

SIXTEENTH REPORT
STANDING COMMITTEE ON
LABOUR AND WELFARE
(2001)

	PAGE
(THIRTEENTH LOK SABHA)	(iii)
MINISTRY OF LABOUR	(v)
Report	1
<i>[Action taken by the Government on the Recommendations/Observations contained in the Eleventh Report of the Standing Committee on Labour and Welfare on Ministry of Labour—Demands for Grants —2001-2002]</i>	
CHAPTER III Recommendations/Observations which the Committee do not desire to pursue in view of the Government's reply	15
CHAPTER IV Recommendations/Observations in respect of which final replies of government have not been received	21
CHAPTER V Recommendations/Observations in respect of which final replies of government have not been received	23
ANNEXURE Minutes of the 12th Sitting of the Committee on Labour and Welfare held on 12 December 2001	29
APPENDIX Analysis of the Action Taken by Government on the Recommendations contained in the Eleventh Report (Thirteenth Lok Sabha)	31



LOK SABHA SECRETARIAT
NEW DELHI
December, 2001/Agrahayana, 1923 (Saka)

COMPOSITION OF THE STANDING COMMITTEE ON
LABOUR AND WELFARE
CONTENTS

Dr. Sushil Kumar Jaisra — Chairman

	PAGE
COMPOSITION OF THE COMMITTEE	(iii)
INTRODUCTION	(v)
CHAPTER I Report	1
CHAPTER II Recommendations/Observations which have been accepted by the Government	4
CHAPTER III Recommendations/Observations which the Committee do not desire to pursue in view of the Government's reply	13
CHAPTER IV Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee and which requires reiteration.....	21
CHAPTER V Recommendations/Observations in respect of which final replies of government have not been received	23
ANNEXURE Minutes of the Thirteenth Sitting of the Committee on Labour and Welfare held on 12 December, 2001	29
APPENDIX Analysis of the Action Taken by Government on the Recommendations contained in the Eleventh Report (Thirteenth Lok Sabha)	31

COMPOSITION OF THE STANDING COMMITTEE ON
LABOUR AND WELFARE
(2001)

Dr. Sushil Kumar Indora — *Chairman*

MEMBERS

Lok Sabha

2. Shri Daud Ahmad
3. Shri Alam Amir
4. Shri Ashok Argal
5. Shri Denzil B. Atkinson
6. Shri Sudip Bandyopadhyay
7. Shrimati Sandhya Bauri
8. Shri Joachim Baxla
9. Shri Ambati Brahmaniah
10. Shri Ajoy Chakraborty
11. Shri Manibhai Ramjibhai Chaudhuri
12. Shri Krishan Lal Diler
13. Shri Virendra Kumar
14. Shri C. Kuppusami
15. Shri Parsuram Majhi
16. Shri Brahma Nand Mandal
17. Shri Ramjee Manjhi
18. Shri Bherulal Meena
19. Shri Rupchand Murmu
20. Shri Raj Narain Passi
21. Shri R.S. Patil
22. Shri Madhab Rajbangshi
23. Shri P.A. Sangma
24. Shri Ram Shakal
25. Shri Charanjit Singh
26. Shri Khelsai Singh
27. Dr. Ram Lakhan Singh
28. Shri Mansukhbhai Vasava
29. Dr. N. Venkataswamy

DR. SUSHIL KUMAR INDORA,
Chairman
Standing Committee on
Labour and Welfare.

(iv)

Rajya Sabha

30. Shri Ram Kumar Anand
31. Shri B.P. Apte
32. Shri Indramoni Bora
33. Dr. (Mrs.) P. Selvie Das
34. Shri Mohd. Azam Khan
35. Shri Ramachandra Khuntia
36. Shri Fali S. Nariman
37. Shri C.O. Poulouse
38. Shri Mirza Abdul Rashid
39. Shri Ka.Ra. Subbian
40. Ms. Frida Topno

SECRETARIAT

1. Shri B.R. Kanathia — *Joint Secretary*
2. Shri J.P. Sharma — *Deputy Secretary*
3. Shri S.K. Saxena — *Committee Officer*

INTRODUCTION

I, the Chairman of the Standing Committee on Labour and Welfare having been authorised by the Committee to submit the Report on their behalf, present this Sixteenth Report on the action taken by the Government on the recommendations contained in the Eleventh Report of the Standing Committee on Labour and Welfare (Thirteenth Lok Sabha) on the Ministry of Labour—Demands for Grants 2001-2002.

The Eleventh Report was presented to Lok Sabha on 20th April, 2001. The Ministry of Labour furnished their replies indicating action taken on the recommendations contained in that Report on 2nd August, 2001. The Report was considered and adopted by the Standing Committee on Labour and Welfare at their sitting held on 12.12.2001.

3. The Report has been divided into the following Chapters:—

- I Report.
- II. Recommendations/Observations which have been accepted by the Government.
- III. Recommendations/Observations which the Committee do not desire to pursue in view of the Government's reply.
- IV. Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee and which requires reiteration.
- V. Recommendations/Observations in respect of which final replies of Government have not been received.

4. An analysis of the Action Taken by the Government to the recommendations contained in the Eleventh Report of the Standing Committee on Labour and Welfare (Thirteenth Lok Sabha) is given in Appendix.

NEW DELHI;
12 December, 2001
21 Agrahayana, 1923 (Saka)

DR. SUSHIL KUMAR INDORA,
Chairman,
Standing Committee on
Labour and Welfare.

CHAPTER I

REPORT

1.1 This Report of the Committee deals with the action taken by the Government on the recommendations contained in the Eleventh Report (Thirteenth Lok Sabha) of the Committee on Labour and Welfare on the Ministry of Labour—Demands for Grants—2001-2002.

1.2 The Eleventh Report was presented to Lok Sabha on 20th April, 2001. It contained 22 recommendations. Replies of Government in respect of all recommendations have been examined and are categorised as under:—

- (i) Recommendations and observations which have been accepted by the Government:

Sl. Nos. 2, 5, 7, 11, 13, 18, 19 and 21.

(Total 8 included in Chapter II of the Report)

- (ii) Recommendations and observations which the Committee do not desire to pursue taking into consideration the replies of the Government:

Sl. Nos. 1, 3, 9, 10, 15 and 22.

(Total 6 included in Chapter III of the Report)

- (iii) Recommendations and observations, replies to which have not been accepted by the Committee and which require reiteration:

Sl. Nos. 6, and 8.

(Total 2 included in Chapter IV of the Report)

- (iv) Recommendations and observations in respect of which final replies have not been received:

Sl. Nos. 4, 12, 14, 16, 17 and 20.

(Total 6 included in Chapter V of the Report.)

