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**STANDING COMMITTEE ON
LABOUR & WELFARE
(1996-97)**

ELEVENTH LOK SABHA

MINISTRY OF LABOUR

**DEMANDS FOR GRANTS
(1997-98)**

FIFTH REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

April, 1997/Vaisakha, 1919 (Saka)

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(ELEVENTH LOK SABHA)

MINISTRY OF LABOUR
DEMANDS FOR GRANTS (1997-98)

30 APR 1997
Presented to Lok Sabha on.....

Laid in Rajya Sabha on.....

5 MAY 1997



LOK SABHA SECRETARIAT
NEW DELHI

April, 1997 / Vaisakha, 1919 (Saka)

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CORRIGENDA

TO THE FIFTH REPORT OF THE STANDING COMMITTEE ON LABOUR AND
WELFARE ON DEMANDS FOR GRANTS, MINISTRY OF LABOUR, 1997-98.

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**COMPOSITION OF THE STANDING COMMITTEE ON
LABOUR AND WELFARE (1996-97)**

Shri Madhukar Sirpotdar — *Chairman*

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Lok Sabha

2. Shri Hansraj Ahir
3. Shri Chandulal Ajmeera
4. Shri Illiyas Azmi
5. Dr. Amrit Lal Bharti
6. Shri Narendra Bhudania
7. Shri Jai Singh Chauhan
8. Shri Ajoy Chakarborty
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27. Smt. Purnima Verma
28. Shri Rammurti Singh Verma

29. Shri Lal Babu Prasad Yadav
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Rajya Sabha

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34. Shri Mohinder Singh Kalyan
35. Shri Bangaru Laxman
36. Shri S. Muthu Mani
37. Smt. Urmilaben C. Patel
38. Shri Abdul Gaiyur Qureshi
39. Shri Jibon Roy
40. Shri Jagannath Singh
41. Shri Karma Topden
42. Shri Janardan Yadav

SECRETARIAT

- | | | |
|---------------------------|---|-----------------------------|
| 1. Dr. Ashok Kumar Pandey | — | <i>Additional Secretary</i> |
| 2. Shri J.P. Ratnesh | — | <i>Joint Secretary</i> |
| 3. Shri B.R. Kanathia | — | <i>Director</i> |
| 4. Shri R.S. Misra | — | <i>Under Secretary</i> |
| 5. Shri S.K. Saxena | — | <i>Committee Officer</i> |

INTRODUCTION

I, the Chairman of the Standing Committee on Labour and Welfare (1996-97) having been authorised by the Committee to submit the Report on their behalf, present this Fifth Report, on the Demands for Grants, 1997-98 on Ministry of Labour.

2. The Committee considered the Demands for Grants pertaining to the Ministry of Labour for the current year *i.e.* 1997-98 which were laid on the Table of the House on 21.3.97. Thereafter, the Committee took evidence of the representatives of the Ministry of Labour on 3.4.1997.

3. The Committee wish to express their thanks to the Officers of the Ministry of Labour for placing before them the detailed written notes on the subject and for furnishing the information the Committee desired in connection with the examination of the subject.

4. The Report was considered and adopted by the Committee at their sitting held on 21.4.1997.

NEW DELHI;
April 21, 1997

Vaisakha 1, 1919 (Saka)

MADHUKAR SIRPOTDAR,
Chairman,
Standing Committee on
Labour & Welfare.

CHAPTER I

INTRODUCTORY

1.1 The Shram Mantralaya (Ministry of Labour) is responsible for laying down policy in respect of labour matters including industrial relations, co-operation between labour and management, settlement of labour disputes, regulation of wages and other conditions of work and safety, women labour and child labour, labour welfare, social security etc., besides development and administration of employment service and training of craftsmen on national basis.

1.2 The implementation of the policy in regard to the above matters is also the responsibility of the State Governments concurrently with the Central Government.

1.3 To achieve the objectives, funds are required by the Ministry for their following functional divisions :—

1. Welfare of SC/ST and Other Backward Classes.
2. Labour Employment and Training.
3. Grants-in-aid to State Governments.
4. Grants-in-aid to Union Territory Governments.
5. Aid Material and equipment.
6. Capital outlay on other social services.
7. Loans for other social services.

1.4 The Demands for Grants asked by the Ministry are given under the Demand No. 58.

1.5 It has been stated in the Performance Budget that the Planning Commission made an allocation of Rs. 188.00 crores during the year 1996-97 of which Rs. 19.80 crores were transferred to Ministry of Urban Affairs and Employment.

1.6 Budget Estimates of the Ministry for the year 1997-98 are placed at Rs. 693.04 crores (Plan 177.54 crores and Non-Plan Rs. 515.50 crores). The Planning Commission made an allocation of Rs. 192.10 crores for the year out of which Rs. 14.56 crores have been transferred to Ministry of Urban Affairs and

Employment for incorporation in the Budget documents of that Ministry for capital works to be executed during 1997-98.

1.7 The Ministry has furnished the following statement showing Budget Estimates/Revised Estimates and Expenditure for the year 1996-97 and percentage Expenditure are given below :—

Plan Scheme

(Rs. in Crores)

S.No.	Activity	B.E. 1996-97	R.E. 1996-97	Expend. 1996-97	% over B.E
1.	Research and Statistics	2.70	2.74	3.05	112.96
2.	Industrial Relations	2.11	2.14	1.82	86.25
3.	Working Conditions and Safety	4.40	3.97	3.31	75.22
4.	Labour Education	1.93	2.35	2.45	126.94
5.	Rehabilitation of Bonded Labour	0.80	0.79	0.11	13.75
6.	Improvement of working conditions of Child/Women Labour	56.15	40.15	40.15	71.50
7.	Other items	5.67	5.61	5.08	89.59
8.	Employment	1.09	0.79	0.72	66.05
9.	Training	92.85	71.86	46.44	50.01
10.	Welfare of SC/ST	0.50	0.27	0.20	40.00
11.	N.R.F.	3.00	4.00	2.50	83.33
Total		171.20	134.67	105.83	68.81

Statement showing Budget Estimates/Revised Estimates for the year 1996-97

Non-Plan

(Rs. in Crores)

S.No.	Activity	B.E. 1996-97	R.E. 1996-97	Expend. 1996-97	% over B.E
1.	Sectt. Social Services	5.75	6.46	6.46	112.34
2.	Research and Statistics	2.30	2.65	2.65	115.21
3.	Industrial Relations	8.00	8.76	8.66	108.25
4.	Working Conditions & Safety	11.50	13.14	13.40	116.52
5.	Labour Welfare Scheme	52.95	47.77	36.95	69.78

1	2	3	4	5	6
6.	Transfer to Reserve Fund	49.00	51.62	51.62	105.34
7.	Social security	351.44	351.44	360.58	102.60
8.	Labour Education	8.63	9.40	9.40	108.92
9.	International Cooperation	3.54	3.54	2.60	73.44
10.	Other items	5.80	5.88	5.88	101.37
11.	Employment	6.70	7.80	7.49	111.79
12.	Training	13.80	14.44	13.07	94.71
13.	Welfare of SC/ST	0.75	0.85	0.77	102.66
Total		519.66	523.75	519.50	99.96

N.B. Figures of Expenditure shown under both Plan and Non-Plan are provisional based on the final Estimates received from the Divisions.

It may be seen from the statement furnished by the Ministry that the major funds allocated during 1996-97 on Training and Child Labour Schemes have not been fully utilised.

1.8 Giving reasons for less utilisation of funds, the Secretary, Ministry of Labour stated during evidence :—

"We are not satisfied with the performance. There is lot of scope for improvement. There are two important reasons for shortfall in expenditure. One was the meeting of the Expenditure Finance Committee in relation to child labour and in relation to World Bank assisted Vocational Training Project. The meetings were held on 2nd December, 1996 and by the time the authorisations were communicated, there was very little time to complete the formalities in relations to placement for installation of equipment and expenditure under the World Bank scheme. In relation to child labour, the approved outlay of Rs. 56 crores at B.E. stage was brought down to Rs. 40 crore at the R.E. stage. We had no alternative but to keep the expenditure within the reduced allocation. There was scope for increasing this expenditure conforming to the allocation at this stage if the scales of expenditure which were proposed by us could be sanctioned in relations to conducting countrywide survey to indentify child labour as required by the Judgement of the Hon'ble Supreme Court dated 10.12.96 and in relation to the requirement of funds by the National Child Labour Projects not only for 1996-97 but also for the coming two months of the current financial year."

1.9 The Committee are not satisfied with the performance of the Ministry in so far as the plan expenditure is concerned. The percentage of plan expenditure during the year 1995-96 and 1996-97 stood at 65.23% and 68.81% over budget estimates respectively which is far from being

satisfactory. The reasons put forth by the Ministry for non-utilisation of funds, such as delay in clearance of proposals by the Expenditure Finance Committee, delay in supply equipments under the World Bank assisted Vocational Training Project, non filling of sanctioned posts are not satisfying to the Committee. In their view, the Ministry has tried to escape on one pretext or the other, which is indicative of their poor monitoring. The Committee, therefore, recommend that the Ministry should make all out efforts for early completion of schemes in hand such as training, schemes pertaining to Child Labour, rehabilitation of Bonded Labour, welfare of SCs/STs, Labour Bureau etc. As regards lapses on the part of State Governments towards non-utilisation of funds earmarked under schemes, the matter should be taken up at the highest level. Steps taken and progress achieved in this regard should be communicated to the Committee within three months' time.

1.10 The Committee are constrained to note that the Ministry has not made any allocation towards workers' Participation in Management Scheme in the Budget Estimate for the year 1997-98 which indicates that the Government is not serious towards labour participation at decision making levels. Although a Bill to this effect was introduced in Rajya Sabha in the year 1993, yet the Ministry has not been able to finalise the recommendations received by them on the Bill so far. The Committee, therefore urge upon the Ministry to accord highest priority to the issue to enable the workers to participate at decision making levels. Steps taken in this regard may be communicated to the Committee within three months' time.

1.11 The Committee note that the percentage of expenditure for the years 1992-96 for vocational training programme for women (NVTI, New Delhi, RVTI, Mumbai and Bangalore) has been 19.51 only. The Committee further note that in RVTI, Mumbai 2112 trainees and in RVTI, Bangalore 3747 trainees have so far been trained in various courses including long term, short term, ad-hoc courses in a decade time. The Ministry has tried to escape on one ground or the other for their poor performance. The Committee are not at all satisfied with the performance of the Ministry in this regard. In their view the very purpose of the vocational training institutes is defeated if only 500 trainees are trained in a year in two institutes established in two Metropolitan cities of the country. They, therefore, strongly recommend that the Ministry should have a thorough monitoring over the scheme and make all out efforts to increase the number of trainees in these institutes. Also the vacancies of training officers should be filled up without further loss of time. Steps taken and progress achieved in this regard should be communicated to the Committee within three month's time.

CHAPTER II

REPORT

Major Head 2230

Sub Head 05

A. World Bank Assisted — Vocational Training Project

2.1 The Committee has been informed that the object of the project is to assist the Central and State Governments to modernise facilities/instructional aids, training methodologies, training materials workshops and class room buildings and to upgrade pedagogical and technical skills of trainers. It will also equip the vocational training system to cope with advanced technologies being introduced in the Indian Industry.

