sup>th</sup> & 9 <sup>th</sup> August, 2018	01
9	Workshop on injury prevention at AIIMS	New Delhi	23 <sup>rd</sup> -25 <sup>th</sup> August, 2018	01
10	All India Seminar on “Technological Advancements and Emerging Mining Methods [TA EMM 2018]”	CSIR-CIMFR, Dhanbad.	24 <sup>th</sup> & 25 <sup>th</sup> August, 2018	05
11	Address CII Jharkhand Mining Conclave	Ranchi	25 <sup>th</sup> September, 2018	01
12	National Seminar on “Management of Excavation Stability” MES-2018.	Kolkata	29 <sup>th</sup> September, 2018	02

## CHAPTER-14

# WORKERS EDUCATION

### DATTOPANT THENGADI NATIONAL BOARD FOR WORKERS EDUCATION AND DEVELOPMENT

**14.1** The Dattopant Thengadi National Board for Workers Education and Development (erstwhile Central Board for Workers Education), 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.
- Awareness 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.

### STRUCTURE

**14.2** Dattopant Thengadi National Board for Workers Education and Development (DTNBWED) 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, Financial Adviser Deputy Directors, Zonal / Regional Directors and Subordinate Staff etc. The Board operates through 50 Regional Directorates and 7 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

**14.4** 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 varied 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

**14.5** Programmes for representatives from Central Trade Union Organizations / Federations and Voluntary Organizations on different subjects are conducted by the IWE 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.

**14.6** During the period from April, 2018 to March, 2019, the following programmes were conducted by the Institute:-



*3 days State Level Special programme conducted for the Trade Union activists of N.E. Region conducted from 17<sup>th</sup> - 19<sup>th</sup> March 2019 at Shilpgram, Panjabari, Guwahati.*

Title of the programme	No. of programmes	No. of participants
National Levels Training programmes on different topics was conducted at IWE for the trade unions activists and Trade Union Organizations like CTUO, CRMS, HMS, INTUC, BMS, AITUC, , NFIR, AIRMF , NUSI - HMS and BKSM. ICL, NLO, TUCC, SEWA , Special programmes was conducted on "Women Empowerment", "Basic of Computer" "Skills for developing Effective Leadership".	27	557

## PROGRAMMES AT REGIONAL LEVEL

**14.7** Details of training programmes conducted by the Regional Directorates during the period April, 2018 to March, 2019 including Unit Level Classes, programmes for rural workers and workers belonging to unorganized sector and weaker sections are indicated in the Table 14.1.



*3 days Workers Participation in Management Programme conducted from 19<sup>th</sup>-21<sup>st</sup> December 2018 by Regional Directorate Nagpur at Manganese Ore India Ltd. (MOIL) at Mansar, Nagpur, Maharashtra*

## ORGANISATION OF UNORGANISED LABOUR AND TRAINING OF RURAL VOLUNTEERS

**14.8** 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 fulfil 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.

**14.9** 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.



*2 days Rural Awareness Programme conducted on 27<sup>th</sup> - 28<sup>th</sup> January 2019 by Regional Directorate Nagpur at village Sagara, Taluka Bhadravati, Dist Chandrapur, Maharashtra*

**14.10** 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

**14.11** During the period from April, 2018 to March, 2019, the Board has conducted **7184** programmes of various durations and trained **251722** workers of various sectors. Details are at **Table 14.2**.

## MAJOR ACHIEVEMENTS

### Empowerment Programmes

**14.12** In pursuance of the recommendations to the Committee on Rural Camps, the Board has introduced 4-days Empowerment Programmes from the financial year 2003-04. During the period from April, 2018 to March, 2019, **5988** workers have been benefited in **153** Empowerment Programmes organized for Unorganized, Weaker and Rural Sector workers.

### Programmes for Panchayati Raj Functionaries

**14.13** 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.

**14.14** During the period from April, 2018 to March, 2019, the Board conducted 32 programmes for **1080** elected members of the Panchayati Raj Institutions (including N.E. Region).

### Retraining Programme for Trained Workers of Rural/Unorganized Sector

**14.15** 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.

**14.16** During the period from April, 2018 to March, 2019, **194** such retraining programmes were conducted for **10429** rural / unorganized workers.

### Labour Welfare and Development Programmes

**14.17** The Ministry of Labour has assigned to the DTNBWED the task of Generating Awareness among the Rural/Unorganized sector workers about the various welfare schemes of the Government for their socio-economic development.



*2 days Labour Welfare and Development Programme conducted on 19<sup>th</sup>-20<sup>th</sup> July 2018 by Regional Directorate Berhampur at Anganwadi Center, Ranapur Block Junagada, Dist Kalahandi, Odisha*

**14.18** 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, 2018 to March, 2019 the Board has organized **414** awareness generation programmes for **16062** workers of rural and

unorganized sectors under Labour Welfare & Development programmes.

**14.19** Besides, informative study material developed by the Board in the form of booklets and leaflets for distribution to the participants of the training programmes.

### GRANTS-IN-AID SCHEME

**14.20** 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.

**14.21** 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 were 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.



*2 days Special Programme for SCSP (Schedule Cast Sub Plan) Programme conducted on 26<sup>th</sup>-27<sup>th</sup> September 2018 by Regional Directorate Ahmedabad at Chandkheda, Block Ahmedabad, Gujarat*

**14.22** 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.

**14.23** The Board provides grants-in-aid to registered Trade Unions and other institutions for conducting their own workers education programmes.

**14.24** The Board also sanctions grants-in-aid for National Level Courses to the Central Trade Union Organizations and National Federations.

**14.25** The DTNBWED has conducted exclusive training programmes for rural workers on MGNREGA by way of a project to enlighten the rural masses about the benefits of the National Rural Employment Guarantee Scheme.



*2 days Special Programme for TSP (Tribal Sub Plan) Programme conducted on 7<sup>th</sup>-8<sup>th</sup> January 2019 2 by Regional Directorate Mumbai at Block Shrivardhan, Dist Raigad Maharashtra .*

**14.26** Following activities are being conducted under the Project –

1. Village Level Programme :
2. Block Level Programme :

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	Refresher Course for RD I/c & Education Officers	1	Training of Trainers	1	Unit Level Classes	1	Functional Adult Literacy Classes
2	Challenges before Trade Union.	2	Personality Development Programmes	2	Need Based Special Programmes	2	Empowerment Programme for Unorganised Workers (4- days)
3	Women Empowerment Trade Union Management	3	Joint Education Programmes (1 day)	3	Joint Education Programmes (2-days)	3	Empowerment Programme for Weaker Section (4-days)
4	Skill for developing Effective Leadership	4	Programmes under Self Generation of Funds (1/2/3-days) CTP	4	Plant Level Programme for Trained Workers (1 day)	4	Empowerment Programme for Rural Workers (4-days)
5	Basic of Computer Awareness to Trade Unionist	5	Need Based Seminars (1-2 days)	—	—	5	Retraining programme for Unorganised Workers (1 day)
6	Capacity Building & Leadership Development for Trade Union Activists	6	Quality of Life for Workers and their Spouses (4/2 days)	—	—	6	Rural Awareness Camps (2 days)
7	"IT in Trade Union Activists."	7	MGNREGA	—	—	7	Retraining programme for Rural Workers (1 day)
8	Role of Trade Unions in Transport Industry.		—	—	—	8	2 days programme for :
9	Digitisation & Social Media		—	—	—	8(a)	Unorganised workers/Stone Quarry etc.,
10	Up gradation of Skills and updating Knowledge of Young Generation.		—	—	—	8(b)	Women Workers
11	Fundamental of Labour Laws		—	—	—	8(c)	SC/ST Workers

12	'Challenges before trade unions in changing scenario.		---	—	---	8(d)	Parents of Child Labour/ Child Labour.
13	Industrial Relations and Trade Unionism .		---	—	---	8(e)	Labour Welfare and Development
14	-Welfare Provisions for Unorganised Sector Workers".-Welfare Provisions in Labour Laws for Construction/Plantation Workers. Anganwadi Workers		---	—	---	8(f)	Construction Workers
15	Industrial Development and Role of Trade unions.		---	—	---	8 (g)	HIV / AIDS Programme
16	Role of Trade Unions in National Development.		---	—	---	—	---
17	Promoting Decent Work in the Construction Industry.		---	—	---	—	---
18	Industrial Relations and Trade Unionsim".		---	—	---	—	---
19	Leadership Development.		---	—	---	—	---
20	Workers Right violation at work place & Role of RTI .		---	—	---	—	---
21	Office Management		---	—	---	—	---
22	Sustainable Development Goals with Spl Reference to Gender Equality, Migrant workers, Domestic workers & Scheme Workers 7 Skill Development		---	—	---	—	---
23	Organise the Unorganised.		---	—	---	—	---

Table 14.2

**Activities of Dattopant Thengadi National Board for Workers Education  
and Development (erstwhile CBWE) for the period 2018-19**

Activity	Target 2018-19		Achievement from 01.04.2018 to 31.10.2019
		Progs.	Participants
REGIONAL LEVEL			
Training of Trainers (1 ½ month)	6	1	24
Personality Development Programme (21- days)	75	9	233
Refresher Course for Trainers (1 week)	0	0	
Joint Education Programme on Participative Management (1 day)	381	716	18261
Programmes under Self Generation of Funds/CTPG (1/2/3 days)	889	516	10007
Need Based Seminars (1/2 days)	127	146	3525
Programmes on Quality of Life for Workers and their spouses (4 days)	3	0	0
Programmes on Quality of Life for Workers and their spouses (2 days)	50	11	366
Functional Adult Literacy Classes	0	0	0
Seminar at Plant Level (1 day)	127	110	2617
Special Programme for Self Generation of Fund (5 days)	0	0	
Workers Participation in Management	74	17	415
UNIT LEVEL			
Part/Full Time Unit Level Classes (3-months/3-weeks/1 month)	46	22	562
Joint Education Programmes for New Members of Joint Councils at Enterprise Level (2 days) Joint Educational Prog. (3 days)	127	134	3297
UNORGANISED SECTOR			
Empowerment Programme for Unorganized Workers/ Weaker Section (4 days)	254	113	4415
Programme for Unorganized Sector/Stone Quarry/ Construction Workers (2 days) Innovative Programme (1 day)	611	610	24570
Programme for Women Workers (2 days)	494	403	15344
Programme for Parents of Child Labour/Child Labour (2 days)	492	198	7746
Programme for SC/ST, SCSP/TSP (2 days)	3654	2429	90968
Labour Welfare & Development Programme (2 days)	498	424	16062
Programmes for Panchayati Raj (2 days)	117	14	525

Programme on Quality of Life for Workers and their spouses (4 days)	127	29	1100
Programme on Quality of Life for Workers and their spouses (2 days)	124	45	1742
Retraining Programme for Unorganized (1 day)	248	103	5557
Self Reliance Camp (4 days) Unorganised Sector		4	160
State Level N E (3 days)	60	45	1350
Panchayati Raj (3 days) North-East	40	18	523
Special Programmes for North-East (2/5 days)	10	5	150
Leadership Development Programme (10 days)	10	4	120
<b>RURAL SECTOR</b>			
Rural Awareness Camps (2 days)	988	689	26450
Empowerment Programme for Rural Workers (4-days)	125	40	1573
Retraining Programme for Rural Workers (1 day)	325	91	4872
MGNREGA	518	238	9188

## CHAPTER-15

### PROGRAMMES

#### Central Sector Schemes/Centrally Sponsored Schemes

**15.1** The Ministry is implementing Schemes for the Welfare of Labour during the FY 2018-19. Main emphases of these programmes/schemes are on Elimination of Child Labour, Abolition & Rehabilitation of Bonded Labourers, Labour Welfare, Occupational Safety and Health and Employment Generation. The important schemes under Social Security for Workers are; Employees Pension Scheme, 1995, Social Security for Plantation Workers in Assam, Creation of National Platform of Unorganised Workers and allotment of an Aadhaar seeded identification number. National Child Labour Project (NCLP), Employment Generation Programs and Labour Welfare Scheme are also major schemes.

**15.2** The Mo Finance has provided an outlay of Rs. 7411.52 Crore for the **Central Sector Schemes/Centrally Sponsored Schemes** for the Ministry of Labour & Employment during the Financial Year (2018-2019).

**15.3** Planning Division in the Ministry of Labour & Employment deals with the monitoring of CS/CSS schemes including Scheduled Caste Welfare Programmes, Scheduled Tribe Component and review of North East component expenditure. Planning Unit is also the nodal unit for Output Outcome Monitoring Framework (OOMF), Allocations for Welfare of Scheduled

Caste (AWSC) and Scheduled Tribe Component (STC).

**15.4** In compliance of the Government directives, this Ministry has earmarked Rs. 1200.68 Crore (16.2% of total allocation) for Allocation for Welfare of Scheduled Caste (AWSC) and Rs. 607.74 Crore (8.2% of total allocation) for allocation under Scheduled Tribe Component (STC) during the current financial year i.e. 2018-19.

**15.5** 10% of Plan Allocation (Rs. 741.15 Crore) has been earmarked for specific Projects / Schemes in the North-Eastern (NE) States and Sikkim during 2018-19.

**15.6** The scheme administered by Planning Unit namely "Grants-in-Aid to Research and Academic Institutions and Non-Governmental Organizations (NGOs) and Voluntary Organizations (VOs) for undertaking research in labour related matters" has been discontinued since April 2017.

**15.7** Ministry of Labour & Employment implements 11 Central Sector and 4 Centrally Sponsored Schemes. Ministry also gives Grant-in-aid to Autonomous Bodies viz., V.V.Giri National Labour Institute & Dettopant Thendge National Labour Institute for Workers Education and Development (Erstwhile). List of the schemes along with budget provisions and expenditure are given in **Table No 15.1 to 15.3**.

Table: 15.1

**Ministry of Labour & Employment: Central Sector Schemes/Centrally Sponsored Schemes  
Financial Outlay 2018-19**

(Rupees in crore)

Sl. No.	Name of Schemes	Financial Outlay 2018-19
1.	Labour and Employment Statistical System	45.00
2.	Strengthening of Adjudication machinery and holding of LokAdalats	10.00
3.	Machinery for Better Conciliation, Preventive Mediation, Effective Enforcement of Labour Laws, Chief Labour Commissioner	32.11
4.	Creation of National Platform Of Unorganised Workers and allotment of an Aadhar seeded identification numbers	50.00
5.	Employee's Pension Scheme, 1995	4900.00
6.	Social Security for Plantation Workers in Assam	35.00
7.	National Child Labour Project including grants -in- aid to voluntary agencies and reimbursement of assistance to bonded labour.	120.00
8.	Employment Generation Programme	
(i)	National Career services	109.80
(ii)	PradhanMantriRojgarProtsahanYojna	1652.09
(iii)	Coaching and Guidance for SC, ST and OBCs	22.00
(iv)	Employment Promotion Scheme	13.90
9.	Strengthening of DGFASLI organisation and OSH in factories, ports and docks	11.00
10.	Strengthening of Infrastructure facilities and core function of Directorate General of Mines Safety.	13.01
11.	DattopantThengadi National Board for Workers Education & Development, Nagpur (formally known as CBWE)	90.00
12.	V.V. G.NLI, Noida	15.35
13.	Labour Welfare Scheme	242.26
14.	Bima Yojna for Unorganised workers	50.00
	<b>Total</b>	<b>7411.52</b>

Table 15.2

NON-PLAN PROVISIONS AND EXPENDITURE					
(Rs. in crore)					
		2015-16		2016-17	
Sl. No.	Scheme	B E	Actual Exp	B E	Actual Exp
1	Secretariat Social Services	43.08	40.02	47.89	50.57
2	Research & Statistics	10.66	9.43	11.08	10.84
3	Industrial Relations	51.49	51.51	58.16	60.47
4	Working Conditions & Safety	69.14	67.93	75.83	79.70
5	Labour Education	57.68	57.68	57.68	68.55
6	Labour Welfare Schemes	290.00	207.15	302.44	240.05
7	Transfer to Reserve Funds	207.34	171.64	211.38	179.08
8	Social Security	2557.90	3557.9	4068.09	4068.09
9	International Cooperation	17.53	17.00	17.53	18.61
10	Other Items	0.86	0.57	0.86	0.32
11	Welfare of SC/ST and other Backward Classes	6.07	5.67	6.55	6.63
12	Employment	43.99	39.48	46.49	32.95
13	Training	59.95	56.13	0.00	0
	<b>Total</b>	<b>3415.69</b>	<b>4282.11</b>	<b>4903.98</b>	<b>4815.86</b>

Note: Plan and Non-Plan bifurcation has been done away with from Financial Year 2017-18.

Budget provision and expenditure for the Year of 2017-18 is annexed separately

Table 15.3

Budget Estimates for the F.Y. 2018-19		
		(Rs in Crore)
Sl. No.	Schemes / Programmes	BE 2018-19
1	Secretariat Social Services	62.16
2	Labour Bureau	12.05
3	Other Items related Chief Labour Commissioner, Central Government Industrial Tribunal, Research and Information Technology	69.02
4	Directorate General of Factory Advice Services (DGFA SLI)	23.65
5	Directorate General of Mines Safety (DGMS)	62.34
6	International Cooperation	22.50
7	Directorate General of Employment	36.76
8	Labour and Employment Statistical System (LESS)	45.00
9	Strengthening of Adjudication Machinery and holding of LokAdalats	10.00
10	Machinery for Better Conciliation, Preventive Mediation, Effective Enforcement of Labour Laws, Chief Labour Commissioner	32.11
11	Strengthening of DGFA SLI Organization and OSH in factories, Ports and docks	11.00
12	Strengthening of Infrastructure facilities and core functions of Directorate General of Mines Safety	13.01
13	Labour Welfare Scheme	242.26
14	Creation of National Platform of Unorganized Workers and allotment of an Aadhaar seeded identification numbers	50.00
15	Bima Yojana for unorganised workers	50.00
16	Employees' Pension Scheme, 1995	4900.00
17	Social Security for Plantation Workers in Assam	35.00
18	National Child Labour Project including grants in aid to voluntary agencies and reimbursement of assistance to bonded labour	120.00
19	Central Board for Workers Education	90.00
20	National Labour Institute	15.35
21	Employment Generation Programs	
22	Coaching and Guidance for SC, ST and Other Backward Classes	22.00
23	Employment Promotion Scheme	13.90
24	Pradhan Mantri Rojgar Protsahan Yojna	1652.09
	National Career Services	109.80
	<b>Total</b>	<b>7700.00</b>

## CHAPTER-16

# WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

### NATIONAL CAREER SERVICE CENTRES FOR SCHEDULED CASTES AND SCHEDULED TRIBES

**16.1** National Career Service Centres (NCSCs) for Scheduled Castes and Scheduled Tribes (erstwhile Coaching-cum-Guidance Centres for SC/ST) were established by Directorate General of Employment & Training (now Directorate General of Employment), Ministry of Labour & Employment, Govt. of India. These Centres provide services to educated SC/ST job seekers registered with Employment Exchanges for enhancing their employability through coaching, counselling and related training programmes. Some of the programmes organized by these Centres cover confidence building, individual guidance, mock interviews, training and practice in typing, shorthand and computer, etc. For further details on NCSC-SC/STs refer chapter 24.

**16.2** The scheme was launched in 1969-70 in 4 Centers on a pilot basis. Keeping in view the success of the scheme, it was extended to another nineteen States in a phased manner. At present, twenty five National Career Service Centres for SCs&STs are functioning in twenty five States/Union Territories (two of these at Jowai and Vishakhapatnam are still in the process of being made fully functional). These centres provide occupational information, individual guidance and organize confidence building programmes for the benefit of the job seekers belonging to Scheduled Castes and Scheduled Tribes. The applicants are provided guidance at the time of their registration with the Employment Exchange and also when they are sponsored

against notified vacancies. The Centre also follows up with the employers for placement against vacancies reserved for the Scheduled Cast and Scheduled Tribe candidates.

**16.3** In addition, fourteen of these Centres provide facilities for training in Shorthand and Typing. The physical achievements of various National Career Service Centres from April, 2018 to October, 2018 are given below :

Activity	No. Of Candidates Covered
Registration Guidance	22201
Pre-Submission Guidance *	3430
Confidence Building Programme	11505
Training in Typing and shorthand	6897
Pre-Recruitment Training (PRT)	2050

\* Guidance given to candidates before submission of his candidature 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 is implementing the "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. So far 33 phases of the scheme have been completed upto 2016-17.

**16.5** Encouraged with the success of the above scheme, the scheme was extended to more places through the National Career Service Centres located at Bangalore, Calcutta Hyderabad, Ranchi, Surat, Kanpur, Chennai, Guwahati, Hisar, Imphal, Jabalpur, Thiruvananthapuram, Bhubaneswar, Jaipur, Nagpur, Mandi, Jammu, Jalandhar, Kohima and Naharlagun in a phased manner. Special Coaching Scheme 2018-19 is in progress w.e.f. 01.07.2018. 19144 SC/ST candidates have successfully completed coaching under this programme so far.

### **COMPUTER TRAINING TO SC/ST EDUCATED JOB SEEKERS**

**16.6** This scheme was started with effect from February 2004, 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 for trained manpower in the job market with effect from August, 2009 to 'O' level one year computer training. So far, 17960 SC/ST candidates through DOEACC Society [now National Institute of Electronic & Information Technology (NIELIT)] have been provided training under the supervision of 21 NCSCs in ten batches. The training of 11<sup>th</sup> batch is in progress with a seating capacity of 1500 SC/ST candidates registered with the Employment Exchanges w.e.f. July, 2018 under the supervision of 21 NCSC for SC/STs. One year 'O' level Computer Training Hardware Maintenance Training has also been introduced w.e.f 01.08.2012. So far 7350 SC/ST candidates at 21 NCSC for SC/STs have been provided training in four batches and 7<sup>th</sup> batch is in progress w.e.f. August, 2018. Keeping in view the Government's initiative under NCS

([www.ncs.gov.in](http://www.ncs.gov.in)) the NCSC have also been identified as Centres for registration of candidates seeking employment related services.

### **Labour Welfare Funds/Schemes**

**16.7** A number of schemes providing medical, housing, educational, recreational, water supply and family welfare benefits are being implemented for workers [including SCs/STs persons and persons with Disabilities (PWDs)] 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 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 (PWDs).

### **Rehabilitation of Bonded Labour**

**16.8** In order to assist the State Governments in the task of rehabilitation of released Bonded Labour, Ministry of Labour & Employment launched a Centrally Sponsored Plan Scheme for rehabilitation of released bonded labour in May, 1978. The Government has revamped the Centrally Sponsored Scheme for Rehabilitation of Bonded Labourers with effect from 17<sup>th</sup> May, 2016. The revamped scheme is known as 'Central Sector Scheme for Rehabilitation of Bonded Labourer, 2016'. The revised scheme is a Central Sector Scheme. The State Government is not required to pay matching contribution for the purpose of cash rehabilitation assistance. Financial assistance has been increased from Rs. 20,000/- to one lakh per adult male beneficiary, Rs. 2 lakh for special category beneficiaries such as children including

orphans or those rescued from organized & forced begging rings or other forms of forced child labour, and women and Rs. 3 lakh in cases of bonded or forced labour involving extreme cases of deprivation or marginalization such as trans-genders, or woman or children rescued from ostensible sexual exploitation such as brothels, massage parlours, placement agencies etc., or trafficking, or in cases of differently abled persons, or in situations where the District Magistrate deems fit. Till date, a sum of Rs. 9,581.12 Lakhs has been released under the scheme to the State Governments for

rehabilitation of 2,93,716 bonded labourers. As per the report of the National Commission on Rural Labour, 1991, 86.6% of the identified bonded labours belong to SC/ST category, so benefits of the scheme are following predominantly to these categories of bonded labourers.

### Health Scheme

**16.9** Besides providing health care facilities to beedi workers and their families through 10 Hospitals and 286 Dispensaries, following assistance is being provided in case of certain critical diseases.

S. No.	PURPOSE	NATURE OF ASSISTANCE
1	Tuberculosis	Reservation of beds in T.B. Hospitals and domiciliary treatment for workers. Subsistence allowance of Rs. 750/- to Rs. 1000/- p.m is granted as per the advice of the treating physician.
2	Heart Diseases	Reimbursement of expenditure up to Rs. 1,30,000/- .
3	Kidney Transplantation	Reimbursement of expenditure up to Rs. 2,00,000/- .
4	Cancer	Reimbursement of actual expenses on treatment, medicines and diet charges incurred by workers, or their dependents for treatment through Govt. recognized hospitals.
5	Minor surgery like Hernia, Appendectomy, Ulcer Gynecological diseases and Prostrate diseases.	Reimbursement of expenditure up to Rs. 30,000/- .

# REPRESENTATION OF SCs&STs IN MAIN SECRETARIAT OF MINISTRY

**16.10** Data on representation of Scheduled Castes (SCs) / Scheduled Tribes (STs) employees in the Ministry of Labour & Employment is furnished in **Table 16.1**.

Table 16.1

REPRESENTATION OF SCs/STs IN THE MINISTRY OF LABOUR & EMPLOYMENT INCLUDING ITS ATTACHED / SUBORDINATE OFFICES / AUTONOMOUS BODIES							
Group	Total No. of Employees (as on 1.1.2018)	Due as per reservation norms		In position		Surplus(+) Shortfall(-)	
		SC (15%)	ST (7.5%)	SC	ST	SC	ST
Group 'A'	4330	659	332	609	275	-50	-57
Group 'B'	5378	871	433	968	433	+97	0
Group 'C' (including erstwhile Group 'D' also)	32874	5011	2506	6459	2154	+1448	-352
Total	42582	6541	3271	8036	2862	+1495	-409

**16.11** As per the requirement of the "Rights of Persons with Disabilities Act, 2016, 4% posts are to be reserved for Person with Disabilities. The data and number of posts held by Persons with Disabilities (PWDs) in the Ministry of Labour and Employment is furnished in the **Table 16.2**.

Table 16.2

REPRESENTATION OF PERSONS WITH DISABILITIES (DIFFERENTLY ABLED) IN THE MINISTRY OF LABOUR & EMPLOYMENT INCLUDING ITS ATTACHED / SUBORDINATE OFFICES / AUTONOMOUS BODIES		
Category of Employees	Total Number of Employees (as on 1.1.2018)	Number of posts held by disabled persons
Group 'A'	4330	53
Group 'B'	5378	112
Group 'C' (including erstwhile Group 'D' also)	32874	846
Total	42582	1011

## CHAPTER-17

# LABOUR STATISTICS

### Functions and Organizational Set-up of Labour Bureau Chandigarh/Shimla:

**17.1** Labour Bureau has been engaged in collection, compilation, analysis and dissemination of labour statistics at All India and State 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:

- i) 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.
- ii) Collection, compilation and dissemination of statistical information on various aspects of labour such as employment, unemployment, 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.
- iii) 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 surveys in manufacturing industries, mines, plantations and service sectors.
- iv) Imparting training to State/UT personnel and the trainees sponsored by various State and

Central agencies.

- v) 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 five Regional offices are at Ahmedabad, Kolkata, Chennai, Kanpur and Guwahati and a Sub-Regional office at Mumbai under Ahmedabad Regional Office.

