

38

STANDING COMMITTEE ON LABOUR

(2017-18)

(SIXTEENTH LOK SABHA)

MINISTRY OF LABOUR AND EMPLOYMENT

**[Action taken by the Government on the Observations/
Recommendations of the Committee contained in their
Twenty-Eighth Report (Sixteenth Lok Sabha) on 'Cess funds and
their Utilisation for Workers' Welfare']**

THIRTY-EIGHTH REPORT



LOK SABHA SECRETARIAT

NEW DELHI

July, 2018/ Shravana, 1940 (Saka)

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Twenty-Eighth Report (Sixteenth Lok Sabha) on 'Cess funds and
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Presented to Lok Sabha on 24.07.2018

Laid in Rajya Sabha on 24.07.2018



LOK SABHA SECRETARIAT

NEW DELHI

July, 2018/ Shravana, 1940 (Saka)

CONTENTS

	PAGE No.
<i>COMPOSITION OF THE COMMITTEE</i>	<i>(iv)</i>
<i>INTRODUCTION</i>	<i>(v)</i>
CHAPTER I Report.....	
CHAPTER II Observations/Recommendations which have been accepted by the Government.....	
CHAPTER III Observations/Recommendations which the Committee do not desire to pursue in view of the Government's reply.....	
CHAPTER IV Observations/Recommendations in respect of which replies of Government have not been accepted by the Committee and which require reiteration.....	
CHAPTER V Observations/Recommendations in respect of which replies of the Government are interim in nature	

APPENDICES

- I. Minutes of the sitting of the Committee held on 04.07.2018.
- II. Analysis of the Action Taken by Government on the Observations/ Recommendations contained in the Twenty-Eighth Report (Sixteenth Lok Sabha)

COMPOSITION OF THE STANDING COMMITTEE ON LABOUR
(2017-18)

DR. KIRIT SOMAIYA - CHAIRPERSON

MEMBERS

Lok Sabha

2. Shri Udayanraje Pratapsingh Bhonsle
3. Shri Rajesh Kumar Diwakar
4. Shri Ashok Kumar Dohrey
5. Shri Satish Chandra Dubey
6. Shri Devajibhai Govindbhai Fatepara
7. Shri Satish Kumar Gautam
8. Dr. Boora Narsaiah Goud
9. Shri Rama Chandra Hansdah
10. Shri C. N. Jayadevan
11. Shri Bahadur Singh Koli
12. Dr. Arun Kumar
13. Shri Kaushalendra Kumar
14. Shri Hari Manjhi
15. Shri R. Parthipan
16. Shri Dayakar Pasunoori
17. Shri Hariom Singh Rathore
18. Shri Naba Kumar Sarania (Hira)
19. Shri Kodikunnil Suresh
20. Shri Mulayam Singh Yadav
21. Vacant

Rajya Sabha

22. Shri Ram Narain Dudi
23. Shri N. Gokulkrishnan
24. Shri Nazir Ahmed Laway
25. Shri P.L. Punia
26. Shri Rajaram
27. Shri Amar Shankar Sable
28. Ms. Dola Sen
29. Dr. Banda Prakash
30. Shri Akhilesh Prasad Singh
31. Shri Madanlal Saini

SECRETARIAT

- | | | |
|----------------------------|---|---------------------|
| 1. Ms. Rhimjhim Prasad | - | Joint Secretary |
| 2. Smt. Anita B. Panda | - | Director |
| 3. Shri C. Vanlalruata | - | Additional Director |
| 4. Shri Mohinder Paul Rana | - | Executive Assistant |

INTRODUCTION

I, the Chairperson, Standing Committee on Labour (2017-18) having been authorized by the Committee do present on their behalf this Thirty-Eighth Report on 'Action taken by the Government on the Observations/Recommendations of the Committee contained in their Twenty-Eighth Report (Sixteenth Lok Sabha) on Cess funds and their Utilisation for Workers' Welfare'.

2. The Twenty-Eighth Report was presented to Lok Sabha and laid in Rajya Sabha on 10th August, 2017. The Ministry of Labour and Employment furnished their replies indicating Action Taken on the Observations/Recommendations contained in the Twenty-Eighth Report on 12th April, 2018. The Committee considered and adopted the Draft Report at their sitting held on 4th July, 2018.

3. An analysis of the action taken by the Government on the Observations/Recommendations contained in the Twenty-Eighth Report of the Standing Committee on Labour (Sixteenth Lok Sabha) is given at Appendix-II.