1.3 The Committee will now deal with the action taken replies of the Government which need reiteration or merit comments.

A. Revision of Pay Scales of Presiding Officers

Recommendation (Sl. No.6, Para No. 2.18)

1.4 The Committee had observed that the number of CGITs were non-functional as the Ministry had not been able to make the terms and conditions including pay scales of Presiding Officers more attractive and the posts of Presiding Officers could not be filled in a number of CGITs and, therefore, had recommended to finalize the revision of scales of Presiding Officers without further delay and should also ensure that the CGITs at Mumbai, Dhanbad, Bangalore and Asansol should be made functional and the pending cases should be disposed of expeditiously.

1.5 In their reply, the Ministry has stated that the proposal regarding the revision of the terms and conditions of the Presiding Officers of the CGIT-cum-Labour Courts is still under consideration of the Government. The Ministry has already submitted a proposal to enhance the conveyance allowance of Presiding Officers to the Ministry of Finance and the matter is under consideration. As regards the vacancies of the Presiding Officers, out of the 17 CGIT-cum-Labour Courts, only three CGIT-cum-Labour Courts, viz., Asansol, Dhanbad-1 and Mumbai-1 are without Presiding Officers.

1.6 The Committee note with distress that the Ministry has furnished the same reply regarding revision of the terms and conditions of the Presiding Officers which they had furnished more than two years back in their action taken replies on the recommendations contained in the Tenth Report on Demands for Grants-1999-2000. In view of the Committee, the Ministry has taken a very casual approach in the matter. The Committee fail to understand as to why the Ministry has not been able to appoint Presiding Officers in the 3 CGITs-cum-Labour Courts viz., Asansol, Dhanbad-1 and Mumbai-1 and make these CGITs functional till date. While reiterating their earlier recommendation, the Committee urge upon the Ministry to get early clearance from the Ministry of Finance for making the terms and conditions of the Presiding Officers more attractive and also fill the posts of Presiding Officers in the above 3 CGITs-cum-Labour Courts so that these courts could be made functional and the pending cases are disposed of expeditiously.

B. Strengthening of Central Industrial Relations Machinery (CIRM)

Recommendations (Sl. No. 8, Para No. 2.27)

1.7 The Committee had observed that as a result of economic globalization the industrial activity and the volume of trade and business had increased manifold and the paltry staff of 125-130 Labour Enforcement Officers was not adequate to deal with nearly two lakh odd establishments in the Central Sphere alone and had, therefore, recommended that the Ministry of Labour should take up the matter with the concerned Ministries to strengthen the enforcement machinery and augment the number of labour enforcement officers so that every establishment/industry could be inspected at least once in a year.

1.8 In their reply, the Ministry has stated that augmenting and strengthening of enforcement machinery is a new scheme of the 9th Plan. The proposed scheme is being processed by the Ministry of Labour & IFD. Under this scheme, one post of Dy. CLC (C) at Kanpur, two posts of RLC (C) at Allahabad and Bhopal, 20 posts of ALCs (C), 25 posts of ELOs (C) alongwith support, staff amounting to total number of 234 posts have been proposed. However, these posts are yet to be created/sanctioned. The proposal for holding the meeting of Standing Finance Committee (SFC) was put up to the Integrated Finance Division (IFD) through Ministry of Labour. The IFD has observed that unless the work norms are studied by the SIU, the SFC cannot be convened. The office of the CLC (C) has taken up the matter with SIU requesting them to study and fix the work norms of field functionaries.

1.9 The Committee are constrained to note that although the augmenting and strengthening of enforcement machinery scheme was introduced in the Ninth Five Year Plan yet even after a lapse of more than 4 years, the scheme remains on the paper only. The Committee express their grave concern over the delay in creation of 234 posts of Labour Enforcement Officers and rather surprised to note that the Ministry has not even undertaken the preliminary exercise of work study for creation of these posts. While reiterating their earlier recommendation the Committee are of the view that the Ministry should complete all the process during the remaining period of Ninth Plan and augment the proposed number of labour enforcement officers so that every establishment/industry could be inspected at least once in a year.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation (Sl. No. 2, Para No. 1.11)

2.1 The Committee further note that the Budget Estimates are approved by the Parliament through Annual Budget of the Government of India usually in the month of April/May which are subsequently reduced or enhanced by the Ministry of Finance at the Revised Estimates stage on the basis of the expenditure during the first six months of the year on pro-rata basis. The reasons stated by the Ministry that the reduction of fund at R.E. stage was due to delayed approval of their 1.1.1s scheme are not acceptable to the Committee as the reduction formula has been applied for slow process of expenditure in the first six months to Ministry's other schemes also. The Committee, therefore, recommend that the Ministry should improve their planning and tone up their monitoring over the schemes so that the expenditure remains at even pace throughout the year to avoid reduction at Revised Estimates stage.

Reply of the Government

2.2 The pace and progress, both physical and financial, of Plan and non-plan schemes of the Ministry are reviewed periodically at the level of Secretary through meetings with all concerned officers involved in the implementation of these Schemes. However, keeping in view the suggestions made by the Committee, coordination with the field units of the Ministry and the concerned States will be intensified to ensure more effective implementation of Schemes, particularly Plan Schemes, so that an even pace of expenditure on Schemes is maintained throughout the year and funds earmarked for the Scheme are fully utilised. The monitoring mechanism is expected to be strengthened further with the Local Area Networking of computers in the Ministry on which work is currently in progress.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.
Dated 02.08.2001]

Recommendation (Sl. No. 5, Para No. 2.17)

2.3 The Committee note with concern that 10074 industrial disputes and 3803 applications under various labour courts are pending for disposal and the Ministry has failed to get approval of the Standing Finance Committee for setting up of five new CGIT-cum-Labour Courts at Guhati, Ahmedabad, Earnakulam, Delhi and Chandigarh which were proposed during the 9th Five Year Plan (1997-2002) and also the posts of Presiding Officers have not been filled as yet. The Committee are not happy with the situation keeping in view the piling up of pending cases year after year in various labour courts and the proposal for setting up of new 5 CGIT-cum-Labour Courts still remains on papers even after the lapse of 4 years of the 9th Five Year Plan. The Committee therefore desire that the Ministry should take all out efforts to set up these CGITs without further delay.

Reply of the Government

2.4 The Ministry is fully aware to the large pendency of cases/ applications in the CGIT-cum-Labour Courts. Although it cannot interfere in the proceedings pending before the CGITs, it closely monitors the progress of cases and, at regular intervals, voices its concern over them.

In the recently concluded meeting of the Presiding Officers of all the CGIT-cum-Labour Courts on the 24th and 25th May, 2001, the Presiding Officers have been requested to take necessary steps immediately to settle the old pending cases on a priority basis.