### 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

1. 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.
2. Labour Bureau compiled and **released the Consumer Price Index Numbers for Industrial Workers** on base: 2001=100 from **January, 2006**. The index numbers are released on the last working day of every succeeding month

through Press Release. These are also published in the Bureau's monthly publication "Indian Labour Journal" besides putting them on the Bureau's Website [www.labourbureaunew.gov.in](http://www.labourbureaunew.gov.in). A comparative Statement of variations in Consumer Price Indices (CPI) for Industrial Workers (IW) is given in Table 17.1(i) and 17.1(ii).

**17.4** An Annual Report on Consumer Price Index Numbers for Industrial Workers for the year 2017 has been released.

**(b) Consumer Price Index Numbers for Rural Labourers and for Agricultural Labourers [CPI (RL/AL)] (Base: 1986-87=100)**

**17.5** Based on the retail price data collected from 600 sample villages, 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.

**17.6** Labour Bureau also compiled & released CPI Numbers for Agricultural & Rural Labour (Base 1986-87=100). The comparative statement of annual variation in CPI-AL and CPI-RL is presented in Table 17.2.

**(c) Base Updation of Price Index Numbers for Industrial Workers (CPI-IW)**

**17.7** Labour Bureau is in the process of updating the series with more recent base period i.e. 2016=100. On completion of field activities, new Series will be placed before Standing Tripartite Committee (STC), Technical Advisory Committee on SPCL (TAC on SPCL) and National Tripartite Forum represented by Apex Level Trade Union Leaders, Employers' Associations Representatives and State Representatives both from Central Ministries as well as States. On approval by the Tripartite Committee, the index with new base will formally be released.

**d) Statutory and Voluntary Returns**

**17.8** Labour Bureau collects, compiles and disseminates labour statistics on different facets of labour based on Annual statutory returns received from various State 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.

**e) Field Surveys and Studies**

**17.9** Labour 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. Labour Bureau also collects wage rate data for 25 agricultural and non-agricultural occupations regularly every month from 600 sample villages of 20 states / UTs. Achievements during the reference year are as under:

- **Wage rate statistics was compiled upto the month of July, 2018** and published in the Indian Labour Journal.
- The booklet titled "**Wage Rates in Rural India**" for the year 2016-2017 has been released.

**(f) Occupational Wage Survey**

**17.10** Different rounds of Occupational Wage Surveys (OWS) are being conducted 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.

- i) The field work under the 7<sup>th</sup> Round of OWS was launched in July, 2016 and has been completed in all the 56 industries. Out of 10 reports of 7th round of Occupational Wage Survey (OWS), following 04 reports have been released;

- (1) Textile Industries,
- (2) Textile Garment Industry,
- (3) Plantation Industry and
- (4) Tea Processing Industry

The remaining 06 reports are under consideration of the Technical Advisory Committee on OWS constituted by the Ministry.

#### **(g) Contract Labour Survey**

**17.11** Contract Labour Survey aims at studying the extent & nature of problems faced by contract labour and working conditions of contract labour employed in different segments of industries vis-a-vis the provisions under the Contract Labour (Regulation & Abolition) Act, 1970. Information collected under the survey relates to contractor wise employment of contract labour, jobs performed by such labour, reasons for preferring employment of contract labour, working conditions, wages & allowances, fines & deductions, welfare facilities, social security, industrial relations, maintenance of records by the contractor, etc.

**17.12** So far, 47 Surveys have been conducted in 39 industries. **The Contract Labour survey in Food Corporation of India was launched during the year 2017. Field work for collection of data is presently in progress.**

#### **(h) Working and Living Conditions of Workers in Unorganised Sector of Industries/ Employments:**

**17.13** The aim of the survey is to collect data on

working and living conditions of workers engaged in the Unorganised Sector of Industries/ employments. So far, 31 surveys have been conducted and all the reports have been released. The latest survey has been conducted in Readymade Garment Industry. The work of data collection from all the allocated centers, scrutiny of schedules and tabulation work under Readymade Garment Industry Survey has been completed.

#### **(i) Studies on Evaluation of Implementation the Minimum Wages Act, 1948:**

**17.14** The survey aims at evaluating the extent to which the Minimum Wages Act, 1948 is being implemented in various scheduled employments in different parts of the country. So far 28 such studies have been conducted and all the reports released.

#### **II. Working and Living Conditions of Scheduled Tribes workers in Industrial Centres/industrial belts.**

**17.15** So far, Labour Bureau has conducted 9 Scheduled Castes workers and 9 Scheduled Tribes workers surveys. A survey is being conducted on "Working and Living Conditions of the Scheduled Castes Workers in unclean occupations" in Ludhiana and SBS Nagar, Punjab. Data validation and data processing work has been completed and report writing work is in progress.

#### **(j) Revamped Quarterly Employment Survey.**

**17.16** Labour Bureau initiated Revamped QES in April, 2016 by extending the scope covering 8 major sectors viz. Manufacturing, Construction, Trade, Transport, Education, Health, Accommodation & Restaurants and IT/BPO having 10 or more workers. These 8 sectors constitute around 81 percent of the total employment of units with 10 or more workers as

per the 6th Economic8 sectors constitute around 81 percent of the total employment of units with 10 or more workers as per the 6th Economic relative change in employment situation over successive quarters in a sizeable segment of Non-farm Industrialeconomy Census, conducted

during January, 2013 to April, 2014. Till date, seven reports of Quarterly Employment Survey (QES) have been released. Data Tabulation work is in progress for 8th and 9th round of QES. The data collection work for 10th round of QES has been completed.

Under the New Series, the sector-wise details regarding level estimates under first round and change estimates of employment under 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup> & 7<sup>th</sup> Rounds are presented in Table.

### Sector-wise Change of Employment

S. No.	Sector	Level Estimates (1 <sup>st</sup> Round) and Change Estimates of Employment (2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> , 6 <sup>th</sup> & 7 <sup>th</sup> )(in lakhs)						
		Level Estimates as on 1 April, 2016	(1 July, 2016 over 1 April, 2016)	(1 Oct, 2016, over 1 July, 2016)	(1 Jan, 2017 over 1 Oct, 2016 )	(1 Apr, 2017 over 1 Jan 2017)	(1 Jul, 2017 over 1 Apr 2017)	(1 Oct, 2017 over 1st July, 2017)
1	Manufacturing	101.17	-0.12	0.24	0.83	1.02	-0.87	0.89
2	Construction	3.67	-0.23	-0.01	-0.01	0.02	0.10	-0.22
3	Trade	14.45	0.26	-0.07	0.07	0.29	0.07	0.14
4	Transport	5.8	0.17	0.00	0.01	0.03	-0.03	0.20
5	Accommodation & Restaurant	7.74	0.01	-0.08	0.00	0.03	0.05	0.02
6	IT/ BPO	10.36	-0.16	0.26	0.12	0.13	0.02	0.01
7	Education	49.98	0.51	-0.02	0.18	0.02	0.99	0.21
8	Health	12.05	0.33	0.00	0.02	0.31	0.31	0.11
	<b>Total</b>	<b>205.22</b>	<b>0.77</b>	<b>0.32</b>	<b>1.22</b>	<b>1.85</b>	0.64	1.36

### (k) Annual Survey of Employment and Unemployment

**17.17** In order to fill the data gap for ascertaining the employment-unemployment scenario in the country, Labour Bureau has been entrusted by the Ministry the task of conducting Annual Employment-Unemployment surveys. So far five such surveys have been conducted by Labour Bureau and thereon reports released. The field

work and scrutiny work of 6<sup>th</sup> Annual Employment-Unemployment Survey has been completed and report is under finalization.

**17.18** Labour Force Participation Rate (LFPR), Worker Population Ratio (WPR) and Unemployment Rate (UR) for persons aged 15 year & above according to Usual Principal Status Approach (UPS) based on 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> Employment-Unemployment Survey is as follow s:

**Key Labour Force Estimates according to Usual Principal Status (UPS) Approach  
based on 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> Employment-Unemployment Survey**

(in percent)

Parameter	2 <sup>nd</sup> EUS(2011-12)				3 <sup>rd</sup> EUS(2012-13)				4 <sup>th</sup> EUS(2013-14)				5 <sup>th</sup> EUS(2015-16)			
	M	F	T	P	M	F	T	P	M	F	T	P	M	F	T	P
<b>LFPR</b>	77.4	25.4	-	52.9	76.6	22.6	-	50.9	74.4	25.8	-	52.5	75.0	23.7	48.0	50.4
<b>WPR</b>	75.1	23.6	-	50.8	73.5	20.9	-	48.5	71.4	23.8	-	49.9	72.1	21.7	45.9	47.8
<b>UR</b>	2.9	6.9	-	3.8	4.0	7.2	-	4.7	4.1	7.7	-	4.9	4.0	8.7	4.3	5.0

**M- Male; F-Female; T-Transgender & P-Person**

**(I) Training in Labour Statistics**

**17.19 i)** The 56th Central Training course in Improvement of Labour Statistics was conducted during 5th to 7th September, 2018 at Shimla. In this programme 30 officers/officials from various States / UT's/Central Departments participated.

ii) The 27th Central Training programme on price collection and index compilation for Price Supervisors and Price Collectors was conducted during 12th to 14th September 2018 at Labour Bureau, Shimla. In this programme 39 officers/officials from various States participated.

iii) Training programme for 26 probationers, 40<sup>th</sup> batch of Indian Statistical Service during 21/03/2018 to 23/03/2018 was organized.

iv) Training programme for 47<sup>th</sup> batch of 23 employees of Ordnance Factory Medak-Telangana was organised on 16<sup>th</sup> August 2018.

**17.20** The Regional Office of Labour Bureau at Kanpur, also renders assistance to different

State Governments/Union Territories in the northern region for conducting the training programme for the benefits of primary units i.e. factories and establishments. This year, nine training programmes were organized up to September 2018 in the states of Haryana, Jharkhand, Himachal Pradesh, Bihar and Punjab in which 336 officials participated from primary units.

**(m) AREA FRAME SURVEY**

**17.21** Considering the importance of Quarterly Employment Survey (QES) due to its periodicity, results and coverage, it was decided by the Ministry of Labour and Employment to conduct Area Frame Survey (AFS) on a large scale across all the states/UTs by covering enterprises employing less than 10 workers so that findings of the survey are reflective of the trends in employment for the non-farm sectors of the economy.

**17.22** Area Frame Survey is proposed to be conducted in all States/UTs as per the sample design approved by the Expert Group covering establishments with less than 10 workers in 10000 First Stage Units (5000 Villages & 5000 Enumeration Block (EBs) in urban area). The

preliminary work of the survey which includes finalization of Listing Schedules, Detailed enquiry schedule, Sampling design and Instruction Manual is presently in progress. After completion of preliminary work, the field work of the AFS is proposed to be launched in December, 2018 by pre-testing the schedules and conducting Pilot Surveys in the State of Karnataka, Odisha and Haryana.

#### (n) SURVEY ON PRADHAN MANTRI MUDRA YOJNA

**17.23** In compliance of Ministry's direction, Labour Bureau initiated preliminaries to launch the survey to estimate the employment created under the Pradhan Mantri Mudra Yojna (PMMY). The Ministry also constituted an Expert Group to finalize the technical details of the survey vide its order dated 29.12.2017.

**17.24** The technical details pertaining to PMMY Survey were finalized in a series of Expert Group Meetings. The preliminary work of the PMMY survey has also been completed. The field work of the survey was launched on 10<sup>th</sup> April, 2018. Under the PMMY Survey, it has been decided to canvass about 1.25 Lakh beneficiaries schedules. Accordingly, 3957 bank branches and 1612 MFIs (Micro Financial Institutions) have been selected for conduct of the survey. About 4445 bank branches/MFIs and around 87000 Beneficiary Schedules have been covered till the month of November, 2018. The fieldwork of the survey on Pradhan Mantri Mudra Yojna has been completed on 30<sup>th</sup> November, 2018.

#### Publications

**17.25** The Bureau brings out a number of publications based on the statistical research work, studies and surveys conducted by it. The list of publications which have been released/ finalized during 2018 is given in **Table 17.3**.

**Table 17.1(i)**

*Comparative Statement of variations in Consumer Price Indices (CPI) for Industrial Workers (IW)*

	Year	CPI (IW)	Percentage variation (annual)
<b>III. Base 2001=100</b>	2006-2007	125	6.83
	2007-2008	133	6.40
	2008-2009	145	9.02
	2009-2010	163	12.41
	2010-2011	180	10.43
	2011-2012	195	8.33
	2012-2013	215	10.26
	2013-2014	236	9.77
	2014-2015	251	6.36
	2015-2016	265	5.58
	2016-2017	276	4.15
	2017-2018	284	2.90

Note :

- Index values are annual average of the respective financial year averages.
- Percentage variation for 2006-07 has been derived by converting the figures of 2001=100 by using linking factor i.e. 4.63. The converted figure for 2006-07 was 579.
- Value for the year 2005-06 w.e.f. Jan., 2006 have been derived from the figures of 2001=100 by using conversion factor (4.63)

Table 17.1 (ii)

Monthly variation in CPI- IW (Base: 2001=100)														
	2012-13		2013-14		2014-2015		2015-2016		2016-2017		2017-2018		2018-2019	
Month	Index	Percentage variation	Index	Percentage variation	Index	Percentage variation	Index	Percentage variation	Index	Percentage variation	Index	Percentage variation	Index	Percentage variation
April	205	+1.99	226	+0.89	242	+1.26	256	+0.79	271	+1.12	277	+0.73	288	+0.35
May	206	+0.49	228	+0.88	244	+0.83	258	+0.78	275	+1.48	278	+0.36	289	+0.35
June	208	+0.97	231	+1.32	246	+0.82	261	+1.16	277	+0.73	280	+0.72	291	+0.69
July	212	+1.92	235	+1.73	252	+2.44	263	+0.77	280	+1.08	285	+1.79	301	+3.44
August	214	+0.94	237	+0.85	253	+0.40	264	+0.38	278	-0.71	285	-	301	+0.00
September	215	+0.47	238	+0.42	253	0.00	266	+0.76	277	-0.36	285	-	301	+0.00
October	217	+0.93	241	+1.26	253	0.00	269	+1.12	278	+0.36	287	+0.70	302	+0.33
November	218	+0.46	243	+0.83	253	0.00	270	+0.37	277	-0.36	288	+0.35		
December	219	+0.46	239	-1.65	253	0.00	269	-0.37	275	-0.72	286	-0.69		
January	221	+0.91	237	-0.84	254	+0.40	269	0.00	274	-0.36	288	+0.70		
February	223	+0.90	238	+0.42	253	-0.40	267	-0.74	274	-	287	-0.35		
March	224	+0.45	239	+0.42	254	+0.40	268	+0.37	275	+0.36	287	-		

Table 17.2

**Comparative Statement of variation in Consumer Price Indices for Agricultural Labourers (CPI-AL) and Rural Labourers (CPI-RL) on base 1986-87=100**

Year	CPI-AL	CPI-RL	Annual percentage variation	
			CPI-AL	CPI-RL
1995-1996	237	238		
1996-1997	256	256	8.02	7.56
1997-1998	264	266	3.13	3.91
1998-1999	293	294	10.98	10.53
1999-2000	306	307	4.44	4.42
2000-2001	305	307	-0.33	0.00
2001-2002	309	311	1.31	1.30
2002-2003	318	321	2.91	3.22
2003-2004	331	333	4.09	3.74
2004-2005	340	342	2.72	2.70
2005-2006	353	355	3.82	3.80
2006-2007	380	382	7.65	7.61
2007-2008	409	409	7.63	7.07
2008-2009	450	451	10.02	10.27
2009-2010	513	513	14.00	13.75
2010-2011	564	564	9.94	9.94
2011-2012	611	611	8.33	8.33
2012-2013	672	673	9.98	10.15
2013-2014	750	751	11.61	11.59
2014-2015	800	802	6.67	6.79
2015-2016	835	839	4.37	4.61
2016-2017	870	875	4.19	4.29
2017-2018	889	895	2.18	2.29

Note:-.

- The average for the year 1995-96 is based on five months i.e. November, 1995 to March, 1996
- Index values are annual averages of the respective financial year
- The series of CPI-AL/RL on base 1986-87=100 were released w.e.f. the index for the month of November, 1995. In the case of CPI-AL, the linking factor between old (1960-61) and new (1986-87) series is 5.89 while the series of CPI-RL was introduced for the first time w.e.f. November, 1995 index.

Source: Labour Bureau, Shimla

TABLE 17.3

## LIST OF PUBLICATIONS RELEASED/FINALISED DURING 2018

Sl. No.	Publications
1.	Indian Labour Journal (Monthly)
2.	Annual Report on Consumer Price Index Numbers for Industrial Workers Base 2001=100 for the year 2017.
3.	Annual Report on Consumer Price Index Numbers for Agricultural & Rural Labourers Base 1986-87=100 for the year 2016-17.
4.	Rural Labour Enquiry (2009-10) report on 'Employment and Unemployment of Rural Labour Households'.
5.	The Annual Review on the Plantation Labour Act, 1951 for the year 2015.
6.	The Review on the Industrial Establishments Act (Standing orders), 1946 for the year 2015.
7.	The Review on the Motor Transport Workers' Act, 1961 – 2015.
8.	The Review on the Employees Compensation Act, 1923 – 2015.
9.	The Review on the Working of the Maternity Benefit Act, 1961 for the year 2015.
10.	The Shops & Commercial Establishments Act for the year 2015.
11.	The Report on Payment of Wages Act, 1936 for 2014.
12.	The report on "Statistics of Factories 2014".
13.	The reports on "Trade Unions in India" for the year 2014 and 2015.
14.	Report on Five Textile Industries under 7th round of Occupational Wage Survey (OWS).
15.	Report on Textile Garment Industry under 7th round of Occupational Wage Survey (OWS).
16.	Report on Plantation sector Industry under 7th round of Occupational Wage Survey (OWS).
17.	Report on Tea Processing Industry under 7th round of Occupational Wage Survey (OWS).
18.	Annual Survey of Industries, Report on Statistics on Employment and Labour Cost (Vol. I) and Absenteeism, Labour Turnover, Employment and Labour Cost (Vol. II) for the year 2013-14.
19.	The Report on Wage Rates in Rural India for the year 2016-17.
20.	Pocket Book of Labour Statistics 2016.
21.	Indian Labour Statistics 2016.
22.	Indian Labour Year Book 2016.
<b>Ad-hoc Survey</b>	
i)	The Report of the 5 <sup>th</sup> to 7 <sup>th</sup> Round of Revamped QES.

## CHAPTER-18

# LABOUR RESEARCH & TRAINING

**18.1** V.V. Giri National Labour Institute (VVGNI), an autonomous body of the Ministry of Labour and Employment, Government of India was set up in July 1974 and has grown into a premier Institute of labour research and training. Since its inception, the Institute has endeavoured through its research, training, education and publications to reach out to diverse groups concerned with various aspects of labour in the organised and unorganised sectors. The focus of such endeavours is the concern to transfer academic insights and understanding for application to policy formulation and action, so as to ensure a just place for labour in an egalitarian and democratic society.

### VISION

**18.2** A globally reputed institution and centre of excellence in labour research and training committed to enhancing the quality of work and work relations

### MISSION

- Bring Labour and Labour Relations as the Central Feature in Development Agenda through:
- Addressing issues of transformations in the world of work;
- Disseminating knowledge, skills and attitudes to major social partners and stakeholders concerned with labour and employment;
- Undertaking research studies and training interventions of world class standards, and

- Building understanding and partnerships with globally respected institutions involved with labour.

### OBJECTIVES AND MANDATE

**18.3** /The Memorandum of Association spells out clearly a wide range of activities that are essential to fulfill the objective of the Institute. It mandates the Institute:

- (i) to undertake, aid, promote and coordinate research on its own or in collaboration with other agencies, both national and international;
- (ii) to undertake and assist in organising training and education programmes, seminars and workshops;
- (iii) to establish wings for :
  - (a) education, training and orientation;
  - (b) research, including action research;
  - (c) consultancy; and
  - (d) publication and other such activities as may be necessary for achieving the objectives of the society;
- (iv) to analyse specific problems encountered in the planning and implementation of labour and allied programmes and to suggest remedial measures;
- (v) to prepare, print and publish papers, periodicals and books;

- (vi) to establish and maintain library and information services;
- (vii) To collaborate with other institutions and agencies in India and abroad which have similar objectives; and
- (viii) to offer fellow ships, prizes and stipends.

## STRUCTURE

**18.4** 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 Chairperson 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 union federations, employers' associations and also eminent scholars and practitioners in the field of labour. Director General of the Institute is the Principal Executive Officer and manages and administers the activities of the Institute. Director General is aided in the day-to-day functioning by a team of faculty members consisting of professionals from different disciplines and a team of administrative officials and staff.

## MAJOR ACTIVITIES

### RESEARCH

**18.5** Research on labour and related issues constitutes one of the core mandates of the Institute. The Institute has been actively engaged in undertaking policy research and action research, covering a wide range of labour related issues viz. new forms of employment, future of work, structural transformation and its implications, skill development, labour laws, industrial relations, informal economy, social security, child labour, labour migration, decent

work and agrarian relations. The Institute also provides research and technical support to the Ministry of Labour and Employment and other policy making bodies of the Government. The research activities of the Institute are carried out under the aegis of specialised research centres. Each research centre has a Research Advisory Group comprising eminent scholars and practitioners to provide relevant advice and direction.

**18.6** Research Projects completed during 2018-19 under the different research centers of the Institute are listed below :

#### 1. National Resource Centre on Child Labour

- Sectoral Analysis of Employment of Children in select Districts for sensitizing and enhancing capacity of District-level stakeholders for effective Implementation of National Child Labour Project
- Deterring the Determinants of Child Labour through Documentation, Digitization and Dissemination (Phase 2)

#### 2. Centre for Labour Market Studies

- Changing Dynamics of Internal Migration in India
- Transformations in India -Gulf Labour Migration Corridor : Trends and Determinants
- Technological Change and New Forms of Employment : With Focus on Sharing Economy (Research study initiated under the aegis of BRICS Network of Labour Research Institutes)
- Quality employment generation in Micro

and Small enterprises (MSEs) in India: Strategies and Way Forward

- Report of the Expert Committee on Determining the Methodology for Fixing the National Minimum Wage
3. Centre for Employment Relations and Regulations
- Regulation of Fixed Term Employment: An Inter-country Perspective
4. Centre for Agrarian Relations and Rural Labour
- Agrarian Crises and Rural Labour in General and Women Agricultural Labour in particular
  - Rural Industrialisation and Options for Self Employment in Rural Areas
5. **Integrated Labour History Research Programme**
- History of Industrial Relations in Post Independent India: A Practice Oriented Perspective
  - Technology and Labour: A Long Term Perspective
  - Towards Enhancing the Effectiveness of Minimum Wage Systems: The Wage Protection System in Kerala
  - The Wage Question and the Transformation of Industrial Relations in Late-Colonial India
  - International Labour Migration in the Past and the Present
  - Mapping Workers Lives (Oral History)
  - Launching of the Upgraded Website of Archives of Indian Labour

**6. Centre for Labour and Health Studies**

- Gender, Work and Health – A Study of Work Organization, Social Security and Safety Provisions in Informal manufacturing in Delhi NCR
- Employment Relation, Wages and Working Conditions in Beedi Industry in India

**7. Centre for Gender and Labour**

- Unpaid Work and Time Use Patterns of Women Workers in North East India: Special reference to Tripura
- Prospects for Youth Employment in Agriculture: Issues and Challenges
- Impact of the Maternity Benefit (Amendment) Act, 2017 in the IT/ITES Industry

**8. Centre for North East Research & Training**

- Social Protection Schemes in North East India

**TRAINING AND EDUCATION (2018-19)**

**18.7** V.V. Giri National Labour Institute is committed to promote a better understanding of labour problems and to find the avenues and means to tackle them. To achieve this, the Institute, through its varied activities attempts to provide education with regard to labour issues in an integrated manner. While research activities, among other things explore the basic needs of different groups, such data generated from research activities is used for designing new and modifying existing training programmes. Constant feedback from the trainees and participants is used for updating the training curriculum as well as redesigning training

modules apart from being taken as inputs for further research activities.

**18.8** Educational and training programmes of the Institute may be viewed as potential vehicles of structural change in labour relations. They can help to generate a more positive attitude for the promotion of harmonious industrial relations. In the rural areas, the programmes are attempted to develop leadership at the grassroots level that can build and support independent organisations to look after the interests of the rural labour. Training programmes equally emphasise attitudinal change, skill development and enhancement of knowledge.

**18.9** The training programmes use an appropriate mix of audio-visual presentation, lectures, group discussions, case studies, field visits and behavioural science techniques. Apart

from the Institute's faculty, renowned guest faculty are also invited to strengthen the training programmes.

**18.10** The Institute offers education and training to the following groups:

- Labour Administrators and officials of the Central and State Governments,
- Managers and Officers of the Public and Private Sector Industries,
- Trade Union Leaders, Industrial Relations Managers, Social Activists and different stakeholders of organised and unorganised sectors, and
- Researchers, Trainers, field workers and others concerned with labour issues.

#### Training Programmes held during April, 2018 to March 2019

S.No	Name of the Programme	No. of Progs.	No. of Days of Progs.	No. of Participants
1.	Labour Administration Programmes (LAP)	11	49	232
2.	Industrial Relations Programmes (IRP)	18	75	342
3.	Capacity Building Programmes (CBP)	52	243	1763
4.	Research Methods Programmes (RMP)	6	58	137
5.	International Programmes (ITP)	9	128	246
6.	Child Labour Programmes (CLP)	4	9	176
7.	In house Programmes (IHTP)	11	49	298
8.	North East Programmes (NETP)	14	70	543
9.	Collaborative Programmes (CTP)	21	77	723
		<b>146</b>	<b>758</b>	<b>4460</b>

**18.11** During the year from April 2018 – March 2019, the Institute has conducted 146 training programmes including 09 International programmes and 4460 participants including

international participants from different countries have attended these programmes. The details are as follows:

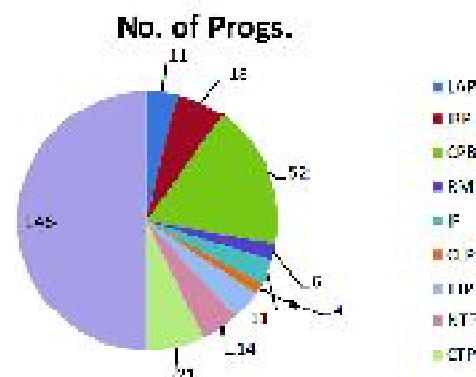
## INTERNATIONAL TRAINING PROGRAMMES

**18.12** The Institute has been empanelled by Ministry of External Affairs, Government of India for conducting various international training programmes under Indian Technical and Economic Cooperation (ITEC). During the period April 2018– March, 2019, the Institute organized **09** International training programmes. The Institute is empanelled as a training institution under the ITEC/SCAAP of the Ministry of External Affairs, Government of India. The Institute organized 06 international programmes on key themes like Health Security and Protection of Workers, Labour and Employment Relations in a Global Economy, Enhancing Leadership Skills, Skill Development and Employment Generation, Gender Issues in World of Work and Research Methods in Labour Studies which were attended by 183 foreign delegates from different countries. Besides this, the Institute conducted 03 international programmes for officials and other stakeholders of Government of Afghanistan in collaboration with International Training Centre of International Labour Organisation, Turin on subject such as “Private Sector Development through Value Chains in Fragile Settings”, “Leadership for Development in Fragile Settings” and “*Designing and Implementing Effective Wage Policies*”. In all **154** foreign officials from 36 countries participated.

