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STANDING COMMITTEE ON
COAL AND STEEL (2013-2014)
FIFTEENTH LOK SABHA

MINISTRY OF COAL

**"SERVICE CONDITONS OF WORKERS INCLUDING CONTRACT
WORKERS IN COAL INDIA LIMITED AND ITS SUBSIDIARIES"**

FIFTIETH REPORT



**LOK SABHA SECRETARIAT
NEW DELHI
February, 2014/Magha, 1935(Saka)**

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**"SERVICE CONDITIONS OF WORKERS INCLUDING ONTRACT WORKERS IN COAL
INDIA LIMITED AND ITS SUBSIDIARIES"**

Presented to Lok Sabha on 06.02.2014

Laid in Rajya Sabha on 06.02.2014



**LOK SABHA SECRETARIAT
NEW DELHI
February, 2014/Magha, 1935(Saka)**

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**COMPOSITION OF THE STANDING COMMITTEE ON COAL AND
STEEL(2013-14)**

Shri Kalyan Banerjee - Chairman

Name of the Member

Lok Sabha

2. Shri Hansraj Gangaram Ahir
3. Shri Sanjay Bhoi
4. Shri Bansa Gopal Choudhary
5. Smt. Jyoti Dhurve
6. Shri Ganeshrao Nagorao Dudhgaonkar
7. Shri Sabbam Hari
8. Shri Vishwa Mohan Kumar
9. Shri Yashbant N.S. Laguri
10. Shri Pakauri Lal
11. Shri Babu Lal Marandi
12. Shri Govind Prasad Mishra
13. Shri Rajaram Pal
14. Kumari Saroj Pandey
15. Shri Gajendra Singh Rajukhedi
16. Shri K.R.G. Reddy
17. Shri Pashupati Nath Singh
18. Smt. Rajesh Nandini Singh
19. Shri Uday Pratap Singh*
20. Shri K. Shivkumar alias J.K. Ritheesh
21. Shri Om Prakash Yadav

Rajya Sabha

22. Shri Ali Anwar Ansari
23. Dr. Pradeep Kumar Balmuchu
24. Shri Srinjoy Bose
25. Smt. Smriti Zubin Irani
26. Shri Jugul Kishore
27. Shri T. Rathinavel
28. Shri Sanjay Raut
29. Shri Dhiraj Prasad Sahu
30. Shri Nand Kumar Sai

31. Shri Dilip Kumar Tirkey

*Ceased to be Member of the Committee w.e.f. 10.12.2013
(iii)

SECRETARIAT

1. Shri Shiv Singh - Director
2. Shri Arvind Sharma - Additional Director
3. Shri Amrish Kumar - Committee Officer

INTRODUCTION

I, the Chairman, Standing Committee on Coal and Steel having been authorized by the Committee to present the Report on their behalf, present this **fiftieth** Report (Fifteenth Lok Sabha) on the subject "**Service Conditions of Workers including Contract Workers in Coal India Limited and its subsidiaries**" relating to the Ministry of Coal.

2. The Committee took oral evidence of the representatives of the Ministry of Coal and CIL and on 22.07.2013 and 31.07.2013.

3. The Committee wish to express their thanks to the officials of the Ministry of Coal and CIL for placing before them and in furnishing material/information from time to time as desired by the Committee.

4. The Committee considered and adopted the Report at their sitting held on 17.12.2013.

5. The Committee place on record their profound appreciation for the valuable assistance rendered to them by the officials of the Lok Sabha Secretariat attached to the Committee.

6. For facility of reference and convenience, the observations and recommendations of the Committee have been printed in bold letters in Part-II of the Report.

**NEW DELHI;
18 December, 2013
27 Agrahayana, 1935(Saka)**

**KALYAN BANERJEE
Chairman
Standing Committee on Coal and Steel**

(v)

CHAPTER-I

INTRODUCTORY

Coal India Limited is a schedule 'A' Maharatna Public Sector Undertaking under Ministry of Coal, Government of India, with Headquarters at Kolkata, West Bengal. It is a Holding Company with 7 Coal producing subsidiaries and 1 mine planning and Consultancy Company. Its Mining activities are spread over 8 provincial states of India. CIL also has an overseas subsidiary company named 'Coal India Africana Limitada' in Mozambique. CIL operates 471 mines, (273 underground, 163 opencast and 35 mixed mines), 17 coal washeries, (11 coking coal and 6 non-coking coal) and also manages 200 other establishment like Workshops, Hospitals Canteens etc. CIL alone produces 82% coal for the Nation and contributes 40% of primary commercial energy of the Country. The major consumers are power and Steel sectors. Others include Cement, Fertilizer, Brick Kilns, and a host of other industries.

CIL has a total workforce of nearly 3,57,926 employees. The fact that it is the largest corporate employer in the country casts an immense responsibility on the Coal India Ltd. to ensure that its labour force is well looked after. At this juncture, the coal industry in the country is under immense pressure to increase production. Apart from the well-known physical constraints relating to environment, forests and difficulties in land acquisition, there is also an urgent need for modernization.

The service conditions of workers in any organization, private and public, are reflective of its work culture, social concern and ethical commitment. There is a direct correlation between performance output and service conditions of employees of any organization. The better the service conditions of the staff are, the better would be the output. Hence, it also gives a large responsibility to the Coal India Ltd., the management of the Coal India Ltd. to ensure the welfare of labour and also promoting good labour relations. The service condition of employees, both regular and contractual, are imminently reflected in the social security provisions, health and educational benefits, provident fund, pension scheme, housing facilities, provision of leaves and recreational activities, safety of workers, accidental compensation, salary structure, women's

representation in services, grievance redressal mechanism, and worker's representation and participation in management. The proper implementation and enforcement of labour laws and minimum wages to the workers, especially the contract workers are the few very important parameters of the working culture and employee management standards of any organization, which act as a morale boosting and encouraging factors to the employees.

In this regard, to know the actual service conditions of the workers in CIL, the Committee had examined in detail the subject "Service Conditions of Workers in Coal India Limited and its Subsidiaries" in the subsequent chapters.

CHAPTER-II

SERVICE ORGANIZATION, MANPOWER, PAY AND ALLOWANCES of REGULAR EMPLOYEES

Service conditions of regular workers

The Ministry of Coal, in a background note furnished to the Committee have informed that prior to constitution of Joint Bi-partite Committee for Coal Industry (JBCCI), service conditions of coal workers were regulated as per Mazumdar Award. Thereafter, Labour Appellate Tribunal (LAT) was constituted to modify the Mazumdar Award. Next systematic attempt was made by constituting Tripartite Committee known as Central Coal Wage Board for the Coal Industry by the Govt. of India and the recommendation of Central Wage Board for Coal Industry was accepted by the Govt. of India, which was made applicable w.e.f. 15.08.1967.

After Nationalization, a Bi-Partite Committee, known as JBCCI, was constituted consisting of the representatives of four Central Trade Unions namely, INTUC, AITUC, HMS & CITU and representatives of Management of Coal Industry on 14.08.1973 to negotiate National Coal Wage Agreement. The representative of BMS was included later on.

Besides, law of the land applicable to the Workers of the Coal Industry, wages, dearness allowance, service conditions, fringe benefits, welfare, social securities, safety & others are decided under National Coal Wage Agreement (NCWA).

National Coal Wages Agreement

| NCWA | Period | | Date of signing the agreement | Total years of agreement |
|-----------|----------|------------|-------------------------------|--------------------------|
| | From | To | | |
| NCWA-I | 1.1.1975 | 31.12.1978 | 11.12.1974 | 4 Years |
| NCWA-II | 1.1.1979 | 31.12.1982 | 11.8.1979 | 4 Years |
| NCWA-III | 1.1.1983 | 31.12.1986 | 11.11.1983 | 4 Years |
| NCWA-IV | 1.1.1987 | 30.6.1991 | 27.7.1989 | 4Yr 6 months |
| NCWA-V | 1.7.1991 | 30.6.1996 | 19.1.1996 | 5 Years |
| NCWA-VI | 1.7.1996 | 30.6.2001 | 23.12.2000 | 5 Years |
| NCWA-VII | 1.7.2001 | 30.6.2006 | 15.7.2005 | 5 Years |
| NCWA-VIII | 1.7.2006 | 30.6.2011 | 24.1.2009 | 5 Years |

| | | | | |
|---------|----------|-----------|-----------|---------|
| NCWA-IX | 1.7.2011 | 30.6.2016 | 31.1.2012 | 5 Years |
|---------|----------|-----------|-----------|---------|

First NCWA was signed on 11.12.1974 for the period of four years w.e.f. 01.01.1975. At present, NCWA-IX is in vogue for the period of 05 years w.e.f. 01.07.2011.

Manpower with Grade & Category as on 01.04.2013:

| | | |
|---|----------------|--|
| i) Daily Rated Workers - | | |
| General - Category-I to Category-VI | | |
| Excavation - Category- E to Special Grade | 246120 | |
| ii) Monthly rated Workers - | | |
| Technical & Supervisory Grade- H to A1 | | |
| Clerical Grade - Grade-III to Special Grade | 69711 | |
| iii) Piece Rated Workers - | | |
| Group -I to VA | 19425 | |
| iv) Casual Workers | 98 | |
| v) Badli Workers | 205 | |
| v) Company Trainee | 2775 | |
| Total | 338334* | |

*Excludes Contract Workers for which details are given separately.

Manpower & Coal Production- Subsidiary-wise

| Company | 2010-11 | | 2011-12 | | 2012-13 | |
|----------------|-----------------|----------------|-----------------|----------------|-----------------|----------------|
| | Manpower | Production(MT) | Manpower | Production(MT) | Manpower | Production(MT) |
| ECL | 81,128 | 30.80 | 78,009 | 30.56 | 74,276 | 33.91 |
| BCCL | 67,934 | 29.01 | 64,884 | 30.21 | 61,698 | 31.21 |
| CCL | 52,285 | 47.52 | 50,026 | 48.00 | 48,126 | 48.06 |
| WCL | 59,043 | 43.65 | 56,989 | 43.11 | 54,960 | 42.29 |
| SECL | 78,591 | 112.71 | 76,640 | 113.84 | 74,269 | 118.22 |
| MCL | 21,425 | 100.28 | 22,023 | 103.12 | 22,065 | 107.89 |
| NCL | 16,209 | 66.25 | 16,329 | 66.40 | 16,073 | 70.02 |
| NEC | 2,622 | 1.10 | 2,538 | 0.60 | 2,376 | 0.61 |
| CMPDIL | 3,102 | - | 3,129 | - | 3,142 | - |
| CIL(HQ) | 1,008 | - | 979 | - | 941 | - |
| TOTAL | 3,83,347 | 431.32 | 3,71,546 | 435.84 | 3,57,926 | 452.21 |

Pay & Allowances

The Ministry of Coal has submitted the following information to the Committee, as regards pay and allowances-

i) Basic Pay of lowest category i.e. Daily Rated Cat-I = Rs.604.33 per day or Rs.15,712.62 per month (in case of Assam Rs. 694.98/day) and Basic Pay of highest category i.e. T&S Gr.A1 = Rs. 28,566.68 (in case of Assam Rs. 32,849.83 month).

ii) Dearness Allowance - Variable Dearness Allowance at AICPI (Base 1969=100) applicable and in NCWA-IX, VDA became NIL at AICPI 4245 (Base 1960=100).

