

28

STANDING COMMITTEE ON LABOUR

(2011-12)

(FIFTEENTH LOK SABHA)

MINISTRY OF LABOUR AND EMPLOYMENT

DEMANDS FOR GRANTS

(2012-13)

TWENTY-EIGHTH REPORT



LOK SABHA SECRETARIAT

NEW DELHI

April, 2012/Vaisakha, 1934 (Saka)

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STANDING COMMITTEE ON LABOUR

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(FIFTEENTH LOK SABHA)

MINISTRY OF LABOUR AND EMPLOYMENT

DEMANDS FOR GRANTS

(2012-13)

Presented to Lok Sabha on 3rd May, 2012

Laid in Rajya Sabha on 3rd May, 2012



LOK SABHA SECRETARIAT

NEW DELHI

April, 2012/Vaisakha, 1934 (Saka)

CONTENTS

PAGE (S)

COMPOSITION OF THE COMMITTEE (iii)

INTRODUCTION (v)

REPORT

CHAPTER – I Review of status of implementation of the recommendations contained in the 10th Report of the Standing Committee on Labour on Demands for Grants(2011-2012) relating to the Ministry of Labour and Employment

CHAPTER-II Introductory

CHAPTER-III **REPORT – DEMANDS FOR GRANTS (2012-13)**

- A. General Performance
- B. Rashtriya Swasthya Bima Yojana (RSBY)
- C. Directorate General of Factory Advice Service and Labour Institutes (DGFASLI)
- D. Directorate General of Mines Safety (DGMS)
- E. Chief Labour Commissioner (Central)

TABLES

Table-1- Statement showing Plan Expenditure during the year 2011-12 (Plan portion)

Table-2 – Statement showing Non-Plan Expenditure during the year 2011-12

Table-3- Statement showing details of vacancy position of Presiding Officers

Table-4- Statement showing staff strength in DGFASLI

Table-5 Statement showing number of workers to be covered under RSBY under the extended categories

- Table-6- Statement showing Vacancy position in Inspectorates of Dock Safety**
- Table-7- Statement showing vacancy position in DGFASLI**
- Table-8- Statement showing post-wise details in DGE&T**
- Table-9- Statement showing Expenditure incurred during 11th Plan on plan schemes of DGMS**
- Table-10- Statement showing Budget Estimates for the Financial Year (2012-13) on Plan Schemes of DGMS**
- Table-11- Statement showing staff strength of DGMS**
- Table-12- Statement showing vacant posts in Group A,B,C and D in DGMS**
- Table-13- Statement showing number of establishment inspected by CLC/RLC**
- Table-14- Statement showing number of work force in the inspected Establishments by CLC/RLC**

ANNEXURES

- (i) Annexure-I-Vacancy position in DGE&T
- (ii) Annexure-II-Minutes of the sittings of the Standing Committee on Labour held on 13.4.2012 and 30.4.2012

APPENDIX

Statement of Recommendations/Observations contained in the Report

COMPOSITION OF THE STANDING COMMITTEE ON LABOUR

(2011-12)

SHRI HEMANAND BISWAL - CHAIRMAN

2. Shri Raj Babbar
3. Shri Dara Singh Chauhan
4. Dr. Virendra Kumar
- **5. Shri Pakauri Lal
6. Shri Narahari Mahato
7. Shri Hari Manjhi
8. Shri P. Balram Naik
9. Ms. Mausam Noor
10. Shri Jayaram Pangi
11. Shri Sanjay Dina Patil
12. Shri S. Pakkirappa
13. Shri Mahendra Kumar Roy
14. Ms. J. Shantha
15. Shri Bhausahab Rajaram Wakchaure
- *16. Shri Konakalla Narayana Rao
- ****17. Shri T.K.S. Elangovan
18. Vacant
19. Vacant
20. Vacant
21. Vacant

RAJYA SABHA

22. Shri D. Bandyopadhyay
23. Shri Mohd. Ali Khan
24. Shri Aayanur Manjunatha
25. Dr. E. M. Sudarsana Natchiappan
- ***26. Shri Rudra Narayan Pany
27. Smt. Renubala Pradhan
28. Shri Ranbir Singh Parjapati
29. Shri Rajaram
- ***30. Shri Praveen Rashtrapal
31. Shri G. N. Ratanpuri

* Nominated *w.e.f* 25th November, 2011.

** Ceased to be Member of the Committee consequent upon his nomination to Standing Committee on Coal & Steel *w.e.f.* 3rd January, 2012.

*** Retired *w.e.f.* 02.04.2012 and 03.04.2012 respectively.

**** Nominated *w.e.f.* 12th April, 2012.

SECRETARIAT

- | | | |
|---------------------------|---|---------------------|
| 1. Shri Devender Singh | - | Joint Secretary |
| 2. Shri Ashok Sajwan | - | Additional Director |
| 3. Smt. Archana Srivastva | - | Executive Officer |

INTRODUCTION

I, the Chairman, Standing Committee on Labour (2011-12) having been authorized by the Committee do present on their behalf this 28th Report to Parliament of the Ministry of Labour and Employment on Demands for Grants for the year 2012-2013.

2. The Committee considered the Demands for Grants pertaining to the Ministry of Labour and Employment for the year 2012-2013 which were laid on the Table of the House on 28th March, 2012. Thereafter, the Committee took evidence of the representatives of the Ministry of Labour and Employment on 13th April, 2012. The Committee considered and adopted the Report at their sitting held 30th April, 2012.

3. The Committee wish to express their thanks to the officers of the Ministry of Labour and Employment for placing before them the detailed written notes on the subject and furnishing the information as desired by the Committee in connection with the examination of the Demands for Grants and tendering evidence before the Committee.

4. The Committee would also like to place on record their deep sense of appreciation of the commitment, dedication and valuable assistance rendered to them by the officials of the Lok Sabha Secretariat attached to the Committee.

5. For facility of reference and convenience, the observations and recommendations of the Committee have been printed in thick type in the body of the Report and have also been reproduced in a consolidated form in Appendix of the Report.

**New Delhi,
30th April, 2012,
10 Vaisakha, 1934 (Saka)**

**HEMANAND BISWAL,
CHAIRMAN,
STANDING COMMITTEE ON LABOUR**

CHAPTER-I

REVIEW OF STATUS OF IMPLEMENTATION OF RECOMMENDATIONS CONTAINED IN TENTH REPORT OF STANDING COMMITTEE ON LABOUR ON DEMANDS FOR GRANTS (2011-2012) RELATING TO MINISTRY OF LABOUR AND EMPLOYMENT

1.1 The Standing Committee on Labour presented their Nineteenth Report on Demands for Grants (2012-2013) relating to the Ministry of Labour and Employment on 30.08.2011. Out of 23 recommendations, 19 recommendations at **Sl. Nos.1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20** **Para Nos. 3.18, 3.19, 3.20, 3.21, 3.22, 3.23, 4.19, 4.20, 4.21, 4.23, 4.24, 4.25, 4.26, 4.27, 4.28, 4.29, 4.30, 4.31, 4.32** were accepted by the Government. There were no recommendations which the Committee did not desire to pursue. In respect of one recommendation at **Sl. No. 10 - Para No. 4.22** reply of the Government was not accepted and therefore, the recommendation was reiterated by the Committee in their Twenty Fifth Report (15th Lok Sabha). Three recommendations at **Sl.No. 21, 22 and 23 - Para No. 5.5, 5.6 and 5.7** were found *interim* in nature and the Government were requested to furnish the final action taken replies thereon.

1.2 The Standing Committee on Labour presented their Twenty-Fifth Action Taken Report (Action taken by the Government on recommendations contained in Nineteenth Report, Fifteenth Lok Sabha) on 27th March, 2012.

CHAPTER-II

INTRODUCTORY

Objectives of the Ministry of Labour and Employment

2.1 The Ministry of Labour and Employment is one of the oldest and important Ministries of the Government of India. The main responsibility of the Ministry is to protect and safeguard the interests of workers in general and those who constitute the poor, deprived and disadvantaged sections of the society, in particular, with due regard to creating a healthy work environment for higher production and productivity and to develop and coordinate vocational skill training and employment services. Besides this the Ministry is also responsible for laying down policies in respect of labour matters including industrial relations, co-operation between labour and management, settlement of labour disputes, regulation of wages and other conditions of work and safety, women labour and child labour, labour welfare, social security etc. besides,

development and administration of employment service and training of craftsmen on national basis.

2.2 The implementation of the policies in regard to the above matters is the responsibility of the State Governments subject to control and direction of the Central Government except in the case of labour employed in Railways, Mines, Oilfields, Banking and Insurance Companies having branches in more than one State, major Ports and Central Government Undertakings where the Central Government retains the responsibilities in labour matters including employment and training and tenders technical advice as and when necessary.

2.3 To achieve the objectives, funds are required by the Ministry under the following Heads:-

1. 2225 Welfare of SC/ST and Other Backward Classes.
2. 2230 Labour and Employment and Training
3. 2251 Secretariat -Social Services
4. 2552 Lump sum Provisions for North Eastern Areas
5. 3601 Grants-in-aid to State Governments
6. 3602 Grants-in-aid to Union Territories Governments

7. 4225 Welfare of SC/ST and Other Backward Classes
8. 4250 Capital Outlay on other Social Services
9. 6250 Loans for Other Social Services
10. 6552 Loans for North-Eastern Area

Functions

- To promote harmonious relations between labour and management and to regulate wages and other conditions of work in the central sphere.
- To ensure speedy implementation of labour law awards, agreements, code of discipline etc. for improving industrial relations with regard to units in which Central Government is the appropriate Government.
- To conduct evaluatory studies of implementation of labour laws, industrial relations, personnel policies and practices etc., in Public Sector Undertakings.
- To regulate working conditions and safety in mines and factories.

- To prepare ground work for the formulation of National Wage Policy and maintain data on wages, all allowances and other related matters.
- To collect and publish statistics to conduct enquiries, surveys and research studies on various labour subjects.
- To conduct programmes relating to employment potential of Scheduled Caste and Scheduled Tribe candidates through Coaching-cum-Guidance Centres.
- To provide amenities to workers employed in the mining industry and beedi manufacturing.
- To assist in rehabilitation of bonded labour.
- To provide welfare measures for certain sections of the unorganized labour.
- To undertake training, education, research and consultancy service in the field of industrial relations and labour in general.

- To educate all sections of workers for their intelligent participation in social and economic development of the nation.
- To monitor running of social security schemes viz. Employees' Provident Fund Organization and Employees' State Insurance Corporation.
- Policy framework for National Employment Service, Implementation of National Vocational Training Programme.

Organisational set up

2.4 The objectives are sought to be achieved by the Ministry through its attached and subordinate offices and autonomous bodies. The important offices and organizations under the Ministry are as follows:-

1. Directorate General of Employment and Training
2. Organisation of the Chief Labour Commissioner (Central)
3. Directorate General of Factory Advice Service and Labour Institute
4. Directorate General of Mines Safety
5. Directorate General of Labour Bureau

6. Central Government Industrial Tribunals
7. Offices of Labour Welfare Commissioners
8. Employees' Provident Fund Organisation
9. Employees' State Insurance Corporation
10. Central Board for Workers Education
11. V.V. Giri National Labour Institute
12. Board of Arbitration (JCM)

2.5 The State Governments are also competent to enact legislations, as labour is a subject in the Concurrent list under the Constitution of India.

LABOUR JURISDICTION: CONSTITUTIONAL STATUS

STATUS

Union List	Concurrent List
Entry No. 55-Regulation of labour and safety in mines and oil fields.	Entry No. 22-Trade Unions; industrial and labour disputes.
Entry No. 61-Industrial disputes concerning Union employees.	Entry No. 23 Social security and social insurance; employment and unemployment.
Entry No. 65-Union agencies and institutions for “vocational training...”	Entry No. 24 Welfare of labour including conditions of work, provident funds, employers' liability, workmen's

	compensation, invalidity and old age pensions and maternity benefit
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2.6 The Committee have attempted to scrutinize the Demands for Grants for the year 2012-13 of the Ministry to the extent possible and the conclusions drawn have been illustrated in the ensuing Chapters.

CHAPTER-III

(A) GENERAL PERFORMANCE

3.1 The Ministry of Labour and Employment have furnished Demands for Grants (2012-13) under Demand No. 61.

3.2 The total Demand for 2012-13 taking Plan and Non-Plan together is Rs. 4,642.61 crore (gross figure) of which Rs. 4,634.42 crore is under the Revenue Section and Rs. 8.19 crore under the Capital Section of the Grant.

3.3 As per the annual plan allocation approved by the Planning Commission for the year 2012-13, the total plan outlay is Rs. 2,470.00 crore. Out of this Rs. 66.12 crore has been earmarked for Civil Works Component and has been reflected in the Demands for Grants of Ministry of Urban Affairs and Poverty Alleviation. Thus, the total Plan budget available under Ministry of Labour and Employment's Demand for Grants is Rs. 2,403.88 crore (on net basis.)

3.4 Apart from this, it is relevant to mention here that recently the coverage of the Health Insurance for Unorganised Sector Workers/Rashtriya Swasthya Bima Yojana' has been further extended to building and other construction workers, street

vendors, beedi workers and domestic workers. The Government have allocated an amount, to the tune of, Rs.26.37 crore, Rs.62.50 crore and Rs.29.69 crore (Total Rs.118.56 crore) under Revenue section, for this purpose, which after adding to the approved budget (net), makes the gross total of Rs.2,522.44 crore under Plan. This amount is not a part of the Gross Budgetary Support (GBS) conveyed by the Planning Commission and to be met from the National Social Security Fund (NSSF) which is shown under Department of Economic Affairs, as conveyed by the Planning Commission.

3.5 Under Non-Plan, Ministry of Finance have communicated Demands for Grants ceilings of Rs. 1,929.80 crore on net basis for 2012-13. The major component goes to Employees' Pension Scheme, 1995 under Social Security with an amount of Rs.1400.00 crore which constitutes 72.54% of Non-Plan budgetary allocations of Rs. 2,120.19 crore (on gross figures).