**18.13** The Institute also conducted jointly an International programme with International Training Centre of International Labour Organisation (ITC-ILO), Turin, Italy, on “Leadership for Employment Promotion in Fragile Settings” at New Delhi during March 11-15, 2019 under the MoU signed between VVGNI and ITC-ILO, Turin which was attended by 24 participants representing the government officials, workers’ organizations & employers’ organizations from Afghanistan including three faculty members from VVGNI and three officers from Ministry of Labour and Employment.

## PROGRAMMES FOR NORTH EAST REGION

**18.14** During April, 2018 to March 2019, the Institute organised 14 training programmes for North Eastern Region. These programmes were designed for State Government Officials, Central Trade Union Leaders, NGOs and civil society members, researchers etc. 543 participants participated in these programmes.



(LAP- Labour Administration Programme) (IRP - Industrial Relation Programme)

(CBP - Capacity Building Programme) (RMP - Research Methods Programme)

(IP- International Programme) (CLP - Child Labour Programme)

(IHP - Inhouse Training Programme) (NTP- North East Programme)

(CTP- Collaborative Programme)

## PUBLICATIONS

**18.15** VVGNI has a dynamic publishing programme for dissemination of various labour related information in general and its research findings and experiences in particular. In order to fulfill this task, the Institute brings out journals, occasional publications, books and reports.

## Labour & Development

**18.16** *Labour & Development* is a biannual academic journal. It is dedicated to advancing the understanding of various aspects of labour

through theoretical analysis and empirical investigations. The journal publishes articles of high academic quality in the field of labour and related areas with emphasis on economic, social, historical as well as legal aspects and also publishes research notes and book reviews on them particularly in the context of developing countries. The Journal is a valuable reference for scholars and practitioners specialising in labour studies.

### **Awards Digest: Journal of Labour Legislation**

**18.17** *Awards Digest* is a quarterly journal which brings out a summary of the latest case laws in the field of labour and industrial relations. The decisions rendered by the Supreme Court, High Courts and Central Administrative Tribunals are reported in the Journal. It includes articles, amendments to labour laws and other relevant information. The journal is a valuable reference for personnel managers, trade union leaders and workers, labour law advisors, educational institutions, conciliation officers, arbitrators of industrial disputes, practicing advocates and students of labour laws.

### **Shram Vidhan**

**18.18** *Shram Vidhan* is a quarterly Hindi journal which brings out a summary of the latest case laws in the field of labour and industrial relations. The decisions rendered by the Supreme Court, High Courts and Central Administrative Tribunals are reported in the Journal. This journal is a valuable reference for personnel managers, trade union leaders and workers, labour law advisors, educational institutions, conciliation officers, arbitrators of industrial disputes, practicing advocates and students of labour laws.

### **Indradhanush**

**18.19** *Indradhanush* is a bi-monthly

Newsletter brought out by the Institute which captures Institute's multifarious activities in the area of research, training and education, workshop, seminar etc. The Newsletter also brings out brief details about different events organized by the Institute. It also highlights professional engagements of the Director General and faculty members along with profiling the visits of the distinguished persons who visit the Institute.

### **Child Hope**

**18.20** *Child Hope* is a quarterly newsletter portraying the quarterly developments in the field of child labour. The aim of this newsletter is to sensitise various sections of the society on the need for prevention and elimination of child labour. It also focuses on the efforts of NRCCL in combating the child labour problem in the country.

### **Shram Sangam**

**18.21** *Shram Sangam* is a biannual official language magazine brought out by the institute to orient the employees towards progressive use of Hindi and to make use of their creativity in its expansion. Apart from poems, essays and stories written by the employees, it contains informative and motivational articles on art & culture, science, current events, sports, and biographies of great men/authors.

### **NLI Research Studies Series**

**18.22** The Institute also publishes a series entitled, *NLI Research Studies Series*, to disseminate the findings of the research activities of the Institute. So far the Institute has published **138** research findings in this series.

### **VVG NLI Policy Perspectives**

**18.23** *VVG NLI Policy Perspectives* focuses on key policy interventions of the government and its implications for labour and employment. It also

suggests on strategies/policy initiatives which could be adopted in the area of labour and employment in future.

**18.24** In all, a total of **38** publications were brought out during the period.

## **ADVOCACY AND DISSEMINATION**

**18.25** Advocacy and dissemination of relevant information about various programmes and schemes are considered as core strategies to enhance the outreach of the welfare programmes launched by the government to benefit the disadvantaged people and backward regions. During 2018-19, the Institute participated in two large advocacy and dissemination activities, one at Jammu & Kashmir and other at Balia in Uttar Pradesh, to spread the information on recent innovative government schemes, interventions and activities of Ministry of Labour & Employment and VVGNL for enhancing the welfare of the people. The Institute, while participating in such activities, focuses on disseminating the information related to Institute's other professional activities apart from inputs on different aspects of labour like employment, skill development, social security and labour, child labour, gender and work, various programmes launched by the Ministry of Labour & Employment for the welfare of labour, rural masses and agricultural labour. The Institute also displays all its major publications in such events.

## **N.R. DE Resource Centre on Labour Information (NRDRCLI)**

**18.26** N.R. De Resource Centre on Labour Information (NRDRCLI) is one of the most reputed library cum documentation Centre in the area of labour studies in the country. The Centre was renamed in memory of late Shri Nitish R. De, the founder Dean of the Institute on July 01, 1999 to commemorate the Silver Jubilee Celebration of the Institute. The Centre is fully computerized and

offers the following services and products to its users.

## **18.27 Physical Achievements**

**1. Books/Journals/Services** – The library has acquired 174 books/reports/bound volumes of journals / CDs/ AV/ VC during April 2018 to March 2019, thereby enlarging the stock of books/reports/bound volumes of journals / slides / audio visual / videos / CDs / photographs / Posters / banners/ clippings / panels etc. to **65270**. The library regularly subscribes to **178** professional journals, magazines and newspapers in printed and electronic forms during period. It has recently upgraded its library management software to “**LIBSYS 10 EJB**” which enables web based library services. The services offered by this Knowledge Centre are: Selective dissemination of information (SDI); Current awareness service; Bibliographical service; On-line search; Article indexing of Journals; Newspaper article clippings Micro-fiche search and printing; Reprographic Service; CD-ROM Search; Audio/Visual Service; Current Content Service; Article Alert Service; Lending Service and Inter-Library Loan Service

## **2. Products**

The library provides following products in printed forms to its users:

- Guide to periodical literature – Quarterly in-house publication providing bibliographical information of articles from over 175 selected journals / magazine.
- Current Awareness Bulletin – Quarterly in-house publication providing bibliographical information on acquisition in NRDRCLI.
- Article Alert – Weekly publication providing bibliographical information of

important articles in all subscribed journals/magazines.

- Current Content Service – Monthly publications. It is the compilation of content pages of subscribed journals.
- Article Alert Service – This weekly service is hosted on the Institute's web site for public access.

### 3. Maintenance of specialized resource centre

The following four specialized resource centers have been created and maintained for reference purpose:

- National Resource Centre on Child Labour
- National Resource Centre on Gender Studies
- National Resource Centre on HIV/AIDS
- National Knowledge Centre on Child Labour

### DIGITAL ARCHIVE

**18.28** Networking with agencies (national and international) involved in digital archiving is a crucial aspect of the archive. The archive is the country's largest digital repository of labour documents, with more than 15 gigabytes of data on the World Wide Web ([www.indialabourarchives.org](http://www.indialabourarchives.org)) for public access. The collections for the archives are generated through commissioning and monitoring research and collection projects on prioritised areas of labour history, which involves negotiation and networking with experts and agencies, both within and outside the country.

### UPGRADING E-GOVERNANCE AND DIGITAL INFRASTRUCTURE OF THE INSTITUTE

**18.29** In accordance with the mandate of the Government of India to promote the National e-Governance Plan (NeGP) and Digital India infrastructure, the Institute took a number of steps to upgrade and stabilize its e-Governance and Digital infrastructure. Some of the major steps undertaken in this regard are as follows:

- (i) **Operationalization and Stabilization of e-Office System:** To improve the operational efficiency and increase transparency and accountability, the institute has transitioned to a 'Less Paper Office' by operationalizing e-Office system. Apart from e-Office, the Institute has successfully stabilized the automated Central Registry Unit (CRU) for electronic handling of DAK and email Diarisation process within the e-Office system. Further, the Institute has received permission from the Ministry, for launching e-Service Book module in the e-Office system and has submitted the requisite Employee Master Data (EMD) to the NIC and IT Cell of the Ministry for migration and integration into Personal Management Information System (PIMS).
- (ii) **Launching and Strengthening of the New Website:** The Institute web hosted the new bilingual website <http://www.vvgnli.gov.in/>. The new website has a distinct look, many new features and extremely user friendly. Subsequent to the web hosting a lot of new features were added to the home page especially the details about the Chairperson of the GC and EC, strengthening the security features and providing wide publicity to Institute's activities through provision of uploading captioned photos and visuals.

- (iii) **Launching of Campus wide Wi-Fi and Surveillance System**: To provide round the clock campus wide wireless internet connectivity to the participants of national and international training programmes, visiting scholars and staff and to improve the security apparatus inside the campus, the Institute has successfully implemented the Wi-Fi and Surveillance project.

### 18.30 MAJOR ACHIEVEMENTS

- During 2018-19, V.V.Giri National Labour Institute conducted 146 training programmes for various social partners as against 138 training programmes conducted during 2017-18. The number of trainee participants was 4460 during 2018-19 as against 4208 during 2017-18.
- VVGNI undertook and completed 23 research projects during 2018-19 on various facets of labour and employment.
- First meeting of the reconstituted General Council (GC) of VVGNI was held on 25<sup>th</sup> February, 2019 chaired by Shri Santosh Kumar Gangwar, Hon'ble Minister of State for Labour & Employment (I/C)/President of GC; Shri Heeralal Samariya, Secretary, Ministry of Labour & Employment and Vice-President of GC; Ms. Sibani Swain, Additional Secretary & Financial Advisor and members of the General Council representing Government, Employers' Organisations, Workers' Organisations attended the meeting.



*Meeting of General Council of VVGNI under the chairpersonship of Hon'ble Minister of State for Labour & Employment (I/C), Shri Santosh Kumar Gangwar, President, General Council, VVGNI Shri Heeralal Samariya, Secretary, MoLE & Vice-President of GC; Ms. Sibani Swain, Additional Secretary & Financial Advisor, MoLE and members of the General Council*

- Shri Santosh Kumar Gangwar, Hon'ble Minister of State for Labour & Employment (I/C) and Director General, VVGNI attended the meeting of '**2<sup>nd</sup> BRICS Employment Working Group**' held from 30<sup>th</sup> July to August 1<sup>st</sup>, 2018 at Durban, South Africa. VVGNI has been recognized by the Government of India as the Nodal Labour Institute to network with other Labour Institutions of four BRICS countries



*Shri Santosh Kumar Gangwar, Hon'ble Minister for Labour & Employment; Dr. H. Srinivas, DG, VVGNI; Shri*

*Rajit Punhani, JS&DGLW; Shri Manu Tentiwal, PS to Hon'ble Minister; Smt. Anita Tripathi, Deputy Secretary, MoL&E and others at the BRICS Summit at Durban, South Africa on 2<sup>nd</sup> August 2018*

- Labour & Development, (biannual journal, June 2018); Awards Digest (quarterly journal, April-June, 2018); Child Hope (quarterly newsletter, April-June, 2018); and Indradhanush (bi-monthly newsletter, May-June, 2018) were released by Shri Heeralal Samariya, Secretary (Labour & Employment) and Chairperson, Executive Council, VVGNI during the Executive Council's meeting held on 2<sup>nd</sup> August, 2018.



*Shri Heeralal Samariya, Secretary (Labour & Employment) and Chairperson, Executive Council, VVGNI releasing the publications in the presence of other Executive Council members*

- V. V. Giri National Labour Institute (VVGNI), Noida was **awarded with 2<sup>nd</sup> Prize for outstanding performance in the implementation of Official Language Policy** during the year 2017 by the Town Official Language Implementation Committee (TOLIC), Noida in its 35<sup>th</sup> meeting at Indian Oil Corporation Ltd (Pipelines Division), Noida.
- A Workshop on '**Recent Amendments**

**introduced by the Central and State Governments in different Labour Laws'** was organised. The workshop primarily aimed at sharing of best initiatives introduced by Central and State Governments in the recent past and ways and means to replicate these initiatives. 33 participants comprising of officials from the Ministry of Labour and Employment, the office of the Chief Labour Commissioner, senior officials from the State Governments etc. participated in the workshop.

- The Institute in collaboration with the Association of Indian Labour Historians organised the **XII<sup>th</sup> International Conference on Labour History** at the V.V. Giri National Labour Institute. 80 renowned scholars on labour history from 10 countries including India participated in the Conference. 34 research papers were presented and discussed during the Conference.

The broad theme of the Conference was "The Future of Work in the Mirror of the Past". The deliberations of the Conference focused on the relation of technology with changing forms of work and work relations in the past and present in the light of possible future trends and policy pointers.

- V.V. Giri National Labour Institute signed a Memorandum of Understanding with National Institute of Rural Development, Hyderabad on 9<sup>th</sup> April, 2018 to undertake training and research activities jointly in the areas of labour and development with focus on rural labour.
- The Institute in collaboration with International Training Centre-

International Labour Organisation, Turin conducted a Course on “**Private Sector Development through Value Chains**” for Representatives of the Government of Afghanistan during April 23-27, 2018 at TajMahal Hotel, New Delhi. The programme was attended by 15 officials from Government of Afghanistan.

- A Panel Discussion on **Strategies for Providing Social Security to Unorganised Workers** was jointly organized on May 1, 2018 by VVG NLI and ILO at Pravasi Bharatiya Kendra, New Delhi. The panel discussion moderated by Dr. H. Srinivas, Director General, V. V. Giri National Labour Institute (VVG NLI) was held as part of the International Labour Day celebration organized by the Ministry of Labour & Employment, Government of India. Eminent panelists and subject specialists attended the panel discussion.
- Special Issue of **VVG NLI Policy Perspectives on Social Security for Labour in India and Child Hope**, January-March, 2018 were released by Shri Nitin Gadkari, Minister of Road Transport and Highways and Shri Santosh Kumar Gangwar, Hon'ble Minister of State for Labour & Employment (Independent Charge) during the International Labour Day Celebrations on May 01, 2018.



*Shri Nitin Gadkari, Hon'ble Minister of Road Transport and Highways and Shri Santosh Kumar Gangwar, Hon'ble Minister of State for Labour and Employment (I/C) releasing the 'VVG NLI Policy Perspectives' and 'Child Hope' publications*

- An expert committee meeting on “**Methodology for Fixation of National Minimum Wage/Wages**” was organized by the Institute on 4<sup>th</sup> May, 2018 at its campus. The aim was to firm up the methodology for national/ regional minimum wages under ‘Code on Wages Bill, 2017’. The experts in the area of Consumption Expenditure, Nutrition, Prices and Wages participated in the meeting.
- A Roundtable on “**Knowledge Exchange on Women Economic Empowerment**” under the ‘Lighthouse India’ was organized by the World Bank on 17<sup>th</sup> May, 2018 at Delhi. Director General, VVG NLI participated as Panel Member in the Roundtable discussion.
- As a member of the Core Group on “**Elimination of Bonded Labour**”, Director General, VVG NLI participated in the meeting held on 29<sup>th</sup> May, 2018 chaired by Justice Shri D. Murugesan, Hon'ble Member, National Human Rights Commission at Manav Adhikar Bhawan, New Delhi.

- The Institute celebrated the “**International Yoga Day**” on 21<sup>st</sup> June, 2018. It was attended by faculty, officers and staff members along with their families as well as participants of different training programmes. On this occasion, Dr. H. Srinivas, Director General of the Institute emphasized on the importance of Yoga in daily lives of each and everyone and advised the participants to make it a part of their lives and practice it daily.



**‘Yoga Day’ celebration at VVGNNI on 21<sup>st</sup> June, 2018**

- The Institute in collaboration with International Training Centre-International Labour Organisation, Turin conducted a Course on **Leadership for Development in Fragile Settings** for Representatives of the Government of Afghanistan during 25-29 June, 2018 at Taj Mahal Hotel, New Delhi. The programme was attended by 20 officials from Government of Afghanistan.
- A Workshop on ‘**Social Security for Unorganised Workers**’ was organised by V.V. Giri National Labour Institute in collaboration with the Labour Resources Department, Govt. of Bihar from 25-27 July, 2018 at Patna. The workshop was inaugurated by Shri Vijay Kumar Sinha, Hon’ble Labour

Resources Minister, Government of Bihar and Shri Gopal Meena, Labour Commissioner, Government of Bihar. 46 delegates representing trade unions, NGOs, academia and government officials participated in the workshop.

- International Training Programme on “**International Labour Standards and Promotion of Gender Equality at the Workplace**” was organized from August 06-24, 2018 at VVGNNI. Ms. Sibani Swain, Additional Secretary & Financial Adviser, Ministry of Labour & Employment inaugurated the programme on 6<sup>th</sup> August, 2018.



**Ms. Sibani Swain, Addl. Secretary & Financial Advisor, MoL&E speaking at the Inaugural Session of the International Training Programme (ITEC) on ‘International Labour Standards and Promotion of Gender Equality at the Workplace’ at VVGNNI**

- International Training Centre (ITC), Turin in collaboration with V.V. Giri National Labour Institute, NOIDA organised an International Training Course on ‘**Designing and Implementing Effective Wage Policies**’ during August 20-22, 2018 at Hotel Taj Mansingh, New Delhi. The

major objective of the course was to enhance the capacity of participants to contribute to the design and implementation of wage policies at the national, regional and international level. Dr. H. Srinivas, Director General inaugurated the training programme and Ms. Dagmar, Walter, Director, ILODWCT, India Office welcomed the participants. Dr. Sher Verick, Programme Manager, ITC, Turin provided introduction and overview of the course. 29 Participants from 9 countries (Viz. Malaysia, Vietnam, Myanmar, Mongolia, Sri Lanka, Nepal, Philippines, Brunei, Darussalam, India) in the Asia-Pacific region comprising of officials from Ministries of Labour & Employment, Employers' and Workers' organisations participated in this programme.

- A Discussion on the “**Preparation of the Training Calendar for National Institute of Career Services**” was held on 24<sup>th</sup> August, 2018. Ms. Anuradha Prasad, Additional Secretary, Ministry of Labour & Employment chaired the discussion. Subsequently, the Model Training Calendar was prepared for NICS by VVG NLI.
- International Training Programme on “**Skill Development and Employment Generation**” was organized from September 10-28, 2018 at VVG NLI. Dr. Rathin Roy, Director, National Institute of Public Finance and Policy (NIPFP) and Member, Economic Advisory Council to the Prime Minister (EAC-PM) inaugurated the programme on 10<sup>th</sup> September, 2018.
- A presentation was made on Research

Study titled “**Quality Employment Generation in Micro and Small Enterprises (MSEs) in India: Strategies and Way forward**” in a meeting chaired by Secretary, Ministry of Labour & Employment and attended by officials from Ministry of MSME, Ministry of Finance on 12<sup>th</sup> September, 2018 at the Ministry of Labour & Employment, Shram Shakti Bhavan, New Delhi

- **Shram Sangam**, biannual official language magazine of VVG NLI was awarded **second prize in ‘A’ Region in Rajbhasha Kirti Puraskar Yojna (In-house Magazine)** for the year 2017-18. This award was conferred to the Institute by Shri M. Venkaiah Naidu, Hon’ble Vice-President of India on 14<sup>th</sup> September, 2018 at Vigyan Bhawan, New Delhi on the occasion of ‘Hindi Divas’.



**Dr. H. Srinivas receiving the Award from Shri M. Venkaiah Naidu, Hon’ble Vice-President of India**

- International Training Programme on “**Enhancing Leadership Skills**” was organized from October 08-26, 2018 at VVG NLI. Shri S.K. Dudeja, Deputy Secretary (DP-I), Ministry of External Affairs participated in the valediction on 26<sup>th</sup> October, 2018.

- For the first time, a training programme on “**Gender Responsive Planning, Budgeting and Auditing**” was organized from October 24-26, 2018 at VVGnLI. Ms. Sibani Swain, Additional Secretary & Financial Adviser, Ministry of Labour & Employment inaugurated the programme on 24<sup>th</sup> October, 2018.
- A Training Workshop on ‘**Convergence of Efforts and Services for Prevention and Elimination of Child Labour in Jammu & Kashmir**’ was held during 29<sup>th</sup> to 31<sup>st</sup> October 2018 in Jammu. This workshop has been conducted for prevention and elimination of Child Labour in the State of Jammu & Kashmir. Around 75 participants were drawn from multi-stakeholders and social partners dealing with the issue of child labour and related issues.
- V.V. Giri National Labour Institute participated in the Event “**Rise in Jammu and Kashmir**” (1-3 November, 2018) Bhagawati Nagar Yatriniwas, Jammu organized by TARMEH Events. All the major initiatives of the Ministry of Labour and Employment Government of India and also all the activities of the institute were exhibited. V.V. Giri National Labour Institute bagged the best stall (Information) and 1st Runner up (second best stall). The selection of the prize was on the basis of the feedback forms received from visitors. About 15,000 students from schools, colleges, universities and teachers /professors, general public visited the event. About 40 Government Ministries and organisations like Geological Survey of India, Ministry of Ayush, Indian Council of Medical Research, Indian Agricultural Research Institute, ISRO, Ministry of Tourism, Institute of Biological, SAIL, Ministry of Commerce, and NHPC etc. participated. Mr P. Amitav Khuntia, Associate Fellow of VVGnLI was the event director from V.V. Giri National Labour Institute. Dr. Helen R. Sekar, Senior Fellow, Mr Rajesh Karn from VVGnLI and Ms. Malvika Upadhyaya & Ms. Waheeda Rahman alumni of VVGnLI were present in the event. Dr. Helen R. Sekar, Senior Fellow organised a workshop on ‘elimination of child labour on the sidelines of the event for different social partners of the State of Jammu & Kashmir’. Shri Shamsheer Singh Manhas, Hon’ble MP Rajya Shabha inaugurated the event, visited VVGnLI stall with other dignitaries and appreciated the efforts.
- A presentation on research study titled “*Technological Change and New Forms of Employment with Focus on Sharing Economy*” was made in a meeting chaired by Secretary, Ministry of Labour & Employment for knowledge sharing exercise endeavours in building and strengthening the capacities of various stakeholders on 5<sup>th</sup> November, 2018 at the Ministry of Labour & Employment, Shram Shakti Bhavan, New Delhi.
- The Institute signed an MoU with Dashrath Manjhi Institute of Labour and Employment Studies, Patna on November 22, 2018 to facilitate collaborative training, research and academic activities related to labour and employment issues. The MoU was signed in the presence of Shri Nitish Kumar, Hon’ble Chief Minister of Bihar by Dr. H. Srinivas, Director General, VVGnLI and Shri Dipak Kumar Singh,

Principal Secretary, LRD, Government of Bihar.



*Dr. H. Srinivas, Director, VVGNNI and Shri Dipak Kumar Singh, Principal Secretary, LRD Government of Bihar – Exchanging the MOU*

- The Institute signed a **Memorandum of Understanding (MoU) with International Training Centre of International Labour Organisation (ITC-ILO), Turin, Italy** for extending the collaboration in the areas of training and education activities in the field of labour and employment on 28<sup>th</sup> November, 2018. The collaboration is for a period of another five years from 2018 to 2023. The MoU was signed in the presence of the officials nominated by the Consulate General of India in Milan, Italy.



*Dr. H. Srinivas, Director General, VVGNNI and Mr. Yanguo Liu, Director, ITC-ILO exchanging the MoU*

- VVGNNI has been recognized by the Government of India as the Nodal

Labour Institute to network with other Labour Institutions of BRICS countries. The first activity undertaken as a part of the network was a research study on '*Technological Change and New Forms of Employment with Focus on Sharing Economy*'. The findings of this research study was presented in the **First Joint BRICS Network, ITC-ILO and ILO Expert Forum on 'Promoting Better Labour Market Outcomes for Youth in the BRICS and Beyond'** held during November 28-30, 2018 at Turin, Italy.

- VVGNNI was awarded with 2<sup>nd</sup> Prize for performing excellent work in implementation of Official Language Policy during the year 2017-18 by Town Official Language Implementation Committee (TOLIC), Noida in its 37<sup>th</sup> Meeting held on 31.01.2019 at GAIL (India) Ltd, GAIL, Noida. Further, Dr. Otojit Kshetrimayum, Associate Fellow, VVGNNI got the 1<sup>st</sup> position in Extempore Speech Competition organized by GAIL Training Institute, Sector-16A, Noida, under the aegis of Town Official Language Implementation Committee (TOLIC), Noida.



*Dr. H. Srinivas, Director General, Shri Beerendra Singh Rawat, Sr. Hindi Translator and Dr. Otojit Kshetrimayum, Associate Fellow, VVGNNI receiving the award*

- International Training Programme on **“Gender Issues in World of Work”** under ITEC/SCCAP was organized during December 3-21, 2018 at VVG NLI. Ms. Devyani Khobragade, Joint Secretary, Ministry of External Affairs addressed the participants in Valedictory Session on 21<sup>st</sup> December, 2018.
- A National Stakeholder Consultation on the **Future of Work** was organised on February 08, 2019 **in collaboration with Ministry of Labour & Employment** at the V.V. Giri National Labour Institute. The consultation was organized as a part of celebrating an eventful centenary of the existence of ILO in 2019. The programme was inaugurated by Shri Santosh Kumar Gangwar, Hon'ble Minister of State for labour & Employment (I/C) and attended by Director, ILO, Country Office India. The consultation was attended by government representatives, representatives from ILO and other international organisations, Trade unions, employers' organizations, academicians, representatives from research institutions and faculty and officers from the Institute.



*Inaugural Address by Shri Santosh Kumar Gangwar, Hon'ble Minister of State for Labour & Employment (I/C) in the presence of Ms Dagmar Walter Director ILO DWT for South Asia and country office for India, Ms Anuradha Prasad, Additional Secretary, Ministry of Labour and Employment, Smt Sibani Swain, Additional Secretary and Financial Advisor, Ministry of Labour and Employment, Government of India and Dr. H. Srinivas, Director General VVG NLI*

- The Institute in collaboration with the experts of the Ministry of Labour and Employment and ILO prepared the **Report of the Expert Committee on Determining the Methodology for Fixing the National Minimum Wage**. The report was submitted by the Committee under the Chairmanship of Dr. Anoop Satpathy, Fellow, VVG NLI to the Secretary (L&E) on 14<sup>th</sup> February 2019. The report recommended a new methodology for fixation of national minimum wage and also suggest base value of national minimum wage. The Institute spearheaded and hosted technical discussions of the expert committee meetings leading to its finalisation and submission.



