



सत्यमेव जयते

# ANNUAL REPORT 2016-17

**Minimum Wages for Non-Agricultural Workers ('c' category) increased from RS.246 TO RS.350 PER DAY**

Shram Suvidha

“  
**Language is not a barrier to use Shram Suvidha Portal. You may view the Portal in 11 languages including English**”

Shram Suvidha

English, हिन्दी, इंग्लिश, বাংলা, ગુજરાતી, తెలుగు, ಕನ್ನಡ, தமிழ், மலയാളം, ਪੰਜਾਬੀ, বাংলা, ગુજરાતી, తెలుగు, ಕನ್ನಡ, தமிழ்

कर्मचारी राज्य बीमा निगम  
Employees' State Insurance Corporation

**टेलीमेडिसिन सेवा का शुभारंभ**

6 सितम्बर, 2016 • कस्टीट्पूरान बलब, नई दिल्ली

Make Children hold pen in their hands rather than making them hold working tools

#RightToEducation

**SPECIAL CAMPAIGN**

For Opening of Bank Accounts for workers by  
**Ministry of Labour & Employment**

Date	Number of Camps	Number of Accounts
16 <sup>th</sup> Jan 2017	142120	4403147
11 <sup>th</sup> Jan 2017	141149	4386976
6 <sup>th</sup> Jan 2017	144623	4453840
1 <sup>st</sup> Jan 2017	143025	4438558

Legend:   
■ - Number of Camps  
■ - Number of Accounts

## श्रमेव जयते

Ministry of Labour & Employment  
Government of India

# ANNUAL REPORT 2016-17



सत्यमेव जयते

**Ministry of Labour & Employment  
Government of India**

Website : <http://www.labour.nic.in>



# CONTENTS

Sl. No.	CHAPTERS	PAGE NO.
1.	HIGHLIGHTS OF IMPORTANT ACTIVITIES	5-34
2.	ORGANISATIONAL STRUCTURE & FUNCTIONS	35-46
3.	INDUSTRIAL RELATIONS	47-72
4.	PRODUCTIVITY	73-74
5.	WAGES	75-83
6.	SOCIAL SECURITY	84-93
7.	LABOUR WELFARE	94-101
8.	UNORGANISED WORKER	102-111
9.	BONDED LABOUR	112-114
10.	CONTRACT LABOUR	115-116
11.	WOMEN & WORK	117-123
12.	CHILDREN & WORK	124-131
13.	OCCUPATIONAL SAFETY & HEALTH	132-178
14.	WORKERS EDUCATION	179-187
15.	PLAN & NON-PLAN PROGRAMME	188-190
16.	WELFARE OF SCHEDULED CASTE & SCHEDULED TRIBE	191-194
17.	LABOUR STATISTICS	195-216
18.	LABOUR RESEARCH & TRAINING	217-227
19.	INFORMATION TECHNOLOGY INITIATIVES / E-GOVERNANCE	228
20.	VIGILANCE & REDRESSAL OF PUBLIC GRIEVANCES	229-237
21.	INTERNATIONAL COOPERATION	238-261
22.	DIRECTORATE GENERAL OF EMPLOYMENT	262-267
23.	NATIONAL EMPLOYMENT SERVICE	268-273
24.	EMPLOYMENT ASSISTANCE TO SPECIAL CATEGORIES	274-280
25.	RESEARCH AND TRAINING IN EMPLOYMENT SERVICE	281-282
26.	GENDER BUDGETING	283-284



## CHAPTER – 1

**HIGHLIGHTS OF IMPORTANT ACTIVITIES****INTRODUCTION**

**1.1** The Ministry of Labour & Employment is one of the oldest and important Ministries of the Government of India. The main responsibility of the Ministry is to protect and safeguard the interest of workers in general and those who constitute the poor, deprived and disadvantage sections of the society, in particular, with due regard to creating a healthy work environment for higher production and productivity and to develop and coordinate employment services. Government's attention is also focused on promotion of welfare and providing social security to the labour force both in Organized and Unorganized Sectors, in tandem with the process of liberalization. These objectives are sought to be achieved through enactment and implementation of various Labour Laws, which regulate the terms and conditions of service and employment of workers. The State Governments are also competent to enact 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 Labour and Employment Ministry has taken several transformative measures, legislative as well as administrative, to provide decent working conditions and improved quality of life of workers, ensuring India free from Child Labour, enforcing employability, simplification

of Labour Laws for ease of doing business. The Labour and

Employment Ministry under the dynamic leadership of Shri Bandaru Dattatreya, Hon'ble Minister of State (Independent Charge) for Labour and Employment has taken several initiatives to ensure and realize the job security, wage security and social security to the workers of the country.

**NEW INITIATIVES/IMPORTANT ACTIVITIES OF DIRECTORATE GENERAL OF EMPLOYMENT**

**1.3** 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)) has been made functional. The portal was dedicated to the Nation by Hon'ble Prime Minister of India on 20.7.2015. 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 3000 occupations.

**1.4** The NCS Project has also been enhanced to interlink all Employment Exchanges with the NCS Portal so that services can be

delivered online. The scheme provides for part funding to States for IT upgradation and minor refurbishing of Employment Exchanges and for organising job fairs.

**1.5** The Ministry is also implementing “Pradhan Mantri Rojgar Protsahan Yojana” in 2016-17 with the objective of promoting employment generation and an allocation of Rs. 1000 crores has been made. Under the scheme, Government of India will pay the Employees Pension Scheme (EPS) contribution of 8.33% for all new employees enrolling in EPFO for the first three years of their employment. This will incentivise the employers to recruit unemployed persons and also to formalize informal employees. The scheme will be applicable to those having earnings Rs. 15,000/- per month. A budget provision of Rs. 1000/- crore for this scheme has been made. For the textile (garmenting) sector, Government of India will be paying the complete 12% employers’ contribution (8.33% EPS +3.67% EPF) for these new employees. Till 2<sup>nd</sup> November, 2016, 151 establishments had registered under PMRPY scheme and EPS contribution was reimbursed for 19 beneficiaries.

### **1.6 New Initiatives under Health Reforms Agenda of ESIC 2.0**

- a) As part of its 2nd Generation Reform 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 around 250 districts out of 393 districts where it was earlier partly implemented.
- b) Wage ceiling for coverage under ESI Scheme enhanced from existing Rs.15000 to Rs.21,000/- pm
- c) Maternity benefits under ESI Act has been enhanced from 12 weeks to 26 weeks for women workers having less than 2 children. Benefits further extended to Commissioning and Adopting mothers also.
- d) Providing appropriate cancer detection/treatment facilities, cardiology treatment facilities, dialysis facilities on PPP Model at different levels of ESI hospitals.
- e) First phase of Telemedicine Services for ESI beneficiaries launched in September, 2016. Second phase launched on 1.12.2016 by Hon’ble Minister for North-Eastern States.
- f) Pathological & X-ray facilities to be provided on PPP model in all the dispensaries in phases.
- g) Facilities of AYUSH extended to all dispensaries & in all ESIC Hospitals
- h) Opening Health Scheme for selected group of unorganized workers like rickshaw pullers/auto rickshaw drivers and Domestic workers in Delhi/Hyderabad on pilot basis.
- i) Up-grading dispensaries to six bedded hospitals in phases.
- j) To start setting up State ESI Corporations/Societies in all States as subsidiary of ESI Corporation.

- k) Increase in ceiling for medical expenditure from Rs.2150 to Rs.3000/- per year per Insured Person.

## SHRAM SUVIDHA PORTAL

**1.7** 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 Organisations under the Ministry of Labour, namely:

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

### 1.8 Features of the Portal:

- Allotment of Unique Labour Identification Number (LIN) to Units to facilitate online registration. The unique Labour Identification Number (LIN) has been issued to 18,26,879 Units as on 06.02.2017.
- Filing of self-certified and simplified Single Online Common Annual Return by the establishments. Units will only file a single consolidated Return online instead of filing separate Returns.
- Transparent Labour Inspection Scheme through computerized system based on risk **based criteria and uploading the**

**inspection reports within 72 hours by the Labour inspectors.**

### 1.9 Transparent Labour Inspection Scheme in Central Sphere

- 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 after examination based on data and evidence.
- Mandatory uploading of inspection Reports within 72 hours.
- 2,76,060 inspections have been assigned as on 06.02.2017 since the launch of the Labour Inspection Scheme and out of which 2,57,339 have already been uploaded on Shram Suvidha Portal.

**1.10** Ministry of Labour & Employment has started Single Unified Annual Return for 8 Labour Acts. This facilitates filing of simplified Single Online Return by the establishments instead of filing separate Returns, under the following Acts.

1. The Payment of Wages Act, 1936
2. The Minimum Wages Act, 1948
3. The Contract Labour (Regulation and Abolition) Act, 1970.
4. The Maternity Benefit Act, 1961

5. The Building and Other Construction Workers (Regulation of Employment and Condition of Service) Act, 1996.
  6. The Payment of Bonus Act, 1965
  7. The Inter-State Migrant Workmen (Regulation of Employment and conditions of Service) Act, 1979
  8. The Industrial Disputes Act, 1947
- Now there shall be only one return for all of the above Acts / Rules. The Return has been formatted in two parts:
    - (i). Common / General Information Part
    - (ii) Sections for each specific Act (which need to be filed only if applicable)
  - Returns under the Contract Labour (Regulation and Abolition) Act, 1970, Inter-State Migrant Workmen (Regulation of Employment and conditions of Service) Act, 1979; and Industrial Disputes Act, 1947, which were half yearly / annually earlier, now need to be filed by all employers annually.

### COMMON REGISTRATION UNDER 5 CENTRAL LABOUR ACTS, BY INTEGRATION WITH DIPP'S E-BIZ PORTAL

**1.11** Facility for Common Registration under 5 Central Labour Acts has been developed on e-Biz Portal of the Department of Industrial Policy & Promotion. The Acts covered under this include:-

- The Employees Provident Fund & Miscellaneous Provisions Act, 1952,

- The Employees State Insurance Act, 1948,
- The Building & Other Construction Workers (RECS) Act, 1996,
- The Contract Labour (Regulation & Abolition) Act, 1970, and
- The Inter-State Migrant Workmen (RECS) Act, 1979

### LABOUR CODES

**1.12** 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, health, social security measures for every worker and bringing ease of compliance for running an establishment to catalyze creation of employment opportunities. These initiatives include governance reforms through use of technology and also legislative reforms by simplifying, rationalizing and amalgamating the existing labour laws into 4 labour codes.

### LEGISLATIVE INITIATIVES

#### DRAFT SMALL FACTORY BILL

**1.13** The Bill provides for regulation of working and service conditions of workers in small manufacturing units employing less than 40 workers. The Bill amalgamates, simplifies and rationalizes the provisions of six Labour Laws at one place for these small factories. The Bill will ease the operation of small factories and thus catalyze the generation of employment through small factories while ensuring, inter-

alia social security, safety and health of the workers.

**1.14** Ministry of Labour & Employment is working on to rationalize the provisions of the 43 labour laws into 4 Labour Codes. At present, the Ministry is working on the following four codes:-

- Code on Wages
- Code on Industrial Relations
- Code on Social Security & Welfare
- Code on Safety & Working Conditions

### LABOUR CODE ON WAGES

**1.15** It rationalizes, amalgamates and simplifies the relevant provisions of the following four labour laws:

- The Minimum Wages Act, 1948
- The Payment of Wages Act, 1936
- The Payment of Bonus Act, 1965
- The Equal Remuneration Act, 1976

### LABOUR CODE ON INDUSTRIAL RELATIONS

**1.16** This will rationalize, amalgamate and simplify the relevant provisions of the following three labour laws:-

- The Trade Unions Act, 1926
- The Industrial Employment (Standing Orders) Act, 1946
- The Industrial Disputes Act, 1947

**1.17** Similarly the other two codes i.e. 'Labour Code on Social Security & Welfare' and 'Labour

Code on Safety and Working Condition' will rationalize, amalgamate and simplify the provisions of other various labour laws.

### SOCIAL SECURITY

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

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

#### A. Health Reforms Agenda of ESIC 2.0:

Hon'ble Prime Minister Shri Narendra Modi launched a series of Health Reforms Agenda ESIC 2.0 at the time of inauguration of Indian Labour Conference, which includes-

- Online availability of Electronic Health Record of ESI Beneficiaries (Insured Persons and their family members).
- **Abhiyan Indradhanush:** Ensuring the change of bed sheet according to VIBGYOR pattern during the week i.e. to be changed everyday.
- Medical Helpline No. **1800 11 3839** for emergency and seeking guidance from casualty/emergency of ESIC Hospitals.
- Special OPD for Sr. Citizens and differently-abled persons in ESIC hospitals, in the afternoon.

Some of the other salient features of ESIC 2.0 were up-grading dispensaries to six bedded hospitals in phases, providing of appropriate cancer detection, cardiology/treatment, yoga facilities at different levels of hospitals, dialysis facilities in all ESIC Model Hospitals on PPP Mode, all possible pathological facilities in hospital premises by outsourcing or by up-grading, Queue Management System in every Hospital for helping in registration and pharmacy, behavioral training to para-medical and other staff of the hospitals guiding them to provide due courtesy in dealing with the patients/attendants, feedback system for all indoor patients, proper and attractive signages at the required places in all ESIC Hospitals for guidance and proper communications to the visitors, AYUSH facilities to be extended up to the dispensary level in phases, tele-medicine facilities for the beneficiaries in phases.

**B. Extending coverage of Social Security net of ESI Scheme (under ESIC 2.0)**

1. Extending the social security benefits of ESI Scheme in the remaining North-East States Arunachal Pradesh, Mizoram, Manipur and also in Andaman & Nicobar Islands. It has been implemented in Mizoram w.e.f. 1.12.2015 and in Port Blair w.e.f. 01.01.2016.
2. At present, ESI Scheme is being implemented in industrial/commercial clusters within districts. Now, the target is to cover whole of the 393 districts of the States, where these clusters are located.

3. Opening of Health Scheme for selected group of unorganized workers like rickshaw pullers/auto rickshaw drivers in selected urban/metropolitan areas, on pilot basis, has been announced.
4. ESI Coverage has been extended to Construction Workers in the implemented areas. Construction site been covered to avail benefits under the ESI Scheme w.e.f. 1st August, 2015.
5. The ESI Scheme was extended to 99 new geographical areas covering additional 89,117 employees, as per phased programme.
6. The number of Insured Persons covered under the ESI Scheme has increased to 21361880. The number of beneficiaries covered under Scheme has gone up to 82884094.

**C. Digital India – e-initiatives of ESIC**

- e-Biz Platform: ESIC is the first organization of Central Government, to integrate its services (Registration of Employers via e-Biz portal of Department of Industrial Policy and Promotion of DIPP) to promote ease of business and curb transaction costs.
- Under its flagship digital project ‘Panchdeep’ ESIC has facilitated Online Payment of ESI Contribution by the Employer, via the payment gateway of 58 other banks w.e.f. 1st April, 2015, in addition to State Bank of India.

- ESIC has launched independent Public Grievance Module 2.0 from 15.08.2015 for lodging ESIC related Grievance online through ESIC website '[www.esic.in](http://www.esic.in)' or '[www.esic.nic.in](http://www.esic.nic.in)'.
- Launch of dedicated website [www.esichospitals.gov.in](http://www.esichospitals.gov.in) for ESIC Hospitals and Dispensaries in December, 2015. This website offers a host of hassle-free features to the ESIC Insured Persons and their beneficiaries. This also includes booking of online appointment with ESIC specialist doctors for treatment on a convenient date according to location and specialties of treatment available in all 36 ESIC hospitals.

#### D. Upgrading Infrastructure

- ESIC has set up a Sub-Committee of ESIC for working out the modalities for setting up of a new structure at the State level in the form of a subsidiary Corporation in which State Govt. and Central Govt. as well as Employees' and Employers' Organizations would be duly represented.
- ESIC has taken a decision to upgrade the existing Sub-Regional office, Vijayawada as Regional Office of Andhra Pradesh. One more Sub-Regional Office at Tirupati (A.P.) will be opened.
- ESIC has decided to upgrade and take over ESIS Hospital, Pandu Nagar, Kanpur (U.P.). The Dental College building/Para-Medical College building will be converted into Super Specialty Hospital at Pandu Nagar, Kanpur.
- It has also been decided to upgrade ESI Dispensary, Digha, Patna (Bihar) into 100 bedded ESIC Hospital and shift the ESIC Model Hospital, Phulwari Sharif (Patna) at same hospital building, subject to fulfilling the criteria of land and other requirement etc.
- The Corporation has also approved the norms and standard for some ESI Dispensaries being converted into 6 and 30 bedded hospitals.

#### E. Improving Benefits and Key Indicators

- During the year under report, ESIC has disbursed `703.98 crores as benefits in cash. The number of Cash Benefit payments has gone upto 31.6 lakhs.
- During the year, an expenditure of Rs. 6112.97 crores was incurred on Medical Benefit.
- Contribution Income has increased to Rs. 11455.57 crores.
- Permanent Disablement Benefit and Dependants' Benefit Rates have been Enhancement for its Insured Persons in order to address the erosion in its real value due to inflation.
- ESIC has won International Award for 'Administrative and Operational Efficiency' at the International Forum of International Social Security Association (ISSA) in the 'ISSA Good Practice Award for Asia and the Pacific' held at Muscat, Oman from 2nd November, 2015 to 4th November, 2015. This regional competition is held every

three years and had attracted 48 entries from 16 countries.

## EMPLOYEES' PROVIDENT FUND ORGANIZATION (EPFO)

**1.19** 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. The position was further reviewed during the current year.

**1.20** 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.

**1.21** 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.

**1.22** The Employees' Provident Funds 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 to the Act. The Government of India through the Employees' Provident Fund Organization (EPFO) administers the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 and the following three Schemes framed there under:

- Employees' Provident Funds Scheme, 1952;
- Employees' Pension Scheme, 1995, and
- Employees' Deposit-Linked Insurance Scheme, 1976.

**1.23** The progress achieved by the EPF Organisation during the year 2014-15 under various areas and reforms introduced are given below:

## MEMBERSHIP

**1.24** As on 31<sup>st</sup> March, 2016, there were 9,26,297 establishments covered under the Act out of which 4,365 were exempted

establishments. The total membership (Un-exempted & Exempted) in the Employees' Provident Fund was 1,629.72 lakh with membership in the Pension Fund being 9,698.76 lakh.

## CLAIM SETTLEMENT

**1.25** During 2015-16, 118.69 lakh members' claims were settled.

## CONTRIBUTION BY MEMBERS

**1.26** Total corpus of cumulative contributions received against all three Schemes administered by EPFO so far, as on 31<sup>st</sup> March, 2016 stand at Rs.10,43,581.67 crore. During the year 2015-16, the total contributions received under all three Schemes amounted to Rs. 1, 23,043.90 crore.

## RATE OF INTEREST

**1.27** The rate of interest declared on the deposits of members to the Employees' Provident Fund was 8.80% (on monthly running balance) for 2015-16. During the year, 1732.19 lakh annual statements of accounts were issued to members of un-exempted establishments.

## COMPLIANCE

**1.28** During the year 2015-16, 3,016 prosecutions cases were launched against defaulting establishments under section 14 of the EPF & MP Act, 1952 and 10,909 cases were decided during the year. 39,879 Recovery Certificates for an amount of Rs. 950.66 crore dues under EPF Scheme were

issued under section 8 of the Act. 26,951 Recovery certificates were issued against dues of Rs.505.45 crore under Employees' Pension Scheme, 1995 and 26,299 Recovery Certificates were issued against dues of Rs. 43.38 crore under EDLI Scheme. 286 FIRs and 2 challans were filed by the police in various courts under section 406/409 of Indian Penal Code for recovery of dues from defaulting establishments.

## PENSION REFORMS

### IMPLEMENTATION OF MINIMUM PENSION PROVISION

**1.29** During the year 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.

**1.30** Immediately after the notification, necessary amendments in the application software were made to commence the payment of the revised minimum. The payment of pension with the revised minimum pension applicable has been commenced from September, 2014. The details of pensioners affected and the amount disbursed in respect of them in the year under report are as follows:

Year	No. of Pensioner affected	Amount paid as per original pension (rs. in crores)	Amount Paid as per minimum pension notification (rs. in crores)	Difference amount (rs. in crores)
2014-15	18,55,273	7,97,57,05,395	12,37,03,29,331	4,39,46,23,936
2015-16	18,34,791	14,25,29,18,832	22,46,99,59,669	8,21,70,40,837

**1.31** After implementation of the minimum pension notification the pension for all member/ widow(er)/ disabled/ nominee/ dependent parent pensioners whose original pension were less than Rs.. **1,000/-** p.m. have been fixed at the minimum of Rs. **1,000/-** p.m. Deductions on account of benefits availed by Members on the basis of choice exercised at the time of making claims like commutation, Return of Capital and Short Service are applied on the minimum pension of Rs.. **1,000/-** p.m. The determination of pension under EPS, 1995 after implementation of the minimum pension notification is in consonance with the provisions of the scheme as well as the amendments introduced thereto vide the minimum pension notification referred above. Allowing the minimum pension of Rs. **1,000/-** p.m. without regard to deduction on account of Commutation, Return of Capital etc. would be iniquitous and unfair vis-à-vis the Members / pensioners who had not taken these benefits at the time of claim and opted to take only the original pension without any optional benefits.

**1.32** The month-wise details of Pensioners benefits from minimum pension of Rs.1000/- per month for the year 2015-16.

**ACTUARIAL VALUATION OF THE EMPLOYEES' PENSION SCHEME, 1995**

**1.33** 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.

**1.34** The Central Government had earlier appointed M/s. K.A. Pandit, Consultants & Actuaries as Valuer for 14<sup>th</sup>, 15<sup>th</sup> & 16<sup>th</sup> Valuations of Employees' Pension Fund as on 31.3.2010, 31.03.2011 & 31.03.2012 respectively. The Central Government has subsequently continued with M/s. K.A. Pandit, Consultant & Actuaries as Valuer for the 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> Valuations of Employees' Pension Fund as on 31.03.2013, 31.03.2014 and 31.03.2015 respectively.

**1.35** The appointed Valuers submitted the Actuarial Valuation report for 19<sup>th</sup> valuation as on 31.03.2015, which has been forwarded to Central Government for approval on dated 27.06.2016.

The Actuarial reports have been carried out with the following base assumptions:

**Assumption Summary:**

Future Salary Rise (Active Phase)	7.00% p.a.
Future Pension Rise (Payment Phase)	0.00% p.a.
Rate of Discounting	8.00% p.a.
Attrition Rate	Age Related
Mortality Rate	Indian Assured Lives Mortality (2006-08) Ult
Pension Scheme	Employees' Pension Scheme, 1995
Maximum Pension	As per service rendered
Maximum Salary For Pension (p.m.)	Rs. 15,000 for those who are contributing at Rs.15,000 or less
Vesting Period for pensioner benefit	10 years
Normal Retirement Age	58 years
Age Difference of Spouse (assuming 50:50% employment of male and female)	0 years
Contribution Rate (Employer Share)	8.33%
Contribution Rate (Govt. Share)	1.16%
Maximum Salary For Contribution (p.m.) (Govt. Share) (For actives with current salary less than Rs. 15,000)	Rs.15,000
Maximum Salary For Contribution (p.m.) (Employer Share) (For actives with current salary less than Rs.15,000)	Rs.15,000

**1.36** In the 19<sup>th</sup> valuation report as on 31.03.2015. The Valuer has recorded in the report that net liability or Surplus of **Rs. 5,026.87 crore** as on 31.03.2015.

**1.37** The deficit as revealed in the 13<sup>th</sup> Valuation as on 31.03.2009 was Rs. **61,608 crores**, whereas in the 16<sup>th</sup> Valuation Report as on 31.03.2012, the deficit had been shown as Rs. **10,855 crore**. A decrease in valuation liability of **Rs. 50,753 crores** has been revealed in the current report as compared to 13<sup>th</sup> Valuation Report. In the 17<sup>th</sup> & 18<sup>th</sup> Valuation Report as on 31.03.2013 & 31.03.2014 the deficit has been shown as **Rs. 6,712.96 crores** and **Rs. 7,832.74 crores** respectively. Therefore, there has been a decrease in valuation liability compared to 16<sup>th</sup> valuation report.

**1.38** The valuer has suggested that the Net Surplus of **Rs.5,026.86 crores** in terms of Present Value, is less than 2.50% of the total liability and is not indicative of reduction required in contribution, though it is recommended that, EPS should look into investment return more carefully do not increase benefits without consulting Actuary and do sensitivity analysis more frequently. Also should try and capture more data which can be used for valuations. Make a detailed study of dormant account and decide on the approach and assumptions of these accounts.

### Valuation summary as on 31.03.2015

Active Members	3,45,48,189
Active Beneficiaries	51,04,395
Deferred Beneficiaries/ Dormant Accounts	9,65,21,305
Future salary rise	7.00 % p.a
Rate of Discounting	8.00 % p.a.
Present Value of all Benefits (in crores)	Rs.5,25,315,42
Present Value of Future Contributions (in crores)	Rs. 2,91,810.45
Corpus as on 31.03.2015 (in crores)	Rs. 2,38,531.84
Net Liability (Surplus) (in crores)	(Rs. 5,026.87)

### PENSION DISBURSEMENT

**1.39** 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.

**1.40** 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.

### MAJOR MODIFICATIONS/ AMENDMENTS IN THE EPS, 1995

**1.41** Following amendments in the Employees' Pension Scheme, 1995 and EDLI Scheme 1976. Have been done in the year 2015-2016.

**1) Gazette Notification No. G.S.R. 387 (E) dated 01.04.2016 regarding orphan pension.**

Monthly orphan pension: Gazette Notification No. G.S.R.387 (E) dated 01.04.2016 (The power conferred by section 6 A read with sub-section (1) of section 7 of the EPF & MP Act 1952 And EPS 1995.

G.S.R. 387(E). – In exercise of the powers conferred by section 6A read with sub-section (1) of section 7 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees' Pension Scheme, 1995, namely:-

- (i) This Scheme may be called the Employees' Pension (Amendment) Scheme, 2016.
- (ii) It shall be deemed to have come into force on the 16<sup>th</sup> day of November, 1995.

In the Employees' Pension Scheme, 1995, in paragraph 16, in sub-paragraph (4), after the proviso to clause (a), the following shall be inserted, namely:-

“(aa) The monthly orphan pension shall be payable to each orphan till such orphan attains the age of twenty-five years:

Provided that the monthly orphan pension shall be payable to an orphan beyond the age of twenty-five years, if such orphan is suffering from disorder or disability of mind or who is physically crippled or disabled.”

**2) Gazette Notification No. G.S.R. 440 (E) dated 25.04.2016 regarding 4% increase in pension for each year after the age of 58 years till 60 years**

G.S.R. 440(E). – In exercise of powers conferred by section 6A read with sub-section (1) of section 7 of the Employees’ Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees’ Pension Scheme, 1995, namely:-

1. (i) This Scheme may be called the Employees’ Pension (Second Amendment) Scheme, 2016.

(ii) It shall come into force from the date of its publication in the Official Gazette.

2. In the Employees’ Pension Scheme, 1995 in paragraph 12, after sub-paragraph (7A), the following sub-paragraph shall be inserted, namely:-

“(7B) (a) A member who has attained the age of fifty-eight years and is otherwise eligible for pension under clause (a) of sub- paragraph (1) of this paragraph, if he so desires, may be allowed to defer the age of drawing pension later than fifty-eight years but not beyond sixty years of age.

(b) In such cases as is referred to in clause (a),-

(i) the amount of pension shall be increased at the rate of four percent for every completed year after the age of fifty-eight years which shall be restricted to the wage ceiling given under the proviso to sub-paragraph (2) of paragraph 3;

(ii) the member, at his or her option, may also be allowed to continue contributions under paragraph 3 to the Employees’ Pension Fund for the period for which the drawal of pension has been deferred, if the member is continuing in employment after the age of fifty-eight years, and the pensionable service and pensionable salary for the purpose of determination of pension under sub-paragraph (2) will be reckoned taking into account the period for which contributions were made after the age of fifty-eight years but not beyond the age of sixty years;

(iii) in the event of death of the member, who has opted for deferring the age of drawing pension under this sub-paragraph, after attaining the age of fifty-eight years and before the commencement of the pension so deferred, the family of the member will be entitled to pension under clause (c) of sub-paragraph (1) of paragraph 16 from the date following the date of death of the member as if the member monthly pension had commenced on the date of death of the member.”

**3) Gazette Notification No G.S.R. 543 (E) dated 24.05.2016 regarding increasing**

**benefited to Rs. 6,00,000/- under the EDLI Scheme 1976.**

(1) In sub-paragraph (3), for clause (1), the following shall be substituted, namely:-

(i) “the average monthly wages drawn (subject to a maximum of fifteen thousand rupees), during the twelve months preceding the month in which he died, multiplied by thirty times plus fifty per cent , of the average balance in the account of the deceased in the Fund or of a provident fund exempted under section 17 of the Act or under paragraph 27 or 27 A of the Employees “Provident Funds Scheme, 1952, as the case may be, during preceding twelve months or during the period of his Membership, whichever is less, subject to a ceiling of one lakh and fifty thousand rupees, subject to a total ceiling of six lakh rupees”.

(ii) In sub-paragraph (4), for the words, brackets and figures “sub-paragraph (1), (2) or (3)”, the words, brackets and figures “sub-paragraph (1) or (2)”, shall be substituted.

## EMPLOYEES’ DEPOSIT LINKD INSURANCE SCHEME

**1.42** 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

**1.43** Insurance Scheme is applicable to all

factories/establishments to which the Act applies. All the employees who are Members of the provident fund Members of this Scheme.

## BENEFITS UNDER THE SCHEME

**1.44** The benefits under the Insurance scheme were revised as on 01.09.2014. Under the revised scheme, the benefit provided, in case of death of an employee who was member of the scheme at the time of the death, so that the family will get 20 times of the average wages of the last 12 months of the member. According to the revised scheme, maximum benefits under the scheme will now be Rs. **6,00,000/-**, as the wage ceiling up to which contribution can be paid under the scheme is Rs. **15,000/-**.

**1.45** The wage ceiling for contribution to EDLI has been enhanced vide Gazette Notification GSR No. 610(E) dated 22.08.2014 from the present amount of Rs. **6,500/-** per month to Rs. **15,000/-**. The following are the main implications.

i. The new provision introduced in paragraph 22 (4) increased the benefits under paragraph 22 of EDLI Scheme by 20% this is in addition to the benefits admissible under sub-paragraph (1) (2) & (3) of paragraph 22. The Notification will come into effect from 1<sup>st</sup> September, 2014.

ii. With the above amendments in the EDLI Scheme, 1976 the maximum quantum of benefits will increase to Rs. **6,00,000/-** w.e.f. **24.05.2016** from the present amount of Rs. **3,60,000/-**

iii. In all cases of EDLI claims where the

date of death of the member occurs on or after 01.09.2014, the benefits shall be regulated on the basis of the enhanced wage ceiling limit of Rs. **15,000/-** per month along with the admissible increase of 20% under newly introduced Sub-paragraph (4) of paragraph 22.

**1.46** In those cases of EDLI claims where the date of death of member has taken place prior to 01.09.2014 the benefits will be regulated on the basis of the wage ceiling limit of Rs. **6,500/-** per month.

## **COMPUTERIZATION PLAN OF EMPLOYEES' PROVIDENT FUND ORGANISATION**

**1.47** EPFO has embarked upon the computerization of its business activities in the recent years and has been able to achieve the standardization of the data base and work procedures in all of its field offices. While the application software developed to handle basic service area like Claim settlement, receipt and payment accounting and stabilized to a large extent has improved the operational efficiency of the Organisation, a number of portal activities had been launched prior to the year 2015-16 to provide better services to the employers and the Members. The portal activities mainly include Electronic Challan-cum-Return for employers to remit their statutory dues, Centralized software for generation of Certificate of Coverage to the EPF Members migrating to countries having Social Security Agreement (SSA) with India, Online Transfer Claim Portal for the Members changing employments and Online return of Exempted establishments to enable the exempted establishments to file an online monthly return.

**1.48** EPFO has taken this endeavour further during the year 2015-16 by using the potential of Information and Communication Technology in its business activities. The focus has not only been to improve the internal business operations but also to bring accountability and transparency. In the financial year 2015-2016, the following e-governance initiatives were taken by EPFO to provide better services to the beneficiaries and also to the employers.

### **1. SMS Services**

(a) EPFO has started a new facility i.e Short Code SMS services to the Member who have activated his UAN. Members from their registered mobile numbers send an SMS in the prescribed format at 7738299899. The format of the SMS is <<**EPFOHO UAN LAN**>>. LAN is the first three characters of preferred language EPFO sends the UAN, KYC status, last contribution, total PF balance details back to the Members on their registered mobile numbers

(b) EPFO sends regularly SMS to the Members who have activated his UAN number regarding their deposit of monthly PF contribution in their account. An SMS message is also being sent to employers that they have not deposited the monthly contribution or non-submission of returns.

### **2- Inoperative Accounts Online Helpdesk:**

A help desk is created to assist the Members to trace their inoperative accounts, which the Members can get it merged with the present account (UAN) or withdraw the same. Facility to the Members has been provided wherein Member may provide the known details of

his/her employment along with the personal details. None of the fields are mandatory except for name, date of birth and mobile number. The mobile number of the member is verified through the PIN sent on his/her mobile. A Reference ID is created for each case registered for future references.

### **3. Updation of Member Accounts:**

A new mechanism to credit the interest in Members' accounts has been developed for auto-updation of Members' accounts at the end of the financial year. On 01/04/2015, more than 15 crores accounts of the Members were updated with the credit of interest for the year 2014-15.

### **4. Mobile Application:**

By downloading the new mobile application from the EPFO website, [www.epfindia.gov.in](http://www.epfindia.gov.in), the Members would be able to activate their UAN accounts from the comfort of their mobile phones and can also access their accounts for viewing their monthly credits through the passbook as well view their details available with EPFO. Similarly the EPF pensioners have been given the facility to access their pension disbursement details through this mobile app., likewise the employer can also view their remittance details. The application has also been enabled for download on Google play store.

### **5. SMS based UAN Activation:**

It enables Members to activate their accounts by sending an SMS to process such as credit alerts, passbook etc thus further making the activation easy. Once activated, the member

7738299899 becomes eligible to all services envisaged in UAN programme. This new service is especially helpful to such Members who may not have easy access to computers or smart phones.

### **6. Missed Call service:**

EPFO has already in place a Short Code SMS service which has enabled the Members in knowing their details along with contribution and PF Balance through an SMS at 7738299899. As an extension to this service, the Missed Call service is intended to further ease the process since only a missed call at 01122901406, at no cost to the member, would provide him all the envisaged details. As this facility is available only to the UAN activated Members, such facility will speed up the UAN activation process by the Members. Since its launch about 40 lakh missed calls have been registered.

### **7. Online Registration of Establishment with Digital Signature:**

Employees' Provident Fund Organization has launched a revised process for registration wherein the employer will be able to apply online and upload the digitally signed documents at the time of application itself. On submission of the application, the code number will be immediately intimated and the code allotment letter will be available for download.

### **8. Upfront Allotment of UAN to all Employees:**

Any Citizen, even if not a member of EPF, can obtain UAN through online mode. To register for UAN, an online facility has been made available in public domain as a single page

form. There is no need for submission of any Physical Documents and only little information like KYC, contact and Bank details are required. UAN would be sent on the mobile number of the applicant through SMS. This facility has been launched on 09.12.2015.

**9. Facebook and Twitter Handle for EPFO:**

With help of Facebook and Twitter the stakeholders would have another medium through which they can put their grievances, ideas and messages directly to EPFO. Further, these platforms would be used by EPFO to inform Members and employers about everything that is going on. All information about new and upcoming initiatives / facilities / services

would be given through these platforms apart from the various other mediums like print advertisement, SMSs etc. Apart from being another medium of communicating with the employees as well as the employers, this facility would also be used for getting feedback on different aspects of service delivery and working of EPFO. . Members can find EPFO on the social networking platform at **www.facebook.com/socialepfo** and **www.twitter.com/socialepfo**. EPFO is looking forward for the consolidation of the existing IT landscape, whereby 120 databases relating to field office application and multiple portal data-base shall be consolidated.

**BRICS India 2016 under Indian Chairmanship**



**Adoption of BRICS Labour and Employment Ministers’ Declaration by Labour and Employment Ministers of BRICS Nations on 28th September 2016, Hotel Taj Palace, New Delhi**

**1.49** India assumed the Chairmanship of BRICS forum in 2016. Ministry of External Affairs had included meetings/events in the BRICS Events Calender in order to make BRICS people-centric

and enhancing people-to-people contacts especially youth. These meetings/events were organised by various Ministries/Departments across the country to showcase India.

**1.50** Ministry of Labour & Employment had organized BRICS 1<sup>st</sup> Employment Working Group (EWG) Meeting at Hyderabad on 26<sup>th</sup>-27<sup>th</sup> July, 2017 and the agenda for BRICS Ministerial Meeting as well as draft points for Ministerial Declaration was discussed. The BRICS Labour and Employment Ministerial meeting took place on 27<sup>th</sup>-28<sup>th</sup> September, 2016 in New Delhi. A Ministerial Declaration was adopted at the end of two day deliberations which were attended by representatives/Ministers of BRICS Nations and representatives of ILO and

ISSA took part in the event. The Declaration covered issues, including employment generation, skilling of workforce, social security, transition to formality, networking of BRICS lead labour and research institutes and sharing best practices in implementing policies and programmes to encourage innovation and entrepreneurship for employment generation. The Ministerial meeting was preceded by meeting of the 2<sup>nd</sup> Employment Working Group on 26<sup>th</sup> September, 2016.

**REGIONAL LABOUR CONFERENCES with State Labour Ministers /Labour Secretaries.**



Regional conference held on 24.01.2017



Shri Bandaru Dattatreya, Hon'ble MoS for Labour & Employment, chaired the technical session of the Regional Labour Conference in Guwahati.



Shri Bandaru Dattatreya, Hon'ble MoS for Labour & Employment, chaired the technical session of the Regional Labour Conference in Chennai.

**1.51** The present Government has widened the scope of continuous engagement of Consultations among the stakeholders for inclusive labour policy formulation at regional and state level. The Regional Labour Conference of Eastern Region States under the chairmanship of Shri Bandaru Dattatreya, Hon'ble Minister of State for Labour and Employment (Independent Charge) was held in Bhubaneswar on 20<sup>th</sup> September, 2016. The Conference was attended by Labour Ministers and senior officers from Central, State Governments / UT Administrations of Eastern Regions. This has helped in understanding the regional level problems of workers and employers. The Union Minister emphasized for social security measures in eastern states like Odisha, Chhatisgarh, Jharkhand, West Bengal in larger prospective.

## INDUSTRIAL RELATIONS

**1.52** Maintenance of harmonious industrial relations remains an avowed objective of Ministry of Labour & Employment. Due to constant endeavor of the Industrial Relations Machineries of both the Centre and the States, the overall industrial relations climate has generally remained peaceful and cordial. While the number of incidences of strikes and lockouts reported during 2011 were 370, these figures stood at 50 (Provisional) up to September, 2016 and have exhibited a declining trend over this period. Similarly, the figures for mandays lost were 14.46 million in 2011 and 0.58 million (Provisional) up to September, 2016.

**1.53** As regards the spatial / industry wise dispersion of the incidences of strikes and lockouts, there exist wide spread variation among different States/UTs. Wage & Allowance, Bonus, Personnel, Retrenchment, Indiscipline & Violence and Others are major reasons for these strikes and lockouts.

**1.54** 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. 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.

**1.55** Further, the two Industrial Tribunals at Mumbai (No.1) and Kolkata also function as National Tribunals. During the period 2016-17 (up to 31.10.2016), a total number of 1301 cases and 353 applications were disposed of by these CGIT-cum-Labour Courts.

**1.56** In order to reduce pendency of cases Lok Adalats are being organized by the CGIT-cum-Labour Courts as an alternate grievance redressal mechanism. During the period from April, 2016 to December, 2016, forty-two (42) Lok Adalats were held wherein one hundred two (102) cases were settled. The process of Lok Adalat provides a platform for settlement

of industrial disputes through mutual consent and agreement between the litigant parties. Therefore, organization of Lok Adalats and number of cases settled therein varies accordingly.

**CHILD LABOUR**

**1.57** 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, it is following a robust multi-generation schemes.

The objective is to 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.



Smt. M. Sathiyavathy, Secretary, L&E, gave welcome speech at a Tripartite Consultation Meeting (which includes Child Labour Prohibition Amendment Rules) at New Delhi.

**POLICY ON CHILD LABOUR**

**1.58** 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

**1.59** Under the Legislative Action Plan, the Child Labour (Prohibition & Regulation) Act, was enacted in 1986. As per the provisions of the Act, the employment of children below the age of 14 years was prohibited in 18 occupations and 65 processes. Now the Government has enacted the Child Labour (Prohibition & Regulation) Amendment Act, 2016, which came into force w.e.f. 01.09.2016. The Amendment inter-alia covers the 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 in the areas of high concentration of child labour

**1.60** 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 270 districts in the country. Under the Scheme, working children are identified through child labour survey, withdrawn from work and put into the special training centres so as to provide them with an environment to subsequently join mainstream education system. In these Special Training Centres, besides formal education, the children are

provided stipend, supplementary nutrition, vocational training and regular health check-ups.

**1.61** 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.

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

**1.62** With the enactment of Right to Education Act, 2009, there was 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.

**# The name of “the Child Labour (Prohibition & Regulation) Act, 1986” mentioned at Sl. No. 13 of the list of Central Act provided in Chapter 1 has been replaced with “the Child and Adolescent Labour (Prohibition & Regulation) Act, 1986” w.e.f. 01.09.2016.**

### THE MINIMUM WAGES ACT, 1948

**1.63** 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 payment of minimum wages to workers in respect of scheduled employments under their respective jurisdictions. There are 45 scheduled employments in the Central Sphere and as many as 1709 in the State Sphere. The enforcement of the Minimum Wages Act, 1948 is ensured at two levels. While in the Central Sphere, the enforcement is done through the Inspecting officers of the Chief Labour Commissioner (Central) commonly designated as Central Industrial Relations Machinery (CIRM), the compliance in the State Sphere is ensured through the State Enforcement Machinery.

**1.64** 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 Stats/UT Administrations, 26 of them have made VDA as a component of minimum wages. Both Central and State Governments are revising the minimum wages in respect of these scheduled employments from time to time. In the Central sphere, the rates were last revised w.e.f. 01.10.2016.

**1.65** 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. 137/- to Rs.160/- per

day with effect from 01.07.2015. It, however, needs to be noted that the National Floor Level Minimum Wage, is a Non-statutory measure.

## THE PAYMENT OF WAGES ACT, 1936

**1.66** The Payment of Wages Act, 1936 ensures timely payment of wages and that no unauthorized deductions are made from the wages of the workers. In exercise of the powers conferred by sub-section (6) of Section 1 of the Act, the Central Government, on the basis of figures of the Consumer Expenditure Survey published by National Sample Survey Office, has enhanced the wage ceiling from Rs. 10,000/- to Rs. 18,000/- per month w.e.f. 11.09.2012.

**1.67** The Payment of Wages (Amendment) Bill, 2016 has been introduced in the Lok Sabha on 15<sup>th</sup> December, 2016 to substitute section 6 of the Payment of Wages Act, 1936 so as to enable the employer to pay the wages to the employed person also by cheque or crediting it to their bank account and also to enable the appropriate Government to specify the industrial or other establishments, by notification in the Official Gazette, which shall pay to every employed person, the wages only by cheque or by crediting in his bank account. As the Bill could not be passed, the Payment of Wages (Amendment) Ordinance, 2016 has been promulgated on 28.12.2016.

## Occupational Safety and Health (OSH)

**1.68** The provisions on Occupational Safety & Health (OSH) of workers as provided for in the Constitution of India are being implemented through the offices of Directorate General

of Mines Safety (DGMS) and the Directorate General of Factory Advice Service & Labour Institutes (DGFASLI).

**1.69** The DGMS enforces the safety and health provisions for the workers in the mining industry through its Inspectors appointed under the Mines Act, 1952. The DGFASLI, through its Inspectorate of Dock Safety enforces safety provisions in the Docks and also acts as the coordinating Agency at the national level for the Inspectorate of Factories functioning under different State Governments.

**1.70** Some of the important events/initiatives in the area of OSH are:-

- (i) Every year, Ministry of Labour & Employment distributes awards viz. Prime Minister's Shram Awards, National Safety Awards & Vishwakarma Rashtriya Puraskar and National Safety Awards (Mines) to workers.
- (ii) **The Prime Minister's Shram Awards** are given to the workers employed in Department/Public Sector Undertakings of the Central and State Governments and the manufacturing units employing 500 or more workers in the private sector in recognition of their performance, devotion to duty etc. The Prime Minister's Shram Awards for the year 2014 has been finalized. The nominations for Prime Minister's Shram Awards for the year 2016 is in the initial stage of processing.
- (iii) **The Vishwakarma Rashtriya Puraskars (VRP)** are given to individual workers or group of workers for their outstanding

suggestions leading to improvement in productivity, safety and health as well as the import substitution resulting in the savings of foreign currency. The National Safety Awards (NSA) are given in recognition of good safety performance on the part of the industrial establishments covered under the Factories Act, 1948, the employers covered under the Dock Workers (Safety, Health and Welfare) Act, 1986 and Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996. Vishwakarma Rashtriya Puraskar (VRP) & National Safety Awards (NSA) function was organised at Sirifort Auditorium, New Delhi on 16<sup>th</sup> September 2016..

- (iv) **The National Safety Award (Mines)** are given at the national level in recognition of outstanding safety performance in mines covered under the Mines Act, 1952. The National Safety Awards (Mines) for the year, 2011 & 2012 were distributed on 20.03.2015 by Hon'ble President of India. The meeting for finalization of list of awardee for National Safety Awards (Mines) for the contest years 2013 & 2014 has been conducted on 20<sup>th</sup> October, 2016 at Dhanbad. The list of awardee shall be finalised in the next National Safety Award Committee meeting.

## Plan Outlay

**1.71** The Ministry implemented a few Plan Schemes for the Welfare and Development of Labour during the Twelfth Five Year Plan. Emphasis of these programmes is on Elimination of Child Labour, Abolition and

Rehabilitation Bonded Labourers and Health Insurance. The important schemes are Social Security for Unorganized Workers and National Child Labour Project (NCLP).

**1.72** The Planning Commission provided an outlay of Rs. 13,223 Crore for the Plan Schemes of the Ministry of Labour & Employment during the Twelfth Five Year Plan (2012-17). The year-wise details of the Scheme Outlays and Expenditure are given in Table 15.1 of Chapter 15.

### 1.73 Research & Training

#### (a) DATTOPANT THENGADI NATIONAL BOARD FOR WORKERS EDUCATION AND DEVELOPMENT

1. The Dattopant Thengadi National Board for Workers Education and Development (erstwhile CBWE) established in 1958 to 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.
2. 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.
3. With headquarters at Nagpur, the Board has a network of 50 Regional and 8 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.

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

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

- 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 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.

### INTERNATIONAL COOPERATION



MOS (IC) addressing 105<sup>th</sup> Session of ILO at Geneva

#### **1.74 105<sup>th</sup> SESSION OF INTERNATIONAL LABOUR CONFERENCE OF ILO AND 327<sup>th</sup> SESSION OF GOVERNING BODY OF ILO –**

India is the founder member of ILO and has actively contributing to evolution of global policy on labour welfare. The 105<sup>th</sup> Session of the International Labour Conference (ILC) of ILO and 327<sup>th</sup> Session of Governing Body was held from 30<sup>st</sup> May to 11<sup>th</sup> June, 2016 in Geneva. A high level Indian Tripartite Delegation led by Shri Bandaru Dattatreya, Hon'ble Minister of State for Labour & Employment (Independent Charge) attended the ILC. Besides officials from Ministry of Labour & Employment, the delegation included 9 representatives each from Workers (Central Trade Union Organizations) and Central Organization of employers' side in the ILC. The Conference was followed by 327<sup>th</sup> Session of the Governing Body meeting of ILO.

**1.75** Various Ministers, Vice-Ministers and Deputy Ministers accredited for participation in this ILC. Heads of States and Governments with participants representing governments, employments and workers from the ILO Member States attended the conference. 332 Government and Governments with participants representing governments, employments and workers from the ILO Member States attended the conference. 332 Government delegates, 164 Employers' delegates and 165 Workers' delegates- a total of 661 delegates were accredited to the Conference. In addition, 1051 Government Advisers, 543 Employers' advisers and 732 Workers' advisers = a total of 2326 advisers are accredited to the Conference. A total of 2987

delegates and advisers have been nominated to take part in the work of the Conference in conformity with the provision of the ILO Constitution.

#### **1.76 G-20 LABOUR AND EMPLOYMENT MINISTRIES' MEETING ON 11<sup>th</sup>-13<sup>th</sup> JULY, 2016 IN BEIJING, CHINA -**

An Indian delegation under Shri Bandaru Dattatreya, Minister of State for Labour and Employment (Independent Charge) and Shri Shankar Aggarwal, the then Secretary (Labour & Employment) attended G-20 Labour and Employment Ministers' meeting on 11<sup>th</sup>-13<sup>th</sup>, July, 2016 in Beijing, China. A G-20 Labour & Employment Ministers declaration was adopted at the end of the meeting.

#### **1.77 BRICS EMPLOYMENT WORKING GROUP MEETINGS AND BRICS LABOUR AND EMPLOYMENT MINISTRIES' MEETING UNDER INDIAN CHAIRMANSHIP, 2016 -**

As a part of India's BRICS Chairmanship, BRICS 1<sup>st</sup> Employment Working Group Meeting was held in Hyderabad during 26<sup>th</sup>-27<sup>th</sup> July, 2016. The BRICS Labour and Employment Ministerial meeting took place on 27<sup>th</sup>-28<sup>th</sup> September, 2016 in New Delhi. The Ministerial meeting was preceded by meeting of the 2<sup>nd</sup> Employment Working Group on 26<sup>th</sup> September, 2016, which functions at senior level officers and sets the agenda for Ministerial meeting as well as Ministerial Declaration.

#### **1.78 16<sup>th</sup> ASIA PACIFIC REGIONAL MEETING OF ILO -**

The 16<sup>th</sup> Asia Pacific Regional Meeting of International Labour Organization was held

during 6<sup>th</sup>-9<sup>th</sup> December, 2016 in Bali, Indonesia. A tripartite delegation from India led by Shri Manish Kumar Gupta, Joint Secretary along with, Shri Rajit Punhani, Joint Secretary and two members each from Workers Groups and Employers Groups attended the meeting.

## SWACHH BHARAT MISSION

**1.79** The Ministry of Labour and Employment has been implementing Swachh Bharat Mission activities with all efforts to achieve the target set by this Ministry in its annual action plan for implementation of Swachh Bharat Abhiyan started on 25<sup>th</sup> September, 2014 pursuant to Prime Minister's call for nationwide "Swachh Bharat Campaign" and to be continued till 2<sup>nd</sup> October, 2019.

**1.80** The Ministry celebrated International Labour Day on 1<sup>st</sup> May, 2016, by way of initiating a cleanliness drive in the first fortnight of May, 2016 (1<sup>st</sup>-15<sup>th</sup> May) in all ESIC hospitals, dispensaries, factories, manufacturing premises. Further, all concerned Bureau Heads of all Attached and Subordinate bodies were asked to take appropriate action for drawing & implementing an effective action plan for cleaning of respective premises & establishments, particularly for providing sanitation facilities. The Office of Chief Labour Commissioner (Central) was requested to issue directions to establishments under Central Sphere for observing cleanliness drive during the said fortnight to commemorate Labour Day.

**1.81** In the Main Ministry, cleanliness drive was carried out during the pakhwadas 16<sup>th</sup> -31<sup>st</sup> May, 2016 and 1<sup>st</sup> - 15<sup>th</sup> October, 2016.

**1.82** An intensive cleanliness drive was carried out in the Shram Shakti Bhawan and Jaiselmer House. During the drive, officers were nominated floor wise for day-to-day monitoring of cleanliness in the building and outside premises. Besides a team under the chairmanship of nodal officer, DS (Adm) was constituted for overall implementation of drive during the drive period and thereafter. The activities included:

- Continued personal monitoring of all cleanliness activities by the Joint Secretary level officers.
- Personal inspection by Hon'ble Minister/ Secretary (L&E) on different occasions.
- Special drive for weeding out of old files / records in the sections.
- Removal of extra / broken furniture items and records from the Corridors.
- Proper cleaning of the Parking lot and open lawn/ premises area for maintaining cleanliness and avoidance of accumulation of debris/malbathrere.
- Swachh Bharat logo / quotations are being displayed on official publications viz. Diary, Spiral Pads, File covers etc.
- Pruning and beautification of plants outside and inside the building premises are being done at regular intervals to give a clean and better look of the building.
- Cleaning activities and making other provisions to ensure hygienic conditions in departmental Canteen.

- Regular cleaning of library and store room to maintain cleanliness and hygiene.

**1.83** Action Plans for the First year of campaign and for the rest period upto 2019 have been drawn. The activities are being followed as specified in the Action Plans.

**1.84** Swachhta Action Plan (SAP) of the Ministry for the year 2017-18 incorporating the proposed budget of the Ministry was conveyed to the Ministry of Drinking Water and Sanitation..

**1.85** All the 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.

**THE RIGHT TO INFORMATION ACT, 2005**

**1.86** 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.

**1.87** In pursuance of the provisions contained in the Right to Information Act 2005, action has been taken for the implementation of the Act in various Public authorities under the aegis of Ministry of Labour & Employment. It includes dissemination of information in public domain

relating to the particulars of organisation, 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.

**1.88** The Ministry has also set up a Central RTI Cell, headed by a Nodal Officer where the RTI applications from the citizens are received. During the year 2016-2017 (Up to December, 2016), 3681 applications (Manually and Electronically) were received in Main Secretariat, Ministry of Labour & Employment.

Year	RTI Applications Received
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

Year	RTI Applications Received
2015-2016	4275
2016-2017 (as on 31.12.2016) (Manually and Electronically)	3681

**1.89** During the period from April-December, 2016, 11 applicants for the year 2015-2016 have gone to Central Information Commission (CIC) in the form of second appeal, in which CIC has upheld the decision of Appellate Authority in almost all cases.

**Activities of Directorate General of Employment**

**1.90** The Directorate of Employment of DGE is responsible for the employment related activities in the ministry of Labour & Employment.

**1.91** ‘Employment’ being concurrent subject, both Central and State Governments share the responsibility. Laying down of policies, procedures, standards, norms, guidelines, are the responsibility of the Central Government whereas the administration of Employment Exchanges rests with the respective State Governments/Union Territories. Most of the States have Directorates of Employment located in the State capitals. In addition to these activities, DGE also runs training institutions to meet the training needs of specific target groups.

**1.92** Twenty four **National Career Service Centers (NCSCs) for Schedule Caste/ Schedule**

**Tribes** (erstwhile CGCs) have been set up in 24 States. Vocational Guidance and training in confidence-building 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 National Career Service Centers. These Centers have also arranging Pre-Recruitment Training Programmes for SC/ST candidates to improve their employability through competitive examinations conducted by Staff Selection Commission and other Recruitment Boards for Group ‘C’ and equivalent posts. During 2016-2017, till November, 2016, 10126 candidates could make use of facilities provided at NCSCs to practice typing and shorthand and 711 candidates participated in the Pre-Recruitment Training Programme organized by NCS Centers.

**1.93** Twenty One **National Career Service Centers for Differently Abled** (NCSCDA) (Erstwhile VRCs) have been functioning in the country, out of which, one Centre at Vadodara has been set up exclusively for women with disabilities. One NCSCDA at Ranchi has been established during 2013-14 and in the process of operationization. These Centres evaluates 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.