3.6 Apart from this, the Ministry have a recovery budget of Rs.189.27 crore, under Revenue section and Rs. 1.12 crore under Capital section which after adding with the approved budget (net) makes the gross total of Rs. 2,120.19 crore under Non-Plan. The expenditure through recovery budget on Labour Welfare schemes is met from Five Labour Welfare Funds.

3.7 The Ministry have furnished the following statement showing Budget Estimates, Revised Estimates, Actual Expenditure incurred during the year 2011-12 (upto January, 2012) and percentage of expenditure over BE and RE for the year 2011-12:-

**TABLE – 1: Plan Expenditure during the year
2011-12 (Plan portion)**

(Rupees in Lakh)

S. No.	2010-11	BE	RE	Actual Exp. Up to 31.12.2011	Shortfall/excess exp. If any (as compared to RE)	% of shortfall/excess over RE
	Schemes / Programmes					
	1	2	3	4	5	6
	(a) DGE&T (Employment)					
1	Construction of Office Building, Staff Quarters & Skill Training Institutes	800.00 (CW 800)	0.00	0.00	0.00	0.00
2	Continuation and Setting up of New Vocational Rehabilitation Centres for Handicapped Persons including Skill Training Workshops and Rural Rehabilitation Extension Centres	479.00	479.00	255.93	223.07	-46.57
3	Welfare of SC/ST job seekers through coaching, guidance and Vocational Trg. And Introduction of new courses in existing CGCs & Establishment of new CGCs in States not covered so far	600.00	598.00	309.97	288.03	-48.17
	(Centrally Sponsored Scheme)					

4	Mission Mode Project for Upgradation and Modernisation of Employment Exchanges	1000.00	400.00	3.75	396.25	-99.06
	Sub Total (Employment)	2879.00	1477.00	569.65	907.35	-61.43
	(b) DGE&T (Training)					
5	National Instructional Media Institute, Chennai	425.00	240.00	49.25	190.75	-79.48
		(CW 185)				
6	Upgradation of Training Institutes	3100.00	2922.00	1497.82	1424.18	-48.74
		(CW 300)				
7	Foremen Training Institutes at Jamshedpur & Bangalore	400.00	352.00	161.78	190.22	-54.04
		(CW 50)				
8	Model Industrial Training Institutes (MITIs)	600.00	450.00	230.65	219.35	-48.74
		(CW 150)				
9	Project Impl. and Trade Testing in DGE&T HQ	100.00	117.00	66.88	50.12	-42.84
10	Building Equipment & Establishment for RVTIs (Calcutta, Hissar, Allahabad, Indore, Bhubneshwar, Vadodra, Jaipur and Tura)	1400.00	1010.00	494.12	515.88	-51.08
		(CW 550)				
	Sub - Total (DGE&T - Training)	6025.00	5091.00	2500.50	2590.50	-50.88
	(c) Industrial Relations					
11	Strengthening of Adjudication Machinery & Holding of Lok Adalats	589.00	589.00	266.88	322.12	-54.69

12	Machinery for better conciliation and Upgradation of office infrastructure at CLC© and RLC©'s	1160.00	760.00	440.28	319.72	-42.07
		(CW 500)				
13	Improvement and Strengthening of Training Wing of Central Labour Service Officers	50.00	50.00	12.41	37.59	-75.18
	Sub Total - Industrial Relations	1799.00	1399.00	719.57	679.43	-48.57
14	(i) Central Board for Workers' Education (CBWE)	1320.00	1080.00	918.99	161.01	-14.91
		(CW 240)				
	(ii) Mahatama Gandhi National Rural employment Guarantee Act	1000.00	900.00	711.00	189.00	-21.00
		(CSW 100)				
	Sub Total (CBWE)	2320.00	1980.00	1629.99	350.01	-17.68
15	National Child Labour Project (including Grants-in-aid to Voluntary Agencies)	37300.00	30873.00	9389.48	21483.52	-69.59
	Sub Total (Child Labour)	37300.00	30873.00	9389.48	21483.52	-69.59
	(g) Labour Bureau					
16	Labour & Employment Statistical System	3200.00	2811.00	1348.82	1462.18	-52.02
		(CW 500)				
	Sub Total (Labour Bureau)	3200.00	2811.00	1348.82	1462.18	-52.02

	(h) Director General, Mines Safety (DGMS)					
17	Mine Accidents Analysis and Modernization of Information Database	500.00	480.00	134.94	345.06	-71.89
18	Strengthening of Infrastructure facilities and Core functions of DGMS (SOCFOD)	1700.00	720.00	342.09	377.91	-52.49
		(CW1000)				
	Sub Total (DGMS)	2200.00	1200.00	477.03	722.97	-60.25
	(i) Director General, Factory Advice Service and Labour Institute (DGFASLI)					
19	Establishment of a new Regional Labour Institute, Faridabad	150.00	150.00	67.54	82.46	-54.97
20	Strengthening of DGFASLI Organization and Occupational safety & Health in factories, Ports & Dock	1496.00	696.00	128.65	567.35	-81.52
		(CW800)				
21	Identification and Elimination of Silicosis in India	10.00	10.00	2.12	7.88	-78.80
	Sub Total (DGFASLI)	1656.00	856.00	198.31	657.69	215.29
	(j) National Labour Institute (NLI)					
22	National Labour Institute	450.00	450.00	376.31	73.69	-16.38

	Sub Total (NLI)	450.00	450.00	376.31	73.69	-16.38
	(k) Other Schemes					
23	Scheme on Information Technology	200.00	200.00	77.92	122.08	-61.04
24	Grants- in- aid to Research/ Academic Institutions & Non-Governmental Voluntary Organisations for undertaking research in labour related subjects (including GIA Scheme of Women Labour Cell)	75.00	50.00	21.50	28.50	-57.00
	Sub Total (Other Schemes)	275.00	250.00	99.42	150.58	-60.23
	Total Central Sector Scheme - Ongoing	58104.00	46387.00	17309.08	29077.92	-62.69
B	Centrally Sponsored Schemes					
	Ongoing Schemes					
	(a) DGE&T (Training)					
1	Establishment of new ITIs in NE States, Sikkim and Strengthening and modernisation of ITIs in the State of Jammu & Kashmir.	0.00	0.00	0.00	0.00	0.00
2	Upgradation of 100 ITIs into Centres of Excellence.	35.00	35.00	0.00	35.00	-
3	Skill Development Initiative	20000.00	19869.00	7751.80	12117.20	-60.99

4	Training of 8000 Youths of J&K	1154.00	1154.00	0.00	1154.00	- 100.00
5	Upgradation of 1396 Govt. ITIs through PPP	74800.00	50630.00	23644.40	26985.60	-53.30
6	Externally Aided Project (EAP) for Reforms and Improvement in Vocational Training Services rendered by Central and State Govts.	10000.00	10000.00	5403.68	4596.32	-45.96
7	Kaushal Vikas Yojana	200.00	200.00	2.92	197.08	-98.54
	Sub Total of CSS of DGE&T (Training)	106189.00	81888.00	36802.80	45085.20	-55.06
	<u>(b) DGLW</u>					
1	Health Insurance for Unorganized Sector Workers (Rashtriya Swasthya Bima Yojana)	31342.00	83679.00	29586.10	54092.90	-64.64
2	Rehabilitation of Bonded Labour	100.00	600.00	121.20	478.80	-79.80
	Sub Total of CSS of DGLW	31442.00	84279.00	29707.30	54571.70	-64.75
C	Fresh Proposals (DGE&T)[under Central Sector]					
1	Setting up of 4 institutes for training of trainers	0.00	0.00	0.00	0.00	0.00
2	Setting up of ATIs & RVTIs for	100.00	100.00	0.00	100.00	-

	women					100.00
3	Revamp of DGE&T Institutions	0.00	0.00	0.00	0.00	0.00
4	Participation in World Skills Competitions	50.00	50.00	0.00	50.00	- 100.00
5	Expansion of Training of trainers within DGE&T Institutes	500.00	500.00	0.00	500.00	- 100.00
6	International Cooperation	0.00	0.00	0.00	0.00	0.00
7	Project of HIV/AIDS control among migrant workers	1305.00	1305.00	0.00	1305.00	- 100.00
	Total C	1955.00	1955.00	0.00	1955.00	- 100.00
D	Fresh Proposals under Centrally Sponsored Scheme					
1	Setting up of 11 ATIs in PPP mode	0.00	0.00	0.00	0.00	0.00
2	Setting up of ATIs & RVTIs for women in PPP mode	100.00	100.00	0.00	100.00	- 100.00
3	Skill Development for 34 districts affected by Left Wing Extremism	5000.00	5000.00	36.83	4963.17	-99.26
4	Providing of instructional staff	0.00	0.00	0.00	0.00	0.00

	to ITI s					
5	Remodelling of Apprenticeship Training (payment of stipend to apprentices)	10.00	10.00	0.00	10.00	- 100.00
6	Upgradation of 20 it is and supplementing deficient infrastructure	100.00	100.00	0.00	100.00	- 100.00
	in 28 it is in North East					
7	Setting up of multi-skill Development Centre	1000.00	1000.00	0.00	1000.00	- 100.00
8	Establishment of new ITI s in N.E States, Skkim and the State of J&K	100.00	100.00	0.00	100.00	- 100.00
	Sub Total of Fresh Proposals	6310.00	6310.00	36.83	6273.17	-99.42
	GRAND TOTAL	204000.00	220819.00	83856.01	136962.99	-62.03

(CW5175.00) (+CW5175.00) (+CW5175.00)

Note Upgradation of 1396 Government ITIs at Sl. No.5 under Centrally Sponsored Schemes includes Rs.74000 lakh at BE stage provided by Finance Ministry from their Social & Infrastructure Development Fund. This has been reduced to Rs.50000 lakh at RE stage.

12. Other Items	2230	0.86	0.86	0.00	0.92	6.98	0.72	-21.74
13. Employment	2230	25.75	39.21	52.27	35.93	-8.37	34.4	-4.26
	4250	0.25	0.26		0.26		0.22	-15.38
	Total	26.00	39.47	51.81	36.19	-8.31	34.62	-4.34
14. Training	2230	36.20	51.20	41.44	49.80	-2.73	46.10	-7.43
	4250	0.80	0.80		0.80		0.60	-25.00
	Total	37.00	52.00	40.54	50.60	-2.69	46.70	-7.71
15. Welfare of SC/ST and OBCs	2230	3.38	4.92	45.56	4.22	-14.23	4.44	5.21
	4250	0.14	0.14		0.14		0.06	-57.14
	Total	3.52	5.06	43.75	4.36	-13.83	4.5	3.21
Total		1726.53	1832.13	6.12	2213.26	20.80	2041.39	-7.77

3.8 The allocation vis-à-vis the expenditure on Centrally sponsored schemes of the Ministry during 11th Plan shows steep decrease in expenditure in (i) Skill Development Initiative and (ii) Rehabilitation of Bonded Labour. When asked about the reasons for underutilization of funds and its likely impact on both the schemes, the Ministry intimated as under :-

"As regards Skill Development Initiative, the allocation *vis-à-vis* the expenditure on this scheme during XIIth Plan shows steep decrease in expenditure. This scheme was launched in 2007 and as such was just in evolving stage. Hence, initially the existing ITIs & ITCs only came forward to become registered VTPs as no additional investment was required on their part. Since 2009 with the active participation of States, the scheme received overwhelming response and achievement were quite phenomenal. But due to paucity of funds, sufficient release could not be made to the States. Further holding up the scheme for quite a considerable period (i.e. from May 2011 to November 2011) and its subsequent handing over to the States/UTs, the requisite measures to address the issues could not be geared up.

Further, on-line tracking and monitoring of such a huge pool of data in the absence of web-portal (launched just recently) could not be carried out properly and timely intervention was not possible. Due to paucity of funds for publicity purposes, the awareness through different media could not be built and people in the rural & remote areas could not be sensitized properly as compared to urban areas. Later all the States formed registered societies and opened their respective bank accounts for direct transfer of funds to the State societies."

As regards rehabilitation of bonded labour, the Ministry stated as follows:

"Under the Centrally Sponsored Plan Scheme for Rehabilitation of Bonded Labour, rehabilitation assistance of Rs.20,000/- per freed bonded labour is provided, which is shared by the Central and State Governments on 50:50 basis. In case of the North Eastern States, 100% central assistance is provided if they express their inability to provide their share. Apart from this, Rs.2.00 lakh per sensitive district can be provided to concerned State Government to conduct survey for identification of bonded labour once in three years, Rs.10.00 lakh can be sanctioned to every State Government to undertake awareness generation activities and Rs.5.00 lakh per year to study impact of existing land-debt related issues affecting bonded labour and the impact of poverty alleviation programmes and financial assistance provided by various Government sources.

Central Government has been taking concerted efforts in persuading State Governments to identify the bonded labour and to reduce vulnerability to bondage. The utilization of funds depends on the receipts of the proposals from the State Governments under the Scheme. During the financial year 2011-12, budget allocation was initially Rs.90.00 lakh, which was subsequently enhanced to Rs.590.00 lakh by re-appropriation from other schemes at RE stage as the further proposals were received from the State Governments. The entire funds have been utilized. Thus, the fund utilized during the year 2011-12, is

approximately six times of the allocation made at BE stage.

A pilot project of convergence has been launched with the ILO in Tamil Nadu for the purpose of reducing vulnerability to bondage through promotion of decent work. This project has given very encouraging results. Consequently, efforts are now being made to extend the project to the States of Andhra Pradesh, Odisha and Haryana."