**Submission of Report by the Committee Members to the Secretary (Labour & Employment) Government of India**

- A Workshop on **Gender, Unpaid Work and Care: Towards Achieving Sustainable Development Goals (SDGs)** was organized in collaboration with International Centre for Research on Women (ICRW) during March 7-8, 2019 which was attended by **60** eminent scholars from the academia, practitioners, senior officers from the government, representatives from international organizations, representatives from civil society organizations and faculty members and officers of VVGnLI.
- Two Workshops on **Labour and Employment in North East India** were jointly organised with (i) Centre for North East Studies and Policy Research, Jamia Millia Islamia on 8<sup>th</sup> March, 2019 at the Centre for North East Studies and Policy Research, Jamia Millia Islamia, New Delhi; and (ii) Special Centre for the Study of North East India, Jawaharlal Nehru University on 19<sup>th</sup> March, 2019 at the Special Centre for the Study of North East India, JNU, New Delhi respectively. 50 MA students, research scholars and teachers participated each in these workshops.
- As a part of MoU between VVGnLI and International Training Centre-International Labour Organisation (ITC-ILO), Turin, the VVGnLI and the ITC-ILO conducted a collaborative training programme on, “Leadership for Employment Promotion in Fragile Settings” at New Delhi during March 11-15, 2019. The programme was attended by 24 participants representing the government officials, workers’ organizations & employers’ organizations from Afghanistan including three faculty members from VVGnLI and three officers from Ministry of Labour and Employment.
- A Workshop on **Equal Remuneration Act, 1976** was organized on 27<sup>th</sup> March, 2019 with the objective to identify the challenges and constraint in the implementation of Equal Remuneration Act, 1976 and also to identify the vulnerable sectors which require special attention which was attended by 37 participants representing wage stakeholders (labour administrator, academicians and trade union leaders).

## CHAPTER-19

# INFORMATION TECHNOLOGY (IT) / MEDIA RELATED INITIATIVES / E-GOVERNANCE

**19.1** National e-Governance plan initiated by the Government is focused on bringing transparency in its functioning. To ensure implementation of Government's Agenda on e-Governance, "Scheme on Information Technology" is under implementation in the Ministry. The objective of the Scheme is to strengthen and upgrade the existing information technology infrastructure in the Ministry. It is intended to bring the working of the Government to higher standard and move in the direction of paperless office.

**19.2** Considering the importance of National e-Governance Plan, the Ministry of Labour and Employment and various organisations under it carried out the following activities:

### A. Activities in the Ministry:

- i. Implementing e-Office as one of the Mission Mode Projects (MMPs) under the Digital India Programme. Use of e-office in official transactions helps in bringing transparency, accountability and expeditious decision making. E-office also provides additional advantages like real time tracking, location agnostic disposal, universal search-ability and retrieval of files.
- ii. Ministry has taken several IT initiatives which include development of e-Register software (software for maintenance of Registers under 9 Labour Laws (Central), Tour & Travel Software for the officials of the Ministry, CGIT website (Central Government Industrial Tribunal), Flower Maintaining System, Canteen Software (Under Development), CLS transfer and posting software (Under Development).
- iii. PENCIL (Platform for Effective Enforcement of No Child Labour) Portal was launched for better monitoring & reporting system, to

ensure effective implementation of the provisions of the amended Child Labour (Prohibition & Regulation) Act, 1986 and National Child Labour Project (NCLP) Scheme. PENCIL Portal has five components namely :- (i) Complaint Corner, (ii) District Nodal Officer (DNO), (iii) National Child Labour Project (NCLP) Scheme, (iv) State Government and (v) Central Government. As on date District Nodal Officers from 611 DNOs from 27 states have been nominated for disposal of online complaint. Further, all operational Project Societies of NCLP are registered on the portal for better implementation of NCLP scheme aimed at educational rehabilitation of child and adolescent labour.

- iv. Issued Notification dated 21st February, 2017 for ease of compliance of Labour Laws, reduced the number of Registers to be maintained to 5 in place of 56 Registers which were provided under the Central Labour Laws/ Rules. To facilitate the compliance by the establishments further, a software was developed for maintenance of these registers by the Establishments and uploaded for free download on the Ministry's website.
- v. Directorate General of Employment (DGE) has taken initiatives to bring employers, trainers and unemployed on single platform through National Career Service (NCS) Portal [www.ncs.gov.in](http://www.ncs.gov.in). As on 02.12.2018, 97.30 lakh active job seekers, 8988 employers are registered and it has led to mobilization of over 36.90 lakh. NCS has partnered with Department of Posts to extend registration of job seekers through the Post Offices. To enhance the reach and enrich the employment opportunities

available to youth, Strategic MOUs have been signed with leading job portals, placement organizations and institutions of repute. Government of India has recently made it mandatory for government vacancies to be posted on the NCS Portal.

- vi. Through Shram Suvidha Portal: Unified Registration form for EPFO and ESIC has been made operational and more than 65000 units registered with EPFO & ESIC are using the facility. Unified Returns (ECR) of EPFO and ESIC has been made operational. Total Establishments which have been allotted LIN as on 13.12.2018: 26,16,403. More than 48,843 Annual Single Returns for 9 Labour Laws have been filed. After Government of Haryana, Government of Gujarat and Government of Rajasthan have also been integrated with SSP platform. Data is being shared and LIN being allotted to the establishments covered by the state labour enforcement agencies. Inspection of units is being done based on risk based criteria through a centralized computer system. So far, 4,27,971 units have been inspected. This year onwards application for registration under three Central Labour Acts i.e. the Contract Labour (Regulation and 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 and Conditions of Service) Act, 1976, are being processed online and the licenses under two Central Labour Acts, i.e. the Contract Labour (Regulation and Abolition) Act, 1970 & the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 are being processed online. The digitally signed certificates are being also issued. About 1700 registrations and 4500 licenses have been issued using the facility.

#### **B. IT initiatives in EPFO**

- i. Universal Account number (UAN) allotted to EPFO subscribers has improved the

portability of PF accounts as members can now get their accounts transferred by submitting online requests or by auto transfer mode on change of employment. Till date more than 14 crore UANs have been generated and 5.6 crore such accounts have been seeded with Aadhaar.

- ii. More services have been made available by EPFO on the UMANG app. 13 services of EPFO are currently available on UMANG for members, employers, pensioners and general public.
- iii. Online claims receipt submission by members was promoted in a large scale by EPFO. As a result the share of online claims to that of total claims has almost reached 60%.
- iv. Online filing of International Workers return (IW 1 return) has been started from 01/11/2018 for the convenience of employers.
- v. Online e-Nomination facility for members has been provided in the member portal for filing of nominations by members using Aadhaar based eSign service.
- vi. Auto transfer of member account on change of job has been introduced by EPFO for members. The transfer is auto triggered by the system when the first contribution hits the member's new PF account in the new establishment.

#### **C. IT initiatives in ESIC**

- i. In addition to SBI gateway, Employers have been provided with an option to make their payments through gateway of Bank of Baroda as well. This functionality has been deployed and similar integration with IDBI is in process.
- ii. In accordance with Corporation's approval ESIC has prepared Condemnation and Disposal Policy in relation with IT Equipments and circulated to all accounting units for further implementation so that all the field offices may be equipped with latest hardware.

- iii. In accordance with Email Policy of Govt. of India ESIC Mail Messaging System is being migrated to NIC Mail Messaging System. Almost all the users have been provided with Email Ids based upon NIC Mail Messaging System to maintain uniformity across all cadres.
- iv. “UMANG: ESIC - Chinta Se Mukti” Mobile App: IP-centric information services are now made available through ‘ESIC- Chinta Se Mukti’ mobile app launched through UMANG (Unified Mobile Application for New-age Governance) platform. It is a joint effort of ESIC, MeitY (Ministry of Electronics and Information Technology) as well as NeGD (National e-Governance Division) that has integrated the ESIC database and the mobile app to provide real-time information. The IP, who has registered his mobile number in ESIC database, can access variety of information through this app downloaded free of cost from Google Play Store on multiple channels like mobile application, web, etc., and can be accessed through smartphones, tablets and desktops, etc. With a simple mobile based authentication system, the IP can know about the personal and enrolled family demographic details, Contribution details, Insurance & eligibility details, information on entitled Benefits, Claim Status, Dispensary and Branch Office to which he is associated, etc. He can submit his feedback and avail grievance services through this app. The other value added services such as calling the help line numbers and navigating to know about the location of his dispensary or hospital shall help him avail services. In addition, there is a knowledge bank pertaining to various benefits of ESI scheme. In due course, the App shall be made available in 13 different Indian languages including Hindi and English

### Media Cell

**19.3** The system of dissemination of communication in the present day has undergone great changes with the development of the state

of art technology and technological advances in the field of mass communication. Media forms a vital part of Communication systems globally today and takes two essential forms – the Print Media and the Electronic Media. The basic function of mass media is to provide information, education, instruction and entertainment to the people. The media also motivates people, directly or indirectly in any community.

**19.4** Media Cell in MoLE was formed in July, 2014 in view of the growing emphasis on efficient and effective use of various platforms including websites and other digital media to disseminate information of Schemes/Policies/Initiatives and Achievements of the Ministry of Labour and Employment to common worker of the country. It is headed by a Joint Secretary rank officer and works through Director / Deputy Secretary, Under Secretary, S.O. and staff. Nodal officers in each division and subordinate/attached offices/organizations of MoLE coordinate with Media Cell for publicity related activities.

**19.5** While every division/Organisation run their independent media campaigns for scheme specific events, initiatives and developments, Media Cell coordinates on presenting a comprehensive picture of the activities of the Ministry. It also coordinates with other governmental offices and agencies including PIB, DAVP and PMO for seeking approvals for the campaigns. Media Cell also coordinates the social media platform for the ministry for outreach and publicity content as well as for responding to grievances received through social media.

### **19.6 Activities/Achievements by Media Cell in the year 2018:**

1. Handling of over one lakh Public Grievances and holding Nodal Officers meeting to discuss social media team deliverables.
2. Content and design support for Releasing of major Pan India advertisements on
  - i) Maternity Benefit (Amendment) Act, 2017 & ii) Shram Suvidha Portal to create awareness among the general public.

3. Complete support for making a Film in Hindi (7 minutes) to show case the Achievements of the Ministry to mark the completion of 4 years of the Government.
4. Social Media Team covered the live event of Vishwakarma Rashtriya Puraskar & National Safety Awards-2016 held on 17th September 2018. The events were reported live on social media handles of the Ministry. The coverage included photography of the event, recording and uploading videos, live tweeting with relevant pictures and also putting up a gallery of photographs on the Ministry's website with coordination of the IT Cell.
5. The team also regularly uploads awareness creatives related to the Ministry in addition to gathering and disseminating information of the Hon'ble LEM and Ministry's National and International event.
6. Events such as BRICS Ministerial meeting in South Africa, Dubai International Training Programme on "International Labour Standards and Promotion of Gender Equality in the Workplace", Orientation programme on Sharing the Experience of Rehabilitation through NCLP of VV Giri National Labour Institute, India Wage Report by International Labour Organisation, G20 Labour and Employment Minister's Meeting at Argentina, G20 Labour and Employment Ministers Meeting, Vishwakarma Rashtriya Puraskar, Sewa Day celebration and Child Labour Platform Global Meeting held in Geneva, among other events were covered by the Media Team.
7. The team also actively shares news articles related to the Ministry beneficial for the workforce along with sharing relevant tweets by reliable news agencies and regularly monitors news to encounter fake news.
8. Complete support for making a short Film on the Launch of Samadhan Portal.
9. Content and design support for preparing Booklet (1000 copies in Hindi & 1000 copies in English) on the Achievements of Labour and Welfare Organisation.
10. Media Cell has been coordinating with Divisions/Organizations in Media Publicity Campaign and organizes Press Conferences/ Press Brief/Press Releases and ensures wider publicity through PIB official website.

### Social Media Handles of Ministry

#### Twitter:

Sl. No	Name of Organization	URL	Followers as on 31/03/2019	Started From
1	Ministry of Labour & Employment	<a href="https://twitter.com/LabourMinistry">https://twitter.com/LabourMinistry</a>	75,797	March 2015
2	EPFO	<a href="https://twitter.com/socialepfo/">https://twitter.com/socialepfo/</a>	27,596	December 2015
3	ESIC	<a href="https://twitter.com/esichq">https://twitter.com/esichq</a>	18,063	January 2015

#### Facebook:

Sl. No	Name of Organization	URL	Followers as on 31/03/2019	Started From
1	Ministry of Labour & Employment	<a href="https://www.facebook.com/LabourMinistry/">https://www.facebook.com/LabourMinistry/</a>	1,64,288	23.01.2016
2	EPFO	<a href="https://www.facebook.com/socialepfo/">https://www.facebook.com/socialepfo/</a>	1,39,853	25.01.2016
3	ESIC	<a href="https://www.facebook.com/ESICHQ/">https://www.facebook.com/ESICHQ/</a>	1,02,851	08.01.2015
4	Chief Labour Commissioner	<a href="https://www.facebook.com/ChiefLabourCommissioner/">https://www.facebook.com/ChiefLabourCommissioner/</a>	4,476	07.11.2016
5	Shram Suvidha	<a href="https://www.facebook.com/ShramSuvidha/">https://www.facebook.com/ShramSuvidha/</a>	761	30.12.2016

## CHAPTER-20

## VIGILANCE AND REDRESSAL OF PUBLIC GRIEVANCES

### Role and Functions of Chief Vigilance Officer

#### Background

**20.1** The Primary responsibility for maintenance of purity, integrity and efficiency in the organisation vests in the Secretary, Ministry of Labour and Employment. The Chief Vigilance Officer assists the Secretary in the discharge of his/her vigilance functions. CVO heads the Vigilance Division of the Ministry and provides a link between Ministry and Central Vigilance Commission.

#### GRIEVANCE REDRESSAL IN MAIN SECRETARIAT

**20.2** The public grievances are received in the Ministry mainly in two modes, viz. online through the **CENTRALISED PUBLIC GRIEVANCE REDRESS AND MONITORING SYSTEM (CPGRAMS) portal** (<https://pgportal.gov.in>) and also in off-line (physical) form from various sources. Of late, many aggrieved persons/parties are also raising their grievances to the Ministry through e-mail and social media.

**20.3** The work of Public Grievance redressal is given high importance by the Ministry and it is regularly reviewed at highest level of Secretary (L&E). **As per the report generated on 16/04/2019 in the CPGRAMS portal account of the Ministry, the average Disposal Time of the grievances received on pg portal (CPGRAMS) by the Ministry of Labour and Employment for the period 01/01/2018 to 31/03/2019 is 12 days. As a recognition of the commendable work done by the Ministry of Labour and Employment during the quarter January-March, 2018 for redress of public grievances received on pg portal (CPGRAMS), the Ministry has been awarded a Certificate of Appreciation (Annexure-PG.1) by the Department of Administrative Reforms & Public Grievances..**

**20.4** Comparative, year-wise, figures of Public Grievances received and disposed off in the CPGRAMS portal by the Ministry of Labour and Employment and percentage of disposal of such Grievances during the period 2016 to 2019 (viz. from 01.01.2016 up to 31.03.2019) are shown at the **Annexure-PG.2**.

## Annexure - PG.1



**“CERTIFICATE OF APPRECIATION” for the quarter (January – March, 2018) from Department of Administrative Reforms & Public Grievances, Ministry of Personnel, Public Grievances & Pensions.**

## Annexure - PG.2

Year-wise break up\* of Public Grievances received and disposed off in the online CPGRAMS portal (<https://pgportal.gov.in>) by the Ministry of Labour and Employment during the period 2016 - 2019 (from 01.01.2016 to 31.03.2019):-

Sl. No.	Year/ Period	No. of Grievances brought forward from previous year	No. of Grievances received during the year/ period	Total No. of Grievances received for the year/ period (col. 3+col.4)	Cases disposed off during the year/ period	Cases pending at the end of the year/ period (col. 5 -col.6)	Percentage of Disposal (col.6 / col.5 ) x 100
1.	01.01.2016 to 31.12.2016	26	24343	24369	23295	1074	95.59%
2.	01.01.2017 to 31.12.2017	1074	32990	34064	32638	1426	95.81%
3.	01.01.2018 to 31.12.2018	1426	35093	36519	35348	1171	96.79%
4.	01.01.2019 to 31.03.2019	1171	10592	11763	10633	1130	90.39%

(\*) N.B.: 1. The above figures are as per reports generated on 10.04.2019 in the CPGRAMS portal account of the Nodal Public Grievance Officer of the Ministry.

2. The figures shown in the reports generated in the CPGRAMS portal are dynamic in nature, i.e. some of these figures may change slightly from time to time depending on the date and time of generation of the reports due to various factors/technicalities.

## REDRESSAL OF PUBLIC GRIEVANCES IN EMPLOYEES' STATE INSURANCE CORPORATION (ESIC)

**20.5** In pursuance of the instructions issued by the Directorate of Public Grievances, Govt. of India, the Corporation has been making all out efforts for speedy redressal of Public Grievances. The Corporation monitors Public Grievances received from various quarters viz. Insured Persons, their family members, Employers/ Employees' Associations, Employees Union, MPs/MLAs/VIPs etc. through a network of Public Grievance officers posted in all the offices of the Corporation. Grievances received from the Prime Minister's Office and the Cabinet Secretariat are directly monitored by a senior officer in the Hqrs. Office for effective and timely redressal.

**20.6** The monitoring of Public Grievances received in the Regional Offices, Sub-Regional Offices, ESI Hospitals/ Dispensaries is being done by the designated Public Grievances Officers. Apart from this, Suvidha Samagam/ open house meetings are being conducted in the respective Regions/ Sub-Regions/ Branch offices level at regular intervals in the presence of senior officers of the Corporation and representatives of trade unions and employer's representatives. Such meetings are generally presided over by the Regional Director/Director (I/C) of Sub-Regional Office or a senior officer to redress the grievances across the table, wherever it is possible.

**20.7** In the states, where the ESI Scheme has been implemented, the grievances relating to the medical benefits are being taken up with the State Govt. Authorities by the Regional Directors for timely redressal of grievances. The Corporation conducts workshops and seminars on Public Grievances for its officers & staff.

Instructions, circulars and other important information are also uploaded on the website.

**20.8** The independent PG Module of ESIC, in line with CPGRAMS has also been launched on 13.08.2015 and made accessible to the Public from 15.08.2015. It helps various stakeholders to file grievances directly to the concerned office/hospitals of ESIC through [www.esic.in/webSPACE/web/grievance/home](http://www.esic.in/webSPACE/web/grievance/home).

**20.9** The Toll free helpline number 1800-11-2526 has been installed, which is functional for 7 days round the clock. ESIC has also launched a new Medical toll free helpline 1800-11-3839 which is functional round the clock on all days.

**20.10** The status details of the PG received on CPGRAM Portal and redressed by ESIC from 01.04.2017 to 31.03.2018 are as under:-

1	Unsettled grievances pending as on 31.03.2017	60
2	Grievances received from 01.04.2017 to 31.03.2018	3334
3	<b>TOTAL</b>	<b>3394</b>
4	Grievances settled during the period from 01.04.2017 to 31.03.2018	3285
5	Unsettled grievances as on 31.03.2018	109
6	Number of grievance pending for more than 15 days	44 (out of 109)

## VIGILANCE AND REDRESSAL OF PUBLIC GRIEVANCES IN EMPLOYEES' PROVIDENT FUND ORGANIZATION (EPFO)

**20.11** The details of grievances received and

redressed during the last three years are given below :

	2018-19	2017-18	2016-17
<b>Grievances pending at the beginning of the year</b>	3272	2254	1280
<b>Received during the year</b>	645040	423430	239913
<b>Total</b>	648312	425684	241193
<b>Disposed off during the year</b>	643097	422412	238939
<b>Balance at the end of the year</b>	5215	3272	2254
<b>Percentage of Disposal</b>	99.19	99.23	99.06

**20.12** In addition to grievances registered under EPFiGMS, 23,917 grievances registered with CPGRAMS programme of the Department of Administrative Reforms & PG (DARPG) under Ministry of Personnel, PG & Pensions, Government of India were received by EPFO out of which 23,683 cases were disposed of during the year with a closing balance of 234 cases as on 31.03.2019.

#### ONLINE REGISTRATION AND REDRESSAL OF GRIEVANCES

**20.13** The facility of online registration of public grievances and their redressal is available on the following internet based grievance handling systems:-

- Using the Centralized Public Grievance Redressal and Monitoring System (CPGRAMS) in PG portal of Govt of India. ([www.pgportal.gov.in](http://www.pgportal.gov.in)).

- Using the EPF Internet Grievance Management System (EPFiGMS) in portal available on EPFO website. ([www.epfindia.gov.in](http://www.epfindia.gov.in)).

**20.14** EPFiGMS launched in 2010 is an internet based grievance management system that has been developed in collaboration with the NIC, and is customised to the needs of the Organisation. The EPFiGMS has been developed with a view to provide a single window platform that is able to record, acknowledge and track/monitor grievances till its final redressal. EPFiGMS is loaded with several advanced features; most important being that movement of registered grievances guided by database which tracks the registered grievance to any of the offices to which it might be related.

#### HELPDESK OUTSOURCING FOR UNIVERSAL ACCOUNT NUMBER:-

**20.15** The UAN program launched on 16.10.2014 by the Hon'ble Prime Minister of India was initiated with the allotment of Universal Account Number (UAN). A help desk was set up right from the initial stages of the launch of the program which has been found to be quite successful in addressing all the queries raised during this period and has been instrumental in making the UAN program a success. The Help Desk can be approached either through the toll free number 1800118005 as well as through e-mail [uanepf@epfindia.gov.in](mailto:uanepf@epfindia.gov.in)

#### NIDHI AAPKE NIKAT

**20.16** In an endeavor on the part of the Organization to be more accessible to its different stakeholders including employers the erstwhile Bhavishya Nidhi Adalats have been rechristened as Nidhi Aapke Nikat. This monthly programme (which began on 10.07.2015) is an outreach programme which serves to bring all stakeholders on a common platform and facilitate exchange of ideas and dissemination of

information besides of course, grievance redressal. As the case with Bhavishya Nidhi Adalat, Nidhi Aapke Nikat is conducted on the 10<sup>th</sup> of every month. The programme is held in every RO of the organisation and is presided over by the Officer-in-Charge or in the absence of Officer-in Charge by the next senior most officer.

## NEW INITIATIVES

**20.17** Of late many new initiatives have been taken which have a bearing in improving the customer service.

- Launch of Online Batch Processing Software facilitating prompt updation of Accounts of Members.
- Online Transfer claim Portal (OTCP)
- Online Registration of Establishments (ORLE) Portal
- Allotment of Universal Account Number (UAN) for Members
- More facilities in the Electronic Challan cum Return (ECR) Portal
- Pension Process Re-engineering
- Release of monthly pension through CBS network of banks.
- Release of PF money through NEFT mode
- “Know your Claim Status” has been incorporated for Members in EPFO’s website.
- Online helpdesk for settlement of Inoperative EPF Accounts
- Short code SMS service, for Members who have activated their UAN.
- Auto –Updation of Members accounts at end of financial year
- Online Helpdesk for Universal Account Number (UAN) for Members.
- Launch of mobile app on services offered by EPFO
- Interaction with public on social media through Facebook and Twitter.

## CHAPTER-21

# INTERNATIONAL COOPERATION

### INDIA AND INTERNATIONAL LABOUR ORGANISATION (ILO)

**21.1** India is one of the founder members of International Labour Organisation since its existence in 1919 and has been a permanent member of the ILO Governing Body since 1922. At present the ILO has 187 Members. A unique feature of the ILO is its tripartite character. At every level in the organisation, Governments are associated with two other social partners, namely, the workers and employers. The three organs of the ILO are- (1) International Labour Conference – General Assembly of the ILO that meets every year in the month of May or June, (2) Governing Body – Executive Council of the ILO that meets three times in a year in the months of March, June and November and (3) International Labour Office – a Permanent Secretariat.

**21.2** ILO is financed mainly by contribution received from the member states. The ILO follows the calendar year for Budget purpose and annual contributions are paid by the Governments of the member states according to a scale, which the International Labour Conference on year-to-year basis fixes, in line with the U.N scale of assessment. **For the year 2019, India's share of contribution is SF 2,656,306 works out to Rs. 18,82,52,406/- in Indian Currency. The annual contribution to ILO is paid in time by Government of India. The total Budget of ILO is SF 369,310,447.**

**21.3** India and ILO have an enduring and vibrant relationship which is marked by close and dynamic cooperation and mutual benefit over the years. India has significantly contributed to the achievement of ILO's objectives, its thought

processes, deliberations and styles of functioning. ILO too has made impression on the India's legislative framework related to the World of work. Human dignity, social justice, equality of opportunity, avoidance of discrimination, freedom of association, etc. are but a few of the common sinews inherent in the Constitution of the Republic of India and the ILO. Creation of a just and equitable world order; securing distributive justice concurrently with economic growth and creation of employment opportunities for the purpose; increasing productivity to increase shareable gains; worker' participation; human resource development; human environmental dimensions of technology; poverty alleviation; and economic reforms with a human face are amongst the major thrust areas presented to ILO by India

**21.4** India has been playing a pro-active role in the proceedings of the ILO since its inception. The Indian delegation, which is tripartite in composition, has been participating in the International Labour Conference (ILC) on a regular basis. The ILC is the main policy making body of the ILO. Out of the 189 Conventions adopted by this Organisation, we have so far ratified 47 Conventions.

#### Latest Ratification by India

**21.5** India has ratified 47 Conventions including six core or fundamental human rights Conventions: Forced Labour Convention (C-29), Equal Remuneration Convention (C-100), Abolition of Forced Labour Convention (C-105), Discrimination (Employment & Occupation) Convention (C-111), Minimum Wage Convention 1973 (C-138) and Worst Forms of Child Labour Convention, 1999 (C-182) and three priority/governance conventions: Labour Inspection

Convention (No. 81), Employment and Social Policy Convention (No. 122) and Tripartite Consultations (International Labour Standards).

### **107<sup>th</sup> Session of the International Labour Conference**



**21.6** The 107th Session of the International Labour Conference (ILC) of ILO and 333rd Session of Governing Body was held from 27th May to 9th June, 2018 in Geneva. A high level Indian Tripartite Delegation led by Shri Santosh Kumar Gangwar, Hon'ble Minister of State for Labour & Employment (Independent Charge) attended the ILC. Besides officials from the Ministry of Labour & Employment, the delegation included 11 representatives from the Workers' (Central Trade Union Organizations) and the Employers' (Central Employers Organization) sides in the ILC. Indian delegation to 107<sup>th</sup> ILC also included Shri Swami Prasad Maurya, Hon'ble Labour Minister from State Govt. of Uttar Pradesh as visiting State Minister.