**Box 1.1**

**LIST OF CENTRAL ACTS**

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

30.	The Personal Injuries (Compensation Insurance) Act, 1963 <b>**</b> (Repealed)
31.	The Personal Injuries (Emergency Provisions) Act, 1962 <b>**</b> (Repealed)
32.	The Plantations Labour Act, 1951
33.	The Sales Promotion Employees (Conditions of Service) Act, 1976
34.	The Trade Unions Act, 1926
35.	The Weekly Holidays Act, 1942 <b>*</b> (Under Repeal)
36.	The Working Journalists and Other Newspapers Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955
37.	The Children’s (Pledging of Labour) Act, 1938 <b>**</b> (Repealed)
38.	The Workmen’s Compensation Act, 1923 (now renamed as the Employee’s Compensation Act, 1923)
39.	The Employment Exchange (Compulsory Notification of Vacancies) Act, 1959
40.	The Bonded Labour System (Abolition) Act, 1976
41.	The Beedi and Cigar Workers (Conditions of Employment) Act, 1966
42.	The Employers Liability Act, 1938 <b>**</b> (Repealed)
43.	The Unorganized Workers Social Security Act, 2008
44.	The Working Journalists (Fixation of Rates of Wages) Act, 1958

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 the State governments are competent to enact legislations subject to certain matters being reserved for the Centre. (Box 2.1)

Box 2.1	
ALLOCATION OF SUBJECTS	
<b>Union List</b> Entry No. 55- Regulation of labour and safety in mines and oil fields.	<b>Concurrent List</b> Entry No.22- Trade Union; 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, Objectives, Personnel, Organizational Set Up (Bureau Heads) 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.

**OBJECTIVES**

1. Enhancing welfare and social security provisions for unorganised sector workers
2. Providing social security to organised sectors workers
3. Eliminating child labour from hazardous occupations and processes
4. Promoting skill development
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

## PERSONNEL

**Shri Bandaru Dattatreya** has taken over the charge of the Minister of State (Independent Charge), Labour and Employment w.e.f. 09.11.2014.

**Smt. M. Sathiyavathy, IAS (AGMUT:82)** has taken over the charge of Secretary (L&E) w.e.f. 01.10.2016 in place of Sh. Shankar Aggarwal, IAS(UP:80), Secretary (L&E) who retired from Government Service on attaining the age of superannuation on 30.09.2016.

### Organizational Set up (Bureau Heads)

#### Main Secretariat

**Shri Heera Lal Samariya, IAS (TG:85)** has taken over the charge of Additional Secretary (L&E) w.e.f. 12.08.2015. He is looking after the work of Chief Vigilance Officer, all legal matters, Social Security Division, Convergence of Social Security Scheme for unorganized worker including single data / single card, Organization of all Regional/Zonal meeting of the Ministry, Overall incharge of Parliamentary matters, Organizing of all Regional / Zonal Meeting of the Ministry and IT and NIC matters. He is also functioning as Directorate General of Employment. He is a special invitee to all statutory or advisory Boards/Committees/ Meetings of the Ministry where he is not a member. Performing other special tasks allotted by Secretary (L&E).

**Shri Arun Goel, IAS (PB:1985)** has taken over the charge of Additional Secretary and

Financial Advisor w.e.f. 01.11.2016 in place of Smt. Meenakshi Gupta, the then JS & FA. He 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 Plan/Non-Plan Expenditure of Ministry.

**Shri K.M. Gupta (IES : 1982)** has taken over the charge of Senior Labour and Employment Financial Adviser w.e.f. 03.01.2017 in place of Sh. P.P. Mitra (IES : 1979). He is looking after the work of Economic and Statistical Analysis (ESA) (Labour Bureau), Wage Broad, Wage Cell, Disaster Management and Planning Unit.

**Shri Rajeev Arora, IAS (HY : 1987)** is holding the post of Joint Secretary w.e.f. 11.05.2016. He is looking after the work of Employee's State Insurance Corporation (ESIC), V.V. Giri National Labour Institute (VVGNI), Media Cell, all matters relating to Industrial Relations including Appellate Authority for Railways (HOER), Child and Women Labour and Coordination/2nd National Commission on Labour (NCL).

**Shri Manish Gupta, IAS (UT:1991)** is holding the post of Joint Secretary w.e.f. 03.11.2014. He is looking after the work of Labour Conference (LC) /ILAS, Shram Suvidha Portal, Social Security **excluding Employees' State Insurance Corporation (ESIC) and Employees' Provident Fund Organisation (EPFO)**, Central Board for Workers' Education (CBWE) and Additional charge of Financial Advisor (EPFO).

**Shri Rajit Punhani, IAS (BH:1991)** has taken over the charge of Joint Secretary & Director

General of Labour Welfare w.e.f. 01.09.2016. He is looking after the work of Labour Welfare – Rural and Unorganized Labour, Bonded Labour except Building and other Construction Workers (BOCW), Residual work of RSBY, All aspects related to Unorganised Workers Social Security Act **including** registration of the workers and issue of card to them, DBT, BOCW Act, 1996 And BOCW's Welfare Cess Act, 1996, Member on the General Council of Indian Sign Language Research and Training Centre (ISLRTC) and Direct Benefit Transfer.

**Shri R.K. Gupta, (CSS)** has taken over the charge of Joint Secretary w.e.f. 01.08.2016. He is looking after the work of Administration, Central Labour Service & matters relating to EPF & MP Act / EPFO, Labour Laws Reforms including small factories bill and Nodal officer for AVMS (ACC Vacancy Monitoring System), Bhavishya, e-Sparrow, e-Anubhav, Swachh Bharat Mission, APARs and Coordinating with DAPRG, NIC and UNDP consultants for populating electronic service provided by Ministry on national e-Governance services portal of India.

**Dr. D. Chaudhuri** is holding the post of DDG w.e.f. 02.09.2013. He is looking after the work of Wage Board, Wage Cell and ESA (Labour Bureau) and Parliament Unit and reporting to AS (L&E).

**Shri Devender Singh** has assumed 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 & VII CPC, Industrial Safety & Health Division – matters related to Factories Act and Mines Act. He is also Chief Information Security Officer and reports to AS (L&E).

### **Office of Director General & Employment (DGE)**

**Shri Pravin Srivastava, ISS (1983)** is holding the post of Deputy Director General (Employment) since 05.04.2013.

### **Office of Chief Labour Commissioner (Central) {CLC(C)}**

**Shri Anil Kumar Nayak, IOFS (1986)** has assumed the charge of the post of Chief Labour Commissioner(Central) w.e.f. 12.08.2015.

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

**Shri Deepak Kumar, IAS (BH:84)**, has taken over the charge of Director General of ESIC w.e.f. 31.07.2015.

### **Employees' Provident Fund Organisation (EPFO)**

**Shri V.P. Joy, IAS (KL:1987)** has assumed the charge of Central Provident Fund Commissioner of EPFO since 01.03.2016.

### **Structure and Formation**

**2.4** The Ministry has the following attached and subordinate offices, autonomous organizations, adjudicating bodies and arbitration body.

## ATTACHED OFFICES

### Directorate General of Employment (DGE)

**2.5** This Office is responsible for laying policies, standards, norms and guidelines throughout the country for coordinating employment related services.

### 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 (DGFASLI)

**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 statistical and other information regarding employment, wages, earnings, industrial relations, working conditions etc. It also compiles and publishes the Consumer Price Index Numbers for industrial and agricultural / rural workers.

## 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 BODIES

### Central Government Industrial Tribunals-cum-Labour Courts (CGIT-cum-LCs)

**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. 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)

**2.16** The Government of India had introduced in 1966 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.

**2.18** Under the Joint Consultative Machinery (JCM) Scheme, the Board of Arbitration (BOA) was set up in July, 1968. The Board consists of a Chairman and two other members. The Chairman is an independent person and is selected by the Minister of Labour (with approval of ACC etc. as required). The other two members are also selected by the Minister of Labour at the time of referring the disputes to the Board of Arbitration, one from of a panel of names from the Staff Side and one from a similar panel from the Official Side. The Board of Arbitration (BOA), provides for a mechanism for amicable, peaceful and just settlement of

disputes between the Government and its employees, when there is a final disagreement in the JCM forum between the Official Side and the Staff Side on any arbitrable matter/issue concerning any class or grade of employees in common. Subject to the overriding authority of the Parliament, the recommendations of the BOA are binding on both sides. The post of Chairman, Board of Arbitration (BOA) is presently lying vacant since 01.12.2005.

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

**2.19** 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: -

**2.20** Labour policy (including wage policy) and legislation, safety, health and welfare of labour, Social Security of labour, policy relating to special target groups 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)

**2.21** The Central Labour Service (CLS) was constituted with effect from 3<sup>rd</sup> February 1987 to ensure harmonious industrial relations,

welfare of labour and enforcement of labour laws. Consequent upon the Cadre Review, the Central Labour Service (CLS) was notified as an organized service in the year 2004.

**2.22** The factories and mines employing 500 or more workers and plantations employing 300 or more workers are required to appoint prescribed number of welfare officers under the relevant statutes. The CLS officers appointed as Assistant Labour Commissioners (C), 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 and implementation of labour laws in industries and establishments in respect of which Central Government is the appropriate Government.

**2.23** The officers of CLS appointed as Assistant Welfare Commissioner (C), Deputy Welfare Commissioner (C) and Welfare Commissioner(C) in the Welfare Organisation of the Ministry of Labour and Employment under the Director General (Labour Welfare) administer the Welfare Funds for beedi, Cine and certain categories of non-coal mine workers. By assisting in resolution of workers' grievances, these officers prevent them from escalating into industrial disputes.

**2.24** The Labour Welfare Commissioners (Central), Dy. Labour Welfare Commissioners (Central) and Assistant Labour Welfare Commissioners (Central) are required to play an important role in promoting and

maintaining harmonious industrial relations in the establishment in which they are posted. They are also required to help the respective managements in shaping and formulating labour and welfare policies and also communicating the same effectively to the workers. They are to serve as an effective communication link between the management and the workers. They discharge statutory functions and they also advise and assist the management of the concerned establishments in the areas of safety, health and welfare of workers etc.

**2.25** Consequent upon the 2<sup>nd</sup> Cadre Review of the Central Labour Service (CLS), the present Cadre strength of the Service in various grades is 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.

**2.26** The policy/guidelines for transfer/posting of Officers of Central Labour Service to ensure transparency and rotation amongst three Streams viz. Central Industrial Relations Machinery (CIRM) headed by Chief Labour Commissioner (Central), Welfare Wing headed by Director General Labour Welfare and Labour Welfare Wing in the Factory/Industrial Establishments was revised in accordance to the instructions of the Department of Personnel & Training and in compliance to the directions of the Hon'ble Supreme Court of India.

### **PARLIAMENT UNIT:**

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

- To receive all notices of Starred/Un-starred 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 instruct 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 conduct meetings of the Consultative Committee attached to this Ministry throughout the year as per convenience of Hon'ble Labour & Employment Minister. During this year, three meetings of the Consultative Committee were held respectively on 05.01.2016, 14.06.2016 and 01.12.2016 (till December, 2016) under the Chairmanship of Hon'ble Minister of State (Independent Charge) for Labour & Employment.

**The issues discussed in these meetings were:-**

- (i) Functioning of DGMS and DGFASLI (held on 05.01.2016 at Parliament House Annexe, New Delhi)
- (ii) Issues of Contract Workers (held on 14.06.2016 at Goa)

(iii) Up-gradation of ESIC Dispensaries/ Hospitals (held on 01.12.2016 at Parliament House Annexe, New Delhi)

**Career Management & Training (CMT)**

**2.28** Training Circulars received from Department of Personnel and Training/ ISTM are being circulated from time to time and interested Officials/Staff send their Nomination Form. Admin. Division processes these Nominations Forms and forwards these to ISTM and Other Training Institute for further action on their part.

**FINANCE WING**

**2.29** 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 Joint Secretary & Financial Adviser and Chief Controller of Accounts. JS&FA is the Head of Budget and Finance and the Chief Controller of Accounts (CCA) is the Head of the Accounting Organization in the Ministry of Labour & Employment.

**Integrated Finance Division**

**2.30** Integrated Finance Division is headed by the Financial Adviser in the Ministry. DS (F) assists the Financial Adviser on all matters relating to tendering financial advice.

**2.31** As provided in the Appendix II of DFPRs, IFD, headed by JS&FA, carries out the following functions:-

- To advice 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 ensure that the schedule for preparation of budget is adhered to by the Ministry and that the budget is drawn up according to the instructions issued by the Ministry of Finance from time to time;
- To scrutinize budget proposals before submission to the Ministry of Finance;
- To closely associate with the formulation of Scheme and important expenditure proposals from the initial stages;
- To closely Associate with the evaluation of progress and performance of projects and continuing 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,

**2.32** During the year 2016-17, all budget and accounts matters were attended to within the time schedule prescribed. By careful scrutiny of proposals, it was ensured that the expenditure conformed to budgetary appropriations, rules and regulations prescribed by the Finance Ministry and was consistent with the objectives of the relevant schemes/programmes. The

guidelines with regard to fiscal prudence and austerity in expenditure Management as prescribed by the Department of Expenditure, Ministry of Finance were also ensured.

**2.33** 13 (thirteen) Memoranda for SFC/EFC were examined in IFD and views/comments/ concurrence as required in each case were offered.

## OFFICIAL LANGUAGE

### Progressive use of Hindi

**2.34** 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 2016-17. 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 the routine work of the Ministry.

**2.35** Hindi Fortnight was observed during 16<sup>th</sup>-30<sup>th</sup> September, 2016 to promote the use of Hindi in the Ministry. On this occasion, nine 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

**2.36** The Hindi work is done on computer by the Hindi Division. 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.

**2.37** 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 were organized .

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

**2.38** The following 18 schemes [12 cash transfer and 6 in-kind transfer] have been selected under the DBT Program:

**CASH TRANSFER SCHEMES**

Sl. No.	Name of the Scheme
1	Scholarship to the Children of Beedi Workers
2	Scholarship to the Children of Cine Workers
3	Scholarship to the Children of Iron / Manganese / Chrome Ore Workers
4	Scholarship to the Children of Lime Stone and Dolomite Workers
5	Housing Subsidy to Beedi Workers
6	Housing Subsidy to Iron / Manganese / Chrome Ore Workers
7	Housing Subsidy to Lime Stone and Dolomite Workers
8	Stipend to Children in Special Schools under National Child Labour Project (NCLP)
9	Stipend to Trainees under the Scheme of Welfare of SC/ST Job-Seekers through Coaching, Guidance & Vocational Training (CGC)
10	Stipend to Differently Abled Candidates under the Scheme of Vocational Rehabilitation Centres for Handicapped (VRCs)
11	Rehabilitation Assistance under the Scheme of Rehabilitation of Bonded Labour
12	Grants to Central Board for Workers Education (CBWE)

## In-Kind Transfer Schemes

Sl. No.	Name of the Scheme
1	Grants-in-Aid to Voluntary Agencies for Child and Women Welfare
2	Grants-in-Aid to Research and Academic Institution for Undertaking Research Studies
3	Grants to VV Giri National Labour Institute (VVGNI)
4	Employees Pensions Scheme
5	Family Pension-cum-Life Assurance and Deposit Linked Insurance Schemes for the Plantation Workers in Assam
6	Pradhan Mantri Rojgar Protshan Yojana (PMRPY)

**2.39** In case of cash transfer, all benefits to the eligible beneficiaries under the selected 10 DBT cash schemes will be made from the Ministry directly into the Aadhaar Seeded Bank Accounts of the Beneficiaries through Public Financial Management System (PFMS) only.

**2.40** In case of in-kind transfer wherein cash transfer in individuals' bank account is not involved, Aadhaar Numbers of the beneficiaries availing benefits under the scheme will be obtained and kept in a separate database for eliminating duplication.

## Action Taken Notes on CAG & PAC Audit Paras

2.41 The details are given in the Table below:

S.No.	Report No. & Year	Para No.	Brief Subject	Present Status
1	18 of 2015	11.1	Implementation of Welfare Schemes	DGLW has sent revised ATN to O/o DGA (CE) vide its letter dated 01.12.2016. The same has been uploaded on APMS Portal.
2	PA 40 of 2015	Entire Report	Performance Audit on Medical Education Projects of Employees State Insurance Corporation.	SS-I Section has sent revised ATNs to Director General of Audit (Central Expenditure) vide letter dated 14.12.2016. The same has been uploaded on APMS Portal
3	34 of 16 <sup>th</sup> Lok Sabha	Entire Report	Performance Audit of EPFO	Revised ATN is being prepared by EPFO.

## CHAPTER – 3

# INDUSTRIAL RELATIONS

## CENTRAL INDUSTRIAL RELATION MECHINERY (CIRM)

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

**3.1** Chief Labour Commissioner's (Central) Organization, 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 Industrial Relations, Enforcement of Labour Laws and Verification of CTUOs (Central Trade Union Organizations). CIRM has complement of 18 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.

#### Functions of the Organization:

**3.2** The functions of CIRM broadly are given as under: Prevention and settlement of Industrial Disputes, in central sphere;

- (i) Enforcement of Labour Laws and Rules made there under in central sphere;
- (ii) Implementation of awards.
- (iii) Quasi-Judicial functions.
- (iv) Verification of the membership of the CTUOs

(v) Welfare.

(vi) Other Miscellaneous functions.

#### (i) PREVENTION AND SETTLEMENT OF INDUSTRIAL DISPUTES

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

- Monitoring of Industrial Relations in Central Sphere.
- Intervention, mediation and conciliation in Industrial Disputes in order to bring about settlement of disputes.
- Intervention in situations of threatened strikes and lockouts with a view to avert the strikes and lockouts.
- Implementation of settlements and awards.
- Enforcement of other provisions in Industrial Disputes Act, 1947 relating to: (1) Works Committee, (2) Recovery of Dues, (3) Lay Off, (4) Retrenchment, (5) Unfair Labour Practices etc.

**3.4** During the year 2015-2016 the CIRM intervened in 582 threatened strikes and its conciliatory efforts succeeded in averting

579 strikes, which represent a success rate of 99.48%. As for the Industrial Disputes handled by the Machinery during the year 2016-2017 for the period of April –December, the CIRM intervened in 635 threatened strikes and its conciliatory efforts succeeded in averting 608 strikes, which represent a success rate in 95.74 %. The details of the industrial disputes handled during the year the year 2015-16 and 2016-2017 (April to December) are as under:-

Head	2015-16	2016-17 (Apr to Dec 16)
No. of IDs B/F	5057	5341
Received during the Year	6976	5847
Total	12033	11188
Disposed of	6692	5791
Pending	5341	5397
Strikes averted	720	616

**(ii) 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:

- a) Payment of Wages Act 1936 & rules made thereunder for Mines, Railways, Air Transport Services & Docks, Wharves and Jetties.
- b) Minimum Wages Act 1948 and Rules.
- c) Contract Labour (Regulation & Abolition) Act, 1970 and Rules

- d) Equal Remuneration Act 1976. & Rules.
- e) Inter-State Migrant Workmen (RE&CS) Act 1979 and Rules.
- f) Child Labour (Prohibition & Regulation) Act, 1986 and Rules.
- g) Payment of Gratuity Act, 1972 and Rules.
- h) Labour Laws (Exemption from Furnishing returns and Maintaining Registers by certain Establishments) Act 1988.
- i) Building and other Construction Workers (RE&CS) Act, 1996 and Rules.
- j) Chapter VI-A of Indian Railways Act; Hours of Employment Regulations for Railways Employees
- k) Industrial Employment (Standing Orders) Act, 1946 & Rules.
- l) Maternity Benefit Act, 1961 & Mines and Circus Rules, 1963 & Rules.
- m) Payment of Bonus Act, 1965.

**3.6** There are approximately 1.5 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 72 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 Contract Labour (Regulation & Abolition) Act, 1970, Minimum Wages Act, 1948 and 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 2015-2016 and 2016-17 (April to December) are given as under:-

**STATEMENT SHOWING NO. OF INSPECTIONS ETC. UNDER VARIOUS LABOUR LAWS FOR THE YEAR 2015-2016 and 2016-17 (April to December).**

Head	2015-16	2016-17 (Apr to Dec 16)
Inspection Conducted	29233	18,470
No. of irregularities detected	217609	1,27,698
No. of irregularities rectified	173360	1,19,848
No. of prosecution cases filed	5204	5,388
No. of convictions secured	4433	2,134

\* Number of conviction means obtained plus acquittal

**(iii) IMPLEMENTATION OF AWARDS:**

**3.7** The officers of CIRM implement Awards issued by Central Government Industrial Tribunal-cum-Labour Courts (CGITs). During the year 2015-16, 2446 awards were received (including Brought Forward). Out of these

729 were implemented, implementation of 1003 Awards was stayed by High Courts & implementation of 714 Awards was pending due to other reasons. During the year 2016-17 (Apr to Dec 16), 2526 awards were received (including Brought Forward). Out of these 648 were implemented, implementation of 809 Awards are stayed by High Courts & implementation of 998 Awards are pending due to other reasons.

**3.8** Difficulties in implementing the awards are experienced as employers obtain stay orders from High Courts on implementation. Besides, sanction for prosecution of employers by the employing Ministries as required under section 197 of Cr. PC is seldom granted.

**STATEMENT SHOWING DETAILS OF AWARDS FOR THE YEAR 2015-2016 and 2016-17 (April to December).**

Head	2015-16	2016-17( Apr to Dec 16)
No. of Awards B/F	1666	1717
Received during the year	780	809
Total	2446	2526
No. of Awards Implemented	729	648
Not Implemented due to Stay Order	1003	809
Other Reasons	714	998
Total Pending	1717	1807

**(iv) QUASI JUDICIAL FUNCTIONS:-**

**3.9** The CIRM officers from the level of ALC (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; Appellate Authority under The Industrial Employment (Standing Orders) Act, 1946.

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

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

**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.

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

<b>Disposal of claim cases under MW, PW and PG Act</b>		
<b>Head</b>	<b>2015-16</b>	<b>2016-17 (Apr to Dec 16)</b>
No. of Claims B/F	5905	4,108
No claim cases received	4017	3,926
No. of claims decided	5814	2,917

Amount awarded (In Rupees)	36,85,08,895	39,78,71,132
Claims pending	4108	5,117

**(V) General Verification of membership of Trade Unions affiliated to Central Trade Union Organizations (CTUOs).**

**3.11** General verification of membership of Trade Union affiliated to Central Trade Union Organizations (CTUO) is an important exercise which is undertaken by the CLC(C) Organization on the directions of Ministry of Labour & Employment. The purpose of general verification is to determine the representation of CTUO's 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 Trade Unions has been initiated in the month of November, 2012 by inviting claims of Central Trade Union Organizations as per the directives of the Ministry of Labour & Employment. As on 31<sup>st</sup> Dec. 2016, 9 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 Organization. As per the revised procedure approved by the Standing Committee on Verification, only those Trade Union Organization whose affiliates have at least a combined verified membership of 8 Lakh and Unions registered in at least 8 Industries, would be recognized by the Government of India as Central Trade Union Organizations.
- 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 al 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.
- As per the direction of Hon'ble High Court, Delhi vide judgment dated 28.01.2015 in the case filed by NFIU (DHN) against UOI, the claim of NFIU has also been included as 12<sup>th</sup> CTUO in the process of General Verification.

### **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's (Central) 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 2015-16 (01.04.2015 to 31.03.2016) the Verification of membership of unions operating in 23 establishments was conducted through secret Ballot. The establishments are:

1. M/s Ferro Scrap Nigam Ltd., Visakhapatnam
2. M/s CCI Tandur, Ranga Reddy District
3. M/s Khetri Copper, Khetri Nagar, Jhumihumi, Rajasthan.
4. M/s NTPC Vindhyanchal Super Thermal Power Project, Vindhyanchal, Singrauli (M.P).

5. M/s PratibhutiKagaz Karkhana, Hoshangabad
6. M/s Konkan Railway Corporation Ltd., (KRCL), Mumbai-Reg.
7. M/s V.O.Chidambarnar port Trust, Tuticorin.
8. M/s NTPC Ltd., Simhadri (A.P)
9. M/s NTPC Unchahar, Distt. Raebareli (U.P)
10. M/s Vijayamohini Mills, Thiruvananthapuram.
11. M/S Bhakra Beas Management Board (irrigation Wing) Nangal (Punjab)
12. M/s Bhakra Beas Management Board, BSL Sunder Nagar (Himachal Pradesh)
13. M/s FSNL Burnpur (W.B)
14. M/s Corporate Office, NALCO, Bhubaneswar.
15. M/s Narora Atomic Power Station, Bhubaneswar (U.P)
16. M/s Badarpur Thermal Power Station, Delhi
17. M/s HAL, Engine Division, Sunabeda, Koraput
18. M/s Bhilai Steel Plant Bhilai Distt Durg.
19. M/s Durgapur Steel Plant, West Bengal
20. M/s Rajahmundry Asset of ONGC (A.P.)
21. M/s Electronics Corporation of India Ltd. Hyderabad

22. M/s Bharat Electronics Ltd., Machlipatnam
23. M/s NTPC, Thalchar, Thermal, Angul (Orissa)

### **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 Nationalized Banks for determining the majority status to identify representative union and for the purpose of nominating a Workmen/Employee, notification dated 19.11.2008 was issued. 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 (2015-2016).

### **(VI) The R.T.I. Act, 2005.**

**3.18** A total no. of 1163 RTI applications (529 online and 534 offline) including those forwarded by Ministry of Labour & Employment to CLC(C) organization were disposed of during 2015-16 and 825 RTI applications (485 online and 340 offline) were disposed of during January 2016 to December

2016 as per the provisions of The Right to Information Act, 2005.

**(VII) PUBLIC GRIEVANCE:-**

**3.19** During the calendar year 2016 a total number of 9689 (7481 online and 2208 offline) public grievances were received and a total number of 9242 (7244 online and 1998 offline) public grievances have been disposed of, which accounts for 95.38 % of disposal.

**(VIII) MISCELLANEOUS FUNCTIONS:-**

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

Periodic meetings of Minimum Wages Advisory Board and notifying Variable Dearness Allowance every six months as per A.I.C.P.I. number.

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 Organization.

6. Supplying information to Ministry in replying Parliament Question on statutes enforced by CLC(C) organization.
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'.

**(IX) 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 Organization: 2. Director General Labour Welfare Organization 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. During 2016-17, 35 Officers have attended the trainings against the targets of 120 trainees.

### (X) MAJOR INDUSTRIAL RELATIONS EVENTS DURING THE CALENDAR YEAR IN WHICH CIRM PLAYED IMPORTANT ROLE :

#### All India General Strike on 2nd September, 2016.

**3.23** Major Central Trade Unions (CTU's) in their joint declaration on 30.03.2016 had decided to observe country-wide general strike on 2nd September, 2016 to press their 12 point charter of demands which are given below:

1. Urgent measure for containing price-rise through universalization of public distribution system and banning speculative trade in commodity market.
2. Containing unemployment through Concrete measures for employment generation.
3. Strict enforcement of all basic Labour Laws without any exception or exemption and stringent punitive measures for violation of Labour Laws.
4. Universal social security cover for all workers.
5. Minimum wages of not less than Rs. 15,000/- per month with provision of indexation.
6. Assured enhanced pension not less than Rs. 3,000/- PM for the entire working population.
7. Stoppage of disinvestment in Central and State PSUs.
8. Stoppage of contractorization in permanent perennial work and payment of same wages and benefits for contract workers as regular workers for same and similar work.
9. Removal of all ceilings on payment and eligibility of "Bonus, provident Fund, increase the quantum of gratuity".
10. Compulsory registration of trade unions within a period of 45 days from the date

of submitting application, and immediate ratification of ILO conventions C87 and C98.

11. No to FDI in Railways, Defence and other strategic sectors.

12. No unilateral amendments to labour laws.

**3.24** However, subsequently BMS withdrew their strike call. In the said connection, all Dy. CLC(C)/RLCs(C) in the field offices were advised to intervene as and when the strike notices are received by them from any Trade Union functioning in their jurisdiction and a monitoring cell was constituted in the office of the CLC(C), HQ to monitor the strike situation through field offices and submit report pertaining thereto.

**3.25** As per reports received from field offices the major industries which were affected by the countrywide strike were Mines, Coal, Telecom, Banking & Insurance, Major Ports, Aviation, Cement, Steel Etc.

**3.26** In this regard, as per reports received from the field offices, a detailed report on strike position in the industries under Central Sphere, has been submitted to the Ministry.

## **BANKS**

### **(1) All India Bank Employees' Association (AIBEA)**

**3.27** General Secretary, All India Bank Employees' Association (AIBEA) had served a strike notice dated 15.12.2015 to the management of IBA and others proposing to go on strike on 8<sup>th</sup> January 2016 to press their demands.

**3.28** The conciliation proceedings were held on 30.12.2015 before CLC(C). The Union went on strike on 8<sup>th</sup> January 2016.

### **(2) All India Bank Officers' Confederation**

**3.29** General Secretary, All India Bank Officers' Confederation has served a strike notice dated 11.02.2016 to the Management of IBA proposing to go on strike on 29<sup>th</sup> February 2016 to press their demands.

**3.30** RLC(C) Cochin intervened in the matter and held conciliation proceedings on 26.02.2016. The union deferred the proposed strike.

### **(3) All India RRB Officers' Federation**

**3.31** The General Secretary of All India RRB Officers' Federation has served a strike notice dated 04.01.2016 addressed to Secretary, Ministry of Finance proposing to go on strike on 10<sup>th</sup> & 11<sup>th</sup> March 2016 to press their demands .

**3.32** CLC(C) held conciliation proceedings on 15.02.2016. The Deptt of Financial Services was advised to take a decision atleast on the three major issues i.e. (i) issue of allowances, (ii) issue of Compassionate appointment and (iii) issue of graduation increment by the end of first week of March 2016. Till then the representatives of United Forum is requested not to adopt any step which may hamper Industrial Relation in RRBs. The Strike was reported in some regions on 10<sup>th</sup> and 11<sup>th</sup> March 2016.

**3.33** The General Secretary, All India RRB Officers' Federation and Convenor, United Forum of RRB Unions had served a strike notice dated 9.6.2016 and 28.6.2016 respectively addressed to Secretary, Ministry of Finance proposing to go on strike from 27<sup>th</sup> to 29<sup>th</sup> July 2016 for their long pending demands like extending pension scheme in RRB and also parity of wages and allowances with other commercial banks, compassionate appointment, regularization of casual workmen and implementation of NIT award.

**3.34** Dy. CLC(C) HQ. held conciliation proceedings on 21.07.2016. Due to the efforts of Conciliation officer for a bilateral discussion between the parties and positive response from DFS, United Forum of RRB Unions took a decision to defer the strike call for 27<sup>th</sup>, 28<sup>th</sup> & 29<sup>th</sup> July 2016.

**(4) United Forum of IDBI Officers and Employees**

**3.35** IDBI Bank's Officers/workmen under the banners of various federations/ associations had given strike call during March 2016 viz. (i) United Platform of IDBI Bank Unions (strike from March 28<sup>th</sup>-31<sup>st</sup>, 2016); (ii) United Forum of IDBI Officers and Employees (Strike on March, 2016); (iii) IDBI Officers' Organization (strike from March 28<sup>th</sup>-31<sup>st</sup>, 2016) & IDBI Karamchari Sangh (strike on March 28<sup>th</sup>, 2016) mainly against Government's expression of exercising its option of dilution of its shareholding below 50% in IDBI Bank.

**3.36** RLC(C) Mumbai held conciliation proceedings on 18<sup>th</sup>, 21<sup>st</sup> and 22<sup>nd</sup> March

2016. However, the federations / association went on all India strike.

**(5) United Bank of India**

**3.37** General Secretaries, UBIEA, UBIEU, UBISKS and UBIEC has jointly served a strike notice dated 13.01.2016 to the Management of United Bank of India, Kolkata proposing to go on strike on 9<sup>th</sup> March 2016 to press their demands.

**3.38** RLC(C) Kolkata intervened in the matter and seized the matter into conciliation on 17.2.2016, 4.3.2016 and 7.3.2016. After prolong discussion/ conciliation proceedings the Unions agreed to not to go on strike.

**(6) Swarajya Kamgar Sanghatana (Axis Bank)**

**3.39** General Secretary, Swarajya Kamgar Sanghatana (Axis Bank), Mumbai has served a notice dated 17.01.2016 to the Management of M/s Axis Bank Ltd. Mumbai and proposing to go on strike w.e.f. 01.03.2016 regarding wage revision of contractual workmen working in various branches of Axis Bank Ltd.

**3.40** Dy. CLC(C) Mumbai intervened in the matter and held conciliation proceedings. The union deferred the strike.

**3.41** General Secretary, Swarajya Kamgar Sanghatana (Axis Bank) Mumbai served notice to the MD & CEO, Axis Bank Pvt. Ltd. proposing for agitation including strike in Maharashtra, Gujarat and Madhya Pradesh if their demands will not be resolved before 30.11.2016.

**3.42** Dy. CLC(C) Mumbai intervened in the matter and the strike was averted.

**(7) Dena Bank Employees' Union & Dena Bank Officers' Union**

**3.43** General Secretaries, Dena Bank Employees' Union & Dena Bank Officers' Union, Rajasthan jointly served a notice dated 01.03.2016 to the management of Dena Bank proposing to go on strike on 19.03.2016 to press their demands.

**3.44** RLC(C) Jaipur intervened in the matter and held conciliation proceeding on 17.03.2016 and on his persuasion the union agreed to defer the proposed strike on 19.03.2016.

**(8) Himachal Gramin Bank Officers Karamchari Sangh**

**3.45** General Secretaries, Himachal Pradesh Gramin Bank Karamchari Sangh & Himachal Pradesh Gramin Bank Officers Organization jointly served a notice dated 27.12.2015 to the Chairman, Himachal Pradesh Gramin Bank proposing to go on strike on 28.03.2016 to press their charter of demands.

**3.46** RLC(C) Chandigarh seized mater in conciliation on 18.1.2016, 5.2.2016, 23.2.2016 and 4.3.2016. The union agreed to not to go on strike.

**(9) State Sector Bank Employees Association**

**3.47** The Employees of Associate Banks of State Bank of India i.e. State Bank of Travancore, State Bank of Mysore, State Bank of Hyderabad, State Bank of Bikaner & Jaipur and State Bank of Patiala jointly served one day nationwide strike on 20.05.2016 to protest against the decision of SBI Board to merge all five Associate Banks of SBI with SBI.

**3.48** The employees of associated banks of SBI resorted to one day strike on 20.05.2016.

**(10) AIBEA-AIBOA and SSBEA**

**3.49** General Secretaries, All India Bank Employees Association (AIBEA) & All India Bank Officers Association jointly served notice dated 22.6.2016 and General Secretary, State Sector Bank Employees' Association served notice dated 23.06.2016 to the management of IBA proposing to go on strike on 12<sup>th</sup> July, 2016 in the 5 Associate Banks and on 13<sup>th</sup> July, 2016 in all the Banks to press their demands

**3.50** CLC(C) held conciliation proceedings on 08.07.2016 and appealed to all the parties to enter into constructive engage in dialogue. The unions deferred the proposed strike.

**(11) United Forum of Bank Unions**

**3.51** Convenor, United Forum of Bank Unions (AIBEA, AIBOC, NCBE, AIBOA, BEFI, INBEF, INBOC, NOBW, NOBO) served strike notice dated 11.07.2016 to the management of IBA proposing to go on all India Bank strike on 29.07.2016 opposing the reform initiatives of the Government, which are aimed at wiping out the Public Sector Banking System in the Country.

**3.52** CLC(C) held conciliation on 26.07.2016 and appealed to the UFBU not to go to the strike and engage in dialogue with the IBA and DFS for amicable resolution of the issues in question.

**3.53** The UFBU stated that they would reconsider their call for strike, if only their demands are resolved. However, an All India strike was observed by them on 29.7.2016

**(12) Federal Bank Employees' Union**

**3.54** The General Secretary, Federal Bank Employees' Union had served notice dated 27.08.2016 to the MD & CEO, the Federal Bank Ltd. proposing to go on strike for various issues and demands such as recruitment of bank men; absorbing differently abled employees in contact centre into service; outsourcing in service branches, credit hubs, zonal offices, departments etc.; outsourcing of cash distribution works of currency chests etc. on 11th August 2016 to press their demands.

**3.55** Dy. CLC(C) Cochin informed that ALC(C) Ernakulam intervened in the matter and held conciliation proceedings on 09.08.2016. The union deferred the proposed call for strike on 11.08.2016.

**3.56** General Secretary, Federal Bank Employees' Union, Alua served notice dated 26.09.2016 to the MD & CEO, Federal Bank Ltd. proposing to go on strike in the branches and offices of the Bank on 14.10.2016 to press their demands.

**3.57** ALC(C) Ernakulam held conciliation proceedings on 4.10.2016 and 7.10.2016. The Union agreed to defer the proposed strike.

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

**3.58** General Secretary, Bengal Provincial Banks' Contract Employees' Association, Kolkata served notice dated 04.8.2016 to the CMD, Union Bank of India proposing to go on strike in all ATMs of Union Bank of India in West Bengal on 25th & 26th August, 2016 for various reasons.

**3.59** ALC(C) Kolkata intervened in the matter and seized the matter into conciliation on 22.08.2016. After prolonged persuasion the union agreed to defer the proposed strike further upto 10 days.

**(14) Vidharbha Konkan Gramin Bank**

**3.60** General Manager, Vidharbha Konkan Gramin Bank, Nagpur served notice dated 19.08.2016 to the General Secretary, Vidharbha Konkan Gramin Bank Workers Organization, Chandrapur proposing to go on indefinite strike on 26.09.2016 to press their demands.

**3.61** RLC(C) Nagpur intervened in the matter and held conciliation proceedings on 23.09.2016 and during the course of conciliation proceedings the union concerned intimated that the proposed strike has been deferred.

**COAL/NON-COAL MINES**

**(1) Coal India Ltd & Singareni Collieries Co. Ltd.**

**3.62** Four Central Trade Unions Operating in Coal Industry Viz. INTUC, HMS, AITUC & CITU have submitted a joint notice dated 20.1.2016 to the Secretary, Ministry of Coal for resorting to one day token strike on 29.03.2016 in Coal India Limited and Singareni Collieries Co. Ltd.

**3.63** RLC(C) Kolkata intervened in the matter and held conciliation proceedings on 22.3.2016. RLC(C) Kolkata informed that The Union was not present in the proceedings and the management of CIL submitted letter dated 22.3.2016 stating that the unions have agreed to defer the proposed one day strike on 29.3.2016.

**(2) National Front of Indian Trade Union (NFITU) (DHN)**

**3.64** The General Secretary, National Front of Indian Trade Union (NFITU) (DHN) has served a strike notice dated 20.02.2016 proposing to go on strike in Coal India - Coal Industry from 2nd May 2016 to press their demands.

**3.65** CLC(C) held conciliation proceedings on 16.03.2016 and suggested to resolve the matter amicably.

**(3) NLC Jeeva Oppantha Thozhilalar Sangam**

**3.66** General Secretary, NLC Jeeva Oppantha Thozhilalar Sangam, Neyvelli served notice dated 13.4.2016 to the CMD NLC Ltd. and Director Personnel, Neyvelli proposing to go on strike on any day after 02.05.2016 to press their demands.

**3.67** ALC(C)-II Chennai intervened and seized the matter into conciliation and advised the union to not to go on strike. Accordingly the Union deferred the proposed strike.

**3.68** Special Secretary, Jeeva Oppantha Thozhilalar Sangam, Neyveli served notice dated 24.06.2016 proposing to go on hunger strike on 04.07.2016 to press their demands i.e. payment of VDA arrear amount to the contract workers, payment of underground wages to the contract workers and regularization of contract workers as per the order of the Hon'ble Supreme Court of India.

**3.69** Conciliation proceedings took place before ALC (C), Chennai, however it resulted into failure and the Union went on strike.

**(4) Bhartiya Koyala Khadan Shramik Sangh, Singrauli**

**3.70** Notice dated 01.06.2016 served by General Secretary, Bhartiya Koyala Khadan Shramik Sangh, Singrauli to the management of Northern Coalfield Limited, Singrauli proposing to go on strike from 15.06.2016 to press their 5 points charter of demand.

**3.71** Dy. CLC(C) Jabalpur seized the matter in conciliation and held meeting on 14<sup>th</sup> June 2016 and the union agreed to defer the strike.

**(5) Kudremukh Mazdoor Sangh**

**3.72** Notice dated 25.05.2016 served by General Secretary, Kudremukh Mazdoor Sangh proposing to go on one day hunger strike in front of Kudremukh Iron Ore Company Limited. (KIOCL) regarding non co-operation in settling the long awaited Pay Revision (due from 01.01.2012) and merger with NMDC.

**3.73** Dy. CLC(C) Bangalore informed that the union has withdrawn the proposed strike, since the management had bilateral discussion over their issues.

**(6) Kolya Mazdoor Sabha (Hind Mazdoor Sabha)**

**3.74** Regional General Secretary, Kolya Mazdoor Sabha has served notice dated 20.06.2016 to the management of South Eastern Coalfields Ltd, Hasdev proposing to go on strike on 19.07.2016 to press their demands.

**3.75** RLC(C) Bilaspur informed that both the parties held bipartite discussion on 10.07.2016 and on 16.07.2016 at Regional level and

also informed that the proposed strike on 19.07.2016 was deferred.

**(1) Akhil Bhartiya Safai Mazdoor Congress, Telengana**

**3.76** National Secretary, Akhil Bhartiya Safai Mazdoor Congress, Telengana served notice proposing to go on indefinite strike by Sweepers, Safai Karamcharis, Tri-cycle Sanitation Labour, Sewerage Cleaners, Tractor drivers, sanitary supervisors and garden labour working in M/s Singareni Collieries Company Ltd, Kothaguden, Ramagundam, Shrirampur, Bellampalli Regions on or after any day of 15.10.2016.

**3.77** ALC(C) Hyderabad intervened in the matter and held conciliation proceedings on 13.10.2016 & 21.10.2016. The union deferred the strike.

**CEMENT**

**(1) ACC Wadi Cement Factory**

**3.78** President, Shramajeevigala Karmika Sangh, Kalaburagi served indefinite Sathyagraha and Fast unto Death Hunger strike notice dated 22.01.2016 by the employees of ACC Wadi Cement Factory and various grinding units contract employees workers to go on strike from 10.03.2016 in front of the ACC plant Wadi, Kalaburagi, Karnataka.

**3.79** Dy. CLC(C) Bangalore intervened in the matter and the union has deferred the proposed indefinite strike from 10.03.2016.

**DEFENCE**

**(1) Indian National Defence Workers Federation**

**3.80** President, Indian National Defence Workers Federation served strike notice dated 10.03.2016 to the Commandant, Ordnance Depot proposing to go on strike on any day from 11<sup>th</sup> April 2016 to press their charter of demands.

**3.81** According to report submitted by RLC(C) Chandigarh, there was no strike in the establishment from 11.04.2016.

**(2) Defence Service (Supply) Civilian Workers' Union**

**3.82** General Secretary, Defence Service (supply) Civilian Workers' Union, Shillong served strike notice dated 11.03.2016 to the Officer Commanding proposing to go on an indefinite strike on 11.04.2016 to press their charter of demands. According to report submitted by Dy. CLC(C) Guwahati the strike was averted.

**(3) Indian National Defence Workers Federation**

**3.83** The General Secretary, Indian National Defence Workers Federation has served notice dated 05.06.2016 to the Ministry of Defence proposing to go on indefinite strike on 11.07.2016 to press their demands.

**3.84** All Dy. CLCs(C) were advised to intervene in the matter. The Unions/ associations deferred the proposed strike.

**Food Corporation of India**

**3.85** The General Secretaries, FCI Executive Staff Union, FCI Mazdoor Sangh, & FCI Workers' Union served strike notices dated 22.12.2015,

28.12.2015 & 31.12.2015 respectively proposing to go on strike from 19<sup>th</sup> January 2016 to press their demands.

**3.86** All Regional heads have been requested to intervene in the matter. As per the reports received till date no strike has taken place.

**(ii) FCI Shramik Union**

**3.87** General Secretary, FCI Shramik Union, New Delhi served notice dated 28.01.2016 to the CMD, Food Corporation of India proposing to go on Strike from on 06.04.2016 over the conduct of medical examination/ physical fitness test by FCI of the handling labours and the ancillary labours working in the different depots of FCI spread throughout the country.

**3.88** RLC(C) New Delhi intervened in the matter and the union has deferred the proposed strike. The next date of conciliation proceedings is fixed for 5.5.2016.

**3.89** Notice received from Intelligence Bureau regarding nationwide strike by Bhartiya Khadya Nigam Karamchari Sangh on 27.05.2016 to press their set of demands including fringe benefits at the rate of 40% of wages, implementation of New Pension Scheme and Post-Retirement Medical Scheme and Expansion of Staff Strength.

**3.90** The union went on strike throughout the country on 27.05.2016.

**(iv) FCI Employees Association CITU**

**3.91** General Secretary, FCI Employees Association CITU, Thiruvananthapuram served notice to the CMD, FCI New Delhi proposing

to go on Indefinite country-wide strike on 29<sup>th</sup> June 2016 in FCI regarding settlement of pending demands.

**3.92** RLC(C) New Delhi has informed that the strike has been withdrawn as intimated by the representative of the Union over phone.

**(v) FCI Shramik Union**

**3.93** President, FCI Shramik Union has served notice dated 13.07.2016 to the CMD, FCI proposing to go on country wide strike on or after 26.07.2016 over the apprehension of the pooling of the workers by the FCI in some other depots and deployment of Contract Labourers in the depots where they are currently working.

**3.94** RLC(C) New Delhi intervened in the matter and held conciliation proceedings on 21.07.2016 and the proposed strike was averted.

**(vi) FCI Workers Pallekaar Union**

**3.95** General Secretary, FCI Workers Pallekaar Union, Ludhiana has served notice dated 01.08.2016 to the CMD, FCI, New Delhi proposing to go on indefinite strike and fast unto death or other form of strike or other trade union action from 17.08.2016 for their various issues.

**3.96** ALC(C) Jalandhar intervened in the matter and seized the matter into conciliation and next date of conciliation is fixed for 21.09.2016.

**OIL**

**(1) The Ravva Contract Employees Union**

**3.97** General Secretary, The Ravva Contract Employees Union, New Delhi served notice dated 02.05.2016 to the management of GAIL proposing to go on strike on or after 19.05.2016 to press their 13 point charter of demands.

**3.98** Dy. CLC(C) Hyderabad intervened in the matter and held conciliation proceedings on 13.05.2016. The union deferred the proposed strike.

(2) **Oilfield Employees Association**

**3.99** President, Oilfield Employees Association served notice dated 26.08.2016 to the ED-HRO, ONGC proposing to proceed on Direct Action including work to rule, demonstration, protest, strike etc. after 20.09.2016 to press their demands.

**3.100** ALC(C)-I Mumbai seized the matter in conciliation and conciliation proceedings were held in the dispute on 19.09.2016, which were attended by both the parties and adjourned for further hearing to 10.10.2016. Both the parties agreed to ensure respective compliance under Section 22, 23 & 33 of ID Act, 1947 during the pendency of conciliation proceedings.

(3) **Bharat Petroleum Corporation Ltd.**

**3.101** General Secretary, General & Construction Workers Union and General Secretary, Cochin Refineries General Workers Congress served notice to Bharat Petroleum Corporation Limited-Kochi Refinery (BPCL-KR) proposing to go on indefinite strike from 24.11.2016 for various reasons.

**3.102** RLC(C) Cochin intervened in the matter and held conciliation proceedings on

21.11.2016 & 23.11.2016 and the strike was averted.

**PORT & DOCK**

**3.103** A joint notice served by General Secretary, Madras Port Trust Employees Union, President, Chennai Port & Dock Workers Congress, General Secretary, Madras Port Trust Railwaymen's Union and General Secretary, Madras Port & Dock Employees Union to the management of Chennai Port Trust proposing to go on strike on or after 01.07.2016 to press their charter of demands.

**3.104** RLC(C) Chennai seized the matter into conciliation on 28.06.2016, 30.06.2016 and 01.07.2016. The strike has been deferred.

(2) **Paradip Port DLRS and Contract Workmen Association**

**3.105** General Secretary, Paradip Port DLRs & Contract Workmen Association served notice dated 24.08.2016 to the Chairman, Paradip Port Trust proposing to go on indefinite strike from 7th September 2016 to press their demands i.e. equal pay for equal work, regularization etc of DLR Workers who have been deployed through various contractors for years together.

**3.106** RLC(C) Bhubaneswar intervened in the matter and fixed conciliation proceedings 06.09.2016 but neither the management nor the union attended the conciliation. RLC(C) Bhubaneswar informed that the Chairman, Paradip Port Trust held discussion with senior officers and with some of the workmen and after request of the Chairman, the union/workmen withdrew their strike and resumed duties on 08.09.2016.

**3.107** A joint notice served by General Secretary, Madras Port Trust Employees Union, President, Chennai Port & Dock Workers Congress, General Secretary, Madras Port Trust Railwaymen's Union and General Secretary, Madras Port & Dock Employees Union to the management of Chennai Port Trust proposing to go on strike on or after 04.10.2016 to press their charter of demands.

**3.108** ALC(C) Chennai intervened in the matter and held conciliation proceedings. The unions agreed to call off the proposed strike.

(4) **Poompuhar Shipping Corporation Employee's Union**

**3.109** General Secretary, Poompuhar Shipping Corporation Employee's Union served notice dated 03.10.2016 to the management of Poompuhar Shipping Corporation Ltd. proposing to go on strike on 26.10.2016 for their various issues.

**3.110** RLC(C) Madurai intervened in the matter and held conciliation proceedings on 24.10.2016. On the persuasion of the RLC(C) Madurai the union agreed to not to resort to strike.

**3.111** Notices received from various port unions i.e Paradip Port Union, Madras Port Trust Railway Mens' Union, Paradip Bandar Sramik Union, Vishakhapatnam Harbour & Port Workers Union, Mumbai Port, Dock and General Employees Union and Cochin Port Employees' Organization proposing to go on strike on or after 10.11.2016 to press their demands.

**3.112** The concerned Dy. CLCs(C) were requested to intervene in the matter and the strike was deferred.

**POWER**

(1) **All India Power Grid SC/ST Employees Welfare Association**

**3.113** National President, All India Power Grid SC/ST Employees Welfare Association served notice dated 28.01.2016 to the CMD, Power Grid Corporation of India Ltd. proposing to go on an Indefinite Strike from on or after 28.03.2016.

**3.114** Dy. CLC(C) Chandigarh submitted that AGM (Adm.) PGCIL informed that the strike called was withdrawn by the Union vide letter dated 23.03.2016.

(2) **Bharat Electronics Workers Unity Forum and Bharat Electronics Workers Union**

**3.115** General Secretaries, Bharat Electronics Workers Unity Forum and Bharat Electronics Workers Union jointly served a strike notice to the management of Bharat Electronics, Bangalore proposing to go on strike on 02.03.2016 over the issue of contribution to pension scheme to the workers.

**3.116** The matter was seized in conciliation by the Dy. CLC(C) Bangalore and conciliation was held on 17.02.2016, 26.02.2016 and 01.03.2016. The union went on strike on 02.03.2016.

(3) **Rashtreiya Taap Vidyut Mazdoor Union**

**3.117** General Secretary, Rashtreiya Taap

Vidyut Mazdoor Union, Bhagalpur served notice to the NTPC, Bhagalpur, proposing to go on indefinite strike from 19.10.2016 to press their long pending demands.

**3.118** Dy. CLC(C) Patna intervened in the matter and seized the matter into conciliation. The strike was averted.

## RAILWAY

**3.119** Notices received from various Railway Unions/ Association i.e. South Central Railway Employees' Sangh, Uttariya Railway Mazdoor Union, N.E. Railway Mazdoor Union, Southern Railway Employees Sangh, East Coast Railway Shramik Union, National Railway Mazdoor Union etc. proposing to go on countrywide indefinite strike from 11th July 2016 to press their charter of demands.

**3.120** All Dy. CLCs(C) were advised to intervene in the matter. The Unions/ Associations deferred the proposed strike.

## MISCELLANEOUS

### (1) All India Government Nurses Federation

**3.121** The General Secretaries All India Government Nurses Federation served strike notice dated 14.01.2016 proposing to go on hunger chain strike from 12.02.2016 to 27.02.2016 and Indefinite Strike from 15.03.2016 against retrograde recommendation of 7<sup>th</sup> CPC for nursing cadre.

**3.122** RLC(C) New Delhi called Mrs. J.K. Khurana, General Secretary, All India Govt. Nurses Federation for discussion. During the

discussion it was come out that their main grievance was related to the 7<sup>th</sup> Pay commission report. Suggestions were given to them to approach anomaly committee for redressal of their grievances, accordingly to them they have already approached concerned authorities in this connection.

**3.123** Secretary General, All India Government Nurses Federation served notice dated 10.07.2016 proposing to go on indefinite strike from 2nd August 2016 against betrayal by Hon'ble Health Minister and Health Ministry for non-accepting any of their demands in relation to 7th CPC.

**3.124** Office of Dy. CLC(C) New Delhi intervened in the matter and request the union to submit their comments on the matter. The union went on strike on 02.08.2016.

### (2) Noida Mint Employees Union

**3.125** The General Secretary, Noida Mint Employees Union (Regd.) served strike notice dated 01.02.2016 to the management of India Government Mint, Noida proposing to go on strike from 18.02.2016 on the issue of change of service condition of the workers.

**3.126** RLC(C) Dehradun seized the matter into Conciliation on 11.02.2016. The Union deferred the proposed strike.

### (3) National Fertilizers Marketing Employees Union

**3.127** President, National Fertilizers Marketing Employees Union served notice dated

14.07.2016 to the Executive Director (MKTG), National Fertilizers Ltd. Noida proposing to go on one day token strike on 17.08.2016 in all the offices of Marketing Division on the issue of implementation of one sided anti-workers policy by the NFL management and other grievances of workers.

**3.128** Dy. CLC(C) Dehradun, Chandigarh and Jabalpur were requested to intervene in the matter. The matter has been seized in conciliation by the ALC(C) Karnal and next date of conciliation is fixed for 14.09.2016.

(4) **Geological Survey of India**

**3.129** Notice received from the workers of Geological Survey of India (G.S.I.) proposing to go on indefinite hunger strike from 03.10.2016 in front of the office of G.S.I. against corruption and unjust attitude of departmental officers on compassionate appointments based on deceased dependent quota.

**3.130** RLC(C) Lucknow intervened in the matter and informed that the strike was not observed by the union.

(5) **All India ESIC Nurses Federation**

**3.131** Secretary General, All India ESIC Nurses Federation served notice to the DG, ESIC, New Delhi proposing to go on indefinite strike from 14.10.2016 in all ESIC Model Hospitals/ESIC Hospitals across the country to press their demands.

**3.132** Dy. CLC(C) New Delhi informed that the proposed strike was averted successfully as the federation agreed to defer the strike sine die.

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

**Vision 2030:**

**1.133** Maintaining harmonious industrial relations by timely and meaningful conciliation of industrial disputes and settlement of grievances.

**1.134** Securing full compliance of Labour Laws by continuous tracking of default and violations and timely corrective action.

Seven Year Strategy		Three Year Action Plan	
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> .

### The Trade Unions Act, 1926.

**3.135** 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.

**3.136** 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.

**3.137** The Act mandates the ‘appropriate Government’ (respective Governments) to appoint Registrars of Trade Unions. Under Section 4 of the Act, any Union seeking

registration has to make an application to the Registrar, accompanied by a copy of the Rules of the Trade Union, detailed particulars of the Union and a general Statement of the assets and liabilities of the Union. A Trade Union is not entitled to registration, unless its Executive Body is constituted in accordance with the provisions of the Act. The Act does not prescribe any time limit for granting registration by the Registrar.

**3.138** The demand for compulsory registration of Trade Unions within 45 days has been raised by the Central Trade Union Organisations, from time to time. For making compulsory registrations of Trade Unions within a period of 45 days was examined while the Ministry was considering the amendment proposals to the Trade Unions Act in 1993. At that time, the Ministry of Law and Justice advised

that it would not be feasible to set any time-limit for registration of Trade Unions without making a 'deemed provision' under the Act. Thereafter, a decision was taken in the Ministry that insertion of the provision for 'deemed registration' in case Registrar does not dispose of the application for registration within 45 days from the date of completion of all formalities by the applicant would not be advisable.

**3.139** Two Tri-partite Consultation Meetings were held in 2011 with the representatives of Central Trade Unions, Employers' Associations and different State Governments on this issue and it was observed that many State Governments have already prescribed time-limits for registering Trade Unions but violations were also noticed in many cases. The matter was again examined in the Ministry and an advisory was issued with the approval of Hon'ble LEM vide this Ministry's OM No. S-13012/3/2011-IR (PL) dated 31<sup>st</sup> January, 2013 to all the State Governments/ UT Administrations to make necessary provisions for disposal of applications for registration of Trade Unions in the respective State Regulations, either by incorporating appropriate amendments in the State Regulation or by issuing an Executive Order to the State Registrars. The State Governments/ UTs have been asked to comply with the directions and take appropriate action under intimation to this Ministry.