2.2 The project is national in scope covering 28 States/UTs in which ITIs are located and is being implemented under the coordination and direction of the Directorate General of Employment in the Ministry of Labour for a period of seven years since 1989-90. The project agreement signed by Government of India and the world Bank on June, 16, 1989, became effective on August 8, 1989. This project, scheduled to close on 31.12.96 has however been extended to 31.12.97 with a revised outlay of Rs. 579.78 crores as against Rs. 441.58 crores.

2.3 On being asked whether the project would be completed by December, 1997 the Secretary of the Ministry stated during evidence :—

"This project was launched in 1989. We had some slippages because the disbursements were suspended by the World Bank for about six months. There are three components which are inter-linked ones because of which there has been some delay. We have to depend on the State Governments and other agencies for timely completion of various components of the project. If civil work are not ready, equipments cannot be installed. During 1995-96 we made very sincere and earnest efforts. The World Bank would not have extended the life of the project if they would not have been satisfied with the progress of the project. When we met the Finance Secretary and the Expenditure Secretary in June this decision was not available. So, it was deferred till December. In December it was cleared and the sanction came in February leaving very little time for expenditure. I hope from 1997-98 where we have nine months to go we will be able to make up."

Adding further, the Secretary stated :—

"We have learnt valuable lessons from the past and certainly we would be able to register much better progress between April and December 1997 because now after the EFC approval the Cabinet Committee on Economic Affairs has to approve this project and for that purpose the memorandum has been circulated now. We are quite hopeful that we will be able to register better progress during the remaining period."

2.4 Asked whether all the equipments against which orders were placed have been received, the Ministry, in a written reply furnished to the Committee has stated that DGE&T placed orders for procurement of equipment worth Rs. 35.00 crores for 16 packages under NIT-V. Equipment worth Rs. 19.99 crores have already been supplied as on 15.3.97. The supplied under eight packages have already been completed. Supplies under the remaining eight packages, are in progress and is likely to be completed by November, 1997. Delays are mainly due to the suppliers inability to complete the supplies in time due to labour problems financial crunch and power shortage.

2.5 Asked whether a good number of staff posts are lying vacant under the scheme, the Ministry in a written reply furnished to the Committee has stated that out of 465 posts sanctioned for central sector scheme covered under the project, 163 posts have been filled up. The gap between the number of sanctioned posts and the number of posts filled up has occurred due to various administrative constraints and limitations, infrastructure etc.

2.6 The Ministry has further stated that out of 3948 posts sanctioned for the centrally sponsored scheme covered under the project only 3129 posts have been filled. Major backlog is in the States of Haryana, U.P., Assam and West Bengal. All the concerned States have been requested to fill the vacant post by 31 March, 1997 failing which there may be curtailment in World Bank Finance to the defaulting States towards other hardware components.

2.7 Asked to state the steps taken by the Ministry to persuade the State Governments of Haryana, U.P., Assam and West Bengal to fill up the vacant posts, the Ministry in their written reply has stated that the creation and filling up the posts by States is within their own jurisdiction. The States have been reminded continuously to take action in creation and filling up the posts already sanctioned by this Ministry. They have also been reminded that all vacant posts are to be filled by 31 March, 1997 and there would be likely curtailment in the World Bank finance to the defaulting States. The last letter in this regard was issued on 24.1.97 about the importance of filling up of the posts before 31.3.97,

as in the absence of requisite manpower States would face the problem of upkeep of equipment to be procured out of the enhance allocations.

2.8 Asked to state whether the Ministry are facing any administrative constraints to fill up the posts under the two major schemes the Ministry in their reply stated that various constraints and limitations faced by the Ministry are as follows :

- "1(i) Under the scheme setting up of New RVTIs, filling up of posts was linked with the availability of the permanent buildings as well as temporary accommodations. In the initial stages, there were delays on the part of concerned States (where some RVTIs are functioning temporarily) in providing suitable temporary accommodation and land for construction of permanent buildings. Therefore, many posts could not be considered for filling up for want of basic infrastructure. During 1993-94 when some temporary accommodation was available, this Ministry wanted to fill up various sanctioned posts but by that time, the Ministry of Finance order dated 3.5.93 was in-force and the post lying vacant for more than one year were declared as "deemed abolished", which required revival before these could be filled up. After a prolonged follow-up with the Ministry of Finance, the posts would be revived only in August, 1996. The revival of posts after May, 93 became difficult, also because it was linked up with the orders relating to 10% cut in posts."
- (ii) Another major reasons for delays in filling up of the posts are the lengthy recruitment procedures, which stretched sometime to more than two years by the time the selected candidates finally joined duty. For example, against a proposal sent to UPSC in February, 1995 for the recruitment of 24 Training Officers, the list of only 14 selected candidates has been received in Jan. 97. Pre-recruitment formalities are now being completed which might take another upto 6-8 months before the selected candidates join duty.
- (iii) Inter-dependence of the filling of position with creation of infrastructure like construction of building and procurement of equipment etc. For construction of civil infrastructure there were delays in :
 - (a) finalisation of construction agency and engagement of architectural consultants for Apex Hitech Institute buildings.
 - (b) provision of land by the concerned State Governments for permanent buildings to be set up for new RVTIs for women's training programmes.
- (iv) Dropping of civil construction component for buildings of the Apex Hitech Institute and new RVTIs for women's training programme for funding by the Bank under the extended Project.

- (v) Re-assessment of the number of posts by GTZ consultants, a German agency engaged in implementation of the Hitech Training scheme (the case for creation of consolidated requirement of posts is under consideration with the Ministry of Finance).
- (vi) Non filling of some of the sanctioned posts as they invited ban on their filling on account of being vacant for more than a year and had to be revived.
- (vii) Lengthy procedures for notification, evaluation selection, recruitment and positioning of staff under group 'A' posts which falls within the purview of UPSC, an agency for centralised selection and recruitment."

2.9 Asked whether any progress has been done by the Ministry in execution of civil works in the States, the Ministry in their written reply has stated that out of 444 civil works, 350 civil works have since been completed and 89 civil works are under different stages of construction. The work under construction are targeted to be completed by November, 1997. The Ministry has taken the following steps to persuade the State Governments for early completion of Civil works :

- (i) Continuous follow-up with the State Governments at various level.
- (ii) Visits to the States to review the progress and to speed up the construction work.
- (iii) Joint review with the World Bank of the latest position and stage of construction.
- (iv) Taking up the matter at the State Chief Minister's level.

2.10 Asked to state the expected date by which State Governments of U.P. and Rajasthan would be able to construct permanent premises for the respective Institute in RVTI, Allahabad and RVTI, Jaipur and when the institutes are likely to be operational, the Ministry in their written reply has stated that according to the scheme, the State Governments have to provide suitable plot of land free of cost. The permanent building for the Institute is constructed by the DGET, Government of India, as per the space norms for such Institutions. The allotment of land for RVTI Allahabad and Jaipur was made available to us after prolonged follow up with the concerned State Governments. The lease deed for the land at RVTI Allahabad was signed on 23.1.95 and for Jaipur on 16.12.95.

RVTI, Allahabad

In March, 1995, DGE&T requested the CPWD to inspect the land for RVTI Allahabad and prepare building plans, drawings and estimates etc. Due to busy

schedule of CPWD, that could provide us the drawings only in December, 1995. These drawings were discussed with the CPWD and Consultant Architect of the World Bank. Even though the drawings were modified in December, 1995 itself, the CPWD could submit the estimates only in June, 1996. As these were very high, CPWD was requested to revise/reduce the estimates. The reduced estimates were made available by CPWD in September, 1996.

RVTI Jaipur

Immediately after obtaining the land from the State Government in December, 1995, the CPWD was requested to prepare the building drawings and estimates etc. In March, 1996 we could get the preliminary drawings of the building and preliminary estimates were given by the CPWD in June, 96. These estimates also were very high and had to be revised/reduced by CPWD which they did by August, 96.

By the time we could get the required, revised building drawing plans and estimates, the World Bank put an embargo on taking up new constructions which could not get completed by December, 1997, i.e. the revised date of closure of the credit agreement. Therefore, construction of building is temporarily held up.

Meanwhile, as the building drawings and estimates were being prepared/revised, the sanction for the construction of boundary wall for RVTI Allahabad was issued in September, 1995, and for Jaipur it was done in May, 1996. These are nearing their completion.

The RVTIs at Jaipur and Allahabad started training activities soon after the temporary accommodation were provided by the respective State Government in August, 92 & October, 94 respectively. Some additional courses would also be started in these RVTIs from July, 1997 and October, 1997.

2.11 The Committee note that the World Bank Assisted Vocational Training Project which started in the year 1989-90 with a budget allocation of Rs. 441 crores was scheduled to close on 31.12.96. The time for completion of the project has since been extended upto December, 1997. The reasons put forth by the Ministry for slow progress of the project are due to delay in clearance of proposal, supplier's inability to complete the supplies in time, financial crunch and power shortage are not satisfying to the Committee. The Committee fail to understand as to how the Ministry would be able to complete the project by the end of December, 1997, the extended period in the absence of supply of equipments and non completion of civil works required for the project. The Committee view this situation seriously. In their view the monitoring of the Ministry in this regard has been very poor.

The Committee, therefore, strongly recommend that the matter should be taken up at the Minister's level and the Ministry should make all out efforts for completion of civil works and supply of equipments at the earliest to enable them to make the project functional by December, 1997. For this the State Governments and the defaulting suppliers should be pursued at the highest level. Steps taken and progress achieved in this regard should be communicated to the Committee within 3 months' time.

2.12 The Committee are concerned to note that a good number of posts required for the project are still lying vacant. Viewing this situation seriously, the Committee urge upon the Government to take up the issue with the concerned State Governments for filling the vacancies at the earliest.

Major Head 2230

Sub Head 08.03

B. Reorganisation and Strengthening of the DGFASLI Organisation and Establishment of Special Cell

2.13 Budget Estimates for the year 1996-97 was Rs. 6.03 crores and Revised Estimates for 1996-97 was Rs. 6.28 crores. The Budget Estimates for the year 1997-98 is Rs. 7.64 crores.

2.14 It has been stated in the Performance Budget that the main objective of the organisation is to function as a service organisation and to advise Central/ State Government trade union, employers and other in matter concerning safety, health, productivity and working condition in factories and ports and to carryout supportive research activities for updating the Factories Act, 1948 and the Dock Workers (Safety, Health and Welfare) Act, 1986.

2.15 It has also been stated that the Labour is a concurrent subject in the Constitution of India. The Factories Act, 1948 and the Dock Workers (Safety, Health and Welfare) Act are the legislations promulgated by the Government of India for ensuring safety, health and welfare of workers in factories and docks. DGFASLI functions as a technical arm of the Ministry of Labour. While the responsibility for enforcement of Dock Workers (Safety, Health and Welfare) Act lies with the Central Government and DGFASLI, the enforcement of provisions of Factories Act rests with the State Governments and UTs.