### **Agenda of the Conference and Items placed on the agenda by the Conference**

#### **21.7 Standing Items:**

- I) Reports of the Chairperson of the Governing Body and of the Director-General
- II) Programme and budget and other questions
- III) Information and reports on the application of conventions and Recommendations

#### **21.8 Items placed on the agenda by the Conference or the Governing Body**

- IV) Effective ILO development cooperation in support of the Sustainable Development Goals (general discussion)
- V) Violence and harassment against women and men in the world of work (standard setting, double discussion)
- VI) A recurrent discussion on the strategic objective of social dialogue and tripartism, under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization, 2008
- VII) Abrogation of Conventions Nos 21, 50, 64, 65, 86 and 104 and withdrawal of Recommendations Nos 7, 61 and 62
- VIII) Approval of the amendments to the Code of the Maritime Labour Convention, 2006

#### **Plenary Session**

**21.9** Speaking at the Plenary Session of the International Labour Conference on 6<sup>th</sup> June 2018, Labour and Employment Minister, Shri Santosh Kumar Gangwar, appreciated the Conference and said that this Conference will prove to be a milestone in ensuring better life and service conditions for workers and that discussion on such issue will contribute to human dignity throughout the world. He highlighted work done in the last 4 years under the leadership of Hon'ble Prime Minister Shri Narendra Modi ji. He explained that the Government of India has taken concerted

efforts to promote the development of all the sections of society, and that labour has been the center of this development process. He explained how the recently implemented GST is an integral part of the indirect tax system, and now the rationalization of labour laws is in line with the changing social and economic conditions and explained that the provisions of more than 40 Labour Laws are being simplified into 4 Labour Codes. These codes aim to ensure minimum wages, universal social security cover, improvement of the working environment at the workplace, and strengthen industrial relations. He also recalled ratified ILO Convention No. 138 and 182 concerning child labour last year and the simultaneous launch of the PENCiL portal which has components that ensure mechanism for redressal of complaints, child tracking system and rehabilitation of child labour. He also highlighted the Prime Minister Employment Promotion Scheme (PMRPY) and the recently amended Maternity Benefit Act. With this initiative, India has become one of the countries that provides maximum maternity benefits. The Hon'ble Minister has also highlighted the benefits of MUDRA and life insurance cover in unorganized sector.

**21.10** Shri Heeralal Samariya, Secretary (Labour and Employment), addressed the Plenary Session of the 107<sup>th</sup> ILC on 6<sup>th</sup> June 2018 and placed on record India's appreciation for a comprehensive and topical report of Director General, ILO, Mr Guy Ryder on 'The Women at Work initiative: The push for equality'. He explained that a country's growth has a direct linkage to the women's participation in its economy. The Indian Constitution upholds the principles of equality and no gender-based discrimination. India is taking concerted efforts to change the mindsets and encourage active participation of women in the labour market.

**21.11** He stressed on adopting a multi-pronged strategy to promote all round equality for women in the labour market, and an approach

to change the traditional gender roles in the labour market. He explained that India is taking initiatives to increase the employability of women and women entrepreneurship. Initiatives such as Support to Training and Employment Programme (STEP), Mahila-e-Haat, the Pradhan Mantri MUDRA Scheme, Beti Bachao Beti Padhao scheme, and Working Women Hostel have been launched to encourage the Women Labour Force Participation, ensure survival, protect the girl child, and to ensure her education. He explained that Self Help Groups have proven to be a great medium for social and economic empowerment of rural women with the aim to mobilize savings and to meet their credit needs.

He suggested that the Women at Work initiative of ILO should be further strengthened. ILO should also work on improving the labour statistics to account for women's contribution in the economy, especially in case of unpaid work. The world community should get together to ensure that the future of work for women should be free from decent work deficits.

### **Committee Wise Discussion:**

#### **[A] Committee on Application of Standards:**

**21.12** The Committee on Application of Conventions and Recommendations deals with information and reports on application of Conventions and Recommendations. From India, Shri. Ram Kumar Gupta, Joint Secretary, MoLE represented the country in this Committee. The Permanent Representative of PMI, Deputy Permanent Representative of PMI, Geneva, First Secretary, PMI, Geneva and Shri P.J Soundararajan, Under Secretary, MoLE attended the deliberations of the committee. The Committee considered 24 individual cases of serious failure by member States relating to application of various conventions. No case was admitted against India during the 107<sup>th</sup> ILC, Geneva. However, keeping in view the support of other countries on cases registered against India in the past and as per the policy of reciprocal

diplomacy, India supported Brazil, Belarus and Bolivia in the 107<sup>th</sup> ILC on cases registered against their Governments.

**[B] Committee on violence and harassment against women and men in the world of work:**

**21.13** The India unequivocally supported the proposed agenda item. India reiterated that there are still many terms in the proposed conclusions that required serious deliberations, before they form part of the instrument.

**21.14** The Government Member stated that it would be desirable that the scope of the instrument is defined very unambiguously. Enforcement in the matters of such sensitive nature depend on the clear scope and boundaries of application. The Indian Government Member said that it has been seen that consensus on the basic principle that violence and harassment in the world of work is unacceptable to all. However, there may be difference of opinion on the extent of the proposed instrument or on the extent to which flexibility should be provided in proposed strategies to accommodate national laws and circumstances.

**21.15** Additionally, ILO adopted the report of the Committee appointed to consider the fifth item on the agenda and decided that an item entitled "Violence and harassment in the world of work" shall be included in the agenda of its next ordinary session for second discussion with a view to the adoption of a Convention supplemented by a Recommendation.

**[C] Committee on Effective ILO development Cooperation in support of SDGs:**

**21.16** Ms. Kapana Rajsinghot, Joint Secretary, in the ministry participated in the deliberations of the Committee. In her opening remarks, she pointed out that it is essential to adopt an integrated approach on the part of national, state and local governments to the achievement of the SDGs of the 2030 Agenda, especially since 15 of

the 17 SDGs related directly to activities implemented at the local level. In India, that approach has resulted in regional action plans to eliminate child labour and human trafficking, as well as projects on competitive and responsible enterprises, agricultural insurance, the India–Brazil–South Africa Facility for the Alleviation of Poverty and Hunger, and the South Asia Initiative to End Violence against Children. Economic globalization and modernization have created multiple challenges for labour rights and the quality of work as covered under the Decent Work Agenda. She expressed that it was necessary to decentralize ILO projects at the country and regional levels, with national inputs, to ensure the effectiveness of development cooperation. Partnerships, local resource mobilization and cooperation with countries from the South were essential to achieve the SDGs. Thereafter, she gave her specific interventions on four points taken up for general discussion by the Committee.

**[D] Committee on a recurrent discussion on the strategic objective of social dialogue and tripartism, under the follow-up to the ILO Declaration on Social Justice for a fair Globalization, 2008**

**21.17** The delegates in their intervention stated that new developments such as the technological revolution, the emergence of new forms of employment and increasing informalization required social dialogue and tripartism to be enhanced. But the basic character of tripartism should remain intact as a tripartite-plus arrangement would run the risk of losing its focus on core labour issues. Rather, workers' and employers' organizations should be encouraged to take on board the views of civil society organizations and other actors. Bipartite social dialogue was important for productivity-related issues such as wage setting. The ILO should focus on building the capacity of the tripartite constituents. In a changing world of work, constituents need to adapt and to enhance their presence and outreach.

India affirmed its commitment to meaningful social dialogue in line with Convention No. 144. India had a well-established mechanism for tripartite consultation at various levels – establishment, industry, sectoral and national. The biggest challenges lay in the large informal economy and in proliferating non-standard forms of employment in India, which were not included in existing social dialogue mechanisms. Those mechanisms need to be expanded and strengthened to include informal, gig and platform economy workers and employers. The increasing importance of cross-border social dialogue was also recognized.

**21.18** The Government delegate also said that India has a large informal sector particularly in the agricultural and general rural sectors and the national set-up included an institutionalized mechanism for capacity building of unorganized workers and smaller trade unions associated with those workers. It was stressed that continued technical assistance have necessary to ratify and implement the relevant international labour standards.

**[E] Credential Committee:-**

**21.19** India has submitted its views to Credential Committee on the Complaint of INTUC regarding their non-representation to ILO and other tripartite meetings. ILO has agreed to the submission of the Government that the matter is sub judice and requested to resolve the factional disputes at the earliest.

**[F] Committee on Abrogation of Conventions Nos 21, 50, 64, 65, 86 and 104 and withdrawal of Recommendation Nos 7, 61 and 62.**

**21.20** Shri Heeralal Samariya, Secretary, L&E, represented India in this committee and voted in favour of the abrogation and withdrawal of these instruments. India has approved the view that these Conventions / Recommendations are irrelevant in changing times and need to be

abrogated. Also, An amendment of 2018 to the Code of the Maritime Labour Convention, 2006 was passed with voting. India favoured the amendment, as already discussed in earlier MLC meetings.

**21.21 Other Resolutions passed and adopted by the 107<sup>th</sup> Session of International Labour Conference of ILO are as under:-**

- I. Resolution concerning effective ILO development cooperation in support of the Sustainable Development Goals.
- II. Resolution to place on the agenda of the next ordinary session of the Conference an item entitled “Violence and harassment in the world of Work
- III. Resolution concerning the second recurrent discussion on social dialogue and tripartism
- IV. Resolution concerning the financial report and audited consolidated financial statements for the year ended 31 December 2017
- V. Resolution concerning the scale of assessment of contributions to the budget for 2019
- VI. Resolution concerning the composition of the Administrative Tribunal of the International Labour Organization
- VII. Resolution concerning the Appointment to the ILO Staff Pension Committee (United Nations Joint Staff Pension Board)

**Side-line Meetings during 107<sup>th</sup> session of ILC**

**NAM MINISTERIAL MEETING**

**21.22** At the **NAM Ministerial Meeting** held on 5<sup>th</sup> June 2018, Hon’ble Minister of Labour and Employment, Shri Santosh Kumar Gangwar, said that the NAM Declaration is a statement of our admiration of ILO’s role in guiding the world of work for last 100 years. Government of India is

committed to provide job security, wage security and social security to each and every worker. He said that under the leadership of our Prime Minister Shri Narendra Modi, Government of India has started a series of reforms in last four years.

**21.23** Hon'ble Minister noted that India is working on labour law reforms to simplify the provisions of the 43 Labour Laws into 4 Labour Codes. India is making use of technology to bring in reforms in delivery of services, ease of compliance for labour laws, Public Employment Services and extending social security benefits (DBT).

**21.24** He extended support to a balanced regional representation in the decision making process in ILO and requested the forum to continue dialogue among NAM countries to establish channels of cooperation and sharing of best practices.

### **ASPAG Ministerial Meeting**

**21.25** At the **ASPAG Ministerial Meeting** held on 5<sup>th</sup> June 2018, Shri Heeralal Samariya, Secretary, Labour and Employment said that 65% of India's population is under the age of 35 years. It is thus important for us to create an ecosystem for promoting their health, education, employment and ensuring their skilling and training. This will not only build a healthy human capital but also bridge the looming demand and supply gap in the labour markets. He also highlighted the affordable schemes initiated by India, such as Atal Pension Yojana for pension, Prime Minister Suraksha Bima Yojna (PMSBY) for accident insurance and Prime Minister Jeevan Jyoti Bima Yojna (PMJBY) for death benefits.

**21.26** The Secretary (L&E) emphasized the need for a collective approach for addressing the common and specific challenges that ASPAG faces. The challenges can be addressed through outreach and building of networks among academia, think tanks and the policy makers. Labour mobility needs to be given greater thrust.

Initiatives are needed across many important sectors including IT, healthcare, science and technology, research and development to enhance future cooperation, partnership and development. He expressed his concern to create skill qualification frameworks with ASPAG countries to encourage fair migration for youth.

**21.27** He urged that ASPAG needs to push for fair migration through appropriate provisions for Social Security and Wages as a global agenda and more representation of ASPAG countries at the decision-making level in international organisations such as ILO. On BRICS and in G20 fora, India is encouraging bilateral social security agreements (SSAs) and similar possibilities in ASPAG as well.

### **G 20 MEETING**

**21.28** At the **G20 Labour and Employment Ministerial Meeting** held on 6<sup>th</sup> June 2018, Hon'ble Minister of Labour and Employment, Shri Santosh Kumar Gangwar, stressed that ILO and other international organizations could help with their research on the link between various streams/groups and prepare a policy response. Best practices should be shared at this forum but no benchmarking should be attempted.

**21.29** Hon'ble LEM expressed hope that discussions in ILC and at other platforms would help in developing steps to enhance women participation in the labour market and ensure decent work for them. He stressed on developing a constructive partnership among G20 nations and International Organizations to promote the common cause of decent work and social justice.

### **BRICS MEETING**

**21.30** The **BRICS Labour and Employment Ministers' Meeting** was held on 7<sup>th</sup> June, 2018. Hon'ble Minister of Labour and Employment, Shri Santosh Kumar Gangwar in his statement highlighted the various schemes initiated by Government of India and spoke about simplification of Labour Laws.

**21.31** He explained that the initiatives taken by the Indian Presidency to promote bi-lateral social security agreements among the BRICS countries and to develop a network of lead labour research and training institutions in BRICS countries have taken shape. He mentioned that India has signed its 19<sup>th</sup> SSA with Brazil and the technical discussions have been initiated with China.

### **332<sup>nd</sup> Session of the Governing body, ILO**

**21.32** 332<sup>nd</sup> Session of the Governing Body (GB) of the International Labour Organisation was held from **8 March – 22 March, 2018** in Geneva. The Indian delegation, led by Smt. M. Sathiyavathy, Secretary (L&E), participated in the Governing Body meeting along with officers from Permanent Mission of India in Geneva. Shri Manish Kumar Gupta, Joint Secretary, Shri V. Srikanth, Deputy Director and Ms. Kamini Tandekar, Assistant Director, Ministry of Labour and Employment were the other members of the delegation.

### **21.33 Agenda of 332<sup>th</sup> Session of Governing Body**

#### **Institutional Section (INS)**

#### **Agenda of the International Labour Conference**

**21.34** The Indian Delegation in its statement supported (i) provisional inclusion of approval of the proposed amendments to the Code of the Maritime Labour Convention, 2006, on the agenda of the 107<sup>th</sup> Session (2018) of the conference, (ii) the inclusion of the agenda item 'second discussion on the standard setting item on violence and harassment against women and men in the world of work' in the 108<sup>th</sup> Session of the Conference-2019 and (iii) the report of the High-Level Global Commission on the Future of Work. The Committee on the Application of Standards shall include a centenary-related component in its work, without detracting from its actual supervisory function.

**21.35** The Indian delegates expressed their concern to focus on informal apprenticeships, in particular for women while discussion on the agenda of "Apprenticeship". The other subjects of interest include "Inequalities and the World of Work" and "Decent Work in the World of Sport" may be discussed in the Conference session beyond 2020. Rising inequalities is a matter for concern for both the developed and the developing countries. Inequalities may exist in various forms and dimensions affecting economic growth, development and labour market outcomes. "Inequalities and the World of Work" should have a gender perspective, thus promoting women equality, wage equality and their welfare in the labour markets.

#### **Review of Annual Reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work.**

**21.36** India has ratified 6 out of 8 core conventions, C87 (Freedom of Association and the Right to Organize, 1948) and C 98 (Right to Organize and Collective Bargaining, 1949) are yet to be ratified. The issues involved in ratification of these Conventions are being examined with all the stakeholders. However, Freedom of expression, freedom of association and functional democracy are guaranteed by our Constitution. The Government has promoted and implemented the principles and rights envisaged under these two Conventions (C87 & 98) in India and the workers are exercising these rights in a free and fair democratic society.

**21.37** The Indian delegation highlighted that India has deep respect for ILO Declaration on Fundamental Principles and Rights at Work and the Constitution of India guarantees equality of opportunity to all citizens in matters relating to employment and prohibit discrimination on any ground. India has also ratified ILO Conventions C-100 and C-111 on Equal Remuneration and Discrimination respectively.

### **Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session:**

**21.38** Ambassador & PR, PMI, Geneva in his intervention welcomed the extension of the Supplementary Understanding and agreement on an updated further phase of the Action Plan for the Elimination of Forced Labour, together with the tripartite endorsement of the first Decent Work Country Programme (DWCP) for Myanmar. He also supported Myanmar's continued cooperation and constructive engagement with ILO. ILO and the international community should continue to support and extend technical assistance to the Government of Myanmar in its efforts to eliminate forced labour and promote decent work to help realize its overall national economic and social policy objectives including reform of the labour-sector.

### **Complaint concerning non-observance by the Bolivarian Republic of Venezuela of certain ILO Conventions:**

**21.39** Secretary (L&E) welcomed the continuing willingness and commitment of the Government of the Bolivarian Republic of Venezuela to engage with the ILO and to fulfil its labour obligations. Secretary (L&E) requested ILO and other Member States to fully support the Government of the Bolivarian Republic of Venezuela in fulfilling its labour related obligations as part of its collective effort to build a new economy that meets the aspirations of its people and provide any assistance that it may seek in this regard.

### **Programme, Financial and Administrative Section (PFA):**

#### **ILO results-based Evaluation Strategy 2018-21**

**21.40** The Indian delegation in its intervention appreciated that the proposed Evaluation Strategy aligned with corresponding key ILO policy and

documents, particularly those related to the strengthening of ILO's role as knowledge leader, and called for effective and efficient use of resources to deliver effective services to the member states.

**21.41** The delegation noted the main principles of the strategy plan 2018-21 and endorsed the Evaluation Strategy outlined in the agenda document.

### **Policy Development Section**

#### **Follow-up discussion on the voluntary peer-review mechanisms of national employment policies**

**21.42** The Indian delegation in its statement highlighted that the peer-review mechanisms of national employment policies can be a success only if the member states have well developed employment policies. It is important to overcome this basic obstacle. ILO would have to provide technical assistance to countries to deliver on this aspect. However, the delegation in its statement supported option 2B "Partial peer review at subregional level".

#### **Follow-up to the IV Global Conference on the Sustained Eradication of Child Labour (Buenos Aires, 14-16 November 2017)**

**21.43** The Indian delegation highlighted the steps taken by the Indian Government to eliminate child labour and bonded labour and the recent ratification of two fundamental International Labour Organization (ILO) Conventions 138 and 182. The Indian delegation also highlighted the PENCiL portal.

**21.44** On para 2 of the 'ILO report on Global Estimates on Modern Slavery', the delegation reiterated that that ILO should be cautious in their alliances and ensure that methodology and database issues are well tested and settled beforehand. National Governments and social partners must be widely consulted in these initiatives and standard databases relied upon.

**An integrated ILO strategy to address decent work deficits in the tobacco sector**

**21.45** The Indian delegation in its intervention highlighted the recently held tripartite consultation on this matter. The stakeholders in the meeting were asked to indicate their stand i.e. whether ILO should discontinue the PPPs and adhere to its obligations to advance UN policy coherence and prevent tobacco industry interference or whether it should continue its partnership with the tobacco companies to eliminate child labour in the tobacco growing communities. Majority of the employers' / workers' organisations supported discontinuance of PPPs.

**21.46** Being a UN agency, ILO is expected to follow certain norms and principles; however, India requested that ILO should work as per its own mandate and guidelines including those regarding choosing partners. ILO's working should not be governed by the mandate of other international bodies.

**21.47 Legal Issues and International Labour Standards Section (LILS)**

**Composition of the International Labour Conference: Promotion of women and men in delegations.**

**21.48** The delegation in its statement highlighted that the percentage of women in the Indian delegation at ILC has consistently increased due to continued efforts of the Government and impressing upon the social partners for representation of adequate women members in their respective Group. ILO should also take up the matter with social partners directly, as the Governments don't have any jurisdiction in the choice of individual delegates made by the social partners.

**21.49** ILO was requested to study the obstacles encountered by social partners for not fulfilling the 30 percent gender parity in women participation and take suitable measures to

advise social partners and to achieve gender parity at all levels.

**International Labour Standards & Human Rights Segment: Proposed form for reports to be requested under article 19 of the ILO Constitution in 2019 on a number of instruments:**

**21.50** The Indian delegation welcomed the decision of focussing on the group of workers that are vulnerable to decent work deficits and exclusion of those often concentrated in non-standard forms of employment, such as young women and men, home workers and persons with disabilities. While appreciating the questions relating to transition to formality the delegation hoped that creation of a conducive atmosphere for growth of business and entrepreneurship will go a long way to promote formal employment. Skill development and lifelong learning mechanisms are other factors which need to be evaluated and hence included in the questionnaire for General Survey.

**21.51 High Level Section – Working Party on the Social Dimension of Globalization**

**Decent Work for Sustainable Development**

**21.52** Secretary (L & E) emphasized that Sustainable Development Goals (SDGs), per se, are testimony to the global commitment for inclusive and meaningful growth. Specifically, Goal 6, Goal 7 and Goal 11 are relevant goals at a time when urban cities are bursting at the seams due to a variety of reasons, including migration for employment opportunities. Sustainable water, sanitation, and energy do contribute to the health, productivity and income of the workers.

**21.53** Developing countries, including India, face significant challenges in the provision of quality water and sanitation to its huge population. However, access to water and sanitation is comparatively better in urban areas compared

to rural areas. She outlined the initiatives taken in India under the National Rural Drinking Water Programme (NRDWP), Atal Mission for Rejuvenation and Urban Transformation (AMRUT), SMART Cities, etc.

**21.54** India is committed to cleaner climate and energy transition. India has initiated several measures towards achieving sustainable development through green pathway including increasing the forest cover, reducing carbon emissions, river conservation and tackling solid waste and air pollution. She outlined the initiatives under the International **Solar** Alliance (ISA), an International and Inter-Governmental organization, headquartered in India. The idea was to form a coalition of solar resource-rich countries to collaborate on addressing the identified gaps in their energy requirements through a common approach. Apart from being a founding-member, India plays a significant role in the alliance in terms of being a host as well as a major contributor to the achievement of the target.

**Meeting on Research & Statistics, Report on 'Global Estimates of Modern Slavery: Forced Labour and Forced Marriages 2017' with Head of the ILO Fundamental and Principles and Rights at Work Branch, ILO:**

**21.55** Ms. Beate Andrees, Head of the ILO Fundamental and Principles and Rights at Work Branch, ILO, Geneva met Secretary (L & E) on March 21, 2018. Ms. Andrees appreciated India for the recent ratification of ILO Conventions C 138 and C 182 relating to Child Labour and for the country's participation at the ILO's Global Conference on the sustained eradication of Child Labour held last year at Argentina at the level of Minister. She said ILO would like to associate itself with India and collaborate with some states in their efforts to sustained eradication of child labour. Secretary (L & E) highlighted various initiatives taken by Government in implementing the provision of these Conventions as well as the

Child Labour Act through the PENCIL portal and the steps taken to rehabilitate the child labour which comes to the fore. Ms. Andrees suggested that such positive initiatives could be a learning experience for other member nations and that these could be showcased in the events organized as part of ILO centenary celebrations in 2019.

**21.56** On the issue of 'Report on Global Estimates of Modern Slavery: Forced Labour and Forced Marriages 2017', Secretary expressed that the report has the potential to damage India's image in the international scenario. The report should not have been endorsed by ILO without consulting the Indian government. She also pointed out the definitional and statistical flaws in the report, especially in terms of disproportionate sample size adopted for countries. Ms. Andrees informed that ILO would send a team of statisticians to India to explain the methodology and the logic adopted in the report. The team could discuss these issues with a team of statisticians in India. Besides, she also assured that ILO will come out with a statement after duly consulting with the Indian Government on this issue and ILO distancing itself from such independent surveys of private agencies.

**Meeting on "Sustainable growth of natural stone industry in India" with Mr. Casper N. Edmonds, Head of Unit, Manufacturing, Mining and Energy Sectoral Policies Department, ILO:**

**21.57** Mr. Casper N. Edmonds, Head of Unit, Manufacturing, Mining and Energy Sectoral Policies Department, ILO along with Mr. Wael Issa of ILO, met Secretary (L & E) on March 21, 2018 and discussed their proposal for initiating a pilot project for sustainable growth of natural stone industry in India. The ILO representative explained that India being the largest exporter of granite and cut sandstones, should explore the enormous potential of the industry. There is a need to establish an overarching vision or

strategy for the sustainable growth of the natural stone industry in India. ILO could come out with a pilot project which could be developed in one state, namely Rajasthan.

**21.58** Secretary (L&E) expressed that keeping in view the employment opportunities in the sector the proposal could be considered. However, natural stone industry comes under the purview of the Ministry of Mines. Therefore, there is a need to consult the Ministry of Mines first and other concerned organizations/ Departments on the proposal.

### **333<sup>rd</sup> Session of the Governing body, ILO**

**21.59** 333<sup>rd</sup> Session of the Governing Body of the International Labour Organisation was held on 9<sup>th</sup> June 2018 in Geneva. The Governing Body adopted the reports of 107<sup>th</sup> ILC

### **334<sup>th</sup> Session of the Governing Body**

**21.60** 334<sup>th</sup> Session of the Governing Body (GB) of the International Labour Organisation was held from **25 October – 8 November, 2018** in Geneva. The Indian delegation, led by Smt. Anuradha Prasad, Additional Secretary (L&E) participated in the Governing Body meeting along with officers from Permanent Mission of India in Geneva. Shri Manish Kumar Gupta, Joint Secretary and Ms. Kamini Tandekar, Deputy Director, Ministry of Labour and Employment were the other members of the delegation.

### **334<sup>th</sup> Session of Governing Body**

#### **Institutional Section (INS)**

**21.61** The Indian Delegation supported the inclusion of “Inequalities and the World of Work” as an agenda item for general discussion for the Conference session in 2020 and stressed that this initiative should have a gender perspective, thus promoting women equality, wage equality and their welfare in the labour markets. The delegation further supported that the Conference Session 2020 include a follow-up item to the Centenary Session and requested for detailed

proposal for standard setting items on occupational safety and health on the topics identified by SRM TWG in its third meeting held in September 2017.

**21.62** India supported the inclusion of “Apprenticeships” as an agenda item for discussion in the conference session beyond 2020. Apprenticeship training is becoming an important tool for addressing skill mismatches. The scope of discussion should focus on informal apprenticeships, in particular for women. The agenda item on “Decent Work in the World of Sport” is very interesting and it could be considered for discussion in conference session beyond 2020.

### **Agenda of the 108th (Centenary) Session of International Labour Conference.**

**21.63** The delegation in its intervention supported the representation of the member countries at the level of the head of the Government.

**21.64** The delegation pointed out that the themes of the debates and events could also focus on the role and participation of women in the labour markets as low female labour force participation rates remain a concern in many countries. Decent working conditions and rights of the migrant workers could be another focus area.

**21.65** ILO has informed that ILC 2019 would include single intervention by the head of the delegation plus an intervention by the head of the Government. Details of the Outcome Document would be shared in March 2019.

### **Follow-up to the resolution concerning effective ILO Development Cooperation in support of the Sustainable Development Goals.**

**21.66** The Delegation stressed that it is essential to adopt an integrated approach on the part of national, state and local governments for the achievement of the SDGs. ILO should

strengthen the capacities of its constituents, keeping in mind their needs and requirements; in achieving this objective.

**21.67** Indian delegation supported consolidation of good practices in South-South and Triangular cooperation. Building statistical capacity of the member countries is important. This is needed to identify the key indicators and measurement of the key labour market variables. Monitoring of these variables should be done nationally.

#### **Follow –up to the regulation concerning the second recurrent discussion on social dialogue and tripartism**

**21.68** The Indian delegate mentioned that with the emerging platform economy, new mechanisms for social dialogue and tripartite consultations should be explored. This would also facilitate better and efficient cross border tripartism.

**21.69** The delegation pointed out that in the context of Global Supply Chain it is essential to promote cross border social dialogue and tripartism to understand the issues, problems and challenges faced by the workers in value chain. This form of social dialogue will also help in identifying the responsibilities in terms of training and skilling in global value chain. ILO should suggest means and methods of developing such cross border social dialogue.

#### **Report of the Director- General: First Supplementary Report: Follow - up to the ILO Centenary Initiatives**

**21.70** The delegation highlighted the achievements under the SCORE Project in India. Over the two phases of the project, SCORE Training in India has raised awareness on productivity and working conditions together with the Stakeholders and Implementing Partners. In its third stage, SCORE Training will be rolled-out in 10 Lean Manufacturing Competitiveness Scheme (LMCS) clusters, covering

approximately 100 - 120 MSMEs under the special name 'Lean Plus Make in India MSME Cluster Scheme'.