**3.140** The proposal to incorporate a provision for compulsory registration of Trade Unions within a period of 45 days is under consideration of the Government and this will be incorporated in the relevant Labour Code.

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

**3.141** 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.

**3.142** After detailed discussions with stakeholders, the Government has amended the Industrial Disputes Act, 1947 vide the Industrial Disputes (Amendment) Act, 2010. The amended provisions have come into force w.e.f. 15.9.2010. The amended Act inter-alia provides for:

- Amendment of the term "appropriate Government" defined under section 2(a) of the Act to amplify the existing definition;
- Enhancement of wage ceiling of a workman from one thousand six hundred rupees per month to ten thousand rupees per month under section 2(s) of the Act.
- Direct access for the workman to the Labour Court or Tribunal in case of disputes arising out of section 2A of the Act;
- Expanding the scope of qualifications of Presiding Officers of Labour Courts or Tribunals under sections 7 and 7A of the Act;
- Establishment of Grievance Redressal

Machinery in every Industrial establishment employing twenty or more workmen for the resolution of disputes arising out of individual grievances;

Empowering the Labour Court or Tribunal to execute the awards, orders of settlements arrived at by Labour Court or Tribunals.

### The Plantations Labour Act, 1951

**3.143** 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.

**3.144** In view of the changing social, economic and industrial relations scenario of the country, the Government after exhaustive tripartite consultations with the stake holders amended the Act in 2010 to make it more welfare oriented for the workers in the Plantation Sector. The important features of the amended Plantations Labour (Amendment) Act, 2010 are as under:

Definition of ‘employer’ has been made broad-based and the ambiguities regarding the responsibility to be fixed on employers in case of any violation of the Act, has been removed.

Definition of ‘family’ has been made gender neutral to remove the distinction between the family of a male and the female worker for availing dependent’s benefits.

The scope of definition of ‘worker’ has been enlarged by enhancing wage ceiling from Rs.750/- to Rs.10,000/- per month making it at par with other welfare/social welfare legislations. Contract workers who have worked more than 60 days in a year have also been included within the ambit of the Act. With this amendment, large number of workers are able to avail the benefits as provided in the Plantations Labour Act, 1951 including contract labour.

- The amended Act provides for a new chapter IV-A to cover all aspects of safety and occupational health of workers working in the plantations. This chapter puts obligation on the employers to provide safety of workers in connection with use, handling, storage and transport of insecticides chemicals and toxic substances and such workers should be trained to handle and know about the hazards and application of chemicals and toxic substances. It also provides for maintenance of health record and time to time medical examination of the workers handling the chemicals and toxic substances. The Act further ensures for providing washing, bathing and cloak room facilities along with protective clothing and

equipment to these workers. Employers shall be under legal obligation to appoint a supervisor possessing the prescribed qualification to supervise the use, handling and transportation of chemical and toxic substances in the plantations.

- The employment of children in the plantation has completely been prohibited.
- The amended Act enjoins upon the State Government to provide medical facilities and recover the costs thereof from the defaulting employer. Now, the State Government will have the power and responsibility to provide for adequate medical facilities for the workers and their families in case of default by employers and recover the cost from them.
- A new Section 32-C has also been inserted in the Act to prescribe the manner in which compensation in case of accident shall be registered by the employer with the Commissioner in terms of the Employee's Compensation Act, 1923.
- The amended Act also makes provisions for any worker, an office bearer of the trade union of which such worker is a member, for filing a complaint regarding the commission of an offence under this Act with a provision for providing immunity to the complainant.
- The penal provisions for non-compliance of the provisions of the Act have also been made more stringent for ensuring the effective implementation of the Act.
- The State Government has been empowered to make rules and it may be

laid before the State Legislature. There is now no mandatory requirement to take permission from the Central Government.

**3.145** Proposals to further amend the Plantations Labour Act, 1951 as suggested by the Ministry of Commerce & Industry, are under consideration of Ministry of Labour & Employment.

(i) **Industrial Employment (Standing Orders) Act, 1946**

Vide Notification S.O.No.1632(E) dated 4.5.2016 and Corrigendum Notification No.S.O.2676(E) dated 10.8.2016, Central Government appoints the (upgraded/newly created posts) viz. Chief Labour Commissioner(Central), Additional Chief Labour Commissioners(Central) and all Deputy Chief Labour Commissioners (Central) to exercise the functions of appellate authority under the Industrial Employment (Standing Orders) Act, 1946 in r/o industrial establishments falling under the Central sphere.

(ii) Vide Notification G.S.R. No.976(E) dated 7.10.2016, Ministry of Labour & Employment has incorporated the 'Fixed Term Employment Workman' category under the Industrial Employment (Standing Orders) Act, 1946 and Rules made thereunder for Apparel Manufacturing Sector.

Ministry of Labour and Employment is in the process of incorporating the 'Fixed Term Employment Workman' category under the Industrial Employment (Standing Orders) Act, 1946 and Rules made thereunder for Made up sector also

### Monitoring of Industrial Relations

**3.146** 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 lay offs, the Ministry monitors the industrial harmony prevalent in the country.

**3.147** The total number of strikes and lockouts and mandays lost during the period 2011-2016(P) are as follows:

#### No. of Strikes and Lockouts and Mandays lost during 2011-2016 (P)

Year	strikes	lock-outs	total	Mandays lost
2011	179	191	370	14458038
2012	133	185	318	12936795
2013	103	155	258	12645371
2014(P)	119	168	287	11095370
2015(P)	163	21	184	2918617
2016(P) (Jan-Sep)	46	4	50	576904

Source: Labour Bureau, Shimla

(P): Provisional

**3.148** 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.

**3.149** 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 2016, wages & allowance has been the major causal factor for industrial unrest.

### Closure

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

**3.150** Closures and workers affected during 2011-2016(P) (both in Central and State spheres)

Year	Closures	Workers affected
2011	89	4274
2012	48	1934
2013	95	4476
2014(P)	34	4726
2015(P)	15	1330
2016(P) (Jan-Sep)	7	191

Year	Lay-offs	Workers affected
2011	17	1991
2012	8	1767
2013	59	7226
2014(P)	21	2515
2015(P)	47	3185
2016(P) (Jan-Sep.)	12	1691

Source: Labour Bureau, Shimla

(P): Provisional

**3.151** Financial problems, shortage of raw material, shortage of power, brake down of machinery and lack of demand for products is the main reasons for closures during the period.

**LAY-OFF**

**3.152** 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.

**3.153** The number of units effecting lay-off and the number of workers affected due to such lay-off during 2011-2016(P) were as follows:

**3.154** Layoffs and workers affected during 2011 - 2016(P) (both in Central and State spheres)

Year	Lay-offs	Workers affected
2011	17	1991
2012	8	1767
2013	59	7226
2014(P)	21	2515
2015(P)	47	3185
2016(P) (Jan.-Sep.)	12	1691

**RETRENCHMENT**

**3.155** 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.

**3.156** The number of units effecting retrenchment and workers retrenched therein during the period 2011-2016(P) are as follows:

Retrenchment and workers affected during 2011-2016 (P) (both in Central and State spheres)

Year	Retrenchment	Workers affected
2011	8	47
2012	19	1237
2013	22	1297
2014(P)	14	1798
2015(P)	10	274
2016(P) (Jan.-Sep.)	3	3625

Source: Labour Bureau, Shimla

(P): Provisional

**Industrial Tripartite Committees**

**3.157** 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 others

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.

### ADJUDICATION

**3.158** Twenty two Central Government Industrial Tribunal-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. 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.

**3.159** In order to take care of the huge pendency of unresolved industrial disputes, Lok Adalats have been introduced as an alternate grievance redressal mechanism, within the adjudication system of the CGITs from the Tenth Five Year Plan. The objective is to settle industrial disputes through this parallel forum. Cases, which are relatively uncomplicated, are taken up for adjudication through this system. However, its success depends on the readiness and willingness of the litigating parties for getting their cases settled through this method. The Presiding Officers of the CGITs play the role of facilitators.

**3.160** During the Eleventh Five Year Plan onwards, this mechanism of Lok Adalats has been made an integral part of the adjudication system. During the period from 01.04.2016 to 31.12.2016, a total of forty-two (42) Lok Adalats were held wherein one hundred two (102) cases were settled.

## 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, Shrama Vir/Shram Veerangana and Shree/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 2015 awarded to 32 worker groups 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 2015.

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	Criteria
1.	Shram Ratna	1	Rs. 2,00,000	Highest Award will be given to a worker who has really outstanding caliber and has made exceptional all round contribution.
2.	Shram Bhushan	4	Rs. 1,00,000 each	Workers who have made outstanding contribution in productivity, also shown innovative abilities of higher order.
3.	ShramVir/ Shram Veerangana	12	Rs. 60,000 each	Workers who have a continuous record of dedicated service and has achieved high order of productivity.
4.	ShramDevi/ Shram Shree	16	Rs. 40,000 each	Workers who have shown extra ordinary zeal and enthusiasm for work and have made remarkable contribution towards productivity.

## CHAPTER – 5

**WAGES****INTRODUCTION**

**5.1** In a labour surplus country like India, it is difficult to have a 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. 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 minimum rates of wages also include Special Allowance i.e. Variable

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

**NATIONAL FLOOR LEVEL MINIMUM WAGE**

**5.3** In order to have a uniform wage structure and to reduce the disparity in minimum wages across the country, 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. 137/- to Rs.160/- per day with effect from 01.07.2015.

**CENTRAL ADVISORY BOARD (CAB)**

**5.4** The Central Government has re-constituted the Central Advisory Board (CAB) vide Notification No. S.O. 3495 (E) dated 18<sup>th</sup> November 2016 under Section 8 of the Minimum Wages Act, 1948.

## Minimum Wages Advisory Board (MWAB)

5.5 The Central Government has re-constituted the Minimum Wages Advisory Board (MWAB) vide Notification No. S.O. 1174 (E) dated 2<sup>nd</sup> March 2016 under Section 7 of the Minimum Wages Act, 1948.

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

5.6 The amendment proposals were placed in public domain on 17.06.2014 for inviting comments. The Draft Cabinet Note incorporating the comments was prepared and circulated for inter-ministerial consultation on 07.08.2014. An Inter-Ministerial Group (IMG) was set up on 29.10.2014 to consider the responses received and give its recommendations for amendment to the Act. The IMG has given its recommendation report in June, 2015. A Cabinet Note prepared on the basis of recommendation of IMG was circulated on 07.08.2015 for inter-ministerial consultation. **The revised draft Bill along with the draft Note for the Cabinet has been sent to Ministry of Law & Justice for vetting on 20.12.2016.**

## Enforcement of the Minimum Wages Act, 1948

5.7 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. 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 2015-16 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 2014-15 is shown in **Table 5.3**.

## The Payment of Wages Act, 1936

5.8 The Payment of Wages Act, 1936 was enacted to regulate payment of wages to workers employed in industries and to ensure a speedy and effective remedy to them against illegal deductions and/or unjustified delay caused in paying wages to them. The wage ceiling under Payment of Wages Act, 1936, was fixed at Rs. 1600/- p.m. in 1982.

5.9 This ceiling has been periodically revised upwards with a view to make the wages adjust to the inflation. In exercise of the powers conferred by sub-section (6) of Section 1 of the Act, the Central Government, on the basis of the Consumer Expenditure Survey brought out by the National Sample Survey Office, has enhanced the wage ceiling from Rs.10,000/- to Rs. 18, 000/- per month w.e.f. 11.9.2012.

5.10 The Payment of Wages (Amendment) Bill, 2016 has been introduced in the Lok Sabha on 15<sup>th</sup> December, 2016 to substitute section 6 of the Payment of Wages Act, 1936 so as to enable the employer to pay the wages to the employed person also by cheque or crediting it to their bank account and also to

enable the appropriate Government to specify the industrial or other establishments, by notification in the Official Gazette, which shall pay to every employed person, the wages only by cheque or by crediting in his bank account. As the Bill could not be passed, the Payment of Wages (Amendment) Ordinance, 2016 has been promulgated on 28.12.2016.

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

**5.11** 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 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, in exercise of powers conferred in sub-section (5) of section 26 of the Payment of Wages Act, 1936.

**5.12** 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 them 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 are in operation as statutory Wage Boards. All other Wage Boards have ceased to exist.

**5.13** 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.**

**5.14** 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/news agency employees respectively. According to the Act, Wage Boards shall consist of the following:

- Three persons representing employers in relation to newspaper establishment;
- Three persons, representing working journalists for Wage Board under Section 9 and three persons representing 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.

**5.15** 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.

**5.16** 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.

**5.17** 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.

**5.18** 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.

**5.19** 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.

**5.20** 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.

**5.21** 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.

**5.22** Meanwhile, a Writ Petition No. 246 of 2011 in the matter of ABP Private Limited Vs. UOI & Others alongwith 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 Indian 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 continue to pay the revised wages from April, 2014 onwards.

**5.23** 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 this Court through the Labour Commissioners of each State indicating the precise finding on the issue indicated above. 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.

**5.24** In order to monitor the implementation of the notification, a Central Level Monitoring Committee has been set up under the Chairmanship of Principal Labour & Employment Advisor. The first meeting of the Committee was held at Hyderabad on 24.09.2012 covering the 7 Southern States/UTs. So far six meetings of the Central Level Monitoring Committee have been held in different regions of India. **The seventh such meeting of the Committee was held at New Delhi on 16.10.2015 covering all States/UTs to review the implementation of the Wage Board Awards in the country.**

### The Payment of Bonus Act, 1965

**5.25** 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.

**5.26** 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.

**5.27** 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 follows:

Sl. No.	Year of Amendment	Eligibility limit (Rupees per month)	Calculating Ceiling (Rupees per month)
1.	1965	1,600	7,50
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.

**5.28** 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 has 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 139 A of the Constitution.

S. No.	State/UT	Category wise Range of Minimum Rates of Wages in All States as on 01.10.2016 (Provisional)							
		Categories							
		Unskilled		Semi Skilled		Skilled		Highly Skilled	
		Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.
	Central Sphere	214.00	374.00	219.00	414.00	238.00	456.00	259.00	495.00
1	Andhra Pradesh	145.88	-	-	-	-	-	-	895.83
2	Arunachal Pradesh	150.00	170.00	160.00	180.00	170.00	190.00	-	-
3	Assam	240.00	-	280.00	-	350.00	-	450.00	-
4	Bihar	181.00	197.00	188.00	206.00	232.00	251.00	282.00	308.00
5	Chhatisgarh	163.00	252.00	210.00	257.00	218.00	265.00	272.00	275.00
6	Goa	215.00	307.00	217.00	307.00	223.00	307.00	233.00	307.00
7	Gujarat	150.00	276.00	276.00	284.00	284.00	293.00	-	-
8	Haryana	292.31	292.31	306.92	322.27	338.38	355.30	373.07	373.07
9	Himachal Pradesh	180.00	185.55	188.47	197.00	216.52	224.17	237.12	284.50
10	Jammu & Kashmir*	150.00	150.00	175.00	175.00	225.00	225.00	-	-
11	Jharkhand	221.61	237.44	232.16	253.27	306.03	327.14	353.52	369.90
12	Karnataka	182.39	289.74	188.39	304.74	210.86	329.74	213.06	332.96
13	Kerala	275.46	548.70	-	-	-	-	-	-
14	Madhya Pradesh	193.00	263.00	257.00	349.00	303.00	398.00	296.00	399.00
15	Maharashtra	180.00	315.49					-	-
16	Meghalaya	170.00	170.00	181.00	181.00	191.00	191.00	212.00	212.00
17	Manipur	122.10	122.10	129.97	129.97	132.60	132.60	-	-
18	Mizoram	270.00	270.00	300.00	300.00	370.00	370.00	460.00	460.00
19	Nagaland	115.00	115.00	125.00	125.00	135.00	135.00	145.00	145.00
20	Odisha	200.00	200.00	220.00	220.00	240.00	240.00	260.00	260.00
21	Punjab	267.13	277.13	297.13	297.13	331.63	331.63	371.33	371.33
22	Rajasthan	197.00	197.00	207.00	207.00	217.00	217.00	267.00	267.00
23	Sikkim	220.00	220.00	242.00	242.00	275.00	275.00	319.00	319.00
24	Tamil Nadu	146.00	455.60	-	-	-	-	-	-
25	Tripura	142.46	346.15	162.81	375.00	184.96	403.85	280.00	405.42
26	Uttarakhand	200.00	272.12	231.54	291.54	235.31	310.96	249.23	356.35
27	Uttar Pradesh	161.00	211.67	233.33	300.71	261.33	354.67	299.17	418.83
28	West Bengal	211.00	278.00	232.00	306.00	255.00	337.00	370.00	-
29	A.& N. Islands	282.00	312.00	294.00	330.00	307.00	381.00	328.00	392.00
30	Chandigarh	316.15	316.15	322.00	326.00	333.46	342.11	358.00	358.00
31	D & N Haveli	268.20	268.20	276.20	276.20	284.20	284.20	-	-
32	Daman & Diu	268.20	268.20	276.20	276.20	284.20	284.20	-	-
33	Delhi	331.00	368.00	366.00	407.00	402.00	447.00	-	-
34	Lakshadweep	255.20	255.20	280.50	280.20	305.20	305.20	335.20	335.20
35	Puducherry	55.00	255.00	-	-	-	-	-	-
36	Telangana	69.27	363.26						

\* Data is yet to be received. Figures indicate rates of wages as on 31.12.2013 in respect of Jammu & Kashmir. Rates for unskilled workers for Assam and West Bengal exclude Tea garden workers.

Table - 5.2

**Enforcement of Provisions of Wage Laws by Central Industrial Relations Machinery (CIRM) during 2015-16**

Sl.No	Name of the Act		No. of Inspections done	Irregularities Rectified	Prosecutions Launched	Convictions (No. of Cases)	Claims filed
1	The Payment of Wage Act, 1936						
	(i)	Mines	1353	13734	216	258	69
	(ii)	Railways	153	1939	0	3	34
	(iii)	Air Transport Service	122	621	10	20	0
2	The Minimum Wages Act, 1948		9803	46467	1549	1476	743

DETAILS REGARDING ENFORCEMENT OF MINIMUM WAGES ACT, 1948 DURING 2014-15 (Table 5.3)												
S. No.	Name of the States/UTs	Inspections made	Irregularities		Claims		Prosecution cases			Amount of Compensation Awarded (Rs.'000)	Amount of Fine (Rs. '000)	
			Detected	Rectified	Filed	Settled	Pending	Filed	Decided		Imposed	Recovered
1	2	3	4	5	6	7	8	9	10	11	12	13
<b>CENTRAL SPHERE</b>												
		6497	68376	86765	2167	2432	52583	3566	2694	59856.881	30526.71	35892.24
<b>STATE SPHERE</b>												
1	Andhra Pradesh*											
2	Arunachal Pradesh*											
3	Assam*											
4	Bihar	71103	21862	20387	7241	5314	2843	371	41	5293.698	4288.440	
5	Chhattisgarh*											
6	Delhi*											
7	Goa											
8	Gujarat	131738	37751	25610	123	0	45786	1885	775	831	296	176
9	Haryana*											
10	Himachal Pradesh*											
11	Jharkhand*											
12	Jammu & Kashmir*											
13	Karnataka*											
14	Kerala*											
15	Madhya Pradesh*											
16	Maharashtra	20986	18106	13133	30	5	1564	311	126		225	1
17	Manipur*											
18	Meghalaya*											
19	Mizoram*											
20	Nagaland*											
21	Orissa	18349	15570	10416	80	2	1243	558	16	N.A.	3.000	Nil
22	Punjab*											
23	Rajasthan*											
24	Sikkim*											
25	Tamil Nadu	136602	190	85	819	562	3738	234	889	30897	73	12
26	Telangana											
27	Tripura*											
28	Uttarakhand	1591	763	172	25	—	418	174	248	—	681	681
29	Uttar Pradesh*											
30	West Bengal*											
31	Andaman & Nicobar Islands	181	1438	1438	-	-	1	-	6	-	9.9	-
32	Chandigarh*											
33	Dadra & Nager Haveli*											
34	Daman & Diu*											
35	Lakshadweep	16633	248	156	-	-	-	-	-	-	-	-
36	Puducherry*											

\* Information is still awaited. Source:- For Central Sphere- office of CLC(C), For State Sphere - State Government

## CHAPTER – 6

# SOCIAL SECURITY

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

### Social Security Laws

**6.2** The principal social security laws enacted 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 alongwith 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 Employee's Compensation Act, 1923

**6.4** The main objective of the Act is to impose an obligation upon the employers to pay compensation to workers for accidents arising out of and in the course of employment.

**6.5** The Act applies to the persons employed in factories, mines, plantations, mechanically propelled vehicles, construction works and certain other hazardous occupations. The Act provides for payment of compensation to the employees and their dependents in case of injury and accident (including certain occupational diseases) arising out of and in the course of employment and resulting in disablement or death.

### Entitlement

**6.6** In order to be an “employee” within the meaning of section 2(1) (dd) of the Employees’ Compensation Act, firstly, a person should be employed for the purposes of the employer’s trade or business; and lastly, the capacity in which he works should be one set out in the list in Schedule II of the Act.

### Benefits

**6.7** The rate of compensation in case of death is an amount equal to fifty per cent of the monthly wages of the deceased workman multiplied by the relevant factor or an amount of Rs.1,20,000/-, whichever is more. Where permanent total disablement results from the injury, the compensation will be an amount equal to sixty per cent of the monthly wages of the injured workman multiplied by the relevant

factor or an amount of Rs.1,40,000/-, whichever is more.

### Administration

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

**6.9** Keeping in view the recommendation of the Second National Commission on Labour and suggestions received from the related Ministries/Departments, certain amendments in the Workmen’s Compensation Act, 1923 have been carried out in December, 2009.

## The Employees State Insurance Act, 1948

### Coverage

**6.10** 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 Act to shops, hotels, restaurants, cinemas including preview theatres, road motor transport undertakings, newspaper establishments, educational and medical institutions employing 10 or more employees. Employees of factories and

establishments covered under the Act drawing monthly wages upto Rs.21,000/- per month and Rs.25,000/- per month for persons with disabilities are covered under the Scheme. The ESI Scheme is now operated in 843 centres situated in 33 States/Union Territories. As on 31.03.2016, 2.13 crore insured persons and about 8.28 crore beneficiaries are covered under the Scheme. The number of factories and establishments covered by the end of the year had gone up to about 7.83 lakh.

### Administration

**6.11** The ESI Scheme is administered by a statutory body called the Employees' State Insurance Corporation (ESIC), which has members representing Employers, Employees, Central and State Governments, Medical Profession and the Parliament. The Union Minister for Labour & Employment is the Chairman. A Standing Committee, constituted from among the members of the Corporation, acts as the executive body for administration of the Scheme and is chaired by the Secretary, Ministry of Labour & Employment. There are 24 Regional Boards and 241 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 Delhi. The Corporation has 63 field offices- 24 Regional Offices, 37 Sub-Regional Offices, 01 Divisional Offices, 2 Camp Offices throughout the country. Besides, there are 628 Branch Offices and 185 Pay Offices for administration of cash benefits to Insured Persons. Besides above,

there are 3 Liaison Offices. For inspection and coverage of new factories/Establishment, 428 Inspection Offices have also been set up across the Country.

### Funding and Operation of the Scheme

**6.12** The ESI Scheme is mainly financed by contributions from the employers and employees. The rates of the employers' and the employees' share of contribution are 4.75% and 1.75%, respectively. The Corporation has prescribed a ceiling on reimbursement of Medical Care Expenditure to State Govt. at present the prescribed ceiling is Rs.3000/- per Insured Person Family Unit per annum. The expenditure on Medical Care is shared between ESI Corporation and State Government in the ratio of 7:1 with the ceiling. All capital expenditure on construction of ESI Hospitals and other buildings including their maintenance is borne exclusively by the Corporation.

### Investment

**6.13** All contributions received under the ESI Act and all other money belonging to the fund which are not immediately required for defraying day to day expenses are invested in the manner prescribed under ESI(Central) Rules. As on 31.12.2016, the total investment of fund was Rs. 49,357.63 crore. Out of this, an amount of Rs. 12,449.90 crore was invested in the Special Deposit Account with Central Government and the balance amount of Rs.36407.73 crore was invested in fixed deposits with nationalized banks.

## Arrears of ESI dues

**6.14** A sum of Rs. 2249.96 crore was in arrears as on 31.03.2016 on account of default by the employers of covered factories/establishments. Out of this, an amount of Rs. 1273.43 crore was not recoverable, for the present due to various reasons, such as factories having gone into liquidation, whereabouts of employers not known, recovery having been disputed in Courts, etc. The balance, amounting to Rs. 976.53 crore, represents recoverable arrears. The Corporation has been taking necessary recovery action through Recovery Machinery, Legal and penal actions, under various provisions of the Employees' State Insurance Act, 1948 and under Indian Penal Code for recovery of ESI dues.

## Health & Cash Benefits under ESI Scheme

**6.15** Besides from medical care, the beneficiaries under 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 of employment injury caused by accident or occupational disease are entitled to monthly payments called the dependent benefits.

**6.16** Cash benefits payments are made at 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 are as following:

- Sickness benefit
  - ✓ Sickness Benefit
  - ✓ Enhanced Sickness Benefit
  - ✓ Extended Sickness Benefit
- **Disablement benefit**
  - ✓ Temporary Disablement Benefit
  - ✓ Permanent Disablement Benefit
- **Dependant's Benefit**
- **Maternity Benefit**
- **Medical Benefit**
- **Other Benefit**
  - ✓ Confinement Expenses
  - ✓ Funeral Expenses
  - ✓ Vocational Rehabilitation
  - ✓ Physical Rehabilitation
  - ✓ Unemployment Allowances (RGSKY)
  - ✓ Skill Upgradation Training under RGSKY

## Medical Care

**6.17** The Scheme provides reasonable medical facilities from primary health care to super speciality treatment in respect of the insured persons and their family members. The medical care under the scheme is administered by the State Governments, except in Delhi and Noida. The Corporation also directly runs 36 Hospitals as on 31.03.2015 including 5 ODC Hospitals in various states as per details given in **Table 6.1**

## EMPLOYEES' PROVIDENT FUNDS AND MISCELLANEOUS PROVISIONS ACT, 1952

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

**6.19** Presently, the following three Schemes are in operation under the Act through the Employees' Provident Fund Organisation (EPFO):

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

## COVERAGE OF ESTABLISHMENTS AND MEMBERS

**6.20** Presently, the Act is applicable to 190 specified industries/classes of establishments as is specified in Schedule I of the Act or any activity notified by the Central Government in the Official Gazette and employing twenty or more persons. Apart from the provision for compulsory coverage, provision also exists

under section 1(4) of the Act for voluntary coverage. As on 31.03.2016, there were 9,26,297 establishments and factories covered under the Act with a membership of 1714.14 lakh under EPF Scheme, both in the Exempted and Un-exempted sectors. With effect from 01-09-2014, an employee, on joining the employment in a covered establishment and getting wages upto Rs.15,000/- is required to become a member of the fund.

## ARREAR MANAGEMENT

**6.21** The arrears under all the schemes as on 31<sup>st</sup> March 2016 were of the order of Rs. 6,185.08 crore. Out of this 62.36% pertains to not immediately realizable category being the amount locked in courts and where stay has been granted by the courts. In order to recover the arrears, the EPF Organisation takes various actions under the provisions of Section 8 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. It takes steps to get the stay orders vacated to recover arrears under the not realizable category. It also launches prosecution against the defaulting employers under Section 14 of the Act and prosecutes employers under section 406/409 of the Indian Penal Code in case they deduct employee's share of contribution but do not remit the same to the Fund. During the year 2015-16, arrears amounting to Rs.2,279.29 crore were realized out of a total workload of Rs.8,464.37 crore under both unexempted and exempted sector of establishments.

## SERVICE TO MEMBERS

**6.22** 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 2015-16, 54.27 lakh EPF claims were settled. The scheme also provides for partial withdrawals from the Provident Fund Account to meet contingencies like illness, invalidation and also to provide financial assistance to discharge their social responsibilities like marriage of self, children or higher education of children and construction of dwelling house. At the end of a financial year a member is also entitled to receive annual statement of account indicating his balances. During the year 2015-16, 1,732.19 lakh annual statement of accounts were issued.

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

**6.23** Employees Deposit-Linked Insurance Scheme, 1976 (EDLI) is applicable to all factories / establishments with effect from 1<sup>st</sup> August, 1976. All the employees, who are members of the Employees' Provident Fund Scheme, are required to become members of this Scheme. Employers are required to pay contributions to the Insurance Fund at the rate of 0.5 per cent of pay i.e., basic wages, dearness allowance including cash value of food concession and retaining allowance, if any. The benefit under para 22 of this Scheme on the death of an employee has been further increased by 20% in addition to the benefits already provided therein. During the year 2015-16, a sum of Rs. 1,231.92 crore comprising of employers' contribution was deposited. During the year 2015-16, 32,956 EDLI claims were settled. At the end of 2015-16, the EPFO had cumulative investments of Rs. 17,992.05 crore under this Scheme.

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

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

### **BENEFITS UNDER THE SCHEME**

**6.25** 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

**6.26** The category-wise break up of pension claims (all benefits) settled by the Employees' Provident Fund Organisation during the year 2015-16 is indicated in the following Table:

Category of Claims	Number of Claims Settled
Monthly Pension Benefits(10A+10D)	3.85 lakh
Other than Monthly Pension(10B+10C)	45.97 lakh
Retirement-cum-withdrawal benefit	
<b>TOTAL</b>	<b>49.82 lakh</b>

### Contribution to Pension Fund

**6.27** The Scheme is financed by transferring 8.33% of the Provident Fund contributions from employers’ share and by contribution @ 1.16% of basic wages of employees by the Central Government. All accumulations in the ceased Employees’ Family Pension Fund constitute the corpus of the Pension Fund. During the year 2015-16, Rs. 32,057.08 crore were received as Pension Fund Contributions, out of which Rs.29,026.88 crore were collected from employers’ share and Rs. 3,030.20 crore were contributed by the Central Government. At the end of 2015-16, the EPFO had cumulative investments of Rs.2,77,077.20 crore under the EPS Scheme.

### PENSION BENEFICIARIES

**6.28** The beneficiaries of the ceased Employees’ Family Pension Scheme, 1971 continue to get benefits under the new employees’ Pension Scheme, 1995. As on 31-03-2016, there were **37,83,251** members, **9,30,372** spouses, **23,038** parents, **5,74,137** children, **36,925** orphans and **10,058** nominees receiving pension under the Scheme. Total amount disbursed among the pensioners during the year was **Rs.8,263.04** crore through the nationalized banks and post offices.

### The Maternity Benefit Act, 1961

**6.29** The Act was passed in September, 1961 and received its assent on 12<sup>th</sup> December, 1961. The Act 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 periods before and after birth and provides for maternity and other benefits. It extends to the whole of India, except the State of Sikkim. It also provides for maternity leave and payment of certain monetary benefits to women workers subject to fulfilment of certain conditions during the period when they are out of employment on account of pregnancy. The services of a woman worker cannot be terminated during the period of her absence on account of pregnancy except for gross misconduct. Maximum period for which a woman can get maternity benefit is twelve weeks. The Act had been amended in 2008. A medical bonus of Rs.3,500/- is being provided from 19.12.2011 under the Act.

**6.30** A proposal for increasing the maternity benefit for working women from existing 12 weeks to 26 weeks up to two surviving children and 12 weeks for more than two children is under the consideration by amending the Maternity Benefit Act, 1961. The proposed amendment Bill has also provisions of maternity benefits for adopting and Commissioning mothers. It also seeks crèche and work from home facility. The Amendment Bill has been passed in the Rajya Sabha and is likely to be passed by the Lok Sabha.

## The Payment of Gratuity Act, 1972

### Objective

**6.31** 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.

### Coverage

- Every factory, mine, oil-field, plantation, port and railway company.
- Every shop or establishment within the meaning of any law for the time being in force in relation to shops and establishments in a State, in which ten or more persons are employed or were employed on any day of the preceding twelve months.
- Every motor transport undertaking in which ten or more were employed on any day of the preceding twelve months.
- Such other establishments or class of establishments in which ten or more

employees are employed or were employed on any day of the preceding twelve months as the Central government may, by notification, specify in this behalf.

**6.32** 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

**6.33** 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

**6.34** For every completed year of service or part thereof in excess of six months, the employer pays gratuity to an employee at the rate of fifteen days' wages based on the rate of wages last drawn. As per section 4(3) of the Act, the amount of the gratuity payable to an employee shall not exceed Rs.10,00,000/-.

### Administration

**6.35** 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.

**6.36** 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. In pursuance to a judgment of Hon'ble Supreme Court, the Payment of Gratuity (Amendment) Bill, 2008 to amend the definition of 'employee' under section 2 (e) of the act in order to cover the teachers in educational institutions retrospectively i.e. with effect from 3<sup>rd</sup> April, 1997, i.e. the date of notifying the educational institutions under the Act, has been notified on 31.12.2009. Also, in order to enhance the ceiling on amount of gratuity from Rs.3.50 lakh to Rs.10 lakh, amendment in the Payment of Gratuity Act, 1972 has been made w.e.f. 24.05.2010.

Table 6.1

Sl. No.	State	Place
1	Assam	Beltola
2	Bihar	Phulwarisharif, Patna
3	Chandigarh UT	Ramadarbar, Chandigarh
4	Delhi	Basaidarapur
5	Delhi	Jhilmil
6	Delhi	Okhla
7	Delhi	Rohini
8	Gujarat	Bapu Nagar, Ahmedabad
9	Gujarat	Naroda
10	Gujarat	Vapi
11	Haryana	Gurgaon
12	Haryana	Manesar
13	Haryana	Faridabad
14	Himachal Pradesh	Baddi
15	Jammu & Kashmir	Bari Brahmna, Jammu
16	Jharkhand	Namkum, Ranchi
17	Jharkhand	Adityapur
18	Karnataka	Rajajinagar, Bangalore

19	Karnataka	Peenya
20	Kerala	Asramam, Kollam
21	Kerala	Udyogmandal
22	Kerala	Ezhukone
23	Kerala	Paripally
24	Madhya Pradesh	Nanda Nagar, Indore
25	Maharashtra	Andheri, Mumbai
26	Odisha	Rourkela
27	Punjab	Ludhiana
28	Rajasthan	Jaipur
29	Rajasthan	Bhiwadi
30	Tamil Nadu	Coimbatore
31	Tamil Nadu	KK Nagar, Chennai
32	Tamil Nadu	Tirunelveli
33	Telangana	Nacharam, Hyderabad
34	Telangana	S.S. Sanathnagar, Hyderabad
35	Uttar Pradesh	Noida
36	West Bengal	Joka, Kolkata

<b>ESI Medical Infrastructure (As on 31.03.2016)</b>	
ESI Hospitals (Nos.)	151
Beds available in ESI Hospitals (Nos.) (including annexes/reserved beds)	23188
Reserve Beds in State Government Hospitals	2805
Medical Officers including Specialist	7874
ESI Dispensaries/ISM Units	1459/188
Panel Clinics	954

## 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 have been enacted by Parliament to set up five Welfare Funds to be administered by Ministry of Labour & Employment to provide housing, medical care, educational and recreational facilities to workers employed in beedi industry, certain non-coal mines, and cine workers.

**7.2** The scheme of Welfare Funds is outside the framework of specific employer and employee relationship in as much as the resources are raised by the Government on a non-contributory basis and delivery of welfare services affected without linkage to individual worker's contribution. Welfare funds, which follow a sectoral approach, are in addition to a large number of various other poverty alleviation and employment generation programmes, which follow a regional approach and for which most of these workers are eligible.

### LABOUR WELFARE FUNDS

**7.3** The Ministry of Labour & Employment is administering five Welfare Funds for beedi, cine and certain categories of non-coal mine

workers. The Funds have been set up under the following Acts of Parliament for the welfare of these workers:-

- The Mica Mines Labour Welfare Fund Act, 1946;
- The Limestone and Dolomite Mines Labour Welfare Fund Act, 1972;
- The Iron Ore, Manganese Ore and Chrome Ore Mines Labour Welfare Fund Act, 1976;
- The Beedi Workers' Welfare Fund Act, 1976; and
- The Cine Workers' Welfare Fund Act, 1981.

**7.4** The Acts enable the Central Government to meet the expenditure incurred in connection with measures and facilities which are necessary or expedient to promote the welfare of such workers. In order to give effect to the objectives laid down in the above Acts, various welfare schemes have been formulated and are under operation in the fields of Health, Social Security, Education, Housing, Recreation, and Water Supply. Details of the schemes as follows:

Sl.No	Major schemes(non-plan)	Salient Features																													
<b>EDUCATION</b>																															
	Scholarship Scheme under Beedi/Cine and Mines Workers Welfare Funds	<table border="1"> <thead> <tr> <th rowspan="2">Class</th> <th colspan="2">Rates in( ₹)</th> </tr> <tr> <th>Girls</th> <th>Boys</th> </tr> </thead> <tbody> <tr> <td>Class I to IV</td> <td>250</td> <td>250</td> </tr> <tr> <td>Class V to VIII</td> <td>940</td> <td>500</td> </tr> <tr> <td>Class IX</td> <td>1140</td> <td>700</td> </tr> <tr> <td>Class X</td> <td>1840</td> <td>1400</td> </tr> <tr> <td>PUC I &amp; II, Class XI &amp; XII</td> <td>2440</td> <td>2000</td> </tr> <tr> <td>ITI</td> <td>10000</td> <td>10000</td> </tr> <tr> <td>Non-Professional Degree Courses; Non-Professional Post Graduate Courses; Two-Three Year Diploma Courses and BCA,BBA &amp; PGDCA.</td> <td>3000</td> <td>3000</td> </tr> <tr> <td>Professional Degree Courses i.e.B.E./B.Tech/MBBS/BAMS/BUMS/B.Sc(Agriculture) and MCA/MBA.</td> <td>15000</td> <td>15000</td> </tr> </tbody> </table>	Class	Rates in( ₹)		Girls	Boys	Class I to IV	250	250	Class V to VIII	940	500	Class IX	1140	700	Class X	1840	1400	PUC I & II, Class XI & XII	2440	2000	ITI	10000	10000	Non-Professional Degree Courses; Non-Professional Post Graduate Courses; Two-Three Year Diploma Courses and BCA,BBA & PGDCA.	3000	3000	Professional Degree Courses i.e.B.E./B.Tech/MBBS/BAMS/BUMS/B.Sc(Agriculture) and MCA/MBA.	15000	15000
Class	Rates in( ₹)																														
	Girls	Boys																													
Class I to IV	250	250																													
Class V to VIII	940	500																													
Class IX	1140	700																													
Class X	1840	1400																													
PUC I & II, Class XI & XII	2440	2000																													
ITI	10000	10000																													
Non-Professional Degree Courses; Non-Professional Post Graduate Courses; Two-Three Year Diploma Courses and BCA,BBA & PGDCA.	3000	3000																													
Professional Degree Courses i.e.B.E./B.Tech/MBBS/BAMS/BUMS/B.Sc(Agriculture) and MCA/MBA.	15000	15000																													
	Scheme for financial assistance for the purchase of motor vehicles for the transportation of school going children of IOMC and LSDM workers	The financial assistance shall be limited to 75% of the actual cost or ₹7,00,000 /-(rupees seven lakhs ) for a normal bus (whichever is less) and 75% of the actual cost or ₹5,00,000 /-(rupees five lakhs ) for a mini bus (whichever is less)																													
	Scheme for grant-in-aid to libraries for IOMC/LSDM labour welfare fund.	Managements who run libraries for the benefit of minimum 100 workers are eligible for Grant-in-aid of maximum of ₹ 10,000/- per annum.																													
[Under the Education Scheme, applications from the wards of Beedi, LSDM, IOMC and CINE workers are invited through the National Scholarship Portal (NSP). During 2015-16, the payments to these students were made through NSP.1. During 2016-17 also payments will be made through NSP.2.]																															
<b>RECREATION</b>																															
	Scheme for financial assistance for the purchase of motor vehicles for the transportation of Iron Ore, Manganese Ore and Chrome Ore and Limestone and Dolomite Mine workers from their residence to the place of duty and back.	Financial assistance to the management. The financial assistance shall be limited to 75% of the actual cost or ₹7,00,000 /-(rupees seven lakhs ) for a normal bus (whichever is less) and 75% of the actual cost or ₹5,00,000 /-(rupees five lakhs ) for a mini bus (whichever is less).																													
	Scheme for excursion-cum-study tours for the workers employed in Mica/IOMC and LSDM mines.	The financial aid payable on matching basis subject to a maximum of ₹30,000 per tour on certain conditions as per scheme																													

<p>Supply of T.V. Sets to mines managements / beedi cooperative societies for the recreation of their miners / beedi workers.</p>	<p>The cost of TV Set including all accessories should not exceed ₹10,000 /- however, if the management is desire us of providing a black and white TV Set, full cost of the set will be reimbursed by the fund organization subject to a maximum of ₹ 4,000 /-</p>												
<p>Scheme for providing subsidy to mine managements for purchase of dish antenna for the benefit of mine workers.</p>	<p>The payment of the subsidy shall be limited to 50% of the actual cost of the dish antenna including all accessories or ₹ 30,000/- whichever is less.</p>												
<p>Scheme for organizing sports games, social and culture activities in mining areas (IOMC &amp; LSDM)</p>	<table border="1"> <thead> <tr> <th data-bbox="657 578 959 619">Item</th> <th data-bbox="959 578 1468 619">Present limit for mine management</th> </tr> </thead> <tbody> <tr> <td data-bbox="657 619 959 697">for Organizing Sports, Games, Tournaments etc.</td> <td data-bbox="959 619 1468 697">75% of the actual expenditure subject to a limit of ₹20,000</td> </tr> <tr> <td data-bbox="657 697 959 776">Purchase of Sports Gear.</td> <td data-bbox="959 697 1468 776">75% of the actual expenditure subject to a limit of ₹20,000..</td> </tr> <tr> <td data-bbox="657 776 959 953">For social activities like celebration of National and regional festivals</td> <td data-bbox="959 776 1468 953">₹2500 per activity subject to a limit of ₹ 7,500/- in a financial year for celebrating 3 festivals.(may be applicable to all funds except CWWF)</td> </tr> <tr> <td data-bbox="657 953 959 1115">For cultural activities like dance drama,music elocution competition</td> <td data-bbox="959 953 1468 1115">₹2000 per activity subject to a limit of ₹ 14,000/- in a financial year for celebrating 7 festivals.(may be applicable to all funds except CWWF)</td> </tr> <tr> <td colspan="2" data-bbox="657 1115 1468 1281"> <p>Note:- The total expenditure for the whole year should not exceed Rs. 40,000 /- per tournament subject to the limitations of budget provision as approved by the Government of India and will be met from the Welfare Fund</p> </td> </tr> </tbody> </table>	Item	Present limit for mine management	for Organizing Sports, Games, Tournaments etc.	75% of the actual expenditure subject to a limit of ₹20,000	Purchase of Sports Gear.	75% of the actual expenditure subject to a limit of ₹20,000..	For social activities like celebration of National and regional festivals	₹2500 per activity subject to a limit of ₹ 7,500/- in a financial year for celebrating 3 festivals.(may be applicable to all funds except CWWF)	For cultural activities like dance drama,music elocution competition	₹2000 per activity subject to a limit of ₹ 14,000/- in a financial year for celebrating 7 festivals.(may be applicable to all funds except CWWF)	<p>Note:- The total expenditure for the whole year should not exceed Rs. 40,000 /- per tournament subject to the limitations of budget provision as approved by the Government of India and will be met from the Welfare Fund</p>	
Item	Present limit for mine management												
for Organizing Sports, Games, Tournaments etc.	75% of the actual expenditure subject to a limit of ₹20,000												
Purchase of Sports Gear.	75% of the actual expenditure subject to a limit of ₹20,000..												
For social activities like celebration of National and regional festivals	₹2500 per activity subject to a limit of ₹ 7,500/- in a financial year for celebrating 3 festivals.(may be applicable to all funds except CWWF)												
For cultural activities like dance drama,music elocution competition	₹2000 per activity subject to a limit of ₹ 14,000/- in a financial year for celebrating 7 festivals.(may be applicable to all funds except CWWF)												
<p>Note:- The total expenditure for the whole year should not exceed Rs. 40,000 /- per tournament subject to the limitations of budget provision as approved by the Government of India and will be met from the Welfare Fund</p>													
<p>Organizing sports games, social and culture activities for beedi workers (including gharkhata-beedi workers).</p>	<p>The total expenditure for the whole year for an area having a population of beedi workers of 10,000 or more should not exceed Rs.40,000 /- per tournament subject to the limitations of budget provision as approved by the Government of India and will be met from the Welfare Fund.</p> <p>If organized by the beedi managements:-50% of the cost of the event subject to a maximum of Rs.2000/- per event, after it has been incurred, with the approval/sanction of the Ministry of Labour</p>												
<p>Scheme for holiday home at puri</p>	<p>Financial assistance for sight- seeing expenses (including rickshaw charges) for the holiday home visitors ₹50 per person.</p>												

WATER SUPPLY		
	Financial assistance for implementing water supply scheme in IOMC & LSDM Mining areas	The total quantum of assistance not exceeding 75% of the estimated cost that will be made available from the Fund on the satisfactory execution of the scheme. Sanction for the payment of portion of the cost of the scheme, not exceeding half the total quantum of the assistance, as initial financial assistance. Copies of sanctions should be endorsed to the Ministry.
	Scheme for sinking of wells in the Mica Mining and LSDM areas.	The subsidy payable by the fund shall be equal to 75% of the actual cost of the construction as certified by the competent technical authority subject to a maximum of 75% of the ceiling cost as per the sliding scale as specified in the scheme

**7.5** Ministry of Labour & Employment has also initiated action for rehabilitation of the beedi workers to provide them alternate source of employment for viable alternative sources of livelihood as there is apprehension among Beedi Manufactures/Beedi Workers Associations that employment may be reduced in beedi industry due to the anti-Tobacco campaign.

**7.6** The Revised Integrated Housing Scheme (RIHS), 2007 for Beedi workers etc. is being implemented from 1<sup>st</sup> April, 2007. Any Beedi worker whether an employee of an establishment or a GharKhatta worker who has been engaged in the beedi industry for not less than one year, with monthly family income up to Rs. 6,500/-, is eligible to avail benefits for construction of a house on land site possessed by himself/herself jointly/severally with other members of his family or on land allotted by the State Govt./Gram Sabha. The housing subsidy of Rs. 40,000/- per tenement per worker is released by the Director General Labour

Welfare (DGLW) on 50:50 basis, in two equal instalments to (a) Welfare Commissioner of the region concerned in case of construction of houses by the worker individually; (b) Co-operative Group Housing Society of workers for construction of houses under Group Housing Scheme (GHS); and (c) State Government concerned for construction of houses for Beedi workers under Economically Weaker Section (EWS) component of the scheme. The 1<sup>st</sup> instalment of Rs. 20,000/-per worker, as advance subsidy after receipt of workers' contribution, is released at the time of grant of administrative approval for the purpose of construction of the house till roof level. The balance of 50% i.e. 2<sup>nd</sup> instalment of Rs. 20,000/- of the total subsidy is released when 50% progress i.e. construction reaching at roof level is reported to the DGLW. Details of houses sanctioned during last three years and current year (till date) under the Revised Integrated Housing Scheme (RIHS) are as under:

Financial Year	No. of Houses sanctioned for which subsidy released	Expenditure/Sanction (Rs. in crore)
2013-14	10519	21.3800
2014-15	12354	24.7089
2015-16	14544	13.8060
2016-17	8275	17.56 (till 30.11.2016)

RIHS, 2007 has since been modified as RIHS 2016, wherein subsidy amount has been revised to Rs. 1,50,000/- vide O.M. dated 21.03.2016. However, it has been sent to Ministry of Finance for ex-post-facto concurrence and therefore, no sanctions have been issued under the new scheme.

**7.7** The Labour Welfare Organization which administers these Funds 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.

WELFARE COMMISSIONERES AND THEIR JURISDICTION		
S.NO.	Name of the Region	States Covered
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

## ADVISORY COMMITTEES

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

and Employees' Organization respectively excluding the Chairman and Secretary.

## LEVY OF CESS:

**7.9** Beedi Workers Welfare Cess Act, 1976 provides for levy of cess by way of excise duty on manufactured beedis. This is being enhanced from Rs. 5/- to Rs. 8/- per thousand manufactured beedis. However, from the year 2016-17 onwards, the provision for collection of cess under the Iron Ore, Manganese Ore and Chrome Ore (IOMC) Labour Welfare Cess Act 1976, Limestone and Dolomite Mine (LSDM) Labour Welfare Fund Act 1972, Mica Mines Labour Welfare Fund Act, 1946, Cine Workers Labour Welfare Cess Act, 1981 has been done away with.

DETAILS OF EXPENDITURE

Details of Expenditure for last 2 financial year (in thousands)							
Name of Fund	Name of Scheme	2014-15			2015-16		
		BE	RE	Exp.	BE	RE	Exp.
<b>BWWF</b>	Health	837550	819601	788149	894570	858978	858976
	Education	825904	743314	669513	875500	875500	835833
	Recreation	2237	2116	1395	2378	2328	1541
	Housing	522346	406146	247089	553690	553674	138481
	<b>Total</b>	<b>2379200</b>	<b>2151300</b>	<b>1817745</b>	<b>2526700</b>	<b>2486000</b>	<b>1834831</b>
<b>LSDM</b>		<b>BE</b>	<b>RE</b>	<b>Exp.</b>	<b>BE</b>	<b>RE</b>	<b>Exp.</b>
	Health	77422	75718	69155	82634	82734	73455
	Education	13724	12348	6641	14589	14589	2347
	Recreation	9508	9004	4873	10118	10118	4584
	Housing	9966	9257	5330	10592	10592	5892
	Water Supply	600	540		636	636	0
<b>Total</b>	<b>149800</b>	<b>144600</b>	<b>122879</b>	<b>159700</b>	<b>159800</b>	<b>86278</b>	
<b>IOMC</b>		<b>BE</b>	<b>RE</b>	<b>Exp.</b>	<b>BE</b>	<b>RE</b>	<b>Exp.</b>
	Health	87880	86113	83921	93594	93594	84426
	Education	33258	30903	22612	35297	35297	22374
	Recreation	4241	4004	1747	4500	4500	2650
	Housing	3170	3000	1736	3367	3367	1992
	Water Supply	110	99	0	115	115	0
<b>Total</b>	<b>156500</b>	<b>151400</b>	<b>132768</b>	<b>167000</b>	<b>167000</b>	<b>111442</b>	

MICA		BE	RE	Exp.	BE	RE	Exp.
	Health	13615	13593	13085	14618	14618	12852
	Education	5475	5475	6105	5863	5863	6933
	Recreation	832	832	427	892	892	421
	Health	100	100	0	100	100	0
	<b>Total</b>	<b>25400</b>	<b>25400</b>	<b>24156</b>	<b>27300</b>	<b>27300</b>	<b>20206</b>
CINE		BE	RE	Exp.	BE	RE	Exp.
	Health	15290	14383	11217	16297	16297	14421
	Education	2290	2440	1779	2457	2457	1204
	Health	100	100	98	100	100	24
	<b>Total</b>	<b>18100</b>	<b>17300</b>	<b>13320</b>	<b>19300</b>	<b>19300</b>	<b>15649</b>
	<b>GRAND TOTAL</b>	<b>2729000</b>	<b>2490000</b>	<b>2110868</b>	<b>2900000</b>	<b>2859400</b>	<b>2068406</b>

## CHAPTER – 8

**UNORGANIZED WORKERS**

**8.1** The term unorganised worker has been defined under the Unorganised Workers' Social Security Act, 2008, as a home based worker, self-employed worker or a wage worker in the 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 the 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 crore. 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. 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 is also operating Welfare Funds for some specific categories of workers in the unorganised sector like beedi workers, cine workers and certain non-coalmine workers. The funds are used to provide various kinds of welfare activities to the workers in the field of health care, housing, education assistance for children, water supply etc.

### **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. The National Board has held eight meetings so far and recommended extension of Rashtriya Swasthya Bima Yojana (RSBY), Janshree Bima Yojana (JBY) and Old Age pension to certain categories of unorganized workers.

**8.8** 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 I 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 thereunder, etc.

**8.9** Different schemes listed under Schedule – I of the Unorganised Workers’ Social Security Act, 2008 are as mentioned below:

S.No.	Name of the Welfare Scheme	Ministry/ Department	Brief
1	Indira Gandhi National Old Age Pension Scheme	Ministry of Rural Development	Under the scheme, assistance is provided to person of 60 year and above and belonging to family living below poverty line (BPL) as per the criteria prescribed by Government of India. The scheme is run by Ministry of Rural Development (MORD). A Central Assistance of Rs. 200/- per month is provided to person in the age group of 60-79 years and Rs. 500/- per month to persons of 80 years and above. Identification of beneficiaries, sanction and disbursement of pension is done by State/ UT Government. The Scheme is implemented by Rural Development Department and in a few states by Women and Child Development Departments.
2	National Family Benefit Scheme	Ministry of Rural Development	Under this Scheme a BPL household is entitled to compensate amount of money on the death of primary bread winner aged between 18 and 59 years. This Scheme is run by Ministry of Rural Development (MoRD).

3	Janani Suraksha Yojana.	Ministry of Health and Family Welfare	It is a Centrally Sponsored scheme with the objective of reducing maternal and infant mortality by prompting institutional delivery among pregnant women. This scheme is run by Ministry of Health and Family Welfare. The Scheme focuses on poor pregnant woman with special dispensation for states that have low institutional delivery rates, namely, the states of Uttar Pradesh, Uttarakhand, Bihar, Jharkhand, Madhya Pradesh, Chhattisgarh, Assam, Rajasthan, Orissa and J&K. While these States have been named low performing States (LPS), the remaining states have been named high performing States (HPS). The Scheme also provides performance based incentives to women health volunteers known as ASHA (Accredited Social Health Activist) for promoting institutional delivery among pregnant Women.
4	Handloom Weavers' Comprehensive Welfare Scheme	Ministry of Textiles	The main objective of the scheme is to enable weaver community to access, the best of health care facilities in the country. This scheme is run by Ministry of Textiles (office of the Development Commissioner for handlooms).
5	Handicraft Artisans' Comprehensive Welfare Scheme	Ministry of Textiles	Handicraft constitutes an important segment of the unorganised sector of our economy. In order to address the welfare needs of artisan in terms of health and dwelling insurance, this scheme has been envisaged. This Scheme is run Ministry of Textiles.

6	Pension to Master craft persons	Ministry of Textiles	Master craftsperson of 60 years or more age who are recipients of National Awards or Merit Certificates or State awards in Handicrafts and whose private income is less than Rs. 30000/- per year and who is not receipt of similar financial assistance from any other source.
7	National Scheme for Welfare of Fishermen and Training and Extension	Department of Animal Husbandry, Dairying & Fisheries	Under the scheme basic amenities such as housing, drinking water, construction of community's hall and tubewells are provided for fishermen in their fishing village. Insurance coverage is also provided to fisherman engaged actively in fishing. Financial assistance to fishermen during lean fishing season is also provided.
8	Aam Admi Bima Yojana	Ministry of Labour and Employment.	The main objective of this scheme is to provide life insurance cover to the economically backward sections of the society. AABY extends life and disability covers to Persons between the age of 18 years to 59 years living below and marginally above the poverty line under 47 identified vocational/occupational group. The earlier scheme of Janshree Bima Yojana, which provided life insurance protection to the rural and urban poor persons below poverty line and marginally above the poverty line, as mentioned in the Schedule I of the UWSS Act 2008 has now been merged into Aam Admi Bima Yojana.

9	Rashtriya Swasthya Bima Yojana	Ministry of Health and Family Welfare.	‘Rashtriya Swasthya Bima Yojana’ (RSBY) is implemented by Ministry of Health and Family Welfare., Government of India to provide health insurance coverage to Below Poverty Line (BPL) families. Under the scheme, the BPL families (a unit of five) in the unorganized sector are provided smart card based cashless health insurance cover of Rs.30,000/- per annum. The scheme became operational from 01.04.2008. During the course of implementation, apart from BPL families, RSBY coverage has been extended to 11 occupational groups of Unorganised Workers viz. Building & Other Construction Workers, Licensed Railway Porters, Street Vendors, MGNREGA workers (who have worked for more than fifteen days during preceding financial year), Beedi workers, Domestic workers, Sanitation Workers, Mine Workers, Rickshaw pullers, Rag pickers and Auto/Taxi drivers. It is the endeavour of the Government to extend Rashtriya Swasthya Bima Yojana (RSBY) to all Unorganised Workers in a phased manner.
---	--------------------------------	--	---

**8.10** Recently, Central Government has also launched following three schemes for all citizen including rural labour to provide them comprehensive social security model.

