

Minutes of the meeting of newly constituted Central Advisory Committee on Equal Remuneration Act, 1976 held under the Chairmanship of Hon'ble Minister of Labour and Employment Sri Mallikarjun Kharge on 22.02.11 at 3.00 p.m.

1. List of the participants is annexed.
2. Joint Secretary (L&E), Sh. Anup Chandra Pandey welcomed the participants and stated that the last meeting of the Central Advisory Committee was held in June, 2008 and after that a new committee was formed and this is the first meeting of the newly constituted Central Advisory Committee on Equal Remuneration Act, 1976. He stated that the Equal Remuneration Act has been enacted to provide for payment of equal remuneration to men and women workers and for the prevention of discrimination on the ground of sex against women in the matter of employment and other matters connected therewith. The minutes of the last meeting of the Central Advisory Committee on Equal Remuneration Act which was held on 24.06.2008 were circulated to all the members along with the Action Taken Report.
3. Hon'ble Minister for Labour & Employment welcomed the Members and stated that the Ministry of Labour & Employment has the mandate to safeguard the interests of workers in general and those constituting the deprived and marginal classes of the society in particular. The Ministry seeks to achieve this objective through enactment and enforcement of various labour laws and implementation of Schemes/Programmes. He emphasized the need for sensitizing the women about the new opportunities and constant up gradation of skills to make them competitive in the labour market. In this direction Ministry of Labour and Employment has taken a lead to provide Vocational Training to women. He informed the members about the facilities being provided by ministry of labour and employment for providing the vocational training to the women. He stated that the Mahatma Gandhi National Rural Employment Guarantee Scheme (MNREGS) is an example where a large number of women are getting employment and gender equitable wages.

4. The committee approved the minutes of the last meeting and noted the action taken report.
5. Ms Tine Staermose Director ILO stated that the Gender Equality in the world of work is at the core of the ILO's Decent Work agenda. India had already ratified the core conventions on Gender Equality, i.e. the C. 100 Equal remuneration; C.111 on non discrimination in employment and occupation. The other two conventions which were of particular importance were C. 156 on workers with family responsibilities and C. 183 on maternity protection. To achieve success in any initiative to promote decent work for women workers, it is crucial that the spirit and letter of these conventions was followed. ILO feels happy that this Advisory Committee would be looking into the issues of concern, many of which were related to the application of gender equality conventions as well. She hoped that the Advisory Committee will actively contribute towards promoting mechanisms to address gender equality in the world of work.
6. Ms Bharati Birla, National Programme Coordinator from ILO stated that from 1999-2000 to 2004-05 the States like Haryana, North-East, Rajasthan, UP, West Bengal and Punjab had registered a higher growth rate of workers between the age of 15-59 years whereas in States like Himachal Pradesh, Karnataka, Orissa, Maharashtra, Kerala, Madhya Pradesh, Gujarat, Bihar, Andhra Pradesh and Tamil Nadu registered a growth lower than the national level. Out of 455.7 million workforces, women workers numbered 146.9 million, which was over 32% of the entire workforce. However, the growth rate of female workers had been higher compared to men during this period. In rural sector, the participation rate of women was around 61% whereas in urban, it was 33% and out of this, nearly 74% women were in traditional sector like agriculture, tobacco private household sector e.t.c or self-employed. Poverty is widespread in agriculture with agricultural labour households and the self-employed in agriculture accounting for 41 per cent and 22 per cent of the rural poor respectively. Women not only form a predominant section of the poor but also experience its adverse effects more intensely than men. Though 72.8 per cent of women workers were

employed in agriculture, the share of the sector in the GDP contribution of women was just 39.2 per cent in 2004-05. In the aggregate, 19.8 per cent of the GDP was contributed by 32.2 per cent women workers in the year 2004-05. It consisted of 11.7 per cent in the informal sector and 8.1 per cent in the formal sector. Ms Bharati Birla mentioned that women were concentrated in lowest productivity sector. Most of these women, nearly 85% were in rural sector and 59% were illiterate. Rural women workers were mostly concentrated in agriculture where share of women has increased compared to men. Rural construction has increased for both men and women. Urban manufacturing registered a higher growth for women while urban construction was mainly male-oriented. Trade, hotels and restaurants have reported increase in women workers both in rural and urban sector areas. Similar trend has been observed in finance, insurance, real estate and business in urban areas. 87% of women who were in non-agriculture sector, were informally employed in sectors such as household industries, domestic work and construction industries and half of them were employed in private household. In organized sector, women constitute only 20% of the organized sector employment. In rural sector, most of the women i.e. 58.8% of the women workforce was self-employed and 38.6% were casual workers as per the figures of 1993-94 which had changed to 63.7% from self-employed and 32.6% from casual workers during 2004-05 survey. The self-employment comprises of the mostly non-paid/household work done by the women. In urban sector also, the trend was more or less same. However, the number of casual workers had dropped from 26 to 16.7% during this period. She stated that the issue for Indian women is not finding work, but of finding gender bias existing in the law. As regards the legal provisions, though there are plethora of Acts which regulate the working conditions of women, most of these works in areas with higher productivity and returns. She emphasized the need for skill development, addressing wage discrimination, establishing enabling environment, strengthening implementation of the existing schemes/labour laws promoting gender equality, focus on the crèche facility to women at the workplace and regulation of the time of working. She stated that the