**21.71** Given the emergence of new forms of employment; training, skilling and re-skilling of workers should be the large focus area of the enterprises. The Enterprise Initiative should include this aspect while building upon interventions. While implementing the strategic component "enterprise and supply chain policies and practices" under this initiative, care should be taken that no intervention in any way encourages any protectionist agenda.

**21.72** End to Poverty initiative is instrumental to the implementation of 2030 agenda, for Sustainable Development. ILO should be cautious in their alliances and ensure that the terms used are well defined; the methodology adopted is sound and tested and national official databases are relied upon. National Governments and social partners must be widely consulted in process of the any study undertaken. It was emphasized that definition of any term was of paramount importance and should consider the national perspectives of member countries. It was suggested that National Government should be involved in defining the term reflected in the SDGs.

#### **Policy Development Section**

##### **Follow-up discussion on voluntary peer-review mechanisms of national employment policies**

**21.73** The delegation emphasized that the peer-review of the national employment policies should be truly voluntary; promote mutual learning and exchange of good practices and should not lead to ranking of the countries. For the success of this mechanism, ILO should provide technical and analytical support to the member countries in this sphere.

**21.74** The Indian delegation highlighted the steps taken by the Indian Government for the

benefit and welfare of the indigenous and tribal people.

**An integrated strategy to address decent work deficits in the tobacco sector**

**21.75** India supported the statement made by Australia on behalf of Australia, New Zealand, China, Singapore, Thailand, Nepal, Qatar, Iran, Bahrain, Bangladesh, Myanmar, Israel, Uruguay, Ecuador, Turkey on this agenda item. The countries took note of the efforts made by ILO to facilitate the mobilization of resources for the implementation of the Integrated Strategy and for undertaking extensive consultations with Tobacco-growing communities in Malawi, Uganda, the Republic of Tanzania and Zambia.

**21.76** The statement emphasized countries' strong commitment to achieving tripartite agreement on this issue and supported ILO's proposal to organise a tripartite meeting to promote exchange of knowledge of the strategy. The countries further supported the ILO using existing resources to fund the programs until new donors are found.

**21.77** The countries in the statement encouraged ILO to build a broad coalition of development partners and continue consultations to identify possible synergies to fund the Strategy for the long-term. It was emphasized that ILO's efforts to promote decent work in tobacco-growing communities must be consistent with member states' obligations as parties to the FCTC.

**Legal Issues and International Labour Standards Section (LILS)**

**Choice of Conventions and Recommendations on which reports should be requested under article 19, paragraphs 5(e) and 6(d), of the ILO Constitution in 2020**

**21.78** The Indian delegation supported the first option i.e. General Survey on the promotion of decent work for workers in the care economy and

stressed that the aim of the general survey on ILO instruments concerning the nursing personnel and domestic workers should be to understand the current situation in the care economy in the member states vis-à-vis the provisions of the instruments. The laws and practices in the care economy need to be examined from a gender perspective. The survey should also try to identify any potential gaps in international labour standards in this sphere.

**Programme, Financial and Administrative Section**

**High-Level evaluations of strategies and Decent Work Country Programmes**

**21.79** Indian delegates expressed that ILO's Result Based Management (RBM) system should depict a comprehensive picture of its work in youth employment.

**21.80** India supported the recommendations wherein it was stated that ILO's research should explore the opportunities and risks for young people, posed by new developments in the world of work and welcomed the recommendations that envisaged finding opportunities of youth engagement, especially at country level in policy and programme development. Indian delegation suggested that ILO should help in formulating a tailor made programme for countries to tackle with this issue.

**21.81** Indian delegation emphasized for framing a policy for providing employment opportunities to refugees, there should be a distinction between international migratory workforce and the refugees. The policy responses with respect to migrants and refugees should be completely different and distinct and the country should independently decide on the policy in this regard.

**Informal G20 EWG Meeting**

**21.82** An informal G20 EWG meeting was held on 06.11.2018 on the sidelines of the

Governing Body Meeting. Japan discussed the priorities for the EWG meetings scheduled to begin from February 2019 and concluded again the priority i.e 'Future of Work' and the Labour and Employment issues proposed to be discussed under the Japanese Presidency, 2019 are (i) Demographic transition (including job opportunities for the aging society; long term health care; pension financing and sustainability of social security) (ii) Gender equality (iii) New forms of work (to include exchange of national experience and practices about platform work, crowd work and tailor work of employers and employees).

### **The 3<sup>rd</sup> Multi Stakeholder Meeting on Global Flagship Programme on SDG-1.3, (Social Protection Floor)**

**21.83** The meeting was held on 24<sup>th</sup> Oct 18. The First Session was a High Level Segment-Partnering for SDG 1.3. Shri Manish Kumar Gupta, Joint Secretary was one of the panelist other panelists were – Vice Minister (Ministry of Development/Social Inclusion) Honduras, Secretary General (Ministry of Social Security and solidarity) Algeria, Ambassador from Republic of Timor Leste, Executive Coordinator Multi partner Trust Fund office UN, Director of Ministry of Development /Cooperation Luxembourg, Executive Vice President, Nestle.

**21.84** Indian delegation gave a presentation on the journey and roadmap towards universal social security in India. All the panelists expressed their commitment towards implementing and supporting social protection strategy. They also shared their experience and challenges in their respective countries / spheres. This session concluded with all the partners sharing their commitment and solidarity towards SDG 1.3.

**21.85** In the afternoon session, ILO presented their experience and report of their Flagship programme on Building Social Protection Floor to all.

**21.86** The meeting concluded with a session on proposed strategy for IEC during the Centenary year 2019. ILO proposed a number of activities including Social Protection week, advocacy for ratification of C102 etc. ILO was requested to share the details of such activities, and the ones that can be taken up nationally.

### **Meeting with Mr. Phillippe Marcadent, Chief of inclusive Labour Markets and Working Conditions) ILO (25-10-18) on 25th October 2018 in the sidelines of GB**

**21.87** ILO, in association with Bill Gates Foundation wanted to undertake a project in India for strengthening Health related social security. Project proposals for strengthening State Government ESIS systems was discussed, and ILO was advised to design the proposal around this theme. ILO was also asked to have a component of capacity building and training of States' ESIS officers and experience sharing with other countries.

### **G20 Labour and Employment Ministers' Meeting and G20 Joint Education and Labour Ministers' Meeting.**

**21.88** The G20 Labour and Employment Ministers' Meeting was held from 6-7 September 2018. The Indian delegation led by Shri Santosh Kumar Gangwar, Hon'ble Minister of State (Independent Charge) participated in the meeting. Shri Manu Tewari, PS to MoS (IC) and Smt. Anita Tripathi were the other members of the delegation. The G20 Labour and Employment Ministers' deliberated on the following topics/areas:

1. Technological change and labour market transformations: skills development and new forms of work
2. Promoting decent work and an inclusive future
3. Strengthening social protection
4. Towards gender equality in the future of work

5. Removing barriers for persons with disabilities

**21.89** The first half of the first day of the meeting was dedicated to G20 Joint Education and Labour Ministers' meeting. The Ministers deliberated upon the following issues:

1. Developing skills for an inclusive future
2. Policy coordination. Whole government approach. Social dialogue and transitions

Applauding the Argentine Presidency for holding the joint meeting of the Education and Labour Ministers, Hon'ble Minister, Shri Santosh Kumar Gangwar in the opening session said that the coordination between these Ministries is needed to strike a right balance between the supply and demand of the labour in a country. He reiterated that India is committed to job security, wage security and social security to all our workers in the country. All round efforts have been made to promote job creation in India over the last few years through various schemes and programmes. He also stressed on inclusive development and signing of Social Security of Agreements amongst the G20 countries for ensuring portability of social security benefits to its workers. The Indian delegates deliberated their intervention on the session titled 'Developing Skills for an inclusive future', "Promoting Decent Work and inclusive future", "Strengthening Social Protection" and "Towards gender equality in the future of work" during the G – 20 meeting.

**21.90** Hon'ble Minister in his closing remarks said that there is a high correlation between education and skill levels obtained by an individual and his/her placement in the labour market. If we have sound and good educational, training and skilling institutions; our labour would be more productive. Formalization, social protection, gender equality and inclusive development are very important aspects for a country that have an impact on a country's economic growth and prosperity.

## **BRICS Labour and Employment – Ministers' Meeting**



**21.91** The BRICS Labour and Employment Ministerial meeting took place from 2<sup>nd</sup> August, 2018 to 3<sup>rd</sup> August, 2018 under the South African Presidency in Durban, South Africa. Indian Government Delegation was led by Shri Santosh Kumar Gangwar, Hon'ble Minister for State (Independent Charge) for Labour & Employment and comprised of Shri. Rajit Punhani, Joint Secretary & DGLW, Dr. H. Srinivas, DG, VVG NLI, Shri. Manu Tentiwal, PS to MOS(IC), Ms. Anita Tripathi, Deputy Secretary and Senior official of Embassy of India (Eol), South Africa.

**21.92** The meeting mainly deliberated the four thematic areas (i) Youth Employment, (ii) Decent and Economic Growth: Women Participation – Equal pay for Work of Equal Value, (iii) Social Dialogue and (iv) Social Protection. Apart from discussions on the thematic areas, the other agenda items (i) Memorandum of Understanding (MoU) between the BRICS member nations (Brazil, the Russian Federation, India, South Africa), (ii) Three year Implementation Plan for the BRICS EWG for 2019-21, (iii) partnership of the International Training Centre of the ILO and Research Institutions of the BRICS member countries in BRICS Network of Labour Research Institutions and (iv) the role of ISSA for cooperation on providing Social Security were also discussed in BRICS LEM Meeting.

**21.93** The MoU was signed on the 3rd August, 2018 during BRICS Minister's Meeting and became operative on the date of the signing and will remain in effect for three years. In the MoU, the parties including India have agreed to cooperate and hold mutual events in the prominent areas viz. labour legislation and enforcement, protection of workers' rights with focus on vulnerable groups, labour statistics, Employment and labour market policies, Professional education, skills and training and Social protection. The member countries agreed to utilize the BRICS Network of Labour Research Institutes and BRICS Social Security Cooperation Framework for cooperation on Social Security and other labour issues.



#### **Opening Statement by Minister of Labour and Employment**

**21.94** In his opening remarks, Hon'ble MOS (IC) for Labour and Employment expressed his happiness over the fact that the South African Presidency had chosen relevant issues such as youth employment, social dialogue, social protection and women's participation in the labour market for discussion in the G20 LEM meeting. He emphasized that along with employment generation emphasis should be equally given to promotion of entrepreneurship, skill development and self-employment. He highlighted that under the microfinance scheme – MUDRA, close to 130 million small loans have been distributed for entrepreneurial activities and large proportion of the beneficiaries under the scheme are women.

Further, the Government is helping in new employment by contributing a total of 12% of the Provident Fund contribution of the employer. This has resulted in transition of about 6 million workers from informal to formal sector.

**21.95** Hon'ble LEM emphasized that the BRICS forum signifies the changing face of the world in terms of structure of economy, trend of economic changes, rise of micro industries and new forms of employment as well as common challenges. It is imperative that BRICS countries work together, and cooperate with each other to all extents possible, to reach concrete policy solutions to the challenges faced by BRICS countries.

#### **Closing Statement by Minister of Labour and Employment**

**21.96** In the closing ceremony, Hon'ble LEM expressed his happiness on the adoption of BRICS Labour and Employment Ministers' Declaration which reflected collective position and commitments of the BRICS Nations. Further, he emphasized the commitment to generate decent job opportunities for youth with inter-ministerial coordination and a strong labour market information system to promote sharing of labour information amongst BRICS nations to promote job opportunities in member countries.

**21.97** He appreciated the fact that the Memorandum of Understanding signed by member countries specifies the areas and forms of cooperation and have provided for a joint Social Security Framework to promote bilateral and multilateral exchanges and cooperation.

**21.98** He mentioned that the BRICS Network of Labour Research Institutes, the seed of which was germinated in Delhi Declaration, 2016 has been growing with each BRICS meeting and is now going to be materialised in the form of an active Network and India foresees an active role of V.V.Giri National Labour Institute in this network.

**21.99** India truly appreciated the contributions of ILO, ISSA, our social partners and other international organisations in providing technical inputs for our discussions.

**21.100** The meeting ended with the adoption of the BRICS Labour and Employment Ministers' Declaration and signing of Memorandum of Understanding by member countries regarding cooperation in the social and labour sphere.

#### **TECHNICAL CO-OPERATION PROGRAMMES**

**21.101** Under the Active Partnership Policy of the ILO, collaboration between India and ILO is supported by technical inputs from the multidisciplinary teams at ILO, New Delhi as well as by the technical departments at the ILO Headquarters. The technical specialists provide advisory services in international labour standards, statistics and also discuss areas of possible collaboration in future. The tripartite machinery of the Government, workers' and Employers' Organisations, worked closely with the ILO in identifying the major Decent Work country Programmes' objectives for the ensuing years.

**21.102** A number of officers from Ministry of Labour & Employment were deputed for training, workshops, seminars and meeting under fellow ships provided by ILO.

**21.103** International Labour Organisation (ILO) turns 100 in 2019 and to celebrate its centenary various activities and events will be conducted throughout 2019 across the globe. ILO in collaboration with Ministry of Labour & Employment has planned a host of activities and events to be conducted in India in 2019. The set of activities and events include issue of ILO 100 commemorative postage stamp and Tripartite event on Future of Work. Hon'ble Minister of State (IC) for Labour and Employment launched hosting of ILO 100 logo and a Special New Year Message on the Ministry's official website on 1st January, 2019 for the entire labour force and Tripartite

Social Partners. The special message acknowledged India's unique association with the ILO in its 100 year journey, since 1919 and was shared prominently on the Official Social media platforms.

#### **MULTILATERAL COOPERATION**

**21.104** A Memorandum of Understanding (MoU) was signed amongst BRICS Nations on 3rd August, 2018 during the BRICS Labour and Employment Ministerial Meeting in Durban, South Africa.

**21.105** A Memorandum of Understanding (MoU) was signed between Directorate General of Factory Advice Service and Labour Institutes (DGFA SLI) and German Social Accident Insurance (DGUV) on 13th November, 2018 at Berlin, Germany.

**21.106** A Memorandum of Understanding (MoU) was signed between VV Giri National Labour Institute, Noida and International Training Centre of ILO, Turin, Italy on 30th November, 2018 at Turin, Italy.

**21.107** India and Australia signed a Social Security Agreement on 18th November, 2014 and the administrative arrangement was subsequently finalized and made operative w.e.f. 01.01.2016. The agreement provide benefit of (1) Equality of treatment, (2) Export of Benefits, (3) Avoidance of Double Coverage and (4) Totalization. It is fully functional and operated through the nodal agency EPFO in India.

#### **HIGH-LEVEL INTERNATIONAL MEETINGS**

**21.108** Some of the prominent International meetings and training programmes where India participated actively are as under:-

- Smt. Anuja Bapat, Director, MoLE had attended G-20 Workshop and Meeting of the Sub-Group on Labour and G-20 Workshop on Building Opportunities for an inclusive future of work on 10-12 April, 2018 in Buenos Aires.

- Shri V. Srikanth, Deputy Director, MoLE had attended ILO's 3rd meeting of Special Tripartite Committee of the MLC 2006 on 23-27 April, 2018 in Geneva, Switzerland.
- Shri Manish Kumar Gupta, Joint Secretary and Smt. Anuja Bapat, the then Director, MoLE attended 1st BRICS Employment Working Group (EWG) meeting on 7-10 May, 2018 in Mbombela, South Africa.
- Shri Jitendra Kumar Singh, Under Secretary, MoLE had attended ILO training Programme on "Evolving forms of employment relationships and Decent Work" from 14-18 May, 2018 in Turin, Italy.
- A high level delegation led by Shri Santosh Kumar Gangwar, Hon'ble Minister of State for Labour & Employment (Independent Charge), Shri Heeralal Samariya, Secretary (L&E), Shri Ram Kumar Gupta, Joint Secretary, Ms. Kalpana Rajsinghot, Joint Secretary, Smt. Anuja Bapat, Director, Shri Manu Tentiwal, PS to Hon'ble Minister of State for Labour & Employment (Independent Charge), Shri P.J. Soundararajan, Under Secretary, 11 members of Workers Group and 11 members of Employers' Group have attended 107th Session of International Labour Conference of ILO & 333rd Session of Governing Body ILO held in Geneva, Switzerland from 27th May to 9th June, 2018.
- Smt. Anuja Bapat, Director and Ms. Kamini Tandekar, Deputy Director, MoLE attended 2nd meeting of G20 Employment Working Group (EWG) and Joint Session of the Education and EWG under Argentina Presidency on 11-13 May, 2018 in Geneva, Switzerland.
- Shri S.S. Das, Assistant Section Officer, MoLE had attended ITC-ILO's training programme on "Negotiating bilateral labour

agreements" from 9-13 July, 2018 in Turin, Italy.

- Shri Devender Singh, Economic Adviser, MoLE had attended World Hindi Conference on 18- 20 August, 2018 in Mauritius.
- A high delegation led by Shri Santosh Kumar Gangwar, Hon'ble Minister of State for Labour & Employment (Independent Charge), Shri Rajit Puhani, Joint Secretary, MoLE Dr. H. Srinivas, Director, V.V. Giri National Labour Institute, Shri Manu Tentiwal, Private Secretary to Minister of State for Labour (Independent Charge) and Smt. Anita Tripathi, Deputy Secretary, MoLE attended 2nd meeting of BRICS Employment Working Group (EWG) and Meeting of Labour and Employment Ministers of BRICS countries on 30th July to 3rd August, 2018 in Durban, South Africa.



- A high level delegation led by Shri Santosh Kumar Gangwar, Hon'ble Minister of State for Labour & Employment (Independent Charge), Shri Heeralal Samariya, Secretary, Shri Manish Kumar Gupta, Joint Secretary, Shri Manu Tentiwal, Private Secretary to Minister of State for Labour & Employment (Independent Charge) and Smt. Anita Tripathi, Deputy Secretary, MoLE attended Third meeting of the G-20 Employment

Working Group and Labour & Employment Ministers meeting on 3-7 September, 2018 in Mendoza, Argentina.



- Shri S.B. Singh, DDG (E) had attended Global Dialogue Forum on Employment Terms and Conditions in Tertiary Education from 18.09.2018 to 20.09.2018 in Geneva, Switzerland.
- Smt. Kalpana Rajsinghot, Joint Secretary and Shri Shailesh Kumar Singh, Under Secretary, MoLE attended ILO's Child Labour Platform Global meeting from 11.10.2018 to 12.10.2018 in Geneva, Switzerland.
- Shri Rajan Verma, CLC (C) and Shri Suresh Singh, Director, MoLE attended Fourth Meeting of the Standards Review Mechanism Tripartite Working Group (SRM TWG) from 11.10.2018 to 12.10.2018 in Geneva, Switzerland.
- Shri Himmat Singh Raghav, Director, Labour Bureau had attended ILO 20th International Conference of Labour Statisticians from 10.10.2018 to 19.10.2018 in Geneva, Switzerland.
- Shri Alok Mathur, OSD to Minister of State for Labour & Employment (Independent Charge) had attended ILO training Programme on "Building effective labour dispute prevention and resolution systems" from 22.10.2018 to 26.10.2018 in Turin, Italy.
- Shri Manish Kumar Gupta, Joint Secretary, MoLE had attended Third meeting of the Multi- Stakeholder Partnership for SDG on 24.10.2018 in Geneva, Switzerland.
- Shri Heeralal Samariya, Secretary (L&E) had attended 81st session of the Board meeting of International Training Centre of ILO from 25.10.2018 to 26.10.2018 in Turin, Italy.
- Ms. Anuradha Prasad, Addl. Secretary, Shri Manish Kumar Gupta, Joint Secretary and Ms. Kamini Tandekar, Deputy Director, MoLE attended 334th Session of Governing Body of ILO from 25.10.2018 to 08.11.2018 in Geneva, Switzerland.
- Ms. Shikha Anand Director, DGE had attended ILO's consultation on EU-India Employers' perspective on Skill Shortages and Talent Mobility on 30.10.2018 in Brussels, Belgium.
- Shri Devender Singh, Economic Adviser, MoLE and Shri Avneesh Singh, Director General, DGFASLI attended signing of MoU between DGFASLI and DGUV from 13.11.2018 to 15.11.2018 in Berlin, Germany.
- Shri Aquib Javed, JD, DGE, MoLE and Shri G. Vijayaraghavan, Director, MSDE attended G20 Entrepreneurship Roundtable from 15.11.2018 to 16.11.2018 in Xiamen, China.
- Dr. H. Srinivas, Director General and Dr. S.K. Sasikumar, Sr. Fellow, VVGNLI attended First Joint BRICS Network Experts Forum on Promoting Better Labour Market Outcomes for youth in the BRICS and Beyond from 28.11.2018 to 30.11.2018 in Turin, Italy.
- Shri K.G. Suresh, Joint Director, ESIC had

attended 4th Meeting of Nominations Committee, 117th Bureau Meeting of ISSA and 37th Session of ISSA from 05.12.2018 to 07.12.2018 in Geneva, Switzerland.

- Shri Ajay Tewari, JS & DGLW had attended Intergovernmental Conference for adoption of Global Compact for Safe, Orderly and Regular Migration from 10.12.2018 to 11.12.2018 in Marrakesh, Morocco.
- Smt. Neeraja Bhavaraju, Under Secretary, MoLE had attended ILO –ITC Training Programme on “Productivity & Working Conditions in SME’s: A course for Policy Makers” from 17.12.2018 to 21.12.2018 in Turin, Italy.

**21.109** Some of the prominent International Delegations visited India to meet officials of Ministry of Labour & Employment are:-

- Ms. Karen Curtis, Deputy Director and Mr. Tim De Meyer, Senior Adviser, International Labour Standards Department (NORMES) met Secretary (L&E) on 05.10.2018.
- Mr. Philippe Marcadent, Head, Inclusive Labour Markets, Labour Relations and Working Condition Branch (INWORK), ILO Geneva had a courtesy visit with Secretary (L&E) on 01.11.2018 during his visit to India.
- Ms. Tomoko Nishimoto, Assistant Director-General and Regional Director, ILO Regional Office for Asia and the Pacific had a courtesy visit with Hon’ble Minister of State (Independent Charge) for Labour & Employment on 20.11.2018 during her visit to India from 20-22 November, 2018.

## CHAPTER-22

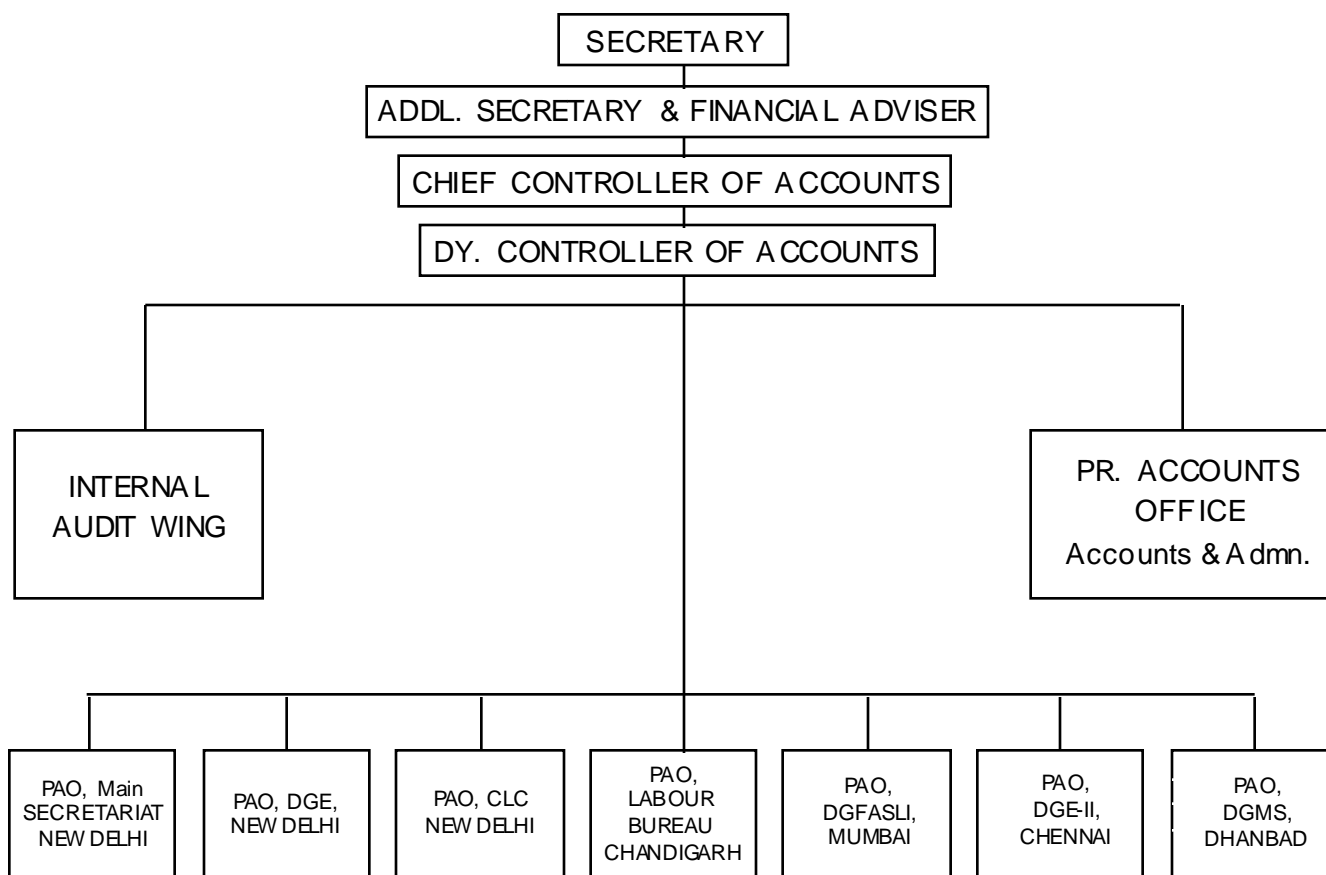
# PRINCIPAL ACCOUNTS OFFICE, MINISTRY OF LABOUR & EMPLOYMENT

### Office of the Chief Controller of Accounts

### The Accounting Organisation of Ministry of Labour & Employment

**22.1** The Secretary is the Chief Accounting Authority of the Ministry and performs duties with the assistance of Additional Secretary & Financial

Adviser (AS&FA) and Chief Controller of Accounts. The Accounting Organisation of the Ministry of Labour & Employment is headed by the Chief Controller of Accounts who is assisted by a Dy. Controller of Accounts, Principal Accounts Office & 7 Pay and Accounts Offices as mentioned below :-



## Major initiatives/work done by Office of the Chief Controller of Accounts, Ministry of Labour & Employment

(during F.Y. 2017-18)

### Gender Responsive Budgeting (GRB)

**22.2** A Gender-Responsive Budget is a budgeting exercise that acknowledges the gender patterns in society and accordingly formulates the policies and programs of the Government to bring the society towards gender equality. Gender budget initiatives aim to move the country in the direction of a gender-responsive by providing various benefits under schemes including social security benefits like maternity benefits to the women, facility of crèche etc. In order to strengthen the Gender Responsive Budgeting (GRB) in the Ministry of Labour and Employment (MoLE), Chief Controller of Accounts has been working closely with UN Women for undertaking a gender budget analysis of its policies and programmes as also towards strengthening the institutional mechanisms for GRB.