**i. Atal Pension Yojna (APY):** Under the **APY**, subscribers would receive a fixed minimum pension of Rs. 1000 per month, Rs. 2000 per month, Rs. 3000 per month, Rs. 4000 per month, Rs. 5000 per month, at the age of 60 years, depending on their contributions, which itself would vary on the age of joining the APY. The Central Government would also co-contribute

50 percent of the total contribution or Rs. 1000 per annum, whichever is lower, to each eligible subscriber account, for a period of 5 years, that is, from 2015-16 to 2019-20, to those who join the NPS before 31st December, 2015 and who are not members of any statutory social security scheme and who are not Income Tax payers. The pension would also be available to the spouse on the death of the subscriber and thereafter, the pension corpus would be returned to the nominee. The minimum age of joining APY is 18

years and maximum age is 40 years. The benefit of fixed minimum pension would be guaranteed by the Government.

- ii. **Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY)** : Under **PMJJBY**, annual life insurance of Rs. 2 lakh would be available on the payment of premium of Rs. 330 per annum by the subscribers. The PMJJBY will be made available to people in the age group of 18 to 50 years having a bank account from where the premium would be collected through the facility of “auto-debit”.
- iii. **Pradhan Mantri Suraksha Bima Yojana (PMSBY)** :Under **PMSBY**, the risk coverage will be Rs. 2 lakh for accidental death and full disability and Rs. 1 lakh for partial disability. The Scheme will be available to people in the age group 18 to 70 years with a bank account, from where the premium would be collected through the facility of “auto-debit”.

**8.11 List of places identified for setting up of Mobile ATMs on trial basis**

State	Areas
Kerala State	Manjeswar Area: Chinala, Kodlamogaru, Manjibalim Moodambail, Kadambar, Kular, Majirpalla, Chingurpade, Koyloor, Sullyame, Ballur, Kaniyala, Kurudapadavu, Kasargode Area: Chamnad, Kalnad, pady, Kambar, Kanathoor. Trivandrum area: Ponmudy

Jharkhand	Barajamda, Pakur, Chakradharpur and a few interior areas in Deograh Distt.
Karnataka	Coorg
Orissa	Sambalpur
Rajasthan	Area in Kota where the mine workers are more.

**8.12 The details of training camps to promote cashless transaction conducted by Welfare Commissioners.**

- The Hon’ble LEM inaugurated one camp on cashless transaction in Hyderabad on 17/12/2016, which was attended by 1200 workers. 2 camps were held at Siddipet Distt. and Warangal Distt., in Telangana State where in 759 workers attended the camp
- In Ajmer 202 camps were conducted to promote cashless transactions which was attended by 5780workers.
- In Maharashtra 52 camps were conducted wherein 5281 workers attended.
- 04 Camps were conducted in the remote areas of Pakur, Chakradharpur, Chathra, and Deogarh in Jharkhand.
- 106 camps were conducted for beedi workers in Kannur, Kerala wherein 2874 workers attended and it has been noticed that 20% of the workers were already doing transactions in cashless mode.
- 09 camps were organized in Allahabad region which was attended by more than 573 workers.

- 09 camps were organized by the Welfare Commissioner, Patna in Navinagar, Dhulianbazer Bazer, Karaha Village, to create awareness on cashless transaction and digital payment.
- 29 training camps were held in the various districts of Odisha which was attended by 525 beedi workers
- 02 camps were conducted at Guwahati and 240 beedi workers attended this camp
- 100 camps have been held in Raipur and 2034 Beedi workers attended these camps
- 27 awareness camps were held at Kolkata wherein 3745 workers participated.
- 07 cashless training camps held at Palanpur, Vadnagar, Ahmedabad and Borsad in Gujarat where 217 workers attended these camps.
- 02 training camps were held at Bangalore for construction workers.
- 30 training camps for Beedi workers at Tirunelveli were attended by 669 workers.
- 14 training camps for Beedi workers conducted in various areas of Madhya Pradesh wherein 1958 workers attended

### 8.13 Summary

No. of Cashless Transactions training Camps :

**596**

No. of workers who attended :

**23581 approximate workers.**

### 8.14 **Special drive to help Unorganised workers to open Bank Accounts**

8.15 The outcome of the drive being conducted by the Welfare Commissioners is as follows:

1. 68028 new bank accounts of Beedi workers have been opened.
2. 7052 new of Cine Workers have been opened.
3. 3418 new accounts of Mine workers have been opened.

8.16 Continuous efforts are being made by all the Welfare Commissioners, to identify the clusters having concentration of beedi, cine, plantation, mine, factory workers etc., to get bank Accounts opened in respect of workers who are not having accounts.

### **THE BUILDING AND OTHER CONSTRUCTION WORKERS**

8.17 The construction workers constitute one of the largest categories of workers in the unorganized sector. According to the Sample Survey conducted by NSSO in 2011-12, about 5.02 crore workers are employed in the construction activities. The 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;**

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

**8.19** The Act is applicable to every establishment which employs 10 or more workers in any building or other construction work. There is also provision of constitution of Central and the State Advisory Committees to advise the appropriate Governments on matters arising out of administration of the law besides constitution of Welfare Boards by the State Governments and registration of beneficiaries under the Fund and provision for their identity cards etc.

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

**8.21** All State Governments and Union Territories have constituted State Welfare Boards. The Government of Tamil Nadu has been implementing its own Act. Till **30.09.2016**, an amount of approx. Rs.**284540** crore has been collected as Cess by the State Governments and Union Territories and an

amount of **Rs.6097** crore has been spent on welfare schemes formulated by them.

**8.22** 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 from time to time 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 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. In 2016-17, the Monitoring Committee has held meetings on 6<sup>th</sup> April, 2016 and 21<sup>st</sup> July, 2016 with the Principal Secretaries/ Secretaries of Labour departments of the State/ UTs.

## MIGRANT WORKERS AND THE INTER-STATE MIGRANT WORKMEN

**8.23** According to the 2011 Census (Provisional Report), 453641955 million persons have changed their place of residence within the country and out of this, 46383766 million or 10.22% have left their place for work. The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 was enacted to protect the rights and safeguard the interests, of migrant workers.

**8.24** 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 or Rs.75/- whichever is higher, payment of journey allowance including payment of wage during of the period of journey, suitable residential accommodation, medical facilities and protective clothing, payment of wages, equal pay for equal work etc.

**8.25** 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.

**8.26** 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 Swarn jayanti Gram Swarozgar Yojna (SGSY), Pradhan Mantri Gram Sadak Yojana (PMGSY), Sampurna Gramin Rozgar Yojana (SGRY), National Food For Work Programme (NFFWP), Indira Awas Yojna (IAY), Integrated Wastelands Development Programme (IWDP), Drought Prone Areas Programme (DPAP), Desert Development Programme (DDP) etc. Further, the Government have also enacted the National Rural Employment Guarantee Act to provide 100 days guaranteed employment to rural households**

**8.27** Ministry of Labour & Employment and State Governments of Andhra Pradesh and Odisha have signed an MoU in June 2012 to facilitate strengthening of Inter-State Coordination Mechanism for smooth implementation of the activities in source and destination areas of migrant workers . Similar MoU is being proposed among the State Governments of Uttar Pradesh, Bihar, Jharkhand and Chhattisgarh.

## CHAPTER – 9

# 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.
- Every offence under the Act is cognizable and bailable.

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

**9.3** With a view to supplementing the efforts of the State Governments; a Centrally Sponsored Plan Scheme for rehabilitation of bonded labour was launched by this Ministry in May, 1978. The Scheme was drastically modified in May 2000. Under the modified scheme since May, 2000, rehabilitation assistance @ 20,000 per bonded labour was provided which was equally borne by the Central and

State Governments. In the case of the North Eastern States, 100% central assistance was provided, if they expressed their inability to provide their share. The Scheme also provided financial assistance to the State Governments @ Rs. 2.00 lakh per sensitive district to conduct survey for identification of bonded labour once in three years, Rs. 10.00 lakhs every year to undertake awareness generation activities relating to bonded labour system and Rs. 5.00 lakh per year for evaluatory studies. *A sum of Rs.8404.22 Lakh has been released under the scheme to the State Governments upto 30.09.2016 for rehabilitation of 2,82,429 bonded labourers.*

**9.4** The Government has revamped the Centrally Sponsored Plan Scheme for Rehabilitation of Bonded Labourers with effect from 17<sup>th</sup> May, 2016. The revamped scheme is known as the 'Central Sector Scheme for Rehabilitation of Bonded Labourers, 2016'. The salient features of the Scheme are as under:

- (1) The revised scheme is a Central Sector Scheme. The State Government is not required to pay any matching contribution for the purpose of cash rehabilitation assistance.
- (2) 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.
- (3) The amount of assistance for survey of bonded labourers is Rs. 4.50 lakh per district.
- (4) The release of rehabilitation assistance has been linked with conviction of the accused.
- (5) 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 fund is released by the Ministry under the Scheme to the District National Child Labour Project Society and the District Project Society in turn releases the fund to the implementing agencies including the district administration.
- (7) Special care is made available by the State for addressing the needs of the disabled persons, female freed bonded labourers and bonded child labour by providing safe and secure environment for the capacity building of child bonded labourers, facilities for ensuring their proper education, short stay home till education upto class 12<sup>th</sup>, skill development, marriage assistance etc.

**9.5** The benefits prescribed above shall be, in addition to, other cash or non-cash benefits which a beneficiary under this scheme is entitled to, by or under any other scheme or law applicable for the time being in force. Further, the above benefits would be additional to other land and housing elements etc. as mentioned below:

- Allotment of house-site and agricultural land.
- Land development.
- Provision of low cost dwelling units.
- Animal husbandry, dairy, poultry, piggery etc.
- Wage employment, enforcement of minimum wages etc.
- Collection and processing of minor forest products.
- Supply of essential commodities under targeted public distribution system.
- Education for children.

## CHAPTER – 10

**CONTRACT LABOUR**

**10.1** Contract Labour generally refers to workers engaged by a contractor for user enterprises. It is a significant and growing form of employment. These workers are millions in number and are engaged primarily in agricultural operations, plantation, construction industry, ports & docks, oil fields, factories, railways, shipping, airlines, road transport etc.

**10.2** The Contract Labour (Regulation and Abolition) Act, 1970 was enacted to protect and safeguard the interests of these workers. It applies to every establishment / contractor in which 20 or more workmen are employed. It also applies to establishment of the Government and local authorities.

**10.3** The Central Government has jurisdiction over establishments like railways, banks, mines etc. and the State Governments have jurisdiction over 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, 90 meetings of the Central Advisory Contract Labour Board have been held.

**10.6** So far, 88 Notifications have been issued under Section 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, 22 Notifications have been issued under Section 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 there under.

**10.10** In addition to the existing dispensation in regard to Registering / Licensing Officers/

Appellate Officers, notifications have been issued regarding appointment of Assistant Welfare Commissioners / Deputy Welfare Commissioners as Registering and Licensing Officers and nomination of Welfare Commissioners as Appellate Officers under the Contract Labour (Regulation & Abolition) Act, 1970.

## CHAPTER - 11

**WOMEN AND WORK****PROFILE OF WOMEN WORKERS**

**11.1** Women form an integral part of the Indian workforce. According to the information provided by the office of Registrar General & Census Commissioner of India, As per Census 2011, 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. 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 percent as compared to 25.63 per cent in 2001. The work participation rate for women in rural areas is 30.02 per cent as compared to 15.44 per cent in the urban areas. As per third and Fourth Annual Employment-Unemployment Survey launched by Labour Bureau in Oct., 2012 and Dec., 2013, Female Labour Force Participation Rate has been increased from 22.6% to 25.8 %.

**11.3** As per annual Employment Review conducted by Directorate General of Employment, during 2012, total employment in the organized sector is 295.79 lakh. Out of total 295.79 lakh workers, employment of women in organized sector (Public and Private)

is 60.54 lakh which constitute 20.5% of total employment in organized sector. Of this, 0.94 lakh women were employed in whole sale and retail trade and restaurants & hotels during 2011-12.

**PROTECTION OF THE INTEREST OF WOMEN WORKERS**

**11.4** Formulation and coordination of policies and programmes for the female labour force within the frame work of national manpower and economic policies.

- Maintaining liaison with other Government agencies to secure effective implementation of the programmes in respect of women workers.
- Monitoring the implementation of the Equal Remuneration Act, 1976 and setting up of an Advisory Committee under the Equal Remuneration Act, 1976.
- Giving grants-in-aid to Non-Governmental Organizations/Voluntary Organizations for conducting awareness generation camps for women workers especially in respect of their legal rights and duties.

**11.5** The Government has taken several steps for creating a congenial work environment for women workers. A number of protective provisions have been incorporated in the various Labour Laws. These are elaborated in **Box 11.1**.

**11.6** 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**

**11.7** 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.

**11.8** The following social welfare organizations have been recognized under the Equal Remuneration Act, 1976 for the purpose of filing complaints in Courts against employers for violation of the provisions of the Act.

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

**11.9** 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.

### **GRANT-IN-AID SCHEME FOR WOMEN LABOUR**

**11.10** The Ministry is running Grant-in-aid Scheme for welfare of women labour. The scheme is being implemented through Non-Government Organizations (NGOs)/Voluntary Organizations (VOs) who are provided with 75% (90% in case of North-Eastern States) financial assistance of the total cost of the project for organizing working women and educating them about their rights and duties under various labour laws of Central/State Governments and legal aid,, organizing seminars, workshop etc. aimed at raising the general consciousness about the problems of women labour. The focus of the Scheme is awareness generation

among women labour, in the area of wages, like minimum wages, equal remuneration, etc. and to disseminate information on various schemes/laws of Central/State Government Agencies available for the benefit of women labour.

**11.11** The proposal forwarded along with comments/recommendations of State Govt./District Magistrate are considered for financial assistance under this scheme. The recommendation of the State Govt. should be clear and unambiguous and should be furnished in prescribed format along with recommendations of State Govt./District Magistrate. The total number of women benefitted under the scheme for the last three years is 54,250.

**11.12** 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.

### **Training of Women Workers**

**11.13** 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 2016-

17 (upto September 2016), 1,05,274 women participated in Board's training Programmes. Among 1,05,274 total women workers, 47,909 were from SC category and 12,836 from ST Category.

**11.14** 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 September, 2016, 309 such special programmes for women workers were conducted in which 11654 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.

### **CHILD CARE CENTRES**

**11.15** Statutory provisions have been made in certain Labour laws for organizing child care centers for the benefit of women workers. 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.

**EMPLOYMENT OF WOMEN – PROTECTIVE LEGAL PROVISIONS**

Name of the Enactment	Protective Provisions
1. The Beedi & Cigar Workers (Conditions of Employment) Act, 1966	Provision Crèches: <ul style="list-style-type: none"> <li>➤ 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.</li> </ul>
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 of women workers (including women workers employed by any contractor) is twenty or more.</li> <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 crèches where twenty or more women are ordinarily employed as contract labour.</li> <li>➤ Female contract labour to be employed by any contractor between 6.00 AM to 7.00 PM with the exception of mid-wives and nurses in hospitals and dispensaries.</li> </ul>

<p>4. The Inter State Migrant Workmen (Regulation of Employment &amp; Conditions of Service) Act, 1979</p>	<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>
<p>5. The Factories Act, 1948</p>	<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,</li> <li>➤ 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>
<p>6. The Mines Act, 1952</p>	<ul style="list-style-type: none"> <li>➤ Employment in mines below ground prohibited. In any mine above ground women workers are permitted between the hours of 6 am and 7 pm. The Central Govt. may, by notification, vary the hours of employment above ground of women. However, no employment of women between 10 pm and 5 am is permitted. Further, women employed above ground shall be allowed an interval of not less than eleven hours between the termination of employment on any one day and the commencement of next period of employment. Provision of separate toilets and washing facilities for women workers is also part of the Act.</li> </ul>

<p>7. The Maternity Benefit Act, 1961</p>	<ul style="list-style-type: none"> <li>➤ Maternity benefit (Paid Leave) for pregnancy/Child Birth upto 12 weeks</li> <li>➤ Two nursing breaks for women with child</li> <li>➤ Six week leave in case of Abortion/Medical Termination of Pregnancy</li> <li>➤ Two week leave for tubectomy operation</li> <li>➤ Maximum leave of one month in case of pregnancy/ child-birth related illness'</li> <li>➤ Medical Bonus to women who does not get medical facility from Employer for childbirth (Rs.3500/-)</li> <li>➤ Prohibition on dismissal on account of absence due to pregnancy. No reduction of wage during pregnancy/ maternity leave</li> <li>➤ Maternity Benefit (Amendment) Bill, 2016 under consideration before the Parliament for enhancement of maternity leave from existing 12 weeks to 26 weeks, facility of crèche, work from home facility and maternity benefits of 12 weeks for adopting/ commissioning mothers.</li> </ul>
<p>8. The Equal Remuneration Act, 1976</p>	<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.</li> <li>➤ 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>

<p>9. Employee’s State Insurance Act 1948 read with The Employee’s State Insurance (Central) Regulation, 1950</p>	<ul style="list-style-type: none"> <li>➤ Maternal benefit (paid leave) of 12 weeks of which not more than six weeks to precede the expected date of confinement</li> <li>➤ Extended benefits of one month on account of sickness after maternity benefits</li> <li>➤ Six weeks leave in case of Abortion/Medical Termination of Pregnancy</li> <li>➤ In principle decided to enhance the maternity benefit from existing 12 weeks to 26 weeks, and also maternity benefits for adopting/commissioning mothers</li> </ul>
<p>10 The Beedi Workers Welfare Fund Act, 1976</p>	<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>
<p>11. The Iron Ore Mines, Manganese Ore Mines and Chrome Or Mines Labour Welfare Fund Act, 1976</p>	
<p>12. The Lime Stone and Dolomite Mines Labour Welfare Fund Act, 1972</p>	
<p>13. The Mica Mines Labour Welfare Fund Act, 1946</p>	
<p>14. The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996</p>	<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>
<p>15. The Industrial Employment (Standing Orders) Act, 1946</p>	<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:-** 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

**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** Child Labour (Prohibition & Regulation) Act, 1986, was enacted to prohibit employment of children below the age of 14 years in notified hazardous occupations (18) and processes (65) like carpet weaving; building and construction work; brick kilns; production of hosiery goods etc. and to regulate the working conditions of children in other occupations / processes. A corollary to this would be that if a child is in the work place, he would miss school. In order to align with the objective of mandatorily providing education up to the age of 14 years under RTE Act, Government has amended the Child Labour (Prohibition & Regulation) Act, 1986 with enactment of **Child Labour (Prohibition & Regulation) Amendment Act, 2016** which provides for the complete ban on the employment or work of children below 14 years in all occupations and processes. The Amendment Act also prohibits the employment or work of adolescents, in the age of 14-18 years, in the scheduled hazardous occupations and processes. The Amendment Act came into force w.e.f. 01.09.2016.

**12.5** The Act provides for constitution of a Technical Advisory Committee (TAC), which is a body of experts, to advise the Central Government to add or omit the occupations and processes in the Schedule of the Act. The Committee consists of a Chairman and such other members, not exceeding 10, as may be appointed by the Central Government. The Government has constituted TAC on 01.09.2016

for review of the present Schedule of the Act.

**12.6** Section 2 (i) of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, defines the jurisdiction of both Central and State Governments in implementing the Act. The Central Government is the “appropriate Government” in relation to 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”.

**12.7** Government is also laying lot of stress on the enforcement of the Child and Adolescent Labour (Prohibition & Regulation) Act. For violation of the Act Under the Act, during the last 5 years (2011-15) about 10.00 lakh inspections were carried out, resulting in approximately 0.19 lakh prosecutions out of which more than 5000 convictions were obtained. Now, through the Amendment Act, the offence committed for violation of the provisions of Act has become cognizable and the penalty provisions have also been made of stricter.

**12.8** In the Survey conducted by NSSO, the number of working children was estimated at 90.75 lakh in 2004-05 and as per NSSO survey 2009-10, the working children are estimated at 49.84 lakh. The number of main workers in the age group of 5-14 years in the country is 43.53 lakh as per Census 2011 which shows a declining trend.

## Project Based action

**12.9** For rehabilitation of child labour, Government had initiated the National Child Labour Project (NCLP) Scheme in 1988 to rehabilitate working children in 12 child labour

endemic districts of the country. As on date the Scheme is sanctioned in 270 districts of India. The list of districts in which Special Training Centres for child labour sanctioned under NCLP Scheme is at **Table 12.1**.

**12.10** 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 are withdrawn from work and put into Special Training Centres, 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. 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 centres being run in the country with an enrolment of approximately 1.20 lakh children. As on November, 2016 more than 12.00 lakh working children have already been mainstreamed to regular education system under the NCLP Scheme.

**12.11** The year-wise budget allocation and expenditure incurred under the scheme during last five years are as under: (in crores)

Year	Budget Allocation (Final)	Expenditure
2011-12	143.00	142.66
2012-13	130.18	128.11
2013-14	111.00	110.73
2014-15	110.87	102.34
2015-16	99.50	93.20

## CONVERGENCE OF GOVERNMENT PROGRAMMES

**12.12** 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.

**12.13** 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**

**12.14** 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 .

**12.15** Government is also laying lot of stress on the enforcement of the Child and Adolescent Labour (Prohibition & Regulation) Act. Government has enacted the Child Labour (Prohibition & Regulation) Amendment Act, 2016 which came into force w.e.f. 01.09.2016.

The Amendment inter-alia covers complete prohibition on employment of children below 14 years of age; 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.

### **Initiatives taken by the Government after Amendment in the Child Labour Act**

**12.16** The Act provides for constitution of a Technical Advisory Committee (which is a body of experts) to advise the Central Government to add or omit the occupations and processes to the Schedule of the Act. Central Government has constituted a Technical Advisory Committee on 01.09.2016 to advise the Central Government on the occupations and processes to the Schedule of the Act.

**12.17** 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”. In this regard, a State Action Plan has been issued to the State Governments /UTs enumerating the actions arisen on the part of State Governments/UTs after enactment of the Amendment Act.

**12.18** Govt. of India could not ratify ILO conventions 138 & 182 as our earlier laws and practices were not in full conformity with the provisions of the said convention. ILO Convention No.138 inter-alia prescribes that there should be a minimum age of entry to employment which should not be less than age of compulsory education or 15 years (relaxable to 14 years in the case of developing countries). ILO Convention 182 inter-alia, mentions the minimum age for working in hazardous occupations as 18 years. The Amendment aligns our statutes with the ILO Conventions and the Government has initiated necessary action to ratify these ILO Conventions.

**12.19** Ministry has also constituted a Committee for framing of Rules under the Child Labour (Prohibition & Regulation) Amendment Act, 2016 for its better implementation with more clarity.

### Monitoring of the NCLP Scheme

**12.20** 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.

### 12.21 Evaluation of the NCLP Scheme

#### Assistance to Voluntary Organizations

**12.22** Under the Grants-in-aid scheme, financial assistance is provided to the Voluntary organizations/NGOs to the extent of 75% of the project cost, for taking up action-oriented

projects for rehabilitation of working children. Grant-in-aid scheme is being implemented in the districts where NCLP is not there.

### Supreme Court Judgement on Child Labour

**12.23** 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:**

**12.24** In order to give the statutory back up for the rehabilitation Fund, the Government has made a provision in the Child Labour (Prohibition of 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.

Table 12.1

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

S. No.	Name of States	No. of Districts	Name of the Districts
1	Andhra Pradesh	12	Anantapur, Chittoor, Cuddapah, Guntur, Kurnool, Nellore, Prakasam, Srikakulam, Vizianagaram, Vishakhapatnam, West Godavari, and Krishna
2	Assam	3	Nagaon, Kamrup and Lakhimpur
3	Bihar	24	Nalanda, Saharsa, Jamui, Katihar, Araria, Gaya, East Champaran, West Champaran, Madhepura, Patna, Supaul, Samastipur, Madhubani, Darbhanga, Muzaffarpur, Nawada, Khagaria, Sitamarhi, Kishanganj, Begusarai, Banka, Saran, Purnia and Bhagalpur
4	Chhattisgarh	7	Durg, Bilaspur, Rajnandgaon, Surguja, Raigarh, Raipur and Korba
5	Gujarat	9	Surat, Panchmahals, Bhuj, BanasKantha, Dahod, Vadodara, Bhavnagar, Ahmedabad and Rajkot
6	Haryana	3	Gurgaon, Faridabad and Panipat
7	Jammu & Kashmir	2	Srinagar and Udampur
8	Jharkhand	8	Garwah, Sahibganj, Dumka, Pakur, West Singhbhum (Chaibasa), Ranchi, Palamu, 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	21	Mandsaur, Gwalior, Ujjain, Barwani, Rewa, Dhar, East Nimar(Khandwa), Rajgarh, Chhindwara, Shivpuri, Sidhi, Guna, Shajapur, Ratlam, West Nimar(khargon), Jhabua, Damoh, Sagar, Jabalpur, Satna and Katni
11	Maharashtra	16	Solapur, Thane, Sangli, Jalgaon, Nandurbar, Nanded, Nasik, Yavatmal, Dhule, Beed, Amravati, Jalna, Aurangabad, Gondia, Mumbai Suburban and Parbani.
12	Nagaland	1	Dimapur
13	Orissa	24	Angul, Balasore, Bargarh, Bolangir, Cuttack, Deogarh, Gajapati (Udayagiri), Ganjam, Jharsuguda, Kalahandi, Koraput, Malkangiri, Mayurbhanj, Nabarangpur, Nuapada, Rayagada, Sambalpur, Sonepur, Jajpur, Keonjhar, Dhankenal, Khurda, Nayagarh and Sundergarh.
14	Punjab	3	Jalandhar, Ludhiana and Amritsar
15	Rajasthan	27	Jaipur, Udaipur, Tonk, Jodhpur, Ajmer, Alwar, Jalor, 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	17	Chidambaranar (Tuticorin), Coimbatore, Dharmapuri, Vellore, Salem, Tiruchirapalli, Tirunelveli, Krishnagiri, Chennai, Erode, Dindigul, Theni. Kanchipuram, Thiruvannamalai, Tiruvallur, Nammakkal and Virudhunagar

17	Uttar Pradesh	47	Varanasi, Mirzapur, Bhadohi, Bulandshahar, Saharanpur, Azamgarh, Bijnour, Gonda, Kheri, Bahraich, Balrampur, Hardoi, Barabanki, Sitapur, Faizabad, Badaun, Gorakhpur, Kushinagar, Kannauj, Shajahanpur, Rae Bareli, Unnao, Sultanpur, Fatehpur, Shravasti, Pratapgarh, Basti, Sonebhadra, Mau, Kaushambi, Banda, Ghaziabad, Jaunpur, Rampur, Bareilly, Lucknow, Meerut, Etawah, Agra, Ghazipur, Mathura, Etah, Moradabad, Allahabad, Kanpur Nagar, Aligarh and Ferozabad.
18	Uttrakhand	1	Dehradun
19	West Bengal	19	Burdwan, North Dinajpur, South Dinajpur, North 24-Parganas, South 24-Parganas, Kolkata, Murshidabad, Midnapore, Maldah, Bankura, Purulia, Birbhum, Nadia, Hugli, Howrah, Jalpaiguri, Cooch Bihar, East Midnapore and Darjeeling.
20	Telangana	9	Adilabad, Hyderabad, Karimnagar, Khammam, Mehbubnagar, Nalgonda, Ranga Reddy, Warangal and Nizamabad
21	Delhi	1	NCT of Delhi
	<b>Total</b>	<b>270</b>	

## CHAPTER-13

**OCCUPATIONAL SAFETY & HEALTH (OSH)****DIRECTORATE GENERAL FACTORY  
ADVICE SERVICE & LABOUR INSTITUTES****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), One month Specialised 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 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, organising training programmes, seminars and workshops, rendering services, such as, technical advice, Safety Audits, testing and issuance of performance reports for personal protective equipment, delivering talks, etc.

**13.5** 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 organisation as on 31.10.2016 is given in Box below:

**Staff Position of DGFASLI**

Units	Technical		Administrative		Total	
	Sanctioned	Working	Sanctioned	Working	Sanctioned	Working
Headquarters	11	7	46	34	57	41
CLI, Mumbai	49	40	69	46	118	86
4 RLIs	61	41	80	42	141	83
Dock-Safety Inspectorates	28	17	28	15	56	32
<b>Total</b>	<b>149</b>	<b>105</b>	<b>223</b>	<b>137</b>	<b>372</b>	<b>242</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 DGFASLI, 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 DGFASLI, 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 and unloading 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 DGFASLI in the major ports of India through the Inspectorates of Dock Safety.

### (a) Activities- Performed

Inspections under the Dock Workers (Safety, Health and Welfare) Rules, 1989 and Regulations, 1990 were carried out at the major ports by the Inspectorates of Dock Safety. Further training programmes were also organised for the benefit of the various stakeholders.

### (b) Activities- Forecast

1. Advisory Committee Meeting will be organised.
2. Conference of Dock Safety Inspectors will be organised
3. National Survey on 'Occupational Safety and health Training Need Assessment in Port Sector ' is under progress and will be completed during 2016-17.

## III. TRAINING PROGRAMMES

### 13.11 Professional Programmes

- One year Advanced / Post Diploma in Industrial Safety Courses for 2015-16 were held at CLI Mumbai, RLI Kolkata, RLI Chennai, RLI Kanpur and RLI Faridabad, benefitting **232** officers from **176** 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 2015-16 were held at CLI, Mumbai & RLI, Faridabad benefitting **68** Medical personnel from **68** organisations.

**13.12** Training Programmes are conducted in the field of Industrial Safety and Health. During the period April 2016 to October 2016, **56** training programmes including seminar/workshops and in-plant programmes were conducted benefiting **1547** participants. In addition, Appreciation programmes were conducted for **2266** beneficiaries at various divisions of DGFASLI and the four Labour Institutes, in Mumbai, Kolkata, Chennai and Kanpur.

**IV. STUDIES AND SURVEYS**

**13.13 National Studies and Surveys** are undertaken by DGFASLI, 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. Under Section-91A of the Factories Act, 1948 in respect of accident prone factories a Safety and Health Survey at national level is being carried out. National study on “Hearing Conservation programme” & “National OSH survey on Silicosis” conducted by CLI, Mumbai is under progress.

**13.14 State level Studies and Surveys** are undertaken in the State in certain priority areas to ascertain status of Safety Health and Environment at work place in the factories. Total **02** State level Studies were completed by RLI, Kanpur during the period April –October, 2016.

**13.15 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 **21** Consultancy studies were carried out during the period April –October, 2016.

**I. NATIONAL REFERRAL DIAGNOSTIC CENTRE**

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

**II. MAJOR HAZARDS & CHEMICAL SAFETY**

**13.17** The Major Hazards & Chemical Safety Division at the Central Labour Institute, Mumbai advises State Governments and MAH units on control of Major Accident Hazards, preparation of emergency plans, Safety Audit, Risk Assessment etc. As on date, the 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

**III. MANAGEMENT INFORMATION SERVICES**

**13.18** Management Information Service (MIS) Division of Central Labour Institute, Mumbai proved to be the best source of information about the activities of DGFASLI. The goals of MIS are to implement the organizational structure and dynamics of the department for the purpose of 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 are:

- Website updating and management: - DGFASLI website had been launched with URL: **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 DGFASLI and also 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 MSDS, abstracts of studies, Training Calendar, Tenders and Notices on ADIS, AFIH related information.

#### IV INDUSTRIAL SAFETY, HEALTH & WELFARE CENTRE

**13.19** 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 also delegates from other countries. During the period April, 2016 – October, 2016, total **2266**

visitors benefitted through **90** Appreciation programmes-conducted on Safety & Health in this centre.

#### V. TESTING OF PERSONAL PROTECTIVE EQUIPMENT

**13.20** The laboratories for respiratory and non-respiratory personal protective equipment testing at Central Labour Institute, Mumbai undertake performance tests of Canisters, Masks, Helmets, Safety Shoes, Safety Goggles, Safety Belts and Welding Glasses etc. During the period **103** respiratory protective equipments such as dust respirators, canisters, dust filters etc and **149** non-respiratory equipment such as helmets, safety shoes etc were tested to ascertain their performance characteristics as per relevant BIS standards.

#### VI. APPROVAL OF FLAME PROOF ELECTRICAL EQUIPMENT

**13.21** As per the BIS standard IS: 2148-2004, DGFASLI is the approving agency for Flame Proof Electrical Enclosures for their use in hazardous atmosphere.

#### VII. REPRESENTATION ON BIS COMMITTEES

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

#### VIII. PROMOTIONAL ACTIVITIES-(AWARD SCHEMES)

**13.23** The DGFASLI on behalf of the Ministry of Labour has been implementing the

Vishwakarma Rashtriya Puraskar (VRP) (earlier known as Shram Vir National Awards) and the National Safety Awards scheme since 1965. These schemes were modified in 1971, 1978 and again in 2007. The schemes presently in operation are as under :

- **Vishwakarma Rashtriya Puraskar:** It is designed to give recognition at the national level to outstanding suggestions resulting in:
  - (i) Higher productivity
  - (ii) Improvement in 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.
- **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). Shields and Certificates are awarded to Winners and Runners up. Schemes I to X are meant for factories,

constructions sites and Installations under AERB and Schemes XI and XIII are for Ports.

### **Awards Distribution Function for VRP and NSA (Performance year 2014) :**

**13.24** Vishwakarma Rashtriya Puraskar (VRP) & National Safety Awards (NSA) function was organised at Sirifort Auditorium, New Delhi on 16<sup>th</sup> September 2016. The awards were given by Hon'ble Minister of State (Independent Charge) for Labour & Employment Shri Bandaru Dattatreya to 117 awardees of VRP and 93 NSA awardees. The awards presentation function was chaired by the Secretary, Labour & Employment. The awards function was attended by about 1000 delegates, Safety professional and Govt officials. The event got wide publicity in media and leading news paper

### **XIII. PLAN SCHEMES OF DGFASLI**

**13.25** During the year 2015-16 DGFASLI proposes to undertake the following plan schemes for Improving the Occupational Safety and Health in the manufacturing and Port Sectors.

#### **13.26 Plan Scheme-I : "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 work-force and owner-managers of MSMEs.

**Achievements and Forecast Activities**

Sl. No.	Major components/ Activities	Achievements (April - October, 2016)	Forecast Activities (November 2016 - March, 2017)
1.	Creation of Various posts	-	-
2.	Setting up of Centres / Laboratories *	1	-
3.	Short duration training programme	5	1
4.	Long duration training programme	-	1
5.	In-plant Training*	1	1
6.	Training programme for Target Groups i.e. Factory Inspectors/ Safety Officers etc.	-	-
7.	One year post Diploma course in Industrial Safety	1	1
8.	Certificate course – Associate Fellow of Industrial Health (AFIH) for Medical Officers	-	1
9.	Training programme for small & Medium enterprises	-	-
10.	Studies/Surveys/Audits	6	2
11.	National Seminar/ conference /Workshops	1	1
12.	Publications/ Posters	-	2
13.	Video film	-	-
14.	Awards	2	2

\* depending upon the requirement

**13.27** Following equipment for setting up of Centers / laboratories were purchased:

1. Setting up of color and lighting centre at RLI Faridabad is in progress.

**13.28 Plan Scheme-II : “Strengthening of DGFASLI Organization and OSH in Factories, Ports & Docks”**

**Objectives:**

**Achievements and Forecast Activities**

To strengthen the infrastructure facilities at DGFASLI 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.

Sl. No.	Major Component and Activities	Achievements (April- October, 2016)	Forecast Activities (November 2016 -March, 2017)
1.	a) Upgradation and development of data bases	2	4
	b) Development of Application Programmes	1	-
	c) Material Safety Data Sheet (MSDS) on request	*	*
	d) Industry-wise safety and health information	29	20
	e) Publication of Manuals, brochures	23	5
2.	Implementation of minimum agenda for e-governance	*	*
3.	Conduction of specialized training programmes, seminars, workshops	20	10
4.	Conduction of studies/surveys/audits	10	5
5.	Enforcement activities in major ports (inspection of ships, container ship, loose gears, docks, container yards, hazardous installations, etc.)	848	652
6.	Testing of Respiratory & Non Respiratory PPE	252	100

\* On request from Industries

### 13.29 “Development of Regional Labour Institute Shillong” (New Scheme)

#### Objective:

The objective of the scheme is to cater to the needs of the North-Eastern Region in the areas of Occupational, Safety & Health which at present, due to the heavy workload of the Regional Labour Institute, Kolkata, are not effectively met.

#### C. NEW INITIATIVES

**13.30** To improve the functioning of the organization, following initiatives were taken by the DGFASLI :

- Workshop on ILO Radiograph on Pneumoconiosis with special emphasis on Asbestosis was organized by CLI, Mumbai on 27/04/2016 to 29/04/2016.
- Golden Jubilee Celebration and National Seminar on “Process Safety Management System” was organized by RLI, Chennai on 26/07/2016 to 26/07/2016
- Workshop on “ILO Rediograph on Pneumoconiosis with special emphasis on Silicosis” was organized by CLI, Mumbai on 14/09/2016 to 16/09/2016.
- The 7<sup>th</sup> National Workshop on emerging trend in Testing Examination certification of Lifting Appliances, Loose Gears and Wire Ropes for Competent Persons was organized & conducted on 21.10.2016 at Mazgaon Dock Shipbuilders Ltd. Mumbai.
- 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)

**13.31** Mineral constitutes the backbone of the economic growth of any nation and India has been eminently endowed with this gift of nature. Progressive industrialization witnessed the rise in demand and hence production of various minerals. Growth of mining under the impact of successive Five Year Plans has been phenomenal. To take care of the enhanced targets, mechanization of mining activities has taken place. **Table 13.1** shows the trends of some important parameters like number of mines, value of minerals mined, aggregate machine power installed and explosive used. Large-scale mechanization led to higher risk to health and safety of work persons deployed in mines. Under the Constitution of India, Safety, Welfare and Health of workers employed in mines are the concern of Central Government (Entry 55 – Union List – Article 246). The Mines Act, 1952 and the Rules and Regulations framed thereunder regulate the objective.

These are administered by the Directorate-General of Mines Safety (DGMS) under the Union Ministry of Labour and Employment. Apart from administering the Mines Act and Subordinate Legislations thereunder, DGMS also administers other allied legislations.

These are as follows:

**Mines Act, 1952**

- Coal Mines Regulations, 1957.
- Metalliferous Mines Regulations, 1961.
- Oil Mines Regulations, 1984.
- Mines – Rules, 1955.
- Mines Vocational Training Rules, 1966.
- Mines Rescue Rules, 1985.
- Mines Crèche Rules, 1966.
- Coal Mines Pit Head Bath Rules, 1959.

**Electricity Act, 2003**

- Indian Electricity Rules, 1956

**Allied Legislation**

- Factories Act, 1948: Chapters III & IV
- Manufacture, Storage & Import of Hazardous Chemicals Rules. 1989 under Environmental Protection Act, 1986
- Land Acquisition (Mines) Act, 1885
- The Coal Mines (Conservation & Development) Act, 1974

**Role and Function of DGMS**

**Mission of DGMS :**

**13.32** To identify and reduce risk of accidents and disease in and around the mine 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

**Vision of DGMS:**

**13.33** To attain risk and hazard free conditions of work and welfare of persons employed in mines.

**Current functions of DGMS broadly include:**

1. Inspection of mines
2. Investigation into -
  - (a) accidents
  - (b) dangerous occurrences - emergency response
  - (c) complaints& other matters
3. (a) Grant of :
  - (i) statutory permission, exemptions & relaxations
  - (ii) approval of mine safety equipment, material & appliances
- (b) Interactions for development of safety equipment, material and safe work

practices through workshop etc.

- (c) Development of Safety Legislation & Standards
- (d) Safety Information Dissemination
- 4. Conduct of examinations for grant of competency certificates.
- 5. Safety promotional initiatives including:
  - (a) Organisation of -
    - Conference on Safety in Mines
    - National Safety Awards
    - Safety Weeks & Campaigns
  - (b) Promoting -
    - safety education and awareness programmes
    - workers' participation in safety management through -
      - workmen's inspector
      - safety committee
      - tripartite reviews

Labour and Employment with its Headquarters at Dhanbad (Jharkhand) and is headed by the Director-General of Mines Safety. At Head Quarters, Director General is assisted by specialist staff-officers of Mining, Electrical and Mechanical Engineering, Occupational Health, Statistics, Law, Survey, Administration and Accounts disciplines. The Head Quarter also has a Technical Library and S&T Laboratory as a back-up support to the 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 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 647 in position as on 01.10.2016 as indicated below:

## ORGANISATION SET-UP

**13.34** The Directorate General of Mines Safety is a subordinate office under the Ministry of

CATEGORY	NO. OF SANCTIONED POST AS PER SIU	NO. OF EMPLOYEE IN POSITION
GROUP-A	279	171
GROUP-B (Gazetted)	38	27
GROUP-B (Non-Gazetted)	186	155
GROUP-C	229	294*
<b>TOTAL</b>	<b>732</b>	<b>647</b>
	<b>231**</b>	
* Some Incumbents present on the post abolished/ earmarked for outsourcing. **To be filled up by outsourcing.		

**TREND OF ACCIDENT**

**13.35** Trend in fatal and serious accidents in both Coal as well as Non-Coal mine 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. Dumpers and Trucks were the biggest contributor to fatal accidents in Coal mines, followed by Non-Transportation Machinery. Fall of persons had the largest share of fatal accident in Non-coal mine followed by Dumpers and Trucks. To arrest the number of accidents the Directorate-General of Mines Safety has taken various measures.

**SAFETY MEASURES**

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

similar mishaps. The Trend of accidents from 2001 to 2016 is shown in **Table 13.5A**. The trend in fatal accidents and fatality rate per 1000 persons employed on 10 yearly average basis from the year 1951 to 2010 and 2011-2016 is shown in **Table 13.5B**.

**13.37** 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

**13.38** The DGMS issues circulars to the mining industry on occupational safety and health matters, which may have wide implications. During the period 01.04.2016 to 30.09.2016, a total of 08 Technical Circulars, 05 Approval Circulars, 01 General Circulars, 01 general Instruction and 02 Technical Instructions, were issued.

## COMPETENCY TEST

**13.39** 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 01.04.2016 to 30.09.2016 have been given in **Table 13.7**.

## APPROVAL OF MINES SAFETY EQUIPMENTS

**13.40** Approval is granted by Chief Inspector of Mines (also designated as Director General of Mines Safety) to various equipments for use in mines to fulfill the statutory obligation enshrined under different provisions of Coal Mines Regulation, 1957, Metalliferous Mines Regulations, 1961, Oil Mines Regulations, 1984, Mines Rescue Rules, 1985 and Indian Electricity Rules, 1956. The procedure of approval includes scrutiny of the applications mainly to find out the quality control system

adopted by the manufacturers and their capacity to manufacture equipments/material etc., which will be capable of working safely under the hostile environment of the mines and remain operative during prolong use under adverse condition. The equipments also need to conform to the relevant Indian Standards and in case there is no Indian Standard the standards of the country of origin (ISO/EN/DIN, etc.). The application should also include test certificates from approved laboratory as per the relevant standard. After the documents are scrutinized and found in order, field trial approval is granted to check the pit worthiness of the equipments in various mines. After the equipments are successfully field tried, performance report from the concerned mine management is obtained. If the above reports are found satisfactory regular approval is granted for a specific period.

**13.41** 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.

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

<b>Resuscitator, Self Rescuer, Breathing Apparatus approved during 01.04.2016 to 30.09.2016</b>			
<b>Items</b>	<b>Number of regular approval/ 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	00	00	00
Resuscitator/ Reviving Apparatus	00	00	00
Self Rescuers (COSR)	01	00	01
<b>Total</b>	<b>01</b>	<b>00</b>	<b>01</b>

<b>Equipment, appliances, materials and machinery approved during 01.04.2016 to 30.09.2016</b>		
<b>Number of regular approval/ approval extension granted</b>	<b>Number of field trial approvals/ field trial approval extension granted</b>	<b>Total number of approvals granted</b>
03	07	10

<b>Explosives, Exploders &amp; Detonators, etc. approved during 01.04.2016 to 30.09.2016</b>		
<b>Number of regular approval/ approval extension granted</b>	<b>Number of field trial approvals/field trial approval extension granted</b>	<b>Total number of approvals granted</b>
11	02	13

Approvals for use of Mechanical Equipments etc. in mines were granted during 01.01.2016 to 30.09.2016 is given below:-

<b>Sl. No.</b>	<b>Type of approval</b>	<b>No. of approval granted</b>
1.	No. of field trial/ extension	11
2.	Regular approval/ extension	21
<b>Total no. of approval granted</b>		<b>37</b>

Approvals for use of Electrical Equipments etc. in mines were granted during 01.04.2016 to 30.09.2016 is given below:-

<b>Sl. No.</b>	<b>Type of approval</b>	<b>No. of approval granted</b>
1.	Field trial approval	39
2.	Field trial extension	18
3.	Regular approval	21
4.	Renewal	70
<b>Total no. of approval granted</b>		<b>148</b>

### **NATIONAL SAFETY AWARDS (MINES)**

**13.43** 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 2011 & 2012 were given on 20<sup>th</sup> March, 2015 at New Delhi by the Hon'ble President of India. The meeting for finalization of list of awardee for National Safety Awards (Mines) for the contest years 2013 & 2014 has been conducted on 20<sup>th</sup> October, 2016 at Dhanbad. The list of awardee shall be finalised in the next National Safety Award Committee meeting.

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 and 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.



## NATIONAL CONFERENCE ON SAFETY IN MINES

**13.44** The National 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.

## ON-GOING PLAN SCHEMES

### Strengthening of Core Functions of DGMS (SOCFOD):

**13.45** This is a continuing plan scheme. The scheme has been formulated by merging three on-going plan schemes of DGMS, namely (i) "Augmentation of S&T Capabilities, Mine Rescue Services and Human Resource Development (S&T) (1975)", (ii) "Strengthening of Machinery for Conduct of Statutory Examinations (SSEX) (2000-01)" and (iii) "Improving Efficiency by Providing Infra Structure Facilities in DGMS (PIF) (2000-01)" along with components like Occupational Safety and Health Surveillance, promotional initiatives and Emergency Response system.

The objectives of the scheme are:

- To render scientific and technological support to the enforcement wing of DGMS.
- To develop, improve and update need based rescue and emergency response services to the mining industry.
- To provide infrastructure facilities i.e. office buildings and residential complexes, communication facilities and office equipment and furnishing of offices.
- Strengthening of Machinery for Conduct of Statutory Examination.
- To conduct Occupational Safety, Health and Welfare Survey in mines.
- Provide Dedicated Network Facility for Data, Audio-Video and Mail messaging with Online Interactive Communication and Data Processing system (DC & DRC & all Officers).
- Establish facilities for National Mines Safety & Health Resource Centre and formulate guidelines for Mine Disaster Management system.

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

**13.46** This scheme aims at providing in-house scientific support to the officers of DGMS in discharge of their enforcing, regulatory and promotional role. It also provides scientific support to mine operators, workers organization and other institutions concerned with occupational health and safety matters. The activities of the S&T plan scheme covers a wide cross-section of facets of occupational safety

and health including occupational hygiene/ health, strata control, mine ventilation, mine gases, fires and explosion, mining techniques, mine mechanization, oil and opencast mines safety, standard setting and policy planning.

**13.47** The support activities are broadly divided into three categories:

**(i) Planned support:**

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

- A current issue which has emerged into an enforcing problem;
- An enforcement strategy calling for development of monitoring equipments or techniques; and
- Monitoring of quality assurance of external organisations in sampling, pre-approval testing and other similar activities.

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

**(ii) Reactive support:**

Reactive support is proposed to be provided in response to demands from field offices in areas where:

- In-house assessment and analysis of a problem leads to better understanding of enforcing problem and helps in determining enforcing strategy;
- Support is required on a technical problem without referring to external agency.

**(iii) Testing services**

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

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

**(i) Occupational Safety:**

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

**(ii) Occupational Hygiene and Health**

- Standardization of techniques for monitoring and control of occupational

hazards from noise, air borne dust, mine gases and poor illumination.

- Review and standardization of medical examinations.
- Review and standardization of procedures for surveillance of occupational disease already established.

**(B) Development of Mines Rescue Services:**

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

**Major Programmes:**

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

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

- (b) Training of Key personnel in Mining Industry
  - (i) Managerial Personnel.
  - (ii) Safety Officers.
  - (iii) Ventilation Officers.
- (c) Training of Workmen’s Inspectors

**(C) Human Resource Development:**

**13.49** This scheme started on modest scale from 01.04.1990. The scheme envisages setting-up of a Mines Safety & Health Academy comprising Institutes at Dhanbad and Nagpur for imparting structured training to the Inspection Officers of DGMS so as to update and upgrade their technical and professional competence and improve their effectiveness in regulatory, enforcing, advisory and promotional roles. The facilities so created would be also utilized for disseminating latest information on mine safety principles and practices amongst the key safety personnel of the mining industry and the Workmen’s Inspectors. The major programmes are as follows:

- (1) Development of training schedules.
- (2) Conduct of training programmes.
  - (a) Training of DGMS Officers
    - (i) New Entrants.
    - (ii) Existing Officers.
    - (iii) Special Lectures.

**The following activities were undertaken by S&T Wing:**

Action Plan	Achievement from April to Sept, 2016	Remarks
<b>(A) S&amp;T Cell</b>		
1. Mine Environment Surveys	-	
2. Occupational Health Review, Survey & Medical Exam.	05	
3. Ground Control	01	
4. Mine Mechanization (Testing of Machinery Parts)	Nil	
5. Additional jobs:		
(a) FRHF Testing (Fire Resistant Hydraulic Fluid)	Nil	
(b) Gas analysis	02	
6. Organisation of Conference/Workshops	05	
7. Issue of Circulars	07	
<b>(B) Mines Rescue Services cell :</b>		
1. Testing of self contained Rescuer	01	

2. Testing of self contained Breathing Apparatus	-	
3. Rescue competition	Nil	
4. Field visits	11	
5. Organization of conference on Rescue/Recovery experience	Nil	
6. Monitoring of first aid competition	Nil	
7. Creation of rescue database on Rescue facilities	Nil	
8. Creation of rescue database on actual Rescue/Recoveries	Nil	
<b>(C) Human resource Development Cell :</b>		
1. Conduct of Training Programs		
(a) DGMS officers	Nil	
(b) Key personnel from mining industry	Nil	
(c) Workmen’s Inspectors	Nil	

**13.50** During the period 01.04.2016 to 30.09.2016 approvals of equipment, appliances, materials and machinery granted for use in mines are given below:

Approvals of Equipment, Apparatus & PPEs during 01.04.2016 to 30.09.2016:		
Sl. No.	Type of approval	No. of approvals granted
1.	No. of field trial/extension	01
2.	Regular approval/extension	-
Total		01

### Mine Accident Analysis and Modernization of Information Database (MAMID)

**13.51** This is the restructured plan scheme after merging of the two Plan Schemes of Tenth Plan (2002 -07) namely (i) Study of Mines Accidents and Development of Mines Safety Information System (SOMA) and (ii) Modernization of Information Database in DGMS (MID) as per the Report of Working Group on Occupational Safety & Health for 11<sup>th</sup> Five Year Plan 2007-12 of Ministry of Labour and Employment, Government of India. Keeping the objective of integration in view, these schemes were merged into one scheme “Mine Accident Analysis and Modernization of Information Database (MAMID)”. This Plan Scheme is continued for the 12th Five Year Plan 2012-17. Later, a part of Plan Scheme “e-Governance in Directorate General of Mines Safety (e-DGMS), is merged with the ongoing Plan Scheme MAMID.

#### Objective/Scope of the Scheme:

- To mitigate risk of disasters and accidents in mines through detailed analysis of accidents and dangerous occurrences using risk assessment and management techniques and activate promotional channels;
- Identification of mines having highest risk of accidents/disasters through detailed investigation into the operating systems and environment in the mine and prepare a Risk Management Plan for such mines for implementation;
- Dissemination of mine information system through various reports, technical instructions/guidelines, circulars on

electronic as well as other conventional media;

- Re-engineer work processes to change governance pattern for simplicity, transparency, productivity and efficiency;
- Transform from Process bound System to Computerized Automated System.
- Develop and Establish Risk Observatory and National Archives on Occupational Safety, Health and Work Environment in mines including Oil & Gas Mines.

**Achievement: April, 2016 – September, 2016**

1. Reports published/Being published
  - i. Annual Report, 2013. Publication Annual Reports for the years 2014 is under process.
  - ii. Standard Note on DGMS as on 01.01.2016 published.
  - iii. Statistics of Mines in India, Vol. I (Coal), 2013
  - iv. Statistics of Mines in India, Vol. II (Non-Coal), 2013
  - v. Monthly publication of accident statistics and analysis of the accidents
2. Risk assessment study & preparation of Safety Management Plan of 04 (Four) identified coal mines and 02 (two) identified Non-Coal Mines have been carried out by mine management.
3. Five Technical Circulars have been issued to mine management for preventing/

minimizing recurrence of similar type of accidents in future.

4. All accident reports of enquiry into all fatal accidents were scrutinized. Causes and circumstances leading to these accidents were finalized and compiled for inclusion in DGMS Annual Report.
5. Instruction on “Accident Investigation” has been prepared & circulated within the organization. This instruction was issued in line with prevailing international practices.
6. Thirty Awareness Camps have been organized at different zones, regions & sub-regions with a view to disseminate information about latest initiatives and new services taken up by DGMS to its stakeholders.
7. One day Seminar on “Longwall Mining” conducted at Hyderabad, Telangana on 14.04.2016 in association with M/s SCCL.
8. Six DGMS officers were imparted training on e-Procurement System.
9. Two DGMS officers were given training in Hindi Prabodh.
10. 8th International Conference on Occupational Health and Safety was attended by DG at Istanbul, Turkey from 8th to 11th May, 2016.
11. Workshop on “e-filing of annual returns through Shram Suvidha Portal” was conducted on 25th & 26th August 2016.
12. Awareness camps on “e-filing of annual returns through Shram Suvidha Portal”

were conducted at different zones in the month of August, 2016.

13. One day workshop on software module for “Permission, Exemption & Relaxation System” for ease of doing business was conducted on 24.09.2016.
14. Another two -day workshop on software module for “permission, exemption & relaxation system” for ease of doing business was conducted on 30.09.2016 & 01.10.2016 with officials from mining industry.



### E-Governance in DGMS

**13.52** 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.

**13.53** In the current year, following new initiatives are taken up by DGMS:

- Computer-based examination system for Mine Manager’s Certificate of Competency

in Coal is implemented successfully. Computer-based examination system for Mine Manager’s Certificate of Competency in Metal is under progress.

- Development of following stand-alone software modules by National Informatics Centre (NIC) and/or National Informatics Centre Services Inc. (NICSI). M/s Uneecops Technologies Ltd., an empanelled vendor of NICSI, has been entrusted (by NICSI) with the job of development of Software modules. The status of each module is given below.

Sl. No.	Software Module	Status
1	Approval System	Testing Completed. Under development of proposed changes. To be live by the end of December, 2016
2	Permission, Exemption and Relaxation System	Testing Completed. Under development of proposed changes. To be live by the end of December, 2016
3	National Safety Awards (Mines)	Testing Completed. Under development of proposed changes. To be live by the end of December, 2016
4	Accidents & Statistics	Under Testing
5	Accounts and Budget	Under Testing
6	Administration/ Establishment	To be taken up in IInd Phase
7	Legal Management System	
8	Material Management	

**13.54** Further a Unified Web Portal (UWP) i.e. Shram Suvidha Portal, for on-line system for Registration of all establishments (mines) for Labour Identification No. (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.



## Role of Information Management (Statistics) :

**13.55** DGMS has a computerized information management (Statistics) system which is maintained by Statistics Division. The Division after receipt of various mines safety related data scrutinizes, processes and compiles the same. The vision and goal of the division are as follows.