3.9 Regarding the "Skill Development Initiative' the representatives of the Ministry of Labour and Employment informed as under :-

"Vocational training with a view to creating a world-class skilled labour force is being given maximum importance. Training courses are offered through a network of 2244 Government Industrial Training Institutes and 7203 private Industrial Training Institutes located all over the country. About 13.35 lakh training seats are available in these institutes. Let me draw your attention to the fact that this scheme which has been repeatedly emphasised by the hon. Prime Minister of this country that the objective of creating 500 million skilled labour in this country by 2012. Out of this the Labour Ministry has been given a substantial target and we are gearing all our efforts to make sure that through out it is, through our apprenticeship schemes and also through skilled development initiative which is run through our modular employability skilled development programmes."

3.10 When the Committee pointed out that in almost all Panchayati Raj Departments in all the States, there were some selected blocks for ITI Centres, all the infrastructure including building and machinery is complete but these centres have not become operational, the representatives of the Ministry responded as under :-

"So far as the Ministry of Panchayati Raj is concerned, we have not been able to get any proposal but on setting up of skill development centres which we have planned, we are thinking of using the existing infrastructure. Apart from that, wherever required, we will set up our own infrastructure but our effort is to use the existing infrastructure whether ITIs school buildings or panchayat bhawans. We will use the services of private sector player, fund it so that they can run these centres at the local level in the vicinity and habitation of the people and can get the best and maximum benefits out of these centres. We will get in touch with the Ministry of Panchayati Raj and wherever they have this infrastructure, we will try to utilise that for the setting up of these skill development centres."

3.11 When asked about the reasons for not achieving the target of imparting training to 8000 youths from J&K and not utilizing the funds allocated for establishing new ITIs in North-Eastern States, the representatives of the Ministry informed as under :-

"This scheme was formulated on the basis of the announcement made by the hon. Prime Minister on 31st October, 2009. We prepared a scheme for training 8000 in 2010-11 and 2011-12. In the first year, it was started late because of some disturbances during the Amarnath Yatra. They could do, out of 8000, just about 4000 and in the second year, they could do about 5119. So, the total number at the moment they have been able to train is 9119 against 16,000. We had allocated Rs. 10.20 crores and they have been able to utilise only half of that by now. The funds are still with them. Whatever we had planned to give them in 2011-12, they could not get it because they could not send the utilisation certificate. They are still in the process of utilisation. This is a very important scheme and this is well received by the youth of J&K and for the first time, the boys and girls went out to different parts of the country and they were so happy to get training there and placements. Boys were offered Rs.15,000 per month after three to four months of training. Many of them did get placements but most of them tried to come back because the conditions of climate like Bangalore and Hyderabad did not suit them. It was very hot for them.

So, they came back. But it has changed their outlook and approach totally. We want to continue this. So, in the 12th Plan we have continued this scheme. We would get in touch with the State Government and try to do much larger numbers. The Cabinet Secretary has been himself reviewing it almost on six-monthly basis in Jammu and Kashmir and almost monthly here in Delhi. Not only this but also many other schemes for Jammu and Kashmir. But unfortunately we could not proceed for various reasons".

As regards utilization of funds for NE region, they informed as under :-

"We had one scheme for supplementing the skill development infrastructure. Up to a part of the Eleventh Plan, up to 2009-10, we ran that scheme. We utilised it every year according to the requirement. But once that scheme closed, we could not utilise it because many of our schemes do not have that kind of target. Therefore, we could not utilise. That fund, as you are kindly aware, does not get utilised in any other scheme. It goes to the Department of North-Eastern Development in the non-lapsable pool. Then, the States use it for different purposes. That has been one reason but now we are formulating a scheme. Actually, last year, we formulated one scheme. Somehow, it was from the savings of other schemes. The Finance Ministry permitted us only Rs.10 crore. Therefore, we could not utilise much. This year, we are formulating a new scheme on their advice. That is an ambitious scheme of setting up a larger number of ITIs. One of the demands has been that they do not have hostels, etc and therefore, boy and girls have to travel long distances. Therefore, we are also providing hostel facilities in those areas. So, probably, this year onwards, we should be able to utilise not only what is required to be utilised but more than that also."

3.12 There is under utilization of funds under the Heads/Sub-Heads of Labour Tribunal, Courts of Enquiry and Conciliation Boards. The reasons advanced by the Ministry were non-creation/non-filling up of vacant posts. The reasons and justification for keeping the posts vacant and non-filling them for such a long time and whether it did not affect the functioning of respective offices/departments of the Ministry, the Ministry stated as under :-

"These sub-heads pertain to provision of funds for the administration of the offices of Central Government Industrial Tribunal-cum-Labour Courts (CGIT- cum-LCs) which have been set up under the provisions of the Industrial Disputes Act, 1947 for adjudication of the industrial disputes, arising in the central sphere ... At present there are 22 CGITs set up under the Act. Of these, 10 CGITs are Non-Plan CGITs and 12 CGITs are Plan CGITs...Though concerted efforts are made to fill up the vacancies in the posts of Presiding officers in time, yet delay occurs in some cases in view of the procedure involved in their appointment. The judicial officers of the rank of High Court Judge and Addl. District Judge/District Judge in various State judiciaries are appointed as Presiding Officers for 3 years or till the age of 65 years, on Deputation or re-employment basis in the National Tribunals and Central Government Industrial Tribunals-cum-Labour Courts, respectively...The process of appointment of Presiding Officer is initiated eight months in advance of the date, a Presiding Officer is to vacate the office. The process involves calling for nominations from all Registrar Generals of High Courts, Scrutinizing the nominations,

Meeting of Search and Selection Committee for short listing suitable candidates, forwarding the panel of short listed candidates after obtaining the approval of Minister to the Department of Personnel & Training for seeking approval of appointment Committee of Cabinet (ACC), Issuing offer of appointment once the approval of ACC is received in the Ministry and allowing each candidate a months time to join the office. Sometimes short listed candidates fail to join the post which results in starting the whole process afresh.

From the above it is evident that there is no deliberate delay in filling up the vacancy of the Presiding Officers."

The Ministry have furnished details of vacancy position which is as under:-

TABLE – 3:Vacancy position

Posts (in Hqrs & Field)	Headquarter			Field			Total		
	Sancti oned	In position	vacant	Sancti oned	In position	Vacant	Sancti oned	In position	Vacant
Group 'A' Officers	22*	18	4	91	84	7	113	102	11
Group 'B' Officers	16	11	5	159	118	41	175	125	46

Staff	89	70	19	735	609	126	824	679	145
Total	127	99	28	985	811	174	1112	906	202

* includes 1 post of DD and 2 posts of A.D.

As regards, reasons for non-filling of these posts, the

Ministry stated as under:-

- "The Direct Recruitment posts of Stenographer, LDCs,/ MTS are reported to SSC for sponsoring candidates on the basis of open competitive examination which takes time due to procedural formalities.
- 50% of the vacancies of UDCs are filled up on the basis of Limited Departmental Competitive Examination (LDCE) to be conducted by Staff Selection Commission. The LDCE shall be held in May 2012.
- The post of JHT is to be filled on deputation as per Recruitment Rules. Suitable numbers of application are not being received in response to the advertisement.
- The vacant posts of Assistant/PA/UDC/LDC of Hqrs office belonging to CSS/CSCS/CSSS cadre are filled by Department of Personnel & Training (DOP&T). Presently there is delay in sponsoring candidates by DOP&T.
- The recruitment of Labour Enforcement Officers (Central) (LEOs)(Group 'B') and Grade V Central Labour Service (CLS) (Group 'A') officers are being done by UPSC. The requisition for 28 posts of LEOs has already been sent to UPSC separately. Formalities like medical examination, character &

cast verification is being done for 11 candidates nominated by UPSC. UPSC has also been requested to nominate 2 candidates from their reserve panel against 2 candidates.

Non filling of vacant posts of officers / staff, due to aforesaid reasons, has adversely affecting the functioning of various offices of this organization."

3.13 As regards, staff strength in DGFASLI, the Ministry have stated that:

"DGFASLI has total sanctioned strength of 372 posts out of which 260 are in position. Group wise break-up of the sanctioned strength and vacant position is as under:

TABLE – 4:Staff Strength in DGFASLI

Group	Sanctioned	In position
Group 'A'	91	50
Group 'B'	68	45
Group 'C'	213	165
Total	372	260

As far as Group A is concerned, action for filling up of all the vacant posts has been taken up with UPSC and are at different stages of completion. In a number of cases, efforts to fill up the various posts have become infructuous, as UPSC did not find any suitable candidate.

As far as Group B & C are concerned, these posts are to be filled by the Staff Selection Commission and matter has already been referred to them and the recruitment process is at various stages. Regarding promotional posts, DPC for four posts of UDCs is proposed to be held shortly and for other promotional posts the process is at various stages.

As already stated the non filling of the Vacant posts has led to delays in completing many of the projects/studies survey, non acceptance of some need based studies which have been affecting the smooth functioning of the Department."

3.14 Similarly there under utilization of funds under the following sub-heads on account of less collection of cess and due to late receipt of cess were noticed. The Ministry in their written reply submitted as under :-

"The less collection of cess under Funds were due to discrepancies in the figures of Welfare Commissioner Offices and Pay & Accounts office. A meeting under the Chairmanship of Secretary (L&E) on 19.05.2011 and the issue of collection of cess on lower during the last two years was discussed. A Working Group

consisting of each Welfare Commissioner and Pay & Accounts has been constituted. The work of reconciliation has been done by all Welfare Commissioner's Offices, Labour Welfare Organization to carry out corrections in the Financial Year 2011-12."

3.15 The Committee note that there are vacancies of Presiding Officers in Central Government Industrial Tribunals-cum-Labour Courts. As per the submission of the Ministry these Presiding Officers are generally appointed for a period of 3 years and the process of appointment is initiated eight months in advance from the date the Presiding Officer is to vacate the office. The Committee find the period of eight months too less to complete the lengthy process of formalities for preparation of panel. The Committee also cannot ignore the fact that it is not explicit that a candidate so selected would join the post. In such a situation, it is imperative that a reserve panel should also be

prepared so that in the eventuality of a selected person not joining, the Ministry at least have the second option.

3.16 The Committee note that from 2009 onwards the Skill Development Initiative Scheme received overwhelming response and its achievements were creditable. However, the Scheme experienced a setback as due to paucity of funds the operation of the scheme was held up for about seven months. The Committee note that the Ministry grudgingly admitted that the implementation of the scheme suffered for want of funds. The Committee, therefore, impress upon the Ministry to conduct assessment study so that the necessary corrective measures could be taken up before hand for effective implementation of such a vital Scheme which is otherwise doing well.

3.17 The Committee note that the Hon'ble Prime Minister had announced for setting up of 1500 more ITIs and 5000 Skill Development Centres under the Public Private Partnership (PPP) in the 11th Plan with a view to creating a world-class skilled labour force. The Committee also note that the PPP architecture has not been finalized though the matter has been discussed with the Planning Commission. The Committee recommend that the matter be vigorously pursued with the Planning Commission for its early finalization so that it could yield some tangible results at least during the 12th Plan which has already started.

3.18 The Committee find that some blocks in most of the States have been selected by their Panchayati Raj Departments, for development of ITI Centres for which buildings and other infrastructure, including machinery, have been completed but these are yet to

start. The Committee also find that the Ministry are facing crunch of funds for development of infrastructure for these ITI Centres. They also find that there is no synergy between the Union Ministry of Labour & Employment and the Ministry of Panchayati Raj and between Union Ministry of Labour and Employment and the Panchayati Raj Departments of State Governments. The Committee, therefore, desire that the Ministry may consider utilising the existing infrastructure already developed by the State Governments after having detailed deliberations with the Ministry of Panchayati Raj and the State Governments. The Committee should like to be apprised of the action taken in this regard in due course.

3.19 The Committee note that there was nil expenditure on training of 8000 youth from J&K and setting up of new ITIs in North Eastern States in the year 2011-12. The Ministry informed that due to disturbances during Amarnath Yatra, the Skill Development Scheme was started late in J&K. However, the youth went out to different parts of the country and received about Rs.15,000/- per month after three to four months of training. The Committee desire that the matter regarding utilization of funds meant for training of 8000 youth of J&K may be taken up with the State Government at the earliest so that the targets under the scheme are achieved during the current financial year. The Committee also desire that a sound monitoring mechanism be evolved to get the feedback from the trainees and at the same time it should also be ensured that the trainees from J&K and

the North East are extended every conceivable assistance and cooperation.

3.20 The Committee find that the Ministry are formulating a new scheme for setting up a large number of ITIs including hostels for trainees. The Committee appreciate the proposal for providing hostel facilities to the trainees who have otherwise have to travel long distances for enrolment in these ITIs and desire that the Scheme be expedited so that it could start in the current financial year itself.

3.21 The Committee are unable to reconcile the figures provided to them on two occasions in respect of 'Rehabilitation of Bonded Labour Scheme'. The Committee were informed that the BE for the year

2011-12 were Rs.100.00 lakh while RE were Rs.600.00 lakh and the actual expenditure upto 15.03.2012 was Rs.385.30 lakh. The figures provided subsequently reveal that Rs.590.00 lakh was spent upto 15.03.2012 on the Scheme. The Committee in their earlier Reports had cautioned the Government to be careful and diligent enough while furnishing information to Parliament but deplorably, serious discrepancies continue to recur. The Committee, therefore, desire that the figures of actual expenditure on the Scheme be provided to them and suitable but stringent supervising mechanism put in place so that correct information and statistics are submitted to Parliament. The internal audit also needs to be revamped so that such discrepancies do not recur.

3.22 The Committee note that there was less collection of cess under the Welfare Funds meant for (i) Mica Mines Labour Welfare Fund; (ii) Iron, Manganese Chrome Ore Fund; (iii) Limestone and Dolomite Mines Fund and (iv) Cine Workers Welfare Fund, due to discrepancies in the figures of Welfare Commissioner Offices and Pay & Accounts Office. The Committee were further informed that a Working Group was constituted to ascertain and sort out the discrepancies. The Committee would like to be apprised about the nature of discrepancies and the explanations for the discrepancies alongwith the findings of the Working Group.