4. For ease of reference, Observations/ Recommendations of the Committee have been printed in thick type in the body of the Report.

New Delhi;
19th July, 2018
28th Ashadha, 1940 (Saka)

DR. KIRIT SOMAIYA
CHAIRPERSON,
STANDING COMMITTEE ON LABOUR

CHAPTER-I

REPORT

This Report deals with action taken by the Government on the Observations/Recommendations of the Committee contained in their Twenty-eighth Report (Sixteenth Lok Sabha) on "Cess funds and their Utilisation for Workers' Welfare".

2 The Twenty-eighth Report was presented to Lok Sabha and also laid in Rajya Sabha on 10th August, 2018. It contained 27 Observations/Recommendations. Replies of the Government in respect of all these Recommendations have been received and are categorized as under:-

- | | | |
|-------|---|---|
| (i) | Observations/Recommendations which have been accepted by the Government –
Rec. Para Nos. 2.11, 2.12, 2.13, 2.14, 2.18, 2.19, 3.7, 3.8, 3.10, 3.11, 3.12, 3.13, 3.14, 3.23, 3.24, 3.25, 4.3 and 4.12 | Total:18
Percentage: 66.67 |
| (ii) | Observations/Recommendations which the Committee do not desire to pursue in view of the Government's reply – Nil | Total:00
Percentage:00 |
| (iii) | Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration –
Rec. Para No. 2.5, 2.15, 3.22 and 4.11. | Total:04
Percentage:14.81 |
| (iv) | Observations/Recommendations in respect of which replies of the Government are interim in nature-
Rec. Para No. 2.10, 3.9, 3.26, 4.4 and 4.8 | Total:05
Percentage:18.52 |

3. The Committee desire that Action Taken Notes in respect of Observations/Recommendations contained in Chapter I and final action taken replies in respect of the Recommendations contained in Chapter V of this Report, for which interim replies have been given by the Government, may be furnished to them at the earliest.

I. Registration of Workers

(Recommendation Para No. 2.5)

4. In their original recommendation, the Committee had observed as under:

"The Committee note that after the promulgation of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, the implementation of the Act was started after the year 2000 in some States and others followed suit late, i.e. around 2007. The Committee further note that there is no frequency prescribed under the Rules so formulated for meeting of the State Advisory Committees. They feel that in the absence of any set timeline for meeting, the purpose of constitution of State Advisory Committees got defeated. They, therefore, recommend that as prescribed for Central Advisory Committee to meet twice a year, the same should be made mandatory for the State Advisory Committees also so that the agenda before them should be cleared atleast within six months."

5. In their Action Taken Note furnished to the Committee, the Ministry of Labour and Employment have stated as follows:

"Section 4 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996, provides for constitution of the State Building and Other Construction Workers' Advisory Committee by the State Government to advise the State Government on such matter arising out of the administration of this Act as may be referred to it. The Act prescribes composition of the Committee.

Similarly, Section 3 of the Act provides constitution of the Central Building and Other Construction Workers' Advisory Committee by the Central Government to advise the Central Government on such matters arising out of the administration of this Act as may be referred to it. The Act provides composition of the Committee. Further, Rule 20 of the Central Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Central Rules, 1998 made under the Act prescribes frequency of the meetings of the Central Advisory Committee. Under Rule 20(1), the Central Advisory Committee shall meet at such places and at such times as may be decided by the Chairperson of the Committee and shall meet at least once in six months.

The states may make rules incorporating the provisions on frequency of meeting of the State Advisory Committees in line with the Central Advisory Committee."

6. Instead of initiating action upon the original recommendation of the Committee requiring that it be made mandatory for State Advisory Committees to meet twice a year, as is the case for Central Advisory Committee, the Ministry of Labour & Employment (MoLE), in their action

taken reply, have merely reproduced Sections 3 and 4 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996. These Sections deal with constitution of Central Building and Other Construction Workers' Advisory Committee by the Central Government as well as constitution of the State Building and Other Construction Workers' Advisory Committee by the State Government respectively. Not satisfied with the response, the Committee would like to draw attention of the Ministry to Section 60 of the Act, which stipulates that *"The Central Government may give directions to the Government of any State or to a Board as to the carrying into execution in that State of any of the provisions of this Act"* and hence reiterating their original recommendations, the Committee desire that the Ministry must issue necessary directions to all State Governments/ UTs /State Boards under Section 60 to ensure that the State Advisory Committees must meet at least twice a year so that the agenda before them could be cleared within six months.