Besides above, Attendance Bonus is being paid @ 10% of Basic Pay;

Special D.A . @ 1.795% of Basic wage Comprising all the components of the wages, minimum wage of lowest category was computed Rs.17,565.93.

| Components of Minimum Wages as per NCWA-IX | Per day (Rs) | | Per month (Rs) | |
|--|--------------|---------|----------------|----------|
| | Pre-revised | Revised | Pre-revised | Revised |
| a. Basic wage/pay | 321.54 | 604.33 | 8360.00 | 15712.62 |
| b. Attendance Bonus@10%of basic | 32.15 | 60.43 | 836.00 | 1571.26 |
| c. Special D.A. | 5.77 | 10.85 | 150.06 | 282.05 |
| d. Variable D.A. | 181.03 | Nil | 4706.68 | Nil |
| Total | 540.49 | | 14052.74 | Nil |
| MGB@25%on total | 135.12 | | 3513.19 | |
| Total | 675.61 | 675.61 | 17565.93 | 17565.93 |

Allowances & other features

- 100% DA neutralization as on 30.6.2011
- Increment – 3% on progressive basis
- Special allowance – 4% of the Revised Basic
- UG Allowance- 12.5%(15%for Assam Coalfields) of Revised Basic w.e.f 1.2.2012
- Special Piece Rate Allowance (SPRA) will be increased 3% annually
- Other allowances in fixed amount- Increased by 88%.
- House Rent Allowance- Workers deployed in Urban areas who have not been provided residential accommodation, they are getting HRA at the rate

prescribed by the Government, ranging from 10 % to 30 %, depending upon population of the locality,

- Washing Allowance for those who have been provided Uniform- Rs. 141/- p.m.,
- Transport Subsidy – Rs. 19.74 per day on actual attendance;
- Addl. Transport Subsidy/Nightshift Allowance- Rs. 28.20 per day;
- Conveyance Allowance for two wheelers – Rs. 42.30 per day;
- Nursing Allowance – Rs. 376/- p.m.
- Difficulty Allowance- 2% to 2.5% of Basic depending upon working of different thickness of seams
- Fuel Allowance- Cost of one LPG Cylinder (14.5Kg) Per month at Govt. rate
- Profit Linked Reward Scheme (PLRS)- PLRS is paid on the regular non-executive employees, each year based on the achievement of production & productivity as well as all spheres of financial achievement of the company. Rs. 26,500 was paid as PLRS for 2012-13.

When asked to provide details regarding wage revision policy and revision of minimum wages for contract labourers and regular workers in CIL, the Ministry of Coal in a written reply furnished to the Committee have submitted as under :-

“The wage revision of the regular workers has been done on 31.01.2012 in the shape of National Coal Wage Agreement (NCWA)-IX duly signed by the members of JBCCI consisting of 5 central trade unions, INTUC, AITUC, BMS, CITU and HMS & Representatives of management of CIL & its subsidiaries including the representatives of SCCL. The minimum Basic Pay derived for the Cat. I workers as on 01.07.2011

- Rs. 604.33 per day & Rs. 15712.62/-Per Month
- Rs. 694.98/-Per day & Rs. 18069.48/-Per Month, in case of Assam

Contract Labourers engaged in scheduled employment are getting minimum wages as per rates prescribed for the state. The contract workers deployed in the job relating to mining activities as mentioned under Section 2(h), (g), (k) of Mines Act-1952 including washery, CHP and Railway siding they are being paid mid way between the wages prescribed by the Central Govt. under Minimum wages Act, 1948 and wages payable to Cat.-I of National Coal Wage Agreement-IX. **At present, the rate of wages of those workers including DA per day is as under: -**

- | | |
|---------------------------------------|-----------------|
| ■ Unskilled | - Rs. 472.00/-, |
| ■ Semi-Skilled/Un-skilled Supervisory | - Rs. 504.00/- |
| ■ Skilled | -Rs. 536.00/- |
| ■ Highly Skilled | -Rs. 568.00/- ” |

The Trade Unions in a memorandum submitted to the Committee have highlighted the deep concerns of workers as regards disinvestment proposal of CIL as under:-

“Major concern for trade unions representing 3.5 lakhs permanent employees and 2 lakhs contract and outsourced workers in coal industry is the recent proposal of Government of India to divest 10% shares of CIL. We strongly feel further disinvestment of shares and restructuring of CIL will make big difference in wage pattern and service conditions of workers in this labour intensified mining industry.

We earnestly urge upon the Hon’ble Chairman to advice the Government to desist from any move of further disinvestment of shares and restructuring of Coal India Ltd., so that industrial peace and uninterrupted production to cater the need of future energy requirement for the growth of the country can be achieved.”

CHAPTER-III

RECRUITMENT, TRANSFER AND PROMOTION POLICY

As regards the recruitment, promotion and service conditions, the Ministry of Coal have informed the Committee as under:-

"Promotion - For career growth of workers, promotions are given to the next higher category as per the Cadre Scheme, keeping in view the vacancies. Apart from this, there is a provision of Service Linked Promotion.

Recruitment - Recruitment of non-executives is being done at subsidiary level as per the vacancy of the respective posts as per the rule. The direct recruitment is only resorted only after exhausting the departmental candidates having requisite qualification/experience for the post.

Certified Standing Order - Each subsidiary have its own Certified Standing Order to regulate the disciplinary action and other service conditions, which also provides to deal with complaints of the workers arising out of employment including those related to unfair treatment or wrongful execution on the part of the management."

About the details of recruitment, transfer & promotion policy of CIL for its workers at various levels/position in service, the Ministry of Coal have further submitted in a written reply as under:-

"Recruitment - Generally subsidiaries are resorted to direct recruitment in Group C & D Posts for attracting the people of the region and all the rules and regulations are adhered to which are applicable to the region pertaining to reservation as well as notification of vacancies under Compulsory Notification of Vacancies Act, 1960. Direct Recruitment is made after assessing the manpower requirement, in case, there as shortage in the Category/Post, first attempt is made to fulfil the same from departmental candidates. If after exhausting the internal sources, vacancies are not filled, direct recruitment is resorted to.

Transfer- Basically, transfer of workers takes place at subsidiary level keeping in view of the need of the organization. There is a provision of transfer of the workers deployed in sensitive posts; their services are rotated, generally in 3 years, within subsidiaries. The posts identified as sensitive posts are - Store personnel, Security personnel/vigilance watcher, Assistant dealing with Purchase, Sales, Specially Road sales, Weigh bridge staff, Loading clerk/Loading personnel, Bill Clerks, Personnel officers/clerks posted in subsidiaries, Overseer (C)/Engineering Asst. (C), Medical Officer's Clerks Posted in Collieries, Assistant dealing motor vehicle works, Staffs posted in Central Hospitals to look after supply of meals etc. to patients, Caretaker of the guest house. Besides above, the workers are transferred

from one subsidiary to other subsidiary on mutual ground or request basis and in the event of promotion from Non-Executive Cadre to Executive Cadre, they are transferred to other subsidiaries.

Promotion- The workers are getting promotion after fulfilling the requisite criteria mentioned in the Cadre Scheme, keeping in view of the vacancy as well as suitability for the post. There is also a provision under which if a worker still rendering his/her service in one grade/category for 7/8 (Underground/Opencast) Years, gets Service Linked Promotion (SLP)."

CHAPTER -IV

CONTRACT LABOURERS AND THEIR SERVICE CONDITIONS

The Ministry of Coal have informed the Committee that at the time of Nationalization, CIL had more than 5 Lakhs employees. All the work was carried out by departmental employees. But with the time, in some of the jobs of Civil Nature on Surface as well in under ground, Civil Contractors were engaged for such jobs. Later on, having huge manpower, particularly in ECL & BCCL posted loss years together, resulting which both the companies came under BIFR. To recoup from BIFR as well as to meet the exponential rising demand of Coal, subsidiaries of CIL adopted the methodology of outsourcing in the form of hiring HEMM Machines for the operational jobs like OB Removal, Coal Transportation and Coal Loading, etc.

The Government of India, with the advice of the Central Advisory Contract Labour Board (CACLB), issued Gazette notification to the affect that the contractor workers deployed in the outsourced jobs would be paid midway wages between the minimum wages prescribed by the Govt. of India & minimum wages payable to the Cat. I i.e. lowest Category of NCWA. Accordingly, the payment is being made.

The service conditions of the contractor workers are regulated mainly as per the Contract Labour Regulation Act and other Rules/Acts applicable to the contract workers. However, Coal India & its Subsidiaries are engaging contractors on the following jobs:-

- a. **Civil & Construction** – For undertaking Civil construction job on Surface and somehow in Underground Mines, the Civil Contractors are engaged. The contractors workers are being paid minimum wages as prescribed for the reason for the category of un-skilled, semi-skilled, skilled & highly-skilled; About engagement of number of workers & the mode and quantum of payment of wages of workers, same are fully incorporated in NIT/Agreement;
- b. **Watch & Ward** – To keep the security of the property of the company and support to our existing security personnel, the Ex-Army Agencies sponsored by

DGR are engaged for providing watch & ward Ex-Army personnel with a condition to engage 90% of their strength from ex-army servicemen. Their wages for these security personnel are fixed as per the norms of DGR and being paid by the subsidiaries of CIL.

- c. **Transportation of Coal** - The job of coal transportation to Railway Siding or other Sidings for further transportation to the consignee on different places through Road or Rail or stock to CHP. Transporters are using their own fleet i.e. Dozer, Pay Loader & Truck of different capacities. In the most of the subsidiaries, such jobs are being carried out by the ex-army personnel sponsored by DGR. Their minimum wages are decided as per the norms of DGR.
- d. **Mining Activities** – Considering enhanced requirement of coal, advanced Technologies have been adopted for production of coal and removal of over burden in some of the patches in the subsidiaries. Such jobs have been outsourced with a condition that the contractor shall engage their own workmen.

Wages of Contract Workers in Mining Activities

For the payment of wages to the workers engaged in Mining activities which are defined in Mines Act under Section - 2 (h), (j & k) of Mines Act, 1952. A High Power Committee consisting of representatives of Central Trade Unions & Management, set out minimum wages for different categories as mid way wages between the wage prescribed by the Central Govt. under Minimum Wages Act 1948 for the workers employed in scheduled employment for non-coal mines and the wages payable to lowest category of regular workers i.e. Cat.I of NCWA-IX. At present, the minimum rate of wage per day w.e.f. 01.04.2013:-

| | |
|------------------------------------|-----------|
| Unskilled - | -Rs.472/- |
| Semi-skilled/Unskilled Supervisory | -Rs.504/- |
| Skilled | -Rs.536/- |
| Highly Skilled | -Rs.568/- |

Besides above, the contractor workers who are working in underground mines are getting 10% of basic as an U.G. Allowance.