2.5 In so far as the setting up of the additional five CGIT-cum-Labour Courts is concerned, an SFC meeting, consequent upon the receipt of the memo from the Planning Commission with its queries and answers of the Ministry thereto has been held and the proposal for setting up 5 new CGITs in 2001-2002 has been approved.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.
Dated 02.08.2001]

Recommendation (Sl. No. 7, Para No. 2.19)

2.6 The Committee further note with distress that out of 17 CGITs-cum-Labour Courts in the Country, only 6 CGITs have so far been computerized under non-plan scheme and payment for providing computers & peripheral has been made to NICS I with the request to install computer by 31.3.2001 in the 7 CGITs namely Bangalore, Jaipur, Lucknow, Nagpur, Chennai, Bhubaneswar & Hyderabad functioning under plan. The Committee desire that rest of the CGIT-cum-Labour Courts should also be computerized during the 9th Five Year Plan itself.

Reply of the Government

2.7 The rest of the CGIT-cum-Labour Courts, namely Chandigarh, Dhanbad-2, Jabalpur and Asansol will be strengthened by providing computers and peripherals under CLC (C)'s plan scheme during the 9th Five Year Plan. Necessary instructions have already been issued to CLC (C) in this regard. Apart from these 4, the other 13 CGIT-cum-Labour Courts are already in the process of installing their computers. The first batch of staff the CGIT-cum-Labour Courts have already been given training in computers by the NIC. It is also proposed that more such training programmes will be organised with the assistance of NIC in the current financial year for the staff of the CGIT-cum-Labour Courts.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.
Dated 02.08.2001]

Recommendation (Sl. No. 11, Para No. 2.40)

2.8 The Committee are concerned to note that minimum rates of wages for the beedi workers differ from state to state *i.e.* Rs. 29 per thousand manufactured beedis in Tripura being the minimum and the highest is Rs. 64.80 in Gujarat which is clearly indicative of the fact that there is no uniformity in the floor level wages paid to the beedi workers. In the opinion of the Committee, the matter should be pursued with the State Governments and UT Administrations and impress upon them to have atleast Common National Minimum Floor Level Wage for the beedi workers throughout the country.

Reply of the Government

2.9 The Government have considered the issue relating to fixation of a National Minimum Wage at various for a but no such decision could be taken till today mainly because of variations in price levels from region to region, variations in capacity to pay from industry to industry etc. Therefore, the wage level as fixed by the various appropriate Governments under the Minimum Wages Act, 1948 has been found to be widely varying from one State to the other. Even within the same State, various appropriate Governments have fixed different rates of wages for different scheduled employments. There has been a constant endeavour on the part of the Central Government to bring down regional disparities in minimum wages through Regional

Labour Minister's Conferences. Even after such efforts, we have not been successful in ensuring regional parity in the minimum wages. Therefore, State Governments were suggested that constitution of a Commission of Officials from adjoining States will be of use:—

- * To examine various issues leading to fixation of minimum wages in the States within a region;
- * To bring about uniformity in the matter of addition of employments to the schedule to Minimum Wages Act;
- * To bring about uniformity in minimum wages and through adoption of standard norms on the basis on consensus; and
- * To ensure better enforcement of minimum wages.

2.10 We have received information in respect of Assam, Tripura, Andhra Pradesh, Orissa, Karnataka, Kerala, Tamil Nadu, Gujarat, Madhya Pradesh and Maharashtra regarding formation of Committee of Officials of Adjoining States to consider the issues listed above. The outcome of these Committees is still awaited. The other beedi producing States are being pursued to furnish the information in this regard. The State Government have been advised to ensure that in none of the scheduled employment under them, the minimum wages are below the national floor level minimum wages which is Rs. 45/- at present *w.e.f.* November, 1999.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.

Dated 02.08.2001]

Recommendation (Sl. No. 13, Para No. 2.65)

2.11 The Committee also note with concern that no case has been disposed of out of 77 prosecution cases launched against the erring managements during 2000. The Registrar Generals of the High Courts of Uttar Pradesh, Bihar, Andhra Pradesh, Rajasthan have issued directions for setting up of Special Courts. The Committee, therefore, recommend that the Ministry should pursue with the remaining State Governments to set up Special Courts in their States at the earliest to dispose of cases pending under the Mines Act. Action taken in this regard may be communicated to the Committee.

Reply of the Government

2.12 The matter for designating courts to deal with the cases under the Mines Act were pursued with the Registrar General of High Courts of the remaining States. The High Court of West Bengal have also designated Special Court to deal with Mines Act cases by giving day to day trial.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.
Dated 02.08.2001]

Recommendation (Sl. No. 18, Para No. 2.103)

2.13 The Committee are deeply concerned over the unemployment scenario in the country especially in view of the fact that at present both public and private sectors showed near stagnation with respect to additional employment generation particularly for the educated youth and the quantum of unemployment has increased from one Plan Period to another. The Committee further observe that the Ministry does not have a clear idea of the number of jobs generated during the 9th Five Year Plan. The Committee, therefore, fail to understand as to how the Ministry would be able to achieve its goal of reducing unemployment to a negligible proportion by 2002. They are of the view that the Ministry should pursue its primary objective of generating greater productive employment in the growth process. The Committee, while recognizing the high incidence of underemployment and increasing casualisation of labour, feel that the Ministry should take proper initiatives to enhance the employment opportunities for the poor, particularly those who are in seasonal occupations. Also the Ministry should give more emphasis on skill training and education to meet the changing requirements of enterprises in a dynamic and competitive environment.

Reply of the Government

2.14 The unemployment problem is a worldwide phenomenon. With few exceptions, in most parts of the world, the level of unemployment and underemployment is high. Liberalisation and globalisation have changed the economic scenario and demand in the labour markets. The role of high quality educated and skilled workforce has gained prominence. Under the present labour market scenario, investments in skill development and training by all the stake holders and modernization of training system are important so as to equip the labour force with employable skill.

2.15 It is pertinent to mention that while the job opportunities have been created as a result of new economic policies, at the same time due to declining efficiency of the old type enterprises, job opportunities therein are getting reduced. Now job opportunities are being created in service sectors, such as financial services, information, technology and tourism.

2.16 The Ministry of Labour do not implement any employment generation programme in the country. Its role is restricted to rendering vocational guidance, vocational training, registering the job-seekers by the respective employment exchanges, sponsoring their names to the employees against the notified vacancies and diverting the unemployed for setting up the self employment ventures. In the present economic scenario, additional wage employment is not sufficient and hence efforts have been made to divert the unemployed to self-employment and small scale ventures.