(Recommendation Para No. 2.15)

7. In their original recommendation, the Committee had observed as under:

"The Committee note that the registration of construction workers is being done manually which is time-consuming and results in low registration. Thus a strong IT platform needs to be developed by the Ministry. Besides these workers are required for renewal of registration after every one or three years as per the requirement of BOCW Board. Hence, doing the work of registration/renewal increases many fold. The Committee found that the system of registration of construction workers followed by Rajasthan was more practical, where the dual system of online and offline registration is available. The Committee, therefore, desire that other States may also follow this system to reduce the dependence on manual registration. Also the registration/renewal should be done for three years."

8. In their Action Taken Note furnished to the Committee, the Ministry of Labour and Employment have stated as follows:

"The BOCW (RECS) Act, 1996 provides for registration of building workers as beneficiaries. Every building worker who has age of not less than 18 years but not completed 60 years, has been engaged in any building or other construction work for not less than 90 days during the preceding 12 months shall be eligible for registration as beneficiary of the Building and other Construction Workers' Welfare Fund.

A national portal for building and other construction worker with a purpose to facilitate the registration in collaboration with States and Union Territories has been developed and made live which can be accessed at <https://bocw.shramsuvudha.gov.in>."

9. The Committee reiterate their earlier recommendation that Ministry of Labour & Employment should familiarize all States/UTs with the practice adopted by the State Government of Rajasthan of having the dual system of online as well as offline registration of building and construction workers and urge them to follow the same, in order to reduce the work load registration/renewal should be done for a three year period. Since the BOCW (R&CS) Act, 1996 is silent on the duration of the registration, the administrative Ministry i.e Ministry of Labour & Employment can issue a clarification/ advisory/direction on the matter accordingly. The Committee desire to apprise of the progress on the matter at the action taken stage.

II. Collection of Cess

(Recommendation Para No. 3.9)

10. In their original recommendation, the Committee had observed as under:

"The Committee are concerned to note that there is no proper system of collection of Cess and its transfer to the State Welfare Boards. They further note that all the States are having their own system for assessment/collection of Cess and transferring it to the State Welfare Boards. The Committee opine that in the absence of any proper/fool proof system, there are chances of leakages. They therefore, desire that a fool-proof and uniform system of assessment and

collection of Cess and its transfer to State Welfare Boards may be developed at the Central Level for implementation by the States. They also recommend that, if need be, a professional agency be consulted for developing a software with an inbuilt provision of internal check at the earliest."

11. In their Action Taken Note furnished to the Committee, the Ministry of Labour and Employment have stated as follows:

"Cess assessment, collection and its utilisation under the Building and Other Construction Workers' Welfare Cess Act, 1996, is the responsibility of States/ UTs. Cess is utilized under Section 22 by the State/ UTs through their State Building and Other Construction Workers Welfare Boards constituted under the Building and Other Construction Workers (RECS) Act, 1996.

The Central Government has been issuing directions under Section 60 of the Building and Other Construction Workers (RECS) Act, 1996, to the State Governments / UT Administrations from time to time for proper utilization of cess fund in terms of the provisions of the Act.

Further, the Central Government has constituted a Monitoring Committee on 09.09.2015 under the Chairmanship of Secretary (Labour and Employment) to monitor, inter-alia, the implementation of directions issued under Section 60 of the Act, with reference to utilization of Cess fund for Welfare Schemes by the State Building and Other Construction Workers' Welfare Boards. The Committee has been holding regular meetings with the Principal Secretary/ Secretary/ Labour Commissioners of all the States/ UTs to monitor the progress. States/ UTs have also been impressed upon that the basic objectives of the Act may be given top priority."

12. The Committee while noting that the Central Government has constituted a Monitoring Committee on 9th May, 2015 under the Chairmanship of Secretary (Ministry of Labour & Employment) to monitor the implementation of directions issued for utilisation of Cess Fund for welfare schemes by the State Building and Other Construction Worker's Welfare Boards, feel that it is a step in the right direction for developing a fool-proof monitoring mechanism. They, at the same time, feel that use of technology to gather and analyse relevant data collected on the implementation aspects gives a definite edge to such efforts and hence, reiterate development of a software with provision of internal check by a professional agency. The Committee would also like to be apprised of the

impact of the Monitoring Committee on the collection of cess and its transfer to the State Welfare Boards.

II. Utilisation of Cess

(Recommendation Para No. 3.22)

13. In their original recommendation, the Committee had observed as under:

"The Committee note that against the collection of ₹32,632.96 crore an amount of ₹7,516.52 crore had been spent by the States/UTs on various welfare Schemes meant for the BOC Workers. The Committee desire to be apprised of the details of expenditure incurred Scheme-wise by the respective State Governments/UTs."