Service Benefits

CMPF DEDUCTION

All the contractors' workers who are covered under the EPF/CMPF, their contribution is to be made as per the respective Acts/Schemes i.e. CMPF Act, 1948 and CMPS, 1998.

PAYMENT OF BONUS

Payment of Bonus shall be made as per Bonus Act, 1965.

MEDICAL FACILITY

OPD & Indoor medical facilities to the contractors workers in the Company's Hospitals/Dispensaries free of cost.

COMPENSATION- As per Workmen Compensation Act.

OTHER FACILITY

1. The facilities like Canteen & Rest Shelters, etc. which are provided to the regular employees, the same are also utilized by the contractor workers. The facility of vocational training for working in the Mines areas. The safety articles provided to the contractor workers also by the Contractors.
2. Payment to the Contractor worker is being made in the presence of an authorized representative of the Management. However, efforts are being made for 100% payment through Bank or Cheque.

Details of Contractor workers deployed in different jobs:-

| Nature of Jobs | Total Number |
|------------------------|---------------------|
| Mining Activities | 20019 |
| Transportation of Coal | 13349 |
| Civil Work | 14537 |
| Watch & Ward | 12894 |
| Others` | 4043 |

| | |
|-------|-------|
| Total | 64842 |
|-------|-------|

The Ministry of Coal have informed the Committee that CIL ensures implementation of all labour laws applicable to the contract workers. CIL and all subsidiaries were paying mid-wages to the Contractors against workmen deployed by the contractors in mining activities as recommended by the High Power Committee. The existing rate of wages were higher than the rate prescribed above the higher rates shall be protected. Revised rate of D.A. was being paid over the Consumer Price, Index 202.83 from 1st April and 1st October every year. The minimum wages of Central Government notified for non-coal mining of unskilled workers was Rs. 186. In case of default as regard to payment of wages etc., amount is deducted from the Contractor's Bill for payment to the Workmen deployed by the Contractors.

When asked about more and more engagement of contract labours rather than the regular appointment of staff in mining and other activities in CIL and the plight of contract workers as regards their low wages, the Secretary, Ministry of Coal, during evidence, replied as under:-

"Time has come when the Government rather than pulling up each and every individual public sector undertaking with regard to the working conditions of the contract labour should come up – I would request the hon. Chairman and the hon. law makers – with comprehensive policy welfare measures for contract workers. It is not a question of individual public sector undertakings taking individual decisions because if today an individual public sector undertaking takes an individual decision it will have its ramifications and implications for other Central public sector undertakings in this country.....

.....There was a meeting of the Committee on Secretaries on the issue of reasonable wages for the contract workers. This meeting was attended by all the administrative Secretaries where the Labour Secretary made a Presentation. During that Presentation and discussion it was found that the wages being offered by the Coal India Limited to the contract workers were more favourable than the wages being offered by other public sector

undertakings to other contract workers. I am just telling a fact without an observation whether these wages are sufficient, reasonable or not. I leave it to the Ministry of Labour and the Department of Public Enterprises to work out a comprehensive guideline which will decide a framework for the individual public sector undertakings.”

As regards the exact number of contract workers engaged in different activities in CIL, there are different versions from the side of officials and from Trade Union representatives. During evidence, when Trade Unions were asked about the total number of contract labourers working in CIL, the representatives of Trade Unions submitted that there are about one lakh workers engaged in mining and some other workers in non-mining because we were not talking about contract workers in civil and peripheral jobs and other outsourcing jobs. Also, it was very difficult to estimate exact number because no records in this connection are being maintained.

As regards condition of workers, especially contract labour, the All India Coal Workers Federation, in a memorandum submitted to the Committee highlighted their concerns as follows:-

“Though Coal mining is a process of production which involves high degree of manual labour in adverse condition stitched with high risk and hazards, spread over 35 districts of 10 Indian states but government of India do not consider any special packages so far compensations, welfare, education and social securities are concerned. Though some relief could be clinched from the state owned companies in terms of compensation, welfare and safety but privately owned companies miserably lacks on this. Though the terms and conditions of NCWA arrived through JBCCI are mandatory for implementation in all the coal producing companies but excepting CIL & SCCL all other companies evades the provisions. Government is also lacking perspective and machineries to monitor the implementation of provisions of NCWA in all the coal producing companies. As a result the private owners are engaging workers with low rate of wages, minimum welfare amenities, virtually no social securities and least safety precautions thereby maximizing the profit

by keeping cost of production to the bare minimum. Thus the worst sufferers are contractors' workers engaged by them.....

.....The nationalized coal companies have virtually stopped recruitment of regular and permanent employees and employed nearly two lakhs of contractors' and outsourced workers in production and production related peripheral jobs. The living condition of contractor and outsourced workers are so miserable, in absence of any governmental regulatory authority, which reminds of private regime. But in the ninth coal wages agreement after relentless pressure and persuasions of the almost all the Central Trade Unions, for the first time in the history of coal Industry, a wages structure for unskilled, semi skilled, skilled and highly skilled contractor workers could be included and a high power committee was constituted by the ministry of Coal represented by unions and the management to recommend the details. The recommendation by the high power committee was finally accepted by the Govt. and CIL issued implementation order on 18 Feb. 2013. Subsequently subsidiary company Boards ratified the CIL order and it is in the process of implementation. But the massive hurdle for implementation is the identification of Contractor workers. We feel, though CIL alone engage more than two lacs of contractor workers but could identify only sixty five thousands only till date. The implementation further has become complicated since the provision has been restricted to the contractor workers engaged in mining activities only."

CHAPTER –V

SOCIAL SECURITY PROVISIONS

The Ministry of Coal have informed the Committee about the provisions of social security measures including Pension Schemes applicable to CIL employees as follows-

"Social security measures of the non-executive employees of CIL under National Coal Wage Agreement :

- Life Cover Scheme: Rs.1,12,800/- in addition to normal Gratuity max. Rs. 10 Lakhs;
- Ex-gratia:Rs.84,600/- in addition to Workmen Compensation Benefit under the Workmen Compensation Act;
- Fatal Mine Accident - Rs. 5 Lakh paid to the next kin of any worker dying during fatal mine accident;
- Provision for employment -To one dependent, in case of death of worker Or Permanent disablement arising from injury or disease during the service period; and
- Monthly Monetary Compensation – Basic of Category-I : Rs.15,712.62 in lieu of employment w.e.f. 01.05.2013.

Coal Mines Pension Scheme, 1998

- Coal Mines Pension Scheme, 1998 :An employee after completion of 30 years of pensionable service and on attaining the age of superannuation shall be eligible to receive monthly pension at the rate of 25% of the average emoluments or not less than 350/- from the date of following the date of superannuation till the date of this death (Disablement, widow/widower, children and orphan pension)
- Where an employee having completed 10 years of pensionable service and would be attaining the age of superannuation within a period of 20 years, opts to retire from the service before attaining the age of superannuation, the amount of monthly pension payable to such employee shall be determined specified in schedule-2
- Where an employee has not completed 10 years of pensionable service on attaining the age of superannuation, opts to leave service or his services are terminated or becomes disabled before completion of 10 years of pensionable service, the amount payable by way of return of contribution to such employee shall be determined on the basis specified in schedule-3
- As regards, social security measures to the contract worker, they are covered under the CMPF/EPF, their contribution is to be made as per the

respective Scheme/Acts. In case of accident, compensation paid under Compensation Act.”

Provident Fund

- All the employees of CIL are covered under Coal Mines Provident Fund Scheme, 1948. Accordingly, provident fund benefits on termination/separation/retirement are extended to them. Contract workers also covered under the scheme.
- Membership: Any employee working in Coal Mine qualifies for membership from the beginning of the first periods for quarter after completion of 30 days attendance.
- Contribution: 12% of total emoluments comprising basic pays and other admissible allowances as employee’s share and additional 12% matching contribution as employer’s share. In addition, voluntary contribution to the extent of 12% of the total emoluments may be contributed with the permission of CMPF Commissioner.
- Benefits: Advances are extended like, marriage advance, house-building advance, education advance etc.

Refund of CMPF Accumulation:

In case the member is alive- The entire contribution inclusive of interest is payable to the member himself/herself on superannuation, voluntarily retirement, resignation and medical separation. In case of death of the member-The above amount shall be paid to the nominee of the deceased employee.

Contract workers covered under CMPF Scheme

| Nature of work | Total No. of Workers Deployed | No. of Workers qualified for coverage under CMPF/EPF | No. of Workers already member of | | |
|--|-------------------------------|--|----------------------------------|------|-------|
| | | | CMPF | EPF | Total |
| Outsourced jobs relating to-Mining Activities b. Transportation of Coal | 20019 | 14805 | 4701 | 4178 | 8879 |
| | 13349 | 10495 | 7911 | 1574 | 9485 |

| | | | | | |
|-------------------------|--------------|--------------|--------------|--------------|--------------|
| Civil Works | 14537 | 3785 | 1992 | 633 | 2625 |
| Watch & Ward | 12894 | 12323 | 8555 | 3796 | 12351 |
| Others | 4043 | 2438 | 1997 | 448 | 2445 |
| Total | 64842 | 43846 | 25156 | 10629 | 35785 |

CIL has informed that the gap between No. of Workers qualified for coverage under CMPF/EPF and No. of Workers already member of CMPF/EPF (i.e. 8061 number of workers) was due to the fact that they were in the process of becoming the member of CMPF/EPF.

Superannuation benefits

- Payment of Provident Fund- as per Coal Mines Provident Fund Act, 1948
- Payment of Pension- as per Coal Mines Pension Scheme, 1998
- Payment of Gratuity- as per the Payment of Gratuity Act, 1972
- Encashment of Balance Earned Leave- Encashment of Earned Leave to a maximum of 140 days or the available balance of earned leave whichever is lesser.
- Medical Facility- Outdoor/Indoor Treatment Facility in Company's Hospital/Dispensaries to the retired non-executive employees & spouse.
- Settling-in-allowance- A lump sum amount of Rs. 12,000/- on superannuation
- A contributory Post-Retirement Medicare Schemes for Non-Executives Employees-in pipeline. For the purpose a Committee consisting of representatives of Trade Unions & Management of CIL has already been constituted.
- Retirement Gift along with Service Certificate
- Efforts are being made for payment of all terminal dues on the date of retirement.