2.17 Poverty alleviation and employment generation programmes have now been redesigned and restructured to improve their efficacy. The Swarn Jayanti Gram Rozgar Yojana, Jawahar Gram Samiridhi Yojana and Employment Assurance Scheme are being implemented in rural areas of the country. In addition to providing gainful employment to the urban unemployed to underemployed through encouraging the setting up of self-employment ventures or provision of wage employment, Swarna Jayanti Shahari Rozgar Yojana and Prime Minister's Rozgar Yojana are being implemented by the Government.

2.18 The Directorate of Training under the Directorate General of Employment & Training in the Ministry of Labour is responsible for operating a number of Training Schemes to ensure a regular supply for skilled manpower at different levels, by suitably regulating the Vocational Training Programmes in the country. In order to keep pace with the rapid technological advancements in industry, the courses offered in ITIs, are periodically reviewed by the respective Trade Committee in consultation with the industry. During the last five years, 42 trade syllabi have been revised, four trades have been declared obsolete and training discontinued in these trades. Training courses in seven new trades, including 'Information Technology & Electronics System Maintenance' have been introduced. National Council for Vocational Training (NCVT) in its 33rd meeting held in July, 1999 has identified another six trades for introduction under Craftsmen Training Schemes (CTS). The syllabi of these identified trades are under preparation.

2.19 Also, the Planning Commission has constituted a Working Group on Skill Development & Training in April 2001, for preparation of the Tenth Five Year Plan. The Working Group *inter-alia* will identify emerging requirements of training, in the context of technological changes taking place in the economy. Thereafter, the Group may suggest suitable measures/schemes to address the issue of skill development in the dynamic & competitive environment, brought in by introduction of the state-of-art technology.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.
Dated 02.08.2001]

Recommendation (Sl. No. 19, Para No. 2.104)

2.20 The Committee further desire that the Ministry should make all out efforts is coordination with other Central Ministries and State Governments to increase the coverage of families under targeted employment programmes such as Swarna Jayanti Gram Swarozgar Yojana, Jawahar Gram Samiridhi Scheme in rural areas and Prime Minister's Rozgar Yojana and Swarna Jayanti Shahari Rozgar Yojana in the Urban Areas.

Reply of the Government

2.21 The Ministry of Labour is neither responsible for employment generation in the economy nor does it implement any employment generating scheme. The Ministry of Rural Development, Ministry of Urban Development and Poverty Alleviation (Department of Urban Employment and Poverty Alleviation) & Ministry of SSI, Agro and Rural Industries have been implementing and monitoring various special poverty alleviation and employment generation programmes. These Ministries have been making all efforts in coordination with the State Govts. to increase the coverage of families under their targeted poverty alleviation and employment generation programmes. The Ministry of Labour remains in constant touch with these ministries.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord. Dated
02.08.2001]

Recommendation (Sl. No. 21, Para No. 2.113)

2.22 The Committee also note that an amount of Rs. 50.00 lakhs has been released for conducting surveys of bonded labour in 25 Districts in the States of Haryana, Punjab, Rajasthan and Tamil Nadu and an amount of Rs. 5 lakh has also been released for conducting evaluatory studies in 5 Districts of Rajasthan during 2000-2001. The Committee desire that the Ministry should conducted surveys and make Evaluation Studies in the specified areas through reputed agencies/ organisations regarding the scheme so that the bonded labourers could be identified and rehabilitated.

Reply of the Government

2.23 Under the Centrally Sponsored Plan Scheme for rehabilitation of bonded labour (modified in May, 2000), there is a provision for providing Central Assistance to the State Governments *inter-alia* to conduct survey of bonded labour and evaluatory studies. Such surveys are required to be conducted in sensitive Districts where the system of bonded labour is reported to be existing in one form or the other, on regular basis once in three years. The Governments can conduct such surveys with the help of their Statistical Departments, besides help of dedicated NGOs can also be taken wherever necessary. In order to cover the cost of such surveys an amount of Rs. 2 Lakh per district can be provided to the concerned State Government.

2.24 Evaluatory studies can be conducted by State Governments at District and State level to study the impact of existing land-debt related issues affecting bonded labourers and the impact of poverty alleviation programmes. Each State Government is required to conduct five evaluatory studies every year through institutes of social science organisations of NGOs having professional experience in conducting five evaluatory studies every year.

2.25 During the financial year 2000-2001, financial assistance has been given to several State Governments for conducting such survey in 25 Districts. Further, during the current financial year (2001-2002), till date, financial assistance has been given to the State Governments for conducting surveys in 32 districts. Financial assistance of Rs. 5 lakh each for conducting evaluatory studies, have been given to the States of Rajasthan and Uttar Pradesh during years 2000-2001 and 2001-2002 respectively.

2.26 In view of the above, it is stated that instead of undertaking the survey of bonded labour and evaluatory studies by itself, the Ministry of Labour, Government of India has been providing Central Assistance to the concerned State Governments. As already indicated, the State Government of India can have such evaluatory studies/surveys conducted with the help of their statistical machinery and also by taking assistance from the reputed research organisations, academic institutions and NGOs having the track record of working for the welfare of unorganised sector.

CHAPTER III

RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE TAKING INTO CONSIDERATION THE REPLIES OF THE GOVERNMENT

Recommendation (SI No. 1, Para No. 1.10)

3.1 The Committee are constrained to note that out of allocation of Rs. 98.00 crore for the financial year 2000-2001, the Ministry has been able to utilize only Rs. 62.79 crore *i.e.* 64.07% of the Budget Estimates upto 28 February, 2001. The expenditure on certain schemes such as Rehabilitation of Bonded Labour, Employment, Welfare of SC/ST and other Backward Classes is below 30%. The arguments put forth by the Ministry for shortfall in the expenditure such as non-receipt of the utilization certificates from the States and not getting approval from the Planning Commission on certain schemes in time are of routine nature and not at all appealing for the Committee. The Committee are, therefore, of the opinion that the Ministry is lacking coordination with the States as well as with the Planning Commission and its monitoring over the performance of the schemes is required to be more effective. The Committee, therefore, recommend that the Ministry should have a thorough monitoring over the Central as well as the Centrally Sponsored Schemes and should ensure that the funds allocated for various schemes are fully utilized during the financial year itself.

Reply of the Government

Rehabilitation of Bonded Labour Scheme

3.2 So far as the utilization of budget under the Centrally Sponsored Scheme for rehabilitation of bonded labour is concerned, 160% of the budget estimate of the year 2000-2001 has been utilized. The budget estimate for 2000-2001 was Rs. 575.00 lakhs, whereas the actual expenditure was Rs. 920.64 lakhs under the scheme during the above period.

