

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

UNSTARRED QUESTION NO:37

ANSWERED ON:07.07.2014

AMENDMENT TO FACTORIES ACT

Mahadik Shri Dhananjay Bhimrao;Patil Shri Vijaysinh Mohite;Satav Shri Rajeev Shankarrao;Sule Smt. Supriya Sadanand

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether a small percentage of workforce in the organized sector in the country are covered by the labour laws;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether the Government has any proposal to amend the Factories Act, 1948 to bring in labour reforms and if so, the details thereof;
- (d) whether the Government has consulted all the stakeholders including employees and trade unions in this regard; and
- (e) if so, the details thereof including the response of these stakeholders along with the reaction of the Government thereto?

Answer

MINISTER OF STATE FOR STEEL, MINES, LABOUR & EMPLOYMENT (SHRI VISHNU DEO SAI)

(a) & (b): As per the National Sample Survey Organization data, total number of workforce in the country in 2009-10 was 46.5 crore. Out of this about 2.8 crore (6%) were in the organized sector and the balance 43.7 crore (94%) was in the unorganized sector. Most of the labour laws are applicable to the organized sector only which comprises about 6% of the total workforce.

(c): The Government has prepared a comprehensive proposal to amend the Factories Act, 1948 in order to bring in labour reforms. The major amendments proposed include:

Relaxation of restrictions on night work for women in factories subject to certain conditions

Increase in limit of overtime to 100 hours (existing 50 hours) in a quarter

Introduction of a new Sub section regarding compounding of offences

Provisions of Personal Protective Equipment for safety of Workers/ More precautions against fumes and gases

Empowerment of Central Government to make Rules (presently only State Governments make Rules).

(d) & (e): In the process of amendments to the Factories Act, 1948, the Government has set up in 2011 an Expert Committee headed by Doctor Narendra Jadhav, then Member of Planning Commission. The Expert Committee had a series of meetings involving the Employees and Workers Associations (Trade Union) in the month of January to March, 2011. The suggestions of the Trade Unions Representatives and Employers Representatives have been considered by the Expert Committee. The report of Expert Committee was also placed in the Public Domain along with the proposed amendments in September, 2011. The draft amendments now proposed by the Government include the outcome of the Inter-ministerial Consultations, comments of the State Governments and views of the Trade Unions Representatives and Employers Representatives expressed during the above meetings.