2.16 The Ministry has furnished the following table for showing details of national studies and surveys and research and consultancy studies conducted by the DGFASLI :—

S.No.	Title	No. of units covered			Remarks
		1994	1995	1996	
1.	Multidisciplinary study in Glass Bangle & glass industries of Firozabad region of UP.	14	—	—	Study completed & report submitted.
2.	Assessment of Dust level in major ports of India.	4 major ports	+1	+1(6)	—
3.	Survey on Establishment of Occupational Health Services for ports & Dock Workers of India.	6	+3	+2(11)	
4.	Status of Implementation of Factories Act regarding compulsory disclosure of information to workers about hazardous processes in Industry.	Northern & Eastern Region 52 units.	—	—(52)	
5.	Status & functioning of Safety Committees in docks.	11 major-ports	—	— (11)	
6.	Transport, Equipment Safety & Road Accident Study in ports	—	+3	+3 (6)	
7.	Process safety in fertilizer industry.	16	+2	— (18)	
8.	Environment study study in Fertilizer industry.	16	—	— (16)	

Note :— Numbers shown in the brackets indicate cumulative figures.

2.17 Regarding effectiveness of DGFASLI, the Ministry has submitted that the Ministry through DGFASLI continuously interacts with State Governments and Chief Inspectors of Factories monitor the trends of accidents and enforcement of safety measures provided in the Act. Ministry also formulates model rules for the uniformity of safety standards and their enforcement which are later on adopted by the State Governments.

2.18 Asked to state whether the recommendations made by the DGFASLI have been implemented by the State Governments the representative of the Ministry stated during evidence :—

"I would say that the recommendations made by DGFASLI have been gone through in terms of various studies that were done. They were given to the

State Governments, they were discussed with them and interaction was done. As a result of that in various studies which have been done, the recommendations of the DGFASLI are implemented in the sense that in one study which was done in Ferozabad last time, we have given the recommendations to them, they had formulated their action plan for implementation. I have received the reply from them as to the action they have taken on various recommendations, from Ferozabad. Similarly, we had done, some time back, a study in Madhya Pradesh also."

2.19 Asked to state that in what manner the implementation of the plan scheme will enable the DGFASLI to broaden the scope of carryout more survey and studies in relevant fields, the Ministry in their written reply has stated that in the IX Five Year Plan some more Plan Schemes are proposed to be got approved and implemented, and additional funds over and above those for VIII Plan are provided for improving the infrastructural facilities and creating more posts and multiplying various activities. Realising the advances made in the field of information technology and the need for creating a repository of information in occupational safety and health with a view to collating and disseminating safety and health information quickly, upgradation of the existing management information system and a network of Occupational Safety and Health Information System for the entire country is envisaged to be created.

Further considering the fact that the process technology is tending to be more complex and hi-tech, the safety technology also needs to be hi-tech. For this purpose, the enlistment of support from research organisation to carry out certain basic research, which will not be possible to be carried out by DGFASLI, a plan scheme to extend financial support to other Government and Non-Government autonomous agencies like IITs, CSIR Laboratories, etc., has been formulated. This Plan Scheme would facilitate the research being carried out in the field of safety and health particularly in the hi-tech areas. Thus the various activities intended to be carried out under the Plan as well as Non-Plan by DGFASLI would considerably enhance the scope of the studies and surveys in the relevant fields.

2.20 Asked to state the steps taken by the Ministry to fill the vacant posts, and number of new posts likely to be created, the Ministry in their written reply has stated that requisition to fill up the vacant posts has already been sent to the UPSC who have since advertised the same. The DGFASLI has proposed the creation of 573 additional posts under the various Plan Scheme during the 9th Plan period. Since the IX Plan period has just commenced, the proposals relating to the creation of additional posts are being examined. As such, the proposals for the creation of these posts have not yet been cleared by the Finance Ministry.

Dock Safety

2.21 It has been stated that all the ports are required to appoint safety officers as per the scale laid down in the schedule appended to the regulations. Against the total requirement of 31 safety officers in all the major ports as per the Dock Workers (Safety, Health and Welfare) Regulations 1990, only 11 Safety Officers have been appointed so far. As on date, the Mumbai Port Trust has appointed 5 Safety Officers, against the requirement of 6. The ports of Visakhapatnam, Paradip and Madras have appointed one safety officer each against the requirement of 4, 2 and 2 safety officers respectively. The ports of Tuticorin, Jawaharlal Nehru, Cochin, Calcutta, and new Mangalore have no safety officer at all.

2.22 Asked to state the steps taken by the Ministry to pursue the matter with the Ministry of Surface Transport to appoint safety officers in all the major ports, the Secretary, Ministry of Labour stated during evidence :

"We are pursuing this matter with the Secretary of the Surface Transport Ministry and the Chairman of the Port Trust at my personal level. There have been improvements though all posts have not been filled up."

The representative of the Ministry further added :

"For the appointment of safety officer, they have to send the proposal to the Ministry and so on. I said that whatever may be the case, they should identify the man and put him there. After they get qualified candidates, the post may be sanctioned. But legal action has not been taken."

Minor Ports

2.23 Asked to state whether the draft rules and regulations for Intermediate and Minor Ports have been framed after 4 series of meetings of the working groups and sent to the Government of Karnataka through the Director Ports, Karwar for approval, the Ministry in their written reply furnished to the Committee has stated that Dock Workers (Safety, Health and Welfare) Act, 1986 and the Rules and Regulations framed thereunder are applicable to the major ports only. The intermediate and minor ports do not come under the purview of the above said Act. If any State Government desires to have the help of the Central Government in framing the rules and regulations for the Intermediate and Minor Ports, this can be provided. The Rules and Regulations for intermediate and minor ports for the State of Karnataka have been framed after a series of meetings of the Working Groups. The DGFASLI is taking up the issue with the State Government to expedite the notification of Rules.

2.24 Asked to state whether it is possible for the Ministry to hold a Joint Meeting of all the Coastal States/UTs in order to frame a comprehensive rules/

regulations regarding their Intermediate and Minor Ports as provided under the Act, the representative of Ministry stated as under :

"I am saying honestly that it is there on our minds, we have made rules for Karnataka and for one more State also. Similarly, we intend to conduct a seminar-cum-workshop on the basis of this model. We are going to have two workshop-cum-seminars, for two States where they will sit together and frame rules. This will speed up the process of framing rules. The workshop-cum-seminars are already contemplated. The proposal is being sent to the Ministry."

2.25 When asked how soon the Ministry be in a position to take initiative in this regard the representative of the Ministry stated :

"We should be able to do this within this year."

2.26 The Committee note that although the DGFASLI organisation is shouldering the important task of improving the safety, health, productivity, working conditions in factories and ports, yet their performance has not been upto the mark. Section 91A of the Factories Act empowers DGFASLI to enter into any factory and conduct surveys into areas of safety and health. However, during the last three years the Department has been able to complete only one study which is indicative of their performance. There are a vast number of factories which need to be told, persuaded or even forced to take up measures for improving the level of safety and health of workers. The Committee further note that the relevant sections of the Factories Act do not empower the officers of DGFASLI to take steps including prosecution to see that their recommendations are followed by the factories. The Committee view this situation very seriously. They, therefore, urge upon the Ministry to strengthen the organisation by amending the Act to enable them to carry out more number of inspections and surveys in factories on a time bound scale. Also follow up action on the recommendations of the Organisations should be monitored by the Ministry regularly. The Committee further recommend that the Ministry should take up immediate steps to fill up the vacant posts in the organisation at the earliest. Steps taken and progress achieved in this regard may be communicated to the Committee within three month's time.

2.27 The Committee further note that the Jawaharlal Nehru Port Trust which is handling a large number of containers and bulk cargo does not have any Inspectorate of Dock Safety regulating it. Also the sanctioned strength and infrastructure of the organisation is far too inadequate to discharge its responsibilities of safety and health posed to the organisation due to vast

technological developments. The Committee, therefore, strongly recommend that the organisation should be strengthened to enable them to discharge their responsibilities towards safety and health of Port and Dock Workers. Further the Inspectorate for Jawaharlal Nehru Port Trust should be set up immediately so that statutory responsibilities under the Dock Workers (Safety, Health and Welfare) Act are discharged properly.

2.28 The Committee regret to note that no State Government has framed so far safety and health rules and regulations for its minor and intermediate ports in accordance with the Dock Workers (Safety, health and Welfare) Act, 1986 which is indicative of the poor monitoring by the Ministry over the scheme. The Committee view this situation very seriously. They, therefore, strongly recommend that the Ministry should take up the matter with the State Governments at the highest level and ensure that safety, health rules and regulations for minor and intermediate ports are framed without further loss of time. The Committee should be informed of the progress made by the Ministry in this regard within three month's time.

Major Head 2230

Sub Head 01

C. Social Security for Labour Deposit Linked Insurance Scheme

(i) Employees State Insurance Scheme

2.29 The Employees State Insurance Scheme provides medical care and treatment, cash benefit during sickness, maternity, employment injury, pension for dependants on the death of insured workers due to employment injury and payment towards expenditure on funeral of an insured person. It is mainly financed by contributions from the employers and the employees.

Coverage :

2.30 The Ministry of Labour has furnished the following data regarding the progressive position of coverage of establishments under the ESI Scheme during the last three years :

Year	No. of covered establishments
1994	1.62.191
1995	1.69.769
1996	1.90.944

2.31 The Ministry has further stated that a phased programme for implementation of the ESI scheme in 117 new centers has been formulated by the

ESI corporation in consultations with State Governments after proper survey for 1996-97 and 1997-98. In the non-implemented areas, there are 14727 establishment coverable under the ESI scheme.