Employment, Welfare of SC/ST and Other Backward Classes Schemes

3.3 In order to have an effective monitoring of the pace and progress of the various Plan Schemes monthly and quarterly targets of expenditure have been fixed. The progress so made towards implementation of the Plan Schemes and the impediments that are coming in the way of implementation of the schemes are discussed at regular intervals at the review meetings taken by the Sr. Officers. The organisation has already devised an effective monitoring mechanism to ensure that funds allocated for the individual Plan Schemes are fully utilized.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.
Dated 02.08.2001]

Recommendation (Sl. No. 3, Para No. 1.12)

3.4 The Committee also note with distress that despite their recommendations the Ministry has not been able to bring central legislation for 74.6 million odd agricultural workers who constitute by far the largest segment of the unorganised section of the society. The Committee have been informed that there are certain reservations expressed by a few State Governments on some of the components of the draft legislation including identifying the source of the fund. The Committee are of the view that the agricultural labour from the most vulnerable section among the workers dependent on wage employment and hence there is a need to protect their interests. The Committee, therefore, strongly recommend that the Ministry should formulate a concrete scheme to provide minimum social security for the agricultural workers *viz.* security of employment, hours of work, payment of wages and machinery for settlement of disputes etc.

Reply of the Government

3.5 A proposal to enact a Central legislation for agricultural workers has been under consideration of the Government which would *inter-alia* include creation of a Welfare Fund for providing certain welfare/social security measures to these workers. The matter has been discussed at various fora including State Labour Ministers Conferences. There is no consensus among the State Governments on the proposed legislation. The Government has launched Krishi Shramik Samajik Surkasha Yojana-2001 with effect from 1.7.2001. The Life Insurance

Corporation (LIC) will implement the scheme under the supervision of the Ministry of Labour. The following social security measures have been made under the scheme:

- (a) Life-cum-accident insurance;
- (b) Money back;
- (c) Superannuating benefits.

3.6 Agricultural workers in the age group of 18 to 50 years are eligible under the scheme. The worker will contribute Rs. 1/- per day or Rs. 365 per year and the Government of India will pay Rs. 2/- per day or Rs. 730/- per year for beneficiary from the social security fund of India.

3.7 Initially, the scheme will be implemented in 50 Districts taking at least one District from each State convening 10 lakh workers in their first phase of 3 years. In view of the performance of the scheme during the first phase and availability of funds, it will be extended to other Districts.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.

Dated 02.08.2001]

Recommendation (Sl. No. 9, Para No. 2.28)

3.8 The Committee have been informed that the plethora of Labour laws contain penal provision in the form of fines which are very low and such provisions do not have any deterrent effect on the offending employers. The experience of the enforcement machinery reveals that almost in all prosecution cases where the employers are convicted of violation of provisions, all Labour laws impose fines the amount of which is so meager that for the defaulter it is a cheaper proposition than to comply with the laws. The Committee, therefore, recommend that the Ministry should reviewed the various, Labour laws and make suitable amendments thereto by way of providing stringent punishment against the infringements/violations committed.

Reply of the Government

3.9 The penal provisions of almost all the Labour enactments enforced by the CIRM provide for the penalties of fine or imprisonment or both. It has been the experience of the enforcement machinery that almost in all prosecution cases where the employers are convicted of violation of provision of the Labour Laws, the penalty of imprisonment is rarely awarded. Usually, fine is imposed on the defaulting employers. The amount of fine prescribed in almost all the Labour enactments except one or two is very meagre and the fines awarded by the courts are much less than the prescribed fines. For the employers paying the fine is a much cheaper proposition than to comply with the provisions of laws for which they may have to incur heavy expenditure. The lesser punishments prescribed under the laws embolden the offending employers to continue to violate the Labour laws. Some of the Labour laws for example the Factories Act, 1948 has a stringent penal provision providing for a stiff fine of Rs. 1,00,000/- for non-compliance with the provisions of the Act. This certainly acts as a deterrent. Certain amendment proposals for providing stringent punishments against infringements/violations are under consideration of the Ministry. Besides, Ministry of Labour has set up second National Commission on Labour in October, 1999 with one of its terms of reference to review the existing Labour laws. The Commission is expected to give its report by October, 2001.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.
Dated 02.08.2001]

Recommendation (Sl. No. 10, Para No. 2.39)

3.10 The Committee note with concern that the Government have identified about 44 lakh beedi workers in different parts of the country whereas more than 6 lakh identity cards are yet to be issued by them. The Committee fail to understand as to how the remaining beedi workers would be able to get the various welfare benefits. In the opinion of the Committee, the Ministry lacks coordination with the State Governments and their monitoring over the scheme has not been up to the mark. The Committee, therefore, strongly recommend that the Government should evolve certain way out in consultation with the State Governments for issuance of identity cards to the beedi workers including "Ghar Khata" workers in a phased manner so that they are no longer deprived of the benefits of welfare schemes being run by the Government in this regard. The Committee also desire that a fresh survey should also be conducted to know the exact number of beedi workers.

Reply of the Government

3.11 Government have noted the concern shown by the Standing Committee regarding non-issuance of identity cards to about 6 lakh beedi workers. Under Rule 41 of the Beedi Workers Welfare Fund Rules, 1978, the responsibility for issue of identity cards to the beedi workers is cast upon the owner of the establishment, factory or contractor engaged in the manufacture of beedis. Since, however, for understandable reasons, the employers were usually not coming forward to fulfil this obligation and a large number of beedi workers remained deprived of the welfare benefits being extended under the Beedi Workers Welfare Fund for want of proper identification, various efforts have been made by the Government in this direction in the past including issuing identity cards to the beedi workers through the dispensaries being run under the Beedi Fund. State Governments have also been requested, time and again, to launch special campaigns for identification of beedi workers in their States.

3.12 A fine of upto Rs. 2,000/- on a beedi employer not issuing identity cards to the beedi workers has also been prescribed in the Rules. However, for want of express provisions with regard to the authority who would enforce this provision, the Labour Welfare Organisation was not in a position to take action against the defaulting employers. To overcome this problem and in order to achieve the goal of complete identification of the beedi workers, the Beedi Workers Welfare Fund Rules, 1978 has been amended and a new Rule namely the Rule 42 has been incorporated under these Rules. The new Rule empowers the Welfare Commissioners, Assistant Welfare Commissioners and Welfare Administrators to file complaints before the appropriate court for breach of any provision under the Beedi Workers Welfare Fund Rules, 1978.

3.13 The issuance of identity cards to beedi workers is a continuous process. All the efforts enlisted above have shown desired results too. As per latest estimates there are about 44,27,894 beedi workers in the country. Out of these estimated beedi workers, about 38,10,517 beedi workers have been issued identity cards thus leaving behind about 6 lakh beedi workers yet to be identified.