CHAPTER-VI

SAFETY OF WORKERS, HEALTH, EDUCATION AND OTHER WELFARE MEASURES

Health Facilities

Regarding health facilities and medical treatments to the regular employees and contract labourers in CIL, Ministry of Coal/CIL have submitted following details:-

- Under the National Coal Wage Agreement the special thrust has been given to pneumoconiosis-generally detected in mines area.
- Extending facility for arresting and cure of the disease adequate machinery for the same has been established in the company.
- A medical board to deal with the problem of pneumoconiosis has been set up. Such medical board shall examine the case of pneumoconiosis within 7 days of receipt of detection of pneumoconiosis.
- Beside other, whatever diseases be of permanent nature resulting in to loss of employment, so certified by the Coal Company concerned, their dependents may get employment, in case of medical unfitness.
- If a worker gets disabled arising out of general physical debility so certified by Coal Company, he/she can get the benefit under NCWA, if he/she is up to the age of 58 years.
- All the diseases have been covered under the treatment as CIL ensures 100% medical facility to the workers.
- As regard, contract workers, they can get the facility of OPD and In-door facility as available in the company's dispensaries/hospitals free of cost.

There have been various complaints regarding availability of hospitals but non-availability of proper medical facilities, doctors, nurses, technicians and other medical staff in CIL approved hospitals and medical centers. The Ministry of Coal/CIL, when asked about corrective measures taken in this regard and details of doctors, nurses, specialists and technicians in each hospital, submitted written replies to the Committee as under:-

“In the subsidiaries of CIL, there are superspeciality hospitals equipped with modern technology beside the dispensary running in the colliery and areas of the subsidiaries in which doctors and paramedical staff are deployed. If there is a shortage of paramedical staff, or doctors, it is filled up accordingly. It is a continuous process. Recruitment of doctors and paramedical staff is being done to fill up the gap of these personnel.”

During evidence, the Committee raised the point about the medical facility as mentioned by CIL that Outdoor/in-door treatment facility was available in Company’s hospitals/dispensaries to the employee and spouse. When asked as to where there is no hospital, then would the medical facility not be there for them, and then what would they do, the CIL representative replied that for that they were working out and have already drafted that Scheme and had put that in Standardization Committee with the representatives of the workers and the management.

The worker's representatives when asked about hospital facilities for CIL employees, replied that hospitals, dispensaries, outside referral facility was satisfactory for regular employees and that CIL might be first in country where medical facilities were best for their employees.

Women’s Representation and welfare

The Committee have been very much concerned about Gender empowerment though representation in services. Regarding representation of women employees in CIL at various positions, the following information was submitted by Ministry of Coal/CIL-

| Category | Women Employees |
|---------------|-----------------|
| Executives | 871 |
| M/Rated | 6142 |
| D/Rated | 17461 |
| P/Rated | 2233 |
| Casual | 46 |
| Comp. Trainee | 486 |
| Total | 27,239 |

On being asked, whether initiatives have been taken by CIL to encourage and motivate women employees, the Ministry of Coal informed the Committee as under:-

- " With a restriction to deployment of women employees in underground mines under the Mines Act, women employees are recruited on compassionate grounds in lower level posts besides, technical women employees in Paramedical staff & Computer Trainee
- In the lower level posts, CIL is encouraging and motivating women employees to perform their job on surface for making Clay Cartridge, Motor Winding, Armature winding, Switch-board attendant, Pump Operator, Fan operator & Security Guard.
- Even women employees are trained to operate HEMM in some of the projects of the subsidiaries.
- Literacy drive amongst the illiterate employees is being taken up."

As regards welfare measures for women, following information was provided to the Committee-

- For providing healthy growth & welfare of children of women employees, there is provision for special care for children up to the age of 6 years by providing crèches under the roof.
- The provision of Maternity Benefit Act and Equal Remuneration Act are being implemented benefiting the women workers.
- CIL has established Nurses Training Institutes where training is imparted to Trainee Nurses to find opportunities in or around the industry.
- Mahila Mandal, Mahila Samitee and other such forums are working in different units or establishments to look after the welfare of female employees and female spouses/female dependents.
- Women employees are also taking active part in Sports events organized by CIL.
- As per NCWA, female dependents of employees who dies/permanently disabled while in service, is provided with employment or provided monetary compensation in lieu of employment.
- Based on the Guideline of National Commission of Women and Govt. of India, a women cell has been constituted to look into the complaints of women employees for discrimination and sexual harassment.
- In accordance with the judgment of Hon'ble Supreme Court in Vishakha & Ors. Vs. State of Rajasthan, subsidiaries of CIL have made amendment in the service rules/standing order.

Besides above, under the directive principle of State Policy, the Forum of Women in Public Sector (WIPS) was formed in CIL & its subsidiaries with a view to

analyze the problem of women in the Indian context. The objective of the forum is to promote

- Growth and development of women in public sector
- To assist the public sector undertaking in organizing the full potential in women employees
- To play a catalytic role in improving the status of women in and around public undertaking.

When asked as to what steps / measures have been taken by CIL to prevent sexual harassment of women staff in their offices and workplace, the following information was furnished-

“CIL & its subsidiaries have constituted a ‘Committee for Prevention of Sexual Harassment of Women at Work Place’ with one main aim to prevent sexual harassment of women employees at the workplace.”

SC/ST Welfare and their representation

As regards the details of representation of SC/ST/OBCs in total workforce strength of CIL at various executives, functional and technical levels across the hierarchy, the Ministry of Coal/CIL has furnished the following information:-

“The details as on 01/04/2013 are as under:

| | Total No. of Employees | SC | ST | OBC |
|----------------|------------------------|-------|-------|-------|
| Executive | 19592 | 1536 | 563 | 1663 |
| Non-executives | 338334 | 72193 | 42806 | 65737 |
| Total | 357926 | 73729 | 43369 | 67400 |

On being asked to give details of SC/ST/OBCs quota at various Class-I, II, III & IV levels , the CIL replied that subsidiaries of Coal India Limited were resorting to direct recruitment of non-executives in Groups “C” & “D” posts. In respect of executives, recruitment was being done centrally by CIL. A reservation Policy SC- 15%, ST- 7.5% & OBC- 27% was being followed in the matter of direct recruitment on all India basis by open competition. Each subsidiary was following the reservation policy/quota as prescribed for the respective regions which is appended below:

| Company | State | % of SC | % of ST | % OF OBC |
|--------------|---------------|---------|---------|----------|
| BCCL | JHARKHAND | 12 | 26 | 12 |
| CCL | | | | |
| CMPDIL | | | | |
| ECL | WEST BENGAL | 23 | 5 | 22 |
| CIL, KOLKATA | | | | |
| MCL | ODISHA | 16 | 22 | 12 |
| NCL | MADHYAPRADESH | 15 | 20 | 15 |
| SECL | CHHATTISGARH | 12 | 32 | 6 |
| WCL | MAHARASHTRA | 10 | 9 | 27 |
| NEC | ASSAM | 7 | 12 | 27 |

The backlog of SC & ST (as on 01/01/2013)

| Group | SC | ST |
|-------|-----|-----|
| A | 17 | 7 |
| B | 119 | 128 |
| C | 168 | 185 |
| D | 281 | 326 |
| Total | 585 | 646 |

Safety of workers

When asked as to what measures have been taken for safety and welfare of contract labourers and other workers in coal mines, the Ministry of Coal in a written reply submitted to the Committee informed as under:-

“CIL and its subsidiaries have full-proof mechanism by providing safety articles to the workers. To ensure safety, Workers are provided with Helmet, Mining Shoes, Dust Musk , Safety lamps, and Raincoats. Those who are working in heavy watery mines, are provided with raincoats, gumboots & proper hoods. For making working condition safest, close watch monitoring is being carried out in each and every mines of subsidiaries by appointing Safety Officers in each mine. Pit-Safety Committee consisting of representatives of Trade Unions & Management is operational at Unit level whereas. Safety Committee consisting of representatives of Trade Unions & Management operates at Area level. Besides above, a tripartite committee i.e. Safety Board is in vogue for deliberating the issues pertaining to safety measures for Miners as well as Mines.

As regards the safety of workers in Coal mining and other activities in CIL, the All India Coal Workers Federation in a memorandum submitted to the Committee informed as follows:-

"The safety condition of the mines both in underground and surface are deteriorating . The roll of DGMS and such other statutory authorities are getting dwarfed due to dearth of manpower, lack of proper inspection and various other reasons. Want of Statutory manpower, deficiency in utilization of budgetary provision for safety, violation of safety provision due to target production, illegal mining in abandoned mines are the prime reasons for accidents. Safety condition in privately managed companies is miserable and even evades reporting of accidents. There are inadequate arrangements for detecting occupational diseases in both the nationalized and private coal companies. Most of the Pneumoconiosis cases are diagnosed as TB and the worker concerned are deprived of the proper treatment, rehabilitation and compensations."

On being asked whether in the event of death during work in coal mines/factories, there was any discrimination between contract labourers and regular employees with regard to payment of compensation/ex-gratia amount and how was this issue being addressed by CIL, the Ministry of Coal replied as under:-

"In the event of death of worker in the Coal Mines, the payment of compensation is made as provided in Workmen Compensation Act, in addition Rs. 84,600/- as ex-gratia. If the worker met with fatal mine accident, the dependent of such worker is paid Rs. 5 lakhs as well as Life Cover Scheme of Rs. 1,12,800/- in addition to normal Gratuity is paid. Whereas, if contract worker dies in the Coal Mines, the compensation paid as per the Compensation Act and in case of fatal mine accident, a committee is constituted to sort out the affairs of the accident and the amount recommended by the committee, in addition to the one prescribed in Compensation Act, is also paid to the dependents of the contract workers."

Other Welfare Measures

As regards various welfare measures for workers/staff, the Ministry of Coal/CIL have furnished following information :-

- a) Housing – Having 3,14,957 standard quarters & 84396 non-standard quarters with 100% satisfaction;
- b) Water Supply – All quarters are provided with tap water having a water supply system covered Nos. 2116923 population;

- c) Education - The wards of workers getting education in which Company is providing grant-in-aid to Private Committee managed Schools 288 in Nos. and fully financed Schools are 64. Besides these, Company is giving occasional grant to the Schools, which are situated, in and around the Collieries. School Bus facility is also provided to the ward of employees.
- d) Medical - Ensured 100% medical assistance to the workers & their dependents. Company is having 85 Hospitals & 411 Dispensaries having the 35806 Beds and 664 Ambulances. For the purpose, Company have 1426 Doctors including Specialists, 11 Ayurved Dispensaries. 29 Nos. Mobile Vans, well equipped with modern treatment facilities.
- e) Number of Canteen - 446 \
- f) Rest Shelter - 530
- g) Besides above, the Each Subsidiary has its own Recreation Institute, Community Halls.
- h) The Subsidiaries have introduced Merit Scholarship & General Scholarship to encourage the sons/daughters of the workers.
- i) Reimbursement of *Tuition Fees & Hostel Charges* in respect of sons/daughters of the workers who have got their admission in MBBS & Engineering Degree Courses in Government Institutions.