### Vision :

**13.56** To complement and supplement in the direction of ensuring nationally acceptable and internationally competitive standards of health, safety and welfare for employees of the Indian Mines.

### 13.57 Goal :

1. To Compile, process and publish the data related to employment, machinery , explosives, accidents statistics pertaining to Mines (Coal )
2. To Compile process and publish the data related to employment, machinery, explosives, accidents statistics pertaining to Mines (Non-Coal).
3. To take up the promotional initiative in the direction of mines safety (like National Safety Award (Mines)) to encourage the mines management who are performing according to standards of safety.
4. To coordinate DGMS administration as and when required.
5. To prepare and coordinate in finalization

of various reports, answer to parliament question, statements etc. as asked by the ministry.

**13.58** The Statistics Division maintains various computerized data base of information and statistics regarding the various activities of mines safety. The data base maintenance and the processing of data are done on the software platform developed by the Division. In spite of the gap in the resources the division speeded up the main publications and the time gap between receipt of data from the mines and the publication of data was reduced to reasonable time period.

**13.59** The division is disseminating the data pertaining to Mines Safety and related aspects to the various organizations like CSO, Labour Bureau, IBM, DGCI&S, DGFASLI etc.

**13.60** The Division is also assisting the researchers of various organizations like IIT (ISM), Dhanbad, IITs and BIT (sindri) etc.

**13.61** Among the database one is the growth of mining activities in India. The growth of the mining activities from the year 1997 to 2014 is reflected in **Table 13.1**. Trends of accident in mine is reflected in **Table 13.2**. **Table 13.3** reflects trend of accidents in Coal Mines causewise. **Table 13.4** reflects trends of accident in Non-Coal causewise. 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 **13.5 B**.

**13.62** DGMS conducts highly technical inspections and inquiries of the mines pertaining to safety as per established standards. The

concern database is also maintained and the figures for various years are reflected in **Table 13.6**.

**Table 13.7** reflects the application received from various managers and other employees of mines and certificates of competency issued.

## ACTIVITIES AND ACHIEVEMENTS OF NATIONAL SAFETY COUNCIL

**(including review of activities during 2013-14, 2014-15, 2015-16 and detailed activities from 1.4.2016 to 31.10.2016 together with forecast of activities upto 31.3.2017)**

### INTRODUCTION

**13.63** The National Safety Council (NSC), set up by the Ministry of Labour and Employment, (MoLE) Government of India, on 4<sup>th</sup> March, 1966 is an independent, non-profit making and autonomous society. Its mission is 'Building capacity, developing material, methods, procedures and strengthening the national movement (including unorganized sector) on Safety, Health and Environment to prevent and mitigate the loss of life, human suffering and economic losses'.

**13.64** The management and control of the affairs of the Council are vested in the tripartite Board of Governors. The Board consists of 51 members besides the Chairman who is nominated by the Govt. of India. Headquartered in Navi Mumbai, it is an institution of international repute with an all India network of around 8500 members comprising (i) Corporate Members (Industrial establishments, employers' organizations, professional bodies and institutions) (ii) Trade Union organizations,

(iii) Individual Members, (iv) Life Members, and (v) International Members with 18 Chapters across the country.

### 13.65 IMPORTANT ACTIVITIES & SERVICES

#### ➤ At the National Level

- Organizing National Level Conferences/ Seminars/ Workshops
- Conducting training programmes – both national level and need-based unit level.
- Conducting E-learning Programmes on various OSH topics
- Undertaking consultancy services such as Safety Audits, Risk Assessments & HAZOP Studies, Safety Awareness Surveys, Disaster Management services
- Safety Rating for Factories, Construction Sites, Hospitals, Hotels, Malls and other commercial establishments
- Developing promotional material like National Safety Calendar, Posters
- Providing information resources : HSE Diary, Pocket Guides, HSE library
- Publications such as Technical Manuals, Booklets, reprints of important International Publications
- Bringing out periodicals : Quarterly Industrial Safety Chronicle and bi-monthly Industrial Safety News
- Spearheading National Level awareness campaigns : National Safety Day, Road Safety Week, Fire Service Week and World Environment Day

- Operating national level NSCI Safety Awards Schemes for (a) Manufacturing (b) Construction, and (c) Micro, Small and Medium Enterprises sectors & holding annual Awards Functions
- Producing video films on different OSH topics
- Contributing to development of national safety standards : Chairmanship of BIS Sectional Committee CHD 8 and also member on other Sectional Committees.
- Cooperation and collaboration with industry associations, corporate members of NSC from public and private sectors such as CII, SAIL, L&T, GAIL, NTPC, etc.

#### ➤ At the International Level

- Organizing International Conferences/ Seminars/ Workshops.
- Cooperation and collaboration with ILO, UNEP, DGUV (Germany), ADPC (Bangkok), JISHA (Japan), NSC (USA), AIHA (USA), KOSHA (Korea), KISA (Korea), European Commission, International Social Security Association (ISSA) and member organizations of APOSHO (Asia Pacific Occupational Safety and Health Organization) of which NSC is a founder-member.
- Participation & presentation at International events & meetings.

### NSC CELEBRATES GOLDEN JUBILEE YEAR

**13.66** NSC celebrated its Golden Jubilee Year from 4<sup>th</sup> March, 2015 till April 2016.

A number of activities and events were identified and organized in association with different organisations/agencies as well as independently during the year. The Golden Jubilee Celebration was concluded by hosting the prestigious APOSHO-31 International Conference and AGM in April 2016 at New Delhi.

**13.67** NSC organized an exclusive 50<sup>th</sup> Anniversary Function on 4<sup>th</sup> March, 2016 in its Auditorium at Navi Mumbai on the occasion of its 45<sup>th</sup> National Safety Day Celebration. Shri Satish Reddy, Chairman NSC was the Chief Guest (**Photograph - 1**).

### 13.68 MAJOR ACTIVITIES AND ACHIEVEMENTS

#### 1. Collaboration with International Organisations

##### 1.1 German Social Accident Insurance (DGUV), Germany

NSC has renewed its MoU with DGUV, Germany on 10<sup>th</sup> October, 2013 for a period of 3 years. The main objective of the MoU is to have the mutually beneficial collaboration that will seek to promote safety and health at work and to reduce the occurrence of work related accidents and diseases.

As part of MoU, following activities were conducted during previous three years i.e. 2013-14 to 2015-16:

- Publication of an interview of DG, NSC in the April-May 2013 issue of the Magazine “DGUV Kompakt”
- National Workshop for Safety Officers in October 2013 in Mumbai.

- Presentation on ‘Construction Safety – NSC’s Perspective’ in the Symposium & Exhibition held on 23<sup>rd</sup>-24<sup>th</sup> Sept., 2014 organised by DGUV at India Habitat Centre, New Delhi
- Participated in the Indo-German Dialogue on “OSH in Indian Construction Sector” jointly organized by GIZ (Dausche Gesellschaft fur Internationale Zusammenarbeit) and DGUV, Germany on 25<sup>th</sup> Sept., 2014
- Participated in the Symposium on “Occupational Safety and Health in the Construction Industry – Proceeding from a Problem to a Solution” organized by DGUV in collaboration with German Social Accident Insurance Institution for the building trade (BG BAU), Germany and Department of Labour, Government of Maharashtra at NCPA, Mumbai on 19<sup>th</sup> Nov., 2015.

##### 1.2 Korea Occupational Safety and Health Agency (KOSHA), Korea

- NSC India and KOSHA have renewed its MoU on 4<sup>th</sup> April, 2016 for a period of three years. The scope of co-operation includes exchange of experts from training, consultancy, seminar / workshop / conference or for research programme on topics of mutual interest and exchange of technical information and material, etc. on OSH.
- Director, NSC participated in the two-week ILO-KOSHA Fellowship Training Workshop to improve Occupational Safety and Health Conditions in Asia and the Pacific held from 19<sup>th</sup> June to 3<sup>rd</sup> July 2013 in Seoul, Korea.

- Two officers from NSC attended Fellowship Training Programme on “Occupational Safety and Health” from 15<sup>th</sup>-21<sup>st</sup> Nov., 2015 at KOSHA Headquarter, Korea.

During the year 2016-17, one NSC officer participated in the Fellowship Training Programming on “Occupational Safety and Health” held from 4<sup>th</sup>-8<sup>th</sup> July 2016 at Seoul, Republic of Korea. The objective of the programme was to provide participants with the practical knowledge and skills on the occupational safety and health for the prevention of industrial accidents and diseases at workplace.

### 1.3 United Nations Environment Program (UNEP)

- As a part of its long, active and close co-operation, NSC was invited by the UNEP to participate in the Training Workshop on “Risk Assessment and Risk Management” for three days between 30<sup>th</sup> July to 1<sup>st</sup> August, 2014 and make presentations. The workshop was organized by Central Environmental Authority (CEA) Sri Lanka, jointly with UNEP, ADPC and Responsible Care Inc, New Zealand. The Workshop was attended by Senior Officials from Govt. Departments. Director, NSC attended the workshop and delivered four lectures on ‘Overview of Risk Assessment’, ‘Risk Acceptance Criteria’, ‘Risk Prioritization & Risk Communication’ and ‘Decision Making’.

- The Centre for Chemical Process Safety (CCPS) of American Institute of Chemical Engineers (AIChE) in collaboration with UNEP organized a two-day Global Summit on Process Safety on 15<sup>th</sup>-16<sup>th</sup> Dec., 2014 at Mumbai. DG, NSC made a presentation on ‘NSCI Experience in APELL Implementation’ which was highly appreciated by the delegates and UNEP.

- On the invitation of UNEP, Deputy Director, NSC participated in the ‘Training of Trainers Regional Workshop on APELL’ organized by ADPC in partnership with UNEP from 19<sup>th</sup>-21<sup>st</sup> August, 2015 at Bangkok, Thailand. He made two presentations titled “Implementation of APELL in India” and “Community Preparedness Plan – Indian Experience” in the workshop.

### 1.4 Japan Industrial Safety & Health Association (JISHA), Japan

- As a part of the ongoing close cooperation NSC is invited by JISHA to depute an officer to attend their seminars at Japan. One officer from RMC Readymix (India) was nominated by NSC to attend the seminar on “KYT (Hazard Prediction Training) & OSHMS in Japan” in March, 2014.

### 2. Participation in the International Events

During last three years i.e. 2013-14 to 2015-16, NSC has participated in several international events, as below :

- APOSHO-28 hosted by National Safety and Health Council of Indonesia (NSHCI) from 8<sup>th</sup>-12<sup>th</sup> Oct., 2013 at Jakarta, Indonesia. The theme of the Conference was “Enhancing Safety Culture, Striving for Sustainability”.
- A validation Workshop of an Expert Advisory Group for the revision of the current APELL Handbook and for development of its 2<sup>nd</sup> edition held in UNEP Paris Office on 10<sup>th</sup> Dec., 2013.
- APOSHO-29 hosted by The Safety and Health at Work Promotion Association Thailand (SHAWPAT) from 2<sup>nd</sup>-5<sup>th</sup> July 2014 in Bangkok, Thailand.
- XX World Congress on ‘Safety and Health at Work’ held from 24<sup>th</sup>-27<sup>th</sup> August, 2014 in Frankfurt, Germany. NSC organized a Symposium on “New Forms of Employment & Work Organization”, made a presentation on “Enhancing prevention culture through voluntary initiatives, NSC INDIA experience”. NSC submitted its film “Safety while working at height at construction sites” in the International Media Festival, which was shortlisted for award and screened during the festival.
- APOSHO-30 hosted by Korea Occupational Safety and Health Agency (KOSHA) concurrently with 31<sup>st</sup> ICOH (International Conference Occupational Health) from 31<sup>st</sup> May to 5<sup>th</sup> June, 2015 in Seoul, Korea. NSC had put up a stall in exhibition to display NSC’s activities and the capacity to host national and international conferences.

A two-page leaflet about APOSHO 31 was printed and distributed among the participants at the APOSHO 30 AGM. As per the APOSHO tradition, the APOSHO flag was handed over to the Chairman, NSC for organizing next i.e. APOSHO 31 Conference.

### 3. **31<sup>st</sup> APOSHO (Asia Pacific Occupational Safety and Health Organisation) Conference & AGM in April 2016**

During the year 2016-17, The 31<sup>st</sup> APOSHO Conference was held on 5<sup>th</sup> and 6<sup>th</sup> April, 2016 at Vigyan Bhawan, New Delhi. **The theme of this 2-day International Conference was “Safety, Health & Environment – Shared Vision, Collective Action”.**

The Conference was inaugurated by the Hon’ble Minister of State (Independent Charge) for Labour & Employment, Govt. of India, Shri Bandaru Dattatreya and was presided over by NSC Chairman, Shri Satish Reddy. It was attended by over 700 persons including invitees and national & international delegates from different stake-holders. Over 85 international delegates from 35 overseas organizations including APOSHO member-organizations from 17 countries of Asia Pacific Region and across the globe attended. Eighty-four speakers including high ranking government officials and eminent experts in the field of safety from India, APOSHO member countries and other international organizations including International Social Security Association, UNEP, DGUV, etc. contributed to the deliberations of the Conference during 3 plenary and

12 concurrent sessions on different topics covering the current HSE issues.

Alongwith the Conference, HSE Exhibition was also organized in the back lawns of Vigyan Bhawan by erecting around 15,750 sq. feet air-conditioned hanger super structure, with 64 stalls put up by 35 Exhibitors who displayed their products and services. It was inaugurated by the Hon'ble Minister.

The April – June 2016 issue of NSC's quarterly journal "Industrial Safety Chronicle" was brought out as a Special Conference Number to mark the APOSHO 31 Conference & Exhibition covering final programme of the Conference, good-will messages from VVIPs and dignitaries, thematic articles from eminent experts and few select papers. This issue was released at the hands of the Hon'ble Minister during the Inaugural Function of the Conference **(Photograph - 2)**.

#### 4. National Level Collaborations / Associations

##### 4.1 Steel Authority of India Ltd. (SAIL) Safety Organisation, Ranchi

NSC is having a MoU with SAIL since 2011 which was consecutively renewed every year. It was last renewed in May 2016. The objective of the MoU is to strengthen the long and active co-operation in the field of safety training, audits, emergency preparedness, promotion of various national level campaigns, etc. During last three years i.e. 2013-14 to 2015-16, 33 assignments have been undertaken under the MoUs.

Further, during the year 2016-17 (Upto Oct. 2016) three safety audits have been carried out at various plants and mines of the SAIL.

##### 4.2 Tata Housing Development Co. Ltd. (THDCL)

NSC has signed an MoU with THDCL, Mumbai. As part of the MoU, NSC has released 3 films on different aspects of Construction Safety on 4<sup>th</sup> March 2014.

##### 4.3 Chief Labour Commissioner (Central), MoLE, Govt. of India

NSC has been training officers of CLC (Central), MoLE, GoI for last 12 years. In July 2014, NSC has signed a two-year MoU with the Office of CLC (C) for conducting training programmes for their officers for implementation of provisions under BOCW Act & Rules. In Feb. 2015, two programmes were conducted on 'Enquiry on Accidents' and 'Safety, Health & Welfare under BOCW Act & Central Rules' and in Feb. 2016 a programme on 'Enquiry on Accident' was conducted for CLC officers. In all 60 officers attended the programme **(Photograph - 3)**.

Two more training programmes are likely to be conducted in the March 2017.

##### 4.4 CII Naoroji-Godrej Centre of Excellence(NGCE)

NSC has signed a one-year MoU with the CII NGCE in May 2015 which was renewed in July 2016. The broad objective is to create a pool of trained workforce for industry to support excellence in Industrial Safety, share best practices nationwide and address issues related to Industrial Safety. During the

year 2015-16, as a part of the MoU, NSC has organized four 2-day Training Programmes on different OSH topics at CII NGCE, Vikhroli, Mumbai. Total 76 participants attended these programmes. Also in 2015-16, three training programmes were conducted, which were attended by 43 participants.

DG, NSC is the Co-Chairman of 12-Member Task Force on 'Industrial Safety' set up by CII NGCE. During the year 2015-16, four meetings and during the year 2016-17, three meetings were attended by DG.

#### 4.5 Draeger Safety (I) Pvt. Ltd.

NSC signed an MoU with Draeger Safety (I) Pvt. Ltd., Mumbai on 19<sup>th</sup> Nov., 2014. As part of the MoU, during 2015-16, four 1-day Seminars on 'Work Improvement for Safety and Health' were conducted in Rourkela, Durgapur, Baddi and Bengaluru.

#### 4.6 L&T / GAIL (I) Ltd. / NTPC

- Organised one day seminar on 'Fire Safety in High Rise Towers' in association with L&T Construction in Mumbai on 14<sup>th</sup> May, 2015. The programme was attended by 85 participants.
- Seminar on 'Safe Operation of Oil & Gas Cross Country Pipelines' was organized by NSC jointly with GAIL on 27<sup>th</sup> Nov. 2015 at Mumbai which was attended by over 71 participants.
- National Seminar on 'Emergency Management' was organized by NSC jointly with NTPC at Rihandnagar on 1<sup>st</sup> Dec. 2015.

The programme was attended by over 108 participants.

5. **Association with Electronic / Print Media**
  - **On the occasion of 44<sup>th</sup> NSD, a live interview of DG was broadcast on 4<sup>th</sup> March 2015 from Doordarshan Kendra Mumbai, Sahyadri Channel so as to create mass awareness on the significance of NSD. A number of safety issues were discussed during the interview.**
    - Director, NSC interacted with audience through phone calls in an hour-long live programme 'Sakhi Sahyadri' on 4<sup>th</sup> March, 2015 which was broadcast by DD Sahyadri Channel.
    - NSC collaborated with "The Economic Times" to publish four articles on safety in their supplement ET Focus issue dated 13<sup>th</sup> April, 2015.
    - On the occasion of World Environment Day, Doordarshan Kendra Sahyadri Channel invited Director, NSC to participate in their one hour live 'Sakhi Sahyadri' programme on 5<sup>th</sup> June, 2015. A number of environmental issues were raised by viewers on telephone which were responded by the Director, NSC.
    - DG, NSC is a member on Advisory Board set up by the The Economic Times to promote Road Safety. ET had organized "The Economic Times Road Safety and Transport Management Summit 2015" on 16<sup>th</sup> June, 2015 at Mumbai. The Director, NSC participated in the panel discussion during the Summit. The theme for the

Summit was 'Safe System – Safe Road – Safe Citizen'.

- On the occasion of 45<sup>th</sup> NSD, Doordarshan Kendra Sahyadri Channel organized a live television programme titled "Hello Sakhi" and invited NSC to participate in the same. Shri M. M. Kulkarni, Director participated in an hour-long live programme on 4<sup>th</sup> March, 2016. A number of questions were asked through telephone by the viewers which were answered by Shri Kulkarni. The questions were related to workers, comparison of safety performance of industries in India and abroad, travel safety, women safety, etc.
- Interview of DG, NSC by T. Murralli of 'Autoparts Asia' Magazine was published in its issue on 10<sup>th</sup> March, 2016. DG shared information related to NSC activities and the benefits company can get through its services and activities.

**6. Participation in National Level Events / Activities**

- **Meeting of Standing Fire Advisory Council**

DG, NSC attended 36<sup>th</sup> Meeting of the Standing Fire Advisory Council organized by Fire Services, Civil Defence & Home Guards, Ministry of Home Affairs, Govt. of India on 31<sup>st</sup> October and 1<sup>st</sup> Nov. 2014 at Goa.

- **Pollution Control Committee of Daman**

Director, NSC is one of the members on the 'Pollution Control Committee' of Daman Diu & Dadra Nagar Haveli.

- **State Expert Appraisal Committee (SEAC-1), MoEF, GoI**

Director, NSC has been nominated as a member of the above Committee on Jan. 2014. It would appraise and regulate all projects related to industries, mining, irrigation and others (excluding building projects) falling under category B of the EIA notification of 2006 in the Maharashtra State. It will assist the State Level Environment Impact Assessment Authority (SEIAA), Maharashtra.

- **BIS Committee meetings**

DG NSC is the Chairman of CHD: 08 (Occupational Health and Safety Sectional Committee) of the Bureau of Indian Standards. During the last 3 years, three meetings were chaired by DG. The next meeting of the CHD 08 is scheduled in Nov. 2016 at Mumbai.

- **UL South Asia Fire Safety Council Meet 2015**

UL India Pvt. Ltd. organized seventh Annual UL South Asia Fire Safety Council Meet 2015 in New Delhi from 7<sup>th</sup>-9<sup>th</sup> Oct. 2015. DG, NSC participated in the Meet and made a presentation on 'Safe Transport of Petroleum Products'.

- **Labour Ministry's Exhibition-Cum-Awareness Programme**

An Exhibition-Cum-Awareness Programme was organized in Hyderabad on various initiatives taken by the MoLE, GoI on 31<sup>st</sup> May, 2015. On invitation of the Ministry, two officers were deputed from NSC to attend the programme and set up the exhibition stall.

- **Nomination on State Level Advisory Committee of Bihar State Disaster Management Authority (BSDMA)**

BSDMA nominated the DG, NSC as one of the Members of the State level Advisory Committee on Human Induced Disaster established by it to advise and support on various issues relating to disaster management and risk reduction and give recommendations on related issues. DG attended the first meeting of the Advisory Committee held on 31<sup>st</sup> Oct., 2015 at Patna.

- **Association with National Civil Defence College (NCDC), Nagpur**

On the invitation from NCDC, Ministry of Home Affairs, Govt. of India, NSC associated with them in organizing National Seminar on Disaster Management with a theme as “Integrating Civil Defence with Occupational Safety” held from 4<sup>th</sup>-6<sup>th</sup> Nov., 2015 at Nagpur. DG, NSC delivered a Keynote Address in the inaugural function.

## 7. Safety, Health & Environment Training

Through ‘HSE training’, awareness about occupational health, safety and environment at workplace is created among workers and other categories of personnel including worker-members of safety committees and representatives of trade union organizations. As training is one of its core activities, NSC has continued to lay emphasis on designing and developing training courses as per the emerging needs of the industry.

During the year 2013-14, 2014-15 and 2015-16, a total of 64 national level courses were organized which were attended by

2333 participants. Further, 178 unit level, need-based inplant programmes were also conducted for 7304 personnel from various types of industries.

In the year 2016-17 (Upto Oct., 2016) 14 national level courses attended by 497 participants and 34 unit level, need-based inplant programmes were conducted for 1493 different categories of personnel from various types of industries. Further, 10 specialized training programmes and 25 unit level need-based in-plant programmes will be conducted upto March 2017. To improve safety training activities, Council organizes Consultative Meetings from time to time.

### E-learning Training Courses

- NSC launched its first E-learning Course on “Safety at Construction Sites” on 4<sup>th</sup> March, 2014. So far five batches of the course have been completed and total 285 individuals participated. During the year 2016-17, sixth batch of the course completed and 23 participants attended.
- NSC launched its second E-learning Course on “Chemical Safety” on 4<sup>th</sup> March, 2015. So far two batches of the course have been completed and total 115 persons participated. During the year 2016-17, third batch of the course completed and 31 participants attended. The next batch of the course has been scheduled and will be completed by Dec. 2016.
- NSC launched its third E-learning Course on “Industrial Safety” on 4<sup>th</sup> March, 2016 at NSC Headquarters by the hands of Shri

Satish Reddy, Chairman NSC. During the year 2016-17, two batches of the course have been completed and attended by 273 participants. The next batch of the course has been scheduled in Nov. 2016.

- The fourth E-learning Course will be launched in March 2017.

These courses are highly appreciated by the participants.

### 8. Safety Consultancy Services

- As a pioneer in OSH audits and other consultancy services, NSC has been conducting safety audits of various types of occupancies, electrical & fire safety audits, risk assessment, HAZOP studies, preparation & review of on-site emergency plans, preparation of safety reports, health impact assessment, safety awareness survey, etc.

A total of 347 consultancy services have been provided during the year 2013-14, 2014-15 and 2015-16. Some of the companies where consultancy services were provided include – SAIL, GAIL, ACC, NTPC, TATA, HPCL, Jindal Steel, Godrej, IOCL, L&T, ONGC, RCF, Reliance, Nuclear Fuel Complex, Usha Breco Ltd., etc. The recommendations provided by NSC in the Safety Audit report are the source of improvement in eradicating the existing hazards and putting forth a healthy environment at workplaces.

During 2015-16, on the request of Usha Breco Ltd., for the first time NSC has undertaken Safety Audit of Ropeways of

important pilgrimage places in India. The main purpose was to look into the safety systems embedded in ropeway operation & maintenance management. These audits scrutinize whether the management is taking care in testing the ropeways, the mechanical guarding system in the sitting arrangements, etc. Six Ropeways located in Uttarakhand, Gujarat, Kerala and Odisha were audited.

In the 2016-17 (upto Oct., 2016) in all 66 consultancy assignments were carried out. Some of the companies where consultancy services were provided include – ACC Ltd., Ultratech Cement, Op Jindal Super Thermal Power Station, NTPC, Airport Authority of India, Siemens, Bhilai Steel Plant, etc. Further, around 50 consultancy assignments will be undertaken till 31.3.2017.

- Prepared Emergency Evacuation Plan for National Centre for Performing Arts, Mumbai on 17<sup>th</sup> July, 2015.
- NSC has launched in 2014-15 NSCI Safety Rating System (NSRS) for Factories, Construction Sites, Hospitals, Hotels, Malls and other commercial establishments – to evaluate the safety, health and environmental (SHE) status and compare the Establishments with the same yardsticks. It is an in-depth assessment on 8 key elements, comprising of about 70 sub-elements at par with IS 14489 : 1998 aimed at achieving excellence in the safety management system. It uses questionnaire with detailed guidance for evaluation. So far, four assignments have been completed.

During the year 2016-17, it has been decided to promote NSRS in collaboration with CII.

**9. Production of Video Films**

NSC has produced the following safety films during the year 2013-14:

- o ‘Electrical Safety at Construction Sites’ in Hindi (Duration : about 38 min.)
- o ‘Scaffold Safety at Construction Sites’ in Hindi (Duration : about 40 min.)
- o ‘Lifting Equipment Safety at Construction Sites’ in Hindi (Duration : about 47 min.)

During the year 2016-17, NSC proposes to produce a film on ‘Selection, Use and Maintenance of Personal Protective Equipment (Non respiratory)’.

**10. National Level Awareness Campaigns**

• **National Safety Day (NSD) Campaign**

To commemorate the foundation day of the National Safety Council on 4 March NSC designs and develops a wide variety of safety promotional material viz., badge, banners, posters, stickers, pocket guides and utility articles with appropriate safety message to

help its member-organizations to observe and sustain awareness on importance of HSE and highlights current issues at the national level. This campaign is celebrated with great enthusiasm and on a large scale throughout the country with different theme every year.

The Campaign always receives full support from the MoL&E Govt. of India. Hon’ble Union Minister of Labour & Employment writes D.O. letters to the Labour Ministers of all States / Union Territories requesting them to advise the concerned agencies in their States/UTs to ensure that the Campaign is organized in a befitting manner. Also the Joint Secretary, writes D.O letters to the Labour Secretaries of all States / Union Territories requesting them to advise all concerned agencies in their States / UTs to ensure that the Campaign is organized in a befitting manner. He also writes letters to the Director Generals of Doordarshan and All India Radio requesting them to give adequate coverage to various events / activities organized on the occasion. Every year on an average more than 1400 organizations and about 10 million employees directly participate in National Safety Day/Week Campaign.

The themes for the NSD Campaigns for the year 2013-14, 2014-15 and 2015-16 were:

i)	43 <sup>rd</sup> NSD (March 2014)	Manage Stress at Workplace and Control Hazards
ii)	44 <sup>th</sup> NSD (March 2015)	Build a Safety Culture for Sustainable Supply Chain
iii)	45 <sup>th</sup> NSD (March 2016)	Strengthening Safety Movement to Achieve Zero Harm

Further, on invitation by our Member organizations, most of the technical officers of the Council participated either as Chief Guests

or for making presentations in the functions organized by them on the occasion.

NSD Campaign – 2017 will be celebrated in March 2017.

- **Fire Service Week Campaign**

The Fire Service Week (FSW) is observed nation-wide under the guidance of the Fire Adviser, Ministry of Home Affairs, during 14<sup>th</sup>-20<sup>th</sup> April every year in remembrance of the lives lost in the devastating fire and explosions on 14<sup>th</sup> April, 1944 at the Victoria Dock in the

Bombay Port and to highlight the importance of fire prevention and protection. NSC promotes the observance of FSW by bringing out a special folder containing fire safety related Guide Book, posters, Video CDs and banners with safety messages in English and Hindi with the different theme every year. In addition to the safety promotional material as mentioned above, the Council also organizes Training Courses.

The details of FSW Campaigns for the year 2013-14, 2014-15 and 2015-16 are:

	Year	Theme	DVDs Produced	Books published
i)	2013	Fire is Fire,...Friend or Foe, We Decide	Fire Safety in Cable Gallery	-
ii)	2014	Fire Prevention is the Best Insurance	Design Basis for Fire Safety in Industries, Commercial and Residential Establishment	Guidebook on 'Fire Safety'
iii)	2015	To Prevent Fire Adopt Safe House Keeping Practices & Approved Electrical Appliances	Fire Safety in Road Transportation of Hazardous Material	Guidebook on 'Designing for Fire Safety'

For the FSW 2016, the national level theme as decided by the Fire Adviser, Ministry of Home Affairs, Govt. of India was **“Prevent Fire Accidents – Promote Nation’s Development”**. To facilitate the members and patrons in effectively observing the Week promotional material with safety messages including pocket guides, poster, package of 4 Video CDs including one on ‘Emergency Drill & Evacuation’ (in English), etc. were developed by NSC and made available to them.

In addition, the Council has conducted 12 special 1-day Inplant Training Courses as well

as introduced one-day Check-list Audit on Fire Safety.

- **World Environment Day Campaign**

The World Environment Day (WED) celebrated on 5<sup>th</sup> June every year as established by the United Nations, General Assembly in 1972 is a people’s event and inspires action by governments, industries, community groups and individuals to improve the environment with different theme every year. It is a unique opportunity to raise awareness on environment and mobilize action by all stakeholders. To help the organizations in observing the WED,

NSC promoted the campaign by bringing out a variety of promotional material in English and Hindi including environment day badge, banners, posters, stickers, pocket guides, booklets and environmental information

package relevant to the respective theme of every year.

The themes for the WED Campaigns for the year 2013-14, 2014-15 and 2015-16 were:

i)	WED 2013	Think.Eat.Save
ii)	WED 2014	Raise Your Voice, Not the Sea Level
iii)	WED 2015	Seven Billion Dreams. One Planet. Consume with Care

NSC continued to promote the World Environment Day (WED) Campaign this year also (i.e. 5<sup>th</sup> June 2016). The theme of the Campaign as selected by the UNEP was **“Fight Against the Illegal Trade in Wildlife”**.

- **Road Safety Week (RSW) Campaign**

The Road Safety Week spearheaded by the Ministry of Road Transport and Highways, Govt. of India is observed throughout India from 11<sup>th</sup>–17<sup>th</sup> Jan. every year. NSC has also started supplementing Government’s efforts

in promoting this Campaign from the year 2011. For the RSW Campaign, NSC designs and develops a variety of promotional material with safety messages which included posters on Road Safety; a banner with the Theme decided by the Ministry of Road Transport and Highways, film on Road Safety and pocket guides on transportation safety / road safety related subjects.

The themes developed by NSC for RSW Campaigns for the year 2013-14, 2014-15 and 2015-16 were:

i)	RSW 2014	Alert Today – Alive Tomorrow
ii)	RSW 2015	Speed Thrills – But it Kills
iii)	RSW 2016	Stop Accident Before They Stop You

The theme for the RSW-2017 Campaign is **Accident is Painful – Safety is Gainful.**

### 11. National Safety Calendar

A National Safety Calendar with appealing original messages suited to the Indian culture along with one-page information sheet is

brought out by the council every year to support safety awareness and educational programmes. Calendar depicts six important aspects on industrial safety, fire prevention and protection, environment protection, road

safety and home-based situations through cartoons is developed every year. Also calendar carries Information Sheet on different OSH topics every year. Over 2.9 lacs copies are

printed for distribution among member-organizations and patrons every year.

The Information Sheets developed by NSC for the year 2013-14, 2014-15 and 2015-16 were:

i)	Calendar 2014	Electric Safety – Do’s and Don’ts
ii)	Calendar 2015	Lifestyle Diseases – Causes and Prevention
iii)	Calendar 2016	Safe Use of Mobile Phone

The information sheet of the Calendar-2017 is devoted to **Fire Safety – Do’s and Don’ts**. Over 2.90 Lacs copies are proposed to be printed for distribution amongst member-organizations and patrons.

**12. HSE Diary**

NSC has been bringing out Health, Safety and Environment (HSE) Diary, since 1998 with the objective of promoting and propagating useful information on HSE topics for day-to-day reference, besides the date pad. The topics include HSE legislation & policy, chemical safety, construction safety, electrical safety, disaster management, environment, health, mine safety and road safety, etc. Over 30,000 copies of HSE Diary are printed for distribution among member-organizations and patrons.

During the year 2016-17 also over 30,000 copies of HSE Diary-2017 are proposed to be printed covering topics like HSE legislation & Policy, construction safety, electrical safety, etc. for distribution amongst member-organizations and patrons.

**13. Library of Books and Periodicals**

NSC maintains a good library of books and periodicals accessible to its members and employees. Its collection includes over 3,285 technical books, manuals, reports, handbooks, codes, standards, etc. in the areas of safety, health and environment and related subjects. Every year, new titles are being added to the library.

NSC also receives periodicals from reputed international and national organisations viz. National Safety Council - USA, Bureau of Indian Standards, Indian Chemical Council, Builders Association of India etc.

**14. NSCI Safety Awards**

Aimed at giving recognition to the attainment of consistent level of achievements in OSH performance and OSH management systems by industrial undertakings, NSC has been operating national level Safety Award Schemes for manufacturing, and construction and MSME sectors from the Awards Years 1998, 2005 and 2009, respectively. The Schemes for

NSCI Awards for all the three sectors is being announced every year in Jan./Feb through circulars to the members and non member organizations as well as on NSC'S website. An Awards Committee constituted by the NSC Board of Governors assesses the applications by applying rigorous criteria in a four-stage process.

In view of the NSC's Golden Jubilee Year (2015-16), the Awards Committee decided to change the design of the trophies from this year. Accordingly, new trophies were developed with approval of the Committee.

- **NSCI Safety Awards Functions**

- The Awards Function for 2012 was held on 4<sup>th</sup> October, 2013 at SCOPE Complex, New Delhi. Shri Arun Kumar Sinha, IAS, Additional Secretary, MoLE, GoI was the Chief Guest. He gave away the Awards to 41 units from manufacturing sector, 12 construction sector units and 15 units from MSME Sector.
- The Awards Function for 2013 was held on 27<sup>th</sup> October, 2014 at Hotel Hyatt Regency Mumbai. The Awards were given away at the hands of the Hon'ble Union Minister for Steel, Mines and Labour & Employment, Shri Narendra Singh Tomar. He gave away the Awards to 41 units from manufacturing sector, 12 construction sector units and 21 units from MSME Sector.

- The Awards Function for 2014 was held on 12<sup>th</sup> March, 2015 at SCOPE Complex, New Delhi. Shri Bandaru Dattatreya, Hon'ble Minister for State (Independent Charge), MoLE, GoI gave away the Awards to 42 units from manufacturing sector, 9 construction sector units and 15 units from MSME Sector.
- The Awards Function for 2015 was held on 6<sup>th</sup> April, 2016 at Vigyan Bhawan, New Delhi. Shri Bandaru Dattatreya, Hon'ble Minister for State (Independent Charge), MoLE, GoI gave away the Awards to 43 units from manufacturing sector, 12 construction sector units and 16 units from MSME Sector **(Photograph - 4)**

The schemes for NSCI Awards 2016 for all the three sectors were announced on 8<sup>th</sup> Feb., 2016 through the websites of NSC as well as circulars to the members and other non-member organizations. Applications received for manufacturing, construction and MSME sectors are being assessed and the result will be declared in the month of Dec. 2016 and the function will be held in the year 2017.

### **15. Activities of NSC Chapters**

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



NSC's 50th Anniversary Function



Inauguration of APOSHO 31 International Conference at New Delhi



CLC Officers at National Level Training Programme



Bandaru Dattatreya, Hon'ble Minister of State (Independent Charge) Labour & Employment, Govt. of India (at the centre) giving away NSCI Safety Award-2015 at New Delhi

Table 13.1

Growth of Mining Activities in India

Year	No. 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	5954	2496	468	345.3	95.1
2007	567	1770	49	419279	235351	256944	5842	2646	457	353.0	97.8
2008	569	1904	67	481635	289354	294290	5935	2857	845	395.3	110.7
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	936	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

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*	53	281	334	54	35	89
2016*	58	160	218	27	27	54

\* Data for the year 2015 to 2016 are provisional and data for 2016 are up to 30.09.2016.

Table 13.3

## Trend of Accidents in Coal Mines – Causewise

Causes	Number of Fatal Accidents						Number of Serious Accidents					
	2011	2012	2013	2014	2015*	2016*	2011	2012	2013	2014	2015*	2016*
Fall of Roof	11	5	8	10	3	3	16	21	17	18	6	6
Fall of Sides	2	6	2	2	4	4	23	20	19	17	8	8
Other Ground Movements	2	0	2	1	0	0	0	1	0	0	1	1
Winding in Shafts	1	0	0	0	0	0	14	4	3	5	2	2
Rope Haulage	3	2	3	1	1	1	54	48	42	33	17	17
Dumpers, Trucks, etc.	23	27	29	17	14	14	24	20	22	15	10	10
Other Transportation Machinery	2	3	1	1	0	0	11	8	9	2	5	5
Non-Transportation Machinery	6	14	12	15	9	9	33	23	27	25	14	14
Explosives	1	3	0	2	0	0	3	0	1	3	2	2
Electricity	5	3	7	2	6	6	1	3	2	3	2	2
Gas, Dust, Fire, etc.	0	3	0	1	0	0	0	1	0	2	1	1
Fall of Persons	1	8	8	2	3	3	167	168	135	129	131	30
Fall of Objects	4	1	3	2	3	3	74	87	88	59	38	38
Other Causes	4	4	2	3	10	15	113	132	91	68	44	24
<b>Total</b>	<b>65</b>	<b>79</b>	<b>77</b>	<b>59</b>	<b>53</b>	<b>58</b>	<b>533</b>	<b>536</b>	<b>456</b>	<b>379</b>	<b>281</b>	<b>160</b>

\* Data for the year 2015 to 2016 are provisional and data for 2016 are up to 30.09.2016.

Table 13.4

Causes	Trend of Accidents in Non-coal Mines – Cause wise											
	Number of Fatal Accidents						Number of Serious Accidents					
	2011	2012	2013	2014	2015*	2016*	2011	2012	2013	2014	2015*	2016*
Fall of Roof	0	3	2	3	1	1	2	5	2	0	2	2
Fall of Sides	7	10	13	5	14	4	3	3	0	0	0	0
Other Ground Movements	0	0	0	0	0	0	0	0	0	0	0	0
Winding in Shafts	1	0	1	2	1	1	2	3	0	2	0	0
Rope Haulage	0	0	0	0	0	0	0	0	0	0	0	0
Dumpers, Trucks, etc.	11	4	8	7	8	3	4	3	6	4	0	0
Other Transportation Machinery	0	1	3	0	2	2	6	0	0	2	1	1
Non-Transportation Machinery	10	5	4	5	2	2	15	8	12	11	8	4
Explosives	4	4	2	2	0	0	0	1	0	0	0	0
Electricity	0	0	2	3	0	0	3	0	0	1	1	1
Gas, Dust, Fire, etc.	0	0	3	0	1	1	0	0	0	2	1	1
Fall of Persons	5	5	9	8	17	5	22	8	11	10	5	5
Fall of Objects	5	3	8	2	4	4	18	12	16	9	10	6
Other Causes	1	1	3	2	4	4	7	2	5	3	7	7
<b>Total</b>	<b>44</b>	<b>36</b>	<b>58</b>	<b>39</b>	<b>54</b>	<b>27</b>	<b>82</b>	<b>45</b>	<b>52</b>	<b>44</b>	<b>35</b>	<b>27</b>

\* Data for the year 2015 to 2016 are provisional and data for 2016 are up to 30.09.2016.

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*	53	54	9	281	286	54	57	13	35	38
2016*	58	62	4	160	162	27	34	7	27	28

\*Data for the year 2015 to 2016 are provisional and data for 2016 are up to 30.09.2016

Table No. 13.5B

**Trend in Fatal Accidents and Fatality Rates per 1000 Persons Employed (Ten Yearly Average)**

Year	Coal Mines				Non coal Mines			
	Average Accident	Accident Rate	Average Killed	Death Rate	Average Accident	Accident Rate	Average Killed	Death Rate
1951-1960	222	0.61	295	0.82	64	0.27	81	0.34
1961-1970	202	0.48	260	0.62	72	0.28	85	0.33
1971-1980	187	0.40	264	0.55	66	0.27	74	0.30
1981-1990	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
2011-2016*	65	0.18	68	0.19	43	0.21	50	0.24

\*Provisional.

Table 13.6

**Number of Inspections and Enquiries**

Year	No. of Inspections				No. 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	462	52	1425	8451
2011	3216	3688	321	7225	956	452	68	1476	8701
2012	3811	3635	292	7738	933	537	40	1510	9248
2013	4039	3783	326	8148	866	438	31	1335	9483
2014	4664	4694	588	9946	1035	540	111	1686	11632
2015	6047	5889	786	12722	1280	653	36	1969	14691
2016*	3661	4134	525	8320	942	525	59	1526	9846

\* Figures up to 30.09.2016.

Table 13.7

**Applications received & Certificates of Competency issued during April, 2016 to September, 2016**

Category of certificates of competency	Coal Mines Regulation, 1957		Metalliferous Mines Regulations, 1961	
	Applications received	Certificates issued	Applications received	Certificates issued
Manager	81	293	58	111
Surveyor	347	22	134	7
Overman / Foreman	1273	214	1221	106
Sirdar / Mate	474	77	616	436
Shotfirer/Blaster	0	0	245	196
Winding Engine Driver	0	0	2	22
Gas-testing	2607	846	212	170

Table 13.8

**THE DETAILS OF TRAININGS ATTENDED BY DGMS OFFICERS DURING  
01.04.2016 to 30.09.2016**

Sl.No.	Name of the Seminar, Workshop, Symposium etc	Venue	Period	No. of Officers attended
1	APOSHO-31	New –Delhi	5-6 <sup>th</sup> April, 2016	02
2	Two-day Occupational Safety and Health Conference and Exhibition.	Guwahati	21-22 <sup>nd</sup> April, 2016.	01
3	IIT Short term course on “ Mines Safety and Legislation.	Kharagpur	09-11 <sup>th</sup> May,2016	01
4	OSH Chennai Conference.	Chennai	09-10 <sup>th</sup> June, 2016	01
5	Explosafe-2016 (Two day National Seminar on Safety, Security and Recent Trends in Commercial &Defence Explosive. )	Nagpur	03-04 <sup>th</sup> June, 2016	02
6	Training Programme on Public Procurement for Government Officer	Faridabad	13-18 <sup>th</sup> June,2016	06
7	One day Indo-Australian Joint workshop on “ Recent Developments of Highwall Mining in India”	CIMFR, Dhanbad	27 July,2016	04
8	Lecture of “ Mine Safety”	ISM, Dhanbad	04 <sup>th</sup> Agust,2016	01
9	Short term course on “ Mines Safety and Legislation”.	Kharagpur	12-14 <sup>th</sup> Sept,2016	01
10	Technical Seminar for Granite Exports	Karimnagar	09 <sup>th</sup> Sept,2016	01
11	One day National Workshop on “ Mines Safety & Environment”	Ranchi	13 <sup>th</sup> Sept,2016	03
12	Principle of Modern Safety in Mines	ISMAA, KOLKATA	23 <sup>rd</sup> To 25 <sup>th</sup> May 2016	03

Table 13.9

**Training (abroad)/foreign visit of DGMS Officers from 01.04.2016 to 30.09.2016**

Sl.No.	Course	Venue	Period	No. of Officers attended
NIL				

## CHAPTER – 14

# DATTOPANT THENGADI NATIONAL BOARD FOR WORKERS EDUCATION AND DEVELOPMENT (erstwhile CBWE)

## Structure

**14.1** Dattopant Thengadi National Board for Workers Education and Development (erstwhile CBWE) 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 9 Sub-Regional Directorates. The six Zonal Directorates situated at Delhi, Guwahati, Kolkata, Mumbai, Chennai and Bhopal monitor the activities of the Regional Directorates in their respective zones.

**14.2** 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.

**14.3** 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.

## Programmes

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

COURSES ORGANISED UNDER WORKERS EDUCATION SCHEME

Sr. No.	National Level	Sr. No.	Regional Level	Sr. No.	Unit Level	Sr. No.	Specific Categories
1	Education Officers Training and Retraining Course	1	Training of Trainers	1	Unit Level Classes	1	Functional Adult Literacy Classes
2	Organising Trade Unions	2	Personality Development Programmes	2	Need Based Special Programmes	2	Empowerment Programme for Un-organised 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	Conference of DDs, ZDs & RDs (CBWE)	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	Computer Awareness to Trade Unionist	5	Need Based Seminars (1-2 days)			5	Retraining programme for Unorganised Workers (1 day)
6	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	“Organisational Development and role of Trade Union.”	7	MGNREGA			7	Retraining programme for Rural Workers (1 day)
8	Role of Trade Unions in National Integration.					8	2 days programme for :
9	Training programme for Gr. ‘C’ & ‘D’ Officials of CBWE (MTS) on “ Good Workshop”.					8 (a)	Unorganised workers/ Stone Quarry etc.,
10	Dynamics of Leadership.					8 (b)	Women Workers

11	Labour Legislation & Contract Workers					8 (c)	SC/ST Workers
12	'Challenges before trade union in changing scenario. For the activists of BKMS.					8 (d)	Parents of Child Labour/ Child Labour.
13	Trade Unions and Industrial Relations.					8 (e)	Labour Welfare and Development
14	-Welfare Provisions for Unorganised Sector Workers". -Welfare Provisions in Labour Laws for Construction/ Plantation Workers.					8 (f)	Construction Workers
15	Management of Trade Unions in Changing Scenario".					8 (g)	HIV / AIDS Programme
16	"Emergence Challenges before Trade Unions"					8 (h)	Rickshaw Pullers
17	Contract Workers Development Programme for Contract Workers of Coal/Non-Coal Mining.						
18	Trade Union & Industrial Relations".						
19	Personality Development for the Life Insurance Employees						
20	Emerging Trade Union Policy for Trade Union Activists.						
21	Trade Union Management						

**14.5** Since 1970 till 31<sup>st</sup> October, 2016, the Board has conducted **1227** programmes of varied durations, IIWE at national level for **30022** participants. In the organized, unorganized and rural sector, the Board has in all conducted **468372** programmes of varied durations for **14038262** workers since inception till October, 2016.

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

**14.7** The special programmes for the beneficiaries of Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) has been introduced by CBWE from the financial year 2011-12. During April, 2016 to October, 2016, the Board has conducted **158** programmes for the 6056 **workers** in rural sector under MGNREGA scheme.

**14.8** The Board has also organized special training camps for unorganized sector workers

to promote digital transactions and launch a campaign to open bank accounts. Till 23.12.2016, total 5180 workers have been trained and 255 new bank accounts opened.

**NATIONAL LEVEL PROGRAMMES**

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

**14.10** During the period from April, 2016 to October, 2016, the following programmes were conducted by the Institute:-

Title of the programme	No. of programmes	No. of participants
National Levels Training programmes on different topics was conducted at IIWE for the trade unions activists and Trade Union Organizations like National Railway Mazdoor Union (NRMU), Central Government Employees Confederation (CGEC) Western Railway Employees Union, CTUO, CRMS, HMS, INTUC, BMS, AITUC, , NFIR, AIRMF , NUSI-HMS and BKSM. ICL,NLO,TUCC,	<b>24</b>	<b>562</b>

**PROGRAMMES AT REGIONAL LEVEL**

**14.11** Details of training programmes conducted by the Regional Directorates during the period April, 2016 to October, 2016 including Unit Level Classes, programmes for rural workers and workers belonging to unorganized sector

and weaker sections are indicated in the Table given below-

Activities of Dattopant Thengadi National Board for Workers Education and Development (erstwhile CBWE for the period 2016-17

Activity	Target 2016-17	Achievement from 1.04.2016 to 31.10.2016	
		Progs.	Participants
<b>REGIONAL LEVEL</b>			
Training of Trainers (1 ½ month)	4	1	16
Personality Development Programme (21- days)	31	10	222
Refresher Course for Trainers (1 week)	0	0	
Joint Education Programme on Participative Management (1 day)	396	472	11585
Programmes under Self Generation of Funds / CTPG (1/2/3 days)	938	352	6921
Need Based Seminars (1/2 days)	134	165	4048
Programmes on Quality of Life for Workers and their spouses (4 days)	0	0	
Programmes on Quality of Life for Workers and their spouses (2 days)	47	17	558
Functional Adult Literacy Classes	2	0	
Seminar at Plant Level (1 day)	132	103	3156
Special Programme for Self Generation of Fund (5 days)	0	0	
Workers Participation in Management	77	3	118
<b>UNIT LEVEL</b>			
Part/Full Time Unit Level Classes (3-months/3-weeks/1 month)	46	8	194
Joint Education Programmes for New Members of Joint Councils at Enterprise Level (2 days)	134	159	3602

UNORGANISED SECTOR			
Empowerment Programme for Unorganized Workers/ Weaker Section (4 days)	268	128	4970
Programme for Unorganized Sector/Stone Quarry/ Construction Workers (2 days)	653	508	19668
Programme for Women Workers (2 days)	524	367	13771
Programme for Parents of Child Labour/Child Labour (2 days)	520	98	3804
Programme for SC/ST, SCSP/TSP (2 days)	3904	1431	53856
Labour Welfare & Development Programme (2 days)	524	299	11320
Programmes for Panchayati Raj (2 days)	125	7	254
Programme on Quality of Life for Workers and their spouses (4 days)	134	26	1024
Programme on Quality of Life for Workers and their spouses (2 days)	134	24	1048
Retraining Programme for Unorganized (1 day)	268	123	6765
State Level N E (3 days)	36	2	60
Panchayati Raj (3 days) North-East	27	3	84
Special Programmes for North-East (2/5 days)	27	0	0
Leadership Development Programme (10 days)	27	0	0
RURAL SECTOR			
Rural Awareness Camps (2 days)	1045	488	19063
Empowerment Programme for Rural Workers (4-days)	134	28	1099
Retraining Programme for Rural Workers (1 day)	259	64	3287
MGNREGA	548	158	6056

## ORGANISATION OF UNORGANISED LABOUR AND TRAINING OF RURAL VOLUNTEERS

**14.12** 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 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 of rural workers;
- 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.

**14.13** Rural Volunteers are given one week orientation /Refresher Courses at Regional Directorates to assist Education Officers in conducting Rural Awareness Camps. These

campes are attended by landless labour, tribal labour, artisans, forest workers and educated unemployed in rural areas etc.

**14.14** 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

1. During the period from April, 2016 to October, 2016, the Board has conducted **5044** programmes of various durations and trained **176549** workers of various sectors. Details are given in the table below Para 14.

## MAJOR ACHIEVEMENTS

### Empowerment Programmes

2. 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, 2016 to October, 2016, **6069** workers have been benefited in **156** Empowerment Programmes organized for Unorganized, Weaker and Rural Sector workers.

### Programmes for Panchayati Raj Functionaries

3. 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.
4. During the period from April, 2016 to October, 2016, the Board conducted 10 programmes for **338** elected members of the Panchayati Raj Institutions (including N.E. Region).

### Retraining Programme for Trained Workers of Rural/Unorganized Sector

5. 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.

During the period from April, 2016 to October, 2016, **187** such retraining programmes were conducted for **10052** rural / unorganized workers.

### Labour Welfare and Development Programmes

6. The Ministry of Labour has assigned to the CBWE the task of Generating Awareness among the Rural/Unorganized sector workers about the various welfare schemes of the Government for their socio-economic development.
7. 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, 2016 to October, 2016 the Board has organized **299** awareness generation programmes for **11320** workers of rural and unorganized sectors under Labour Welfare & Development programmes.
8. 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

9. 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.

10. 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.
11. 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.
12. The Board provides grants-in-aid to registered Trade Unions and other institutions for conducting their own workers education programmes.
13. The Board also sanctions grants-in-aid for National Level Courses to the Central Trade Union Organizations and National Federations. During the period April-October, 2015, the Board has sanctioned grants-in-aid amounting to **Rs. 59,310/-** to 4 Trade Unions / Institutions. So far **6** programmes have been conducted and **240** workers trained.

### USE OF HINDI

14. **Two** meetings of the Official Language implementation Committee of the Board were held at Head Office, Nagpur on 29.4.2016 and 18.7.2016 respectively the progress made in the use of Hindi at Head Office, Nagpur.
15. One Official Language Hindi Workshop was conducted on **22<sup>nd</sup> to 24<sup>th</sup> August, 2016** at IIWE Mumbai for 18 employees of the Board among them 6 officers and 12 Staff in all over the Head Office, Nagpur for Zonal and Regional Directors of the Board.

## CHAPTER – 15

## PLAN AND NON-PAN PROGRAMMES

**15.1** The Ministry implemented a few Schemes for the Welfare and Development of Labour during the Twelfth Five Year Plan (2012-2017). Emphasis of these programmes is on Elimination of Child Labour and Abolition & Rehabilitation of Bonded Labourers. The important schemes are Social Security for Unorganized Workers, National Child Labour Project (NCLP) and Pradhan Mantri Rojgar Protsahan Yojana [PMRPY].

**15.2** The Planning Commission provided an outlay of Rs. 13,223.00 Crore for the Plan Schemes of the Ministry of Labour & Employment during the Twelfth Five Year Plan (2012-2017). The year-wise details of the Scheme Outlays and Expenditure are given in **Table 15.1**.

**15.3** The outlay and expenditure under Non-Plan Activities for the last four years are given in **Table 15.2**.

**15.4** The Women Labour Cell in the Ministry

deals with the scheme exclusively meant for Women and Women's Welfare.

**15.5** In compliance to the Government directives, this Ministry has earmarked Rs. 251.10 Crore (16.2% of total Plan Allocation) for Scheduled Caste Sub-Plan (SCSP) and Rs. 127.10 Crore (8.2% of total Plan Allocations) for Tribal Sub-Plan (TSP) during the current financial year i.e. 2016-17.

**15.6** 10% of Plan Allocation (Rs. 155.0 Crore) has been earmarked for specific Projects / Schemes in the North-Eastern (NE) States and Sikkim during 2016-17.

**15.7** The Ministry of Labour & Employment provides Grants-in-Aid to Research and Academic Institutions and Non-Governmental Organizations (NGOs) and Voluntary Organizations (VOs) for undertaking research in labour related matters. Draft reports on 73 studies were received, 69 reports were finalized and 4 studies are work-in-progress.

Table 15.1

**Ministry of Labour & Employment - Twelfth Plan (2012-17) / Annual Plan Provisions and Expenditure**  
(Rs. in Crore)

Sl. No.	Divisions / Schemes	12 <sup>th</sup> Plan Outlay	Annual Plan 2014-15			Annual Plan 2015-16			Annual plan 2016-17
			BE	RE	Actual	BE	RE	Actual	BE
1	2	3	4	5	6	7	8	9	10
1	Labour Bureau	167.05	48.25	44.92	27.95	43.32	43.32	30.78	50.00
2	Industrial Relations	73.27	20.06	19.56	15.60	19.31	18.31	16.07	25.00
3	DGFASLI	87.29	7.10	7.10	5.13	6.10	9.10	5.99	11.30
4	DGMS	114.42	17.30	17.30	10.21	14.46	17.46	9.41	22.50
5	Social Security for Unorganized Sector Workers including RSBY	7316.00	1434.30	559.74	548.83	1320.52	64.84	5.83	144.50
6	Rehabilitation of Bonded Labour (Merged with Scheme at Sl. No. 5)	21.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7	Child & Women Labour	645.00	175.00	110.87	96.18	250.00	99.50	93.21	140.00
8	CBWE	106.38	24.39	24.39	11.43	21.20	16.00	11.30	15.00
9	VVG NLI	40.00	6.25	6.25	6.25	6.37	6.37	6.37	11.00
10	Information Technology	8.60	2.00	2.15	2.06	2.24	2.90	2.71	3.00
11	Grants-in-Aid to research / Academic Institutions & NGOs for undertaking research in labour related matters	4.30	0.50	0.50	0.18	0.50	0.34	0.23	5.50
12	Directorate of Employment	141.00	19.60	19.60	15.86	28.90	71.90	61.01	1122.20
13	Directorate of Training	4498.19	693.85	618.15	515.83	440.10	291.66	254.46	--
	<b>Total</b>	<b>13223.00</b>	<b>2448.60</b>	<b>1430.53</b>	<b>1255.51</b>	<b>2153.02</b>	<b>641.70</b>	<b>497.37</b>	<b>1550.00</b>
			(+CW47.40)						

CW stands for Civil Works component which is transferred to Ministry of Urban Development.