3.14 It may be added that the figure of 44 lakh beedi workers is only an estimate based on reports from various sources and field officers and as such it cannot be taken as precise. Due to limitations of resources and the required infrastructure, it has not been possible for this Ministry to conduct specific survey to enumerate the exact number of beedi workers in the country, so far. The office of the Registrar General, India has been approached to provide the exact number of beedi workers in the country, State-wise and area-wise as per Census 2001, so as to enable this Ministry to focus its efforts of issuing identity cards and providing welfare benefits to the beedi workers, pointedly. However, the census may take time in analyzing and providing the requisite data.

3.15 Moreover, the Labour Welfare Organisation has been experiencing some practical difficulties too, in achieving the hundred percent identification of beedi workers. These include reluctance on the part of the home-based beedi workers (Ghar Khata workers) to appear for any scrutiny, remoteness of the places of residence/nature of work of the beedi workers, part-dependency on beedi making activity by some families, etc. Notwithstanding these constraints, the gap between the estimated number of beedi workers in the country and identity cards issued to them has been decreasing constantly over the past few years and is expected to be minimal in the coming days.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.

Dated 02.08.2001]

Recommendation (Sl. No. 15, Para No. 2.89)

3.16 The Committee note with distress that a huge amount of ESI dues to the tune of Rs. 524.79 crore as on 31.3.2000 outstanding against the covered defaulting establishments is mostly because of non-action on the part of the State Governments. Despite best efforts of the Corporation in taking necessary legal and penal action against the defaulters, the outstanding amount is not being fully realized. The Committee are of the opinion that the ESI scheme should not be financially weakened due to non-realisation of outstanding dues and further urge the Ministry to pursue the matter vigorously with the respective State Governments to realise the arrears expeditiously. Progress achieved in this regard may be communicated to the Committee.

Reply of the Government

3.17 As per the provisions of the Employees' State Insurance Act, 1948 (Sec. 45-B), contributions payable under ESI Act are to be recovered as arrears of land revenue. Since its inception, the Corporation has been issuing requisition for recovery of arrears of contributions to the recovery machinery of the State Governments (the Collector). As the pace of recovery of arrears of the Corporation was very tardy, amendments in the ESI Act were made by inserting sec. 45-C to 45-1 w.e.f. 1.9.1991, for accelerating the pace of recovery of Corporation's dues. As a result of the above amendments, the Corporation has set up its own recovery machinery in all the States where the Scheme stands implemented. The certificates (requisition) which were pending with the State Governments (the Collector) for recovery were withdrawn and sent to the Recovery Officers of the Corporation for prompt realization. The pace of recovery has improved vastly since 1991 after the Corporation took over the task of recovery of arrears. As the State Governments are no more monitoring this task, there is no need to address them on this issue.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.
Dated 02.08.2001]

Recommendation (Sl. No. 22, Para No. 2.121)

3.18 The Committee appreciate the efforts of the Ministry that out of total 100 National Child Labour Projects approved by the Cabinet Committee on Economic Affairs (CCEA) during the 9th Five Year Plan, they have been able to take approval for 99 NCLPs in 13 child labour endemic States and 2 proposals for setting up NCLPs are under consideration of the Government to cover two lakh children. The Committee are constrained to note that the Planning Commission has put a limit on the funds for these projects. The Committee have been informed that these projects are being run in 96 districts, whereas the Ministry has identified 133 districts in total where 20 lakh children are engaged in hazardous occupations. In the opinion of the Committee it is not enough for the Ministry to cover only 2 lakh children who are engaged in hazardous occupations but they should also consider the plight of other working children. The Committee, therefore, desire that the Ministry, while submitting the proposal for the Tenth Five Year Plan to the Planning Commission, should concretize their plan for a large scale expansion in number of National Child Labour Project along with budgetary provisions. Also the Ministry should conduct a fresh survey through National Sample Survey Organization (NSSO) to identify the actual number of working children still languishing in the hazardous industries.

Reply of the Government

3.19 Government has already sanctioned 100 National Child Labour Projects. The directions of the Committee in respect of the proposal for the Tenth Five Year Plan would be adhered to. Discussions are also underway for conducting a survey through the NSSO.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord. Dated
02.08.2001]

CHAPTER IV

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH REPLIES OF THE GOVERNMENT HAS NOT BEEN ACCEPTED BY THE COMMITTEE AND WHICH REQUIRE REITERATION

Recommendation (Sl. No. 6, Para No. 2.18)

4.1 Despite Committee's recommendations, the Ministry has not been able to make the terms and conditions including pay scales of the Presiding Officers more attractive and fill the vacant posts in a number of CGITs. The Committee view the situation very seriously and observe that a number of CGITs are still non-functional in the absence of Presiding Officers. The Committee, therefore, urge the Government to finalize the revision of scales of Presiding Officers without further delay and ensure that the CGITs at Mumbai, Dhanbad, Bangalore and Asansol become functional and the pending cases are disposed of expeditiously.

Reply of the Government

4.2 The proposal regarding the revision of the terms and conditions of the Presiding Officers of the CGIT-cum-Labour Courts is still under consideration of the Government. The Ministry has already submitted a proposal to enhance the conveyance allowance of Presiding Officers to the Ministry of Finance and the matter is under consideration. As for the vacancies of the Presiding Officers, out of the 17 CGIT-cum-Labour Courts, only three CGIT-cum-Labour Courts, viz. Asansol, Dhanbad-1 and Mumbai-1 are without Presiding Officers.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.

Dated 02.08.2001]

Comments of the Committee

(Please see para 1.6 of Chapter-I of the Report)

Recommendation (Sl. No. 8, Para No. 2.27)

4.3 The Committee note that as a result of economic globalization the industrial activity and the volume of trade and business has increased manifold but the enforcement machinery is not keeping pace with the same. In the opinion of the Committee, the paltry staff of 125-130 Labour Enforcement Officers to deal with nearly two lakh odd establishments in the Central sphere alone is not adequate to cope with the inspection work effectively. The Committee, therefore, recommend that the Ministry should take up the matter with the Planning Commission, Ministry of Finance and Ministry of Personnel to strengthen the enforcement machinery and augment the number of enforcement officers so that every establishment/industry could be inspected at least once in a year.

