

**GOVERNMENT OF INDIA
LABOUR
LOK SABHA**

STARRED QUESTION NO:189

ANSWERED ON:15.12.2003

LABOUR REFORMS

M. JAGANNATH;VUKKALA RAJESWARAMMA

Will the Minister of LABOUR be pleased to state:

- (a) whether certain State Governments have demanded that the subject of labour reforms should come under the purview of States and it should be transferred from Concurrent List of the Constitution to the State List;
- (b) if so, the details thereof;
- (c) whether the Union Government has acceded to this demand;
- (d) if so, whether necessary amendments will be made in the Constitution; and
- (e) if so, the details thereof?

Answer

MINISTER OF LABOUR (SHRI SAHIB SINGH VERMA)

(a) to (e): A statement is laid on the Table of the House.

Day's Serial No. 9

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 189 FOR 15.12.2003 BY DR. (M. RAJESWARAMMA VUKKALA AND DR. MANDA JAGANNATH REGARDING LABOUR REFORMS.

(a) to (e): The Ministry of Labour has received no proposal from the States for transfer of subjects relating to labour from Concurrent List to State List. However, while discussing the Agenda Item No. 4 relating to Contract Labour and Contract Appointments at the Eighth Meeting of Inter-State Council held on 27-28 August, 2003 at Srinagar, some States suggested for giving more freedom to the States to introduce labour reforms, and transfer of the subjects relating to labour from the Concurrent List to the State List.

In pursuance of the powers derived by the Central Government from the respective entries in Concurrent List, a number of Central Labour Laws have been enacted and various central agencies have been created, over the times, to provide social security and other benefits on uniform basis. These agencies, to name a few, are Employees Provident Fund Organization, Employees State Insurance Corporation, Labour Welfare Organization, a number of Training Institutions under Directorate General of Employment & Training, Chief Labour Commissioner (Central), etc. With the transfer of these subjects from the Concurrent List to State List, not only the workers, country-wide, will be deprived of the existing benefits being availed by them, but also the States will take time to create their machinery to provide such benefits to the workers resulting in multiple-level of legislative protection to workers in States which may lead to inter-state migration of workers and industries. States are, however, allowed to make amendments even in the Central Labour Laws with a view to undertake labour reforms on their requests.

Further the establishments of the some Industries situated in different States will also be affected as the different States may adopt varying standards in enforcement of provisions of labour laws. The Central Public Sector Undertakings having installations in different States will be compelled to have different settlements under different Labour Laws for the same workmen.