(B) RASHTRIYA SWASTHYA BIMA YOJANA (RSBY)

3.23 The 'Rashtriya Swasthya Bima Yojana' for BPL families (a unit of five) in Unorganised Sector was launched on 1st October, 2007 and became operational w.e.f. 01.04.2008. Under the scheme, smart card based cashless health insurance cover of Rs.30,000/- per annum on a family floater basis is provided to the BPL families (a unit of five) in the Organized Sector. The premium is shared on 75:25 basis by Centre and State Government. In case of States of North East region and Jammu & Kashmir, the premium is shared in the ratio of 90:10. The scheme provides for portability of smart card by splitting the card value for migrant workers. The basic features of the scheme are as follows: -

- Government of India contributes 75% of the annual premium. State Governments contribute 25%. Administrative cost is borne by the State Governments. In case of North-East region and Jammu and Kashmir, the premium is shared in the ratio of 90:10.
- Beneficiaries are issued Smart Cards.
- Total sum insured would be Rs.30,000/- per family per annum on a family floater basis.
- Cashless transaction.
- Coverage of all pre-existing diseases.
- Hospitalization expenses including maternity benefit.
- Transportation cost of Rs.100/- per visit.

As on 31.01.2012, the Scheme is being implemented in 24 States / UTs, namely Assam, Arunachal Pradesh, Bihar, Chhattisgarh, Delhi, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Orissa, Punjab, Tripura, Uttar Pradesh, Uttarakhand, West Bengal and Chandigarh Administration. More than 2.73 crore smart cards have been issued.

RSBY has been extended to building and other construction workers registered under the Building and other Construction Workers (Regulation of Employment and Condition of Service) Act, 1996, street vendors, beedi workers, MGNREGA beneficiaries who have worked for more than 15 days during the preceding financial year and domestic workers.

The funding for building and other construction workers will be met from cess collected by Welfare Boards constituted under Building and other Construction Workers (Regulation of Employment and Condition of Service), Act, 1996. Whereas the funding for other categories viz. street vendors, beedi workers, MGNREGA beneficiaries and domestic workers is met from the regular RSBY budget allocation.

3.24 During evidence, the representatives of the Ministry of Labour & Employment informed as under :-

"A Health Insurance Scheme for the poor titled 'Rashtriya Swasthya Bima Yojana' (RSBY) is being implemented from 01.04. 2008. The scheme envisages provision of

issuance of a smart card to the beneficiary to facilitate cashless transaction up to Rs. 30,000/- As on 31.03.2012, more than 2.85 crore cards have been issued and one card is issued to a family and since the card benefits for five members of the family, this is going to take care of more than 14 crore people of this country. It is acclaimed by both national and international. This is a very important and flagship scheme of this Ministry and there are many other countries also which are now showing interest in this scheme and this has also been selected by the United Nation as one of the 14 most innovative schemes in the whole world during the current year."

3.25 As per the Planning Commission estimation of BPL survey, 2002, State-wise number of BPL families under RSBY is around 5,08,17,181. When asked about the approximate number of persons to whom the scheme is being extended in the categories of building and other construction workers, street vendors, beedi workers, MGNREGA beneficiaries and domestic workers, the Ministry furnished the following

statement:-

TABLE – 5: Number of workers to be covered under RSBY under the extended categories

Category	Estimated number (in lakh)
Building and other Construction Workers,	75.50

Street vendors,	42.19
Beedi workers	50.00
MGNREGA beneficiaries	112.00
Domestic workers.	47.50

3.26 When asked to ensure that all the workers of the newly added categories are covered, the Ministry stated as under :-

"The data of each of these categories is being collected and prepared in RSBY template by the State Government. The smart cards are prepared and handed over to the workers on the spot."

3.27 Regarding the review and evaluation of the scheme through independent agencies and the persuasive action taken, the Ministry stated as under :-

"RSBY has been benefited by periodical evaluation that has been done by independent agencies. The Ministry of Labour & Employment got evaluation study conducted by independent agency in Gujarat and Haryana. Similarly, the State Governments like Kerala, Himachal Pradesh, Haryana, also got evaluation done through independent agencies. The Organisation like World Bank and GIZ (German Technical Cooperation) have also been associated with some of these evaluations. The findings of these studies indicate beneficiary satisfaction between

70-90%. There were suggestions like improvement in IEC activities post enrolment, capacity building etc."

3.28 The Committee note that as per the survey of the Planning Commission 2002, there were more than five crore estimated number of BPL families. The Committee also note that the present figures are based on the survey conducted during the year 2002 (i.e. 10 years back) and the BPL parameters are under revision/consideration. The Committee are unable to accept the sector-wise figures of workers furnished by the Ministry (Table 5 refers) as apparently under estimated and moreover the source of the statistics has not been indicated. Since, RSBY has been extended to five more categories of workers in un-organized sector, obviously there would be considerable increase in the number of eligible workers once all the 35 States/UTs are covered. Taking note of the tardy process of

issuance of smart cards, the Committee recommend that the process be accelerated for providing full coverage to each worker in the listed categories.

The Committee were informed that for getting the smart card, the workers are required to furnish proof of residence. The Committee note that since most of the workers under these categories are migrant workers, who either reside in make-shift tents, Government shelters or on side-walks, they are unable to get the smart card. Since the Government are keen to provide health insurance to the workers in un-organised sector, the Committee recommend that some alternative be explored so that these large sections of workers could also get smart cards.

3.29 The Committee are informed that periodical evaluation of RSBY has been done by independent agencies. The Ministry of Labour & Employment had conducted evaluation study in Gujarat and Haryana through independent agencies. Similarly, the State Governments of Kerala, Himachal Pradesh, Haryana have also conducted studies through independent agencies. The Committee find that only the upbeat suggestions of the findings were taken up and there is no mention of lacunae/shortcoming/deficiency/weakness etc. The Committee are however, dismayed that the Government's reply is studiously silent about the action taken to address or remedy the lacunae/shortcoming/ deficiency/weakness pointed out by the evaluation reports. The Committee, therefore, desire that the shortcomings pointed out in these evaluation

**reports may be taken up seriously and course
corrections made and the Committee apprised.**

(C) DIRECTORATE GENERAL OF FACTORY ADVICE SERVICE AND LABOUR INSTITUTES (DGFASLI)

3.30 The Directorate General, Factory Advice Service and Labour Institutes (DGFASLI) is responsible for safety, health and welfare of the dock workers and factory workers. The main objective of the Organisation is to function as a service organization to advise Central/State Governments and to render support to trade unions, employers and others concerned in matter relating to improving safety, health, productivity and working conditions in factories and ports. The objective is accomplished through programmes and activities carried out under various Non-Plan and Plan Schemes.

3.31 An expert Committee appointed by the Ministry of Labour in 1982 to review the activities of DGFASLI strongly recommended setting up of a new Regional Labour Institute at Faridabad to cater to the needs of the industries in the northern regions to promote occupational safety, health and work environment.

3.32 As per the statement furnished by the Ministry the sanctioned and actual strength of DGFASLI and the Inspectorate of Dock Safety is as under :-

"The sanctioned and actual strength in respect of DGFASLI and

Inspectorates of Dock Safety as on date are given as under :

TABLE – 6:Vacancy position

Units	Technical		Administrative		Total	
	Sanctioned	In position	Sanctioned	In position	Sanctioned	In position
HQ	12	10	46	35	58	45
CLI, Mumbai	50	29	68	61	118	90
RLIs	61	30	79	53	140	83
Inspectorates	25	19	31	23	56	42
Total	148	88	224	172	372	260

3.33 When asked about the adequacy of present strength for smooth functioning of DGFASLI, the Ministry stated as under :-

"Many posts of this Organisation were abolished due to various reasons after work study was undertaken by Staff Inspection Unit. With the present sanctioned strength (372 posts), it is very difficult to carry out the said activities.

As far as administration is concerned, the quantum of workload has increased manifold as there are many court cases at present and with the introduction of Right to Information Act, 2005 .

The existing strength is not adequate for smooth functioning of DGFASLI and for carrying various technical activities like timely submissions to various replies, organizing and conducting of studies, seminars, workshops, etc. To augment various activities a number of posts have been proposed in various Plan schemes of DGFASLI to ensure qualitative and timely services are provided to the various stakeholders in the manufacturing and port sectors."

3.34 During evidence of the representatives of the Ministry of Labour and Employment, they informed as under :-

"You are right, Sir, as per the existing provision regarding increase there will be cadre review every five years to gauge the extent of increase in workload and the matter of post creation will be taken in accordance with that. Right now, we are going through the process of cadre review for which the proposal has already sent to UPSC regarding the number of additional officers we require. It is a fact that our workload has just doubled, while the number of working officers remained static. It is a matter of deep concern, we are live to the situation and making cadre review."

"...The SIU had made an inspection under the Department of Expenditure in the year 2007. We had told them that our workload has gone up, but they follow

a definite process in accordance with which they had downsized 115 posts. That has been creating hurdle in our functioning. We have brought both a new National Policy on Occupational Safety Health and are keen to operate in the port sector, silicosis, but due to paucity of staff with DGFASLI. We have again taken up with the Department of Expenditure . The points raised by us have perhaps not been taken into account by you. They have included the same in the programme. They had recommended for expenditure so which had to be accepted, but we are striving for a review of it."

3.35 Regarding the progress in filling up of vacancies in DGFASLI, the Ministry furnished the following statement :-

TABLE – 7:Vacancy Position

Group A Posts

Name of the Post	Number of vacancies	Status /Period from which the post/posts is/are lying vacant
Director General	1	Proposal sent to ACC for approval
Director (Safety)	4	For one post- the candidate did not join and UPSC has been approached to nominate a candidate from reserve panel. For the remaining three posts -DPC proposal sent to UPSC.
Director (Physiology)	1	The proposal was sent to UPSC but was not accepted for want of review of RR. The review of Recruitment Rules is under consideration.
Director (Medical)	1	The proposal is being sent to UPSC.

Director (Industrial Psychology)	1	UPSC is being approached for filling up the post by direct recruitment as deputation mode has failed.
Deputy Director (Safety)	3	UPSC recommended 2 candidates against existing vacancies. Appointment offer issued to one candidate and the formalities are being completed for another candidate. The proposal two posts is being sent to UPSC.
Deputy Director (Staff Training/Productivity)	2	Proposal sent to UPSC.
Deputy Director (Medical)	2	Proposal Sent to UPSC.
Deputy Director (Industrial Hygiene)	2	Ministry approached UPSC for permission to issue offer of appointment to one candidate. Proposal to be sent to UPSC for one Post
Deputy Director (Physiology)	2	1 post DR – UPSC advised to review Recruitment Rules which is under consideration. 1 post deputation – Selection process became in fruituous. Post to be circulated again for calling applications.
Deputy Director (Industrial Physiology)	2	The vacancies could not be filled as no candidate was found suitable. UPSC advised to review the RR, which is under consideration
Assistant Director (Safety)	15	All the vacancies have been advertised by UPSC.
Assistant Director (Industrial Hygiene)	3	Posts have been advertised by UPSC.
Assistant Director (Industrial Psychology)	1	Selection process became in fruituous. UPSC advised to review the RR, which is under consideration.

Group B, C & D posts

Name of the post	Number of vacancies	Period from which the post/posts is/are lying	Status

		vacant		
Assistant Director (Official Language)	1	1.3.2011	Vacancy has been referred to Department of Official Language who are the cadre controlling authority.	
Principal Private Secretary (CSSS)	1	10.3.2011	Proposal is under consideration	
Additional Assistant Director (Safety)	3	2 – 10.2.2010 & 1 - 21.7.2010	DPC to be held shortly.	
Private Secretary (CSSS)	4	22.6.2011, 25.6.2011, 2.7.2011, 2.7.2011	Proposal is under consideration	
Administrative Officer	1	1.10.2005	This vacancy is to be filled by deputation – Post was advertised and there was no response. To be re-advertised soon	
Technical Assistant	3	14.3.2006, 14.9.2006 & 10.1.2007	These 18 posts which have to be filled through recruitment agencies (SSC, Employment Exchange, etc] have already been referred to them and the recruitment action is at various stages.	
Library Information Assistant	5	1.11.2001, 1.7.2002, 1.7.2007 30.3.2010 & 21.7.2010		
Junior Scientific Assistant (Industrial Psychology)	1	16.1.2009		
Steno Grade III	2	18.3.2010 & 31.3.2010		
L.D.C.	5	31.12.2009,12.3.201, 1.12.2010,5.1.2011 & 1.2.2011		
Laboratory Assistant Grade I	1	1 - 21.7.2010		
Staff Car Driver	1	31.12.2008		
Senior Scientific Assistant	2	3.3.2009 & 21.7.2010		These 9 posts are promotional posts.

Steno Grade II	2	28.1.2010 & 2.5.2011	For these posts, DPC to be held shortly.
U.D.C.	4	31.12.2009,19.3.2010, 15.9.2010 & 26.4.2011.	
Senior Laboratory Attendant	1	9.11.2009	
UDC /LDC (CSCS)	4	4 – 14.3.2011	These 4 posts belong to Secretariat Cadre. Action to be taken by Adm. I Section of Ministry.
Multi-tasking Staff	29	1.3.2006, 1.4.2006, 1.7.2006, 1.9.2006, 1.9.2006, 5.12.2006, 9.1.2007, 1.3.2007, 1.6.2007, 1.7.2007, 1.8.2007, 25.8.2007, 1.9.2007, 1.2.2008, 1.4.2008, 1.6.2008, 15.4.2009, 28.8.2009, 9 vacancies from 28.1.2010, 1.2.2010 & 1.2.2010.	SIU has recommended outsourcing the activities of these posts. A proposal has already been initiated.

3.36 As regards, vacancy position in DGE&T, the Ministry furnished statement (Annexure-I)

3.37 When asked about the latest vacancy position and the reasons for some of the posts lying vacant for about 21-22 years, the Ministry stated as under :-

"There is no vacancy lying vacant for the period 21-22 years. In respect of recruitment of Group 'A' Technical Officer in DGE&T it is stated that the Recruitment Bodies is UPSC. The proposal of Joint Director of

Training and Assistant Director of Training has already been reported to UPSC and the proposal of Director is under process."