### Gender Budget Annual Action Plan

**22.3** Chief Controller of Accounts has initiated the process of updating the Gender Budget - Annual Action Plan for 2019-20. In this connection, various meetings are held with the stakeholders to discuss and prepare the comprehensive Annual Action Plan so that true picture of this Ministry's gender wise utilization of funds may be reflected in the various Union Budget related statements or documents.

### Training on Gender Budget

**22.4** An orientation training programme on Gender Budgeting for officials of the Ministry, Attached and Subordinate Offices was conducted in the month October 2018 at VVGNI with the support of UN Women and National Institute of Financial Management (NIFM).

### Gender Based Audit

**22.5** Internal Audit Wing of office of CCA, MoLE had conducted a gender audit of National Child Labour Project (reported in Statement 13):-

- To assess gender equality in policies, programmes, organisational structures and proceedings (including decision-making processes) and in the corresponding budgets.
- For documentation towards the achievement of gender equality.
- To suggest possible improvements and innovations.
- To recommend ways of addressing gender gaps.
- To identify strengths and weaknesses in promoting gender equality issues.
- To help in building organizational ownership for gender equality initiatives
- To sharpen organizational learning on gender.
- To assess the extent of gender mainstreaming in terms of the development and delivery of gender-sensitive products and services.
- To examine the extent to which human resources policies are gender-sensitive.
- To assess the level of resources allocated and spent on gender mainstreaming and gender activities.
- To examine gender balance amongst the staff at different levels of an organization.

### 22.6 Major observations made:-

- No separate Budget provisions to provide support according to need of Girl Child.
- No provision in Guideline of NCLP to provide support according to need of Girl Child.

- Enrollment of number of girl child satisfactory.
- But, No separate toilet for girl child.
- Non-availability of supplements i.e. protein, calcium, multivitamin etc. to girl child.
- Shortage of female teacher in NCLP school.
- No female escort in Playground
- No adequate training provision on Craft work to Girl Child.

#### **Review of NCLP Scheme through PENCIL portal under Gender Audit**

**22.7** A questionnaire has been prepared by Internal Audit Team and sent to all the Project Societies and uploaded on PENCIL Portal of the Ministry. 24 Project Societies have furnished the reply to questionnaire through PENCIL Portal.

#### **Risk Based Audit**

**22.8** Risk based audit of Employee Provident Fund office was conducted during the F.Y. 2017-18. The audit of the Schemes EPS and PMPRPY were examined by the Audit team of Office of the CCA, MoLE. The Risk based approach was adopted to conduct the audit of these Schemes.

#### **Internal Audit**

**22.9** According to GFR 236(1), Audit Wing of Pr. Accounts Office has to conduct the audit of the Grantee Institutions and also it is the duty of Pr. Accounts Office to conduct the regular audit.

**22.10** Due to shortage of staff only 50 units were inspected during the financial year 2017-18 and 306 paras were added. After proper verification of the compliance report furnished by the Head of Offices of the audited units 122 paras were settled.

#### **Grant-in-Aid**

**22.11** Office of the Chief Controller of Accounts through their Pay & Accounts Offices

are released Grant-in-Aid to various Grantee Organizations for various Labour Welfare Activities across the country in accordance with Rule 228 to 245 of General Financial Rules-2017.

#### **Utilization Certificate**

**22.12** In accordance with the provision contained in Rule 238 of General Financial Rules 2017, a Certificate of Utilization of grants is required to be furnished in respect of grants released to Autonomous Bodies, Non-Government Institutions, and other Organizations etc.

**22.13** The office of the Chief Controller of Accounts is vigorously monitoring the outstanding utilization certificates from various divisions. The information regarding pending utilization certificate are being forwarded to all Bureau Heads and also discussed in Senior Officers meeting chaired by Secretary for necessary updation.

#### **Public Financial Management System (PFMS)**

**22.14** To achieve the target framed by Finance Secretary, Department of Expenditure, Mo Finance regarding Universal Rollout of Public Financial Management System (PFMS) for Central Sector (CS) Schemes by 30.09.2017, Chief Controller of Accounts, Ministry of Labour and Employment immediately created a Public Financial Management System (PFMS) Monitoring Cell headed by Sr. Accounts Officer and consisting three members to impart trainings and to assist all Program Divisions to achieve the target as per time schedule in Ministry of Labour and Employment.

**22.15** During this process, Chief Controller of Accounts explained the importance of EAT Module to all the Bureau Heads and discussed the status and structure of the schemes of Mo Labour and Employment.

**22.16** All the schemes were reviewed thoroughly. Hierarchy and Components in

consultation with Program Division have been reviewed and created on PFMS Portal.

**22.17** To achieve target in time, several trainings were provided to the concerned Agencies at various places throughout country at Guwahati, INGAF New Delhi, CIRTES Noida, IWE Mumbai, VVGNNLI Noida, Chandigarh and at RTCs during August and September.

### **Direct Benefit Transfer (DBT)**

**22.18** Office of the Chief Controller of Accounts through their Pay & Accounts Offices had made payment under DBT for direct credit of dues from the Government of India into the account of beneficiaries under schemes of the Ministry of Labour & Employment.

### **22.19 Following work was also done during F.Y. 2017-18 by office of the Chief Controller of Accounts through their Pr. Accounts Office and Pay & Accounts Offices:-**

- (i) Payments of bills of establishment of the Ministry and its attached & subordinate offices.
- (ii) Payment of Pay and Allowances in respect of Ministry's Staff.
- (iii) Payment of Grants-in-aid to Grantee Institutions.
- (iv) Payment of Long term and Short term advances to the staff of the Ministry.
- (v) Payment of Contingent Bills in respect of expenditure incurred by the Ministry.
- (vi) Payment of TA & LTC bills.
- (vii) Payment of Medical Reimbursement Bills.
- (viii) Payment of Retirement/Terminal Benefits, long term loans and advances and for withdrawal from Provident Fund (in respect of Government Servants other than MTS)
- (ix) Payment of loans and grants to State Governments through Reserve Bank of India (and wherever this office has a drawing account, payment thereof to Union Territory Governments/ Administrations).
- (x) Consolidation of monthly accounts of the Ministry in the manner prescribed by Controller General of Accounts (CGA).
- (xi) Preparation and submission of annual Appropriation Accounts of the Grant of the Ministry, Statement of Central Transactions and material for Finance Account of Union Government (Civil) to the Controller General of Accounts.
- (xii) Rendition of advice on finance & accounts matters to the Ministry.
- (xiii) Supply of Cheque Books to PAOs and cheque drawing DDOs through concerned PAO.
- (xiv) Maintenance of liaison with CGA and accredited bank for verification and reconciliation of all receipts and payments made on behalf of the Ministry through the accredited bank.
- (xv) Reconciliation of Cash Balances of the Ministry.
- (xvi) Issuing sanctions to agent Ministries on behalf of various wings of the functional Ministry for carrying out certain activity required by the functional Ministry.
- (xvii) Maintain account of advances under various types of Debt and Deposit heads including Provident Fund.
- (xviii) Authorize pension payment on retirement of employees.

## CHAPTER-23

# DIRECTORATE GENERAL OF EMPLOYMENT

### BACKGROUND

**23.1** The Directorate General of Resettlement and Employment (DGR&T) and Directorate General of Employment & Training (DGE&T) now known as Directorate General of Employment (DGE) was set up initially for the purpose of resettling demobilized Defence Service personnel and discharged war workers in civil life.

**23.2** After Independence, the Directorate General was also called upon to handle work relating to displaced persons from Pakistan. Subsequently, the scope of the Directorate was extended to cover employment service to all categories of job seekers in early 1948, and training services to all civilians in 1950.

**23.3** In pursuance of the recommendations of the Training and Employment Service Committee (Shiva Rao Committee set up in 1952), the day-to-day administrative control of the Employment Exchanges and Industrial Training Institutes (ITIs) was transferred to the State Governments/Union Territory Administrations with effect from 01.11.1956 on cost sharing basis between Centre and States.

**23.4** Cost sharing by the Centre with the State Governments to the extent of 60% of the cost of the establishment was continued up to 31.03.1969, after which the scheme was discontinued, based on the decision taken by the National Development Council in May, 1968.

**23.5** With each successive Five Year Plan, there has been expansion of the activities of the Employment Service and Training Service in the

Centre and the States. The total number of Employment Exchanges functioning in 2016 is 997 (including 76 University Employment Information and Guidance Bureaux).

**23.6** In pursuance of the Cabinet Secretariat Order No.1/21/9/2014-Cab dated 16<sup>th</sup> April, 2015 and Ministry of Labour and Employment Order No. DGE&T-A-22020/01/2015-Adm-II dated 21.04.2015, two verticals of Directorate General of Employment & Training (DGE&T) working under Deputy Director General (Training) and Deputy Director General (Apprenticeship Training) along with their support system were transferred to Ministry of Skill Development & Entrepreneurship (MSDE). Directorate General of Training (Now in MSDE) is an apex organisation for development and co-ordination of the vocational training including women's vocational training to the employable youth in the country and to provide skilled manpower to the industry.

**23.7** The Directorate General of Employment (DGE) is presently headed by the Director General (Employment). The organizational set up of the Directorate General consists of two principal wings namely, Directorate of Employment and Secretariat Wing.

### RESPONSIBILITIES

#### EMPLOYMENT DIRECTORATE

- Plans and formulates programmes for expansion and development of National Employment Service in consultation with State Governments.
- Coordinates the work of Employment Service in States/UTs.

- Conducts training programmes and develops staff training material for the Employment Service personnel.
- Carries out periodic programme of evaluation of policies, procedures and working practices of Employment Exchanges in the States with a view to assessing and advising the State Governments on the progressive development of the service and to ensure that National policies, standards and procedures are effectively implemented.
- Collects and disseminates Employment Market Information and prescribes uniform reporting procedures for the organized sector and Employment Exchanges.
- Co-ordinates Vocational Guidance and Career Counselling Services rendered through Employment Exchanges and University Employment Information and Guidance Bureaux (UEIGBx) to the unemployed youth for choosing and planning their career suited to their abilities and skills.
- Evaluates residual capabilities of physically challenged persons and provides them adjustment training in order to facilitate their economic rehabilitation.
- Establishes coordination and consultation with the Ministries of the Government of India whose activities affect the employment situation in the country.
- Provides Vocational Guidance and organizes Confidence Building Programmes for SC/ST job seekers.
- Formulation of National Employment Policy.

## STATUTORY PROVISIONS

**23.8** The statutory provision implemented by State Government is:-

- Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 and Rules made there under.

## INFRASTRUCTURE AVAILABLE FOR EMPLOYMENT SERVICE

### WITH STATE GOVERNMENTS:-

- 997 Employment Exchanges [including 42 Special Employment Exchanges for Differently Aabled (Handicapped)] throughout India as on January 2016.
- 38 Special Cells for persons with disability are functioning in normal Employment Exchanges in various States as on January 2016
- The State Directorates of Employment are generally located in the State Capitals.

### WITH CENTRAL GOVERNMENT:

- 21 National Career Service Centres for Differently Aabled (erstwhile VRCs) out of which one Centre at Vadodara is exclusively for women with disabilities.
- 25 National Career Service Centres for Scheduled Castes/Scheduled Tribes (erstwhile CGCs)
- National Institute for Career Service (NICS) (erstwhile CIRTES) located at NOIDA (U.P.)
- Central Employment Exchange under Directorate of Employment at New Delhi

## HIGHLIGHTS

### EMPLOYMENT SERVICE

**23.9** The role of DGE is to coordinate and oversee the employment generation taking place in the country through the National Employment

Service in India. The network of Employment Service has expanded from 18 Employment Exchanges in 1951 to 997 Employment Exchanges as on January 2016.

**23.10** A key role played by the Employment Exchanges is to motivate and guide the unemployed youth for taking up self-employment ventures in view of limited number of wage paid jobs. In 22 selected Employment Exchanges, Special Cells for Promotion of Self-Employment have been working.

**23.11** As on 31-10-2015, 409 Vocational Guidance Units in Employment Exchanges and 76 University Employment Information and Guidance Bureaux (UEIGBX) within the University Campuses have been functioning in the country to render Vocational Guidance and Employment Counselling to job-seekers.

## **NATIONAL EMPLOYMENT SERVICE**

### **INTRODUCTION**

**23.12** Policies, standards and procedures for the National Employment Service are laid down by the Central Government in consultation with the State Governments. A Working Group on National Employment Service comprising representatives of the Central and State Governments facilitates this consultative process. Meetings of the Working Group on National Employment Service are held under the Chairmanship of Director General of Employment, Ministry of Labour & Employment. The meetings are attended by the State Labour & Employment Secretaries/State Directors of Employment/other representatives and officers of DGE. The Working Group considered various issues pertaining to National Employment Service and made necessary recommendations.

### **23.13 Features of National Employment Service**

- National Employment Service covers all the States and Union Territories except the State of Sikkim.
- Day to day administration of the Employment Exchanges is under the control of respective State Governments/UTs.
- It has a network of 997 Employment Exchanges.
- As a part of administrative functioning, data are collected through Employment Exchange Statistical Returns, each return covering a specific field of activity like registration, placement, etc. with different periodicity.
- As a part of Employment Market Information Programme, data are collected from the Organised Sector (all public sector establishments and all non-agricultural private sector establishments with 10 or more workers) on employment, vacancies, occupational and educational pattern of employees, etc. in ER-I returns prescribed under the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 and Rules framed there under. The establishments employing 10-24 workers in private sector are covered on voluntary basis.

**23.14** The employment service is the joint concern of the Central and State Government and DGE, Ministry of Labour & Employment is responsible for policies, standards and procedures to be followed by the employment services along with collecting of EMI, providing VG and Employment counselling and placement of persons with disabilities. Policies, standards and procedures for the National Employment

service are laid down by the Central Government in consultation with the State Governments. A Working Group on National Employment Service comprising of representatives of the Central and State Governments facilitates this consultative process. The Working Group considered various issues pertaining to National Employment Service and made necessary recommendations.

**23.15** To convert the National Employment Service into a National Career Service, Ministry of Labour & Employment, constituted a Working Group comprising representatives from State Governments, Employers' Associations and other stake holders during November, 2013. The first meeting of the said working group was held on 3<sup>rd</sup> December, 2013. After elaborate discussions and careful consideration of various aspects, including improving utility, accessibility and efficiency of the Service, the recommendations were approved by the Govt. laying the foundation for the NCS.

#### **EMPLOYMENT EXCHANGES (COMPULSORY NOTIFICATION OF VACANCIES) ACT, 1959.**

**23.16** The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 provides for compulsory notification of vacancies and submission of employment returns (ER-I) by employers to the Employment Exchanges. It applies to all establishments in the Public Sector and such establishments in the Private Sector engaged in non-agricultural activities and employing 25 or more workers. Enforcement of the Act is the responsibility of the States and Union Territories. The amendments proposed to the Act were deliberated on by the Parliamentary Standing Committee on Labour and the committee have recommended that the Act be comprehensively amended to make the functioning of Employment Exchanges more relevant to the needs of society. The matter is being examined in the Ministry.

**23.17** Accordingly, an Inter-Ministerial Committee (IMC) has been constituted by Ministry of Labour and Employment comprising key Ministries to deliberate on the contours of the Act. The Committee has recommended its repeal and introduction of a policy framework for the National Career Services (NCS) with the direction that the implementation of the NCS policy may be closely monitored so that a decision can be taken on the necessity of formulating an act in future. It was further decided by the IMC to let the existing Act continue in its existing form till NCS stabilises.

#### **PERFORMANCE OF NATIONAL EMPLOYMENT SERVICE**

**23.18** The details of the network of 997 Employment Exchanges as on January 2016 are given in **Table 23.18**. The main activities of the Employment Exchanges are registration, placement of job seekers, career counselling & vocational guidance and collection of employment market information.

**# Table- 23.18**

➤ <b>Total number of Employment Exchanges (as on January 2016*), includes the following :</b>	<b>997</b>
➤ <b>University Employment Information and Guidance Bureaux (UEIGBx)</b>	<b>76</b>
➤ <b>Professional and Executive Employment Exchanges</b>	<b>14</b>
➤ <b>Special Employment Exchanges for the Physically Handicapped</b>	<b>42</b>
➤ <b>Special Employment Exchange for Plantation Labour</b>	<b>01</b>

\* **Total Number of Employment Exchanges as on January 2016.**

**23.19** The performance of Employment Exchanges as on 30-12-2016 is given below :

**# Table 23.19**  
(In Lakh)

Category	No. of Job-seekers Registered	No. of job-seekers Placed	No. of job-seekers on the Live Register
Men*	37.03	3.46	276.45
Women*	22.57	0.60	157.31
Total*	59.60	4.06	433.76

\* Provisional: Data after 2016 is under process.

**Salient features of registration and placement in Employment Exchanges.**

### 23.20 Registration:

Out of total number of 59.60 lakh job seekers registered during 2016, 37.03 lakh job seekers were men and 22.57 lakh were women. Maximum

numbers of job-seekers (12.16 lakh) were registered in Tamil Nadu followed by 6.28 lakh in Maharashtra, 6.21 lakh in Kerala, 5.93 lakh in Uttar Pradesh and 4.47 lakh in Gujarat

### 23.21 Placement:

Out of the 4.06 lakh job-seekers that got employment through the employment exchanges, 0.60 lakh were women. The maximum placement made was 3.30 lakh in Gujarat during the same period.

### 23.22 Live Register:

Out of total number of 433.76 lakh job seekers on Live Register, 276.45 lakh job seekers are men and 157.31 lakh job seekers are women. The highest number job seekers were in West Bengal followed by Tamil Nadu.

**23.23** Year-wise registration, placement, vacancies notified, submissions made and Live Register for the period 2006-2016 are given in Table No. 23.23

**Table 23.23**  
(Nos. In Thousands)

Year	Employment Exchanges, UEIGBx \$	Registration	Placement	Vacancies notified	Submission made	Live Register
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2006	947	7289.5	177.0	358.2	3029.5	41466.0
2007	965	5434.2	263.5	525.8	3666.1	39974.0
2008	968	5315.9	305.0	570.8	3344.0	39112.4
2009	969	5693.7	261.5	419.5	2589.3	38152.2
2010	969	6186.0	505.4	706.9	3747.1	38818.5
2011	966	6206.3	471.5	819.7	5142.9	40171.6
2012	956	9722.2	427.6	682.8	2982.2	44790.1
2013	956	5969.4	348.5	510.7	3002.1	46802.5
2014	978	5957.2	338.5	762.0	4220.4	48261.1
2015	978	6939.4	395.0	810.3	4307.6	43502.7
2016*(as on 30-06-2016)	997	2773.2	171.8	587.7	1957.4	44463.2

\*Provisional: Data after 2016 is under process

## **CENTRAL EMPLOYMENT EXCHANGE, DELHI**

**23.24** The Central Employment Exchange, DGE located at 3/10 Jam Nagar House, New Delhi under Mo Labour and Employment is responsible for Advertisement of vacancies of Government Establishments in the pay scale of Rs.1400-2300 (level-5 as per seventh pay commission pay scale). As per revised procedure laid down by DoPT all the vacancies notified to CEE as per EE (CNV) Act, 1959 are to be advertised in Employment News by Central Employment Exchange (CEE). From January 2018 to December, 2018, 36 vacancies notified by various Ministries/ Departments were advertised in the Employment News published by DAVP. It covers 04, 03, 01, and 28 vacancies for SC/ST/OBC/ General (including horizontal reservation) respectively. In addition to this, such vacancies are also to be placed at National Career Service (NCS) Portal vide instruction issued by DoPT in November, 2016.

## **EMPLOYMENT MARKET INFORMATION PROGRAMME (EMI)**

### **SCOPE, COVERAGE AND LIMITATION**

**23.25** The Employment data in the organized sector is collected under the Employment Market Information (EMI) Programme which is provided the statutory base by the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 and Rules framed there under. The EMI programme now extends to all the States/Union Territories. The programme covers all establishments in the Public Sector and non-agricultural establishments employing 25 or more workers in the Private Sector. The establishments employing 10-24 workers are covered on a voluntary basis.

**23.26** The EMI Programme, however, does not cover employment in the agricultural establishments (other than Plantation and

Agricultural Machine Operatives), self-employed or independent workers, part-time workers, Defence Forces, Indian Missions abroad, establishments employing less than 25 workers in the metropolitan cities of Mumbai and Kolkata and tiny sector establishments (employing less than 10 workers). The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 makes it obligatory on the part of employers to render Employment Return (ER-I).

## **EMPLOYMENT ASSISTANCE TO SPECIAL CATEGORIES**

**23.27** Employment Service, as in the past, continued making efforts to cater to the special needs of vulnerable sections like Women, Scheduled Castes / Scheduled Tribes, persons with disabilities and differently abled Ex-servicemen job-seekers. Details of programmes on vulnerable section are given in Chapter 24.

## **NATIONAL CAREER SERVICE**

**23.28** The Ministry is implementing the National Career Service (NCS) Project as a Mission Mode Project for transformation of the National Employment Service to provide a variety of employment related services like career counseling, vocational guidance, information on skill development courses, apprenticeship, internships etc.

**23.29** The Mission Mode Project on NCS was appraised and approved in December, 2013 with an outlay of Rs. 148.70 crore in the 12<sup>th</sup> five year plan. To give shape to the Government's intention of establishing Career Centres, the project outlay was upwardly appraised, in November, 2014 for an outlay of Rs 292.20 cr. The scope of project was further increased to include the inter-linking of employment exchanges and organizing of job fairs on regular basis with an enhanced outlay of Rs.348 crores during the 12<sup>th</sup> Five Year Plan. In order to continue the scheme during 14<sup>th</sup> Finance Commission Cycle (2017-2020) an outlay of

Rs.478 crore has been approved. The approved budget allocation for the project for the Financial Year 2016-17 was Rs 100 crores and during FY 2017-18 it was raised to Rs.125 crore. The allocation in BE 2018-19 was Rs.109.80 crore.

**23.30** The services under NCS are available online and can be accessed directly, through Career Centres, Common Service Centres, Post Offices, mobile devices, cyber cafes etc. The various stakeholders on the NCS platform include job seekers, counsellors, employers, employment exchanges (career centres), training providers, educational institutions and placement organizations.

**23.31** The NCS Portal (NCSP) has been made functional at the URL ([www.ncs.gov.in](http://www.ncs.gov.in)). The portal was dedicated to the Nation by Hon'ble Prime Minister of India on 20.07.2015. The NCSP is supported by a dedicated helpdesk (multi-lingual) available from Tuesday to Sunday (8.00 AM to 8.00PM) on 18004251514 for assisting users. It has a rich repository of career content of over 3600 occupations under 52 sectors. The portal also facilitates organization of job fairs where both employers and job seekers can interact. The brief statistics of NCS Portal are given below :

#### NATIONAL CAREER SERVICE

Sr. No.	Parameters	No. as on 31 <sup>st</sup> March, 2019
1.	No. of active Job Seekers	1.07 crore
2.	No. of active Employers	9995
3.	Vacancies Mobilised	40.96 lakh
4.	Job Fairs organised till Feb., 2019	1199

**23.32** With the increased focus of Government on Career Counseling, the Ministry

proposes to create a network of Career Counselors where the Career Centres will become the hub of Career Counseling in their area. Under the process, 4377 Career counsellors from various States/UTs have got registered on NCS Portal, out of which 418 are delivering effective counselling services regularly..

**23.33** The NCS Portal also provides an open architecture for partnering of institutions and organisations for delivery of career and employment related services. The NCS Portal may develop specific pages to help categorise and improve delivery of services in the focus areas or otherwise. The partnering institutions will be provided appropriate space and links on the NCS Portal to improve delivery of services on a **non-exclusivity** basis and be amenable to the monitoring systems. Ministry has engaged with several institutions and organisations to bring more and more job opportunities to our workforce with some of the leading organisations such as Indian Staffing Federation (ISF), Monster.com, Freshers World, First Job, Mera job. As per instructions issued by DoPT in November 2016, it is mandatory to place all Government vacancies (which are to be notified to Local Employment Exchange/Central Employment Exchange) at NCS Portal also.

**23.34** A series of consultations with State Governments were held on various occasions for the NCS project. Key Ministries, Academia and Industry have been involved in designing the framework of the National Career Service and Career Centres. Under the NCS, it is proposed to create Knowledge Repository of Career Counselling content, by digitizing the existing Counselling literature and making it amenable for periodic updation by stakeholders and made accessible to various users.

**23.35** The NCS Project also envisaged setting up of Model Career Centres (MCCs) to be established in collaboration with States and other

institutions to deliver employment services. The Government has approved establishment of 107 Model Career Centres (including 7 non-funded MCCs) in the first phase. The MCCs envisage creating a model centre for providing variety of employment services using technology. The Government provides financial assistance to these centres based on the proposals and scheme guidelines. These model centres can be replicated by the States from their own resources. The Government now, keeping in view the importance of employment as a thrust area and to provide employment related services to maximum job seekers and other stakeholders has decided to establish 100 more Model Career Centres (MCCs) thereby extending the geographical coverage of the scheme and increasing the number of Government funded MCCs to 200 during 14<sup>th</sup> Finance Commission period (2017-2020). 39 MCCs have been approved in the second phase.

**23.36** The NCS Project has also been enhanced to interlink 997 Employment Exchanges with NCS Portal and part funding for up-gradation of Employment Exchange and for organising job fairs. So far 25 States/UTs have sent proposals and funds have been released to 24 States/UTs. During 2018-19 (till March, 2019) around 1323 job fairs have been organised under National Career Service (NCS) in which 5,83,717 job Seekers participated and 2,51,535 candidates were shortlisted.

**23.37** In a parallel exercise, the Ministry has initiated a programme for capacity building of officers of the National Employment Service and Young Professionals being deputed at Model Career Centres under a multi-pronged strategy of orientation, refresher and specialized training in the area of National Career Services. Over, 3000 officers have been trained on various modules of National Career Services like career counseling

training, portal management training, Start and Improve Your Business (SIYB) training etc.

## **NATIONAL EMPLOYMENT POLICY**

**23.38** Ministry of Labour & Employment had forwarded a Cabinet Note seeking for implementation of National Employment Policy in February, 2013. However, it was advised to upscale and update the document. The Ministry had subsequently entrusted the work of drafting the National Employment Policy to VVG NLI and while preparing the same, it emerged that the policy had wide ramifications and required inputs from various stakeholders, Ministries, Departmental trade unions, research institutions, State Governments etc. Accordingly, an Inter Ministerial Committee was constituted on 13<sup>th</sup> March, 2014 and its first meeting was convened on 4<sup>th</sup> April, 2014 and a concept note circulated to stakeholders to seek views and suggestions. The draft policy has also been discussed with the State Ministers on 29.08.2014. Another brainstorming session was held on 04.06.2015 with key stakeholders to discuss the contours of the Proposed National Employment Policy. A meeting was held on 1.07.2016 to discuss the approach papers on NEP. Based on the discussion, follow up action is being taken. Subsequently, a meeting was also held with ILO delegations on 03.11.2017, employment expert from ILO has given his observations/comments on draft approach paper of NEP which were sent to VVG NLI for comments/views. VVG NLI have provided their views on these comments/observations which are being considered to decide the way forward. Drafting of the National Employment Policy is under process.