The Plan Outlay of Directorate of Employment also includes the scheme of National Career Service (NCS) .

Directorate of Training shifted to Ministry of Skill and Development.

Table 15.2

**Non-Plan Provisions and Expenditure**

(Rs. in crores)

Sl. No.	Scheme	2013-14		2014-15		2015-16		2016-17
		BE	Actual Exp	BE	Actual Exp	BE	Actual Exp	BE
1	Secretariat Social Services	36.67	32.98	39.05	37.6	43.08	40.02	47.89
2	Research & Statistics	9.13	9.39	9.81	9.27	10.66	9.43	11.08
3	Industrial Relations	46.05	44.51	49.19	47.28	51.49	51.51	58.16
4	Working Conditions & Safety	58.58	56.52	61.30	64.28	69.14	67.93	75.83
5	Labour Education	56.90	43.83	54.42	49.18	57.68	57.68	57.68
6	Labour Welfare Schemes	264.73	203.96	272.90	220.11	290.00	207.15	302.44
7	Transfer to Reserve Funds	193.15	287.27	194.98	189.80	207.34	171.64	211.38
8	Social Security	2056.88	2033.16	2556.88	2310.99	2557.90	3557.9	4068.09
9	International Cooperation	9.91	17.60	14.08	16.43	17.53	17.00	17.53
10	Other Items	0.74	0.16	0.74	0.33	0.86	0.57	0.86
11	Welfare of SC/ST and other Backward Classes	5.11	4.86	5.25	5.36	6.07	5.67	6.55
12	Employment	38.24	36.64	40.72	39.43	43.99	39.48	46.49
13	Training	52.16	50.8	55.39	53.86	59.95	56.13	0.00
	<b>Total</b>	<b>2828.25</b>	<b>2821.68</b>	<b>3354.71</b>	<b>3043.92</b>	<b>3415.69</b>	<b>4282.11</b>	<b>4903.98</b>

Chapter-16

**WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES**

**NATIONAL CAREER SERVICE CENTRES FOR SCHEDULED CASTES AND SCHEDULED TRIBES**

16.1 The National Career Service Centres (NCSCs) for Scheduled Castes and Scheduled Tribes (erstwhile CGCs) operate two schemes, namely Special Coaching Scheme and Computer Training.

16.2 The scheme was launched in 1969-70 in 4 Centres on a pilot basis. Keeping in view the success of the scheme, it was extended to another nineteen States in a phased manner. At present, twenty four National Career Service Centres for SCs & STs are functioning in twenty four States/Union Territories (one of them at Jowai is 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 and review the Old cases. 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 follow up with the employers for placement against vacancies reserved for the Scheduled Caste and Scheduled Tribe candidates.

16.3 In addition, fourteen of these Centres provide facilities for training in Shorthand and

Typing. The physical achievements by various National Career Service Centres from April, 2016 to November, 2016 are given below:

ACTIVITY	NO. OF CANDIDATES COVERED
Registration Guidance	28256
Pre-Submission Guidance *	4035
Confidence Building Programme	17539
Training in Typing and shorthand	10126
Pre-Recruitment Training (PRT)	711

\* Guidance given to candidates before submission to the respective employer for selection /Interview.

**SPECIAL COACHING SCHEME**

16.4 To facilitate the recruitment against reserved vacancies in various Central Government Ministries/Departments, the Directorate General of Employment has launched another scheme namely “Special Coaching Scheme” for Scheduled Castes and Scheduled Tribes so as to enable SC/ST job seekers to appear in Competitive Examinations conducted by Staff Selection Commission and other Recruitment Boards for recruitment to Group ‘C’ posts. This scheme was launched in 1973 on a pilot basis at Delhi and 32 phases of

this scheme have been completed so far. The 33<sup>rd</sup> Phase of the Special Coaching Scheme at Delhi is in progress with effect from 01.07.2016.

**16.5** Encouraged with the success of the above scheme, the scheme was extended to more places through the National Career Service Centres (NCSCs) for SC/STs 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 and so far 22 phases of the Scheme have been completed and 23<sup>rd</sup> Phase is in progress w.e.f 01.07.2016 respectively. 17487 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 views the demand of trained manpower in the job market with effect from August, 2009 to 'O' level one year computer training. 13960 SC/ST candidates through National Institute of Electronic & Information Technology (NIELIT) have been provided training under the supervision of 21 NCSCs in eight batches. The training of 9<sup>th</sup> batch is in progress with a seating capacity of 2000 SC/ST candidates registered with the Employment Exchanges w.e.f. July, 2016 under the supervision of 21 NCSCs for SC/

STs. The one year 'O' level Computer Training Hardware Maintenance Training has also been introduced w.e.f 01.08.2012. So far 5350 SC/ST candidates at 19 NCSCs for SC/STs have been provided training in four batches and 5<sup>th</sup> batch is in progress w.e.f August, 2016 with a seating capacity of 1000 SC/ST Candidates. Keeping in view the Government's initiative under NCS ([www.ncs.gov.in](http://www.ncs.gov.in)) the NCSCs have 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** The system of debt bondage in India is an outcome of certain categories of indebtedness involving certain economically exploited,

helpless and weaker sections of the society. This system originated from the uneven social structure characterized by inequitable distribution of land and assets.

**16.9** In order to assist the State Governments in the task of rehabilitation of released Bonded Labourers, this Ministry of Labour & Employment launched a Centrally Sponsored Plan Scheme for rehabilitation of the released bonded labour in May, 1978. The Government has revamped the Centrally Sponsored Plan 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 any 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. An amount of Rs. 8404.22 lakh was provided as financial assistance to the States for rehabilitation of bonded labour under the Centrally Sponsored Scheme upto 30.09.2016. Financial assistance of Rs. 830.20 lakh has also been provided to

states for surveys for identification of bonded labour, awareness generation activities and evaluatory studies. So far 2,82,429 Bonded Labourers have been rehabilitated under this scheme. As per the report of the National Commission on Rural Labour, 1991, 86.6% of the identified bonded labour belong to SC/ST category, so benefits of the scheme are flowing predominantly to these categories of bonded labourers.

**16.10** Detailed guidelines have been issued to the State Governments for implementing the scheme. The benefits prescribed under the revamped scheme shall be, in addition to, other cash or non-cash benefits which a beneficiary under this scheme is entitled to, by or under any other scheme or law applicable for the time being in force.

## SURVEYS AND RESEARCH STUDIES

**16.11** Labour Bureau has been conducting, inter-alia, the following two separate Studies on Scheduled Castes and Scheduled Tribes Workers:-

- i) Working and Living Conditions of the Scheduled Castes Workers engaged in four groups of unclean occupations viz., Sweeping and Scavenging, Flaying and Tanning, Bone-crushing and Shoe-making in urban areas. Coverage has now been extended to cover clean occupations and the adjoining rural areas of the selected centres as well.
- ii) Socio-economic conditions of Scheduled Tribes Labour in selected industrial centres/belt.

**16.12** Bureau has so far conducted 9 surveys in Scheduled Castes centres and 9 surveys in Scheduled Tribes centres. The last ST Survey was conducted in Scheduled Tribes belt of Kalahandi, Bolangir & Koraput districts of Odisha and the report has been released.

**Reservation in the Ministry of Labour and Employment**

**16.13** Data on the representation of Scheduled Caste (SC) and Scheduled Tribe (ST) employees

in the Ministry of Labour and Employment is furnished in the **Table 16.1**.

**16.14** As per the requirement of the “Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act,1995, 3% posts are to be reserved for Persons With Disabilities. 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 16.1

REPRESENTATION OF SC/ST EMPLOYEES IN THE MINISTRY OF LABOUR AND EMPLOYMENT INCLUDING ATTACHED AND SUBORDINATE OFFICES							
Group	Total no. of employees (as on 1.1.2016)	Due as per reservation		In position		Surplus (+) Shortfall(-)	
		SC (15%)	ST(7.5%)	SC	ST	SC	ST
Group A	718	107	53	93	34	14(-)	19(-)
Group B	899	134	67	126	53	8(-)	14(-)
Group C	3149	472	236	662	230	190(+)	6(-)
Total	4766	713	356	881	317	168(+)	39(-)

Table 16.2

REPRESENTATION OF PERSONS WITH DISABILITIES (PHYSICALLY HANDICAPPED PERSONS) IN THE MINISTRY OF LABOUR AND EMPLOYMENT INCLUDING ITS ATTACHED AND SUBORDINATE OFFICES		
Group	Total No. of Employees (as on 1.1.2016)	Number of posts held by Persons with Disabilities
Group A	718	4
Group B	899	7
Group C	3149	67
Total	4766	78

## CHAPTER – 17

## LABOUR STATISTICS

**Functions and Organizational Set-up of Labour Bureau at Chandigarh & Shimla:**

**17.1** Set up in 1946, 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, 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 with a Sub-Regional office of Ahmedabad office at Mumbai.

**Major Activities and Achievements of Labour Bureau****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, an attached office of the Ministry of Labour and Employment, since 1946.

2. Labour Bureau has compiled and released the **Consumer Price Index Numbers for Industrial Workers** on base: 2001=100 from **January, 2006 to November, 2016**.
3. These Index Numbers are utilized for revision of wages, determination of variable dearness allowance, measuring inflationary trends and for policy formulation.
4. The weighting diagrams for the current series were derived on the basis of the Working Class Family Income and Expenditure Survey conducted during 1999-2000. The weights for broad groups are presented in **Box 17.1**.
5. The index numbers are released on the last working day of every succeeding month through Press Release, Fax, E-mail and Monthly Index Letter. 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).
6. The three statements on CPI (IW) showing Annual Percentage Variations, Monthly Percentage Variations and Annual Rates of Inflation are at **Tables 17.1, 17.2 and 17.3** respectively.

**17.4 An Annual Report on Consumer Price Index Numbers for Industrial Workers** containing useful information on index numbers at group/Sub-group level is also brought out by the Bureau. The Annual Report on CPI (IW) on base: 2001=100 **for the year 2015 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. These index numbers are used for revision and fixation of minimum wages in respect of the employments in agriculture under the Minimum Wages Act, 1948.

**17.6 Labour Bureau has compiled & released CPI Numbers for Agricultural & Rural Labour (Base 1986-87=100) upto the month of November, 2016.**

**17.7** The comparative statement of annual variation in CPI-AL and CPI-RL is presented in **Box 17.2**. The Monthly indices and annual rate of inflation are presented respectively in **Tables 17.4 & 17.5**. **The Annual Report on CPI Numbers for Agricultural and Rural Labourers (Base:1986-87=100) for the year 2014-15 has been released.**

**(c) Base Updation of Price Index Numbers for Industrial Workers (CPI-IW)**

**17.8** As per the recommendations of ILO, the Family and Expenditure Surveys should be conducted at intervals not more than 10 years. These surveys are conducted under the guidance of The Technical Advisory Committee on Statistics of Prices and Cost of Living (TAC on SPCL). Accordingly, Labour Bureau is in the process of updating the series with more recent base period i.e. 2016=100. Technical

details of the survey i.e. Selection of Centres, Determination of Sample Size, Sample Design, Schedules and Instructions have been finalized after getting requisite approvals from Standing Tripartite Committee, Technical Advisory Committee (Statistics of Price and Cost of Living) and National Statistical Commission. The preliminary survey for Selection of First Stage Units has already been completed and main survey has been launched from January, 2016 in all the States / UTs across the country. Market Survey for collection of price data has also been completed and regular flow of price data for selected 88 centres is being ensured.

**17.9** The data collected through WCFI&ES is being scrutinized by Labour Bureau and data entry and its processing has been taken up by National Institute of Electronics and Information Technology (NIELIT). The checking of error lists has been initiated. The development of software for capture of online price data for new series has also been taken up by NIELIT. This will be followed by preparation of weighting diagrams and parallel compilation of new and existing indices for a period of one year to arrive at the linking factors of the two series. On completion of these activities, new Series will be placed before 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) Wage Rate Index Numbers**

**17.10 Wage Rate Index Numbers have been compiled up to the year 2014.** The indices are

compiled by using the data on basic wages and dearness allowance, which are of regular nature of earnings of the workers in the organized sector in India. Processing of data and compilation of Wage Rate Index Numbers for the year 2015 is under progress. Information on Wage Rate Index Numbers, Absolute Wage Rates and Real Wage Rates (at 1960 price) in selected 21 industries from the years 2012 to 2014 are given in **Table 17.6**.

#### **Statutory and Voluntary Returns**

**17.11** 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 as given in **Table 17.7**.

#### **Field Surveys and Studies**

**17.12** The data compiled from periodic returns do not meet all the requirements for planning and policy formulation in the field of labour. Accordingly, the Bureau conducts periodic/ad-hoc surveys on different aspects of labour such as: i) Employment, ii) Wages and Earnings, iii) Working and Living Conditions of workers engaged in the Organized and Unorganized sectors of the economy to bridge the gap in the availability of labour statistics.

#### **(a) Rural Labour Enquiry**

**17.13** Rural Labour Enquiries are of great assistance in designing the policies and

programmes with the objective of ameliorating the living and working conditions of rural labour. The data for the purpose is collected by the NSSO as a part of its general Employment & Unemployment Surveys conducted on quinquennial basis. The responsibility of preparation and publication of reports on the findings of the survey is entrusted to Labour Bureau. The Organisation brings out reports on different aspects of Rural Labour Households viz., (i) Indebtedness, (ii) Consumption Expenditure, (iii) Wages & Earnings, (iv) Employment & Unemployment and (v) General Characteristics of Rural Labour Households.

- The consumer expenditure data collected through RLE is also utilized for derivation of weighting diagrams for construction of series of CPI Numbers for Agricultural and Rural Labourers. The weighting diagrams for the current series of CPI Numbers for Agricultural and Rural Labourers with base 1986-87=100 were derived from the consumer expenditure data collected during 38<sup>th</sup> Round of NSS (1983). This series (1986-87=100) had replaced the old series (1960-61=100) with effect from November, 1995 index. The CPI Numbers for Agricultural and Rural Labourers facilitate fixation and revision of minimum wages in employments in agriculture and rural areas under the Minimum Wages Act, 1948.
- Under this scheme, **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. This data is used for

ascertaining the extent of implementation of the Minimum Wages Act, 1948. The data is also of immense use for drawing up appropriate policies and programmes for conducting cost studies and for estimating the national/State income.

Achievements during the reference year are as under:

**17.14** RLE reports (2009-2010) on 'General Characteristics of Rural Labour Households' and 'Consumption Expenditure of Rural Labour Households' have been compiled and released.

**17.15** Preparation of Reports on 'Indebtedness among Rural Labour Households' and 'Wages and Earning of Rural Labour Households' is in progress.

#### (b) Wage Rate Data

- Collection of wage rate data for agricultural and non-agricultural occupations from 600 sample villages of 20 States / UTs with effect from July, 1986 is being done regularly on monthly basis.
- **Wage rate statistics was compiled upto the month of October, 2016** and published in the Indian Labour Journal.
- The booklet titled "**Wage Rates in Rural India**" for the year 2014-2015 has been compiled and released.

#### (c) Occupational Wage Survey

**17.16** Different rounds of Occupational Wage Surveys (OWS) are being conducted with

the objective of providing data/information required to obtain:

- i) Occupation-wise data on employment, wage rates and dearness allowance for building up Wage Rate Index Numbers;
- ii) Data on different components of pay roll earnings in different occupations for scientific studies of inter-industry and intra-industry differentials in earnings in plantation, mining, manufacturing and service sector industries.
- iii) First round of OWS was conducted in 1958-59 and since then six rounds have been conducted and reports thereon have been released. Under the sixth round of OWS, 37 industries (out of 56 selected industries) have been surveyed and reports thereon released.
- iv) After receipt of approval of the proposal of the 7th round of OWS from the Ministry in February 2016, the recruitment of Investigators and Supervisors on contract basis was completed. The field work in respect of Mining Sector was completed and data entry has been initiated. Field work of Plantation Sector is near completion. The data collection in respect of Service Sector is in progress while the pre-survey work for Manufacturing Sector is underway.

**(d) Contract Labour Survey**

**17.17** Contract Labour Survey aims at studying the extent & nature of problems faced by them 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.

**17.18** Labour Bureau has been conducting All-India Industry specific Contract Labour Surveys since 1956-57. So far 47 Surveys have been conducted in 39 industries. **The last Contract Labour survey was undertaken in Air Transport Sector during the year 2016. Field work for collection of data and processing of data has been completed and the report is under finalization.**

**(e) Socio-Economic Surveys of Different Segments of Labour**

**17.19** Under this component surveys are conducted to assess the working and living conditions of (a) Workers engaged in Unorganized Sector, (b) SC/ST Labour both in Urban and Rural Areas, (c) Women Workers and (d) Evaluation of implementation of Minimum Wages Act, 1948.

**(f) Socio-economic Conditions of Women Workers**

**17.20** The last survey, i.e. the 22<sup>nd</sup> Survey under the component of **“Socio Economic Conditions of Women Workers”** was conducted in Match Industry in Tamil Nadu and Kerala states. The survey was conducted in Tamil Nadu and Kerala as these two States contribute more than 85

per cent of the total match production in India. The report on the survey was released in the month of August, 2014.

**(g) Working and Living Conditions of Workers in Unorganised Sector of Industries/ Employments:**

**17.21** The aim of the survey is to collect data on working and living conditions of workers engaged in the Unorganised Sector of Industries/employments for amelioration of their lot. So far, 31 surveys have been conducted and all the reports have been released.

**(h) Studies on Evaluation of Implementation the Minimum Wages Act, 1948:**

**17.22** The surveys aim at evaluating the extent to which the Minimum Wages Act, 1948 has been implemented in various scheduled employments in different parts of the country. So far 28 such studies have been conducted and all the reports released.

**(i) Working and Living Conditions of Labour belonging to SC/ST Communities:**

**17.23** Labour Bureau conducts two types of enquiries under the segment.

**I. Working and Living Conditions of the Scheduled Castes workers engaged in the following four unclean-occupations in urban areas**

- Sweeping and Scavenging
- Tanning and Flaying
- Bone-crushing
- Shoe Making

**II. Working and Living Conditions of Scheduled Tribes workers in Industrial Centres/industrial belts.**

**17.24** Scope of the survey has, however, been extended to clean occupations in factories and the adjoining rural areas as well.

**17.25** So far, Labour Bureau has conducted 9 Scheduled Castes workers and 9 Scheduled Tribes workers surveys.

**(j) Revamped Quarterly Employment Survey.**

**17.26** Labour Bureau had been conducting Quarterly Quick Employment surveys in the selected labour-intensive and export-oriented sectors namely textiles including apparels, metals, gems & jewellery, automobiles, transport, IT/BPO, leather and handloom/ power loom to assess the effect of economic slowdown on employment in India since January, 2009. 28 such surveys were conducted by Labour Bureau and reports for all the surveys were released. The details of sector-wise change in employment of all the 28 surveys is annexed at **Table 17.8**.

**17.27** Considering the importance of Quarterly Employment Surveys due to its periodicity, results and coverage, it has been decided by the Ministry of Labour & Employment to conduct QES on a large scale by enlarging the sample size from existing 2500 to 10,631 establishments across all the states/ UTs and covering 8 major sectors viz. Manufacturing, Construction, Trade, Transport, Education, Health, Accommodation & Restaurants so that findings of the survey are reflective of the trends in employment for the industrial sector

of the economy. The estimates of employment as on 1st April, 2016 (reference period of the 1st quarter) are generated on the basis of data collected from 10628 establishments. The survey results revealed that out of 205.22 lakh total Employment, 199.67 lakh Employees

having a dominant share of 97.29% as compared to self-employed 5.56 lakh with a share of 2.71% in the total employment. The sector-wise details regarding total employment by type of employees is presented in the following Table :

Sector-wise percentage distribution of Self Employed & Employees						
S. No.	Sector	Employment (in lakh)			(% share in Employment)	
		Self Employed	Employees	Total	Self Employed	Employees
1	Manufacturing	2.79	98.38	101.17	2.76	97.24
2	Construction	0.10	3.57	3.67	2.72	97.28
3	Trade	0.77	13.68	14.45	5.33	94.67
4	Transport	0.09	5.71	5.80	1.55	98.45
5	Accommodation & Restaurant	0.50	7.24	7.74	6.46	93.54
6	IT/ BPO	0.05	10.31	10.36	0.48	99.52
7	Education	0.95	49.03	49.98	1.90	98.10
8	Health	0.31	11.74	12.05	2.57	97.43
	<b>Total</b>	<b>5.56</b>	<b>199.66</b>	<b>205.22</b>	<b>2.71</b>	<b>97.29</b>

### (k) Annual Survey of Employment and Unemployment

**17.28** 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 of 6<sup>th</sup> Annual Employment-Unemployment Survey is in progress.

**17.29** 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 follows:

(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
LFPR	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
WPR	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
UR	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 &amp; P-Person

### (l) Annual Survey of Industries

**17.30** Labour Bureau is responsible for processing and dissemination of data on absenteeism, labour turnover, employment, mandays worked, social security benefits, earnings, labour cost and cost of production collected through the Annual Survey of Industries (ASI) under the Collection of Statistics Act, 2008. The main objective is to build a systematic database on Absenteeism; Labour Turnover; Earnings; Employment, Labour Cost and Cost of Production, and to analyze various components of Labour Cost in Manufacturing Industries.

**17.31** The comparative labour statistics for the years 2011-12 and 2012-13 combined for both Census as well as Sample Sector of industries is at **Box No. 17.3**.

### (m) Research

**17.32** On the recommendations of the Estimates Committee of the Lok Sabha in its 88<sup>th</sup> Report, a small cell was set up in the Labour Bureau in June, 1963 with a view to undertake research on selected labour related problems.

#### i) Digest of Indian Labour Research

**17.33** The Digest attempts to present an annotated bibliography of the research studies conducted in the field of Labour in various Universities, Central and State Govt. Organizations, Research Institutes and individual researchers. Tenth Digest of Indian Labour Research (2008-2011) was released in March, 2014. Studies under Eleventh Digest of Indian Labour Research (2012-2014) are under examination.

#### ii) Statistical Profile on Women Labour

**17.34** The main objective of bringing out Statistical Profile on Women Labour is to make available all important data relating to women labour at one place. The Tenth edition of this publication (2012-2013) was released in June, 2014. Its Eleventh edition covering the period 2014-2015 is under computerization.

**(n) Training in Labour Statistics**

**17.35**

- i) The 54<sup>th</sup> Central Training course in Labour Statistics was held in Labour Bureau, Shimla from 07-09-2016 to 09-09-2016. Twenty three delegates from various State Governments / Union Territories / Central Departments attended the said training programme.
- ii) Training programme for 47 employees of 37<sup>th</sup> and 38<sup>th</sup> batch of Ordnance Factory Medak on 17/06/2016 and 14/07/2016.
- iii) Training programme for forty-five participants/Students from Swarashtra University on 05/10/2016,
- iv) Training programme for eighteen participants from MILLS, Mumbai on 24/11/2016.

**17.36** 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. A training programme for 22 participants was organized on 25/04/2016.

**17.37 Training Programmes sponsored by National Academy of Statistical Administration (NASA) Greater Noida, U.P.**

- i) Organized Training programme for seventeen participants from ISEC, Kolkata on 07.01.2016.
- ii) Training programme for 45 ISS Probationers from 11.01.2016 to 15.01.2016
- iii) Organised Training programme for Ten ISS Probationers from 14.12.2016 to 16.12.2016.
- iv) Organised Training Programme for 28 participants from ISEC, Kolkata on 22.12.2016.

**PUBLICATIONS**

**17.38** The Bureau brings out a number of publications based on the statistical research work, studies and surveys. The list of publications which have been released / finalized during 2016 is given in **Table 17.9**.

<b>Box 17.1</b>	
<b>WEIGHTS FOR BROAD GROUPS UNDER CPI-IW 2001=100</b>	
<b>Group</b>	<b>Weight</b>
Food	46.20
Pan, Supari, Tobacco & Intoxicants	2.27
Fuel & Light	6.43
Housing	15.27
Clothing, Bedding & Footwear	6.57
Miscellaneous	23.26
<b>Total</b>	<b>100.00</b>

Box 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

Note:- (i) The average for the year 1995-96 is based on five months i.e. November, 1995 to March, 1996

(ii) Index values are annual averages of the respective financial year

(iii) 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

Box 17.3				
Sl. No.	Parameters	Years		% Increase in 2012-13 over 2011-12
		2011-12	2012-13	
1	2	3	4	5
1.	Absenteeism Rate (%)	08.90	07.17	-
2.	Labour Turnover Rates (%)			
	a. Accession	18.49	18.65	-
	b. Separation	16.57	14.43	-
3.	Employment			
	a. All Employees (No.)	13429956	12950025	(-) 3.57
	b. All Workers (%)	77.72	77.62	(-) 3.70
	c. Contract Workers (%)	26.88	26.59	(-) 4.61

4.	Wages/Salaries per Manday Worked (Rs.)	501.53	583.11	81.58
	a. All Employees	313.00	363.76	50.76
	b. All Workers	246.20	285.86	39.66
	c. Contract Workers			
5.	Labour Cost per Manday worked of Employees (Rs.)	607.33	703.23	95.90

Table 17.1

Comparative Statement of variations in Consumer Price Indices (CPI) for Industrial Workers (IW)

	Year	CPI (IW)	Percentage variation (annual)
II. Base 1982 = 100	1989-90	173	6.36
	1990-91	193	11.56
	1991-92	219	13.47
	1992-93	240	9.59
	1993-94	258	7.50
	1994-95	284	10.08
	1995-96	313	10.21
	1996-97	342	9.27
	1997-98	366	7.02
	1998-99	414	13.11
	1999-2000	428	3.38
	2000-2001	444	3.74
	2001-2002	463	4.28
2002-2003	482	4.10	
2003-2004	500	3.73	
2004-2005	520	4.00	
2005-2006	542	4.23	

III. Base 2001=100	Year	CPI	Percentage variation (annual)
	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
	2011-12	195	8.33
	2012-13	215	10.26
	2013-14	236	9.77
	2014-15	251	6.36
	2015-16	265	5.58

Note: i). Index values are annual average of the respective financial year averages.

ii). The percentage variation for 1989-90 has been derived by converting the figures of 1982=100 by using linking factor i.e. 4.93. The converted figure for 1989-90 was 853.

iii). Similarly the percentage variation for 2006-07 has been derived by converting the figures of 2001=100 by using linking factor i.e. 4.63. The converted figure for 2006-07 was 579.

iv). Value for the year 2005-06 w.e.f. Jan., 2006 have been derived from the figures of 2001=100 by using conversion factor (4.63)

**Table 17.2**  
**Monthly variation in CPI- IW (Base: 2001=100)**

Month	2010-11		2011-2012		2012-2013		2013-2014		2014-2015		2015-16		2016-17	
	Index	Percentage variation	Index	Percentage variation	Index	Percentage variation	Index	Percentage variation	Index	Percentage variation	Index	Percentage variation	Index	Percentage variation
April	170	0.00	186	+0.54	205	+1.99	226	+0.89	242	+1.26	256	+0.79	271	+1.12
May	172	+1.18	187	+0.54	206	+0.49	228	+0.88	244	+0.83	258	+0.78	275	+1.48
June	174	+1.16	189	+1.07	208	+0.97	231	+1.32	246	+0.82	261	+1.16	277	+0.73
July	178	+2.30	193	+2.12	212	+1.92	235	+1.73	252	+2.44	263	+0.77	280	+1.08
August	178	0.00	194	+0.52	214	+0.94	237	+0.85	253	+0.40	264	+0.38	278	-0.71
September	179	+0.56	197	+1.55	215	+0.47	238	+0.42	253	0.00	266	+0.76	277	-0.36
October	181	+1.12	198	+0.51	217	+0.93	241	+1.26	253	0.00	269	+1.12	278	+0.36
November	182	+0.55	199	+0.51	218	+0.46	243	+0.83	253	0.00	270	+0.37	277	-0.36
December	185	+1.65	197	-1.01	219	+0.46	239	-1.65	253	0.00	269	-0.37		
January	188	+1.62	198	+0.51	221	+0.91	237	-0.84	254	+0.40	269	0.00		
February	185	-1.60	199	+0.51	223	+0.90	238	+0.42	253	-0.40	267	-0.74		
March	185	0.00	201	+1.01	224	+0.45	239	+0.42	254	+0.40	268	+0.37		

**Table 17.3****ANNUAL RATE OF INFLATION BASED ON ALL INDIA CONSUMER PRICE INDEX FOR INDUSTRIAL WORKERS (Base: 2001=100)**

Year/ Month	2010		2011		2012		2013		2014		2015		2016	
	Index	Rate of Inflation												
January	172	16.22	188	9.30	198	5.32	221	11.62	237	7.24	254	7.17	269	5.91
February	170	14.86	185	8.82	199	7.57	223	12.06	238	6.73	253	6.30	267	5.53
March	170	14.86	185	8.82	201	8.65	224	11.44	239	6.70	254	6.28	268	5.51
April	170	13.33	186	9.41	205	10.22	226	10.24	242	7.08	256	5.79	271	5.86
May	172	13.91	187	8.72	206	10.16	228	10.68	244	7.02	258	5.74	275	6.59
June	174	13.73	189	8.62	208	10.05	231	11.06	246	6.49	261	6.10	277	6.13
July	178	11.25	193	8.43	212	9.84	235	10.85	252	7.23	263	4.37	280	6.46
August	178	9.88	194	8.99	214	10.31	237	10.75	253	6.75	264	4.35	278	5.30
September	179	9.82	197	10.06	215	9.14	238	10.70	253	6.30	266	5.14	277	4.14
October	181	9.70	198	9.39	217	9.60	241	11.06	253	4.98	269	6.32	278	3.35
November	182	8.33	199	9.34	218	9.55	243	11.47	253	4.12	270	6.72	277	2.59
December	185	9.47	197	6.49	219	11.17	239	9.13	253	5.86	269	6.32		

Note: Rate of inflation has been calculated as percentage increase over the figure of the corresponding month of the previous year.

**Table 17.4**  
**Annual Rate of Inflation based on all-India Consumer Price Index for Agricultural Labourers (Base: 1986-87=100)**

Month	2010-2011		2011-2012		2012-2013		2013-2014		2014-2015		2015-2016		2016-2017	
	Index	Rate of inflation@												
1	6	7	8	9	10	11	12	13	14	15	16	17	18	19
April	538	14.96	587	9.11	633	7.84	711	12.32	771	8.44	805	4.41	848	5.34
May	540	13.68	592	9.63	638	7.77	719	12.70	777	8.07	811	4.38	860	6.04
June	547	13.02	598	9.32	646	8.03	729	12.85	785	7.68	820	4.46	869	5.98
July	554	11.02	604	9.03	656	8.61	740	12.80	799	7.97	822	2.88	877	6.69
August	557	9.65	610	9.52	666	9.18	754	13.21	808	7.16	832	2.97	876	5.29
September	562	9.13	615	9.43	673	9.43	759	12.78	811	6.85	839	3.45	873	4.05
October	566	8.43	619	9.36	680	9.85	766	12.65	813	6.14	849	4.43	876	3.18
November	570	7.14	621	8.95	685	10.31	777	13.43	813	4.63	853	4.92	878	2.93
December	581	7.99	618	6.37	688	11.33	765	11.19	807	5.49	853	5.70		
January	589	8.67	618	4.92	694	12.30	757	9.08	804	6.21	849	5.60		
February	584	8.55	621	6.34	700	12.72	757	8.14	803	6.08	843	4.98		
March	585	9.14	625	6.84	704	12.64	763	8.38	803	5.24	843	4.98		

@Percentage increase over the figures of the corresponding month of the previous year.

Source: Labour Bureau, Shimla.

**Table 17.4 (continued)**  
**(%) Variation over previous month in CPI (AL) (Base 1986-87=100)**

Month	2010-2011		2011-2012		2012-2013		2013-2014		2014-2015		2015-2016		2016-2017	
	Index	Percentage variation over previous month												
1	6	7	8	9	10	11	12	13	14	15	16	17	18	19
April	538	0.37	587	0.34	633	1.28	711	0.99	771	1.05	805	0.25	848	0.59
May	540	0.37	592	0.85	638	0.79	719	1.13	777	0.78	811	0.75	860	1.42
June	547	1.30	598	1.01	646	1.25	729	1.39	785	1.03	820	1.11	869	1.05
July	554	1.28	604	1.00	656	1.55	740	1.51	799	1.78	822	0.24	877	0.92
August	557	0.54	610	0.66	666	1.52	754	1.89	808	1.13	832	1.22	876	-0.11
September	562	0.90	615	0.82	673	1.05	759	0.66	811	0.37	839	0.84	873	-0.34
October	566	0.71	619	0.65	680	1.04	766	0.92	813	0.25	849	1.20	876	0.34
November	570	0.71	621	0.32	685	0.74	777	1.44	813	0.00	853	0.47	878	0.23
December	581	1.93	618	-0.48	688	0.44	765	-1.54	807	-0.74	853	0.00		
January	589	1.38	618	0.00	694	0.87	757	-1.05	804	-0.37	849	-0.47		
February	584	-0.85	621	0.49	700	0.86	757	0.00	803	-0.12	843	-0.71		
March	585	0.17	625	0.64	704	0.57	763	0.79	803	0.00	843	0.00		

Source: Labour Bureau, Shimla

**Table 17.5**  
**Annual Rate of Inflation based on all-India Consumer Price Index for Rural Labourers (Base: 1986-87=100)**

Month	2010-2011		2011-2012		2012-2013		2013-2014		2014-2015		2015-2016		2016-2017	
	Index	Rate of inflation@												
1	6	7	8	9	10	11	12	13	14	15	16	17	18	19
April	538	14.96	587	9.11	634	8.01	711	12.15	773	8.72	809	4.66	854	5.56
May	540	13.68	592	9.63	640	8.11	720	12.50	780	8.33	816	4.62	866	6.13
June	547	13.02	597	9.14	648	8.54	730	12.65	787	7.81	824	4.70	874	6.07
July	554	11.24	604	9.03	658	8.94	741	12.61	801	8.10	827	3.25	881	6.53
August	556	9.66	610	9.71	667	9.34	753	12.89	810	7.57	836	3.21	881	5.38
September	562	9.34	614	9.25	675	9.93	759	12.44	813	7.11	843	3.69	877	4.03
October	565	8.45	620	9.73	681	9.84	766	12.48	815	6.40	853	4.66	881	3.28
November	569	6.95	621	9.14	686	10.47	777	13.27	816	5.02	857	5.02	883	3.03
December	580	8.01	619	6.72	689	11.31	766	11.18	810	5.74	857	5.80		
January	588	8.69	619	5.27	695	12.28	759	9.21	808	6.46	854	5.69		
February	584	8.55	623	6.68	701	12.52	759	8.27	806	6.19	849	5.33		
March	584	8.96	626	7.19	705	12.62	765	8.51	807	5.49	848	5.08		

@Percentage increase over the figures of the corresponding month of the previous year.

Source: Labour Bureau, Shimla.

**Table 17.5 (continued)**  
**(%) Variation over previous month in CPI (RL) (Base 1986-87=100)**

Month	2010-2011		2011-2012		2012-2013		2013-2014		2014-2015		2015-2016		2016-2017	
	Index	Percentage variation over previous month												
1	6	7	8	9	10	11	12	13	14	15	16	17	18	19
April	538	0.37	587	0.51	634	1.28	711	0.85	773	1.05	809	0.25	854	0.71
May	540	0.37	592	0.85	640	0.95	720	1.27	780	0.91	816	0.87	866	1.41
June	547	1.30	597	0.84	648	1.25	730	1.39	787	0.90	824	0.98	874	0.92
July	554	1.28	604	1.17	658	1.54	741	1.51	801	1.78	827	0.36	881	0.80
August	556	0.36	610	0.99	667	1.37	753	1.62	810	1.12	836	1.09	881	0.00
September	562	1.08	614	0.66	675	1.20	759	0.80	813	0.37	843	0.84	877	-0.45
October	565	0.53	620	0.98	681	0.89	766	0.92	815	0.25	853	1.19	881	0.46
November	569	0.71	621	0.16	686	0.73	777	1.44	816	0.12	857	0.47	883	0.23
December	580	1.93	619	-0.32	689	0.44	766	-1.42	810	-0.74	857	0.00		
January	588	1.38	619	0.00	695	0.87	759	-0.91	808	-0.25	854	-0.35		
February	584	-0.68	623	0.65	701	0.86	759	0.00	806	-0.25	849	-0.59		
March	584	0.00	626	0.48	705	0.57	765	0.79	807	0.12	848	-0.12		

Table – 17.6

SI No	Industry	Wage Rate Index (1963-65=100)				Absolute Wage Rate (At Current Prices)				Real Wage Rate (At 1960 Prices)			
		2012	2013	2014	2014	2012	2013	2014	2014	2012	2013	2014	2014
A	<u>Manufacturing Ind.(1-14)</u>	6373.4	6778.3	7312.0	303.03	322.07	347.30	347.30	6.38	6.08	6.16	6.16	
	1. Cotton Textiles	4430.8	4688.7	4923.9	239.44	252.78	265.41	265.41	5.04	4.77	4.17	4.17	
	2. Cement	6776.7	7153.4	7520.5	305.20	322.16	338.69	338.69	6.43	6.08	6.01	6.01	
	3. CigaretteFactories	8115.1	9447.8	10382.5	397.92	463.35	509.19	509.19	8.38	8.75	9.03	9.03	
	4. Hydrogenated Oils	4785.1	4978.2	5179.6	244.51	254.38	264.67	264.67	5.15	4.80	4.69	4.69	
	5. Jute Textiles	7317.7	7671.6	8621.5	269.47	282.50	317.59	317.59	5.68	5.34	5.63	5.63	
	6. Electrical Machinery	6319.7	6582.6	6868.9	320.57	333.90	348.43	348.43	6.75	6.31	6.18	6.18	
	7. Match Factories	4661.3	4860.7	5045.4	159.73	166.57	172.89	172.89	3.36	3.15	3.07	3.07	
	8. Paper/Paper Products	7129.1	7962.1	8274.9	265.09	296.06	307.70	307.70	5.58	5.59	5.56	5.56	
	9. Railway Workshops	14275.9	15464.5	17363.5	784.83	850.17	954.57	954.57	16.53	16.06	16.93	16.93	
	10. Smelting & Refining	5314.6	5494.8	5681.5	274.61	283.92	293.57	293.57	5.78	5.36	5.21	5.21	
	11. Soap Factories	6386.8	7052.0	7365.3	327.58	361.69	377.76	377.76	6.90	6.83	6.70	6.70	
	12. Sugar	8870.6	9560.4	10069.1	299.14	322.58	339.64	339.64	6.30	6.09	6.02	6.02	
	13. Silk Textiles	4223.6	4407.8	4566.1	191.20	199.41	206.45	206.45	4.03	3.77	3.66	3.66	
	14. Woollen Textiles	3666.0	3878.4	4878.9	184.08	194.86	246.69	246.69	3.88	3.68	4.38	4.38	
B	<u>Mining Industries</u>	8939.1	9399.9	9822.1	367.86	383.59	398.82	398.82	7.75	7.24	7.07	7.07	
	15. Coal Mines	8674.3	8973.3	9283.2	389.40	402.82	416.74	416.74	8.20	7.61	7.39	7.39	
	16. Iron Ore Mines	8700.7	8883.0	9038.0	266.33	271.91	276.65	276.65	5.61	5.14	4.91	4.91	
	17. Manganese Mines	14025.8	16867.8	18993.4	287.07	345.24	389.87	389.87	6.05	6.52	6.92	6.92	
	18. Mica Mines	4735.7	5104.8	5534.2	105.46	113.68	123.25	123.25	2.22	2.15	2.19	2.19	
C	<u>Plantation Industries</u>	4052.9	4447.5	4670.4	89.20	97.32	102.13	102.13	1.88	1.84	1.81	1.81	
	19. Coffee Plantations	7028.3	7988.2	8709.0	110.26	125.32	136.63	136.63	2.32	2.37	2.42	2.42	
	20. Rubber Plantations	9883.2	11884.4	12668.5	179.00	215.25	229.45	229.45	3.77	4.07	4.07	4.07	
	21. Tea Plantations	3572.2	3862.5	4015.7	84.54	91.16	95.00	95.00	1.78	1.72	1.68	1.68	
	All Industries	6016.1	6427.0	6835.4	240.91	255.65	272.19	272.19	5.07	4.83	4.83	4.83	

Note: Wage Rate Indices for the year 2015 are under compilation.

**Table 17.7**

Sl. No.	Statutory Returns	Latest Year for which Review released/data published
1.	The Factories Act, 1948	2013
2.	The Payment of Wages Act, 1936	2013
3.	The Minimum Wages Act, 1948	2014
4.	The Trade Unions Act, 1926	2013
5.	The Industrial Employment (Standing Orders) Act, 1946	2013
6.	The Shops and Commercial Establishments Act	2013
7.	The Maternity Benefits Act, 1961	2013
8.	The Motor Transport Workers Act, 1961	2013
9.	The Plantations Labour Act, 1951	2013
10.	The Workmen's Compensation Act, 1923	2013
	Voluntary Returns	
11.	The Industrial Disputes Act, 1947 Statistics relating to (a) Closures, (b) Retrenchments and (c) Lay-offs (d) Industrial Disputes in India.	2013
Note: Reviews/Reports for the succeeding years are at different stages of completion.		

**Table 17.8**

Sector wise estimated change in employment (In Lakhs) during the Quarterly surveys

Sl No.	Industry/ Group	Dec,08 over Sep,08	Mar,09 over Dec,08	Jun,09 over Mar,09	Sep,09 over Jun,09	Dec,09 over Sep,09	Mar,10 over Dec,09	Jun,10 over Mar,10	Sep,10 over Jun,10	Dec,10 over Sep,10	Mar,11 over Dec,10	Jun,11 over Mar,11	Sep,11 over Jun,11	Dec,11 over Sep,11	Mar,12 over Dec,11	Jun,12 over Mar,12	Dec,12 over Jun,12 *	Mar,13 over Dec,12	
1	2																		
1	Mining	-0.11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2	Textiles	-1.72	2.08	-1.54	3.18	0.16	-1.19	-0.63	2.45	0.40	-1.21	-0.33	0.42	0.78	0.00	0.50	0.50	0.40	0.40
3	Leather	-	-0.33	0.07	-0.08	0.09	0.00	0.21	0.04	0.16	-0.08	0.01	-0.02	-0.12	-0.03	0.00	0.06	0.08	0.08
4	Metal	-1.06	-0.29	-0.01	0.65	0.23	0.04	0.45	0.27	0.00	0.16	0.53	0.38	0.00	-0.07	-0.05	0.33	0.11	0.11
5	Automobile	-0.83	0.02	0.23	0.24	0.06	0.29	0.51	0.29	0.18	0.13	0.18	0.22	-0.06	-0.01	-0.04	0.14	0.12	0.12
6	Gems & Jewellery	-0.99	0.33	-0.2	0.58	0.07	0.24	0.04	0.04	-0.10	-0.02	0.13	0.07	0.10	-0.03	0.05	-0.03	0.13	0.13
7	Transport	-0.96	-0.04	-0.01	0.00	-0.02	-0.02	-0.21	0.13	-0.01	0.06	-0.02	-0.05	0.34	0.16	0.00	0.01	-0.03	-0.03
8	IT/BPO	0.76	0.92	-0.34	0.26	5.7	1.29	1.29	1.08	1.41	2.87	1.64	2.04	1.09	1.04	0.27	0.64	0.28	0.28
9	Handloom/ Powerloom	-	0.07	0.49	0.15	0.09	-0.05	-0.03	0.06	0.03	-0.18	0.01	0.09	0.13	-0.26	0.00	0.03	-0.02	-0.02
	TOTAL	-4.91	2.76	-1.31	4.97	6.38	0.61	1.62	4.35	2.07	1.74	2.15	3.15	2.26	0.81	0.73	1.68	1.07	1.07

\* data represents half yearly change in employment December,12 over June,12

(-) not covered

Table 17.8 (Contd.)

Sector wise estimated change in employment (In Lakhs) during the Quarterly surveys													
Sl. No.	Industry/ Group	Jun,13 over Mar,13	Sep,13 over June,13	Dec,13 over Sep,13	Mar,14 over Dec,13	June,14 over March,14	Sep,14 over June,14	Dec,14 over Sep,14	Mar, 15 over Dec, 14	June,15 over March,15	Sep, 15 over June, 15	Dec,15 over sept,15	
1	2	20	21	22	23	24	25	26	27	28	29	30	
1	Mining	-	-	-	-	-	-	-	-	-	-	-	
2	Textiles	0.88	0.66	0.92	-0.56	0.69	0.49	0.79	0.24	-0.17	0.28	0.37	
3	Leather	0.18	0.05	0.13	0.03	0.07	-0.18	0.01	-0.08	0.08	-0.01	-0.07	
4	Metal	-0.38	0.12	-0.20	0	0.47	0.47	-0.2	0.01	0	0.48	-0.12	
5	Automobile	0.08	0.07	-0.11	0.19	0.01	0.28	-0.23	0.2	-0.18	0.03	-0.13	
6	Gems & Jewel- lery	0.08	-0.06	-0.06	0.01	0.07	0.08	-0.05	-0.06	-0.03	-0.02	-0.08	
7	Transport	-0.02	-0.02	-0.02	-0.03	0	-0.07	-0.01	-0.02	-0.02	0.01	-0.01	
8	IT/BPO	0.03	0.61	0.17	-0.04	0.51	0.57	0.89	0.37	-0.05	0.58	-0.14	
9	Handloom/ Powerloom	0.00	0.00	0.00	0.04	0	-0.06	-0.03	-0.02	-0.06	-0.01	-0.02	
	TOTAL	0.86	1.43	0.83	-0.36	1.82	1.58	1.17	0.64	-0.43	1.34	-0.2	

(-) not covered

TABLE 17.9

## LIST OF PUBLICATIONS RELEASED/FINALISED DURING 2016

Sl. No.	Publications
	Indian Labour Journal (Monthly)
	Annual Report on Consumer Price Index Numbers for Industrial Workers Base 2001=100 for the year 2015.
	Annual Report on Consumer Price Index Numbers for Agricultural & Rural Labourers Base 1986-87=100 for the year 2014-15..
	Annual Survey of Industries, Report on Statistics on Employment & Labour Cost, (Vol. I) and Absenteeism, Labour Turnover, Employment and Labour Cost (Vol. II) for the year 2012-13.
	Report on the Working of the Minimum Wages Act, 1948 for the year 2014.
	The Annual Review on the Plantation Labour Act, 1951 for the year 2013.
	The Review on the Industrial Establishments Act (Standing orders), 1946 for the year 2013.
	The Review on the Motor Transport Workers' Act, 1961 – 2013.
	The Review on the Employees Compensation Act, 1923 – 2013.
	The Review on the Industrial Disputes Act, 1947 for the year 2013.
	The Review on the Working of the Maternity Benefit Act, 1961 for the year 2013.
	The Report on the Working of Payment of Wages Act, 1936 – 2013.
	The Annual Report on Statistics of Factories under the Factories Act, 1948 for the year 2013.
	The report on Trade Unions in India – 2013.
	The Report on Wage Rates in Rural India for the year 2014-15.
	Pocket Book of Labour Statistics 2014.
	Indian Labour Statistics 2014.
<b>Ad-hoc Survey</b>	
i)	26 <sup>th</sup> , 27 <sup>th</sup> and 28 <sup>th</sup> Quarterly Reports on Changes in Employment in Selected Sectors (April to June, 2015; July to September, 2015 and October to December, 2015).
ii)	The Report of the first Round of Revamped QES.
iii)	The report on Fifth Annual Employment-Unemployment Survey.

## CHAPTER 18

## LABOUR RESEARCH AND TRAINING

**18.1** 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 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 fellowships, 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 Chairman, monitors and guides the activities of the Institute. Both the General Council and the Executive Council are tripartite in nature and consist of members representing the government, trade 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 is responsible for management and administration of the Institute. Director General is aided in the day-to-day functioning by a faculty consisting of professionals representing a wide range of disciplines and support by administrative staff.

## RESEARCH

**18.5** Research occupies a primary place in the activities of the Institute. The subject of research comprises a broad spectrum of labour related problems, in both the organized and the unorganized sectors. Priority is accorded to analyse the problems and issues of labour in the unorganized sector such as bonded labourers, working children, women workers, migrant workers, landless agricultural workers, etc. The Institute undertakes action research projects in rural areas to study the problems of rural workers with a view to explore possible ways, means and methods to organize rural labourers.

## COMPLETED & ON-GOING RESEARCH PROJECTS

**18.6** Some of the completed and on-going research projects of the different research centers of the Institute are listed below:

### 1. NATIONAL RESOURCE CENTRE ON CHILD LABOUR

#### Completed Projects

- Developing Effective Strategies and Techniques for Preventing and Responding to Child Labour in India (UNICEF-VVGNLI collaborative Child Labour Project) Phase I
- Towards Ending Child Labour in South Asia: Establishing of SAARC - Regional – Level Resource Centre on Child Labour

#### Ongoing projects

- Deterring the Determinants of Child Labour

through Documentation, Digitization and Dissemination (Phase I)

- 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

## 2. CENTRE FOR LABOUR MARKET STUDIES

### Completed Projects

- Trends in Wages in India
- International Labour Migration from India – Phase I
- Enhancing Labour Administration Performance in India

### On-going Projects

- International Labour Migration from India –Phase II
- Wages in Organised Manufacturing Sector

## 3. CENTRE FOR EMPLOYMENT RELATIONS AND REGULATIONS

### Completed Project

- Regulatory Framework for Private Placement Agencies in India
- Corporate Social Responsibility Practices in the Area of Employment and Industrial Relations in India

### On-going Projects

- Status of implementation of the Welfare

Scheme for Construction Workers: A comparative Study involving Greater NOIDA in Uttar Pradesh and New Town-Rajasthan in West Bengal

- Labour Law reforms at the level of States: The cases of Gujarat, Madhya Pradesh and West Bengal
- Labour Law reforms at the level of States: The cases of Rajasthan, Uttar Pradesh Haryana and Andhra Pradesh.

## 4. CENTRE FOR AGRARIAN RELATIONS AND RURAL LABOUR

### Completed Project

- Corporate Social Responsibility Practices in the Area of Employment and Industrial Relations in India

### On-going Project(s)

- Impact of Recent Labour Law Amendments by state Governments
- Agrarian Crises and Rural Labour in General and Women Agricultural Labour in particular
- The use of family labour in small plantations: The case of small tea and coffee plantations in southern plantations.

## 5. INTEGRATED LABOUR HISTORY RESEARCH PROGRAMME

### Completed Projects

- History of Dalit Movement and Labour Movement in India – Phase IV

- Minimum Wages and Social Security : Key Recommendation in Major National Level Report on Labour (1929-2014)
- Oral History of Women Workers in Informal Sector in India – Phase
- Digitisation of Oral History Audio Cassettes on Trade Union History –Phase-II History of Labour Legislation in India

#### On-going Projects

- History of Dalit Movement and Labour Movement in India – Phase V
- Oral History of Women Workers in Informal Sector
- Compilation Records from EPFO and ESIC

### 6. CENTRE FOR LABOUR AND HEALTH STUDIES

#### Completed Projects

- Rashtriya Swasthya Bima Yojana exception study in Chattisgarh and West Bengal
- Gap analysis in the agriculture sector for ratification of ILO Convention 155

### 7. CENTRE FOR GENDER AND LABOUR

#### Completed Projects

- Gaps in Higher education and the World of Work :A Gender Perspective
- Understanding Women’s Work: Gendered Analysis of Women’s Household Work and Labour Market participation in North East India

- Training of Trainers Module on Prevention of Sexual Harassment at Workplace
- Gender Parity in Education and Employment :A Global Perspective

#### On-going Projects

- ICT Imperatives to Bridge the Digital Divide: A Gender Perspective.
- Unpaid Work and Time Use Patterns of women workers in North East India: Special reference to Arunachal Pradesh and Tripura

### 8. CENTRE FOR NORTH EAST RESEARCH & TRAINING

#### On-going Projects

- Social Protection Schemes in North East India

#### Training and Education (2016-17)

**18.7** The 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 as are generated in research activities are used for designing new and modifying existing training programmes. Constant feedback from the participants is used for updating the training curriculum as well as redesigning training modules.

**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 attempt 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 and behavioural science techniques. Apart from the Institute’s faculty, 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 and Organisers of the organised and unorganised sectors, and
- Researchers, Trainers, field workers and other concerned with labour issue.

**18.11** During the year from April 2016–November 2016, the Institute has conducted 74 training programmes including 06 International programmes (ITEC/SCAAP, Bhutan, Srilanka) and 1927 participants including international participants from different countries have also attended these programmes. The details are as follows:

Training Programmes held during April 2016–November, 2016)

S.No	Name of the Programme	No. of Progs.	No. of Days of Progs.	No. of Participants
1	LABOUR ADMINISTRATION PROGRAMMES	6	27	107
2	INDUSTRIAL RELATIONS PROGRAMMES	7	38	176
3	CAPACITY BUILDING PROGRAMMES	30	144	807
4	CHILD LABOUR PROGRAMMES	6	6	250
5	HEALTH ISSUE PROGRAMMES	1	5	23
6	RESEARCH METHODS PROGRAMMES	5	52	114
7	INTERNATIONAL PROGRAMMES	6	91	129
8	NORTH EAST PROGRAMMES	7	35	168

S.No	Name of the Programme	No. of Progs.	No. of Days of Progs.	No. of Participants
9	COLLABORATIVE PROGRAMMES	1	4	45
10	INHOUSE PROGRAMMES	5	105	108
	Total	74	507	1927

## INTERNATIONAL TRAINING PROGRAMMES PUBLICATIONS

**18.12** The Institute has been empanelled by Ministry of External Affairs, Govt. of India for conducting various international training programmes under ITEC/SCAAP programmes. During the period from **April 2016–November, 2016**, the Institute organised 04 International Training Programmes under ITEC/SCAAP on subjects like Skill Development, Social Security, Leadership Development, and Labour & Employment Relations in a Global Economy. In addition to this, the Institute conducted 02 specialised International Training Programmes, one on Labour Administration and Employment Management for the officials of Royal Govt. of Bhutan and another Training Programme on Globalisation, Changing Employment Relations and Labour Administration for Officers of Sri Lanka. In all 129 foreign officials from 38 countries participated.

### PROGRAMMES FOR NORTH EAST REGION

**18.13** The Institute organized 07 training programmes during this period for the participants from North-East region for State Government Officials, Central Trade Union Leaders and NGOs in which 168 participants had participated in these programmes from April to November, 2016.

**18.14** 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. Some of the important periodicals are:

### LABOUR & DEVELOPMENT

**18.15** 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

**18.16** 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

**18.17** *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, 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

**18.18** It is 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

**18.19** *Child Hope* is a quarterly Newsletter of the Institute. It is being brought out to pave way for ending child labour by reaching out to different sections of society, mobilizing their efforts in this direction.