3.38 When asked about the reasons for keeping some of the vacancies under '**ban**', the Ministry stated as under :-

"As per the instructions of the Ministry of Finance those posts which are vacant for more than one year go under economy ban. However, the recruitment body is UPSC and whenever, the UPSC recommend thereafter the posts are revived in consultation with the Ministry of Finance and posts are filled up."

3.39 It was observed from the reply of the Ministry that for some of these posts are pending stating the reasons as '**Recruitment Rules are pending**'. When asked the reasons for pendency of recruitment rules, the Ministry stated as under :-

"The post-wise details in respect of DGE&T are as under:

TABLE – 8:Post-wise details

Sl. No.	File No.	Subject	Date of Submission	Status
1.	A-12018/07/2010-TA.II	Revision of RR for Group 'C'	27.02.2012	For publication in Gazette Notification of RR to Manager, Govt. of

		Technical Post.		India Press, Mayapuri, New Delhi
2.	A-12018/08/2010- TA.II	Revision of RR for Group 'C' Non-Technical Post.	13.02.2012	For publication in Gazette Notification of RR to Manager, Govt. of India Press, Mayapuri, New Delhi
3.	A-12018/05/2010- TA.II	Amendment / Revision of RR for the post of Maintenance Electrician / V.I / JTA/ Store Keeper/ Maintenance Electronics	29.02.2012	Sent to DOPT Estt.(RR) for their concurrence.
4.	A-12018/01/2010- TA.II	Amendment / Revision of RR for the post of Training Officer	21.03.2012	File is under submission to senior officers for seeking their views.
5.	A-12018/04/2010- TA.II	Amendment / Revision of RR for the post of Multi Tasking Staff (erstwhile Group 'D' Posts)	09.04.2012	Sent to Department of Official Language for their approval.
6.	A-12018/01/2009- TA.II	Amendment of RR to the post of Junior Hindi Translator	February,201 2	Proposal sent online to DOPT RR Division. No reply was received till date.
7.	A-12018/01/2008- TA.II	Amendment of RR to the post of Senior Hindi Translator	February,201 2	Proposal sent online to DOPT RR Division. No reply was received till date.

8.	A-12018/01/2011-TA.II	Amendment of RR to the post of Driver.	February, 2012	Proposal sent online to DOPT RR Division. No reply was received till date.
9.	A-12018/03/2011-TA.II	Framing / Amendment of RR to the post of Office Superintendent/ Hostel Warden/ Assistant of Group 'B' Non-Gazetted.	01.03.2012	Third reminder issued. Verify No. of sanctioned post as per draft schedule and comments/suggestion. Some of the field Institute under Training Directorate has not reply till date. Proposal sent online to DOPT RR Division. No reply was received till date.
10.	A-12018/09/2010-TA.II	Framing / Amendment of RR to the post of Stenographer Gr.-II	05.03.2012	Fourth reminder issued. Verify No. of sanctioned post as per draft schedule and comments / suggestion. Some of the field Institute under Training Directorate has not reply till date. Proposal sent online to DOPT RR Division. No reply was received till date.
11.	A-12018/02/2011-TA.II	Framing / Amendment of RR to the post of Stenographer Gr.-I	27.10.2011	Third reminder has been issued. Verify number of sanctioned post as per draft schedule and comments/suggestion. Some of the field Institute under Training Directorate has not reply till date. Proposal sent online to DOPT RR Division. No reply was

				received till date.
12.	A-12018/01/2012-TA.II	Framing / Amendment of RR to the post of Draughtsman.	28.02.2012	Information has been received from FTI, Bangalore / ATI Ludhiana & ATI-EPI Hyderabad Letter issued for verify No. of sanctioned post as per draft schedule and comments / suggestion. Some of the field Institute under Training Directorate has not reply till date.
13.	A-12018/04/2011-TA.II	Framing / Amendment of RR to the post of Departmental Canteens.	16.04.2012	File is submitted to senior officers since 16.04.2012.

The Ministry have further stated as follows :-

The status of Recruitment Rules which are being amended

1. **The Recruitment Rules of Training Directorate:** The Recruitment Rules of Training Directorate has been notified on 06.07.2011.
2. **The Recruitment Rules of Women Training Cadre:** Due to implementation of 6th Pay Commission UPSC had requested to obtain approval of DOP&T again. Accordingly, the file has been sent to DOP&T to get their approval for amendment of Recruitment Rules of WT cadre.
3. **The Recruitment Rules of Employment Directorate:** The file had been sent to DOP&T who raised some queries. To reply

those queries the file was referred to Employment Directorate. The file has not received since then."

3.40 During evidence of the representatives of the Ministry of Labour and Employment, they informed as under :-

"...That is also one of the reasons, if a post remains unfilled for a year, it gets abolished automatically. Like, for example, we write to the UPSC regarding a number of posts, it takes an year or two in filling the same, in the meantime the posts get automatically abolished, by the time the fresh recruitees arrive, it would need to re-start the process on our part. All this takes too much of time. We go in for it from time to time, a Director, Administration is in place for this job, but it does not bring about much of a difference. At sometime we encounter the problem of service rules and recruitment rules, they say that our recruitment rules are outdated, frame fresh set of rules. Then it takes 4 to 5 years' time to frame them alone because it has to shuttle between DoPT and UPSC with queries as many as four to five times at each level and equal occasions for responses thereto. It is so much time taking that it becomes counter-productive. The whole exercise is so much arduous that one gets exasperated and leaves it in disgust."

3.41 The Regional Labour Institute, Faridabad was inaugurated on 10.2.2009 and since then technical activities have also started. 26 posts in different categories were created for smooth functioning of the Institute. When asked whether the

existing man-power is adequate to cater to the activities carried out by the Institute, the Ministry stated as under :-

"Once all the sanctioned posts are filled, it would be adequate to carry out the present activities of the institute. However, for the future activities planned, the manpower requirement would be reviewed when the review study is undertaken by SIU."

3.42 As per the information furnished to the Committee, IIT Roorkee had conducted an evaluation study of the work implemented by DGFASLI under various plans/schemes sanctioned under various Five Year Plans. One of the recommendations of the IIT Roorkee was to bifurcate the organization into two wings : Administration and Academic & Research. The Ministry intimated that *"the issue would be examined in grater detail in consultation with the State Governments (Chief Inspectors of Factories)"*. As regards the current status of the evaluation study the Ministry stated as under :-

"The aspect of bifurcating the organisation into two wings as suggested by IIT, Roorkee, involves a major policy decision and it is felt that the same could be taken up when the review study of the organisation is taken up by SIU."

3.43 As regards the re-organisation and re-structuring of the DGFASLI as recommended by the IIT, Roorkee, the Ministry informed that the issue was under examination. When asked about the current status, the Ministry stated as under :-

"The implementation of the SIU report on the reorganization & restructuring of the DGFASLI department has been implemented and SIU has agreed to undertake a review study of DGFASLI. IIT, Roorkee in its evaluation report recommended reorganization & restructuring of the DGFASLI keeping in view the objectives and need to improve the occupational safety and health in the manufacturing and port sector."

3.44 The Committee note that there are overall 112 vacancies at various levels in the DGFASLI and Inspectorates of Dock Safety. Moreso, notably, after the work study undertaken by the Staff Inspection Unit (SIU), many posts of the organization were abolished. The Ministry conceded that the existing strength, being far from adequate, is adversely affecting the smooth functioning of DGFASLI. The Committee are unable to comprehend as to why the recommendations of SIU for

abolishing the posts were not contested keeping in view the increased workload. The Committee, therefore, recommend that :-

- (i) The existing vacancies be filled up without further delay besides placing a fresh proposal for conducting work study by SIU before the Ministry of Finance clearly drawing attention towards the existing workload of DGFASLI; and**
- (ii) All the sanctioned posts of RLI be filled up urgently for its smooth functioning and also a review study be undertaken for future activities planned vis-à-vis the manpower required.**

3.45 The Committee find that the work measurement study conducted by the SIU is primarily based on the conventional records and semi-structured

interviews with the officers and staff of the organization so inspected. The Committee apprehend that the methodology adopted by SIU perhaps overlooks the practical difficulties faced by the present incumbents with the increased work-load and work-force. SIU is dependent on the past records which contain lesser work-load, lesser responsibilities and less workforce. The Committee opine that there is a need for re-visiting the methodology of SIU so that realistic study could be made based on prevailing requirement to handle the additional burden. They, therefore, desire that before the start of the study by SIU, the Ministry of Labour and Employment need to document and highlight their requirement for additional work-force for effective implementation of labour laws.

3.46 The Committee note that there are around 30 posts lying vacant in DGE&T way back from the year 1990 in various categories of Group B&C and the responsibility for filling up of these vacancies lies with the DGE&T itself. The Committee in their previous reports had advised the Ministry to fill up these posts at the earliest possible as various offices to whom these posts belong to were suffering due to staff crunch. The Committee deprecate that instead of taking concrete steps for filling up of these vacancies, the Government have merely shifted the responsibility either on SSC/UPSC and DOPT. The Committee also find that filling up of promotional posts, holding of DPC etc. has also not been done for 2-3 years. The Committee wish to remind the Ministry that not holding of DPC when the posts are lying vacant, amounts to denial of legitimate rights of the employees as pronounced in

various judgments of higher Courts. The Committee, therefore, recommend that the vacancies of Direct Recruitment (DR) quota be filled up through Employment Exchanges as a stop-gap arrangement till the UPSC forwards the panel for regular appointment.

3.47 The Committee are amazed to note the mutually contradictory statements of the Ministry that (i) the UPSC takes minimum two years to forward names as the recruitment process is lengthy and takes considerable time and (ii) that the vacancies not filled in a year are deemed to be abolished after one year. In the given scenario all the vacancies would have been abolished by now. Mindful of the significant role and functions of the Ministry of Labour and Employment and also having regard to the fact that the staff crunch will not only affect the working but also hamper the

smooth implementation of the schemes specially formulated for upliftment and welfare of the labour class, the Committee recommend that immediate and essential steps be taken up to fill up all the vacancies without further delay.

3.48 The Committee find that the Recruitment Rules (RRs) were pending finalization for a long time and reminders were issued to the concerned department only after the matter was taken up by the Committee. While deploring the delay in finalization of the RRs, the Committee recommend that the matter be pursued vigorously with the DOPT/PMO and the Committee apprised within three months of the presentation of this Report.

3.49 The Committee note that an evaluation study of the work implemented by DGFASLI was conducted by IIT Roorkee during 2008. As per their recommendation DGFASLI was to be bifurcated into two wings, namely, Administration and Academic & Research. However, the decision is still pending with the Ministry. The Committee opine that for smooth functioning of the organization it is imperative to have two separate wings of DGFASLI. The Committee also feel that if the bifurcation is done before the review study of the organization by SIU, it would help justify their demand for additional staff. Hence, the Committee desire that the decision of bifurcation be taken up without further delay.

(D) Directorate General of Mines Safety (DGMS)

3.50 Directorate General of Mines Safety (DGMS) which deals with the safety, health and welfare aspects of the persons working in mines and oilfields under the Mines Act, Rules and Regulations made thereunder, has also undertaken certain initiatives to use Information and Communication Technology (ICT) in its domain of operations. A new plan scheme called the “e-Governance in DGMS (e-DGMS)” in line with the National e-Governance Plan (NeGP) to achieve the IT vision of the country has been proposed during 12th Plan. Total Plan Outlay proposed Rs.35 crore (Rs.20.00 crore non-recurring and Rs.15.00 crore recurring) alongwith 150 technical and computer training manpower.

3.51 The following Plan Schemes are being implemented by the Directorate-General of Mines Safety:

- (a) Strengthening of Core Functions of DGMS (SOCFOD)
- (b) Mine Accident Analysis and Modernization of Information Database (MAMID)

3.52 As per the figures provided by the Ministry the BE, RE and actual during the 11th Plan and the BE for the year 2012-13 are as under :-

TABLE – 9: Expenditure incurred during 11th Plan on Plan Schemes of DGMS

Amount in Rs. Lakh

Plan Scheme	2007-08			2008-09			2009-10		
	BE	RE	Actual	BE	RE	Actual	BE	RE	Actual
SOMA/ MAMID	83.00	86.60	80.04	218.40	184.25	179.35	150.00	170.00	161.28
MID	100.00	75.00	73.32	MID merged in SOMA and renamed as “MAMID” in 2008-09					
S&T/ SOCFOD	105.00 CW-220	164.40 CW-150	155.21 150.00	248.60 CW-405	282.75 405.00	271.03 405	300.00 CW-200	270.00 200.00	242.76 200.00
SSEX	77.00	75.50	68.13	S&T,SSEX & PIF merged and Schemed renamed as “SOCFOD” in 2008-09					
PIF	5.00 CW-197	0.50 CW-197	0.49 197.00						
TOTAL	787.0	749.0	724.17	872.0	872.0	855.38	650.0	640.0	604.04

TABLE – 10: Budget Estimates for the Financial Year (2012-13)

Plan Scheme	2010-11			2011-12			2012-13
	BE	RE	Actual	BE	RE	Actual	BE
MAMID	400.00	398.00	294.51	500.00	410.00	182.48*	630.00
SOCFOD	600.00	594.00	498.35	700.00	495.00	384.00	521.00

	CW-800	800.00	705.13	CW-1000	1000	294.04	CW-1500
e-DGMS							10.00
TOTAL	1800.00	1792.00	1497.99	2200.00	1905.00	860.87	2661.00

* Expenditure as on 19.03.2012

3.53 The sanctioned and actual strength of staff and officers in DGMS, as stated by the Ministry is as under :-

TABLE – 11:Staff Strength

Employees	Sanctioned Strength	Actual Strength (22.03.2012)
Group-A	279	126
Group-B	224	172
Group-C	229	344*
TOTAL	732	642

* The posts abolished were allowed to continue till incumbents were present in such posts.