Recovery of Dues

2.32 The Ministry has furnished the following data regarding the amount of ESI dues outstanding during the last three years, State-wise :—

(Rupees in crores)

S.No.	State	Amount of Total	Arrears as on	
		31.3.94	31.3.95	31.3.96
1.	Andhra Pradesh	14.96	15.18	14.92
2.	Bihar	2.16	9.05	9.99
3.	Assam	8.08	2.56	3.34
4.	Delhi	3.19	3.23	2.35
5.	Gujarat	12.51	13.94	18.08
6.	Haryana	4.46	4.08	4.51
7.	Karnataka	7.50	9.02	9.62
8.	Kerala	6.34	6.83	7.69
9.	Madhya Pradesh	16.51	16.91	18.65
10.	Maharashtra	34.46	35.71	40.84
11.	Goa	0.99	1.10	1.35
12.	Orissa	4.61	4.43	4.48
13.	Punjab	8.00	9.87	11.61
14.	Rajasthan	2.94	3.27	3.75
15.	Tamil Nadu	12.36	12.47	14.79
16.	Pondicherry	0.59	0.77	0.78
17.	Uttar Pradesh	13.36	14.99	21.81
18.	West Bengal	62.45	77.35	95.87

2.33 Asked to furnish details of dues recovered by the revenue recovery machinery of the Corporation Region-wise during the last three years, the Ministry of Labour has provided the following data :—

(Rupees in lakhs)

S.No.	Region	1993-94	1994-95	1995-96
1	2	3	4	5
1.	Andhra Pradesh	95.78	91.38	74.24
2.	Bihar	17.45	24.90	34.82
3.	Maharashtra	168.29	312.74	465.04

1	2	3	4	5
4.	Tamil Nadu	134.66	192.58	219.49
5.	Delhi	50.54	56.93	65.85
6.	Gujarat	115.24	167.61	175.81
7.	Haryana	33.73	66.00	87.98
8.	Karnataka	81.97	12.41	142.12
9.	Kerala	109.01	141.34	150.22
10.	Madhya Pradesh	20.90	30.46	66.02
11.	Orissa	3.69	14.73	25.39
12.	Punjab	33.36	112.18	55.44
13.	Rajasthan	22.81	33.40	47.05
14.	Uttar Pradesh	53.08	54.93	123.71
15.	West Bengal	486.32	602.09	560.82
	Total	1426.83	2025.98	2294.00
	Recovery through Collectors	262.79	114.11	51.42

Pendency of Cases

2.34 The Ministry of Labour has provided the following details of cases under section 85 of the ESI Act, and under section 406/409 of the Indian Penal Code during the year 1995-96 :—

(i)	No. cases pending at the beginning of 1995-96 i.e., 1.4.1995	Section 85 of ESI Act, 10605	Section 406/ of IPC 1929
(ii)	No. of cases filed during the year 1995-96	4623	183
	Total	15228	2112
(iii)	No. of cases decided during the year :—		
(a)	Defaulter convicted with fine only	1067	171
(b)	Defaulter convicted with imprisonment	91	
(c)	Defaulters acquitted/cases dismissed	291	13
(d)	No. of cases closed by the courts	22	2
(e)	No. of cases withdrawn	18	
	Total (a) to (e)	1489	187
(iv)	No. of cases pending as on 31.3.1996	13739	1925

Position of Staff

2.35 The Ministry has furnished the following data regarding the number of doctors, nurses and supporting staff in the ESI Hospitals directly run by the Corporation :—

	Sanctioned	In position
No. of Doctors	690	437
No. of Nurses	1087	769
No. of Supporting Staff	2592	1973

Grievance Redressal Machinery

2.36 The Ministry of Labour has stated in their written note furnished to the Committee that 190 complaints have been received about the quality of medicines and deficiency of services in the ESI hospitals during the last two years. Asked to state whether there is any grievance redressal machinery to look after complaints of the subscribers, the Ministry of Labour has stated that an elaborate grievance redressal machinery has been set up by the ESI Corporation as per instructions of the Department of Pension and Public Grievances. One Gr. 'A' officer in each of the 22 Regionl/Sub-Regional offices has been nominated as Public Greivance Officer. In Delhi area where the medical facilities are provided directly by the Corporation, one Additional Director (Medical) has been nominated as Public Grievances Officer. These officers have been assigned the responsibility of receiving and processing for redressals, public grievances of particular region/ Directorate of Medical, Delhi area. The Ministry has further stated that the overall situation is being monitored by the Director, Public Relations who has been nominated as Director, Public Grievance in the ESI Corporation. Public Grievance pertaining to Medical Benefit under the ESI scheme are taken care of by the respective Director, Medical (ESI Scheme) of the State Governments concerned. Grievances received from ESI beneficiaries by the Corporation offices directly are referred to State Governments for necessary action.

2.37 The Committee are not at all satisfied with the progress made by the Employees State Insurance Corporation in regard to their coverage of establishments. The Ministry has stated that a phased programme for implementation of ESI scheme in 117 new centres has been formulated by the Corporation in consultation with State Governments after survey for the years 1996-97 and 1997-98. In the non-implemented areas there are 14727 establishments coverable under the ESI Scheme. Keeping in view the fact that ESI is a social security for labour, the Committee strongly recommend that the Ministry should have a thorough monitoring over the entire scheme and ensure that maximum number of establishments are covered without further loss of time. Steps taken in this regard should be communicated to the Committee.

2.38 As regards recovery of outstanding dues, the Committee are of the view that the Revenue Recovery Machinery of the Corporation should be further strengthened. Also necessary steps should be taken to get the legal cases pending under Section 85 of the ESI Act and Section 406/409 of the Indian Penal Code disposed off quickly. Steps taken and progress achieved in this regard should be communicated to the Committee within three month's time.

2.39 The Committee regret to note that some of the drugs and dressings supplied by some firms to the Central Medical Store, ESI Hospital, Basaidarapur, New Delhi were found to be sub-standard. The Committee view this situation very seriously. They, therefore, strongly recommend that the Ministry should have a thorough monitoring over the supply of drugs to ESI Hospital and ensure that sub-standard drugs and dressings are not supplied to the Hospitals in future. Also the firm as well as the staff of the Corporation found to be involved in supply of sub-standard drugs should be dealt with severely. The Committee would also like to have the details of investigations made and action taken by the organisation against the defaulting suppliers as well as the staff of the Corporation involved in the sub-standard supply of drugs and dressings detected during the year, 1993. Steps taken in this regard should be communicated to the Committee within three month's time.

2.40 As regards functioning of ESI Hospitals directly run by Corporation, the Committee's experience has not been good. During their on the spot study visit to ESI Hospital, Basaidarapur, New Delhi, the Committee have noted that a number of posts (Doctors, Nurses and Supporting staff) required for running the Hospital are lying vacant. A large number of complaints are being received by the Hospital from the patients. The Committee view this situation seriously. They, therefore, strongly recommend that the grievances redressal machinery of the Hospital should be strengthened and steps should be taken to minimise the number of complaints being received from the patients. Also steps should be taken to fill up the vacancies without further loss of time. Steps taken and progress achieved should be communicated to the Committee within three month's time.

(ii) Employees Provident Fund Organisation

2.41 The Ministry of Labour in a written note furnished to the Committee has stated that number of covered establishment has gradually been increasing with a total covered establishments of 264848 in 1995-96 as against 251013 during 1994-95 and 236881 in 1993-94. During 1996-97 (upto February, 1997), the EPF

organisation has covered 12,532 new establishments and 8.38 lakhs new employees under the Act.

2.42 The Ministry has further stated that all the RPFCs have been directed by EPF organisation in December, 1996 to launch a drive for comprehensive survey and coverage of new establishments under the EPF & MP Act and to set up an information cell for monitoring and timely coverage of all new coverable establishments. The enforcement officers who work under the direct control of RPFCs are liable for action in respect of their poor performance but so far no such specific case has been reported.

2.43 Asked whether the Government has given a thought to amend the Employees Provident Fund Act, 1952 the Ministry has stated in their written reply that a proposal to reduce the quantum of employment from 20 to 10 and abolish infancy period and scheduled industries restrictions is under consideration in consultations with the Ministry of Finance and the EPF organisation.

2.44 Adding further, the Secretary, Ministry of Labour stated during evidence:—

"There has been a thinking that the schedule of category of establishments will be added. Even in the Central Board of Trustees, discussions have been held and we are extending the proposal for three areas. One is to reduce the eligibility criterion for covering an establishment from 20 to 10 employees (permanent, casual, temporary). The matter has already been recommended by CBT. It is now with the Government to decide."

Recovery of Arrears

2.45 The Ministry has furnished the following details of EPF arrears outstanding during the last three years :—

(Rs. in crores)

Years	Amount of Arrears
1993-94	357.04
1994-95	347.33
1995-96	421.40
1996-97 (as on 28.2.97)	359.97

2.46 Asked to state the latest position of the EPF arrears outstanding alongwith the action initiated by the organisation for speedy recovery of arrears, the Ministry in their written reply has stated that as on 28.2.97 total arrear of the EPF dues has been Rs. 359.97 crore. Necessary action as provided under section

7A, 8, 8B, 8F, 14 and 14B of the EPF and MP Act and wherever necessary under section 406/409 of the IPC is being taken to recover the dues outstanding against the defaulting establishments. During 1995-96, the EPF Organisations recovered an amount of Rs. 55.60 crore. During the last year the amount recovered upto February, 1997 was Rs. 55.18 crores.

2.47 Asked whether the Ministry is satisfied with the performance of the organisation in regard to speedy recovery of arrears, the Ministry has stated that performance of the EPF organisation has been generally satisfactory. However in order to expedite pace of recovery, the CPFC has been asked to take speedy action as provided under the Act.

2.48 Adding further, the representative of the Ministry stated during evidence:

"The effort has been made to recover the arrears. If during a particular financial year recovery is not effected, it will be taken care of in the next year. There is no harm in admitting that there are some arrears where recovery is not proper."

2.49 The Ministry of Labour in their written note furnished to the Committee has stated that the number of pending cases under section 7A of the EPF and MP Act, 1952 has been 6592, as on 31.3.96. Asked to state the steps taken by the organisation in clearance of pending cases under section 7A of the Act in all the regional offices of EPFO, the Ministry has stated that disposal of 7A cases is being monitored regularly. In December, 1996, the Regional Provident Fund Commissioners, have also been asked to launch a drive for expediting disposal of pending 7A cases.

2.50 Adding further the representative of the Ministry stated during evidence:

"Apart from monthly or quarterly reviews, we meet at the organisations haedquarters. The Hon'ble Labour Minister has also taken an exclusive review on the causes of pendency of several cases. He expressed serious concern in respect of pendency of cases. There has not been a working manual in the organisation for proceeding with the section 7A cases. Last year only, on the initiative of the Secretary (Labour), we appointed a Committee. So regular reviews are being made in respect of disposal of cases."

2.51 Summing up, the Secretary, Ministry of Labour stated during evidence:

"I am not personally satisfied with the functioning of the employees Provident Fund Organisations in all respect. But a lot of sincere efforts have been made to improve their functioning."

Computerisation

2.52 Asked to state the number of Regional and sub-Regional offices of the EPFO that have been computerised so far as well as the present strength of trained EDP manpower, the Ministry in their written reply has stated that Computer systems have become available in 73 offices out of the total 85 offices. The organisation has a sanctioned strength of 42 Supervisors, 74 AAOs, 71 Head Clerks, 387 Data Entry Operators and 25 UDCs for handling work on computers on a regular basis. The Ministry has further stated that it is proposed to install computers in the remaining 12 offices at the earliest.

Employees' Pension Scheme

2.53 Asked whether the Calcutta High Court has recently stayed operation of Employees' Pension Scheme, the Ministry in a written note furnished to the Committee has stated that the Calcutta High Court has not stayed the general operation of the Pension Scheme. The Court has, however, passed an interim order granting status-quo limited to the company in which the appellants have been employed.

2.54 The Committee take a serious note of the fact that the Ministry of Labour has furnished the same reply which they furnished a year back in regard to amendment of the EPF & MP Act, 1952 in order to check unscrupulous employers indulged in unfair practices. Out of 320 million workforce, only about 21 million have so far been covered under the existing Act. The Committee are not happy with the situation. In their view the enforcement machinery of the organisation is not upto the mark. The Committee, therefore, strongly recommend that in order to provide social security to an ordinary labour, responsibility should be fixed on enforcement officers of the area and concerned Regional Provident Fund Commissioners in case it is found that establishments otherwise fulfilling the criteria for coverage have not been covered under the existing Act. Also the existing Act should be amended at the earliest as was recommended by the Committee in their Eleventh Report on Demands for Grants 1995-96. Steps taken and progress achieved in this regard should be communicated to the Committee within three month's time.