During evidence, the Committee, when asked about housing facilities to regular employees and the conditions of the houses allotted, the Trade Union representatives replied that housing was not available to all. As ECL, BCCL were old companies, their quarters were not good. Although, the new colonies which were constructed recently were good, most of the old colonies were in dilapidated conditions.

During evidence, the Committee were interested to know whether there was any welfare officer on every 500 employees in CIL. In reply, Ministry of Coal replied positively that, if they do not have labour officer, they will be prosecuted under the labour laws by the labour machinery of the Ministry of Labour.

The Committee was interested to know whether any provision has been made for emergency loan to its employees for housing, education, marriage, festivals,

vehicle, Computer and other exigencies in CIL. In this regard, when asked to give details, the Ministry of Coal/CIL furnished the following information :-

“There is a provision to provide loan to the regular workers i.e. house building advance to the tune of max. Rs. 2.5 lakhs. If, in case of death during the course of employment of an employee, the dependent of employee can get a lumpsum amount as funeral advance to be adjusted against the payment dues. Other advances like Education, Marriage, and Advance in Special cases are paid under CMPF.”

CHAPTER-VII

PROVISIONS FOR LEAVE AND RECREATIONAL ACTIVITIES

Leave

As regards leaves for workers/staff, the Ministry of Coal have informed the Committee as under:-

- a. Annual Leave with wages are given as per the provisions of Mines Act, 1952 i.e. Earned Leave -1 day for every 15 days work performed in Underground & in other case @ 1 day for every 20 days; Sick Leave - 15; Casual Leave - 11
- b. Accumulation - EL: 140 days ; SL : 110 days
- c. Besides above, there is a special leave to employees suffering from heart disease, TB, Cancer, Leprosy, Paralysis, Renal disease - 50% of Wages (Basic + DA + VDA) upto 06 months if the continuance of disease exists, further 06 months.
- d. National/Festival Holiday - 08 days
- e. Quarantine Leave - 50% of Wages -maximum upto 21 days
- f. Leave Encashment - 15 days per calendar year;
- g. Maternity Leave - As per Maternity Benefit Act, 1961.

Provision of LTC & LLTC

LTC & LLTC - Once in a Block of 04 years - the maximum 04 adult tickets upto a distance of 750 Kms. Each way in lieu of Home Town or more if the Home town is more than 750 Kms. In case of LLTC - Distance is 1700 Kms. each way.

Class of Entitlement:

1st Class (Non-AC) Fare - Basic of Rs.16562.16 & more;
Sleeper Class Fare - Basic of less than Rs.16419.32 p.m.

On being asked as to what provisions have been made for Child Care Leave and Maternity benefit for women staff in CIL at various executive and non-executive position and whether there was any discrimination as regards lower women staff with respect to child care leave and maternity leave, the Ministry of Coal have furnished the following information to the Committee-

"Maternity benefit is being extended to the Women Workers as per Maternity Benefit Act. Since, the amendment in the Act in regard to extending it to 180 days instead of 12 weeks has not yet been made, Maternity Leave for 12 weeks is extended to the women workers, at present. Child Care Leave

extended to the female executives to the maximum period of 2 Years (i.e. 730 days) during entire service for taking care of up to two eldest surviving children and the same has not yet been extended to the Female Workers. This issue is also under deliberation before the Standardization Committee of JBCCI."

Sports & Cultural Activities

The Committee have been informed that each CIL Subsidiary is conducting Sports & Games for the workers and organizing sports meet Inter-Project as well as Inter-company. In the same line to develop cultural activities amongst the workers, cultural meets are being organized at different levels. Musical Instruments as well as sports materials with kits are also provided to the aforesaid workers at free of cost. "*CIL Sports Promotion Policy*" has been approved by the Board of Directors of CIL.

To a specific query by the Committee regarding steps taken by CIL for promotion of sports, games and cultural activities among workers/staff in CIL, the Ministry of Coal have further replied that for the promotion of Sports, Games and cultural activities various meet, such as Sports Meet & Cultural Meet at area level, subsidiary level & company level Were held annually. The sports items and kits as well as musical instruments were provided free of cost. Some of the sport persons have won esteemed awards at National and International Level too. Beside the above, recently, Coal India Ltd. had framed "*Sports Promotion Policy*" for improving Sports activities amongst the employees of Coal India Ltd.

CHAPTER –VIII

TRAINING AND SKILL DEVELOPMENTS OF STAFF

The Ministry of Coal have informed the Committee that a division namely Human Resource Development was in existence in each subsidiary of CIL, keeping thrust on skill development of the workers by imparting general training as well as specialized training within the Organization and outside the organization even abroad. In addition to above, compulsory vocational training was provided to the new incumbents and job training on the spot. During the year 2010-11. 10 workers visited China for participation in International Mining Skilled Contest, and two workers visited UK and one visited South Africa for getting Specialised Training in Continuous Miner Technology. Apart from this, 38787 workers are provided with in-house training and 1194 workers are provided with outside training within country.

During evidence, when asked about staff training, criteria for selecting trainers, and scope for training improvement, the CIL informed the Committee as under:-

"Vocational training is instituted based on the discipline, in which discipline we require like excavation or whatever other areas. According to the discipline, then people's experience is taken into account. Whether it is underground or open cast that experience is taken into account. According to that, people are kept in the HRD. They are not kept permanently. They are rotated. Every three or four years, the people are rotated....."

There is a room for improvement. We have already started in the Northern Coalfields simulator. Now we are going in for high grade transportation equipment and other things and for that simulator training is one area which helps in avoiding accidents. So, we have already told all the subsidiaries to go in for a simulator. Some of the subsidiaries have already purchased and installed simulators also and training is being given by them. We are improving it in other places also..... there are training institutes in each and every company for the workers and the supervisory staff. They are known as WTI and STI where regular training is imparted to the workers of each and every discipline, be it mining, excavation and others. Regular courses are conducted to expose them to the new technology, techniques and for upgrading their skills. This is a regular feature of training and these trainings are imparted based upon the MoUs entered between the Coal Companies and Coal India Limited. In addition to that, there is heavy earth moving machinery equipment where the workers are exposed to training to run the heavy earth moving machinery in each and every subsidiary. The contract workers are also exposed through VTC before going to work in any of the mining areas, be it open cast or underground mine."

CHAPTER-IX

WORKER'S REPRESENTATION PARTICIPATION AND GRIEVANCE REDRESSAL

Every industrial organization is faced with grievances of workers and employees. And to address their grievances, there are often formal and informal groups representing worker's interests and rights. Often Trade Unions and Workers Associations are entrusted with this task of raising worker's issues and problems. As informed by CIL, the important trade unions registered with them are INTUC, AITUC, BMS, HMS and CITU. The detailed list is given in *Annexure-1*.

Grievance Redressal System

The Committee have been informed by CIL that each of their Subsidiaries had their own Grievance Redressal System which provides the workers to register their grievance to the Officers authorized for the purpose and the officer concerned shall take up their grievance to the respective department for its redressal. The outcome of the grievances are communicated to the worker concerned. For redressal of collective grievance, regular structural I.R. Meetings with Trade Union Representatives were being done at Unit/Area/HQrs. level of the subsidiaries.

For policy decision there is Apex Committee in the Subsidiary i.e. JCC/CCC, and Area and Unit Level there are Welfare Committee, Housing Committee, Canteen Committee, Pit Safety Committee. Each committee has the representatives of Management & Trade Unions too. At CIL level there are various committees of JBCCI functioning for deliberation in regard to service conditions, Welfare, Social Security of the worker. Apart from these committees Apex JCC, Welfare Board, Safety Board are in existence at CIL.

Worker's Representation and participation in management

On being asked as to what were the general demands and grievances of workers in CIL and how these were being addressed in right perspective, the Ministry of Coal in a written reply submitted to the Committee apprised as under:-

“General demand and grievances are pertaining to wage anomaly, promotion, transfer etc. which are properly heard by the respective division and being addressed. There is an online grievance redressal system too, on which grievances are raised and redressed.”

Since workers are the major stakeholders in CIL and its subsidiaries, the Committee desired to know as to what extent and how does CIL ensure workers participation in management in the affairs of the company. In this regard, the Ministry of Coal informed the Committee as under:-

“Coal India Ltd. believes in worker participation in management as the service conditions of workers in regard to wages, allowances, social security measures etc. are decided in the Joint Bipartite Committee for Coal Industry (JBCCI) in the shape of National Coal Wage Agreement (NCWA). The JBCCI consists of representatives of Central Trade Unions and representatives of Management of Coal India Ltd. & its subsidiaries as well as SCCL.

There is a provision in NCWA to constitute a Standardization Committee consisting of the management and representatives of Trade Unions to examine and deliberate on the provisions of NCWA. The regular meetings of Standardization Committee is being carried out. The last meeting i.e. the 4th Meeting of the Standardization Committee was held on 29th May 2013 at New Delhi. For the health of the organization in regard to Production and Productivity as well as to maintain industrial relation within the industry there is an Apex Joint Consultative Committee (Apex-JCC) at CIL level in vogue. Similarly, JCC, CCC are functioning at subsidiary & area level. Special attention is given on Safety by constituting Safety Committee/Safety Board as well as for proper welfare measures, Welfare Board is constituted.”

The Committee was keen to know about the mechanism/procedure in place in CIL for resolving industrial/labour disputes and improving relations between workers and CIL management. When a specific query was addressed to the Ministry of Coal in this regard, the Committee were informed as under:-

“Any dispute in regard to service conditions is dealt under the Industrial Dispute Act, 1947 for improving industrial relation between workers and the management having regular dialogue in the various committees functioning at Company level, Subsidiary, Area and Colliery level.”

CHAPTER -X

IMPLEMENTATION OF LABOUR LAWS AND MINIMUM WAGES

The failure in enforcement of labour laws often result in incidents of violence and labour unrest. The Committee have been deeply concerned about the implementation of labour laws and minimum wages to contract workers in coal mining. In this regard, the Ministry of Coal when asked as to how they ensure that CIL and its Subsidiaries conform to labour standards as mandated by Ministry of Labour & ILO, in a written reply submitted to the Committee stated as under:-

“CIL is required to adhere to all labour laws and orders as laid down by the Ministry of Labour.

The Central Labour Commissioners under the Ministry of Labour with excutive field organisation duly supervises and ensure implementation of labour laws and takes due action as per law in case of any violation of the same.”