3.54 When asked about the current status of vacant posts in Group A, B, C and D, the Ministry furnished the following detail statement :-

TABLE – 12:Vacant Posts

Group A Posts

Name of the Post	Number of Vacancies	Present status

Deputy Director General of Mines Safety (Mechanical)	01	The post has been filled on the basis of recommendation of UPSC
Director of Mines Safety (Mining)	30	Due to Court case, proposal for filling up the posts could not be sent to UPSC. Now, the Hon'ble High Court has passed an interim order staying the order of Hon'ble CAT. DPC proposal for promotion to the grade of Director of Mines Safety (Mining) was sent to UPSC. They have sought some additional information which is being sent.
Director of Mines Safety (Electrical)	06	<p>Due to non availability of eligible candidates in the channel for promotion, 04 vacancies [RY.2010-11 = 04] with the approval of UPSC were circulated for filling up the post on deputation/short term contract which is 2nd mode of recruitment. Ministry did not receive any application.</p> <p>In the meantime, 02 more vacancies came up for RY 2011-2012 which were required to be filled up by 2nd mode of RR because of non availability of eligible candidate in the channel for promotion with the approval of UPSC.</p> <p>UPSC requested to submit 2 different proposals for seeking approval which is under way to submission to UPSC.</p>
Director of Mines Safety (Mechanical)	10	<p>Due to non availability of eligible candidates in the channel for promotion, 06 vacancies [RY.2008-09=02 = RY.2009-10=04] with the approval of UPSC were circulated for filling up the post on deputation/short term contract which is 2nd mode of recruitment. Ministry did not receive proper response.</p> <p>In the meantime, 03 vacancies came up for RY 2010-11 and 01 vacancy for RY-2011-12 respectively. These 10 vacancies were re-circulated for which the Ministry received poor response.</p>
		The proposal is under way to submission to UPSC for seeking approval for filling up the 10 posts by two different modes, i.e. DR and by Deputation/short term

		contract.
Deputy Director of Mines Safety (Mining)	38	UPSC recommended 32 candidates . 18 candidates have been issued offer of appointment. The pre-appointment formalities in respect of the remaining candidates are under way. The proposal to fill up the remaining vacancies is again being sent to UPSC.
Deputy Director of Mines Safety (Electrical)	32	UPSC recommended 06 candidates only. All the 06 candidates have been issued offer of appointment. The proposal to fill up the remaining vacancies is again being sent to UPSC.
Deputy Director of Mines Safety (Mechanical)	32	UPSC recommended 05 candidates only. 01 candidate has been issued offer of appointment. The pre-appointment formalities in respect of the remaining candidates are under way. The proposal to fill up the remaining vacancies is again being sent to UPSC.
Deputy Director of Mines Safety (Occupational Health)	04	The method of filling up these posts by promotion or deputation has been failed. Now, the matter is under examination for seeking approval of UPSC to fill up these vacancies by DR which is third mode of recruitment as per RR.
Assistant Director of Mines Safety (Occupational Health Grade-I)	02	The UPSC sent nominations of 02 candidates. Out of total 02 candidates, 01 candidate has been sent offer of appointment. The pre-appointment formalities in respect of the remaining candidate are under way.
Director (Administration)	01	Vacancy has been circulated for filling up by transfer on deputation.
Deputy Director (Administration)	01	Permission of the UPSC has been sought to fill up this vacancy by second mode of Recruitment Rules i.e. on deputation.
Library & Information Officer	01	Recruitment Rules being framed and matter is under consideration with M/o Law & Justice.

Group B, C & D Posts

Name of the post	Vacant	Period from	Remarks
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		the post are lying vacant	
Law Officer Gr.II	05	March, 2009	Recommendation of DPC for fill up the vacant post on deputation has been sent to Ministry.
PS	01	01.01.2012	Promotion order issued on 23.03.2012.
Steno Gr.I	39	March, 2009	Published in Employment news dated 18-24.2.2012 for deputation.
Lib and Information Assistant	01	11.02.2011	Sent to surplus cell for nomination/ NOC on 23.08.2011.
Data Processing Assistant Gr.A	01	31.03.2011	Vacancy has been published in Employment News dated 10.03.2012.
Head Surveyor	01	April, 2011	Promotion order issued on 04.04.2012.
Admn. Officer/AO (Store)	04	March, 2009	Vacancies have been advertised. Application for deputation has been received. Action is being taken.
Accounts Officer	01	March, 2009	Recruitment Rules not yet framed.
Office Supdt	08	April, 2009	Promotion order issued on 10.04.2012.
UDC/GC	11	April, 2011	Promotion order issued on 04.04.2012.
LDC	04	1-8.9.2008, 1-12.9.2008 1-28.11.2010 & 1-28.12.2010	Requisition of 04 posts has been sent to SSC. 01 dossier has been received. Candidate joined in this Directorate. Rest 03 dossiers have not been received from SSC.
Steno Gr.II	32	1-8.7.2004,	Requisition of 15 posts has been sent to SSC, Chennai, Allahabad

		1-9.7.2004 1-17.08.2004, 1-9.7.2005 1-14.07.2005, 1-27.10.2004 1-9.7.2005, 2- 3.3.2006 1-6.3.2006, 1-10.07.2006 1-30.01.2006 & 1-6.4.2007 17 – are newly created posts w.e.f. 05.03.2009	& New Delhi. Dossiers of candidates have not been received from SSC. Requisition of 29 newly created posts have been sent to SSC, Mumbai, Raipur & Bangaluru. 12 candidates joined in this Directorate. Rest 17 dossiers have not been received from SSC.
Scientific Assistant	01	06.08.2008	Vacancy advertised on 21.05.2011. Dossier from SSC, Kolkata has not been received.
Caretaker	01	April, 2011	Action is being taken for deputation.
Photo copier Operator	01	18.07.2008	Promotion order issued 04.04.2012
Helper	01	18.07.2008	Action is being taken.
Technician	01	18.07.2008	Sent to surplus cell for nomination / NOC dated 23.08.2011.
TOTAL	116		

3.55 When asked whether the existing strength is adequate for smooth functioning of DGMS, the Ministry stated as under :-

"The sanctioned strength is reasonable provided the posts are filled for which requisite action is already underway."

3.56 Regarding the O&M studies conducted during the last 5 years, the Ministry stated as under :-

"A work study Committee was constituted on 16.04.2007. As part of this process, the Staff Inspection Unit (SIU) of Department of Expenditure, Ministry of Finance had carried out sample studies on the requirement of manpower in DGMS. This report was accepted by the work study Committee. Based on the recommendations of the work study Committee, 196 new posts were created which are being filled up."

3.57 Presently, as a matter of policy, the ESI Act is not applicable to mine workers. However, when the Committee, during evidence of the representatives of the Ministry of Labour and Employment, desired to know whether there is any proposal for inclusion of these workers under the ESI, and also establishment of an ESI hospital in Rourkela, which is a mine worker concentrated area, the representatives informed as under :-

"Those who work in the mines, ESIC looks like a good scheme. But, we will have to check as to what is the Mines Ministry's approach to the welfare of these workers. We will examine and find it out, and then get back to you. We will submit a report on that. It is

because they have been excluded. In those areas, the Ministries concerned have their own welfare schemes. We would see as to whether those welfare schemes cover insurance, disability and risks and where the workers are supposed to be involved in those risks. We will concern these Ministries and then find out if ESIC needs to be extended there. The Committee's suggestion will be examined and we will give a report on that."

3.58 The Committee note that the expenditure on the plan scheme of Mine Accident Analysis and Modernisation of Information Database (MAMID) upto 19.3.2012 was Rs.182.48 lakh against the budget estimate of Rs.500 lakh. Similarly, the actual expenditure on the plan scheme of SOCFOD was Rs.384 lakh against the budget allocation of Rs.700 lakh. The Committee find that these schemes are continuing from the 10th Plan after merger with other schemes. The reasons for not spending the funds allocated to DGMS for both the schemes need to be explained to the satisfaction of the Committee. The Committee are

quite apprehensive about the fruition of these schemes seeing the pace of expenditure on these schemes. They, therefore, recommend that concerted efforts be made by the DGMS to spend the grant so as to achieve the objectives of both the schemes and the Committee apprised.

3.59 The Committee are anguished to find recurrent discrepancies in the statistics submitted to them. On the one hand there are 116 vacant posts dating back to the year 2004, in Group A, B and C while on the other, there are 642 persons against the total of 732. The Committee also find that a work study Committee was constituted in the year 2007 of SIU which had recommended for abolition of 115 posts belonging to group C once the persons occupying these posts superannuate. At the same time the work study

Committee had also recommended for creation of 196 new posts. The Committee find it quite perplexing. The Committee, therefore, desire to know the details of the categories in which these posts have been created and the reasons for abolition of 115 posts. The Committee also desire that the vacancies be filled up without any further delay and the measures initiated in this behalf placed before them.

3.60 As per the existing ESI Act, the mine workers are out of the purview of the ESI Act. The Committee are of the view that the mining activities are mostly in the tribal dominated and inaccessible parts of the country, particularly in Odisha and the basic medical facilities do not reach them. To avail such facilities, either they have to travel over long distances and arduous terrains or they avoid going that far. The

Committee, therefore, desire that a feasibility study of opening of ESI Hospital/dispensary in the mine workers concentrated areas be carried out and if need be necessary amendments made in the ESI Act.

3.61 The Committee find that the ESIC is in the process of setting up ESI Medical College & hospital in Bhubaneswar. The Committee are of the view that Bhubaneswar, being the State Capital, already has so many hospitals including AIIMS and Railway Hospital besides two ESI hospitals. The Committee also note that there is an urgent and popular demand for setting up of a medical college in Rourkela by the ESIC. The present ESIC dispensary is woefully inadequate to provide medical facilities to large number of workers working in various small and medium industries there. The Committee, therefore, recommend that a ESI Medical College & Hospital be opened in Rourkela while

in Bhubaneswar opening of a Nursing College and paramedical college/pharmaceutical may be considered.

3.62 The Committee feel that administration of ESIC run hospitals needs further improvement specially departments relating to medical equipments and medical stores. The Committee desire that inspections at regular intervals should be conducted at these hospitals to ensure that all life saving machines and equipments are well maintained and the necessary medicines are supplied to the patients and that prescribed procedure is strictly followed for segregation and disposal of medicines which have outlived their prescribed shelf-life.

3.63 The Committee note that despite the assurance given by the ESIC regarding furnishing of a feasibility report for opening an ESIC Hospital in Ferozabad, UP, neither any feasibility report nor any concrete action has been taken by the ESIC for opening of an ESI Hospital there. The Committee feel that keeping in view a large number of bangle and glass industry workers there, who have no access to any proper medical facilities, there is an urgent demand for opening of an ESI Hospital there. The Committee, therefore, desire that immediate steps be taken for fresh IP mapping that too in a time bound manner and feasibility report submitted to the Committee within two months. While conducting such an IP mapping it must be ensured that there is no underreporting regarding the work-force employed by any establishment.

(E) CHIEF LABOUR COMMISSIONER (CENTRAL)

3.64 The CLC (C) Office is responsible for (a) Prevention, investigation and settlement of industrial disputes in the central sphere; (b) enforcement of awards and settlements; (c) implementation of labour laws in industries and establishments in respect of which Central Government is the appropriate government; (d) verification of membership of unions affiliated to the Central Organizations of workers for giving them representation in national and international conferences and committees; and (e) fixation and revision of dearness allowance component of minimum wages under the Minimum Wages Act, 1948 in the scheduled employments.

3.65 The strength of Deputy Chief Labour Commissioner (Central), Regional Labour Commissioner (Central), Assistant Labour Commissioner (Central) and Labour Enforcement Officer (Central), as stated by the Ministry is as under :-

Deputy Chief Labour Commissioner (Central)	-	01
Regional Labour Commissioner (Central)	-	05

Assistant Labour Commissioner (Central)	-	01
Labour Enforcement Officer (Central)	-	41

3.66 In this regard, during the evidence, the representatives of the Ministry of Labour & Employment informed as under :-

"...Regarding the vacancies as mentioned by you, I would like to tell you that 41 posts of Labour Enforcement Officers have been lying or vacant with us to fill up which we have already requested the UPSC: these 2 EOs are grass roots level officers mandated to go out on inspection to field areas, factories to find out if any violations of nearly 45 Acts have been taking place to deal with which a penal process is in place. This is a continuous process with some persons retiring and resultant vacancies arising. But here, filling up of 41 vacancies for which we have sent requisition, will take minimum 6 months time. Likewise, there are 30 vacancies of Assistant Labour Commissioners out of which nearly 60% are to be filled through direct recruitment for which we have requested the UPSC and which will take about 6 to 10-11 months. To fill remaining 25 per cent vacancies, we have been processing at our end, collecting entries and this job will be completed in about two months' time. As per the Ministry's vacancy position from the DoPT, there are about 29 per cent vacancies, giving rise to the same thing again i.e. as to what efforts have been made by us. We meet these with concerned Joint Secretaries, we get in touch with the UPSC also and constantly pursue with it

and in order to get our vacancies filled up Labour Enforcement Officers play a key role at grass roots level to inspect our ongoing Labour Welfare Schemes. This is a serious problem about which we too are gravely concerned and have been making continuous effort for it."

3.67 Regarding the adequacy of the existing strength for smooth functioning, the Ministry informed as under :-

"No Sir. After the amendment in the Industrial Disputes Act in the year 2010, Central Government has become the appropriate Government for all the Central Public Sector Undertakings (CPSUs) also where the Central Government is having 51% or more shareholding. Due to the sudden increase in the number of establishments covered in the Central sphere, the existing strength of CIRM officers is found to be inadequate to ensure effective enforcement of labour laws and smooth functioning of the organization. The action for filling up of various staff / posts (2 posts of Dy. CLC(C), 3 posts of RLC(C), 16 posts of ALC(C), 13 posts of LEO(C), 22 posts of Stenographer, 17 posts of UDC, 35 posts of LDC and 28 posts of MTS) is under process in consultation with recruiting agencies."