2.55 As regards recovery of outstanding dues, the Committee regret to note that a large number of cases are pending with the organisation under Sections 7A, 8, 8B, 8F, 14 and 14B of the existing Act for a quite long time. The Committee view this situation very seriously. They, therefore, urge upon the Government to have a thorough monitoring in the matter and ensure that the pending cases under the aforesaid Sections of the Act are disposed

off at the earliest. The Committee would also like to have details of such cases pending with all the Regional Provident Fund Commissioner Offices alongwith their dates of pendency. Also steps should be taken to get the legal cases under Section 406/409 of the Indian Penal Code disposed off quickly. Progress achieved in regard to disposal of cases should be communicated to the Committee within three month's time.

2.56 During their on-the-spot study visits to Regional Offices of Employees Provident Fund Organisation, the Committee have noted that a large number of complaints regarding delay in disposal of cases, delay in issuance of cheques, cheques misplaced etc. are being received by the organisation from subscribers. The Secretary, Ministry of Labour admitted during the evidence that he was not personally satisfied with the functioning of the Employees Provident Fund Organisation in all respects. The Committee view this situation very seriously. They, therefore, strongly recommend that the Ministry should have a thorough monitoring over the functioning of the Employees Provident Fund Organisation and grievances redressal machinery of the organisation should be further strengthened. Also personal contacts between the subscribers and employees of the Regional offices should be minimised. Steps taken in this regard should be communicated to the Committee within three month's time.

2.57 The Committee have been informed by the Ministry that the present term of Central Board of Trustees has expired since February, 1996 and it is under reconstitution. The Ministry has further informed that they have to get nominations from the representatives of employers and workers organisation. The Committee are not satisfied with the reply of the Ministry. In their view action should have been initiated in advance to get the nominations from representatives of employers and workers organisation. The reply of the Ministry that the delay in reconstitution has not inhibited the functioning of the Board in any manner is not at all acceptable to the Committee. The Committee, therefore, strongly recommend that the Ministry should make all out efforts to get nomination at the earliest to enable them to reconstitute the Central Board of Trustees without further loss of time. Steps taken and progress achieved in this regard should be communicated to the Committee within three month's time.

Major Head 2230

Sub-Head 102.09

D. Director General of Mines Safety

2.58 The proposed Annual Plan Outlay for Mines Safety during 1997-98

amounts to Rs. 3286.25 lakhs and the approved outlay is Rs. 429.00 lakhs.

2.59 It has been stated in a written reply furnished to the Committee that some accidents occur due to non-availability of proper safety measures in mines, and in such cases, action under the Mines Act and the Rules framed thereunder are initiated against those who are responsible for ensuring safety measures in mines.

2.60 Asked to state the number of mines inspected during the year 1996 and also the number of mines identified as sick and accident prone, the Ministry in their written reply furnished to the Committee has stated that all the coal mines in the country (592 numbers), 32 Oil mines and all the metal mines in organised sector, have been inspected during the year 1996. Details of inspections and enquiries made in the above mines during the year 1996, as furnished by the Ministry, are given below:—

Inspection	1996
Coal Mines	5471
Metal Mines	2478
Oil Mines	226
Total :	8175
Enquiries	1079
Metal Mines	330
Oil Mines	50
	1459
Fatal Accident	998
Serious Accident	330
Complaints	156
Total :	1459

Figures are provisional. Based on the accident statistics of the previous 5 years (1991-95), severity indices are calculated in a company, accident prone mines are identified having more than predetermined percentile of severity index. This exercise had been completed for five coal companies during 1996 and 37 mines have been identified as accident prone. The numbers are varying from 2 to 9 in each company. Sickness of a company is not covered under the Mines Act and is not being looked after by DGMS.

2.61 When asked to state the number of accidents occurred in mines during the year 1996 the Ministry in their reply furnished the following details of accidents:—

Year	Coal		Metal		Oil		Total	
	Fatal	Ser.	Fatal	Ser.	Fatal	Ser.	Fatal	Ser.
1996	143	507	61	230	9	29	213	862
	(159)	(644)	(71)	(254)	(10)	(25)	(240)	(923)

[Figures are provisional and figures in bracket indicate casualties.]

2.62 When asked to state the number of accidents (fatal/serious accidents) that have occurred due to non-availability of proper safety measures in mines, the representative of the Ministry stated during evidence:

"Under the mines safety, fatal accidents are enquired by the DG Mines Safety. And the serious accidents are inquired by the office. They are invariably reported by the mine management. Some accidents occurred due to non-availability of proper safety measures. Some accidents have occurred in violation and contravention of rules and the same were pointed out and action is also taken by the respective mine managements. The responsibilities are fixed on the concerned mine management. Ultimately in some cases, cases are filed against the erring mine management."

2.63 When asked to state the steps taken by the Ministry for non-recurrence of the accidents, the Ministry in their reply furnished to the Committee has stated that during 1996, 58 occurred due to non-availability of proper safety measures in mines. The officers of the DGMS invariably enquire into all the fatal accidents in mines. Normally, serious accidents are not being enquired by the DGMS. After the conduct of accident enquiry generally following actions are taken:—

1. Prosecution
2. Suspension of Certificate
3. Cancellation of Certificate
4. Warned by DGMS
5. Other action taken
6. Warned by Management
7. Transferred by Management
8. Demoted by Management

9. Promotion withheld
10. Increment withheld
11. Removed from statutory post
12. Suspension
13. Removed from Service
14. Censored.

2.64 On being asked about the steps taken by the Ministry for non-recurrence of these accidents, the representative of the Ministry state:—

"First of all, we are constantly analyzing the accidents to find out the most important causes of the accident. Recently a survey had been done. There are four major groups of accidents. All these cases belong to Coal India and the major producers of coal. Four presentations have been made. One is, for example, on reckless transport system. We have issued circulars to them. We are trying to involve them in this process. This has also given us results. Two circulars have been issued to industries for compliance in the rectification of various defective systems. We are in the process of issuing some more circulars in connection with the non-recurrence of these accidents.

There are two courts of inquiries. One is in the process. One accident took place on 25th of January, 1994. Its inquiry has been completed. Its report was submitted to the hon. Minister on 22nd February, 1997.

The second inquiry is in process at Dhanbad today. It is in the court. Mr. Justice Mukerjee will be chairing the court proceedings. This is the third sitting of the court. The submissions have been filed before him today."

2.65 Asked whether the Ministry is satisfied with the safety measures for non-recurrence of these accidents, the representative of the Ministry has replied in negative.

2.66 When asked what action the Ministry has taken to create more posts, the Secretary stated in the evidence:—

"Both J.G. Kumaramangalam and Gurdas Das Gupta Committee recommended sanction of more than one thousand manpower. It is an extremely uphill task for the DGMS or for the Ministry to really have all the sanctions in one go. It is a problem of not only obtaining the manpower but filling up the posts and for arranging the training."

The representative of the Ministry further added :—

"Since last time, the promises have been made in two directions. One is of our plan schemes which are not approved and which are standing in the way of creation of posts and those bottlenecks have been removed now. All our plan schemes are approved now. This one step forward in the right direction. The second one is to form the Assessment Committee to justify the creation of posts. We are doing that at the moment."

2.67 When asked whether the Ministry is pursuing with the Ministry of Finance and U.P.S.C. for revival of two abolished posts of DDG's and one post of Deputy Director, the Ministry in their written reply furnished to the Committee has stated that the Ministry of Finance have agreed to the revival of two abolished posts of DDG's. Ministry as per the advice of the Ministry of Finance is taking the matter with the Cabinet Secretariat for its approval. As regards, one post of Deputy Director (OH), the proposal is with the Ministry of Finance for their approval.

2.68 The Committee note with distress that although the fatal accidents in mines are increasing yet the Ministry has not been able to create additional posts of inspecting officers as per recommendations made by J.G. Kumaramangalam Committee. The representative of the Ministry asserted during evidence that the safety measures being adopted in mines were inadequate. The Committee view the situation very seriously. In their view the Committee cannot be a silent spectator keeping in view the increasing trend of fatal accidents. They therefore, strongly recommend that the matter should be taken up at the highest level and Ministry should ensure that the Directorate General of Mines Safety Department are equipped with required staff strength without further loss of time. Also efforts should be made to get the legal enquiries disposed off quickly.

Demand No. 58 – Payment of Grants to Non-Government Bodies

E. V.V. Giri National Labour Institute, NOIDA

2.69 It has been stated in the Performance Budget that the V.V. Giri National Labour Institute was registered as a society under the Societies Registration Act, 1860 by the Government of India on the 11 February, 1972 and became operational and started functioning in July, 1974 with the objective of providing education training, research and consultancy in Labour and related subjects. Since its inception, the Institute has endeavoured through its research, training, education consultancy and publication, to reach out to diverse groups concerned with various aspects of labour in the organised and the unorganised sectors

including rural sectors and academic insight and understanding in policy formulation and action to ensure a just place for labour in an egalitarian and democratic society.

2.70 The Committee have been informed that the Institute is mainly funded by the grant released by the Government of India. The Ministry has furnished the following details of finance from 1991-92 to 1996-97.

(Rs. in lakh)

Year	Plan	Non-Plan	Institute's Income	Total
1991-92	10.38	44.65	10.67	65.70
1992-93	161.97	50.50	17.71	230.18
1993-94	140.70*	63.45*	14.65	218.80
1994-95	57.34**	77.60	13.70	148.64
1995-96	40.00	86.70	16.13	142.83
1996-97	95.00	90.00	17.21	202.21

* Rs. 62.92 was carried forward from 1993-94 to 1994-95.

** Rs. 14.01 was carried forward from 1994-95 to 1995-96.

2.71 Details about the extent of financial support received from various external agencies during 1991-92 and 1995-96 are as follow :

Year	ILO/UNICEF	Other	Total
1991-92	6.43	2.90	9.33
1992-93	17.58	9.06	26.64
1993-94	34.68	11.02	45.70
1994-95	19.17	11.63	30.80
1995-96	33.52	13.76	47.28
1996-97*	30.62	1.58	32.20

* Provisional Estimate.

2.72 Asked to state whether the funds allocated by the Ministry are sufficient for proper functioning of the Institute, the Ministry in their written reply furnished to the Committee has stated that the new accommodation at NOIDA is quite large and accordingly this institute needs large funds for building up infrastructure like library books, furniture, computers, conference rooms etc. They further stated that the funds are allocated to the Institute depending upon the overall resources available to the Ministry of Labour allocated to it by the Planning Commission

and overall priorities of the Ministry. The Institute was given Rs. 95 lakhs of plan funds in 1996-97 whereas in 1997-98, an amount of Rs. 1.14 crores has been earmarked for the Institute.

2.73 The Ministry has stated that the Institute has an overall strength of 16 members of the faculty. Out of this, 3 posts of senior faculty were lying vacant for almost 3 years while one member of faculty has been on long leave for almost two years. Steps have been taken to fill up these posts. Two posts of senior faculty have already been filled up while the third is expected to be filled up shortly.