As regards, mechanism in CIL to prevent malpractices and exploitation of contract workers, the Coal India Ltd. in a visual presentation before the Committee have submitted that there is -

- Due Compliance of the prescribed norms under Contract Labour (R&A) Act, 1970
- Principal employer maintains the Register of contractors in the Prescribed Format
- Besides authorities of CIRM, the surprise checks are conducted by representatives of Principal Employer,
- Efforts being made for 100% payment through bank or cheque
- Issuance of Identity Cards to the contractor workers

The Ministry of Coal/CIL , when asked about mechanism/enforcement machinery in place to ensure the proper implementation of Contract Labour Act, 1970, Industrial Dispute Act, 1947 and Factories Act, 1948, submitted written reply to the Committee as under-

“The CIL and its subsidiaries are bound by the provisions of Contract Labour Act (A& R), 1970, Industrial Dispute Act, 1947 and Factories Act, 1948 and also the Mines Act 1952. In order to ensure implementation of the above Acts, All the statutory Acts /Abstract copies are displayed on the Notice

Board at visible places in local language. Similarly Name of RLC(C), ALC (C), and LEO (C) and Category-wise / Grade-wise wages are also displayed at prominent places .In addition to above, various statutory register like Form B , C, D and E. and Register of Fines, Register of Advance, Register of damage loss etc, are maintained. The enforcement and compliance in respect of above is monitored during coordination meeting of GMs at subsidiaries level, Area Personnel Managers coordination meeting at Director(Pers.)level and Project Officers meeting at Area General Managers level.”

There have been reported complaints regarding gross violation of Minimum Wages Act in CIL and its subsidiaries. In this context, the Ministry of Coal/CIL when asked about measures taken to ensure payment of adequate minimum wages to contract labourers by CIL management, stated reply that-

“CIL ensures the payment of minimum wages to the Contract Workers by making provisions in the NIT for payment of contract workers deployed in scheduled employment as well as in mining activities. Besides above, it is also advised to the contractor that the payment is to be made through bank/cheque. Where manual payment is being done, one authorized representatives of the management is present during the course of disbursement of the wage payment to the contract workers.”

The Committee, when enquired about the minimum wages to workers for coal mining, the workers representatives/Trade submitted during the evidence that it was Rs. 472 for unskilled; Rs. 504 for semi-skilled; Rs. 536 for skilled, and Rs. 568 for highly skilled. But minimum wages varied from state to state for contract workers in non-mining jobs. It was 294 in West Bengal, 211 in Jharkhand, 190 in Chhattisgarh and M.P. and 160 in Odisha.

On being asked as to how does CIL and its subsidiaries ensure working hours, minimum wages, health & hygienic conditions and pollution free environment for its contract workers, the Committee were informed as under:-

“The provisions in regard to working hours, minimum wages as well as health & hygienic conditions are incorporated in NIT. The compliance of these condition are enforced and monitored by Site in Charges. As regards, pollution free environment, it is submitted that CIL has a mechanism of sprinkling the water at worksite to reduce the dust to make pollution free environment. In addition to that Dust Masks are also provided to the

contractor's worker. First- aid boxes are placed at work place for any emergent need of medical assistance."

During course of evidence, when asked about the actual practice and implementation of labour laws and rules for contract labours in CIL, the Secretary, Ministry of Coal, submitted before the Committee as under:-

"On behalf of the Ministry, I would like to assure you that it has been constantly advising the Coal India Ltd. to follow the extant labour laws and rules including laws pertaining to contract labour. We are confident that Coal India Ltd. is discharging its labour obligations to the maximum extent. At the same time, we would like to ensure that the companies take every possible measure to improve the skills and productivity of the labour force so that they stand as an equal partner in contributing to growth and also in sharing the benefits.

.....Coming to the implementation of labour laws and welfare measures, having worked in the Labour Ministry for six years, and all the hon. Members will be aware, I would say that the administrative Ministry for the implementation of labour laws is the Ministry of Labour....., they have a comprehensive field organisation by way of the Central Labour Commissioner; by way of the contract labour workers. They have a very comprehensive organisation. The short point which I am making, Sir, and I request, is that it will not be possible for the Ministry of Coal to supervise the implementation of labour laws because the Ministry of Coal does not have any field organisation of its own."

During evidence, when the Committee showed their deep concerns regarding non-implementation of labour laws with regard to private coal blocks, the Secretary, Ministry of Coal submitted as under:-

"With regard to the private coal block we have noted your concerns and we will request the Ministry of Labour because we do not have any field machinery with regard to the labour laws and that is the point which I was coming to that with regard to the private coal blocks – Coal India and its subsidiary companies – we will ensure that Coal India as the principal employer has certain legal obligation and that legal obligation they have to discharge. But with regard to the private coal block, Sir, we will request the Ministry of Labour through the labour enforcement machinery to kindly ensure that all the labour laws are being observed with regard to payment of minimum wages. Whatever are the labour laws, whatever are the legal entitlements of the contract labour, they are met with. This was an important issue which has been raised by the hon. Members with regard to the private coal blocks. We will immediately write to the Labour Ministry on this issue."

OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE

1. Identifying exact number of contract workers in CIL

The Committee observe that there have been various contentions regarding the estimation of exact number of contract workers engaged in different activities in CIL. There have been different versions from the official side and from Trade Union representatives in this regard. The worker's representatives hold that there may be around one lakh contract labourers working in CIL in mining, non-mining, outsourcing and other civil and peripheral jobs. It is noted that difficultly to estimate exact number of contract workers in CIL has arisen due to non-maintenance of any records in this connection. The committee are of the view that to ensure proper implementation of labour laws and enforcement of minimum wages to contract workers and protecting their interests and rights, the first and foremost task should be of identifying the exact number of contract workers actually engaged in different activities in CIL. The Committee, therefore, recommend that Ministry of Coal must give a direction to CIL and its subsidiaries to maintain and keep updated records of contract workers actually working in different activities including mining, non-mining, outsourcing and others. The Committee also desire that not only it should be made mandatory for contractors to maintain accurate records but time to time inspection and surveys may also be conducted by CIL in this regard.

2. Provident Fund Coverage for contract workers

The Committee have come across facts put forward by representatives of Trade Unions over the issue of Provident Fund (PF) coverage for contract workers. The committee observe that there have been grievances among workers regarding non-membership of Provident Fund. The committee have been told that normally a contract worker's PF should be deducted after 30 days work, but the same does not seems to be implemented

actually in CIL. The committee note that official figures state that there are 64842 contract workers, but out of that only 43846 are found qualified for coverage under Coal Mines Provident Fund/EPF. Again, there are only 35785 workers reported to be a member of CMPF/EPF. The committee are surprised to see the big gap of nearly 12000 contract workers between workers qualified for Provident Fund and the workers actually member of CMPF/EPF and getting PF deductions. The reason put forward by CIL that they are in the process of making them members of CMPF/EPF, is not convincing. It clearly points to the failure of the CIL management and of CMPFO towards full coverage of contract workers under social security benefits like Provident Fund. The Committee, therefore recommend that CIL management and CMPFO should work sincerely towards bringing all the contract workers qualified for Provident Fund benefits under the umbrella of CMPF/EPF scheme as a matter of social security measure for worker's benefit.

3. Wage Revision for contract workers and uniformity in minimum wages

The Committee observe that after nationalization, a Bi-Partite Committee, known as JBCCI, was constituted consisting of the representatives of four Central Trade Unions namely, INTUC, AITUC, HMS & CITU and representatives of Management of Coal Industry on 14.08.1973 to negotiate National Coal Wage Agreement. The representative of BMS was included later on. Besides, law of the land applicable to the Workers of the Coal Industry, wages, dearness allowance, service conditions, fringe benefits, welfare, social securities, safety & others are decided under National Coal Wage Agreement (NCWA). First NCWA was signed on 11.12.1974 for the period of four years w.e.f. 01.01.1975. At present, NCWA-IX is in vogue for the period of 05 years w.e.f. 01.07.2011 till 30.06.2016. The Committee are, however, dismayed to note that there are huge variations as regards wage revision policy and revision of minimum wages between contract labourers and regular workers in CIL. The Committee note that the minimum wages to workers for coal mining was

Rs. 472 for unskilled; Rs. 504 for semi-skilled; Rs. 536 for skilled, and Rs. 568 for highly skilled. But, contract labourers engaged in scheduled employment are getting minimum wages as per rates prescribed for the state. The contract workers deployed in the job relating to mining activities as mentioned under Section 2(h), (g), (k) of Mines Act-1952 including washery, CHP and Railway siding, are being paid mid way between the wages prescribed by the Central Govt. under Minimum wages Act, 1948 and wages payable to Cat.-I of National Coal Wage Agreement-IX. The wages for contract workers varies from state to state for non-mining jobs. It was Rs. 294 in West Bengal, Rs. 211 in Jharkhand, Rs. 190 in Chhattisgarh and M.P. and Rs. 160 in Odisha. The Committee, therefore observe huge variations in minimum wages for the contract workers in different states. The Committee also feel that the minimum wages for contract workers prevailing in many of the states is very low and not sufficient for a decent living. The Committee recommend that the wages of contract labourers should be nearer to the minimum wages for unskilled workers of Coal India and its subsidiaries. The Committee observes that the contract labourers who are working for more than 5 years at a stretch, the Coal India and its subsidiaries should absorb them by forming a scheme.

4. Strict enforcement of minimum wages to contract workers

The Committee are very much concerned and worried about the plight of many contract workers in CIL who are being denied even the minimum wages prescribed for them. The Committee note that there are widespread incidents of violations of minimum wages to contract workers in coal mines operated by CIL and its subsidiaries. Though, the Ministry of Coal have denied any such violation of minimum wages to contract workers, but the worker's representatives i.e. Trade Unions have a different version to offer, clearly stating that minimum wages are not paid to many of the contract workers. The Committee, therefore, strongly recommend that Ministry of

Coal and CIL should enforce timely payments of minimum wages to outsourced contracts workers engaged in mining and non-mining activities. The Committee also recommend that the Ministry of Coal should ensure that there is a labour officer on every 500 employees in CIL and its subsidiaries for taking care of welfare of workers.

5. Implementing labour laws in private coal blocks

In the captive coal blocks regime, today, the Committee observe that the Ministry of Coal have allocated many of the coal blocks to private companies for development and production of coal. Out of total 218 coal blocks allocated, a majority share of blocks has gone to private companies. The Committee are very much concerned about the regulation and implementation of labour laws by the Ministry of Coal in such private coal blocks. The Ministry have assured the Committee about their responsibility and legal obligation towards maintaining legal standards and ensuring implementation of labour laws and minimum wages to regular employees and contract workers in coal mining and other activities in coal mines/coal blocks operated by CIL and its subsidiaries, which the Committee is appreciative of. But, the Committee strongly feel that Ministry of Coal should in coordination with Ministry of labour must establish and develop an enforcement and regulatory machinery to ensure that all labour laws are being observed with regard to payment of minimum wages, provident fund, accidental compensation, social security measures and other welfare provisions to all the workers including contract labours in private coal blocks/mines without violation.