3.68 Regarding the number of establishments covered vis-à-vis the work-force, the Ministry informed as under :-

TABLE – 13: Number of establishments inspected by CLC/RLC

Number of establishments inspected (covered)			
Regions	2009-10	2010-11	2011-12
Ahmedabad	2276	787	652
Ajmer	3395	3333	3639
Asansol	657	706	663
Bangalore	2129	1764	1406
Bhubaneshwar	864	876	872
Chandigarh	1091	1113	654
Chennai	3552	3554	3848
Cochin	749	695	542
Dehradun	771	1778	736
Dhanbad	625	604	853
Guwahati	677	1338	1337
Hyderabad	4621	4177	3560
Jabalpur	1444	1312	1924
Kanpur	655	933	1152

Kolkata	2485	2353	2350
Mumbai	2323	3080	2788
Nagpur	615	1064	1019
New Delhi	469	504	586
Patna	1367	1734	1961
Raipur	677	921	805

TABLE – 14: Number of work force in the Inspected Establishments by CLC/RLC

Number of work force in the inspected establishments (covered)			
Regions	2009-10	2010-11	2011-12
Ahmedabad	32325	14346	14046
Ajmer	23184	19031	22469
Asansol	34363	35863	34944
Bangalore	43609	31794	19773
Bhubaneshwar	32108	31500	32424
Chandigarh	27765	25651	28643
Chennai	29180	30829	32327

Cochin	27037	26122	31740
Dehradun	2901	3229	2887
Dhanbad	83925	87337	87128
Guwahati	5133	4908	4173
Hyderabad	28477	26270	30362
Jabalpur	87272	115902	137313
Kanpur	39749	34996	88704
Kolkata	15673	14650	16540
Mumbai	53520	70160	72429
Nagpur	42219	53422	54427
New Delhi	66400	65465	45885
Patna	48205	45643	51909
Raipur	8818	11012	21222

"It may be seen that the number of establishments inspected (covered) has been decreasing in respect of 7 regions out of a total of 20 regions. The main reason for the decreasing figures is due to the fact that the figures furnished are upto the month of February, 2012 only. The figures pertaining to the month of March were not included since the information was called for from the regions during the middle of month. The other reason is due to the fact that, as discussed during the meeting, the figures have come down due to the vacancies in

the posts of Labour Enforcement Officer(Central) {LEO(C)} and Assistant Labour Commissioner (Central) {ALC(C)} in the regions."

3.69 The Committee find that there are a number of posts of Dy. CLCs, RLCs and LEOs lying vacant besides the vacancies at Headquarter in Group B and C posts. The Committee fully endorse the view that after amendment to the Industrial Disputes Act, the work of CIRM has increased manifold. During their study visits to various places across the country to oversee the implementation of various Labour Laws by the Public Sector Undertakings in relation to the Contract and Casual Workers employed by the Contractors, the Committee found that due to acute shortage of staff, the Regional Labour Commissioners are badly hamstrung to carry out regular inspections of various establishments under them. The Committee are of the

considered view that for smooth functioning of the CIRM and effective implementation of the 44 Acts intended for welfare of labour, availability of adequate human resource at the disposal of RLC is a *sine qua non*. Though the SIU have conducted studies of different offices/organizations throughout the country, but in the absence of any recruitment, such studies become infructuous. The Committee, therefore, desire that the UPSC/SSC be requested to expedite the matter and forward the panels urgently. The Committee also suggest that necessary relaxation may be sought from the competent authorities, if so warranted, to fill up the vacancies through Employment Exchanges as a stop-gap arrangement until the regular appointments are made.

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3.71 The Committee are dismayed to note that the Government do not have the data on unemployment. Further, no empirical study has been conducted as yet about the impact of economic growth on expansion of employment opportunity. They, therefore, recommend that figures of sectoral unemployment as on 31st December, 2011 be furnished to them as also the findings of the study of economic growth and its impact on employment opportunities.

3.72 Taking note of the assurance of the representatives of the Ministry that they would never be complacent and continue to protect the interests of the labour force and create conducive work environment for them, the Committee would like detailed governmental review on the working of the 44 Labour Acts and the concrete corrective measures

**taken to protect the interests of the labour in the light
of discrepancies and shortcomings detected.**

**New Delhi;
30th April, 2012
10 Vaisakha, 1934 (Saka)**

**HEMANAND BISWAL
CHAIRMAN,
STANDING COMMITTEE ON LABOUR.**

**MINUTES OF THE SITTING OF THE STANDING COMMITTEE ON
LABOUR HELD ON 13TH APRIL, 2012.**

The Committee met from 1130 hrs. to 1400 hrs. in the Committee Room 'E', Parliament House Annexe, New Delhi to take evidence of the representatives of the Ministry of Labour and Employment on Demands for Grants for the year 2012-13.

PRESENT

Shri Hemanand Biswal – CHAIRMAN

MEMBERS

LOK SABHA

2. Shri Raj Babbar
3. Dr. Virendra Kumar
4. Shri Narahari Mahto
5. Shri Hari Manjhi
6. Shri Mahendra Kumar Roy
7. Shri Sanjay Dina Patil
8. Ms. J. Shantha
9. Shri Konakalla Narayana Rao

RAJYA SABHA

10. Shri Mohd. Ali Khan
11. Smt. Renubala Pradhan
12. Shri Ranbir Singh Parjapati
13. Shri G.N. Ratanpuri

SECRETARIAT

1. Shri Devender Singh - Joint Secretary
2. Shri Ashok Sajwan - Additional Director
3. Smt. Bharti S. Tuteja - Deputy Secretary

Witnesses

Sl.No.	Name of the Officer	Designation
1.	Dr. Mrutyunjay Sarangi	Secretary (L&E)
2.	Shri P.K. Pandhy	Principal Labour & Employment Adviser
3.	Shri R.C. Mishra	Central Provident Fund Commissioner
4.	Shri P.K. Pujari	Additional Secretary, FA
5.	Shri Ravi Mathur	Additional Secretary
6.	Dr. C.S. Kedar	Director General, Employees' State Insurance Corporation
7.	Shri Anil Swarup	Additional Secretary (DGLW)
8.	Shri Satish Puri	Director General Mines Safety
9.	Shri D.S. Kolankar	DG, Labour Bureau
10.	Shri Sharda Prasad	Joint Secretary (DGE&T)
11.	Shri Chandra Prakash	Joint Secretary
12.	Shri A.C. Pandey	Joint Secretary
13.	Shri V.P. Yajurvedi	DG, V.V. Giri, NLI
14.	Ms. Amarjeet Kaur	Dy. Director General (Employment)
15.	Shri K.M. Gupta	Economic Adviser
16.	Shri N.K. Prasad	Chief Labour Commissioner (Central)

17.	Dr. M. Rajaram	DDG, DGFASLI
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2. At the outset, the Chairman welcomed Dr. Mrutyunjay Sarangi, Secretary and other officials of the Ministry of Labour and Employment and invited their attention to the provisions contained in Direction 55 (1) of the Directions by the Speaker.

3. The Chairman, thereafter, asked the Secretary to brief the Committee regarding the Demands for Grants (2012-13) of the Ministry of Labour and Employment.

4. The Secretary briefed the Committee on the budgetary allocations, revised estimates and the actual expenditure for the last year vis-à-vis B.E for the year 2012-13 on various schemes/programmes undertaken by the Ministry.

5. The Members, thereafter, raised various issues and sought specific clarifications from the representatives of the Ministry on the various schemes/programmes of the Ministry. The prominent issues discussed were as follows:-

- (a) General Performance of the Ministry.
- (b) Difference between the allocations made this year vis-à-vis the previous year and the performance of the last year.

- (c) Establishment and Upgradation of ITIs.
- (d) Setting up of ESI medical college in Rourkela, Odhisa, ESI Hospital in Ferozabad and general review of ESI hospitals in various parts of the country.
- (e) Extension of Rashtriya Swasthya Bima Yojana, for unorganized workers, Beedis workers, domestic workers etc.
- (f) Filling up of vacancies in various offices of the Ministry especially in field offices/attached/subordinate offices.
- (g) Welfare of Child Labour and Bonded Labour.
- (h) Implementation of the Central Acts by State Governments and the Central Government's review of the implementation.

6. The Chairman directed the Secretary to send written replies to the unanswered queries of the members to the Secretariat within three days. The Secretary assured to furnish the requisite information as desired.

7. The Chairman thanked the Secretary and other officials for giving valuable information to the Committee on various subjects.

The witnesses then withdrew.

[A copy of the verbatim proceedings of the sitting was kept for record.]

The Committee then adjourned.

**MINUTES OF THE SITTING OF THE STANDING COMMITTEE ON
LABOUR HELD ON 30TH APRIL, 2012.**

The Committee met from 1500 hrs. to 1600 hrs in Room No.116, Parliament House Annexe, New Delhi to consider and adopt the draft Reports on Demands for Grants for the year 2012-13 of the Ministry of Labour and Employment and Ministry of Textiles and Action Taken Report on the Seventeenth Report on 'Welfare of Beedi Workers'.

PRESENT

Shri Hemanand Biswal - Chairman

MEMBERS

LOK SABHA

2. Shri Dara Singh Chauhan
3. Dr. Virendra Kumar
4. Shri Narahari Mahato
5. Ms. Mausam Noor
6. Shri Jayaram Pangi
7. Shri Mahendra Kumar Roy

RAJYA SABHA

8. Shri D. Bandyopadhyay
9. Shri Mohd. Ali Khan
10. Dr. E.M.Sudarsana Natchiappan
11. Shri Rajaram
12. Shri G.N. Ratanpuri

SECRETARIAT

1. Shri Devender Singh - Joint Secretary
2. Shri Ashok Sajwan - Additional Director
4. Smt. Bharti S. Tuteja - Deputy Secretary

2. At the outset, the Chairman welcomed the Members and apprised them about the draft Reports on Demands for Grants for the year 2012-13 of the Ministry of Labour and Employment and Ministry of Textiles and Action Taken Report on the Seventeenth Report on 'Welfare of Beedi Workers'.

3. The Committee then took up the draft Reports one by one in the following order and after detailed deliberations, the Committee adopted the draft Reports without any modification:

- (i) Draft Report on Demands for Grants of the Ministry of Labour and Employment for the year 2012-13;
- (ii) Draft Report on Demands for Grants of the Ministry of Textiles for the year 2012-13; and
- (iii) Action taken by the Government on the Recommendations/Observations contained in the Seventeenth Report (Fifteenth Lok Sabha) on 'Welfare of Beedi Workers'

4. The Committee then authorized the Chairman to finalise the Reports and to present the same to both the Houses of Parliament.

The Committee then adjourned.

APPENDIX

STATEMENT OF RECOMMENDATION/OBSERVATIONS

Sl. No.	Para No.	Recommendations/Observations
1.	3.15	<p>The Committee note that there are vacancies of Presiding Officers in Central Government Industrial Tribunals-cum-Labour Courts. As per the submission of the Ministry these Presiding Officers are generally appointed for a period of 3 years and the process of appointment is initiated eight months in advance from the date the Presiding Officer is to vacate the office. The Committee find the period of eight months too less to complete the lengthy process of formalities for preparation of panel. The Committee also cannot ignore the fact that it is not explicit that a candidate so selected would join the post. In such a situation, it is imperative that a reserve panel should also be prepared so that in the eventuality of a selected person not joining, the Ministry at least have the second option.</p>
2.	3.16	<p>The Committee note that from 2009 onwards the Skill Development Initiative Scheme received overwhelming response and its achievements were creditable. However, the Scheme experienced a set-back as due to paucity of funds the operation of the scheme was held up for about seven months. The Committee note that the Ministry grudgingly admitted that the implementation of the scheme suffered for want of funds. The Committee, therefore, impress upon the Ministry to conduct assessment study so that</p>

		<p>the necessary corrective measures could be taken up before hand for effective implementation of such a vital Scheme which is otherwise doing well.</p>
3.	3.17	<p>The Committee note that the Hon'ble Prime Minister had announced for setting up of 1500 more ITIs and 5000 Skill Development Centres under the Public Private Partnership (PPP) in the 11th Plan with a view to creating a world-class skilled labour force. The Committee also note that the PPP architecture has not been finalized though the matter has been discussed with the Planning Commission. The Committee recommend that the matter be vigorously pursued with the Planning Commission for its early finalization so that it could yield some tangible results at least during the 12th Plan which has already started.</p>
4.	3.18	<p>The Committee find that some blocks in most of the States have been selected by their Panchayati Raj Departments, for development of ITI Centres for which buildings and other infrastructure, including machinery, have been completed but these are yet to start. The Committee also find that the Ministry are facing crunch of funds for development of infrastructure for these ITI Centres. They also find that there is no synergy between the Union Ministry of Labour & Employment and the Ministry of Panchayati Raj and between Union Ministry of Labour and Employment and the Panchayati Raj Departments of State Governments. The Committee, therefore, desire that the Ministry may consider utilising the existing infrastructure already developed by the State Governments after having detailed deliberations with the Ministry of Panchayati Raj and the State Governments. The</p>

		Committee should like to be apprised of the action taken in this regard in due course.
5.	3.19	The Committee note that there was nil expenditure on training of 8000 youth from J&K and setting up of new ITIs in North Eastern States in the year 2011-12. The Ministry informed that due to disturbances during Amarnath Yatra, the Skill Development Scheme was started late in J&K. However, the youth went out to different parts of the country and received about Rs.15,000/- per month after three to four months of training. The Committee desire that the matter regarding utilization of funds meant for training of 8000 youth of J&K may be taken up with the State Government at the earliest so that the targets under the scheme are achieved during the current financial year. The Committee also desire that a sound monitoring mechanism be evolved to get the feedback from the trainees and at the same time it should also be ensured that the trainees from J&K and the North East are extended every conceivable assistance and cooperation.
6.	3.20	The Committee find that the Ministry are formulating a new scheme for setting up a large number of ITIs including hostels for trainees. The Committee appreciate the proposal for providing hostel facilities to the trainees who have otherwise have to travel long distances for enrolment in these ITIs and desire that the Scheme be expedited so that it could start in the current financial year itself.
7.	3.21	The Committee are unable to reconcile the figures provided to them on two occasions in