2.74 The Ministry has also stated that no evaluation study has been carried out for the requirement of faculty staff for running the programme of the Institute. As a first steps, effort was made to fill up the vacant posts. After the post have been filled up, if required, such an evaluation study will be undertaken.

2.75 Asked to state the reasons for decline in the number of programmes as well as number of participants for the programme conducted by the Institute during the year 1996-97, the Ministry in their written reply furnished to the Committee has stated that the main reason for decline in the number of the programmes conducted by the Institute during 96-97 was that more emphasis was given on research. The number of participants declined because the number of programmes was marginally reduced in 96-97 as compared to 95-96. For 97-98 the Institute has planned to organise 49 training programmes as against 37 training programmes undertaken during 96-97. It will be possible to organise more programmes because additional members of faculty will be joining the Institute, as a result of filling up of the vacant posts.

2.76 When asked whether the Government has given a thought to modernise the Institute with foreign assistance/fund, the Ministry in their written reply has stated that the Institute is being modernised by the Ministry by allocating enhanced funds under the plan scheme. Foreign assistance is being used for carrying out certain projects. For instance, Child Labour projects are being undertaken with the assistance of ILO/UNICEF.

2.77 Asked to state the number of meetings of Executive Council held during the last three years alongwith major decisions arrived at and whether follow up action is being monitored by the Ministry, in their written reply the Ministry has stated that three meetings of the Executive Council have been held during the last three years. The follow up action taken is monitored by the Ministry. The third meeting was held on 25.3.97 and action on the recommendations of the Executive Council will be taken during this year.

2.78 When asked whether faculty members are also included in the composition of Executive Council, the Ministry in their written reply has stated that at present,

no faculty members have been included in the composition of the Executive Council. However, whenever considered necessary, they are requested to attend the meetings of the Executive Council.

2.79 Asked to state whether in the year 1990 a Child Labour Cell was set up in the Institute with the support of the Ministry and UNICEF and what has been the achievements of the cell during the last seven years in abolition of Child Labour, the Ministry has stated that the Child Labour cell, set up initially, was converted into a National Resource Centre on Child Labour in March, 1993. The Centre has carried out a number of activities to highlight the problem of child labour. A major Documentation and Information Cell has been built up. 40 publications on different aspects of child labour have been brought out. The centre has published 89 research articles in national and international professional journals and magazines. The Centre has completed 71 research projects on situational studies on child labour in child labour prone industries, Child Labour Laws etc. 54 training programmes for various target groups have been completed. The centre has also collaborated with ILO, UNICEF, State Level Institutes and has also set up networking with 400 NGOs, National Trade Unions, Employers' Organisations International Organisations and Universities etc.

2.80 Asked to state whether a thought has been given for introduction of new schemes for women to extend employment opportunities to them in industrial sectors and self employment sectors and when these schemes are likely to start the Ministry in their written reply has stated that to improve the existing vocational/skill training facilities available to women in NVTI/RVTIs and to extend the facilities to other regions, as also to meet the skill training demands of different target groups, new schemes have been included in the Ninth Five Year Plan. Due to paucity of funds, no separate provision for these schemes has been approved by the Planning Commission. Two of these new schemes have been specifically drawn for women to extend employment opportunities to them in industrial sectors and self employment sectors, which are :

(i) Scheme : Diversify Training facilities for women in Non-formal Training Objective/outline of the scheme.

A large number of women workers in the organized sector are expected to be displaced from their jobs due to the technological developments & advancements. This scheme proposes to offer short-term training programmes in employable skills to such group of women workers.

It is proposed to divide the training programmes into modules of employable skills so as to create flexible training system and enable the training institutes to quickly respond to the emerging training demands.

A measure of basic autonomy required for this purpose may also need to be delegated to the training Institutes.

(ii) Scheme Setting up Production-cum-training units in women Training Institute at NVTI/RVTIs

Objective/outline of the scheme :

Schemes Envisages setting up of the Production-cum-Training Centres (PTCs) at NVTI/RVTIs and other women training Institutes for trades like Dress making, Embroidery and needle craft, Electronics, etc. Due to paucity of funds, no separate provision for each of these schemes has been made in Annual Plan 1997-98 and the schemes are expected to be taken up after they are approved in principle.

2.81 When asked whether the Government has given a thought to run degree courses in Labour and social science in the Institute the Ministry in their written reply has stated that the Government is considering that a degree course on labour laws etc. may be offered by the Institute. To this effect, the Institute has already held a meeting with the professors of the Indira Gandhi National Open University and a workshop to further discuss and examine the issue is planned for April-May, 1997. Tentatively, it is planned that initially a one year certificate course may be introduced which can in due course, be upgrade to a diploma course and finally to a degree course on labour laws and allied aspects.

2.82 Asked to state the number of consultancy studies conducted by the Institute during the last three years alongwith the title, date and year of publication, the Ministry has furnished in a following table :

Title	Date	Year of Publication
Indian Response to Gulf Crises	The study was conducted in 1992-93	1994

2.83 The Ministry has further stated that the Institute has conducted only three workshops between March, 1996-97. During the current year, they are Planning 5 workshops to be organised by the Institute.

2.84 The Committee note that although V.V. Giri National Labour Institute NOIDA has been established with the objectives of providing education, training, research and consultancy in Labour and related subjects, yet the budget earmarked for the year 1997-98 is Rs. 1.14 crores only. The Committee further note that faculty complement of the Institute is grossly inadequate to discharge its functions efficiently and effectively. The Committee therefore, urge upon the Ministry to strengthen the National Labour Institute by allocating more funds and increasing their faculty strength to enable

them to function efficiently. Also the number of consultancy studies being conducted by the Institute should be enhanced and efforts should be made to introduce one year Certificate Course of Labour Laws and Allied subjects at the earliest. Progress achieved in this regard should be communicated to the Committee within three months' time.

F. Minimum Wages

2.85 India as a Welfare State is committed to provide fair wages to its working population more particularly in the sweated industries. One of the basic principles of economic justice to end the exploitation of work force in the unorganised sector. It has been the constant endeavour of the Government to ensure a minimum wage to the workers in the sweated industries and this has been sought to be achieved through the fixation of minimum wages.

2.86 The Minimum Wages Act provides for fixation/revision of Minimum rate of wages of workers employed in "Sweated Industries" that is industries in which Labour is by and large, unorganised and is not in a position to care for itself. The Act requires the appropriate Government Central or States, and Union Territories to fix and revise the minimum rates of wages payable to employees in respect of scheduled employments.

2.87 The Ministry in a written reply furnished to the Committee has informed that revision of Minimum Wages under the Minimum Wages Act as also conducting survey for the purpose of inclusion of certain employments as scheduled employments under the Act is a continuous process. The last survey report pertained to the implementation of the Minimum Wages Act in *bidi* making establishments in Andhra Pradesh and it was released in February, 1997. The survey work for this was completed in March-April, 1995. Another report on agriculture in West Bengal is under finalisation. The survey work for this was completed in January-February, 1996. The survey on the *bidi* industry in Karnataka has been launched in February, 1997 and would be completed by the end of April, 1997.

2.88 As regards guidelines issued by the Central Government for fixation of Regional Minimum Wages, the Ministry in their written reply has stated that the Government has already circulated the guidelines or reducing disparities in the regional minimum wages. The main features of the guidelines are:—

- (a) Six Regional Minimum Wages Advisory Committees in the country, one each for the Eastern Region (West Bengal, Orissa, Sikkim, Bihar, Andaman & Nicobar Islands); North Eastern Region (Assam, Manipur, Meghalaya, Nagaland, Tripura, Arunachal Pradesh, Mizoram); Southern Region (Andhra Pradesh, Karnataka, Kerala, Tamil Nadu, Pondicherry,

Lakshwadeep); Northern Region (Punjab, Rajasthan, Himachal Pradesh, J&K, Haryana, Delhi Chandigarh); Western Region (Maharashtra, Gujarat, Goa, Dadra & Nagar Haveli); Central Region (Uttar Pradesh, Madhya Pradesh), may be set up.

- (b) The question of recommending the regional minimum wage may be considered employment-wise and the committee may go into the specific employments where minimum wages for the same employment(s) in one of a set of contiguous States causes problems in other States.
- (c) While considering the rates of regional minimum wage for any specific employment, concept of poverty line, the prevailing wage rates in that employment in different States of the region, the capacity to pay among others will be duly taken into account.
- (d) The minimum rates recommended may be linked to the All India Consumer Price Index Number States may revise the wages whenever there is a rise of 50 points in the CPI.

2.89 Asked to state whether the six Regional Minimum Wages Advisory Committee have been set up, the Ministry in their reply has stated that the six Regional Minimum Wages Advisory Committees have been set up by the Government. Two rounds of the meetings of these Committees have already been held and the third round is in progress.

2.90 Asked whether some of the State Governments are not taking action to revise the Minimum wages fixed in their States after every six months, the Ministry in their written reply has stated that the Minimum Wages Act requires that the minimum wages for the scheduled employments will be revised atleast once in five years. However, the Government is thinking of amending the Minimum Wages Act so as to provide for revision of minimum wages once in two years. The State Governments have also been requested to link minimum wages to the CPI and revise the variable component every six months, or when the CPI increases by 50 points, whichever is earlier. According to the latest information available in the Ministry of Labour, States of Andhra Pradesh, Assam, Gujarat, Karnataka, Kerala, Maharashtra, Tamil Nadu, Uttar Pradesh, Orissa, Haryana, M.P., Manipur, Punjab, West Bengal and UTs of Chandigarh, Pondicherry & Delhi have provided a component of variable DA for some or all of the scheduled employments in their respective States. As regards the Central sphere, all the scheduled employments have been linked to the CPI and they are revised every six months.

2.91 Asked to State whether the State Governments are revising the wages whenever there is a rise of 50 points in CPI, the Ministry has stated that based

on the recommendations of the Indian Labour Conference held in 1980, all the State Governments. UT Administrations were requested to revise the minimum wages once in two years or on a rise of 50 points in the Consumer Price Index. This point has also been emphasized in the Regional Labour Ministers' Conference held from time to time. As per the information available in the Ministry of Labour, 15 States/UTs have linked their minimum wages to the Consumer Price Index and it is revised upwards automatically after every 6 months.

2.92 Asked to State whether the Government is thinking to amend the Minimum Wages Act so as to provide for revision of minimum wages once in two years, the Ministry has stated that Section 3 of the Minimum Wage Act provides for the revision of minimum wages atleast once in 5 years. However, the Govt. examined the matter and felt that this section needed to be amended and accordingly, the Government have decided to provide for revision of minimum wages once in two years.

2.93 Asked to State whether the Ministry has given a thought to have a Common National Minimum Floor level wages, the Ministry has stated that the Union Labour Ministry has been requesting the State Governments to have a common national minimum floor level wage. In the meeting of the Standing Labour Committee, held in Sept., 1996, it was generally agreed that no wages below Rs. 35/- should be fixed in any State. This question was also discussed in the 33rd Session of the Indian Labour Conference in Oct., 1996 where again the need for fixing wages not below the national minimum floor level was emphasised. This view was endorsed by the Conference. This point has also been repeatedly emphasised in the meeting of the Regional Labour Ministers' Conference held last year in Oct., 1996 and Dec., 1996 for South Zone, North Zone, Eastern and North-Eastern Zones.