## **Pradhan Mantri Rojgar Protsahan Yojana (PMRPY)**

**23.39** Pradhan Mantri Rojgar Protsahan Yojana (PMRPY) was launched on 9th August,

2016 with the objective to incentivise employers for creation of new employment. Under the scheme, Government of India is paying Employer's full contribution i.e. 12% (or admissible from time to time) towards EPF and EPS both for a period of three years to the new employees through EPFO. The scheme is targeted for employees earning upto Rs. 15,000 per month and also aims to bring a large number of informal workers to the formal workforce. The terminal date for registration of beneficiary through establishment is 31st March, 2019.

**23.40** Initially, Government was paying 8.33% EPS contribution of the employer for all sectors in respect of these new employees. The benefits of the scheme were also extended to the Textile Sector under Pradhan Mantri Paridhan Rojgar Protsahan Yojana (PMRPY) for made-ups and apparels sector where the Government was paying additional 3.67% EPF contribution of the employer in respect of these new employees thus bringing the total incentive to 12%. The scope of the scheme was enhanced w.e.f. 1.4.2018 with the approval of CCEA to provide the benefit of full 12% employers contribution for all sectors.

**23.41** This scheme has a dual benefit, where, on the one hand, the employer is incentivised for increasing the employment base of workers in the establishment, and on the other hand, a large number of workers will find jobs in such establishments. A direct benefit is that these workers will have access to social security benefits of the organized sector. All the beneficiaries under this scheme are Aadhaar Seeded.

**23.42** Till 31st March, 2019 total benefit of Rs. 4394.70 Crore has been given to 1,45,512 Establishments covering 1,18,05,003 Beneficiaries under (PMRPY).

### **NATIONAL CAREER SERVICE CENTERS FOR SC/STs (NCSCs-SC/STs)**



**23.43** Twenty Five NCSCs for SC/STs have been set up in 25 States. Confidence Building Programmes are organised and Vocational Guidance is provided to SC/ST job seekers through these centres. Besides, the facilities for practicing Typing and Shorthand are provided to SC/ST job seekers in 14 such Centres. These Centres have also been arranging Pre-Recruitment Training programmes for SC/ST candidates to improve their employability in competitive examinations conducted by Staff Selection Commission and other Recruitment Boards for Group 'C' and equivalent posts. Details on NCSC-SC/STs are given in chapter 24.

### **NATIONAL CAREER SERVICE CENTERS FOR DIFFERENTLY ABLED (NCSC-DA)**

**23.44** Twenty One NCSC for Differently Abled (erstwhile VRCs) have been functioning in the country, out of which, one Centre at Vadodara has been set up exclusively for women with disabilities. These Centres evaluate residual capacities of persons with disabilities and provide them adjustment training and skill training with a view to integrate them in the economic mainstream and make them productive citizens of the country. These Centres play pro-active role in creating public awareness and community participation in the rehabilitation of people with

disabilities. To synergize the link between demand and supply of skilled workforce, the Government has established 5 Model Career Centres for welfare of PWDs in NCSCs for DA. The Centres focus on career counselling as key activities for youth with disabilities to pursue skill enhancement courses that the market drive. The officers of the NCSC-DA are being trained on professional counselling techniques. Outreach counselling sessions and job-fairs are a key activity in these career Centres. Details on NCSC-DAs is given in Chapter 24.

**23.45** Placement service to the differently abled Ex-servicemen/Border Security Force personnel and their dependents is provided through an Ex-servicemen Cell set up in DGE (Hqrs.). For further details please refer to para 24.15 of chapter 24.

### **NATIONAL INSTITUTE FOR CAREER SERVICE**

**23.46** The National Institute for Career Service [(erstwhile Central Institute for Research and Training in Employment Service (CIRTES)] Noida is a national level training institute of Directorate General of Employment under M/o Labour and Employment and is responsible for imparting training to Officers of Employment Service. NICS has been declared as Nodal Institute for Capacity Building under National Career Service Project which is a mission mode project of M/o Labour and Employment. As a Nodal institute for capacity building NICS is responsible for imparting training to all stakeholders of NCS project. NICS is also playing major role in implementing the Young Professional Scheme of M/o Labour and Employment and coordinating the activities of Model Career Centers established at various parts of country under NCS project.



### **23.47 TRAINING ACTIVITIES**

- Nine Capacity Building Programmes for Employment Officers on Career Counselling were conducted at NICS, NOIDA during April to September, 2018 in collaboration with Indian Institute of Foreign Trade (IIFT). In total 226 Employment Officer attended the above training programmes.
- One training programme for officers of National Career Service Centre for Differently abled (erstwhile VRC) and National Career Service Centre for SC/ST (erstwhile CGC) on National Career Service Portal (NCSP), Government e-Marketing (GeM), Direct Benefit Transfer (DBT) and Management Information System (MIS) organised at NICS, NOIDA during 11<sup>th</sup> June to 14<sup>th</sup> June, 2018.
- Refresher training programme for second and third batch Young Professional conducted from 20-08-2018 to 21-08-2018.

### **23.48 NATIONAL CAREER SERVICE ACTIVITIES AT NICS**

- Awareness programme on National Career Service project conducted for Youth Volunteers of Nehru Yuva Kendra.

- Awareness programme on National Career Service project conducted for trainees of International Training Programme of VVGNI, NOIDA.
- Implementation of Young Professional Scheme of National Career Service Project.
- Young Professional posted at NICS are regularly attending various activities of National Career Service viz.
  - o National Career Service portal improvement and data analytics
  - o Collecting the data of Job Fairs conducted by various MCCs
  - o Developing outreach programmes for widening the network of stakeholders like industry associations, educational and training institutes, skill providers etc.
  - o Content development for training programmes
  - o Interacting with social media to improve the visibility of National Career Service
  - o Coordination of Model Career Centre activities

#### **23.49 ACTIVITIES ORGANISED BY MODEL CAREER CENTRE OF NICS, NOIDA**

##### **MEGA JOB FAIRS**

- Organized one Job Fair in the campus of NICS on 20-07-2018.

- Organized Job Fairs in collaboration with State Government at Baghpath in the month of March, 2018.
- Organized Job Fairs in collaboration with State Government at Modinagar in the month of July, 2018.



## **JOB DRIVES**

### **ORGANISED FOLLOWING JOB DRIVES IN THE CAMPUS OF NICS, NOIDA**

<b>S. No</b>	<b>Job Fair</b>	<b>Date</b>	<b>Venue</b>
1	Job Fair for 10th /12th Pass Candidates	12-Sep-2018	NICS Noida
2	JOB FAIR FOR SALES OFFICER WITH ICICI BANK	17-Oct-2018	NICS Noida
3	Job Drive for Graduates	20-Sep-2018	NICS Noida
4	JOB Drive for Bajaj Capital	13-Aug-2018	NICS Noida
5	Job Fair @ National Institute For Career Service Noida	21-June2018	NICS Noida
6	Job Fair @ National Institute For Career Service Noida	22-June 2018	NICS Noida
7	Placement Drive For Commerce Passouts	11-May-2018	NICS Noida
8	Placement Drive for BCA/B.E/B.Tech (CS/IT) at NICS, Noida	2-May-2018	NICS Noida
9	Placement Drive for BE/BCA/B.Tech (CS/IT) at NICS, Noida	12-April-2018	NICS Noida
<b>INITIATED AND MONITORED FOLLOWING JOB DRIVES</b>			
1	JOB FAIR FOR BAJAJ CAPITAL NEW BRANCH AT ETAWAH	26 & 27 Oct 2018	Bajaj Capital Etawah Branch
2	Job Drive for ICICI Bank (sales profile )	29-Oct-2018	NCSC for SC ST Delhi
3	Job Drive for Bajaj Capital( Kolkata Branch ) Kolkata	23-Oct-2018	Bajaj Capital
4	JOB FAIR FOR BAJAJ CAPITAL NEW BRANCH AT ETAWAH	23 & 24 Oct-2018	Bajaj Capital Etawah Branch
5	Job Drive for Bajaj Capital( Kolkata Branch )	8-Oct-2018	Bajaj Capital Kolkata
6	JOB Drive for Bajaj Capital for Sonapat Branch	10-sep-2018	IGNOU regional centre sonipat

### **EMPLOYABILITY TRAINING PROGRAMMES**

- TCS Employability Training for Job Seekers from 7<sup>th</sup> June to 27<sup>th</sup> June,2018,
- TCS Employability Training for Job Seekers from 01-08-2018 to 21-08-2018,
- TCS Employability Training for Job Seekers from 24-09-2018 TO 18-10-2018.

## CHAPTER-24

# EMPLOYMENT ASSISTANCE TO SPECIAL CATEGORIES

**24.1** Employment Service, as in the past, continued making efforts to cater to the special needs of vulnerable sections like Women, Scheduled Castes / Scheduled Tribes, persons with disabilities and differently abled Ex-servicemen job-seekers.

### NATIONAL CAREER SERVICE CENTRES FOR SC/STs.

**24.2** Coaching-cum-Guidance Centres for SC/ST (now called NATIONAL CAREER SERVICE CENTRES FOR SC/STs) were established by Directorate General of Employment & Training (now Directorate General of Employment), Ministry of Labour & Employment, Govt. of India. These Centres provide services to SC/ST job seekers registered with Employment Exchanges for enhancing their employability through coaching, counselling and related training programmes. Some of the programmes organized by these Centres cover confidence building, individual guidance, mock interviews, training in typing, shorthand and computer, etc. The main objectives of the CGCs Scheme are:-

- To render vocational guidance and career related information;
- To channelize educated SC/ST job-seekers registered with the Employment Exchanges in appropriate vocations; and
- To increase their employability through coaching/training/guidance.

The scheme was launched in 1969-70 in 4 Centers on a pilot basis. Keeping in view the

success of the scheme, it was extended to another nineteen States in a phased manner. At present, twenty five National Career Service Centres for SC/STs are functioning in twenty five States/Union Territories one each at Delhi, Jabalpur, Kanpur, Chennai, Hyderabad, Thiruvananthapuram, Kolkata, Jaipur, Ranchi, Surat, Aizawl, Bangalore, Imphal, Hissar, Nagpur, Bhubaneswar, Guwahati, Mandi, Kohima, Jowai, Jammu, Jalandhar, Naharlagun, Puducherry & Vishakhapatnam. The NCSCs at Jowai & Vishakhapatnam are in the process of being made functional.

In addition, fourteen of these Centres provide facilities for training in Shorthand and Typing. The physical achievements of various National Career Service Centres during 2018-19 are given below :

ACTIVITY	NO. OF CANDIDATES COVERED
Registration Guidance	39846
Pre-Submission Guidance *	4962
Confidence Building Programme	18529
Training in Typing and shorthand	11923
Pre-Recruitment Training (PRT)	3106

\* Guidance given to candidates before submission of their candidature to the respective employer for Selection /Interview.

### These Centres:

- Provide employment related coaching-cum-guidance to SC/ST applicants.

- Provide information on job requirements and the type of tests/interviews they are likely to face when called by the employers.
- Take up appropriate follow up action with the employers to ascertain the results of submission against reserved vacancies.
- Undertake job development work besides providing occupational information/ vocational guidance & counselling and organising Confidence Building Programmes for job-seekers.
- Provide facilities to SC/ST job-seekers for practicing shorthand and typing at the above Centres except National Career Service Centres located at Aizawl, Hissar, Bhubaneswar, Guwahati, Mandi, Kohima, Jowai, Jammu, Jalandhar, Naharlagun & Vishakhapatnam.
- Arrange from time to time, Pre Recruitment Training Programme for SC/ST candidates to improve their employability through competitive examinations conducted by the Staff Selection Commission, etc. for group 'C' posts in collaboration with various employing authorities and recruiting agencies.
- Guided by the benefits derived from the above Special Coaching Scheme, the scheme has been extended to twenty one more places at Kanpur, Kolkata, Bangalore, Hyderabad, Ranchi, Surat, Guwahati, Imphal, Hissar, Jabalpur, Chennai, Thiruvananthapuram, Jaipur, Bhubaneswar, Mandi, Nagpur, Delhi, Jammu. Jalandhar Kohima & Naharlagun.
- Till 2018-19, 19144 SC/ST candidates have successfully completed the Special Coaching.

#### **SCHEME FOR PROVIDING COMPUTER TRAINING TO SC/ST JOB SEEKERS REGISTERED WITH EMPLOYMENT EXCHANGES**

**24.4** This scheme was launched from February 2004, with a view to provide Computer Training to SC/ST educated job seekers registered with the Employment Exchanges through outsourcing of training facilities. The training of six months duration was arranged at Bangalore, Bhubaneswar, Chennai, Delhi, Guwahati, Hissar, Hyderabad, Jaipur, Jabalpur, Kolkata, Nagpur, Surat, Kanpur, Thiruvananthapuram, Ranchi & Mandi was coordinated by respective National Career Service Centre for SC/STs under DGE located at these places. It was observed that six month Computer Training Course was not of much help to the candidates to provide employability in view of changing demands in the Labour Market. From the year 2009-10 it was therefore, decided to impart one year 'O' Level Computer Training to 1000 SC/ST candidates through DOEACC Society under the Department of Information Technology which has been started w.e.f 03.08.2009. In addition to the above said places, the training is also being imparted at Jammu, Jalandhar, Imphal & Kohima w.e.f 03.08.2009. 17960 SC/ST candidates were admitted & provided training under the 'O' level one year

#### **24.3 SALIENT FEATURES OF SPECIAL COACHING SCHEME FOR SC/STs**

- A Special Coaching Scheme to prepare SC/ST candidates for competitive examinations/ selection tests for Group 'C' posts is being operated through NCSC for SC/STs.
- The coaching is of 11 months duration and the trainees are paid stipend besides free course books and limited stationery. The coaching institutes are paid professional charges for imparting coaching to SC/ST candidates.

computer training (software) through National Institute of Electronics & Information Technology (NIELIT) till June, 2018, and the next batch has started w.e.f July 2018 with a seating capacity of 1500 SC/ST jobseekers at 21 NCSCs for SC/STs.

**24.5** The one year 'O' level Computer Hardware Maintenance Training was also started w.e.f 01.08.2012. 7350 SC/ST candidates were admitted & provided training till July, 2018 and next batch has been started w.e.f August, 2018 with a seating capacity of 700 SC/ST candidates at 19 NCSCs for SC/STs.

**Physical Progress during 2018-19 are given as under:-**

Name of Programme	Achievements (No. of candidates)
Special Coaching Scheme	1300
'O' Level one year Computer Training	1500
'O' Level one year Computer Hardware Maintenance	700

**24.6** Allocation of Rs.22.00 crore has been made during 2018-19 for the scheme namely "Welfare of SC/ST jobseekers through coaching, Guidance and Vocational Training and Introduction of new courses in existing National

Career Service Centers (NCSCs) for SC/STs and Establishment of new NCSC in the States not covered so far".

**Benefits provided to SC/ST trainees through Direct Benefit Transfer (DBT) (Scheme "0586")**

**24.7** At present 25 NCSC for SC/STs (erstwhile CGC for SC/St) are being run to enhance the employability of educated SC/ST job-seekers registered with the employment Exchanges through Coaching/ Training/Counseling etc. 21 NCSC-SC/STs are covered under DBT Scheme covering 3500 beneficiaries in three sub schemes i.e., (1) Special Coaching Scheme (1300 Beneficiaries), (2) Computer 'O' Level Training Software Course (1500 Beneficiaries) and (3) Computer 'O' Level Computer Hardware Maintenance Training (700 Beneficiaries). The stipend is paid @Rs.1,000/- per trainee per month through DBT w.e.f. 01-07-2017 subject to minimum 80% attendance during a particular month. A total of Rs 3.01 Crore (FE) was allotted for stipend and expenditure incurred was 97.17% of the budget i.e., Rs.2.92 Crore in FY 2018-19.

**SCHEDULED CASTES/ SCHEDULED TRIBES**

**24.8** Performance of Employment Exchanges in respect of Scheduled Caste/ Scheduled Tribe and Other Backward Class job-seekers during 2010 onwards is indicated in **Table 24.1** below.

Table 24.1

(in lakh)

Category	Activity	2011	2012	2013	2014	2015*
SCHEDULED CASTE	Registration	8.82	12.75	10.25	7.66	8.05
	Placement	0.30	0.31	0.32	0.22	0.27
	Live Register	66.82	71.66	72.92	76.44	70.57
SCHEDULED TRIBE	Registration	3.23	3.71	3.44	3.48	3.83
	Placement	0.20	0.19	0.21	0.24	0.29
	Live Register	24.04	24.31	24.87	24.17	25.47
OTHER BACKWARD CLASS	Registration	17.00	22.77	18.33	14.85	15.77
	Placement	0.22	0.19	0.23	0.10	0.11
	Live Register	105.76	116.71	114.14	121.34	114.04

\* Provisional.

Note: figures are reported calendar year wise

#### NATIONAL CAREER SERVICE CENTERS FOR DIFFERENTLY ABLED (NCSC for DA)

**24.9** The Ministry of Labour & Employment is committed to the implementation of the provisions of the Rights of Persons with Disabilities Act, 2016. The Directorate General of Employment (DGE) has been regularly co-ordinating and supporting Ministry of Social Justice & Empowerment (Ministry of SJE), which is the Nodal Ministry for the welfare of people with disabilities.

- Twenty one National Career Service Centers for Differently Abled (NCSC-DA) (Erstwhile Vocational Rehabilitation Centre) are functioning, out of which, one Centre at Vadodara has been set up exclusively for women with disabilities.
- These centres evaluate the residual capacities of People with Disabilities and provide them non formal skill training with a

view to integrate them in the economic mainstream and make them productive citizens of the country.

- These centres play pro-active role in creating public awareness and community participation in the rehabilitation of persons with disabilities.
- During 2017-18 these Centres have registered 32254, evaluated 32155, and rehabilitated 11759, Persons with Disabilities.
- During 2018-19 these Centres have registered 31592, evaluated 31466 and rehabilitated 11721 Persons with Disabilities.
- To synergize the link between demand and supply of skilled workforce, the Government has established 5 Model Career Centres at NCSC-DAs. The Centres role inter-alia, is

to focus on career counselling as a key activity for youth with disability and to pursue market driven skill enhancement courses. Besides this, outreach counselling sessions and job fairs are the key activities in these Career Centres.

### **Benefits provided to Differently Abled trainees through DBT (Scheme 3468)**

#### **Stipend to Candidates under Scheme of Vocational Rehabilitation Centre for Handicapped (VRCs)**

**24.10** In order to enhance the employability of PwD candidates registered with NCSC-DAs, non formal job oriented skill training is being imparted at NCSC-DAs. The maximum duration of non formal vocational training programme in NCSC-DAs is 12 months depending on the module, nature and degree of disabilities of individual PwD. To encourage the PwDs to pursue the vocational training in NCSC-DAs and minimize their commutation and sundry expenditures, a stipend scheme has been launched w.e.f December, 2017. Initially, the scheme was launched in 6 centres. The stipend @ Rs.2500/- per trainee per month is paid to the PwDs undergoing training subject to minimum 80% of the attendance in a particular month. The stipend scheme was extended to all the 21 centre w.e.f 2018-19. A total sum of Rs 1.28 crore was allocated for stipend out of which about Rs. 1.26 crore was disbursed to the trainees of NCSC-DAs during 2018-19 which is 97.8% of total allocation.

#### **ASSISTANCE TO DIFFERENTLY ABLED EX-SERVICEMEN AND DEPENDANTS**

**24.11** In order to provide placement services to the Differently Abled Ex-Servicemen/Border Security Force Personnel and the dependants of Defence Service Personnel/Border Security Force personnel killed or severely differently

abled in action, against the vacancies reserved for ex-servicemen and earmarked for priority categories, an Ex-Servicemen Cell was set up in the Directorate General of Employment & Training in July, 1972. Subsequently, the scope of the special service was also extended for the benefit of Ex-Servicemen differently abled during peace time as well as dependants of the Defence Service Personnel killed or severely differently abled in peace time provided that the death or differently abled was attributable to military service, with effect from Feb, 1981. During the year 2018 (Jan to Dec) 42 differently abled Ex-Servicemen and dependents were registered for Employment Assistance.

### **SERVICES TO PERSONS WITH DISABILITIES THROUGH EMPLOYMENT EXCHANGES:**

**24.12** The Employment Service has been making special efforts to cater to the special needs of Differently Abled job seekers, performance of which for the last five years is given as under :-

#### **Performance of Employment Exchanges in respect of Persons with Disabilities Job-Seekers**

(In thousands)

Year	Registration	Placements	Live Register
2010	57.0	3.2	664.2
2011	63.2	3.3	687.3
2012	54.1	2.1	715.2
2013	30.5	1.9	717.3
2014	28.4	1.7	698.2
2015*	42.1	2.8	689.0

\* Provisional

## SPECIAL EMPLOYMENT EXCHANGES FOR DIFFERENTLY ABLED:

**24.13** Although, Employment Exchanges under the National Employment Service are generally responsible for the placement of differently abled, Special Employment Exchanges were also set-up for their selective placement. These exchanges attempt at securing for the differently abled the most satisfying form of employment suitable to their residual physical and mental potentialities. As on January, 2016, there were 42 Special Employment Exchanges for differently abled and 38 were Special Cells dealing with differently abled persons.

**24.14** Thirty Eight Special Cells for the differently abled with a Special Placement Officer attached to the normal Employment Exchanges and funded by the Central Government have so far been set up by the Ministry of Social Justice

& Empowerment. These are in addition to the Special Cells/Units opened for the differently abled applicants at the Employment Exchanges by various State Governments.

**24.15** The performance of the Special Employment Exchanges is given in the following table:

Year	2012	2013	2014	2015*
Registration	13606	5653	3251	4434
Placement	237	249	61	147
Live Register	102687	94657	96251	93197

## WOMEN

**24.16** Year-wise performance of Employment Exchanges in respect of women job-seekers is given below (Table 24.2)

Table 24.2

(In Thousands)

Year	Registration	Placement	Live Register Of Women	Total Live Register	% Of Live Register Of Women To Total Live Register
2006	2537.4	31.3	11781.0	41466.0	28.4
2007	1835.5	46.5	12001.5	39974.0	30.0
2008	1756.1	51.9	12328.2	39114.9	31.5
2009	1989.9	53.4	12404.7	38152.2	32.5
2010	2005.4	107.1	12924.1	38818.5	33.3
2011	2122.6	85.7	13694.8	40171.6	34.1
2012	3511.0	67.8	15645.8	44790.1	34.9
2013	2233.2	58.7	16549.1	46802.5	35.4
2014	2189.4	60.8	17078.3	48261.1	35.4
2015	2532.7	59.9	15540.0	43502.7	35.7
2016*	2256.8	59.7	15731.4	43376.1	36.3

\* Provisional: Data after 2016 is under process and the figures are reported calendar year wise.

## MINORITIES

**24.17** In order to have full integration of minorities in all aspects of national life, the State Governments have been advised to ensure that no discrimination is made against minority communities in matters of registration and in sponsoring names by Employment Exchanges. The State Governments have also been advised to create monitoring cells to watch the progress of minorities in the matter of their registration and placement and to instruct the Employment Exchanges to organize mobile Employment Exchange Registration Camps in minority concentration areas.

In all there were 60.5 lakh job-seekers on the Live Registers of Employment Exchanges belonging to the minority communities at the end of December 2015 (Provisional). These account for 13.9% of total job-seekers on the Live Register.

**24.18.** The details of the Budget Estimates of the Schemes of Employment Directorate for Financial year 2018-19 are given in **Table-24.17** below :

**Table-24.17**

S. No.	Schemes under Employment Directorate	Expenditure 2018-19 (Rs. in crore)
	Schemes/Programmes	A
1	"Welfare of SC/ST jobseekers through coaching, Guidance and Vocational Training and Introduction of new courses in existing National Career Service Centres (NCSCs) for SC/STs and Establishment of new NCSCs in the states not covered so far".	17.44
2	To evaluate residual capacities, providing	7.75

	adjustment training and render assistance in Vocational Rehabilitation through National Career Service Centres (NCSCs) for DA	
3	National Career Service (NCS) Project	38.70
4	Pradhan Mantri Rojgar Protsahan Yojana	3499.27

### Note on National Career Service

The Ministry is implementing the National Career Service (NCS) Project as a Mission Mode Project for transformation of the National Employment Service to provide a variety of employment related services like career counselling, vocational guidance, information on skill development courses, apprenticeship, internships etc. For details please refer to Chapter 23.

Category	Financial Year 2018- 2019 (1st April '18 to 31st March '19)	
	Active Job seeker Registrations	Vacancies Mobilised
SC/ST	937004	149940
Women	1199739	96875
PWD	3939	8170
Total	4320651	1687801

## CHAPTER-25

### GENDER BUDGETING

#### (a) WELFARE OF SC/ST

The Scheme includes Coaching-cum Guidance Centre for SC/ST to provide confidence building, training programmes and vocational guidance for

candidates belonging to these categories. These Coaching-cum-Guidance Centres have been involved in Pre-Recruitment Training Courses for various Nationalize Bank and agencies.

(Rupees in Crore)

Programme	Expected outcomes / Objective	Gender component of Programme/sub Programme	Total Public Expenditure 2017-18 (Plan & Non-Plan)			Public Expenditure on Women/Girls (2017-18)			Gender Disaggregated Beneficiaries (extent of benefits to women) (2017-2018) Targets and Performance number of female beneficiaries/physical/ financial others
			Plan	Non-Plan	Total	Plan	Non-Plan	Total	
Welfare of SC/ST jobseekers through coaching, Guidance and Vocational Training and Introduction of new courses in existing Coaching-cum-Guidance Centres (CGCs) for SC/STs and Establishment of new CGCs in the states not covered so far.	To enhance the employability of SC/ST jobseekers through Coaching, Guidance & Vocational Training	The programme is both for men and women unemployed educated job seekers.	11.28	6.99	18.27	5.30	3.29	8.59	81383  (Women) beneficiaries 47%)

#### (b) A GENDER BASED ANALYSIS(GBA) STATEMENT OF PUBLIC EXPENDITURE AND NUMBER OF BENEFICIARIES DURING 2017-18

(Rupees in Crore)

Programme	Expected outcomes/ Objective	Gender component of Programme/sub Programme	Total Public Expenditure (Rs.) 2017-18 (Plan & Non-Plan)			Total Public Expenditure (Rs.) on Women/Girls (2016-17) (Plan & Non-Plan)			Gender Disaggregated Beneficiaries (extent of benefits to women) (2016-17) Targets and Performance number of female beneficiaries / physical / financial others
			Plan	Non-Plan	Total	Plan	Non-Plan	Total	
Assistance to physically handicapped	To evaluate residual capacities, providing adjustment training and render assistance in Vocational Rehabilitation.	The beneficiaries are both men and women.	13.90	16.44	30.34	5.21	17.79	23.00	21322 (women beneficiaries 28%)





बच्चों को पढ़ाओ  
बाल मजदूरी हटाओ

ਬਾਲ ਮਜਦੂਰੀ ਫ਼ਤਾਓ  
ਬੱਚਿਆਂ ਨੂੰ ਪੜ੍ਹਾਓ



श्रमेव जयते

Ministry of Labour & Employment  
Government of India

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