### SHRAM SANGAM

**18.20** *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

**18.21** The Institute is also publishing a series entitled, *NLI Research Studies Series*, to disseminate the findings of the research activities of the Institute. So far the Institute has published 118 research findings in this series. The research studies brought out as *NLI Research Studies Series* during April-November, 2016 include:

- 117/2016 - Skilling India: An Evaluation of Multi Skills Development Centres - *Otojit Kshetrimayum*
- 118/2016 - Enhancing Labour Administration's Performance in India - *Kingshuk Sarkar*

## Occasional publications

**18.22** The Institute brought out an important publication namely, '*INDIA: Handbook of Labour*'. This Handbook seeks to consolidate basic information relating to key dimensions of the labour scenario in India. The idea is to provide relevant information in a simple comprehensible way that makes it accessible to broad spectrum of society. The Institute also brought out these publications:

- India: Handbook of Labour in Hindi
- India: Handbook of Labour in Telugu
- India: Handbook of Labour in Gujarati

**18.23** In all, a total of 20 Publications (Regular and Occasional) were brought out during the period.

## N.R. De Resource Centre on Labour Information (NRDRCLI)

**18.24** 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.

## 18.25 Physical Achievements

**Books** – The library has acquired 151 books/reports/bound volumes of journals during November 2015 to October 2016, thereby

enlarging the stock of books/reports/bound volumes of journals etc. to 64750.

**Journals** – The library regularly subscribed to 190 professional journals, magazines and newspapers in printed and electronic forms during period.

## Digital Archive

**18.26** 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.

## 18.27 Special National/International Seminars/Workshops/Visits

- A National Tripartite Seminar on 'Enhancing Labour Administration's Performance and Strengthening Tripartite Social Dialogue' was organized with ILO on 13<sup>th</sup> October, 2015 which was attended by employers' organizations, trade unions and labour administrators.
- An International Workshop on '*Chronologies of Labour: A Global Perspective*' was organized in collaboration with International Centre of Advanced Studies 'Metamorphoses' (ICAS:MP) and

Association of Labour Historians (ALH) during January 22-23, 2016. The Workshop brought together 40 distinguished labour historians who discussed on temporal dynamics of 'labour' as a political category in the course of the long twentieth century. The workshop noted that such transregional comparisons are critical rehistoricize 'labour' by tracing convergences and divergences in its chronologies.

- As a part of the VVG NLI-UNICEF collaborative Project 'Developing Effective Strategies and Techniques for Preventing and Responding to Child Labour in India' a Workshop/ Meeting for Content Finalization of Training Module was held during February 25-16. The objective was to present the training module developed by the VVG NLI in order to obtain suggestions from practitioners/ Trainers from various Line Departments/ Institutions/ Organisations before finalization of the content for translation in vernacular languages of the project states for conducting ToTs at the State-level and sensitization Programmes at the District level for Multi-sector State and Non-State actors involved in the prevention, rescue and rehabilitation of child labour.
- XI<sup>th</sup> International Conference on '*Labour History*' was organized in collaboration with Association of Indian Labour Historians during March 21-23, 2016. The broad theme of the Conference was "Workers, Labour and Mediation". The theme was particularly relevant in the context of dramatic transformations taking place in the contemporary world of work. The Conference was attended by 121 foreign national and Indian national scholars.
- A Workshop on *Distance Education and Learning Technology Application Programme* in collaboration with International Training Centre (ITC), Turin was organized during April 27-29, 2016. The programme aimed to enhance capacity building for the use of information technology in training for the faculty members and officers of VVG NLI.
- Workshop on *Future of Work and Young People's Aspirations*, jointly organized by Ministry of Labour & Employment, V.V. Giri National Labour Institute and International Labour Organization, May 10, 2016
- A Workshop on Technical Consultation Ending Child Labour in Supply Chains: Sharing of Experiences was held on 29<sup>th</sup> June, 2016. The Consultation facilitated sharing of strategies adopted by various enterprises for keeping their supply chains free from child labour and their experiences of implementing them for replicability.
- A National Workshop on 'Total Abolition of Bonded Labour System: The Way Forward' was organized in collaboration with DGLW and ILO during August 4-5, 2016 which was attended by The delegates from Central and State Governments dealing with Bonded Labour System and their rehabilitation, institutions, universities, civil societies and activists from central trade unions. The Workshop was inaugurated by Hon'ble Minister of State for Labour & Employment

(Independent charge). The main focus of this workshop was to discuss the key recommendations for amending the *Rehabilitation of Bonded Labour System (Abolition Act, 1976)* and the *Central Sector Scheme for Rehabilitation of Bonded Labourers (2016)* in detail.

- The Institute in collaboration with UNICEF organised a one day Workshop on 2<sup>nd</sup> September 2016. The purpose of the Workshop was to disseminate the findings of the Research Study *State of Child Labour In India: Mapping Trends* conducted as a part of the VVG NLI - UNICEF collaborative project “Child Labour Data Analysis”. The main objectives of the workshop were to share the findings of the analysis of the Census 2011 data on child labour, to understand the specific reasons for concentration of working children in some districts, to locate the areas and occupational shift of working children in 2011 as compared to 2001 for providing inputs to the states in planning for prevention and elimination of child labour and to inform UNICEF as well as the States in their plans on child labour prevention.
- Visit of the International Training Centre, Turin Delegation to V.V. Giri National Labour Institute for a review meeting to discuss the progress of the activities undertaken as a part of the Memorandum of Understanding (MoU) between ITC Turin and VVG NLI was held on September 20, 2016

- A Writers’ Workshop on *Employment Policies: Moving From Fragility To Resilience towards Promoting Rural Youth Employment in Afghanistan through Entrepreneurship Education and Vocational Training* was held at ITC, Italy from 24<sup>th</sup> to 28<sup>th</sup> October, 2016 as a part of the Memorandum of Understanding (MoU) between International Training Centre (ITC), Turin and V.V. Giri National Labour Institute (VVG NLI), NOIDA. Three of faculty members of the Institute visited the ITC, Turin to participate in the Workshop and related Meetings.

The objective of the workshop was to design the objectives, contents, and other necessary inputs required for conducting 8 face to face collaborative training programmes for the officials from Ministry of Labour, Social Affairs, Martyrs and Disabled (MOLSMD), Government of Afghanistan, and employers and Trade Union representatives from Afghanistan. During the course of the deliberations, it was decided to hold the 8 training programmes on the following themes and locations – (i) Module 1: Economy and Labour (Dubai); (ii) Module 2: Labour Market Analysis and Employment Policy (Kabul); (iii) Module 3: Youth Employment: From Policy to Action (Kabul); (iv) Module 4: Entrepreneurship (India); (v) Module 5: Migration and Employment (Kabul); (vi) Module 6: Skills And Employability (India); (vii) Module 7: Gender and Labour: Towards Empowering Women in Fragile States (India); and (viii) Module 8: From

Design to Implementation: Institutions for Employment Polices (Dubai). The overall objective of these 8 face to face training programme was to support local actors to develop “Gender sensitive youth employment promotion policies and programmes that reflect global good practices in Afghanistan”

- The Institute organized a Technical Discussion on *Labour Market, Skills and International Labour Migration* on November 19, 2015 which was attended by Government officials, trade unions, employers’ organizations and academicians. The discussion was centered around the research study on ‘India -GCC Labour Migration’ undertaken by the Institute. The study highlights the links between labour market features, skill

development and international labour flows in the context of labour migration from India to Gulf- a prominent destination for Indian migrant workers. An analysis of the links is imperative due to the increased complications in migration governance systems and with immigration policies becoming restrictive or even skill selective in many labour - receiving countries. The report argues that policies based on such an assessment will contribute towards improving labour market and migration outcomes, particularly for low skilled and semi-skilled migrants.

- Workshop on *Technology and Future of Work* jointly organized by Ministry of Labour & Employment, V.V. Giri National Labour Institute and International Labour Organization, November 29, 2016.

CHAPTER – 19

## INFORMATION TECHNOLOGY INITIATIVES / E-GOVERNANCE

**19.1** National e-Governance Plan initiated by Government is focused on bringing transparency in its functioning. To ensure implementation of Government's Agenda on e-governance, a Plan Scheme "Development of Information Technology" is under implementation in the Ministry of Labor and Employment.

**19.2** The objective of the Scheme is to strengthen and up-grade 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.

**19.3** During the 12<sup>th</sup> Plan period, a budget provision of Rs.860.00 lakh was made towards strengthening the IT Infrastructure for implementing e-Governance. An amount of Rs.300 lakh is earmarked for IT Infrastructure during the financial year 2016-17.

**19.4** Considering the importance of National e-Governance Plan, the Ministry of Labour and Employment (IT Cell) carries out the following functions:-

- i. Onboarding of the Ministry to e-office and its implementation in the Ministry.
- ii. Dissemination and Implementation of policy decisions taken related to IT matters under Digital India.
- iii. Government Websites etc. by DeitY and DARPG to all offices under Ministry of Labour and Employment.
- iv. Collection and collation of information from various offices of the Ministry for onward transmission to DeitY and DARPG.
- v. Conducting of training/ workshops/ meetings etc. regarding e-Office, e-Procurement Portal and Website of the Ministry.
- vi. Nomination of employees for various IT related conferences, seminars, workshops etc.
- vii. Assistance in preparation of new Content Management Framework (CMF) based website of Ministry of Labour and Employment as per Guidelines for Indian Government websites (GIGW).
- viii. Geo tagging of Ministry's offices – A total of 2106 offices / field units of Ministry of Labour and Employment have been tagged on ISRO's Bhuvan portal as part of use of Space Technology in Central Ministries.
- ix. Handholding support for all IT related technical matter in the Ministry.

## 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. The CVO acts as a special assistant/advisor to the chief executive and reports directly to him/her in all matters relating to vigilance. CVO heads the Vigilance Division of the Ministry and provides a link between Ministry and Central Vigilance Commissioner and also the Central Bureau of Investigation. The Chief Vigilance Officer is appointed with the prior consultation of Central Vigilance Commission and no person whose appointment in that capacity is objected to by the Commission can be so appointed.

**20.2** The Vigilance functions of CVO are of wide sweep and include collecting intelligence about the corrupt practices committed, or likely to be committed by the employees of his organization; investigating or causing an investigation to be made into verifiable allegations reported to him; processing investigation reports for further consideration of the disciplinary advice wherever necessary, taking steps to prevent commission of improper practices/misconducts, etc. It can broadly be divided into three parts – (i) Preventative vigilance,

(ii) Punitive vigilance & (iii) Surveillance and detection.

**A CURSIVE VIEW OF THE PERFORMANCE DURING THE YEAR 2016.****PUNITIVE VIGILANCE****COMPLAINTS**

**20.3** With an opening balance of 05 un-disposed complaints upto the previous year 2015, 217 new complaints have been received during this year taking the tally to a total of 222. Out of these 222 complaints 208 has been disposed.

**DEPARTMENTAL PROCEEDINGS**

**20.4** One new case of Departmental Proceeding was initiated and two cases have been finalized during this year. Sincere efforts were made to expeditiously finalise the pending Departmental Proceedings by issuing necessary directions to the concerned Inquiring Authorities.

**PROSECUTION SANCTIONS**

**20.5** All the Prosecution Sanctions as sought by the CBI/ACB during the year were accorded. No Prosecution Sanction case in pending for more than three months.

**Preventive Vigilance**

**20.6** Annual Property Returns submitted by the employees of the Ministry were properly scrutinised to deter the corrupt intent if any.

All the intimations given regarding acquiring/ disposing of the moveable/immoveable property were also properly examined in the light of known sources of income of the concerned employees. Vigilance Awareness Week was observed in the Ministry from 31.10.2016 to 05.11.2016 and all of the Officers, members of staff in the Ministry took a pledge on 31.10.2016 to maintain absolute integrity, transparency in all spheres of activities and to work unstintingly for eradication of corruption in all spheres of life. Necessary directions were issued to the concerned Administrative Departments to ensure the rotational transfers of the employees working in the sensitive posts/sections.

## VIGILANCE AND REDRESSAL OF PUBLIC GRIEVANCES

### BACKGROUND

**20.7** To ensure transparency in administration, the EPFO's Vigilance Division has adopted a multipronged strategy of preventive vigilance measures to contain, control and curb corruption for hassle free service delivery.

**20.8** As the Organization has grown larger with an increasing subscribers' base it has to cope with the increased quantum of service delivery responsibilities. The Vigilance Division is headed by a Joint Secretary level Chief Vigilance Officer at the Headquarters and has four Zonal Vigilance offices in Mumbai, Kolkata, Hyderabad and in New Delhi to monitor effective implementation of preventive vigilance measures.

## REDRESSAL OF PUBLIC GRIEVANCES in EPFO

**20.9** The organization, in tune with its objectives, lays strong importance to customer service and the redressal of grievances of the Members of the fund. The Customer Services Division existing in the Employees' Provident Fund Organisation, Headquarters, New Delhi and field formations in **40** Regional Offices and **82** Sub-Regional Offices across the country are equipped with full-fledged Facilitation Centres, PROs and supporting staff with an aim to provide quality service to all stake holders of the organisation.

**20.10** There is two-tier organizational structure of Customer Service Division for handling and redressal of public grievances. At the Head Office level, this division is headed by Additional Central Provident Fund Commissioner and assisted by Regional Provident Fund Commissioner, Assistant Provident Fund Commissioner and Public Relation Officer.

**20.11** The Regional Provident Fund Commissioner of the regions and Officer-in-Charge of Sub-Regional Offices head the Customer Service Division in their respective offices and they are available for redressal of the grievance of the Members on all working days. Each field office has a full-fledged facilitation centre and is manned by a Public Relation Officer.

**20.12** The Regional Provident Fund Commissioners/Officer-in-Charges, who are the Nodal Officers of all field offices in EPFO, closely monitor the receipt and disposal of grievances with an aim to redress the

grievances promptly in their offices and to improve service to EPFO's customers. The nodal officer in each office is responsible for ensuring that grievances pertaining to that office are redressed immediately so that the overall grievances are minimized. He/she is also personally responsible for any inordinate delays in redressal of grievances in his/her respective office.

**20.13** Apart from this all Additional Central Provident Fund Commissioners in ten Zones in the country monitor the grievance handling system and attend grievances pertaining to offices under their jurisdiction.

**20.14** The grievances are raised by the subscribers and employers themselves and besides these are also referred to EPFO from the office of the Hon'ble Prime Minister, Labour Minister, Cabinet Secretariat, People's representative etc.

**20.15** Public Grievances are received through the following modes:-

- Online on internet based systems.
- By post/email
- In person/by phone

**20.16** The Grievances received primarily relate to following areas:

- Settlement of PF/Pension/Insurance claims
- Transfer of PF accumulations

- Issue of annual accounts
- Non-enrolment by employers under PF.
- Reissuing of returned cheques
- Issuance of Unique Account Number (UAN) to member.
- Inoperative accounts of Members
- NEFT and other electronic transactions.
- Banking issues related to Members bank accounts.
- Calculation of Pension under EPS

**20.17** All grievances received in the Customer Service Division are registered into a computerized system (EPFIGMS) and acknowledgement is sent to the member by email. There after grievances are sent to the field offices to which they relate to, for redressal. Grievances are monitored on regular basis with system support.

**20.18** Comprehensive policy guidelines have been issued from time to time reiterating commitment to improve service standards in the EPFO and they are being monitored intensively by the Head Office and the Zonal offices. Quality of grievance handling also counts substantially towards performance appraisal.

**20.19** The details of grievances received and redressed during the last three years are given below:

	2015-16	2014-15	2013-14
Grievances pending at the beginning of the year	2159	4587	27853
Received during the year	220745	179893	171224
Total	222904	184480	199077
Disposed off during the year	221624	182321	194490
Balance at the end of the year	1280	2159	4587
Percentage of Disposal	99.43	98.83	97.69

**20.20** In addition to grievances registered under EPFIGMS, 7094 grievances registered with CPGRAMS programme of the Department of Administrative Reforms & PG (DARPG) under Ministry of Personnel, PG & Pension, Government of India were received by EPFO out of which 6941 cases were disposed off during the year with a closing balance of 153 cases as on 31.3.2016.

### HELPDESK      OUTSOURCING      FOR UNIVERSAL ACCOUNT NUMBER:-

**20.21** The UAN program launched on 16.10.2014 by the Hon'ble Prime Minister of India was initiated with the allotment of Unique Account Number (UAN).

**20.22** During the entire process of allotment of UAN to EPF Members, it was anticipated that there would be a need for handholding in the process for both the employer as well as the employee who may be requiring assistance in the aspects such as uploading process of KYC, process for linking previous and current

Membership, file for transferring, clarification on type of KYCs etc.

**20.23** Accordingly, 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 to 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

**20.24** In an endeavour 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**. And 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.

**20.25** As was 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 / SRO 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. Sufficient publicity regarding the conduct of the programme is made before hand, preferably by the 20<sup>th</sup> of the preceding month through press releases and communications to Employers' Associations and Trade Unions to make it effective and fruitful. Wherever

possible, the employers are being informed through e-mail / SMS also.

## ONLINE REGISTRATION AND REDRESSAL OF GRIEVANCES

20.26 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.

- 20.27 CPGRAMS is a program developed and executed by the Department of Administrative Reforms & PG (DARPG) under Ministry of Personnel, PG & Pension, Government of India, has been successfully implemented in the Organisation. All the offices are regularly using CPGRAMS to monitor & redress the grievances.

Using the EPF Internet Grievance Management System (EPFiGMS) in portal available on EPFO website.

**20.28** EPFiGMS launched in 2010 is an internet based grievance management system that has been developed by CSD 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.

**20.29** Now, the system has not only afforded convenience to subscribers to register their grievances/queries without any spatial or temporal restrictions but has also proved to be

of immense value to field offices in managing grievances. Subscribers can now access the system from anywhere according to their convenience.

**20.30** 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. Once a grievance is registered, system generates a unique registration number and auto generates acknowledgement letter directly to the subscribers email (if provided).

## PERFORMANCE DURING THE YEAR 2015-2016

20.31 The thrust area of vigilance activities in EPFO during 2015-16 has been preventive vigilance. Special vigilance drives have been initiated as per CVC's instructions to create public awareness about the schemes of the Organization pertaining to delivery of Social Security benefits to the subscribers.

### **20.32 Preventive Vigilance**

- **De-duplication of UAN (Universal Account Number):**

In order to eliminate the possibility of issuance of multiple Universal Account Number to any subscriber, the Information Services Division has been advised for making necessary corrections in the software.

- **Standard Operating Procedure for claim settlement:**

While examining the delays in claim

settlement process it has been observed that there is no Standard Operating Procedure in existence. The Finance Division of Head Office has been advised to prepare and get the Standard Operating Procedure in place for eliminating scope for manipulation in the claim settlement process.

➤ **Introduction of bio-metric login for claim settlement:**

To prevent the EPFO staff from committing fraud while processing claim settlement cases, the Information Services Division has been asked to introduce biometric login system at every level in the claim settlement process.

➤ **Introduction of electronic reporting system of uploading of tenders:**

Information Services Division has been advised to put in place an electronic reporting system of uploading of tenders as per the guidelines of CVC.

➤ **Improvement in Public Grievance System:**

For making the Public Grievance Redressal system more transparent, it has been recommended to Customer Service Division to introduce (i) an age-wise disposal reporting system for each complaint/ grievance, and (ii) classification of public grievances into categories such as cases with irregularities in deposit of PF dues, cases of delayed claim settlement and vigilance related complaints etc.

**20.33 Punitive Vigilance**

➤ **Complaints:**

With an opening balance of 76 un-disposed complaints received during the previous year (2014-15) and 235 new complaints received during 2015-16 the total number of complaints became 311. Out of these 311 complaints 260 complaints were disposed during the year leaving behind a closing balance of 51.

➤ **Disciplinary Proceedings initiated:**

69 new Disciplinary Proceedings were initiated during the year. Out of these 45 were major penalty proceedings and 24 were minor penalty proceedings.

➤ **Disciplinary Proceedings finalized:**

87 Disciplinary Proceedings were finalized during the year. Out of these penalties both major and minor were awarded in 61 cases.

➤ **Prosecution Sanctions accorded:**

11 cases of Prosecution Sanction were accorded during the year 2015-16.

**20.34 Surveillance & Detection**

➤ **Coordination meeting with CBI/ACB;**

Coordination meetings were held with CBI/ACB and Agreed Lists have been prepared and ODI list was updated.

➤ **Celebration of Vigilance Awareness Week-2015 (26.10.2015 to 31.10.2015):**

20.35 During the Vigilance Awareness Week-2015, six surprise visits were made by teams

of officers at Regional Office, Bandra, Kolkata, Delhi (South), Delhi (North), Gurgaon and Jaipur to check the mechanism for redressal of complaints/grievances related to non-payment of legitimate dues to workers by the employers, delays in settlement of claims, non-transfer of member's accounts and non-enrolment of employees by Contractors.

**20.36** In addition, various other vigilance related activities were organized to sensitize the general public as well as various stakeholders of EPFO regarding EPFO's commitments towards prompt service delivery. Banners and posters were put at every EPF office and public places like Petrol Pumps, Banks, Railway Stations etc in this regard. Elocution competitions and panel discussions on 'Moving towards a corruption free society' were organized in 31 Schools and 30 Colleges at Kanpur, Surat, Jaipur, Goa, Faridabad, Delhi, Chennai, Indore, Coimbatore, Raipur, Kolkata and Jamshedpur by the local EPFO field offices. Other activities such as debate, slogan writing, essay writing etc. were also organized in almost every EPF Office. Advertisements were issued in leading national and regional dailies for creation of mass awareness during Vigilance Awareness Week.

### **Vigilance in Employees' State Insurance Corporation**

**20.37** Vigilance Branch of ESI Corporation implements instructions and guidelines from Central Vigilance Commission in regard to eradication of corruption, undertakes investigation on the complaints received through Central Vigilance Commission and

through other sources involving vigilance angle and initiates departmental action against the officials of the Corporation for committing misconducts as envisaged in the ESIC (Staff & Conditions of Service) Regulations, 1959. The Vigilance Division in the Hqrs office is headed by a Chief Vigilance Officer. Four Zonal Vigilance Offices and four Zonal Inquiry Offices (Departmental Inquiry) are located at Delhi, Mumbai, Chennai and Kolkata. One Deputy Medical Commissioner (Medical Vigilance) is at Hqrs Office. Investigation of the complaints are undertaken by the Zonal Vigilance Officers and DMC (MV), and the departmental enquiries are conducted by the Zonal Inquiry Officers (Departmental Inquiry) and by other Officers appointed as Inquiry officer by Disciplinary Authority. As a preventive measure, Zonal Vigilance Units and Medical Vigilance Officers posted in various states, conduct periodical and surprise inspections of ESI Offices i.e. Regional Offices, Sub Regional Offices, Branch Offices, Hospitals and Dispensaries etc. falling in their respective jurisdiction.

**20.38** The details in respect of various activities done by vigilance Division during the period 1.4.15 to 31.3.16 are given below:

**20.39** In the financial year 2015-16, the Zonal Vigilance Inspection Units conducted inspections of 125 factories and detected Omitted wages to the tune of Rs.95,09,50,409.00/-. Further 214 Branch Offices of ESIC and 28 Dispensaries/Hospitals functioning under the ESI Scheme were also inspected. During the period under report 134 complaints were disposed off.

**20.40** The Disciplinary Authorities issued 65 Charge Sheets comprising 61 cases under major penalty procedure and 4 cases under minor penalty procedure. During the year, 83 Major Penalties have been imposed out of which 63 cases of Major penalties are in respect of Group 'C' employees and 20 cases of Major Penalties are in respect of Group 'A' & 'B' Officers. Minor penalties have been imposed in 12 cases out of which 11 penalties imposed on Group 'C' employees and 1 penalty imposed on Gr. 'A' employee. Vigilance Awareness Week was organized from 26.10.15 to 31.10.15 in all the offices of the Corporation across the country.

### **Redressal of Public Grievances in Employees' State Insurance Corporation (ESIC)**

**20.41** In pursuance of the instruction 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 including Insured Persons, their family members, Employers/ Employees' Associations, Employees Unions, MPs/ MLAs/VIPs etc through a network of Public Grievance officers posted in all the offices of the Corporation.

**20.42** 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 redressal and periodical reports are being sent to the Ministry of Labour & Employment, Govt. of India. In respect of disposal of other PG cases

for subordinate offices of the Corporation, viz, Regional Office/Sub-Regional Office/ ESI Dispensaries and Hospitals including Model Hospitals, a consolidated monthly report is being sent to the Ministry of Labour & Employment at the end of every quarter.

**20.43** The monitoring of Public Grievances received in the Regional Offices, Sub-Regional Offices, ESI Hospitals/ Dispensaries is being done by the designated Public Grievance 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.

**20.44** 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 our Regional Directors as well as State Medical Commissioners for timely redressal of grievances.

**20.45** The Corporation has opened facilitation Centers in all the Regional Offices/ Sub-Regional Offices/ ESI Hospitals & Model Hospitals in order to have a better interaction with the beneficiaries of the scheme. 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.

**20.46** The Regional Director/ Director/JD I/c/ SSMC/SMC/MS/DMD have been instructed that the grievances received from Directorate of Public Grievances of the Ministry, will be given top priority. The grievances will be settled within 30 days as per instructions of the Cabinet Secretariat. They have been asked to visit Govt. of India, website <http://pgportal.gov.in> on working days and dispose off complaints online relevant to their office through Centralized Public Grievance Redress and Monitoring System (CPGRAMS) and report to Hqrs office through e-mail at [pg-hqrs@esic.in](mailto:pg-hqrs@esic.in).

**20.47** The independent PG Module of ESIC, in line with CPGRAMS has been launched on 13.08.2015 and made it 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)

**20.48** To make the scheme user friendly and to provide urgent & correct information / guidance to stake holders and beneficiaries, a Toll Free Helpline 1800-11-2526 was activated w.e.f. 07.12.2006 (functioning all the working days from 9.30 Am to 5.30 PM) and w.e.f 01.07.2011, this helpline is functioning round the clock for all seven days of the week. A total 55403 calls have been received from 01.04.2015 to 31.03.2016. These calls were varied in nature i.e. starting from seeking information to registering complaints. It is to mention that all the calls are not only being attended promptly but also answered politely.

**20.49** The details of the redressal of grievances by ESIC from 01.04.2015 to 31.03.2016 are as under:-

Sl. No.	Grievances received through CPGRAMS	Nos.
1.	Balance of unsettled grievances as on 31.03.2015	200
2.	Grievances received from 01.04.2015 to 31.03.2016	1921
	Total	2121
3.	Grievances settled during the period from 01.04.2015 to 31.03.2016	2101
4.	Unsettled grievances as on 31.03.2016	20

## CHAPTER – 21

## INTERNATIONAL COOPERATION

**INDIA AND INTERNATIONAL LABOUR ORGANISATION (ILO)**

**21.1** India is one of the founder members of International Labour Organization which came into existence in 1919 and has been a permanent member of the ILO Governing Body since 1922. At present the ILO has 186 Members. A unique feature of the ILO is its tripartite character. At every level in the organization, Governments are associated with the two other social partners, namely, the workers and employers. The three organs of the ILO are – (i) International Labour Conference – General Assembly of the ILO that meets every year in the month of 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 Budget follows the calendar year 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 2017, Indian's share of contribution is SF 2,786,397.00 which is SF 378,351,039.00 of the total ILO Budget and worked out Rs.19,19,27,025.00 in Indian Currency (approx).

**21.3** India and ILO have an enduring and vibrant relationship which is marked by close and dynamic cooperation over the years. This relationship has been a matter of mutual benefaction too. Even as India has significantly contributed to the achievement of ILO's objectives, its thought processes, deliberations and style of functioning, ILO too has made impression on the India's legislative framework for providing equity. Human dignity, social justice, equality of opportunity, avoidance of discrimination, freedom of association, etc., are but a few of the common news inherent in the Constitution of the Republic of India and of the ILO. Creation of a just and equitable World Order; securing distributive justice concurrently with economic growth and creation of employment opportunities for the purposes; increasing productivity to increase shareable gains; workers' participation; human resource development; human and environmental dimensions of technology; poverty alleviation; and economic reform 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 on a regular basis. The ILC is the main policy making body of the ILO. While the International Labour

Standards adopted by the ILC have been enriched by the vast experience of its delegates and advisers, the experience gained in this International forum by the members of the Indian delegations over a period of time has helped in giving the much needed international perspective to our national laws and practices. We have so far ratified 45 Conventions and one Protocol of the ILO.

### 21.5 Latest initiatives on Ratification of Convention.

- i) The 38<sup>th</sup> meeting of the Tripartite **Committee on Convention** (COC) was held, on 10<sup>th</sup> January, 2017, at New Delhi, under the chairpersonship of Smt. M. Sathiyavathi, Secretary, Union Ministry of Labour and Employment. Representatives of Central Trade Unions, Employers' Organizations, State Governments, Central Ministries, ILO and officers from the Ministry of Labour & Employment participated in the meeting.
- ii) Tripartism has been integral to labour policy processes in India. COC has a specific mandate of discussing the progress made so far in ratification of International Labour Standards and recommending the future road map. The Committee expressed satisfaction on the progress made in respect of C-187 (regarding promotional Framework for Occupational Safety and Health), C-153 (regarding Hours of work and Rest Periods in Road Transport) and India's contribution to ILO's work in the Standard Review Mechanism and also on the decision of the Government of India to ratify the Maritime Labour Convention 2006 and C 185.
- iii) The Committee lauded the efforts taken by the Union Ministry of Labour & Employment relating to the Child Labour (Prohibition and Regulation) Amendment Bill, 2016, which was passed by the Parliament in July, 2016. With this amendment, India is now close to ratifying the ILO Conventions C 138 and C 182.
- iv) COC also decided to constitute a committee comprising of representatives from Union Ministry of Labour & Employment, Department of Personnel & Training and ILO, New Delhi Office to examine issues relating to ratification of C 87 regarding Freedom of Association and protection of rights, C 98 regarding Right to Organize and collective bargaining.

### 105<sup>th</sup> SESSION OF THE INTERNATIONAL LABOUR CONFERENCE & 327<sup>th</sup> Session of the Governing Body, ILO.

**21.6** 105th Session of the International Labour Conference (ILC) along with 327th Session of Governing Body of ILO was held from 30st May to 11th June, 2016 in Geneva. A high level Indian Tripartite Delegation headed by Shri Bandaru Dattatreya, Hon'ble Minister of State for Labour and Employment (Independent Charge). Besides the officials from Ministry of Labour & Employment, the delegation included 9 representatives each from Workers (Central Trade Union Organizations) and Central Organization of employers' side in the ILC. The Conference was followed by 327th Session of the Governing Body meeting of ILO.

**21.7** Various Ministers, Vice-Ministers and Deputy Ministers were accredited for

participation in this ILC. Heads of States and Governments with participants representing governments, employments and workers from the ILO Member States attended the conference.

### **Intervention in the Plenary Session:**

**21.8** Hon'ble MoS (IC), L&E addressed the Plenary of ILC on 7th June, 2016. Speaking in Hindi, he emphasized on India's commitment to inclusive growth through employment generation and social security. He discussed the new initiatives like NCS and the Revised bonded Labour Rehabilitation Schemes too. Secretary, L&E, in his address to Plenary on 7th June, 2016 reiterated governments to provide Job Security, wage security and social security. He discussed the relevance of UN 2030 Development Agenda particularly in context of poverty eradication and employment generation. He reaffirmed India's commitment to ILO principles of social justice and labour welfare.

### **Interventions in the Conference Committees:**

**21.9** The Committee discussing the issue of Decent Work in Global supply Chains debated on the need for a new ILO instrument besides raising the issues of cross border social dialogues, ILO's role in international industrial relations, and inclusion of Labour Standards in trade agreements. India made a strong argument against inclusion of labour standards in Trade agreements as this may create non-tariff barriers against developing countries. We also argued against a new ILO standard without reviewing the effectiveness

of the present ILO instruments including the MNE declaration. Supply Chains are a critical cross cutting issue and needs a larger debate before any views are firmed.

**21.10** In the Committee discussing the Standard setting Agenda of Revision of Recommendation 71 about Transition from War to Peace the primary discussion was about the definitions of major terms including crisis, conflict, disasters and scope of the revised instrument as well as the consistency between the proposed ILO instrument and other relevant UN frameworks. The Revision of the original 1944 instrument intends to extend it to crisis due to international and non-international armed conflicts and disasters including natural disasters in the context of peace, security and disasters in the context of peace, security and disaster, resilience. While there was broad consensus of the proposed instrument to be tailored to and consistent with national circumstances and priorities, and to take into account national capacities and priorities, and to take into account national circumstances and available resources, there were many sections which seem to be prescriptive in a nature and the importance of national laws and mechanisms was not adequately reflected in the text. Indian response which was prepared in close coordination with MEA. PMI Geneva maintained that every country has to develop its own set of rules and regulations, institutional and administrative framework to deal with disaster and crisis situations. The proposed recommendation should further guide and facilitate the countries in making their economies and societies peaceful and resilient and not impose any unrealistic obligations.

The Indian intervention also stressed upon the need for consistency between ILO instrument and relevant UN Conventions.

**21.11** The Third Conference Committee discussed the agenda of “Impact Evaluation of the ILO Declaration for Social Justice for Fair Globalization” which was adopted in 2008”. India welcoming the proposed evaluation, stressed upon the need to not introduce any new substance in the Declaration itself. Review mechanisms like Peer Review did not get much support. There was a consensus on recognizing the national contexts in deciding the future plan of action. It was also agreed that Review exercise should not create additional reporting obligations for the member countries.

### **327th Session of the Governing Body of ILO**

**21.12** 327th Session of the Governing Body of the International Labour Organisation was held on 11th June, 2016 in Geneva. The Indian delegation participated in the Governing Body Session.

### **Side-line Meetings during 105th session of ILC**

#### **BRICS Ministerial Meeting**

**21.13** India as chair of BRICS forum for 2016 organised the Luncheon meeting of BRICS Labour and Employment Ministers and Heads of the Declaration on the margins of ILC. BRICS meeting at length discussed issues of common interest to the group that can be further prompted through this forum such as employment generation, SMEs, transition

to formality, and sharing of good practices. India also shared the proposed calendar of the events on the employment track. Possible modes of enhancing cooperation between BRICS countries such as internet group, Video Conferencing etc were also discussed. Members also discussed the agenda of the 105th ILC particularly the concerns on the development in the committee of global supply chains. It was proposed that the issue should be included for the ministerial communiqué to be released later this year. A joint Statement was also adopted at the meeting.

#### **ASPAG Ministerial Meeting**

**21.14** India as the coordinator of Asia-Pacific Group of ILO, convened the Ministerial Meeting of ASPAG countries on 8th June, 2016. The meeting was attended by Ministers of Labour and Employment and Heads of the Delegations from ASPAG countries. The theme of the deliberation was “Employment Generation for Inclusive Growth”. Director General, ILO, Mr Guy Ryder and ILO Regional Director for Asia Pacific also attended the meeting. In this Intervention as the host and chair of the meeting, Hon’ble MOS (IC), L&C highlighted India’s initiatives for employment generation and focus on the inclusiveness. The Secretary, L&E and Ambassador and PR of India in Geneva also addressed the meeting.

#### **Bilateral Meeting**

**21.15** Indian Delegation led by Minister also participated in three bilateral meeting with Iran, Japan and Sri Lanka. Following issues were discussed:

**Iran:**

- Promoting investment in each others economy,
- Skill Development
- Partnering in Public employment Services

**Japan:**

- Technical assistance by Japan
- Labour Migration participating in IT and ITES sectors
- Strengthening NCS

**Sri Lanka:**

- MoU with VVG NLI
- Finalising SSA&AA

**G-20 Ministerial Dinner**

**21.16** DG, ILO hosted the conventional dinner to G20 Labour Ministers' Dinner on 8th June, 2016. Hon'ble MoS (IC), L&E attended the dinner. In this intervention, Minister supported the Chinese presidency for their focus on Entrepreneurship and innovation. He briefly discussed India's initiatives for encouraging entrepreneurship and SMEs.

**NAM Ministerial Meeting**

**21.17** The NAM ministerial meeting on 7th June 2016 was presided by Iran who is the current chair of NAM. Hon'ble Minister and Secretary, L&E participated in the Meeting.

**Meeting of Secretary (L&E):**

**21.18** In addition to the meeting above, secretar, L&E had meeting with DG, ILO and DDG (Policy) ILO on strengthening cooperation between India and ILO and importance of issues concerning to Developing World for the future of work.

**Miscellaneous:**

**21.19** Minister Labour & Employment informally hosted both the Indian workers' Group and Employers' Group and understood their concerns and issues about the agenda being discussed at International Labour Conference.

**328<sup>th</sup> Session of the Governing Body of ILO**

**21.20** 328<sup>th</sup> Session of the Governing Body of the International Labour Organisation was held during 27.10.2016 to 10.11.2016 in Geneva. The Indian delegation comprising of Smt. M. Sathiyavathy, Secretary(L&E), Shri Manish Kumar Gupta, Joint Secretary and Smt. Anuja Bapat, Director, Ministry of Labour & Employment participated in the Governing Body meeting along with officers from Permanent Mission of India in Geneva.

**16<sup>th</sup> Asia Pacific Regional Meeting if ILO**

**21.21** The 16<sup>th</sup> Asia Pacific Regional Meeting of International Labour Organisation was held during 6-9 December, 2016 in Bali, Indonesia. A tripartite delegation from India led by Shri Manish Kumar Gupta, Joint Secretary along with, Shri Rajit Punhani, Joint Secretary and two members each from Workers Groups and Employers Groups attended the meeting.

## **G-20 LABOUR AND EMPLOYMENT MINISTRIES' MEETING ON 11-13 JULY, 2016 IN BEIJING, CHINA.**

**21.22** An Indian delegation led by Shri Bandaru Dattatreya, Minister of State for Labour and Employment (Independent Charge) attended G-20 Labour and Employment Ministers' meeting on 11-13, July, 2016 in Beijing, China.

## **BRICS INDIA 2016 UNDER INDIAN CHAIRMANSHIP**

**21.23** Ministry of Labour & Employment has organized BRICS 1<sup>st</sup> Employment Working Group (EWG) at Hyderabad on 26-27 July, 2017 and the agenda for BRICS Ministerial Meeting as well as draft points for Ministerial Declaration was discussed. The BRICS Labour and Employment Ministerial meeting took place on 27-28 September, 2016 in New Delhi. A Ministerial Declaration was adopted at the end of two day deliberations which were attended by representatives/Ministers of BRICS nations and representatives of ILO and ISSA took part in the event. The Declaration covered issues, including employment generation, skilling of workforce, social security, transition to formality, networking of BRICS lead labour and research institutes and sharing best practices in implementing policies and programmes to encourage innovation and entrepreneurship for employment generation.

The Ministerial meeting was preceded by meeting of the 2<sup>nd</sup> Employment Working Group on 26 September, 2016, which was attended by senior level officers of BRICS Nations and the agenda for Ministerial meeting as well as draft Ministerial Declaration was finalised.

## **BRICS Ministerial Meeting**

**21.24** A side-line meeting with BRICS Ministers was held on 09.6.2016 on the side lines of the 105<sup>th</sup> Session of the International Labour Conference. The meeting was hosted by Hon'ble MoS (Independent Charge) for Labour & Employment.

## **326<sup>th</sup> Session of the Governing body, ILO**

**21.25** 326<sup>th</sup> Session of the Governing Body (GB) of the International Labour Organisation was held from 10<sup>th</sup> to 24<sup>th</sup> March 2016 in Geneva. The Indian delegation led by Secretary (L&E), Shri Shankar Aggarwal participated in the Governing Body meetings alongwith permanent mission of India in Geneva. Shri Manish Kumar Gupta, Joint Secretary and Smt. Anuja Bapat, Director Ministry of Labour & Employment were the other members of the delegation.

## **Agenda of 326<sup>th</sup> Session of Governing Body**

### **Institutional Section (INS)**

## **Agenda of the International Labour Conference**

**21.26** While intervening on this agenda item, India called for sufficient flexibility in choosing subjects for agenda of ILC. Region-wise, member countries may be encouraged to voluntarily provide a list of contemporary subjects contextual to their region to have a wide range options.

## **Results of the independent evaluation of the ILO Action Plan for Gender Equality 2010-15 and outline of the ILO Action Plan 2016-17 Policy.**

**21.27** In India's intervention, Govt. of India appreciated the initiatives taken and achievements at the organizational level. At the same time Govt. of India emphasized that ILO is more than the Office and the tripartite partners must be brought on board on the issue of gender equality. For increasing representation of women delegation in International Labour Conference we stressed that while the national governments are responsible for achieving the gender balance in tripartite delegations, they have a very limited role in the selection of delegates/advisors by the social partners. Therefore, we feel that ILO should come up with specific instructions and mandatory guidelines for the constitution of tripartite delegations. This will also in the long run help capacity building and promote gender balance of the three partners at national level. At the regional and sub-regional level, we expect ILO to increase women representation particularly senior staff and technical policy expert for promoting gender equality.

### **Decent Work and Inclusive Sustainable Growth: Challenges for global policy**

**21.28** India made this intervention on behalf of the BRICS countries: Brazil, Russia, India, China and South Africa. The intervention recalled the Goal no. 8 of 2030 Agenda of Sustainable Development and reiterated commitment of BRICS Labour and Employment Ministers towards promotion of sustained, inclusive and sustainable economic growth, full and

productive employment and decent work for all. It emphasized the need for a lot of efforts and coordination at global level for evolving an appropriate policy strategy to achieve a common goal of sustainable and inclusive growth. BRICS acknowledged the success of ILO in developing the labour and employment issues within the framework of Development Agenda and encouraged ILO to take the leadership role in these interactions to ensure that decent work is integral to the policies for sustainable inclusive growth and faster recovery process.

### **Country Cases:**

**21.29** India made intervention on Country cases of Fiji, Qatar, Venezuela and Myanmar which were prepared by the PMI, MEA in consultation with Ministry of Labour & Employment.

### **Policy Development Section**

#### **More and better jobs for inclusive growth and improved youth employment prospects**

**21.30** India in its intervention appreciated the comprehensive approach of ILO strategy and the scale and scope of the proposed interventions, more particularly the fact that the proposed strategy seeks to understand the macroeconomic context at national level. It would be prudent if ILO, joins, the national governments, majority of whom are working afresh or revising their National Employment Policy Framework including policies on wages, social security etc. This will ensure that national contours & priorities are well promoted and the efforts are not duplicated. It would also

ensure that resources are optionally utilized. India emphasized that as the private sector which acts as the primary job provider, it is necessary that social partners participate constructively in the policy framing. We encouraged ILO to work for capacity building of social partners so that the social dialogue process can take place with an understanding of comprehensive growth scenario and core labour & employment issues are seen in appropriate context. India also encouraged ILO to work upon and promote labour mobility to enable youth to have access to the best opportunities across the globe.

### **Promoting fair and effective labour migration policies.**

**21.31** India is both a source and destination country. A large number of migrant workers including women are engaged in construction sector. Another Big chunk is that of domestic workers. In its intervention, India elaborated the initiatives taken by the Government of India towards the commitment to social security for all, including, Universal Account Number (UAN) for portability of EPF account and the extension of Health Services by ESIC to construction and other unorganised workers who are largely migrant. We expect ILO to develop well defined floor level components for fair and decent treatment to migrant workers across the world. This can serve as a guideline for member countries. India supported the strategy of ILO in promoting labour standards for migrant workers. We also appreciated the work done by ILO country office New Delhi on promoting fair migration in South Asian countries and welcomed such micro level intervention in future. Governance of labour

migration issues needs to be undertaken in a manner that it results in a win-win situation for both source and destination countries.

### **Results achieved during the Director-General's tenure as Chairperson of the UN AIDS Committee of Corresponding Organizations sin 2015.**

**21.32** India appreciated the dynamic leadership of DG, ILO for his UN AIDS strategy 2016-21 which has a strong linkage to the mandate of ILO. We called for ILO's intervention to focus on encouraging a more proactive participation by the social partners in this agenda. The HIV/AIDS policy framework in India has strong linkages with ILO's zero at work programme as well as other relevant national programmes such as TB etc. India also stressed upon developing better baseline data.

### **Follow-up to the discussion on social dialogue at the 102<sup>nd</sup> Session of the International Labour Conference (2013):**

#### **Implementation of Plan of Action**

**21.33** Social dialogue is one of the important pillars of ILO's four Strategic objective and a key instrument to consensus building and promoting decent work for all. In the current scenario of global economic slowdown, rising unemployment rate and labour unrest in many parts of the globe, it is of utmost priority to promote social dialogue both at national and international level. India in its intervention insisted upon increased participation of country/regional offices in the process. It

will also help ILO to understand the national context better to work on the impediments for ratification of conventions. India feels that the ongoing exercise of SRM gives us a chance to understand the ratification process and what has worked or otherwise in the process. We urged ILO to engage with social partner at national level for capacity building so that they are better equipped to participate in the policy process. Tripartite consultation must not be limited to opinion seeking but should also involve the three partners at a more constructive consultation. India asked ILO to replicate the Turin model of training courses focusing on social dialogue at regional and sub-regional level including VVGNI in India.

### **Public Private Partnership: Report on Progress**

**21.34** India in its intervention appreciated that 46% of PPP funding is on account of employment promotion, skills development, youth employment, SMEs and sustainable enterprises, the concern here is that PPPs have become fifth contributor to the ILO's extra-budgetary funding (EBF) in 2014-15. Though there could be sound economic rationale for engaging PPPs through EBFs, we feel it should be regarded as a second best option from the point of view of transparency and sound budgeting policy. Also we must ensure that the finance do not become the deciding criteria and that ILO's core organizational values are not overlooked.

### **Legal Issues and international Labour Standards Section (LILS)**

**The standards Initiative: Joint report of the**

### **Chairpersons of the committee of Experts on the Application of Conventions and Recommendations and the Committee on Freedom of Association**

**21.35** Supervisory system is an integral feature of ILO. It needs to meet the changing societal realities and challenges so that it can facilitate countries to adhere to their obligations. India expects ILO to play a constructive role to bring a positive change in the way matters of world of work are dealt across the countries.

**21.36** India in its intervention supported a transparent and continuous dialogue between all the supervisory mechanisms namely CEACR, CAS and CFA. We also insisted that in the proceedings in CAS the procedure for both admission and closure of a particular case should be clearly defined and developed. This will also help the countries to prepare their responses objectively and ease the reporting burden. We strongly believe that the dispute resolution at the national level should be encouraged and the national setup of the country reported upon must be taken note of. The supervisory system at ILO should focus more on issues which cannot be dealt within the purview of National Legislations appropriately. This will not only create better linkages between the national setups to ensure conformity with ILO standards but also rationalize the workload at supervisory system.

### **Report of the first meeting of the Standards Review Mechanism Tripartite Working Group**

**21.37** India made this intervention on behalf of

ASPAG. ASPAG reiterated the importance of the mandate of the SRM Initiative. For achieving ILO's main objectives, ILO conventions and recommendations should be simplified, consolidated and aligned to the contemporary world of work. ASPAG recommended that the SRM workers on one hand and ensuring sustainability of the enterprises on the other hand. The Working Group should take into account the parameters like level of ratification, compatibility and other parameters while deciding the relevance or otherwise of the existing instruments. It needs to be ensured that the instruments fit within a coherent policy framework of ILO Standards and at the same time address the issue of changed employment scenario due to multi-national enterprises multi-layer employer system due to outsourcing of jobs etc. ASPAG emphasized the need for time bound action.

### **Working party on the Functioning of the Governing Body and the International Labour Conference (WP/GBC)**

**21.38** India supported the proposals like early dissemination of pre-conference information, advance registration process for committees, early posting of material on individual web pages of technical committees and prior nomination of committee chairpersons for fast movement of the preparatory process to avoid unnecessary procedural delay before convening the conference. India also agreed to continue with the shortening of opening sitting for better time management purpose.

#### **High Level (HL)**

### **Working Party on the Social Dimension of**

### **Globalization Addressing the labour market impacts of refugees and other forcibly displaced people.**

**21.39** The rise in the inflow of refugees and forcibly displaced people add multiple challenges to the composition and structure of World of work which calls for a collective and coordinated policy action at global level. Intervention by India recalled the discussion in 325<sup>th</sup> Session of the Governing Body of ILO and underlined the need to draw a line of difference between refugees and the migrants. The context of both the phenomena is quite different and hence policies to address the labour market implication of the two cases must be framed accordingly. We strongly feel that the present refugee crisis needs to be analysed in short term as well as mid and long term context. We also recognize the need to understand the interconnectivity between political, humanitarian, and developmental interventions. ILO needs to tread its path very cautiously. Prescriptive national obligations must be avoided. We reiterated our commitment to the universal values. India has always been a pluralistic society which is multi ethnic, multi lingual, multi religious and we had always been accommodating and assimilating migrants with dignity and respect.

### **Meetings on the side lines of GB:**

**21.40** Indian Delegation led by Secretary(L&E) had a number of meetings on the side lines of Governing Body. In his meeting with DG, ILO, Secretary appraised him of the initiatives and reforms taken up by the Government of India towards its commitment to job security, wage security and social security to the workforce

in India. DG appreciated the commendable growth rate India has achieved despite the global slowdown. They discussed the growth potential of domestic market in India and the implications of the global supply chains on India labour market.

### **328<sup>th</sup> Session of the Governing body, ILO**

**21.41** 328<sup>th</sup> Session of the Governing Body (GB) of the International Labour Organisation was held from 27<sup>th</sup> October to 10<sup>th</sup> November, 2016 in Geneva. The Indian delegation led by Secretary (L&E), Smt. M. Sathiyavathy participated in the Governing Body meetings along with permanent mission of India in Geneva. Shri Manish Kumar Gupta, Joint Secretary and Smt. Anuja Bapat, Director Ministry of Labour & Employment were the other members of the delegation.

### **Agenda of 328<sup>th</sup> Session of Governing Body**

#### **Policy Development Section (POL)**

#### **Labour Related Provisions in Trade Agreements : Recent Trends and relevance to the ILO**

**21.42** Making an intervention for India, Mrs Sathiyavathy, Secretary, Labour and Employment stated that inclusion of labour standards in the trade agreements is likely to adversely impact the comparative advantages and ignores the difference in capacities and context of developing countries. We therefore feel that labour standards should not be the norm in trade agreements. The number of trade agreements that carry a labour provision

is still a small minority of the total number of agreements and the available statistics is yet preliminary and the findings should not be taken as conclusive at this instant. India also raised the issue of mandate of International Organisations and called clear lines of mandate for ILO vis-à-vis WTO. Referring to WTO's Singapore Ministerial Declaration of 1996 which categorically rejects the use of labour standards for protectionist purposes and emphasises that the comparative advantage of countries, particularly low wage countries, must be in no way put into question Secretary urged the Office to work on developing a full body of statistics and database with regional and other relevant classifications and the way benefits of these agreements are distributed amongst participating countries before taking any position on this very contested issue.

**21.43** The BRICS statement on the issue of labour related provisions in trade agreements was delivered by Indian Ambassador and PR in Geneva, Shri Ajit Kumar. BRICS while taking note of the growing trend of including labour standards in trade agreements and the assistance and guidance of ILO sought by Member States as well as social partners in either implementing labour provisions of trade agreements or to have a developmental operational programme for capacity building as indicated in the agenda note opined that the same may not be proposed as universally agreed or desirable requisite for trade agreements for the want of more data as well as clarity on certain matters. BRICS made a reference to the ILO Declaration on Fundamental Principles and Rights at Work (1998) and to the ILO Declaration on Social

Justice for a Fair Globalization (2008), both of which uphold the principle that labour standards should not be used for protectionist trade purposes. BRICS supported collection and analysis of labour provisions in trade agreements for an in depth assessment of the issue and ILO's technical assistance, per se. Capacity building of social partners should be a major focus area of ILO's technical assistance. BRICS called for the clearly defined mandate of IOs avoid multiple and sometimes contradictory compliance burden on countries.

### **Institutional Section (INS):**

#### **Follow up to the resolutaion concern- ing decent work in global supply chains (general discussion):**

**21.44** India aligned with the statement made by BRICS and referred to the intervention made by India in the plenary session of the 105<sup>th</sup> ILC. Govt. of India reiterated that global supply chains have extremely complex and cross cutting contexts. India believes that addressing more fundamental questions such as presence of forced labour, child labour, safety conditions, labour protection etc. Is more important before embarking on any standard setting exercise. ILO has a comprehensive repository of international labour standards dealing with all aspects of decent work. The conclusion on whether the present set of ILO standards is capable or not to address the deficits of decent work in the global supply chains needs to be arrived at in the first instance and placed before the General Body for its consideration. Making her intervention, Secretary Labour and Employment reiterated India's commitment

to the cause of labour rights and protecting interests of the workers. She said that Labour rights and social justice flow from our Constitution. We are also working conditions. She briefly discussed the latest initiatives like Child labour Acct 2012, Maternity Benefit Amendment Act, and universalization of social security for workers. Tripartism is cornerstone of India's march towards setting labour standards and evolving labour and employment policies. She reiterated that ILO's efforts should focus more on helping nations to strengthen domestic laws and policies so that rights of the workers can be ensured without questioning or undermining the sovereignty of the country.

**21.45** The BRICS statement was made by Ambassador and PR, PMI Geneva. Referring tot the BRICS Labour & Employment Ministers' Declaration, he acknowledged the importance of the global supply chains and its contribution to job creation, as well as the current challenges in addressing labour issues in global supply chains. BRICS stressed the need for a lot of research and data repository to understand the challenges of decent work in global supply chains. It also said that the key indicators should be adopted by the countries through a national consultation process. While trade disputes are already being taken up and negotiated by other for a, primarily WTO, cautioned that any proposed framework should not lead to conflicting effects. BRICS thanked ILO for recognizing BRICS as a proposed partner in the process of policy development. Govt. of India support cross border tripartite dialogue and encourage ILO to work with social partner for capacity building. In addition ILO should consider campaigning for further

ratification of conventions and application of recommendations relevant to GSC.

**21.46** India in its intervention stressed that poverty and gender discrimination are two areas which if addressed adequately can be a game changer for the humanity, a fact which has been amply recognized in Sustainable Development Goals. Making her intervention, Secretary Labour and Employment, expressed India's keenness for deliberations on 'violence against women and men in the world of work' for Conference session in 2018. We believe that green initiative should not be driven by standards but by collective and differentiated responsibility and mutual cooperation and handholding. Poverty is an area of concern for all of us. Alleviation of poverty is a priority for India and hence we feel that discussion on "Effective Developmental Cooperation for SDGs" should not be delayed. We indicated our choice for the inclusion of 'changing nature of unemployment and underemployment: The role of technology and other structural drivers of change' as an agenda item in the Conference Session and would like it to be discussed not beyond 2019. We supported the inclusion of 'inequalities and the world of work' as an agenda item in the Conference session 2019 with a specific gender perspective. India also supported the starting of the cycle with the strategic objective of social dialogue.

**21.47** India's intervention welcomed that the issue has been placed for the first discussion for a Standard setting item in 2018 ILC. Violence and decent work are contradictory and should not coexist together India recognizes that Violence and harassment in the work

place may exist in forms that are often not visible and workers and employers often face difficulty talking about such acts. It is therefore important to identify the correct forms in which they exist and provide a comfortable platform to the sufferers for raising and discussion them as well as a mechanism that deals with these effectively. India called for the terms like violence and harassment, to be very clearly defined. India also stressed for a clear gender perspective in the policy discourse.

### **Policy Development Section**

#### **Creating and extending social protection floors (including the flagship programme)**

**21.48** Coordinated the ASPAG statement on this agenda item. Creating social protection floors is a very critical and pivotal today when the world is struggling with continued economic downturn and increasing vulnerability. ASPAG encouraged the global activities for capacity building hand holding and providing research based solutions for countries to have informed policy decisions. Innovative solutions are required to handle issues relating social protection of informal workers, migrant workers etc. which form a sizable section of the workforce. ASPAG urged the office to increase its efforts in knowledge sharing amongst the member states so that the best practices and innovative solutions are disseminated to all the stakeholders and the policy makers. India is one of the Asian Countries who are a part of the ILO's flagship programme social protection floor for all.

**21.49** India in its intervention supported ILO strategy on SPFs particularly implementation through DWCPs and by fitting it into the context of SDGs. The economic instability has created unprecedented vulnerabilities. It is further intensified by the blurring of direct employment relationships, complexities introduced by global value chains and the resultant difficulties in assigning accountability. India firmly believes that providing SPF is essentially responsibility of the Government. We also have sufficient evidence to say that growth alone doesn't translate into inclusiveness unless positive interventions are made. Government of India in the recent years has been primarily focused on extending social security to all. We are looking at addressing the challenges in a broader context. Institutional and delivery framework of fundamental service of health and education is being strengthened. After Right to Education for universalizing education in a right based approach, we are now implementing national health mission to strengthen and universalize the health benefits available to the population. India advocates labour mobility. This will help our workers to avail decent job opportunities wherever they are available. For meeting the principles of fair migration it becomes imperative to ensure portability of social security. In the recently concluded BRICS labour Ministers Meeting in New Delhi, BRICS nations agreed to work proactively on having SSA between BRICS countries. Social protection programmes need to be country driven and should be implemented depending on the national circumstances of each country. We expect ILO to provide capacity building assistance to the policymakers and stakeholders in the

countries where the flagship programme is implemented.