2.94 Asked to State whether the Labour Minister had requested the State Governments to devise a common national minimum floor level wages, the Ministry in their reply has stated that the Union Labour Minister requested the State Governments to ensure that the minimum wages were not fixed below a common national minimum floor level wage. This was calculated at Rs. 35/- per day based on the prices prevailing in the year 1996. The minimum wages in all the scheduled employments under the central sphere are at and above Rs. 35/- per day. As regards the prevailing minimum wages in the State Govts./UT Administrations, a statement giving details is annexed (Annexure I).

2.95 The Committee are concerned to note that minimum rates of wages for the unskilled workers still vary from State to State which is clearly indicative of the fact that monitoring of the Central Government in this

regard has been very poor. The Committee view this situation seriously. In their view the matter should be taken up at the highest level and State Governments should be pursued to have a Common National Minimum Floor Level Wage so that the problem of migration of workers can be tackled effectively. Also vigorous efforts should be made to pursue the State Governments to link minimum wages to the Consumer Price Index and revise the variable components every six months or when the CPI increases by 50 points whichever is earlier. Steps taken in this regard should be communicated to the Committee.

2.96 As regards revision of fixed minimum wages is concerned the Committee has been informed by the Ministry that the Government is thinking of amending the Minimum Wages Act so as to provide revision of minimum wages once in two years. The Committee would, therefore, like to urge upon the Government to bring forth the aforesaid legislation at the earliest so that the poorest of the poor in the country is benefitted.

NEW DELHI;
April 21, 1997
Vaisakha 1, 1919 (Saka)

MADHUKAR SIRPOTDAR,
Chairman,
Standing Committee on
Labour and Welfare

ANNEXURE I
(Vide Para 2.94 of the Report)

Minimum Rates of Wages for the Unskilled Workers in Different States/Union Territories Administration

(as on 1.1.97)

Sl.No.	Name of State Govts./ U.T. Administration	Range of minimum rate of wages & date of last revision	Remarks
1.	Andhra Pradesh	Rs. 11.00 to * Rs. 42.40 p.d. (12.2.96)	Rates vary from employment to employment
2.	Arunachal Pradesh	Rs. 21.00 to Rs. 23.00 p.d. (1.1.94)	Rates vary from employment to employment and areas to to areas.
3.	Assam	Rs. 33.00 to * Rs. 44.30 p.d. (1.4.95)	Rates vary from employment to employment
4.	Bihar	Rs. 27.30 to Rs. 39.70 p.d. (21.12.95)	Rates vary from employment to employment
5.	Goa	Rs. 21.00 to Rs. 46.00 p.d. (1.4.95)	Rates vary from employment to employment
6.	Gujarat	Rs. 34.00 to* Rs. 57.90 p.d. (1.4.96)	Rates vary from employment to employment (according to zones)
7.	Haryana	Rs. 51.52 to* Rs. 55.52 p.d. (1.1.96)	Single rate for all employment except agriculture.
8.	Himachal Pradesh	Rs. 26.00 p.d. to Rs. 45.75 p.d. (1.3.96)	Single rate for all employment except Tea Plantation
9.	Jammu & Kashmir	Rs. 30.00 p.d. (13.3.95)	Single rate for all employment
10.	Karnataka	Rs. 26.00 to* Rs. 37.32 p.d. (28.3.94)	Rates vary from employment to employment (according to zones)

1	2	3	4
11.	Kerala	Rs. 19.50 to* Rs. 76.40 p.d. (31.3.92)	Rates vary from employment to employment (according to zones)
12.	Madhya Pradesh	Rs. 22.50 p.d. to* Rs. 43.96 p.d. (29.1.94)	Rates vary from employment to employment.
13.	Maharashtra	Rs. 9.25 to * Rs. 80.35 p.d. (29.6.94)	Rates vary from employment to employment (according to zones)
14.	Manipur	Rs. 44.65 p.d.* (for plain) Rs. 47.65 p.d. (for Hill areas) (8.7.95)	Double rates for all employment
15.	Meghalaya	Rs. 35.00 p.d. (16.3.94)	Single rate for all employment.
16.	Mizoram	Rs. 28.00 to Rs. 35.00 p.d. (11.6.93)	Double rate for all employment
17.	Nagaland	Rs. 25.00 p.d. (6.7.92)	Single rate for all employment
18.	Orissa	Rs. 30.00 p.d. (15.8.96)	Single rate for all employment
19.	Punjab	Rs. 55.73 to* Rs. 58.28 p.d. (1.7.95)	Single rate for all employment except agriculture
20.	Rajasthan	Rs. 32.00 p.d. (1.1.95)	Single rate for all employment
21.	Sikkim	NIL	Minimum Wages Act, 1948 is yet to be extended and enforced
22.	Tamil Nadu	Rs. 10.00 to* Rs. 56.25 p.d. (21.7.95)	Rates vary from employment to employment (according to zones)
23.	Tripura	Rs. 17.70 to Rs. 36.00 p.d. (7.6.96)	Rates vary from employment to employment (according to zones)
24.	Uttar Pradesh	Rs. 36.00 to * Rs. 49.30 p.d. (13.6.96)	Rates vary from employment to employment (according to zones)

1	2	3	4
25.	West Bengal	Rs. 27.70 to* Rs. 59.20 p.d. (2.11.95)	Rates vary from employ- ment to employment (acc- ording to zones)
26.	Andaman & Nicobar	Rs. 37.00 to Rs. 40.00 p.d. (15.8.94)	Rates vary from employ- ment to employment (acc- ording to zones)
27.	Chandigarh	Rs. 54.60 p.d.* (4.11.95)	Single rate for all employment Except Agriculture.
28.	Dadra & Nagar Havli	Rs. 35.00 to Rs. 40.00 p.d. (18.5.95)	Rates vary from employ- ment to employment (acc- ording to zones)
29.	Daman & Diu	Rs. 35.00 p.d. (8.5.95)	Single rate for all employment
30.	Delhi	Rs. 64.50 p.d.* (1.2.94)	Single rate for all employment
31.	Lakshdweep	Rs. 30.00 p.d. (1.1.96)	Single rate for all employment.
32.	Pondicherry	Rs. 34.96 to * Rs. 40.20 p.d. (24.7.95)	Rate for agricultural workers
	Central Government	Rs. 34.96 to * Rs. 63.09 p.d. (12.7.94)	Rates vary from employ- ment to employment (acc- ording to areas).

Note :-

- * Indicate the provision of Variable Dearness Allowance alongwith minimum rates of wages.
- Figure in bracket under column (3) indicate the date of revision for the last revised scheduled employment.

ANNEXURE II

MINUTES OF THE FOURTEENTH SITTING OF THE STANDING COMMITTEE
ON LABOUR AND WELFARE HELD ON 21 APRIL, 1997

The Committee sat from 1500 hrs. to 17.30 hrs. in Room No. 62, Parliament House, New Delhi.

PRESENT

Shri Madhukar Sirpotdar – *Chairman*

MEMBERS

Lok Sabha

2. Shri Hansraj Ahir
3. Shri Ashok Pradhan
4. Shri Jai Singh Chauhan
5. Shri Ram Shakal
6. Smt. M. Parvati
7. Smt. Bhagwati Devi
8. Shri Rup Chand Murmu
9. Shri Illiyas Azmi
10. Shri Virendra Kumar
11. Dr. Amrit Lal Bharti

Rajya Sabha

12. Shri Mohinder Singh Kalyan
13. Shri Brahmakumar Bhatt
14. Shri Karma Topden
15. Shri Urmilaben Chimanbhai Patel
16. Shri Sanatan Bisi
17. Shri Jagannath Singh
18. Shri Bangaru Laxman
19. Shri Debabrata Biswas

SECRETARIAT

1. Shri Babu Ram Kanathia — *Director*
2. Shri R.S. Misra — *Under Secretary*

2. At the outset, Hon'ble Chairman read out a Condolence Resolution on the

passing away of Shri Biju Patnaik, a Sitting Member of Lok Sabha. The Members then stood in silence for a minute as a mark of respect to the deceased leader.

3. Thereafter, the Committee took up for consideration the following draft Reports and adopted the same without any amendment/modification.

◆ ◆ ◆ ◆ ◆

(ii) Fifth Report on Demands for Grants relating to Ministry of Labour for the year 1997-98.

5. The Committee authorised the Chairman to present the Report to Parliament on their behalf.

The Committee then adjourned.

ANNEXURE III
Summary of Recommendations/Conclusions

Sl. No.	Para No.	Conclusions/Recommendations
1	2	3
1.	1.9	The Committee are not satisfied with the performance of the Ministry in so far as the plan expenditure is concerned. The percentage of Plan expenditure during the year 1995-96 and 1996-97 stood at 65.23% and 68.81% over budget estimates respectively which is far from being satisfactory. The reasons put forth by the Ministry for non-utilisation of funds, such as delay in clearance of proposals by the Expenditure Finance Committee, delay in supply of equipments under the World Bank assisted Vocational Training Project, non filling of sanctioned posts are not satisfying to the Committee. In their view, the Ministry has tried to escape on one pretext or the other, which is indicative of their poor monitoring. The Committee, therefore, recommend that the Ministry should make all out efforts for early completion of schemes in hand such as training, schemes pertaining to Child Labour, rehabilitation of Bonded Labour, welfare of SCs/STs, Labour Bureau, etc. As regards lapses on the part of State Governments towards non-utilisation of funds earmarked under schemes, the matter should be taken up at the highest level. Steps taken and progress achieved in this regard should be communicated to the Committee within three months' time.
2.	1.10	The Committee are constrained to note that the Ministry has not made any allocation towards Workers' participation in Management Scheme in the Budget Estimate for the year 1997-98 which indicates that the Government is not serious towards labour participation at decision making levels. Although a Bill to this effect was introduced in Rajya Sabha in the year 1993, yet the Ministry has not been able to finalise the recommendations received by them on the Bill so far. The Committee, therefore urge upon the Ministry to accord highest priority to the issue to enable the workers to participate at decision making levels. Steps taken in this

1	2	3
		regard may be communicated to the Committee within three months' time.
3	1.11	<p>The Committee note that the percentage of expenditure for the year 1992-96 for vocational training programme for women (NVTI, New Delhi, RVTI, Mumbai and Bangalore) has been 19.51 only. The Committee further note that in RVTI, Mumbai 2112 trainees and in RVTI, Bangalore 3747 trainees have so far been trained in various courses including long term, short term, ad-hoc courses in a decade time. The Ministry has tried to escape on one ground or the other for their poor performance. The Committee are not at all satisfied with the performance of the Ministry in this regard. In their view the very purpose of the vocational training institutes is defeated if only 500 trainees are trained in a year in two institutes established in two Metropolitan cities of the country. They, therefore, strongly recommend that the Ministry should have a thorough monitoring over the scheme and make all out efforts to increase the number of trainees in these institutes. Also the vacancies of training officers should be filled up without further loss of time. Steps taken and progress achieved in this regard should be communicated to the Committee within three months' time.</p>
4	2.11	<p>The Committee note that the World Bank Assisted Vocational Training Project which started in the year 1989-90 with a budget allocation of Rs. 441 crores was scheduled to close on 31.12.96. The time for completion of the project has since been extended upto December, 1997. The reasons put forth by the Ministry for slow progress of the project are due to delay in clearance of proposal, supplier's inability to complete the supplies in time, financial crunch and power shortage are not satisfying to the Committee. The Committee fail to understand as to how the Ministry would be able to complete the project by the end of December, 1997, the extended period in the absence of supply of equipments and non completion of civil works required for the project.</p> <p>The Committee view this situation seriously. In their view the monitoring of the Ministry in this regard has been very poor. The Committee, therefore, strongly recommend that the matter should be taken up at the Minister's level and the</p>