implementation of Equal Remuneration Act is being carried out by the Central Government in relation to employment carried by or under the authority of the Central Government such as railway administration or in relation to banking company, a mine, oilfield or major port or any corporation established by the Central Government. Besides this, the implementation of ERA rests with the State Government, however, the Central Government monitors the implementation of the Act, through the office of Chief labour Commissioner. Ms Bharati Birla broached the issue of equal pay for equal value of work, which was discussed in the ILO committee last year. She advocated the need to strengthen inspection, ensure increased participation of the women officers, evaluation of jobs as a mean of determining the rate and need to undertake studies to determine the reason for wide gender gap. She informed that to address the issue of gender inequality, Ministry of Labour has constituted a Task Force on Gender Equality in October 2010. Besides this, the Women Labour Cell of the Ministry of Labour is also implementing grant-in-aid scheme which is looking after creation of awareness among the women labour force in rural and urban areas.

7. DDG (T) stated that vocational training programme for women was directed towards promotion for vocational training for women, for their wage employment in industry and also for the self-employment. The programme offers skill training under Crafts Training Scheme (CTS) and advance skill level training under Crafts Instructor Training Scheme. To provide vocational training to women, women exclusive institute have been set up both at Central and State Sectors. Under Central sector, 11 institutes i.e. one National Vocational Training Institute (NVTI) and 10 Regional Vocational Training Institutes (RVTIs) for women at Mumbai, Bangalore, Thiruvananthapuram, Panipat, Kolkata, Tura, Allahabad, Indore, Vadodara and Jaipur have been set up. These institutes offer training ranging from secretarial practice, electronics, architectural assistantship, computer operator and programme assistant, dress making, embroidery, hair & skin care, tour & travel assistance etc. There is no maximum age bar for admission to training of these courses; the entrants of the basic course under CTS are 10th or 12th pass. After advance training, women are eligible to become vocational

instructor. The duration of the course under CTS is 1 to 2 years. In addition to the long-term courses, need based short-term courses for 1-8 week duration is also organized. In the NVTI/RVTIs, there are regular seats of 3932 and in short-term courses, there are 3732 seats totaling to 7664 no. of seats. Besides this, there are ITIs where seats were also reserved for women. In Government sector, there are 299 women ITIs and 754 women's wings in general ITIs. In private structure, there are 171 women ITCs and about 168 women's wings in general ITCs. In total, there are about 1398 women's ITIs/ITCs/women's wings and total seats in these for women is 7062. In general ITIs, 30% seats are reserved for women and if these seats are not filled up, then the seats are offered to the male candidates.

8. The member from Bhartiya Mazdoor Sangh stated that Equal Remuneration Act is a very important women specific law; however the implementation of it is not taking place properly and is being taken very lightly. The Assistant Labour Commissioners do not take the complaints very seriously. Progress regarding filing of cases is tardy, which shows lack of awareness about the Act. She stated that the Act is very weak and never been implemented properly. She suggested that the Trade Unions should be given the authority to file the complaint; Ministry might also ensure that the meetings are held at a regular interval and the Act is implemented properly.
9. Hon'ble Minister for Labour & Employment stated that the suggestions given by the members could be shared with the state Government who are the implementation authority. As regard to the requirement of Trade Unions involvement in filing complaint, he stated that the Trade Unions can Act as a watchdog and wherever the Act is not implemented, they could bring it to the notice of the Government.
10. Ms Guramma Sidaraddi member stated that though the Equal Remuneration Act has been passed in 1976, very little has come in practice. The issue of women empowerment and equal wages has been discussed in the International Women Conference in Cairo in 1994, Beijing in 1995 and in New York in 2000

comprehensively. All these meeting emphasized the need for education, employment and empowerment for the upliftment of women. Now, the Panchayat Raj has given equal opportunity for women in political arena. But equal opportunity should also be given in employment. In unorganized sector and private sector, women are not getting equal share. Strict rules should be passed for equal payment in private and unorganized sector. In cooperative sector also women have been completely neglected. Women have not become directors or presidents in any cooperative sector in Karnataka. Intensive awareness generation programmes for women can solve this problem. Health insurance coverage for women also needed to be increased.

11. Hon'ble Minister for Labour & Employment stated that inadequate representation of women in employment in the state is to be dealt by the State Government. Central Government can advice the state Government for proper implementation of Equal Remuneration Act and equal opportunity to women in employment. However, its proper implementation rests with the state government.
12. The representative from National Commission for Women (NCW) stated that they do not have any specific comments. However, they would like for more focus on skill development and effective implementation of the legislation related to women.
13. Smt. Devika Singh from INTUC stated that in Jharkhand, there are lot of schemes/avenues available for the women who are illiterate and also for women who are highly literature. Women from both these category are getting ample employment opportunities. However, women who fall between these two categories are facing lot of problem in getting suitable employment. She requested the Committee for information on the skill development schemes for the women.
14. DDG(T), DGE&T stated that there are many training facilities available in the Government where the fees is ranging between Rs. 100 to 200 per month. Some State Government like Gujarat and Rajasthan also do not charge any fees.