6. Lower representation of women in services

The Committee take a critical note of less number of regular women employees in services in CIL and its subsidiaries at executive, non-

executive positions. The Committee are disappointed to find that out of the total working strength of 357926 employees in CIL and its subsidiaries, the representation of women is just 27239, which is a meager 7.6 %. In a country like India where nearly 50 % of population are women, where gender budgeting is being promoted by Government of India and where women are being encouraged in all kind of jobs as a matter of women's empowerment initiative, the on-record performance of CIL as regards women's representation in services is very poor. What is more worrying is that women's representation in executive positions where policies are made and implemented is also low. Taking note of lower representation of women in various positions in service in CIL and its subsidiaries, the Committee strongly recommend the Ministry of Coal and CIL to take necessary action to create and promote greater job opportunities for women in Coal PSU's as a part of Gender empowerment policy of CIL.

7. Child care leave to women employees

The Committee observe that there is a discrimination as regards extending Child Care Leave to women in Coal India Ltd., wherein the women at executive positions are entitled for availing it, but the same have been denied to the women at non-executive positions. The Committee fail to understand the logic and criteria behind such distinction between women at executive and non-executive position. The committee feel that non-extension of Child Care Leave to women at non-executive positions is a matter of discrimination to them. A woman is a woman and child-care is simply child care, irrespective of any categorization, class, caste or distinction. If it is being granted to one section of women employees, there is no reason as to why it cannot be granted to other regular women employees. The Committee therefore, strongly recommend that CIL Management should extend the benefit of child care leaves to all regular women employees without any distinction of their executive or non-executive position.

8. Job card and salary account for contract workers

The Committee observe that most of the contract workers engaged in mining, non-mining or other outsourcing jobs do not have any job card unlike MGNREGA labourers, and neither do they have any bank account number for salary transfer. The Committee take a serious note of the cash payment to contract workers for their work and strongly feel that this is the breeding ground for corruption, malpractices and exploitation as regards payment of minimum wages to them. The cash payment to contract workers not only goes unaccounted but makes way for a non-transparent and manipulative administrative system. The Committee, therefore, strongly recommend that Ministry of Coal/ CIL should ensure that all contract workers have their job card and all payments as regards their wages should be directly transferred in their bank account. It should be made mandatory for all contractors to make payment to the workers through cheque or bank account only. This will be very helpful in keeping record of all wage transactions and putting a check of any violation of minimum wages or delayed payments to workers. The Committee would like to be apprised of action taken in this regard by Ministry of Coal/CIL.

9. Compulsary Canteen in workplaces at subsidized rates

The Committee found that many of the Worker's Associations of CIL, have complained that canteen facility, restroom and shelter are not made available for workers at workplaces in many coal mines in CIL and its subsidiaries. The committee feel that for the workers doing hard physical labour in coal mines and other such activities, the provision of tea, snacks and other refreshment is very necessary for energizing them. The Committee, would like to remind the Ministry of Coal/CIL that it is the statutory obligation of the Coal Companies to make canteen and shelter facilities available to workers at the workplace, which has not been

followed in letter and spirit. The Committee, therefore, recommend that CIL and its subsidiaries must ensure that decent canteen facilities and shelters are made available to the workers at the workplace and there should be no discrimination in regular and contract workers for availing these facilities.

10. Contracting business by trade union leaders to be checked

The Committee take note of the repeated complaints and deep concerns over practice and monopoly of Trade Union leaders resorting to taking on contracting business in their own hand in coal mining areas, especially in Jharkhand and thus controlling and many a times exploiting the contract workers. It is often alleged that most of the trade union leaders have a close nexus with other contractors too and take a heavy share of profit out of contract workers wages in their pocket to whom they hire on job. They have their own commercial interests and are least concerned with workers interests. The Committee also came across the complaints regarding non-holding of elections in many of the Trade Unions and monopoly of the same set of leaders getting elected as worker's representatives riding on their money power and their crucial links. The Committee, therefore, recommend that Ministry of Coal and CIL should put in place a mechanism to put a check on the practice of Trade Union leaders resorting to contracting business because it comes as a clear conflict of interest of Trade Union leaders vis-à-vis contract workers interests. Also, some rule or guideline may be issued to the registered Trade Unions of CIL to hold regular elections for electing worker's representatives in a fair and transparent manner.

11. Local people to be given preference in outsourcing work

The committee observe that in many of the jobs/activities outsourced by CIL and its subsidiaries to outside agencies, the local people are not given preference while employing workers on contract job. The outsourced companies in coal mine areas often employ workers from outside at their own terms and conditions at cheaper wage rates. The committee, feel that the local people or the land oustees have the first right to get opportunity in outsourced activities in local mining areas. The Committee, therefore, recommend that CIL and its subsidiaries should ensure that local people be given preference while employing contract workers in mining, non-mining and other outsourcing activities.

12. Inhabitable quarters in dilapidated condition be reconstructed/demolished

The Committee observe that housing facilities for regular employees of CIL are existing but the same are not available to all the workers. The worker's representatives have submitted that the new colonies which have been constructed recently are in good condition, but the quarters of ECL and BCCL are not good. In fact, most of the old colonies are in dilapidated conditions. The committee were apprised that the quarters of ECL are inhabitable and lie in poor condition. Also, for people living in Raniganj, and in quarters along side railway tracks from Dhanbad to Asansol, though the quarters are constructed but they are in inhabitable conditions. The area where quarters are constructed are full of coal dust, dirt and pollution. The Committee further note that CIL has not constructed enough new quarters for workers in the last 20 years. The Committee express their deep concern to the facts and observations that the inhabitable houses in dilapidated condition in many coal mine areas of CIL and its subsidiaries which have either been lying vacant or have been abandoned have become den/hub for criminals and anti-social elements. The criminals often stay

overnight there and the workers families staying there in nearby quarters often fear to venture outside in night. The Committee, therefore, strongly recommend that such quarters in dilapidated conditions be either demolished immediately so as to throw out criminals staying there or should be reconstructed to benefit the workers.

13. The Committee observe that particularly in ECL and BCCL, the quarters are old and in bad condition. The Committee therefore recommend that the management should demolish the old quarters and make new buildings for workers.

14. Filling of Backlog vacancies of SC/ST's

The Committee note that there are many backlog vacancies in CIL and its subsidiaries for SC/ST's which are lying unfilled. The Committee find that there is a backlog of nearly 585 vacancies for SC's and 646 for ST's in Group A,B, C and D services as on 01.01.2013 in CIL and its subsidiaries. As CIL has offered no explanation or reason as regards non-filling of this backlog quota for these communities, the Committee, recommend that CIL management should review the process of filling up of the backlog quota for SC/ST's at different levels/positions in services as a part of ensuring their greater representation and their overall welfare.

15. Regularization of contract workers

The Committee observe that there are a large number of contract workers in various coal mines in CIL and its subsidiaries working for more than 10 to 20 years, but still they are not getting job protection or other service benefits as are entitled to regular employees. Such workers still after working for so long period are still struggling to get minimum wages and other social security benefits. The situation is even worse in

Dankuni Coal Complex where despite repeated demands by such contract workers for regularization of their jobs in CIL is not being considered. The Committee are deeply concerned with the plight and struggle of such contract workers working in coal mining and other activities in CIL for a period of more than 10 years. The Committee, therefore, strongly recommend that the contract workers who have been working in CIL for more than 10 to 15 years continuously and have good experience may be given a sympathetic consideration for regularization of their jobs in services.

16. Overhauling and rejig of Department of Personnel

The Committee observe that though top management of CIL and its subsidiaries seem to be sincere and honest towards welfare of the workers, the major problem as regards various grievances, service conditions, social security benefits and other welfare measures are directly concerned with the mismanagement, mishandling, non-sincerity and callous attitude of the Department of Personnel of CIL and its subsidiaries in lower levels. It seems like all the good work, initiatives, welfare measures taken by CIL top management for the benefit of its employees are spoiled and made to bite dust by the callousness of officials of Department of Personnel in lower levels. The Committee feel that Department of Personnel all CIL and its subsidiaries are playing with the image and reputation of CIL which is a schedule 'A', Maharatna Company. The Committee therefore, recommend that there is an urgent need to overhaul and rejig the Department of Personnel in CIL and all its subsidiaries. A more dedicated, committed, sincere and honest team of officers should be deputed there for the larger welfare and benefits of employees.

17. Compensation for accidental deaths of contract workers be increased

The Committee observe that there are huge differences and distinctions as regards compensation to regular workers and contract workers during accidental deaths, disabilities or injuries at workplace. The Committee have been informed by CIL management that they are governed by workmen compensation Act in the compensation matters of their regular workers and it is also legally binding upon them. But in the case of contract workers, the compensation depends on the contractor as per their contract with CIL. Some of the contractors pay accordingly to their own negotiation between their unions and them outside the Act. The Committee are deeply concerned with the inadequate compensation to contract workers during accidental deaths and find that as much as 50% of the workers who died during mining accidents are contract workers, but they have been left at the mercy of the contractors. The Committee, therefore strongly recommend that Ministry of Coal and CIL management should take appropriate measures so as to ensure that the amount of compensation to the contract workers are paid, as far as possible at par with the regular company workers. The Committee would like to be apprised of the steps/initiatives take by CIL in this regard.

18. Medical referral and health facilities

The Committee take note that the diseases/treatment covered under medical facilities to the workers are very limited. There are many treatments and diseases for which the medical facilities are not available in CIL hospitals/dispensaries. Also , there have been repeated complaints that the medical referral service in CIL hospitals is not good. The Committee also observe that even at the places where CIL hospitals are available, the doctors, nurses, specialists and ICCU facilities are not available on time. There is also an apathy as regards medical treatment of contract workers in CIL hospitals and dispensaries. The Committee,

therefore recommend that the list of diseases/treatments covered under the medical benefits should be enlarged and it should be ensured that adequate numbers of doctors, specialist and ICU facilities are available on time in all the CIL hospitals for the benefit of workers including contract workers. The medical referral service also needs to be improved and made more feasible.

19. Safety of Workers engaged in Coal Mining

The Committee are deeply concerned about the safety of workers engaged in coal mining and other activities in CIL. The Committee observe that the safety condition of the mines, both in underground and surface, are a grey area and need improvement. The recent incidents of deaths of many villagers in coal dumping site in Mahanadi Coal fields Ltd. should be an eye opener for CIL management. The Committee note that the role of DGMS and such other statutory authorities are getting dwarfed due to dearth of manpower, lack of proper inspection and various other reasons. Want of Statutory manpower, deficiency in utilization of budgetary provision for safety, violation of safety provision due to increase in target production, illegal mining in abandoned mines are the prime reasons for accidents. What is even more worrying and deplorable is that safety condition in privately managed companies is miserable and even reporting of accidents is often evaded by them. The Committee would like to be apprised of the steps taken by Ministry of Coal, CIL and DGMS to ensure non-repetition of accident like Mahanadi Coal Fields Ltd. and the penal action taken against all those responsible and found guilty for the accident.