1	2	3
		Ministry should make all out efforts for completion of civil works and supply of equipments at the earliest to enable them to make the project functional by December, 1997. For this the State Governments and the defaulting suppliers should be pursued at the highest level. Steps taken and progress achieved in this regard should be communicated to the Committee within 3 months' time.
5	2.12	The Committee are concerned to note that a good number of posts required for the project are still lying vacant. Viewing this situation seriously, the Committee urge upon the Government to take up the issue with the concerned State Governments for filling the vacancies at the earliest.
6.	2.26	The Committee note that although the DGFASLI organisation is shouldering the important task of improving the safety, health, productivity, working conditions in factories and ports, yet their performance has not been upto the mark. Section 91A of the Factories Act empowers DGFASLI to enter into any factory and conduct surveys into areas of safety and health. However during the last three years the Department has been able to complete only one study which is indicative of their performance. There are a vast number of factories which need to be told, persuaded or even forced to take up measures for improving the level of safety and health of workers. The Committee further note that the relevant sections of the Factories Act do not empower the officers of DGFASLI to take steps including prosecution to see that their recommendations are followed by the factories. The Committee view this situation very seriously. They, therefore, urge upon the Ministry to strengthen the organisation by amending the Act to enable them to carry out more number of inspections and surveys in factories on a time bound scale. Also follow up action on the recommendations of the Organisations should be monitored by the Ministry regularly. The Committee further recommend that the Ministry should take up immediate steps to fill up the vacant posts in the organisation at the earliest. Steps taken and progress achieved in this regard may be communicated to the Committee within three months, time.

1	2	3
7	2.27	<p>The Committee further note that the Jawaharlal Nehru Port Trust which is handling a large number of containers and bulk cargo does not have any Inspectorate of Dock Safety regulating it. Also the sanctioned strength and infrastructure of the organisation is far too inadequate to discharge its responsibilities of safety and health posed to the organisation due to vast technological developments. The Committee, therefore, strongly recommend that the organisation should be strengthened to enable them to discharge their responsibilities towards safety and health of port and Dock Workers. Further the Inspectorate for Jawaharlal Nehru Port Trust should be set up immediately so that statutory responsibilities under the Dock Workers (Safety, Health and Welfare) Act are discharged properly.</p>
8	2.28	<p>The Committee regret to note that no State Government has framed so far safety and health rules and regulations for its minor and intermediate ports in accordance with the Dock Workers (Safety, Health and Welfare) Act, 1986 which is indicative of the poor monitoring by the Ministry over the scheme. The Committee view this situation very seriously. They, therefore, strongly recommend that the Ministry should take up the matter with the State Governments at the highest level and ensure that safety, health rules and regulations for minor and intermediate ports are framed without further loss of time. The Committee should be informed of the progress made by the Ministry in this regard within three months' time.</p>
9	2.37	<p>The Committee are not at all satisfied with the progress made by the Employees State Insurance Corporation in regard to their coverage of establishments. The Ministry has stated that a phased programme for implementation of ESI scheme in 117 new centres has been formulated by the Corporation in consultation with State Governments after survey for the years 1996-97 and 1997-98. In the non-implemented areas there are 14727 establishments coverable under the ESI Scheme. Keeping in view the fact that ESI is a social security for labour, the Committee strongly recommend that the Ministry should have a thorough monitoring over the entire scheme and ensure that maximum number of establishments are covered without further loss of time. Steps taken in this regard should be communicated to the Committee.</p>

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10	2.38	As regards recovery of outstanding dues, the Committee are of the view that the Revenue Recovery Machinery of the Corporation should be further strengthened. Also necessary steps should be taken to get the legal cases pending under Section 85 of the ESI Act and Section 406/409 of the Indian Penal Code disposed off quickly. Steps taken and progress achieved in this regard should be communicated to the Committee within three months' time.
11	2.39	The Committee regret to note that some of the drugs and dressings supplied by some firms to the Central Medical Store, ESI Hospital, Basaidarapur, New Delhi were found to be sub-standard. The Committee view this situation very seriously. They, therefore, strongly recommend that the Ministry should have a thorough monitoring over the supply of drugs to ESI Hospital and ensure that sub-standard drugs and dressings are not supplied to the Hospitals in future. Also the firm as well as the staff of the Corporation found to be involved in supply of sub-standard drugs should be dealt with severely. The Committee would also like to have the details of investigations made and action taken by the organisation against the defaulting suppliers as well as the staff of the Corporation involved in the sub-standard supply of drugs and dressings detected during the year, 1993. Steps taken in this regard should be communicated to the Committee within three months' time.
12	2.40	As regards functioning of ESI Hospitals directly run by the Corporation, the Committee's experience has not been good. During their on-the-spot study visit to ESI Hospital, Basaidarapur, New Delhi, the Committee have noted that a number of posts (Doctors, Nurses and Supporting Staff) required for running the Hospital are lying vacant. A large number of complaints are being received by the Hospital from the patients. The Committee view this situation seriously. They, therefore, strongly recommend that the grievances redressal machinery of the Hospital should be strengthened and steps should be taken to minimise the number of complaints being received from the patients. Also steps should be taken to fill up the vacancies without further loss of time. Steps taken and progress achieved should be communicated to the Committee within three months' time.

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13.	2.54	<p>The Committee take a serious note of the fact that the Ministry of Labour has furnished the same reply which they furnished a year back in regard to amendment of the EPF & FP Act, 1952 in order to check unscrupulous employers indulged in unfair practices. Out of 320 million workforce, only about 21 million have so far been covered under the existing Act. The Committee are not happy with the situation. In their view the enforcement machinery of the organisation is not upto the mark. The Committee, therefore, strongly recommend that in order to provide social security to an ordinary labour, responsibility should be fixed on enforcement officers of the area and concerned Regional Provident Fund Commissioners in case it is found that establishments otherwise fulfilling the criteria for coverage have not been covered under the existing Act. Also the existing Act should be amended at the earliest as was recommended by the Committee in their Eleventh Report on Demands for Grants 1995-96. Steps taken and progress achieved in this regard should be communicated to the Committee within three months' time.</p>
14.	2.55	<p>As regards recovery of outstanding dues, the Committee regret to note that a large number of cases are pending with the organisation under Sections 7A, 8, 8B, 8F, 14 and 14B of the existing Act for a quite long time. The Committee view this situation very seriously. They, therefore, urge upon the Government to have a thorough monitoring in the matter and ensure that the pending cases under the aforesaid Sections of the Act are disposed of at the earliest. The Committee would also like to have details of such cases pending with all the Regional Provident Fund Commissioner offices alongwith their dates of pendency. Also steps should be taken to get the legal cases under Section 406/409 of the Indian Penal Code disposed of quickly. Progress achieved in regard to disposal of cases should be communicated to the Committee within three months' time.</p>
15.	2.56	<p>During their on-the-spot study visits to Regional Offices of Employees Provident Fund Organisation, the Committee have noted that a large number of complaints regarding delay in disposal of cases, delay in issuance of cheques, cheques</p>

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		misplaced etc. are being received by the organisation from subscribers. The Secretary, Ministry of Labour admitted during the evidence that he was not personally satisfied with the functioning of the Employees Provident Fund Organisation in all respects. The Committee view this situation very seriously. They, therefore, strongly recommend that the Ministry should have a thorough monitoring over the functioning of the Employees Provident Fund Organisation and grievances redressal machinery of the organisation should be further strengthened. Also personal contacts between the subscribers and employees of the Regional offices should be minimised. Steps taken in this regard should be communicated to the Committee within three months' time.
16.	2.57	The Committee have been informed by the Ministry that the present term of Central Board of Trustees has expired since February, 1996 and it is under reconstitution. The Ministry has further informed that they have to get nominations from the representatives of employers and workers organisation. The Committee are not satisfied with the reply of the Ministry. In their view action should have been initiated in advance to get the nominations from representatives of employers and workers organisation. The reply of the Ministry that the delay in reconstitution has not inhibited the functioning of the Board in any manner is not at all acceptable to the Committee. The Committee, therefore, strongly recommend that the Ministry should make all out efforts to get nomination at the earliest to enable them to reconstitute the Central Board of Trustees without further loss of time. Steps taken and progress achieved in this regard should be communicated to the Committee within three months' time.
17.	2.68	The Committee note with distress that although the fatal accidents in mines are increasing yet the Ministry has not been able to create additional posts of inspecting officers as per recommendations made by J.G. Kumaramangalam Committee. The representative of the Ministry asserted during evidence that the safety measures being adopted in mines were inadequate. The Committee view the situation very seriously. In their view the Committee cannot be a silent spectator keeping in view the increasing trend of fatal accidents. They therefore, strongly recommend that the matter should be taken up at the highest level and Ministry should ensure that the Directorate General of Mines Safety

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		Department are equipped with required staff strength without further loss of time. Also efforts should be made to get the legal enquiries disposed of quickly.
18.	2.84	The Committee note that although V.V. Giri National Labour Institute, NOIDA has been established with the objectives of providing education, training, research and consultancy in Labour and related subjects, yet the budget earmarked for the year 1997-98 is Rs. 1.14 crores only. The Committee further note that faculty complement of the Institute is grossly inadequate to discharge its functions efficiently and effectively. The Committee therefore, urge upon the Ministry to strengthen the National Labour Institute by allocating more funds and increasing their faculty strength to enable them to function efficiently. Also the number of consultancy studies being conducted by the Institute should be enhanced and efforts should be made to introduce one year Certificate Course of Labour Laws and Allied subjects at the earliest. Progress achieved in this regard should be communicated to the Committee within three months' time.
19.	2.95	The Committee are concerned to note that minimum rates of wages for the unskilled workers still vary from State to State which is clearly indicative of the fact that monitoring of the Central Government in this regard has been very poor. The Committee view this situation seriously. In their view the matter should be taken up at the highest level and State Governments should be pursued to have a common National Minimum Floor Level Wage so that the problem of migration of workers can be tackled effectively. Also vigorous efforts should be made to pursue the State Governments to link minimum wages to the consumer Price Index and revise the variable components every six months or when the CPI increases by 50 points whichever is earlier. Steps taken in this regard should be communicated to the Committee.
20.	2.96	As regards revision of fixed minimum wages is concerned the Committee has been informed by the Ministry that the Government is thinking of amending the Minimum Wages Act so as to provide revision of minimum wages once in two years. The Committee would, therefore, like to urge upon the Government to bring forth the aforesaid legislation at the earliest so that the poorest of the poor in the country is benefited.