### **Programme, Financial and Administrative Section**

#### **Audit and oversight Segment: Discussions of High-Level evaluations: Strategy and Decent Work Country Programme Evaluations**

**21.50** India commented on Evaluation Report on 'Independent evaluations of the ILO's Strategy on skills development for jobs and growth 2010-15' Skilling initiative is primarily driven by country priorities, demographics, regional and natural advantages of a country and such factors. Skill requirement of each of the country or for that matter each region of a country would differ vastly. India would like ILO's role in the skills initiative to be built around the core competence of ILO rather than thinly spread the resources on other areas. We feel that ILO's role is best suited as a facilitator. The ILO being a repository of information can help in sharing with all the countries sector Specific best practices in the area of skilling. ILO in this sphere can help us in identifying priority areas and need assessment. Thus, ILO should concentrate on skilling the policymakers and constituents rather than undertaking skills development by its own.

#### **Policy Development Section:**

##### **Promoting sustainable enterprises**

**21.51** Enterprise initiative is an extremely complex initiative. SMEs and Entrepreneurship are the new face of economy. But the diversity

within is significant. The entire spectrum of low end SMEs to High Value SMEs have different challenges as well as strengths. The policy response has to vary accordingly. The current manufacturing environment in India is dominated by MSMEs. More than 30 million MSMEs of size 1-40 are operating in India. The focus of India's policy initiatives has been on micro, small and medium enterprises as they are the drivers of growth contributing to output, employment and export earnings and providing livelihood to millions of people in the country. Success of outcomes largely depends on voluntary participation of Employers. This holds even more in the current scenario of global value chains. Appropriate hand holding including technology transfers insistence on compliance of national legislation and ownership of responsibility down the value chain would be of key importance. We believe that review of MNE declaration will bring out these aspects with more clarity. Each of these initiatives need to build on the principles of burden sharing and we need to appropriately formulate our interventions.

**Legal Issues International Labour Standards**  
**Section: Report of the second meeting of the Standards Review Mechanism Tripartite Working Group-**

**21.52** India in its intervention congratulated the SRM Tripartite Working Group for the substantial work in its second meeting. India participated in this meeting as a member of ASPAG group. We would like ILO to intensify its work to encourage member countries to review their national scenario with reference to replacing the outdated ILO instruments

by ratifying up to date instruments with the view of progressively increasing the coverage of strategic objectives but at the same time, ensuring that such actions must not result in gaps in protection to the workers. Documenting and analyzing of obstacles faced by the Member Countries in the ratification of up to date instruments must be integral to this process. While SRM is a one time mega exercise we also need to create and strengthen our mechanism to regularly work in the field to get a feel of how existing international labour standards are being received and responded to by the constituents. The Standard Review Mechanism Tripartite Working Group need to have a holistic approach for achieving the mandate of the Group i.e. protection of the rights of the workers at one hand and ensuring sustainability of the enterprises on the hand.

**Outcome of the tripartite technical meeting on the access of refugees and forcibly displaced persons to the labour market-**

**21.53** India reiterated its position on the issue that it has been taking in previous discussions on the subject and demanded for a mere balanced, multifaceted, flexible and coordinated response. India supported the voluntary and non-binding Guiding Principles recommended by the Technical meeting. We also note that Member States continue to have different views and perspectives on how to address the labour market challenges posed by refugees and take note of the reservations expressed on some of the guiding principles. The refugees enjoy specific status and protections under international refugee

law including the 1951 UN Convention on the States of Refugees and its 1967 Protocol, which is distinct from the those governing economic migrants. Labour and employment issues related to refugees should continue to be guided under the framework of well-established refugee law and attempts to apply other instruments should in approached with caution. The proposed guiding principles should in no way change the obligations of Member States in this regard.

**In addition to the above, India made interventions on matters related working of ILO and its organs including the decision on cycle of Recurrent Discussions in ILC, the modalities of ILO-ISO agreement, the strengthening of social dialogue and other technical and administrative issues related to ILO.**

### **G-20 Meeting on the sidelines of GB of ILO:**

**21.54** The first informal G20 meeting for China to handover the Presidency and Germany to kickstart the term took place on 2<sup>nd</sup> November 2016 on the sidelines of ILO GB. Germany outlined the agenda and calendar of events for G20 EWG under their Presidency. The Agenda proposes deliberations on global supply chains, issues of migrants and refugees, futures of work, female employment as well as globalization and its challenges as well as SDGs. The meeting was attended from Indian side by Joint Secretary, Shri Manish Gupta, and Director, Smt. Anuja Bapat.

**21.55** India making its preliminary intervention, welcomed the agenda. Issues of globalization and female employment are pivotal and in

line with the earlier discussions in the EWG. However, on the matters of GSCs and Refugees, India reiterated its position. It also called for the deliberations to stay within the scope of those taking place in ILO.

### **The Report on first meeting of the Tripartite working Group on the Standards Review Mechanism (SRM) in Geneva from 22<sup>nd</sup> to February, 2016**

**21.56** The first meeting of the Tripartite Working Group on the Standards Review Mechanism (SRM) constituted by ILO in Geneva from 22<sup>nd</sup> to 26<sup>th</sup> February, 2016. Dr. Onkar Sharma, Dy.RLC attended the meeting.

**21.57** The very object of the SRM Tripartite Working Group is to review the international labour standards with a view to making recommendations to the governing body on following issues:-

- Identification of gap in coverage of conventions and recommendations including those requiring new standards.
- The present status of the standards already examined, standards requiring revision, outdated standards and other possible classifications.
- Time bound follow-up action.

**21.58** Dr. Onkar Sharma, RLC(C) briefed the group on the recent initiatives undertaken by the Government of India in reviewing the national labour laws. The group was also informed that while reviewing the labour laws the Government is in the process of

codifications of the labour laws by consolidating the provisions of existing laws into the four codes on labour named as Labour Code on Wages, Industrial Relations, Safety, Health & Social Security.

**21.59** Dr. Onkar Sharma, RLC(C) also informed the group that while reviewing the labour laws we have also identified obsolete laws (not relevant in the present employment scenario), aligning the existing provisions of the laws to the current employment/working scenario so that the issues of the workers are addressed properly alongwith and ensuring sustainability of the enterprises,. In addition to this, exercise also include the simplification of the provisions of the law.

**21.60** The group was of the view that the principles/concept of exercise of the Government of India in reviewing the laws are useful in reviewing the International Labour Standards and to the extent possible will be replicated.

**21.61** Dr. Onkar Sharma Stressed on the importance of the transparency while undertaking this exercise so that the stakeholders must not have any kind of the suspicion regarding this. In this regard the Government of India, while undertaking the labour reforms regularly interacting with the stake-holders by holding tripartite consultations.

**G-20, 1<sup>st</sup> Employment Working Group (EWG) meeting under Chinese Presidency held at Guangzhou, China (02<sup>nd</sup>-04<sup>th</sup> February, 2016)**

**21.62** The following delegation from India participated in First Meeting of the Employment

working Group (EWG) held at Guangzhou, China during 02<sup>nd</sup>-04<sup>th</sup> February, 2016:

**21.63** India supports inclusion of entrepreneurship as an effective strategy for employment generation, making social security net system equitable and emphasis on international mobility as it gives an opportunity to balance supply and demand of workforce globally.

**21.64** Presentations were made by OECD and World Bank emphasizing on challenges before entrepreneurs for starting their enterprises and measures to enhance entrepreneurship. Country experiences were shared by Australia china India and UK.

**21.65** Presentation was made and a comprehensive approach to boost entrepreneurship was emphasized. The specific measures taken to boost entrepreneurship in MSME sector and recent initiative of Start up India were shared with the Group. Further specific policy for Skill Development and Entrepreneurship development has also been formulated in the country and promote entrepreneurship.

**G-20 LABOUR AND EMPLOYMENT MINISTERIAL MEETING UNDER CHINESE PRESIDENCY HELD AT BEIJING, CHINA (11<sup>th</sup>-13<sup>th</sup> July, 2016)**

**21.66** Shri Bandaru Dattatreya, Hon'ble Minister of Labour and Employment and Shri Shankar Agarwal participated in the G20 Labour and Employment Ministerial Meeting held at Beijing, China during 11<sup>th</sup>-13<sup>th</sup> July, 2016. EWG delegates met for finalizing work related to 2016 G20 agenda and LEMM Beijing

Declaration. Labour and Employment Ministers from G20 nations made interventions on issues relating to (i) policy commitments on promoting employment and entrepreneurship (ii) skills needs of labour and vocational training and (iii) income growth, social protection system and working conditions. However, Govt. of India's Intervention in meeting is as under:

### **Session 1-Generate Adequate Job Opportunities-**

**21.67 India's Intervention:** Employment Generation is the only sustainable policy response to poverty alleviation which is also the first goal of the 2030 Agenda. Employment generation preferably in formal sector with well-paid jobs and adequate social security ensures inclusiveness and lesser inequality in the labour market and leads to sustainable development goal of Decent Work and Economic growth. Entrepreneurship has been recognized by India as the apt platform to boost innovation based and technology led businesses. A number of forward looking strategic amendments to the existing policy ecology have been introduced to support Startups and MSMEs to make India a nation of job creators instead of job seekers. Very recently Government of India has come up with 'Model Shop and Establishment Act' which will allow all shops and establishments including small retailers, hotels, malls, cinema and IT/ITES establishments to remain open round the clock. Micro and Small Enterprises have been given special attention as they provide employment to the vulnerable groups like uneducated, unskilled, school/

college dropouts etc. Pradhan Mantri Rozgar Protsahan Yojana launched by our government is one such step in a bid to create more formal sector jobs. To bring job seekers, employers and training providers on a common platform with efficient use of information technology, National Career Service (NCS) Portal has been launched. We are in the process of making labour laws simple, rational and transparent to encourage more formal sector jobs without harming labour rights.

### **Session 2- Enhance Employability-**

**21.68 India's Intervention:** India needs to equip its workforce with employable skills and knowledge so that they can contribute substantively to the economic growth of the country. Skill India Mission has been launched with a vision of skilling the youth population in a big way. National Skill Development Mission aims to skill 50 million persons by 2022. Skill Development Initiative Scheme, based on Modular Employable Skill (MES) framework and National Skill Qualification Framework (NSQF) have been in operation to provide vocational training to workers in unorganized sector. Apprenticeship Protsahan Yojana is operational to encourage MSMEs to ensure that youth get enough opportunities for vocational training and can be brought into the mainstream of development. We support labour mobility so that skilled workforce across the globe gets the best available opportunities. A new initiative called Pravasi Kaushal Vikas Yojana has been launched by the government of India, aimed at training and certification of Indian workforce in select sectors and job roles, in line with international standards to

facilitate overseas employment opportunities. G20 forum has been promoting labour mobility and we encourage enhancing cooperation between countries through interventions aimed to facilitate and promote fair migration. Public Employment Service in India has been transformed through National Career Service (NCS) platform to bring together job seekers and job providers on a technology driven platform. We look at the association of WAPES to this forum and seek further interaction and active cooperation between the National Public Employment Services to bridge the information asymmetry in the labour markets.

### Session 3- Promote Decent Work

**21.69 India's Intervention:** We are moving from scheme-based approach to rights-based entitlements in the area of social security. Pradhan Mantri Jan Dhan Yojana (PMJDY) and Pradhan Mantri Suraksha Yojana (PMSY) are two such initiatives that aim to provide universal social cover. PMJDY, is the biggest step to ensure financial inclusion and Direct Benefit Transfer of government subsidies and other entitlements through opening of Bank accounts. Pradhan Mantri Suraksha Yojana is providing insurance coverage for life, old age pension and accidents including permanent disablement to all. The portability of social security benefits has been extended to 6.57 million people through Universal account Number. We are progressively bringing the new categories of workers from informal sector into the fold of institutional framework available to formal sector workers. Landmark legislation in this direction is Unorganised Workers Social Security Act 2008 which provides benefits in

health, maternity, death, disability and old age. We are enhancing the scope of legislation for minimum wages to make it universally applicable. We are committed to better and safer work environment. Both factories Act and newly proposed Small Factories Act include more effective provisions for worker safety. We are trying to ensure better compliance and more targeted and focussed enforcement regime. G20 can be forum to promote greater cooperation and strengthening social security agreements between member countries which can further help the cause of fair migration and labour mobility with decent work that G20 has been promoting all along.

**21.70** The meeting ended with the adoption of Beijing Declaration by Labour and Employment Ministers of G20 nations.

### ILO Future of work initiative:-

**21.71** Two workshops titled “Future of Work and Young People’s Aspirations” and “Technology” were jointly organized by the Ministry, ILO and VVG NLI in the month of May and November respectively under the ‘Future of Work’ Centenary initiative of the ILO.

### BRICS Employment Working Group to meet on 27-28 July, 2016 in Hyderabad:-

**21.72** India has assumed the Presidency of BRICS in February, 2016. Starting essentially with economic issues of mutual interest, the agenda of BRICS meetings has considerably widened over the years to encompass topical global issues. BRICS cooperation has two pillars - consultation on issues of mutual interest through meetings of Leaders as well

as of Ministers of Finance, Trade & Health, S&T, Education, Agriculture, Communication, Labour etc. and practical cooperation in a number of areas through meetings of Working Groups/Senior Officials. Regular annual Summits as well as meetings of Leaders on the margins of ILO, G20 Summits, etc. are also held.

**21.73** First ever Meeting of BRICS Employment Working Group (BEWG) meeting between Senior officer level and BRICS Countries to shape the agenda for Labour and Employment track in BRICS, was held on 27<sup>th</sup> – 28<sup>th</sup> July, 2016 at Hyderabad. Shri Bandaru Dattatreya, Hon'ble Minister of State (Independent Charge) for Labour & Employment addressed the meeting hosted by India. During this two days, there was Sessions on, i) Finalization of BRICS Employment Working Group, ii) Presentation by ILO on "Employment Generation for Inclusive Growth", iii) Presentation by India on Possible Social Security Agreements amongst BRICS nations and iv) Discussion on Draft BRICS Ministerial Declaration.

### **BRICS Labour and Employment Ministerial meeting in New Delhi held on 27-28 September, 2016:-**

**21.74** As a part of India's BRICS Chairmanship, the **BRICS Labour and Employment Ministerial meeting took place on 27-28 September, 2016** in New Delhi. A Ministerial Declaration was adopted at the end of two day deliberations which were attended by BRICS Ministerial Delegations and the International Organisations such as ILO and ISSA besides others. The Declaration covered issues,

including employment generation, skilling of workforce, social security, transition to formality, networking of BRICS lead labour and research institutes and sharing best practices in implementing policies and programmes to encourage innovation and entrepreneurship for employment generation.

**21.75** Shri Bandaru Dattatreya, the Union Minister of State (IC) Labour and Employment said that India organized the BRICS Labour & Employment Ministers' Meeting in New Delhi under the Indian Presidency. Over the course of two days fruitful discussions were held on areas of common labour and employment issues. The BRICS Labour and Employment Ministerial Declaration has been adopted at the end of these discussions.

**21.76** India is encouraged by the presence of International Organisations in this meeting of BRICS Labour Ministers. India is also extremely happy that as a presidency initiative and in the best tradition of tripartism and social dialogue, India could associate BRICS national social partners to this forum. In a very constructive special session issues of employment generation, sustainable development, social security and decent work which are relevant for India were raised. The Social partners, both from Employers' side as well as the workers' side actively participated and made constructive interventions. The Lead Organisations from the Employers' and employees' side, i.e. Council of Indian Employers and Bhartiya Majdoor Sangh coordinated with their counterparts from BRICS Nations, had discussions on 26<sup>th</sup> November to formulate their views.

**21.77** Other important points made by the Minister include-

- BRICS comprising of Brazil, Russia, India, China and South Africa are five major emerging economies comprising 43% of the world population, 37% of the world GDP and 17% of the world trade. BRICS began their association primarily with discussions on economic issues of mutual interest. Overtime, the areas of cooperation have widened to include topical global issues.

- The First BRICS Labour & Employment Ministers' meeting held in Ufa, Russia recognized that Employment Pillar is essential and thus laid the foundation of BRICS Employment Working Group (BEWG).

- For India, BRICS is about practical cooperation. Indian Presidency is working with a five pronged approach for cooperation. Its about Institutionalising cooperation; implementing and integrating our previous decisions and commitments while innovating new areas of cooperation and finally ensuring the continuity of these initiatives.

- The BRICS Labour and Employment Ministerial meeting took place in New Delhi on 27-28, September, 2016. Delegates from all the BRICS nations participated in this meeting and discussed diverse issues which are being collectively faced by these nations in their national circumstances. The deliberations included "Employment Generation", "Social Security", and "Inclusive Development including Formalization". BRICS Ministerial Declaration was adopted by the BRICS Labour and Employment Ministers.

- The BRICS Ministerial Declaration is action oriented statement. Strong interventions and actions have been proposed in the areas concerning employment generation, social security and formalization of labour markets leading to inclusive and sustainable development.

- Member countries agreed to pursue bi-lateral social security agreements amongst the BRICS member states. They also acknowledged the need to develop a network of lead labour research and training institutions in BRICS member states for undertaking joint research and training activities, capacity building of various stakeholders and exchange of information in areas of expertise.

- Thought provoking Interventions were made by the BRICS Labour and Employment Ministers where they talked about the best practices in their countries, reforms undertaken to promote employment generation and the challenges faced. International organisations, ILO and ISSA appreciated the policy initiatives of BRICS member states and also suggested ways to overcome the hurdles faced by the BRICS countries. The discussion took place in an atmosphere of openness and countries showed a keenness to discuss their concerns and challenges. India's initiatives and transformative decisions particularly the recent amendment to child labour act for putting complete ban on employment of children below 14 years of age, the enhanced paid maternity leave of 26 weeks, revision of minimum wages, and broad initiatives at employment generation were acknowledged by BRICS nations as well as ILO.

- The forum acknowledged the centrality of employment generation to the overall policy objective of sustainable development. A broad consensus was reached on “encouraging social security agreements” and “networking of labour institutions of BRICS member states” and these have been included in the BRICS Labour and Ministerial Declaration. Now the Labour and Employment Ministers’ Declaration and conclusions and agreements will be placed for consideration by leaders of member nations and find appropriate mention in the BRICS Leaders Declaration which would be adopted in Goa in October 2016 and will pave way to strengthen the cooperation and collaboration along these lines.

### TECHNICAL CO-OPERATION PROGRAMMES

**21.78** India and ILO share a very significant and fruitful cooperation in various technical programmes in the areas of employment, occupational safety & health, improvement of working conditions, up gradation of technical facilities and skills development, management consultation development, social security, skill development and other labour related issues.

**21.79** 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’ Organizations, worked closely with the ILO in identifying the major Decent Work country Programmes objectives for the ensuring years.

**21.80** Thirteen officers from Ministry of Labour & Employment were deputed for training, workshops, seminars and meeting under fellowships provided by ILO through its International Training Centre at Turin, Italy.

**21.81** ILO also utilizes the training facilities available in a number of institutions under the Ministry of Labour & Employment in India including V.V. Giri National Labour Institute, Central Labour Institute (Mumbai), Regional Labour Institutes (Kolkata, Kanpur & Chennai), Vocational Training Institutes under the Directorate General of Employment and various other premier institutes of the country.

### MULTILATERAL COOPERATION

#### HIGH-LEVEL INTERNATIONAL MEETINGS

**21.82** Some of the prominent International meetings where India participated actively include:-

- Smt. Anita Tripathi, Deputy Secretary attended the 1<sup>st</sup> meeting of the G 20 Employment Working Group meeting in Guangzhou, China during 2-4 February, 2016.
- Shri Shankar Aggarwal, Secretary(L&E), Shri Manish Kumar Gupta, Joint Secretary and Smt. Anuja Bapat, Director attended

- the 326<sup>th</sup> Meeting of the Governing Body of ILO held during 10-24 March, 2016 in Geneva
- Shri Devender Singh, Economic Advisor attended Government of Russia's All Russian Health and Safety Week on 18-22 April, 2016 in Sochi, Russia.
  - Shri Manish Kumar Gupta, JS and Smt. Anita Tripathi, DS, MOL&E attended the 2nd meeting of G 20 Employment Working Group on 27-29 April, 2016 in Shanghai, China
  - Shri Bandaru Dattatreya, Hon'ble MoS (IC) for L&E, Shri Shankar Aggarwal, Secretary (L&E) and Shri C. Sudharsan Reddy, PS to MoS visited Beijing, China during 11-13 July, 2016 in Beijing, China. They attended the 4<sup>th</sup> meeting of the G 20 Employment Working Group meeting and G 20 Labour and Employment Ministers Meeting held there.
  - Shri Daljeet Singh, DDG and Shri Shyam Singh, DDG, Labour Bureau had attended ILO Programme on "Academy on Formalisation of Informal Economy" on 20-22 September, 2016 in Washington DC, USA
  - Shri Onkar Sharma, RLC( C ) had attended the 2<sup>nd</sup> meeting of the tripartite working Group on the Standards Review Mechanism (SRM) on 10-14 October, 2016 in Geneva, Switzerland
  - Shri Manish Kumar Gupta, Joint Secretary had attended the 79<sup>th</sup> Board meeting of ITC Turin during 27-28 October, 2016.
  - Smt. M. Sathiyavathy, Secretary (L&E), Shri Manish Kumar Gupta, Joint Secretary and Smt. Ajuja Bapat, Director attended the 328<sup>th</sup> Session of the Governing Body of ILO held during 27.10.2016 to 10.11.2016.
  - Shri Subhash Kumar, Under Secretary attended the Negotiation on India-Sri Lanka Social Security Agreement on 17-18 November, 2016.
  - Shri Rajeev Arora, JS attended the ITC/ILO Training Programme on 29.11.2016 to 09.12.2016 in Turin, Italy. He had also visited ILO, Geneva during 6-7 December, 2016 to have discussions to have discussion on the recent amendments carried on the Child Labour (Prohibition and Regulation) amendment Act, 2016 and the ratification to ILO Convention 138 and 182 in the sidelines of his training programme at ITC, Turin.
  - Shri Manish Kumar Gupta, Joint Secretary, Shri Rajit Punhani, Joint Secretary and the Indian tripartite delegation attended the 16<sup>th</sup> Asia Pacific Regional Meeting of ILO on 6-9 December, 2016 in Bali, Indonesia
  - Smt. Anuja Bapat and Shri S.K. Sasikumar, Senior Fellow, VVGNI attended the 1<sup>st</sup> meeting of the G 20 employment working Group under the German Presidency during 19-21 December, 2016 in Berlin, Germany.

- **21.83** Some of the prominent International Delegations visited India to meet officials of Ministry of Labour and Employment are-
- Mr. Guy Rider, Director General ILO visited India during 5-9 July, 2016. He had a meeting with Hon'ble Minister of State (Independent Charge) for Labour & Employment on 7 July 2016 for bilateral discussions.
- Mr. Hu Keming, Vice Minister of Legislative Affairs Office of the State Council of the People's Republic of China had a meeting with Secretary (L&E) on 20<sup>th</sup> June 2016.
- Mr. Vic Van Vuuren, Director, ILO-DW had a meeting with Secretary (L&E) on 27<sup>th</sup> October, 2016.
- Mr. Ahmed Shah Saleh, Deputy Minister of Labour, Government of Afghanistan had a meeting with Hon'ble Minister of State (Independent Charge) for Labour & Employment.

## CHAPTER – 22

**DIRECTORATE GENERAL OF EMPLOYMENT AND TRAINING****BACKGROUND**

**22.1** The Directorate General of Resettlement and Employment (DGR&T) and Directorate General of Employment and Training (DGE&T) now known as Directorate General of Employment (DGE) was set up for the purpose of resettling demobilized Defence Service personnel and discharged War Workers in civil life.

**22.2** 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.

**22.3** 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.

**22.4** 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.

**22.5** 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 at the end of October, 2016 is 978 (including 76 University Employment Information and Guidance Bureaux).

**22.6** The Directorate General is presently headed by the Deputy 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.
- Provides a central agency for adjusting surpluses and shortages in certain specified areas where recruitment requires wider circulation.
- 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 to provide 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 Training in confidence building to SC/ST job seekers.

- Formulation of National Employment Policy.

### STATUTORY PROVISIONS

**22.7** The statutory provision enforced by DGE is:-

- Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 and Rules made there under. The non-statutory body is functioning under the DGE:-

### Non-Statutory Body

**22.8** The non-statutory body is functioning under DGE is:

- Working Group on National Employment Service.

### INFRASTRUCTURE AVAILABLE FOR EMPLOYMENT SERVICE

#### WITH STATE GOVERNMENTS;-

- 978 Employment Exchanges (including 42 Special Employment Exchanges for Handicapped) throughout India as on 31-12-2014.
- 38 Special Cells for Handicapped persons are functioning in normal Employment Exchanges in various States as on 31-12-2014
- The State Directorates of Employment are generally located in the State Capitals.

#### WITH CENTRAL GOVERNMENT:

- 21 National Career Service Centers for Differently Abled (erstwhile VRCs) out of

which one Centre at Vadodara is exclusively for women with disabilities.

- 24 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

**22.9** DGE does not implement any employment generation scheme. Its role 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 978 Employment Exchanges as on 31-12-2014.

**22.10** 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 shrinkage in wage paid jobs. In 22 selected Employment Exchanges, Special Cells for Promotion of Self-Employment have been working.

**22.11** 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.

**22.12** In order to maintain regular & reliable Employment Market Information, Employment Service in the States has been implementing the Employment Market Information (EMI) programme. The programme covers all establishments in the Public Sector and non-agricultural establishments in the Private Sector employing 10 or more workers.

**22.13** Twenty four National Career Service Centres for SC/STs (Erstwhile CGCs) have been set up in 24 States. Vocational Guidance and training in Confidence Building 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 National Career Service Centres for SC/STs. These Centres have also been arranging Pre-Recruitment Training Programme 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. During 2016-17, till November, 2016, 10126 candidates could make use of facilities provided at NCSs to practice typing and shorthand and 711 candidates participated in the Pre-Recruitment Training Programmes organized by NCSs.

**22.14** Twenty One National Career Service Centers for Differently Abled (NCSCDA) (Erstwhile VRCs) have been functioning in the country, out of which, one Centre at Vadodara has been set up exclusively for women with disabilities. One NCSCDA at Ranchi has been established during 2013-14 and in the process of operationization. These Centres evaluates 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. During 2016-17 (upto 30.11.2016) these centres have registered 21384, evaluated 21277 and rehabilitated 7455 persons with disabilities. To synergize the link between demand and supply of skilled workforce, the Government has established 5 Model Career Centres for PWDs. The Centres will focus on career counseling as key activities for youth with disabilities to pursue skill enhancement courses that the market drive. The officers of the NCSCDA are being trained on professional counseling techniques. Outreach counseling sessions and job-fairs will be a key activity in these career Centres.

**22.15** Placement service to the disabled Ex-servicemen/Border Security Force personnel and their dependents is provided through an Ex-servicemen Cell set up in DGE (Hqrs.). During the year 2016 (Jan to Oct) 17 disabled Ex- Serviceman and dependents were registered for Employment Assistance through the Ex-Serviceman Cell.

**22.16** National Institute of Career Service (erstwhile CIRTES) is responsible for imparting training to officers of the Employment Service and conducting research in matter relating to various activities of NES (NCS) and develops tools and techniques for better implementation of NES programmes. It also prepares career literature for vocational guidance and career counselling.

Regional Training Programme for Employment Officers on NCS in collaboration with NIELIT conducted at 10 NIELIT centres across India during 05<sup>th</sup> January, 2016 to 18<sup>th</sup> Feb, 2016. Around 900 Employment Officers were trained during this training programme. One training programme on National Career Service Portal Management for officers of VRC and CGC was conducted (14-04-2016). Second Phase Regional Training Programme for Employment Officers on NCS in collaboration with NIELIT conducted at 9 NIELIT centres across India during 17<sup>th</sup> October, 2016 to 22<sup>nd</sup> Nov,2016. Around 400 Employment Officers were trained during this training programme

### **National Employment Policy**

**22.17** 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 VVGNI and while preparing the same, it emerged that the policy had wide ramifications and required inputs from various stake holders, Ministries, Departmental trade unions, research institutions, State Governments etc. Accordingly, an Inter Ministerial Committee was constituted on 4<sup>th</sup> April, 2014 and a concept note circulated to stake holders to seek views and suggestions. The draft policy has also been discussed with the State Ministers on 29.08.2014. Another brain storming session was held on 04.06.2015 with key stake holders 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. Drafting of the National Employment Policy is under process.

### National Career Service

**22.18** 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. The progress of this project is summarized below.

**22.19** The Mission Mode Project was appraised and approved in November-December, 2013 with an outlay of Rs. 148.70 crore the 12<sup>th</sup> FYP. 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 and enhanced outlay of Rs.348 crores during the 12<sup>th</sup> Five Year Plan. The approved outlay for the project for the Financial Year 2015-16 was Rs 69.66 crores and for the present FY 2016-17 it has been increased to Rs.100.00 crores

**22.20** The services under NCS are available online and can be accessed directly, through Career Centres, Common Service Centres, mobile devices, cyber cafes etc. The various stakeholders on the NCS platform include job seekers, industries, employers, employment exchanges (career centres), training providers,

educational institutions and placement organizations.

**22.21** 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 20.7.2015 in Vigyan Bhawan, New Delhi. 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 3000 occupations under 53 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:

As on 30.11.2016.

Sr. No.	Activity	No. on Board
1.	No. of Job Seekers	3,70,96,799
2.	No. of Employers	14,85,810
3.	Information of Career Occupations	3,000

**22.22** 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, 1947 counsellors from various States/UTs have got registered at NCS Portal till 30.11.2016.

**22.23** 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), Quicker Jobs, Monster.com, Tech Mahindra (Saral Rajgar), Uber, Get Ahead fast, Hindustan Times, Indeed, Freshers World, First Job, Mera job, Urban Clap, Wheebox, Delivery Track, Association Skill Training Providers, Portea, Amity University, Babajob.com, Return of the Million Smile (India Old age/ Gold-Fish) & Department of post.

**22.24** 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. Multi-stakeholder Expert Groups have been constituted for various aspects under NCS like, network of career counselors, assessment tools, rural outreach strategies etc. Committees have also been constituted for steering the project.

**22.25** The NCS Project also envisages setting up of Model Career Centres (MCCs) to be established by States to deliver employment services using technology. The Government has approved establishment of 107 Model Career Centres (including 7 non-funded MCCs) till 30.11.2016. The Government is in the process of operationalising of these centres during the FY 2016-17. 60+20=80% payment to these MCCs is likely to be released upto 31.3.2017.

**22.26** The NCS Project has also been enhanced to interlink 978 Employment Exchanges with NCS Portal and part funding for up-gradation of Employment Exchange and for organising job fairs. 16 States have sent proposals and funds have been released to 06 States upto 30.11.2016

**22.27** 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. 1556 (908 in 1<sup>st</sup> Phase + 648 in 2<sup>nd</sup> Phase) Employment Officers have been trained on NCS Portal Management upto 30.11.2016. 53 Young Professionals (YPs) have been recruited and deployed in the various MCCs till September, 2016, and others are being recruited.

## NATIONAL EMPLOYMENT SERVICE

### INTRODUCTION

**23.1** 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. Regular meetings of the Working Group on National Employment Service are held under the Chairmanship of Director General of Employment & Training, 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.

### 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 978 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 thereunder. The establishments employing 10-24 workers in private sector are covered on voluntary basis.

**23.2** The employment service is now 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 alongwith collecting of EMI, providing VG and Employment counseling 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. Regular meetings of the Working Group on National Employment Service. The Working Group considered various issues pertaining to National Employment Service and made necessary recommendations.

**23.3** 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.**

**23.4** The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 provides for compulsory notification of vacancies and submission of employment returns (ER-I and ER-II) 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. Majority of the States/Union Territories have special enforcement machinery for this purpose. The amendments proposed to the Act were deliberated on by the Parliamentary Standing Committee on Labour and have recommended that the Act be comprehensively amended to make the functioning of Employment Exchanges more relevant to the needs of society and is being examined in the Ministry.

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) and follow up action is being taken in this direction. In the meanwhile, it has been decided by the IMC to let the existing act continue till the NCS stabilizes.

### **PERFORMANCE OF NATIONAL EMPLOYMENT SERVICE\***

**23.5** The details of the network of 978 Employment Exchanges as on 31.12.2014 are given in **Table 23.1** The main activities of the Employment Exchanges are registration, placement of job seekers, career counselling & vocational guidance and collection of employment market information.

**Table- 23.1**

➤ Total number of Employment Exchanges (at the end of 31.12.2014*, includes the following :	978
➤ University Employment Information and Guidance Bureaux (UEIGBx)	76
➤ Professional and Executive Employment Exchanges	14
➤ Special Employment Exchanges for the Physically Handicapped	42
➤ Special Employment Exchange for Plantation Labour	01

\*The Total Number of Employment Exchanges upto 31.12.2014 is 978

**23.6** The work done in regard to registration and placement up to December 2014 is given below:

**Table 23.2**

Number of job-seekers on the Live Register as on 31.12.2014	Nos (in lakh)
Men	311.83
Women	170.78
Total	482.61
Number of Job-seekers placed during 2014	
Men	2.78
Women	0.61
Total	3.39
Number of Job-seekers registered during 2014	
Men	37.68
Women	21.89
Total	59.57

**Salient features of registration and placements:**

**23.7 Number of Employment Exchanges:**

Number of Employment Exchanges has remained 978 in 2014. Among 978 Employment Exchanges, there are 76 University Employment Information and Guidance Bureaux, 14 Professional and Executive Employment Exchanges, 42 Special Employment Exchanges for the Physically Handicapped and 1 special Employment Exchanges for Plantation Labour

**23.8 Live Register:**

Out of total number of 482.61 lakh job seekers on Live Register, 311.83 lakh job seekers are men and 170.78 lakh job seekers are women.

**23.9 Registration:**

Out of total number of 59.7 lakh job seekers registered during 2014, 37.68 lakh job seekers were men and 21.89 lakh were women. Maximum number of job seekers (13.61 lakh) were registered in Tamil Nadu followed by 6.86 lakh in Maharashtra, 5.41 lakh in Kerala, 4.44 lakh in Gujarat, 3.56 Uttar Pradesh. and 3.36 lakh in West Bengal.

**23.10 Placement:**

During the year 2014, of the 3.39 lakh seekers that got employment through the employment exchanges, 0.61 lakh were women.

**23.11** Year-wise registration, placement, vacancies notified, submissions made and Live Register for the period 2006 to 2013 are given in **Table 23.3**.

Table 23.3.

(Nos. in Thousand)

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

\*Total Number of Employment Exchanges upto 31.10.2014 is 978 . However for compatibility among data used cut off point of data as on December 2013 has been used.

## CENTRAL EMPLOYMENT EXCHANGE, DELHI

**23.12** The Central Employment Exchange, Delhi is responsible for advertisement of vacancies of scientific and technical nature occurring in the Central Government Establishments with the basic pay of Rs.1400/- p.m (pre-revised) or above. 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 Employments News by Central Employment Exchange (CEE). From January 2016 to October, 2016, 63 vacancies notified by various Ministries/ Departments were advertised in the Employment News published by DAVP. It covers 11, 08, 17 and 27 vacancies for SC/ ST/ OBC/General (including horizontal reservation) respectively.

## EMPLOYMENT MARKET INFORMATION PROGRAMME (EMI):

### SCOPE, COVERAGE AND LIMITATION

**23.13** The Employment data in the organised sector is collected under the Employment Market Information 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.

**23.14** 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) and Occupational Return (ER-II) at quarterly and biennial intervals respectively. The employment returns are rendered at quarterly intervals showing employment on the last working day of each quarter whereas the occupational returns are collected biennially.

### EVALUATION OF EMPLOYMENT EXCHANGES

**23.15** The Programme of Joint Technical Evaluation of the Employment Exchanges and the University Employment Information and Guidance Bureaux is carried out in collaboration with the concerned State Government & Union Territory Administration in the country to ensure that:

- Agreed policies and procedures are followed;
- Standards maintained and Programmes implemented;
- Services rendered by the Employment Exchanges are made more effective;

- An effective co-ordination with the States/UTs is maintained.
- Training needs of the staff members and officers are looked into
- Necessary measures for the improvement of these services suggested.
- Evaluation of functioning of Employment Exchanges in States/UTs is an ongoing activity. The compliance on the suggestions made therein in the Evaluation Reports is followed effectively.

### VOCATIONAL GUIDANCE AND EMPLOYMENT COUNSELLING

**23.16** Vocational Guidance Units in Employment Exchanges and University Employment Information and Guidance Bureaux (UEIGBx) functioning within the University Campus render Vocational Guidance & Employment Counselling Services to the job-seekers. During the year under report, **409** Vocational Guidance Units in Employment Exchanges and **76** University Employment Information and Guidance Bureaux (UEIGBx) continued to function in order to provide necessary guidance and information to the job seekers and university students. The Vocational Guidance Units and the UEIGBx Collect and compile occupational information for dissemination to the students, teachers, parents and job-seekers (both individually and in groups) through career talks, individual counselling sessions, group discussions, career exhibitions and film shows.

**23.17 PROMOTION OF SELF-EMPLOYMENT**

- Self-employment Promotion Programme was undertaken due to general shortage of wage paid jobs.
- The Employment Exchanges have been assigned an important role in this area to motivate the unemployed youth for taking up self-employment as their livelihood.

- Self-Employment Promotion Cells(SEPC) in 28 selected Employment Exchanges were established in the country out of these now 22 Self Employment Promotion Cells are in existence.

**PUBLICATIONS**

23.18 The details of publications brought out by DGE are given in Box-24.1

<b>Employment Exchanges Statistics</b>	This is an annual publication of DGE. It gives complete Employment Exchange statistics along with their detailed analysis.
<b>Annual Employment Review</b>	This is an annual publication based on EMI data. It gives comprehensive data at three-digit level classification of industry & complete analysis of employment situation prevailing in the Organised sector.
<b>Trade Apprenticeship Training in India under Apprenticeship Training scheme</b>	This is an annual publication brought out by the Survey & Study Division of DGE&T. The publication presents statistics on establishments engaged in apprenticeship training, intake capacity, output and their employability in the labour market along with brief analysis of present scenario.
<b>Census of Central Government Employees</b>	This publication gives the profile of the Central Government Employees working across the country. The census is carried out through the network of Employment Exchanges (EMI Units) located the country.
<b>Bulletin on Job Opportunities in India</b>	This publication presents analysis of various vocations, qualification-wise viz. matriculates, ITIs, diploma holders, degree and post-graduate qualifications in various branches of engineering, technology, agriculture, medicine, natural sciences, social sciences and teaching etc.

## 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 disabled Ex-servicemen job-seekers.

**WOMEN**

**24.2** Year-wise performance of Employment Exchanges in respect of women job-seekers for the years 2006 onwards is given in **Table 24.1**.

Table-24.1

(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

**SCHEDULED CASTES / SCHEDULED TRIBES**

**24.3** Performance of Employment Exchanges in respect of Scheduled Caste/Scheduled Tribe and Other Backward Class job-seekers during 2010 onwards is indicated in **Table 24.2**.

Table-24.2

(in lakh)

Category	Activity	2010	2011	2012	2013
SCHEDULED CASTE	Registration	6.84	8.82	12.75	10.25
	Placement	0.32	0.30	0.31	0.32
	Live Register	64.04	66.82	71.66	72.92
SCHEDULED TRIBE	Registration	3.64	3.23	3.71	3.44
	Placement	0.19	0.20	0.19	0.21
	Live Register	23.09	24.04	25.31	24.87
OTHER BACKWARD CLASS	Registration	14.75	17.00	22.77	18.33
	Placement	0.27	0.22	0.19	0.23
	Live Register	99.36	105.76	116.71	114.14

**Salient features in respect of SC/ST job-seekers are as under:\***

- Live Register of SC jobseekers has increased by 1.26 lakh from 71.66 lakh in 2012 to 72.92 lakh in 2013 an increase
- Live Register of ST jobseekers has decreased by 0.44 lakh from 25.31 lakh in 2012 to 24.87 lakh in 2013.
- SC and ST jobseekers were 15.6% and 5.3% respectively of the total jobseekers on the live register at the end of 2013
- Placement of SC jobseekers has increased from 0.31 lakh in 2012 to 0.32 lakh in 2013.

**NATIONAL CAREER SERVICE CENTRES FOR SC/STs**

24.4 Twenty four National Career Service Centres (NCSs) for SCs/STs have been set up,

one each at Delhi, Jabalpur, Kanpur, Chennai, Hyderabad, Thiruvananthapuram, Kolkata, Jaipur, Ranchi, Surat, Aizawl, Bangalore, Imphal, Hissar, Nagpur, Bhubaneshwar, Guwahati, Mandi, Kohima, Jowai, Jammu, Jalandhar, Naharlagun & Puducherry. The NCSs at Jowai & Puducherry are in the process of being made functional.

**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 and Naharlagun.
- 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.

## 24.5 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 in Delhi.
- So far, 7604 SC/ST job seekers have successfully completed coaching for clerical/stenographer posts in 32 phases in NCSC Delhi.
- 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.

- 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.
- In 22 phases of the extended scheme 9883 SC/ST candidates have successfully completed the coaching. The 23<sup>rd</sup> phase is in progress with effect from 01.07.2016.

## SCHEME FOR PROVIDING COMPUTER TRAINING TO SC/ST JOB SEEKERS REGISTERED WITH EMPLOYMENT EXCHANGES

24.6 This scheme was started with effect from February 2004, with a view to provide Computer Training to SC/ST educated job seekers registered with the Employment Exchanges through outsourcing training facilities. The training of six months duration was arranged at Bangalore, Bhubaneswar, Chennai, Delhi, Guwahati, Hissar, Hyderabad, Jaipur, Kolkata, Nagpur, Surat Kanpur, Thiruvananthapuram, Ranchi & Mandi is coordinated by respective National Career Service Centers of DGE located at these places. So far 5 phases of the scheme were completed and 3086 candidates were imparted training. 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 has therefore, been decided 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. The training of 8 batches has already been completed. In eight batches, 13960 SC/ST candidates were admitted & provided training under the modified ‘O’ level one year computer training through National Institute of Electronics & Information Technology (NIELIT). The 9<sup>th</sup> batch of the “O” level one year Computer Training has been started w.e.f July 2016 with a seating capacity of 2000 SC/ST jobseekers at 21 NCSs for SC/STs including NCSC at Naharlagun in addition to the above said places. The one year ‘O’ level Computer Hardware Maintenance Training has also been started with effect from 01.08.2012.

**24.7** The training of four batches has already been completed. In four batches, 5350 SC/ST candidates were admitted & provided training. The 5<sup>th</sup> batch of one year Computer Hardware Maintenance Training has been started w.e.f August, 2016 with a seating capacity of 1000 SC/ST candidates at 19 NCSCs for SC/STs at all the above said places except Hisar & Jalandhar.

**24.8** For schemes of Employment Directorate Budget of Rs.22.20 crore has been kept during 2016-17. The important Schemes are “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 NCSs in the States not covered so far and “Rehabilitation of Handicapped”.

**24.9** The details of the Budget Estimates of the Plan Schemes of Employment Directorate for Financial year 2016-17 are given in **Table-24.3**.

**Table-24.3**

Sl. No.	Plan Schemes under Employment Directorate	Budget Estimates 2016-17 (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.	13.80
2	Construction, upgradation & Maintenance of Office Building, Staff Quarter, Skill Training Institute, VRCs for Handicapped and Rural Rehabilitation Extension Centres	8.40

**Scheme Summary for DBT Scheme “0586” ‘Welfare of SC/ST jobseekers through Coaching Guidance and Vocational Training:**

**24.10** 24 Coaching-cum-Guidance Centers (CGCs) for SC/STs i.e NCSCs are being run to

enhance the employability of educated SC/ST job-seekers registered with the Employment Exchanges through Coaching/Training/Counselling etc. At present 21 NCSCs are covered under DBT Scheme covering 4300 beneficiaries in three sub schemes i.e., (1) Special Coaching Scheme (1300 Beneficiaries), (2) Computer ‘O’ Level Training Software Course (2000 Beneficiaries) and (3) Computer ‘O’ Level Computer Hardware Maintenance Training (1000 Beneficiaries). The stipend is paid @Rs.500/- per trainee, per month on the basis of minimum 80% attendance during a particular month. A total of Rs 1.07 Crore was allocated for disbursement of stipend to the trainees during F.Y. 2014-2015, B. E. of Rs. 1.57 Crore was allocated for 2015-16 and a sum of Rs. 2.45 Crore has been allocated (BE) for 2016-17 (current F.Y.).

**Scheme Summary for DBT Scheme Number “0584” Stipend to Differently Aabled Candidates under Scheme of Vocational Rehabilitation Centre for Handicapped (VRCs)**

**24.11** At present, there are 21 NCSDA in the country, which evaluate the residual capacities of the handicapped (referred to as persons with disabilities also) in the categories of Locomotor, Visual & Hearing impaired, Mild Mental Retardation and Leprosy Cured and provide them adjustment training, to facilitate their early economic rehabilitation. No formal job oriented skill training is provided at these centres. Further rehabilitation services are also extended to the persons with disabilities living in the rural areas through the mobile

campus. Now, 2 NCSDA i.e, Una and Vadodara are covered under DBT Scheme w.e.f. 01.07.2016. Total budget allocated is Rs. 2 Lakh for the current financial year 2016-17.

**PERSONS WITH DISABILITIES**

**Employment Exchanges\***

**24.12** The Employment Service has been making special efforts to cater to the special needs of disabled jobseekers, performance of which for the last five years is given as under:

**Performance of Employment Exchanges in respect of Disabled Job-Seekers**

(In thousand)

Year	Registra-tion	Placements	Live Reg-ister
2004	52.4	3.4	565.9
2005	57.2	3.2	578.9
2006	58.8	3.4	597.4
2007	57.7	3.4	660.0
2008	54.9	3.7	669.4
2009	56.1	3.3	665.5
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

- *There has been consistent increase in the number of persons with disabilities on the Live Register.*
- *The number of disabled job-seekers placed during 2012 was 2.1 thousand.*

**SPECIAL EMPLOYMENT EXCHANGES FOR PHYSICALLY HANDICAPPED:**

24.13 Although, Employment Exchanges under the National Employment Service are generally responsible for the placement of Physically Handicapped, Special Employment Exchanges were also set-up for their selective placement. These exchanges attempt at securing for the disabled the most satisfying form of employment suitable to their residual physical and mental potentialities. As on Dec. 2013, there were 40 Special Employment Exchanges for physically handicapped and 38 were Special Cells dealing with physically handicapped.

24.14 Thirty Eight Special Cells for the physically handicapped 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 handicapped applicants at the Employment Exchanges by various State Governments.

24.15 The performance of the Special Employment Exchanges during 2011 and 2012 is given in the following table :

Year	2011	2012	2013
Registration	10213	13606	5653
Placement	462	237	249
Live Register	98639	102687	94657

**NATIONAL CAREER SERVICE CENTERS FOR DIFFERENTLY ABLED (NCSCDA)**

24.16 The Ministry of Labour & Employment

is committed to the implementation of the provisions of the Persons with Disabilities Act, 1995. 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 (NCSCDA) are functioning in the country, out of which, one Centre at Vadodara has been set up exclusively for women with disabilities. One (NCSCDA) at Ranchi has been established during 2013-14 and is in the process of operationalization.
- These centres evaluate the residual capacities of people with disabilities and provide them adjustment training and skill training with a view to integrate them in the economic main stream and make them productive citizens of the country.
- These centres play proactive role in creating public awareness and community participation in the rehabilitation of persons with disabilities.
- During 2016-17 (upto 31.10.2016), these Centres have registered 32794, evaluated 19,878 and rehabilitated 7,354 Persons with Disabilities.
- Construction of a barrier free building for NCSCDA at Guwahati has been completed.
- Skill development Initiative scheme based on Modular Employable Skill has been introduced in (NCSCDA) for imparting training to Persons with Disabilities.

- To synergize the link between demand and supply of skilled workforce, the Government has decided to transform (NCSCDA) into Model Career Centres for PwDs. The Centres will focus on career counseling as a key activity for youth with disability to pursue skill enhancement courses that are market-drive. The officers of the (NCSCDA) are being trained on professional counselling techniques. Outreach counselling sessions and job fairs will be a key activity in these Career Centres.

### **ASSISTANCE TO DISABLED EX-SERVICEMEN AND DEPENDANTS**

**24.17** In order to provide placement services to the disabled Ex-Servicemen/Border Security Force Personnel and the dependants of Defence Service Personnel/Border Security Force personnel killed or severely disabled 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 disabled during peace time as well as dependants of the

Defence Service Personnel killed or severely disabled in peace time provided that the death or disability was attributable to military service with effect from Feb, 1981. During the year 2016 (Jan to Oct) 17 disabled Ex-servicemen and dependents were registered for Employment Assistance..

### **MINORITIES**

**24.18** In pursuance of the Prime Minister's directive for 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 57.5 lakh job-seekers on the Live Registers of Employment Exchanges belonging to the minority communities at the end of December 2013. These account for 12.3% of total job-seekers on the Live Register.

## CHAPTER – 25

**RESEARCH AND TRAINING IN EMPLOYMENT SERVICE****NATIONAL INSTITUTE FOR CAREER SERVICE**

**25.1** The National Institute for Career Service (Erstwhile Central Institute for Research and Training in Employment Service (CIRTES)) is responsible for imparting training to Officers of Employment Service, conducting research in matters relating to various activities of the national Employment Service and bringing out career literature useful for career planning of the students, jobseekers and parents through employment Exchanges. NICS is the Nodal Institute for capacity building of all stakeholders under National Career Service Programme.

**25.2 Training Activities**

- Regional Training Programme for Employment Officers on NCS in collaboration with NIELIT conducted at 10 NIELIT centres across India during 05<sup>th</sup> January,2016 to 18<sup>th</sup> Feb,2016. Around 900 Employment Officers were trained during this training programme.
- One training programme on National Career Service Portal Management for officers of VRC and CGC was conducted (14-04-2016)
- Organised one Workshop cum Training Programme on NCS Portal Management for Job Seekers on 18-05-2016

- Organised one Workshop cum Training Programme on NCS Portal Management for Employers on 20-05-2016
- Organised one training programme on e-office on 22-07-2016
- Three weeks induction training programme for Young Professional during 04-07-2016 to 20-07-2016
- Second Phase Regional Training Programme for Employment Officers on NCS in collaboration with NIELIT conducted at 9 NIELIT centres across India during 17<sup>th</sup> October,2016 to 22<sup>nd</sup> Nov,2016. Around 400 Employment Officers were trained during this training programme

**25.3 TRAINING PROGRAMMES CONDUCTED**

- Induction training programme for third batch Young Professionals will be conducted from 02-01-2017 to 18-01-2017
- Third Phase Regional Training Programme for Employment Officers on NCS in collaboration with NIELIT to be conducted at 9 NIELIT centres across India during in the month of February,2017
- Refresher training programme for first batch Young Professional will be conducted from 19-01-2017 to 21-01-2017

## 25.4 NATIONAL CAREER SERVICE ACTIVITIES AT NICS

- Second round of Recruitment Drive for Young Professionals conducted at NICS, NOIDA on 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> April, 2016 and at Bengaluru on 8<sup>th</sup> & 9<sup>th</sup> April, 2016
- As a part of Government initiative to utilize the knowledge, energy and fresh way of thinking of young social leaders to help better transform the emerging landscape of Employment Services and Career Counselling in India, twenty eight Young Professionals have been recruited and deployed at various Model Career Centres located at various states.
- Third round of Recruitment Drive for Young Professionals conducted at NICS, NOIDA from 10<sup>th</sup>-12<sup>th</sup> August, 2016 and at Guwahati on 27<sup>th</sup> August, 2016.
- Young Professional posted at CIRTES are regularly monitoring the various activities of National Career Service viz.
  - National Career Service portal improvement and data analytics
  - Developing outreach programmes for widening the network of stakeholders

like industry associations, educational and training institutes, skill providers etc.

- Content development for training programmes
- Interacting with social media to improve the visibility of National Career Service
- Coordination of Model Career Centre activities
- Organized one Mega Job Fair in the campus on NICS on 20-07-2016.
- Organized one Mega Job Fair in collaboration with CII, JNTU at Hyderabad on 30-07-2016.

## 25.5 Renaming of CIRTES

- Central Institute for Research and Training in Employment Service (CIRTES) has been renamed as National Institute for Career Service (NICS) and rechristening of the same was done by Hon'ble Minister of State for Labour and Employment on 20-07-2016.

## CHAPTER – 26

# GENDER BUDGETING

### (A) WELFARE OF SCHEDULED CAST/SCHEDULED TRIBE

The Scheme includes National Career Service Centers for SC/ST to provide confidence building, training programmes and vocational guidance for candidates belonging to that category. These National Career Service Centres have been involved in Pre-Recruitment Training Courses for various Nationalized Banks and agencies.

(Rs. in Crores)

Programme	Expected outcomes/ Objective	Gender component of Programme/ sub Programme	Total Public Expenditure (Rs) 2015-2016 (Plan & Non-Plan)			Public Expenditure on Women/Girls(Rs) (2015-2016)			Gender Disaggregated Beneficiaries (extent of benefits to women) (2015-2016) 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 National Career Service Centres (NCSCs) for SC/STs and Establishment of new NCSCs in the states not covered so far.	To enhance the employability of SC/ST job seekers through Coaching, Guidance & Vocational Training	The programme is both for men and women unemployed educated job seekers.	10.08	5.51	15.59	4.74	2.59	7.33	83958 (47%)

# MINISTRY OF LABOUR & EMPLOYMENT

## (B) A GENDER BASED ANALYSIS (GBA) STATEMENT OF PUBLIC EXPENDITURE AND NUMBER OF BENEFICIARIES DURING 2015-16

(Rs. in Crores)

Programme	Expected outcomes/ Objective	Gender component of Programme/sub Programme	Total Public Expenditure(Rs) 2015-2016 (Plan & Non-Plan)			Total Public Expenditure (Rs) on Women/Girls (2015-2016) ( Plan &Non Plan)			Gender Disaggregated Beneficiaries (extent of benefits to women) (2015-2016) 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.	4.34	15.89	20.23	1.26	4.61	5.87	22373 (women beneficiaries) 29%



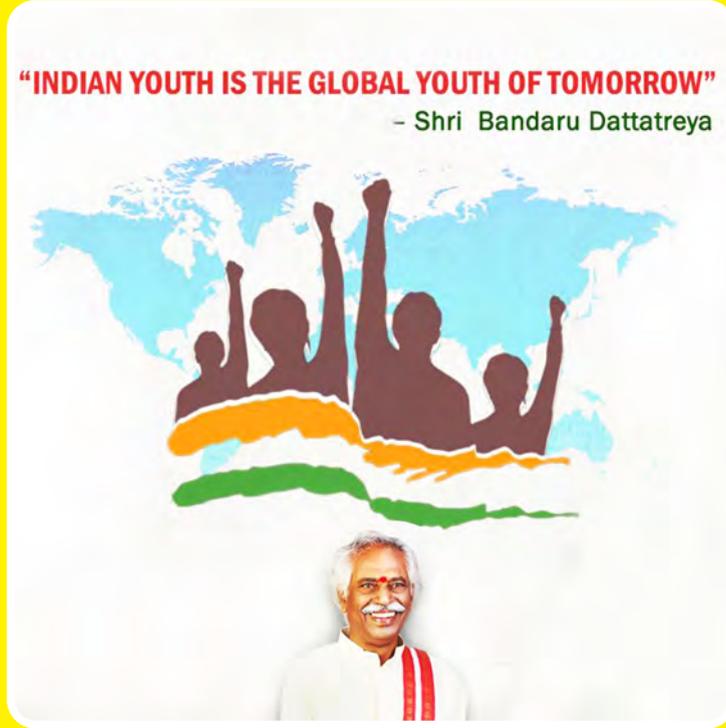






**"INDIAN YOUTH IS THE GLOBAL YOUTH OF TOMORROW"**

- Shri Bandaru Dattatreya



श्रमेव जयते

**Ministry of Labour & Employment  
Government of India**

Website : <http://www.labour.nic.in>