Reply of the Government

4.4 Augmenting and strengthening of enforcement machinery is a new scheme of the 9th Plan. The proposed scheme is being processed by the Ministry of Labour & IFD. Under this scheme, one post of Dy. CLC (C) at Kanpur, two posts of RLC (C) at Allahabad and Bhopal, 20 posts of ALCs (C), 25 posts of LEOs (C) alongwith support staff amounting to total number of 234 posts have been proposed. However, these posts are yet to be created/sanctioned. The proposal for holding the meeting of Standing Finance Committee (SFC) was put up to the Integrated Finance Division (IFD) through Ministry of Labour. The IFD has observed that unless the work norms are studied by the SIU, the SFC cannot be convened. The office of the CLC (C) has taken up the matter with SIU requesting them to study and fix the work norms of field functionaries.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.

Dated 02.08.2001]

Comments of the Committee

(Please see para 1.9 of Chapter-I of the Report)

CHAPTER V

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH FINAL REPLIES HAVE NOT BEEN RECEIVED

Recommendation (Sl. No. 4, Para No. 1.13)

5.1 The Committee further express their serious concern that a major category of unorganised sector is home based workers who are constrained to work at home and sometimes in premises outside home other than the work place of the employer and subjected to exploitation in various forms are devoid of job and social security. The Committee, therefore, urge the Ministry of formulate a National Policy for Home Based Workers by providing social security and regulating their service conditions. The Committee also desire that the Ministry should take measures for constitution of Welfare Fund as is done in the case of beedi workers.

Reply of the Government

5.2 A National Policy for Home Based Workers is being finalised in consultation with various agencies including Government Departments with a view to providing a social security net and regulating their service conditions.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.
Dated 02.08.2001]

Recommendation (Sl. No. 12, Para No. 2.64)

5.3 The Committee note with utmost concern that during the last 15 years the size of the mining industry has increased four-fold whereas staff component of DGMS remained static which is grossly inadequate in meeting the safety operations in mines. The Committee further note that out of 598 coal mines, the Department has been able to make complete inspection in respect of only 159 coal mines during the year 2000-2001 and has expressed its inability that due to shortage of inspecting staff, complete inspection of coal mines could be carried out only once in four years. Out of total strength of 1070, the

Department has at present 130 inspecting officers against the sanctioned strength of 167. The Committee are totally distressed over the situation of inadequate inspecting staff and observe that the proposed ban of non-filling of 2% posts every year shall have serious impact on the safety operations in mines. The Committee, therefore, strongly feel that there should be no compromise in so far as safety of mine workers is concerned and therefore, recommend that the proposed ban should not be applicable to the inspecting staff of the DGMS and unfilled posts as per requirement may be filled up without further delay. The Committee also recommend that the mines safety enforcement machinery should be strengthened in order to enable the inspecting machinery to fully inspect every coal mine at least once a year.

Reply of the Government

5.4 All actions for filling up the vacant posts have been taken by the Ministry. Strengthening of Mines Safety Enforcement Machinery is being proposed in a continuing Plane Scheme "Providing Infrastructural Facility (PIF)" in the 10th Five Year Plan Proposals. A Non-Plan proposal of Strengthening of Enforcement Machinery is also under preparation to ensure inspection of every coal mine atleast once a year.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.
Dated 02.08.2001]

Recommendation (Sl. No. 14, Para No. 2.66)

5.5 The Committee further note that penalties prescribed for different categories of offences under the Mines Act are very meager which do not have deterrent effect on potential offenders. The Committee, therefore, desire that the Ministry should bring suitable amendments in the Mines Act to provide for stringent punishments against the offenders.

Reply of the Government

5.6 A proposal for suitable amendment of Mines Act, 1952 to provide stringent punishment (Penalty) against the offender is under consideration with the Ministry.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.
Dated 02.08.2001]

Recommendation (Sl. No. 16, Para No. 2.90)

5.7 The Committee are happy to note that some of the State Governments have accepted the idea of setting up of Revolving Fund in the States for expeditious financing for speciality/superspeciality treatment under the ESI Scheme. The Committee have also been informed that the fund released to State Governments from the Central Fund are not received by the Directorate of ESI in time and have been diverted to some other sector because of their financial crunch. The Committee, therefore, desire that the Ministry should pursue vigorously with the State Governments of Haryana, Tamil Nadu, Orissa, Meghalaya, Pondicherry and Chandigarh Administration to set up the Revolving Fund in their States for the superspeciality treatment under ESI Scheme and the Ministry should also ensure that the fund released from the Corporation to the State Governments is not diverted to any other scheme.

Reply of the Government

5.8 Revolving Fund has been set up in the States of Tamil Nadu and Orissa *w.e.f.* 1.4.2001 for treatment/reimbursement of medical expenses, for providing superspeciality treatment to the beneficiaries under the ESI Scheme.

5.9 The State of Meghalaya has only 2000 Insured Persons (IPs). Hence, in opinion of the State Government there is no need of setting up of Revolving Fund for such small number of IPs. The Chandigarh Administration has sent its unwillingness for setting up of Revolving Fund because they have only one center and they don't need the Revolving Fund. There is no Regional Office in Pondicherry. Hence, consent of Regional Director, ESI Corporation, Tamil Nadu and State Government have been called for feasibility of operation of Revolving Fund through Local Office Manager, Pondicherry. Necessary action in the matter will be taken immediately on receipt of this information.

5.10 Haryana Government has not given its consent for setting up of Revolving Fund so far. A.D.O. letter has been sent to the Secretary, Labour, Haryana for obtaining the consent of the Government.

5.11 The Revolving Fund for other items as proposed has been accepted by some of the States, but a clear decision is yet to emerge.

5.12 One of the major recommendations of the Sathyam Committee was that funds released by the Corporation to the State Governments are not diverted to any other purpose. A Committee has been set up by the ESI Corporation to give recommendation to implement above recommendation. The ESI Corporation has also requested the Secretaries of State Governments to send their consent for setting up of a Corpus Revolving Fund with the Regional Directors of ESI Corporation for purchase of drugs and dressings, etc., so that this fund may be directly utilised for the purpose for which it is being paid to the State Governments but the consent of the State Governments is still awaited. Necessary action will be taken immediately on receipt of communication of the State Governments.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.]

Dated 02.08.2001]

Recommendation (Sl. No. 17, Para No. 2.91)

5.13 The Committee note that most of the ESI hospitals run by the State Governments do not have diagnostic facilities and the services available to the Insured Persons (IPs) are not upto the mark. Also complaints have been received by the Committee during their visits to ESI Hospitals at Ahmedabad, Cochin, Mumbai and Calcutta about shortage of medical and para-medical staff, lack of drugs, medicines and dressing, equipments. In some of the hospitals run by the State Governments, equipments requisitioned could not be procured for more than a year. The Committee are of the view that in the absence of doctors, medicines and equipments, a worker is deprived of basic medical facilities. The Committee, therefore, strongly recommend that the Ministry should monitor the functioning of Corporation effectively and ensure that the medicines and equipments requisitioned by the hospitals are supplied to them in time. Also the ESI Corporation should take necessary steps for filling the vacancies of medical and para-medical staff in the hospitals/dispensaries without further delay. The Committee also desire that the Ministry should impress upon the State Governments to identify at least one of the ESI Hospitals in their States for development by the ESI Corporation as Model Hospital for providing diagnostic and other facilities to the IPs.