		<p>respect of 'Rehabilitation of Bonded Labour Scheme'. The Committee were informed that the BE for the year 2011-12 were Rs.100.00 lakh while RE were Rs.600.00 lakh and the actual expenditure upto 15.03.2012 was Rs.385.30 lakh. The figures provided subsequently reveal that Rs.590.00 lakh was spent upto 15.03.2012 on the Scheme. The Committee in their earlier Reports had cautioned the Government to be careful and diligent enough while furnishing information to Parliament but deplorably, serious discrepancies continue to recur. The Committee, therefore, desire that the figures of actual expenditure on the Scheme be provided to them and suitable but stringent supervising mechanism put in place so that correct information and statistics are submitted to Parliament. The internal audit also needs to be revamped so that such discrepancies do not recur.</p>
8.	3.22	<p>The Committee note that there was less collection of cess under the Welfare Funds meant for (i) Mica Mines Labour Welfare Fund; (ii) Iron, Manganese Chrome Ore Fund; (iii) Limestone and Dolomite Mines Fund and (iv) Cine Workers Welfare Fund, due to discrepancies in the figures of Welfare Commissioner Offices and Pay & Accounts Office. The Committee were further informed that a Working Group was constituted to ascertain and sort out the discrepancies. The Committee would like to be apprised about the nature of discrepancies and the explanations for the discrepancies alongwith the findings of the Working Group.</p>
9.	3.28	<p>The Committee note that as per the survey of the Planning Commission 2002, there were</p>

		<p>more than five crore estimated number of BPL families. The Committee also note that the present figures are based on the survey conducted during the year 2002 (i.e. 10 years back) and the BPL parameters are under revision/consideration. The Committee are unable to accept the sector-wise figures of workers furnished by the Ministry (Table 5 refers) as apparently under estimated and moreover the source of the statistics has not been indicated. Since, RSBY has been extended to five more categories of workers in un-organized sector, obviously there would be considerable increase in the number of eligible workers once all the 35 States/UTs are covered. Taking note of the tardy process of issuance of smart cards, the Committee recommend that the process be accelerated for providing full coverage to each worker in the listed categories.</p> <p>The Committee were informed that for getting the smart card, the workers are required to furnish proof of residence. The Committee note that since most of the workers under these categories are migrant workers, who either reside in make-shift tents, Government shelters or on side-walks, they are unable to get the smart card. Since the Government are keen to provide health insurance to the workers in un-organised sector, the Committee recommend that some alternative be explored so that these large sections of workers could also get smart cards.</p>
10.	3.29	<p>The Committee are informed that periodical evaluation of RSBY has been done by independent agencies. The Ministry of Labour & Employment had conducted evaluation study in Gujarat and Haryana through independent</p>

		<p>agencies. Similarly, the State Governments of Kerala, Himachal Pradesh, Haryana have also conducted studies through independent agencies. The Committee find that only the upbeat suggestions of the findings were taken up and there is no mention of lacunae/shortcoming/deficiency/weakness etc. The Committee are however, dismayed that the Government's reply is studiously silent about the action taken to address or remedy the lacunae/ shortcoming/ deficiency/weakness pointed out by the evaluation reports. The Committee, therefore, desire that the shortcomings pointed out in these evaluation reports may be taken up seriously and course corrections made and the Committee apprised.</p>
11.	3.44	<p>The Committee note that there are overall 112 vacancies at various levels in the DGFASLI and Inspectorates of Dock Safety. Moreso, notably, after the work study undertaken by the Staff Inspection Unit (SIU), many posts of the organization were abolished. The Ministry conceded that the existing strength, being far from adequate, is adversely affecting the smooth functioning of DGFASLI. The Committee are unable to comprehend as to why the recommendations of SIU for abolishing the posts were not contested keeping in view the increased workload. The Committee, therefore, recommend that :-</p> <p>(i) The existing vacancies be filled up without further delay besides placing a fresh proposal for conducting work study by SIU before the Ministry of Finance clearly drawing attention towards the</p>

		<p>existing workload of DGFASLI; and</p> <p>(ii) All the sanctioned posts of RLI be filled up urgently for its smooth functioning and also a review study be undertaken for future activities planned vis-à-vis the manpower required.</p>
12.	3.45	<p>The Committee find that the work measurement study conducted by the SIU is primarily based on the conventional records and semi-structured interviews with the officers and staff of the organization so inspected. The Committee apprehend that the methodology adopted by SIU perhaps overlooks the practical difficulties faced by the present incumbents with the increased work-load and work-force. SIU is dependent on the past records which contain lesser work-load, lesser responsibilities and less workforce. The Committee opine that there is a need for re-visiting the methodology of SIU so that realistic study could be made based on prevailing requirement to handle the additional burden. They, therefore, desire that before the start of the study by SIU, the Ministry of Labour and Employment need to document and highlight their requirement for additional work-force for effective implementation of labour laws.</p>
13.	3.46	<p>The Committee note that there are around 30 posts lying vacant in DGE&T way back from the year 1990 in various categories of Group B&C and the responsibility for filling up of these vacancies lies with the DGE&T itself. The Committee in their previous reports had</p>

		<p>advised the Ministry to fill up these posts at the earliest possible as various offices to whom these posts belong to were suffering due to staff crunch. The Committee deprecate that instead of taking concrete steps for filling up of these vacancies, the Government have merely shifted the responsibility either on SSC/UPSC and DOPT. The Committee also find that filling up of promotional posts, holding of DPC etc. has also not been done for 2-3 years. The Committee wish to remind the Ministry that not holding of DPC when the posts are lying vacant, amounts to denial of legitimate rights of the employees as pronounced in various judgments of higher Courts. The Committee, therefore, recommend that the vacancies of Direct Recruitment (DR) quota be filled up through Employment Exchanges as a stop-gap arrangement till the UPSC forwards the panel for regular appointment.</p>
14.	3.47	<p>The Committee are amazed to note the mutually contradictory statements of the Ministry that (i) the UPSC takes minimum two years to forward names as the recruitment process is lengthy and takes considerable time and (ii) that the vacancies not filled in a year are deemed to be abolished after one year. In the given scenario all the vacancies would have been abolished by now. Mindful of the significant role and functions of the Ministry of Labour and Employment and also having regard to the fact that the staff crunch will not only affect the working but also hamper the smooth implementation of the schemes specially formulated for upliftment and welfare of the labour class, the Committee recommend that immediate and essential steps be taken up to fill up all the vacancies without further delay.</p>

15.	3.48	<p>The Committee find that the Recruitment Rules (RRs) were pending finalization for a long time and reminders were issued to the concerned department only after the matter was taken up by the Committee. While deploring the delay in finalization of the RRs, the Committee recommend that the matter be pursued vigorously with the DOPT/PMO and the Committee apprised within three months of the presentation of this Report.</p>
16.	3.49	<p>The Committee note that an evaluation study of the work implemented by DGFASLI was conducted by IIT Roorkee during 2008. As per their recommendation DGFASLI was to be bifurcated into two wings, namely, Administration and Academic & Research. However, the decision is still pending with the Ministry. The Committee opine that for smooth functioning of the organization it is imperative to have two separate wings of DGFASLI. The Committee also feel that if the bifurcation is done before the review study of the organization by SIU, it would help justify their demand for additional staff. Hence, the Committee desire that the decision of bifurcation be taken up without further delay.</p>
17.	3.58	<p>The Committee note that the expenditure on the plan scheme of Mine Accident Analysis and Modernisation of Information Database (MAMID) upto 19.3.2012 was Rs.182.48 lakh against the budget estimate of Rs.500 lakh. Similarly, the actual expenditure on the plan scheme of SOCFOD was Rs.384 lakh against the budget allocation of Rs.700 lakh. The Committee find that these schemes are continuing from the 10th Plan after merger with</p>

		<p>other schemes. The reasons for not spending the funds allocated to DGMS for both the schemes need to be explained to the satisfaction of the Committee. The Committee are quite apprehensive about the fruition of these schemes seeing the pace of expenditure on these schemes. They, therefore, recommend that concerted efforts be made by the DGMS to spend the grant so as to achieve the objectives of both the schemes and the Committee apprised.</p>
18.	3.59	<p>The Committee are anguished to find recurrent discrepancies in the statistics submitted to them. On the one hand there are 116 vacant posts dating back to the year 2004, in Group A, B and C while on the other, there are 642 persons against the total of 732. The Committee also find that a work study Committee was constituted in the year 2007 of SIU which had recommended for abolition of 115 posts belonging to group C once the persons occupying these posts superannuate. At the same time the work study Committee had also recommended for creation of 196 new posts. The Committee find it quite perplexing. The Committee, therefore, desire to know the details of the categories in which these posts have been created and the reasons for abolition of 115 posts. The Committee also desire that the vacancies be filled up without any further delay and the measures initiated in this behalf placed before them.</p>
19.	3.60	<p>As per the existing ESI Act, the mine workers are out of the purview of the ESI Act. The Committee are of the view that the mining activities are mostly in the tribal dominated and inaccessible parts of the country, particularly in Odisha and the basic medical</p>

		<p>facilities do not reach them. To avail such facilities, either they have to travel over long distances and arduous terrains or they avoid going that far. The Committee, therefore, desire that a feasibility study of opening of ESI Hospital/dispensary in the mine workers concentrated areas be carried out and if need be necessary amendments made in the ESI Act.</p>
20.	3.61	<p>The Committee find that the ESIC is in the process of setting up ESI Medical College & hospital in Bhubaneswar. The Committee are of the view that Bhubaneswar, being the State Capital, already has so many hospitals including AIIMS and Railway Hospital besides two ESI hospitals. The Committee also note that there is an urgent and popular demand for setting up of a medical college in Rourkela by the ESIC. The present ESIC dispensary is woefully inadequate to provide medical facilities to large number of workers working in various small and medium industries there. The Committee, therefore, recommend that a ESI Medical College & Hospital be opened in Rourkela while in Bhubaneswar opening of a Nursing College and paramedical college/pharmaceutical may be considered.</p>
21.	3.62	<p>The Committee feel that administration of ESIC run hospitals needs further improvement specially departments relating to medical equipments and medical stores. The Committee desire that inspections at regular intervals should be conducted at these hospitals to ensure that all life saving machines and equipments are well maintained</p>

		<p>and the necessary medicines are supplied to the patients and that prescribed procedure is strictly followed for segregation and disposal of medicines which have outlived their prescribed shelf-life.</p>
22.	3.63	<p>The Committee note that despite the assurance given by the ESIC regarding furnishing of a feasibility report for opening an ESIC Hospital in Ferozabad, UP, neither any feasibility report nor any concrete action has been taken by the ESIC for opening of an ESI Hospital there. The Committee feel that keeping in view a large number of bangle and glass industry workers there, who have no access to any proper medical facilities, there is an urgent demand for opening of an ESI Hospital there. The Committee, therefore, desire that immediate steps be taken for fresh IP mapping that too in a time bound manner and feasibility report submitted to the Committee within two months. While conducting such an IP mapping it must be ensured that there is no underreporting regarding the work-force employed by any establishment.</p>
23.	3.69	<p>The Committee find that there are a number of posts of Dy. CLCs, RLCs and LEOs lying vacant besides the vacancies at Headquarter in Group B and C posts. The Committee fully endorse the view that after amendment to the Industrial Disputes Act, the work of CIRM has increased manifold. During their study visits to various places across the country to oversee the implementation of various Labour Laws by the Public Sector Undertakings in relation to the Contract and Casual Workers employed by the Contractors, the Committee found that due</p>

	<p>to acute shortage of staff, the Regional Labour Commissioners are badly hamstrung to carry out regular inspections of various establishments under them. The Committee are of the considered view that for smooth functioning of the CIRM and effective implementation of the 44 Acts intended for welfare of labour, availability of adequate human resource at the disposal of RLC is a <i>sine qua non</i>. Though the SIU have conducted studies of different offices/organizations throughout the country, but in the absence of any recruitment, such studies become infructuous. The Committee, therefore, desire that the UPSC/SSC be requested to expedite the matter and forward the panels urgently. The Committee also suggest that necessary relaxation may be sought from the competent authorities, if so warranted, to fill up the vacancies through Employment Exchanges as a stop-gap arrangement until the regular appointments are made.</p>
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24.	3.70	<p>The Committee are perturbed that there is no set procedure for keeping the data of the number of establishments covered vis-à-vis the work-force. It is all the more disconcerting that the data was called from the respective RLCs on being asked by the Committee. The Committee hardly wish to emphasise the significance of collection and compilation of such vital statistics by the office of CLC notwithstanding the shortage of staff at the level of LEOs and ALCs which need to be made good expeditiously. They, therefore, desire that collection/ processing of the data about the covered establishments vis-à-vis the work-force be maintained at the CLC(C) Office with a cut off date of calendar year so that the interests and welfare of workers is not allowed to suffer for want of desired inspections.</p>
25.	3.71	<p>The Committee are dismayed to note that the Government do not have the data on unemployment. Further, no empirical study has been conducted as yet about the impact of economic growth on expansion of employment opportunity. They, therefore, recommend that figures of sectoral unemployment as on 31st December, 2011 be furnished to them as also the findings of the study of economic growth and its impact on employment opportunities.</p>
26.	3.72	<p>Taking note of the assurance of the representatives of the Ministry that they would never be complacent and continue to protect the interests of the labour force and create conducive work environment for them, the Committee would like detailed governmental review on the working of the 44 Labour Acts and the concrete corrective measures taken to</p>

		protect the interests of the labour in the light of discrepancies and shortcomings detected.
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