20. There are inadequate arrangements for detecting occupational diseases/health hazards in both the nationalized and private coal companies. Most of the Pneumoconiosis cases are diagnosed as TB and

the worker concerned are deprived of the proper treatment, rehabilitation and compensations. The Committee, therefore, strongly recommend that CIL management should accord top priority to the safety and security of the workers in coal mining and in this direction timely inspections, budgetary provisions, vigilance, security beef up and statutory compliances should be made compulsorily without any fail.

21. Training and Skill Development

The Committee are of the opinion that training and skill development form an integral part of Human Resource Management of any organization. It lays foundation of skill/knowledge transmission, intellectual integrity and long term sustainability of an organization in today's competitive market. The Committee appreciate the regular training programmes arranged by CIL management for enriching the knowledge and fine tuning the skills further, but feel that there is further need and scope for improving and redesigning these training modules on the front of hiring specialist and expert trainers, giving the workers including contract workers greater exposure to advance technology in coal mining sector including operation of Heavy Earth Moving Machinery. The Committee would, therefore, like the CIL management to make training programmes more innovative and compulsory for all the staff at various levels after every 5 -7 years and contract workers to enrich their skill further.

**New Delhi;
18 December, 2013
27 Agrahayana, 1935(Saka)**

**KALYAN BANERJEE,
Chairman
Standing Committee on Coal and Steel**

MINUTES OF THE SITTING OF THE STANDING COMMITTEE ON COAL AND STEEL HELD ON 22 JULY, 2013 IN COMMITTEE ROOM 'C', PARLIAMENT HOUSE ANNEXE, NEW DELHI.

The Committee sat from 1400 hrs. to 1600 hrs.

PRESENT

Shri Kalyan Banerjee - Chairman

LOK SABHA

2. Shri Hansraj G. Ahir
3. Smt. Jyoti Dhurve
4. Shri Ganeshrao Nagorao Dudhgaonkar
5. Shri Vishwa Mohan Kumar
6. Shri Yashbant N.S. Laguri
7. Shri Babu Lal Marandi
8. Shri Govind Prasad Mishra
9. Shri Rajaram Pal
10. Kumari Saroj Pandey
11. Shri Pashupati Nath Singh
12. Shri Om Prakash Yadav
13. Shri Bansa Gopal Chowdhury

RAJYA SABHA

14. Shri Ali Anwar Ansari
15. Dr. Pradeep Kumar Balmuchu
16. Shri Srinjoy Bose
17. Smt. Smriti Zubin Irani
18. Shri Dhiraj Kumar Sahu

SECRETARIAT

1. Shri S. Bal Shekar - Secretary
2. Shri Shiv Singh - Director

WITNESSES

MINISTRY OF COAL AND ITS PSU's

| | | |
|-----|---------------------------|-----------------------------|
| 1. | Shri S. K. Srivastava | Secretary, Ministry of Coal |
| 2. | Shri A.K. Dubey | Addl. Secretary |
| 3. | Shri A. K. Bhalla | Joint Secretary |
| 4. | Shri Shailesh Kumar Singh | Joint Secretary |
| 5. | Smt. Sujata Prasad | Joint Secretary and FA |
| 6. | Shri M. R. Anand | Economic Advisor |
| 7. | Shri D. N. Prasad | Advisor(P) |
| 8. | Shri M.K. Sharma | Director(PRIW) |
| 9. | Shri S. Narsingh Rao | Chairman, Coal India Ltd. |
| 10. | Shri R. Mohan Das | Director (P&IR) CIL |
| 11. | Shri A. K. Debnath | CMD, CMPDIL |
| 12. | Shri T. K. Lahiry | CMD, NCL & BCCL |
| 13. | Shri D. C. Garg | CMD, WCL |
| 14. | Shri Gopal Singh | CMD, CCL |
| 15. | Shri N. Kumar | CMD, SECL |
| 16. | Shri Rakesh Kumar Sinha | CMD, ECL |
| 17. | Shri S. Bhattacharya | CMD, SCCL |
| 18. | Shri A.N. Sahay | CMD, MCL |
| 19. | Shri B. Surender Mohan | CMD, NLC |

2. At the outset, the Chairman welcomed the Secretary and other representatives of the Ministry of Coal and PSUs to the sitting of the Committee convened to take further evidence on the subject "Service conditions of workers including contract workers in Coal India Limited".

3. Thereafter, the Committee were briefed on the subject through a visual presentation by the representatives of the Ministry of Coal and CIL. The Committee broadly discussed the issues relating to the service conditions of workers including contract workers in CIL, especially with reference to their social security measures, health and educational benefits, provident fund, pension system, safety of workers in coal mines, salary structure of staff and other welfare measures.

4. The members expressed their deep concerns on the issues of violation of minimum wages to the contract labourers in CIL, non-provision of child care leave and maternity benefits to non-executive women staff in CIL, improper health facilities and lack of proper safety measures for workers in coal mines.

A verbatim record of the proceedings has been kept.

The Committee then adjourned

MINUTES OF THE SITTING OF THE STANDING COMMITTEE ON COAL AND STEEL HELD ON 31 JULY, 2013 IN COMMITTEE ROOM 'E', PARLIAMENT HOUSE ANNEXE, NEW DELHI.

The Committee sat from 1400 hrs. to 1600 hrs.

PRESENT

Shri Kalyan Banerjee - Chairman

LOK SABHA

2. Shri Hansraj G. Ahir
3. Smt. Jyoti Dhurve
4. Shri Ganeshrao Nagorao Dudhgaonkar
5. Shri Vishwa Mohan Kumar
6. Shri Govind Prasad Mishra
7. Kumari Saroj Pandey
8. Shri Pashupati Nath Singh
9. Shri Om Prakash Yadav

RAJYA SABHA

10. Shri Ali Anwar Ansari
11. Dr. Pradeep Kumar Balmuchu
12. Shri Srinjoy Bose

SECRETARIAT

1. Shri Shiv Singh - Director
2. Shri Arvind Sharma - Deputy Secretary

WITNESSES

OFFICIAL

| Sl. No. | Name | Designation |
|----------------|-------------|--------------------|
|----------------|-------------|--------------------|

| | | |
|-----|--------------------------|--|
| 1. | Shri S. K. Srivastava | Secretary, Ministry of Coal |
| 2. | Shri A.K. Dubey | Addl. Secretary, Ministry of Coal |
| 3. | Shri A. K. Bhalla | Joint Secretary, Ministry of Coal |
| 4. | Shri Sailesh Kumar Singh | Joint Secretary, Ministry of Coal |
| 5. | Smt. Sujata Prasad | Joint Secretary and FA, Ministry of Coal |
| 6. | Shri M. R. Anand | Economic Advisor, Ministry of Coal |
| 7. | Shri M.K. Sharma | Director(PRIW), Ministry of Coal |
| 8. | Shri S. Narsingh Rao | Chairman, Coal India Ltd. |
| 9. | Shri R. Mohan Das | Director (P&IR) CIL |
| 10. | Shri A. K. Debnath | CMD, CMPDIL |
| 11. | Shri T. K. Lahiry | CMD, NCL & BCCL |
| 12. | Shri D. C. Garg | CMD, WCL |
| 13. | Shri Gopal Singh | CMD, CCL |
| 14. | Shri N. Kumar | CMD, SECL |
| 15. | Shri R. Sinha | CMD, ECL |
| 16. | Shri A.N. Sahay | CMD, MCL |

NON-OFFICIAL

1. Shri S.Q. Zama, Ex-MLC, Secretary General, INMF (INTUC)
2. Shri Surender Kumar Pandey, President, Akhil Bhartiya Khadan Mazdoor Mahasangh (BMS)
3. Shri D.D. Ramanandan, Vice President, All India Coal Workers Federation (CITU)
4. Shri Ramendra Kumar, President, AITUC
5. Shri Nathulal Pandey, President, HKMF(HMS)
5. Shri Prakash Raha, Contractor's Staff & Workmen Union, INTUC, Dankuni Coal Complex
7. Shri Gautam Das, Contractor's Staff & Workmen Union, INTUC, Dankuni Coal Complex

2. At the outset, the Chairman welcomed the Secretary and other representatives of the Ministry of Coal and Trade Unions of CIL to the sitting of the Committee convened in connection with examination of the subject "Service conditions of workers including contract workers in Coal India Ltd."

3. Thereafter, the Committee sought the views of Trade Unions on the working conditions of the workers, especially the contract labourers employed in mining activities and non-mining with regard to payment of minimum wages leave entitlements, health facilities, social security and safety measures, etc.

4. The representatives of the Trade Unions presented their views before the Committee and raised their problems and issues regarding violation of Minimum Wages Act, poor housing facilities provided by CIL subsidiaries, poor working conditions for contract workers including those in Dankuni Coal Complex, grievances regarding claims of provident fund and pension, etc.

5. The Ministry of Coal and CIL then responded to the above issues raised by the Trade Unions and assured the Committee to look into the problems and issues raised by the Trade Unions and resolve them amicably. The Hon'ble Chairman directed the CIL Trade Union Leaders to submit their Memorandum on the subject for consideration of the Committee.

A verbatim record of the proceedings has been kept.

The Committee then adjourned

MINUTES OF THE SITTING OF THE STANDING COMMITTEE ON COAL AND STEEL HELD ON 17 DECEMBER, 2013 IN ROOM NO. '112', FIRST FLOOR, PARLIAMENT HOUSE ANNEXE, NEW DELHI.

The Committee sat from 1530 hrs. to 1600 hrs.

PRESENT

Shri Kalyan Banerjee - Chairman

LOK SABHA

2. Shri Hansraj G. Ahir
3. Shri Ganeshrao Nagorao Dudhgaonkar
4. Shri Vishwa Mohan Kumar
5. Shri Pakauri Lal
6. Shri Babu Lal Marandi
7. Shri Govind Prasad Mishra
8. Shri Rajaram Pal
9. Shri Pashupati Nath Singh

RAJYA SABHA

10. Shri Ali Anwar Ansari
11. Dr. Pradeep Kumar Balmuchu
12. Shri Jugul Kishore
13. Shri Sanjay Raut
14. Shri Dhiraj Prasad Sahu

15. Shri Dilip Kumar Tirkey

SECRETARIAT

- | | | |
|-----------------------|---|---------------------|
| 1. Shri Shiv Singh | - | Director |
| 2. Shri Arvind Sharma | - | Additional Director |

2. At the outset, Chairman welcomed the Members to the sitting of the Committee.

3. The Committee thereafter took up for consideration the following Draft Reports:-

(i) ** ** ** **

(ii) ** ** ** **

(iii) ** ** ** **

(iv) Draft Report on "Service Conditions of Workers including contract workers in Coal India Ltd. And its Subsidiaries pertaining to the Ministry of Coal.

(v) ** ** ** **

4. The Committee adopted the Reports with some minor changes/modifications. The Committee then authorized the Chairman to finalise the Reports on the basis of factual verification from the concerned Ministry and present the same to both the Houses of Parliament.

The Committee then adjourned.

**Do not pertain to this Report.