Reply of the Government

5.14 Statutorily medical facilities under the ESI Scheme are being provided by the State Governments in all the States except in Delhi and Noida (U.P.). The hospitals, dispensaries, staff medical as well as para-medical and equipments are being provided by the State Government. The ESI Corporation is contributing 7/8th of these expenses subject to the ceiling fixed by the ESI Corporation to the State Governments. The State Governments have been requested from time and again for posting of medical, para-medical and other staff as per norms of ESI Corporation immediately. ESI Corporation has sanctioned equipments approximately worth Rs. 45 crore to the State Governments for upgradation of ESI hospitals/dispensaries under various action plans. As per information received, most of the State Governments are in the process of purchasing of these equipments. ESI Corporation has also provided advance for purchase of certain equipments to the States, from whom requests have been received for the same. It is hoped that all these equipments will be procured by the State Governments in the current financial year. However, ESI Corporation is regularly monitoring the same.

5.15 The ESI Corporation has decided to upgrade 12 hospitals as model hospitals in the first instance. These hospitals will be staffed and equipped as per norms of ESI Corporation. The maintenance of these hospitals shall be through ESI Corporation subject to the approval of the State Government. Some proposals have been received in this regard and are being examined for setting up of model hospitals at the earliest possible.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.
Dated 02.08.2001]

Recommendation (Sl. No. 20, Para No. 2.112)

5.16 The Committee note with concern that since the enactment of Bonded Labour System (Abolition) Act, 1976, 2,80,411 have been identified as bonded labourers and out of which 2,55,269 have been reported to be rehabilitated by the State Governments with a total expenditure of Rs. 5402.10 lakh upto 28.02.2001 under the Centrally Sponsored Scheme and 5180 bonded labourers are waiting for rehabilitation whereas 19,962 bounded labourers are not traceable. In the opinion of the Committee, the Ministry has failed to rehabilitate these bonded labourers in the year 2000-2001. The Committee are not happy with the situation that not much progress has been made even after a lapse of one year in rehabilitating these bonded labourers in the country. The Committee are of the opinion that the monitoring of the Ministry is not up to the mark and urge the Ministry of rehabilitate the remaining bonded labourers without further loss of time.

Reply of the Government

5.17 Out of 2,80,411 bonded labourers identified so far, 2,56,825 freed bonded labourers have been rehabilitated up to 31.03.2001 and an amount of Rs. 5897.74 lakh has been released as Central assistance for their rehabilitation.

5.18 During the year 2000-2001, as many as 5256 bonded labourers have been rehabilitated in the State of Tamil Nadu, Arunachal Pradesh and Rajasthan. Grants for rehabilitation of bonded labourers are released by the Central Government on the receipt of complete proposals of rehabilitation from the State Governments. Unless the proposals are received from the State Governments, it may not be possible for the Central Government to estimate the fund required by the State Government for rehabilitation of bonded labourers in the year. The State Governments are regularly requested to send proposals for rehabilitation of bonded labourers and to fix target for rehabilitation of bonded labourers. Meetings are regularly held with the representatives of the State Governments under the Chairmanship of the Hon'ble Labour Minister/Secretary (Labour) and they are advised to identify bonded labourers and send proposals for their rehabilitation without any loss of time. There are only 3624 identified bonded labourers who remain to be rehabilitated at the end of 31st March, 2001. It is expected that these bonded labourers would be rehabilitated during 2001-2002.

[Ministry of Labour O.M. No. H-11013/6/2001-Coord.
Dated 02.08.2001]

NEW DELHI;
12 December, 2001
21 Agrahayana, 1923 (Saka)

DR. SUSHIL KUMAR INDORA,
Chairman,
Standing Committee on
Labour and Welfare.

ANNEXURE

MINUTES OF THE THIRTEENTH SITTING OF THE STANDING
COMMITTEE ON LABOUR AND WELFARE HELD ON
12 DECEMBER, 2001

The Committee met from 10.00 hrs. to 11.00 hrs. in Committee Room '139' Parliament House Annexe, New Delhi.

PRESENT

Dr. Sushil Kumar Indora — *Chairman*

MEMBERS

Lok Sabha

2. Smt. Sandhya Bauri
3. Shri Manibhai Ramjibhai Chaudhuri
4. Shri Krishan Lal Diler
5. Shri C. Kuppusami
6. Shri Parsuram Majhi
7. Shri Rupchand Murmu
8. Shri R.S. Patil
9. Shri Madhab Rajbangshi
10. Shri Charanjit Singh
11. Shri Khelsai Singh
12. Dr. Ram Lakhan Singh

Rajya Sabha

13. Shri B.P. Apte
14. Shri Indramoni Bora
15. Dr. (Mrs.) P. Selvie Das
16. Shri Mirza Abdul Rashid
17. Shri Ka. Ra Subbian
18. Ms. Frida Topno

SECRETARIAT

Shri J.P. Sharma — Deputy Secretary

2 & 3

4. The Committee then took up the draft Sixteenth Report on Action Taken by the Government on the Recommendations/Observations contained in the Eleventh Report on Ministry of Labour—Demands for Grants—2001-2002 and adopted the same without any modification.

5 & 6

7. The Committee authorized the Chairman to finalise the Reports in the light of above modifications/amendments and present the same to Parliament.

The Committee then adjourned.

APPENDIX

ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON THE ELEVENTH REPORT OF THE STANDING COMMITTEE ON LABOUR AND WELFARE (THIRTEENTH LOK SABHA)

I. Total number of Recommendations	22
II. Recommendations/Observations which have been accepted by the Government : Sl Nos. 2, 5, 7, 11, 13, 18, 19 and 21.	
Total	8
Percentage	36.4%
III. Recommendations/Observations which the Committee do not desire to pursue taking into consideration the replies of the Government : Sl. Nos. 1, 3, 9, 10, 15 and 22.	
Total	6
Percentage	27.3%
IV. Recommendations/Observations, in respect of which Government's replies have not been accepted by the Committee : Sl. Nos. 6 and 8.	
Total	2
Percentage	9.0%
V. Recommendations/Observations in respect of which final replies of Government are still awaited : Sl. Nos. 4, 12, 14, 16, 17 and 20.	
Total	6
Percentage	27.3%