However, private ITIs do charge money. Scholarship is also given to SC/ST/OBC candidates.

15. Smt. Suvra Ghosh stated that in rural part, the women workers are still not getting equal pay especially in the agriculture sector.
16. Secretary (L&E) stated that the scheme like MNREGA, have institutionalized gender equitable wages. He stated that if people are not getting equal wages, it is illegal and the State Government must be made aware of this and they are required to make strict enforcement of the legal provisions under ERA.
17. Smt. S.J. Radhamani and Smt. Mangalamba Rao from BMS requested for implementation of some pension provision for women of BPL families and also suggested if any provision under Social Security Act or Provident Fund of ESI could be made to widow and old women.
18. Secretary (L&E) stated that Ministry of Labour is implementing Rashtriya Suraksha Bima Yojana (RSBY) for the BPL families under which a health insurance cover is given for 5 members in a family at a nominal cost of only Rupees 30/-. The good news is that most of the State Governments have agreed to implement the scheme in a phased manner and so far, we have a plan to cover the entire six crore BPL population under the scheme within a period of five years. He further stated that for covering anyone under Provident Fund scheme an employer and employee relationships is required, which in the case of widow and old women does not exist.
19. Secretary (L&E) thanked all the members for their active participants in the meeting and stated that this was the first meeting of the reconstituted Committee and based on the suggestions and recommendations of the members we would move forward. The Ministry would also make every effort to carry out regular meetings and would also concentrate on skill development and awareness

programme and would also advise the enforcement agencies to be more sensitive towards the issue of women as suggested by some of the members. He requested the members to intimate the Ministry for any violation in the enforcement of Equal Remuneration Act. is observed. He assured that the Ministry is sensitive towards the issues of women labour and women in general and stated that with the active participation and involvement of the civil society in this task, the Government would be better placed to address the issues that are effecting the women labour of this country and would also provide impetus in the working of women labour cell of the Ministry.

The meeting ended with a vote of thanks to the Chair.

LIST OF PARTICIPANTS OF CENTRAL ADVISORY COMMITTEE MEETING HELD ON 22.02.2011 AT 3.00 P.M. IN THE COMMITTEE ROOM, SHRAM SHAKTI BHAVAN, NEW DELHI.

Chariman

1. Shri Mallikarjun Kharge, Minister of Labour & Employment

NON-OFFICIAL MEMBERS

1. Ms. Mangalamba Rao, All India Secretary, Bhartiya Majdoor Sangh
2. Smt. Devika Singh, Indian National Trade Union Congress
3. Smt. Suvra Ghosh
4. Smt. Sharda Devi Jaiswal
5. Smt. Guramma Siddaraddi
6. Smt. S.J. Radhamani

EX-OFFICO MEMBERS

7. Sh. P.C. Chaturvedi, Secretary, Ministry of Labour & Employment
8. Sh. A.C. Pandey, Joint Secretary (in-charge of Child and women Labour), Ministry of Labour & Employment
9. Sh. Anil Sharma, Dy. Advisor, Planning commission
10. Dr. Sandeep Mishra, Consultant (Labour & Employment Division), Planning Commission
10. Smt. Satwanti Ahlawat, Labour Commissioner, Haryana
11. Sh. Raj Singh, National Commission for Women
12. Smt. Lilabati, Co-ordinator, National Commission for Women
13. Dr. Smiti Singh, Project Co-ordinator, National Commission for women

REPRESENTATIVE FROM OTHER MINISTRIES/ORGANISATION

14. Ms. Tine Staermose, Director, International Labour Organisation
15. Ms. Bharti Birla, National Project Co-ordinator, International Labour Organisation
16. Sh. K.S. Ravkhanoran, International Labour Organisation
17. Sh. Harpreet Singh, Assistant director, Ministry of Micro, Small & Medium Enterprises

OFFICERS OF MINISTRY OF LABOUR & EMPLOYMENT

18. Sh.Ravi Mathur, Additional Secretary, M/o Labour & Emp.
19. Sh. R.K. Chugh, Dy. Director General (Training), DGE&T
- 20.. Sh. Gautam Roy, Director (Women Labour), M/O Labour & Emp.
21. Sh. A.A. Gilani, Dy. Chief Labour Commissioner (Central), CLC(C)
22. Sh. G. A. Raghuvanshi, Under Secretary(Women & Child Labour), M/O Labour & Emp.
23. Sh. Ishwar Singh, Under Secretary, Directorate General of Labour Welfare
24. Sh. I.K. Srivastav, JDR, Directorate General of Employment & Training
25. Sh. S.K. Chand, Regional Labour Commissioner (C), CLC(C)