14. In their Action Taken Note furnished to the Committee, the Ministry of Labour and Employment have stated as follows:

"The cess fund is required to be spent as per the requirements of the schemes formulated by the State Board. The Act provides for welfare measures like accidental assistance, pension, loans and advances for construction of a house, premia for group insurance schemes, education assistance, medical expenses, maternity benefits and other measures as may be prescribed.

The States/ UTs are mandated that the cess fund must be spent exclusively on the schemes stipulated in the Act."

15. The Committee had desired to be apprised of the scheme-wise details of Rs.7,516.52 crore spent by States/UTs on various welfare schemes meant for BOC workers. As the Ministry have not furnished any details in their reply, the Committee reiterate their earlier recommendation and desire that the said scheme-wise details be collected and furnished to them at the action taken Statement stage.

II. Accounts and Audit

(Recommendation Para No. 4.11)

16. In their next original recommendation, the Committee had observed as under:

"The Committee note that as per the mandate of the Act all the BOCW Welfare Boards shall furnish an audited copy of accounts together with the auditor's report to the State Government. However, taking note of the intervention

of Hon'ble Supreme Court, the Committee cannot but believe that the State Welfare Boards had not adhered to the provisions of the Act. The Committee, therefore, desire that each and every State/UT be directed to furnish its audited copy of accounts from the year the cess collection started, to the State Government as well as the Central Government for their consideration within three months. They also desire that from now onwards every State/UT be directed to furnish their audited report to the State/Central Government annually."

17. In their Action Taken Note furnished to the Committee, the Ministry of Labour and Employment have stated as follows:

"Section 27 of the Act makes it mandatory for the State Welfare Boards to maintain proper accounts and other relevant records and prepare an annual Statement of accounts in prescribed form and the accounts of the Boards are to be annually audited by the Comptroller and Auditor General of India. The annual report and auditor's report are laid before the State Legislature by the State Government."

18. In their original recommendation, the Committee had observed that though every State/UT Welfare Board is directed to furnish its auditor's report to the State Government, the intervention of Hon'ble Supreme Court on the matter, indicated that the State Welfare Boards had not adhered to the provisions of the Act. The Committee, therefore, had recommended that every State/UT be directed to furnish audited copy of their account from the year the cess collection started, to the State Government as well as the Central Government for their consideration within three months and annually from now on. In their action taken reply, the Ministry have merely quoted the provisions of Section 27 of the BOCW Act which deals with maintenance of account and other relevant records, preparation of annual statement of accounts by the State Welfare Board and furnishing of the same. Dissatisfied with the reply of the Ministry, the Committee reiterate that the Ministry must issue a directive to all States/UTs at the earliest to ensure that their respective State Welfare Board comply with the provisions of Section 27 of the BOCW Act without fail.

CHAPTER-II

OBSERVATIONS/RECOMMENDATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

(Recommendation Para No. 2.11)

The Committee note that the Ministry are relying upon the figure of estimated number of workers in construction industry based on Fifth Employment-Unemployment Survey(EUS) conducted in the year 2015-16, which shows decline in the number of workers registered in fourth EUS conducted in 2013-14. The Committee are of the view that the construction activities all over the Country have increased considerably during the given period, hence the decline in number of workers could be erroneous. They, therefore, desire that the implementing agencies may be directed to provide realistic figures so that the intended benefits may reach the ultimate beneficiary.

Reply of the Government

As per estimates of National Sample Survey (2011-12) there are around 5.02 crore building and other construction workers in India. As per the information received from the States, around 2.80 crore workers have been registered as beneficiaries with the State Welfare Boards. States/ UTs have been requested during the meetings of the Monitoring Committee to register all eligible construction workers as beneficiaries to the Fund. Moreover, directions under section 60 of the BOCW Act have been issued regarding registration of BOC workers (copy enclosed as Annexure-I).

**(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL
(Vol. I) dated 19/03/2018)**

(Recommendation Para No. 2.12)

The Committee find that there is no separate mention about the naka workers. As per the provisions of the Act the eligibility criteria to be registered as construction worker is a person who is 18-60 years of age and has been engaged in any building or other construction work for not less than ninety days during the preceding twelve months and he shall be eligible for registration as a beneficiary under this Act. The Committee note that regarding certification of construction workers, guidelines have been issued by the Ministry of Labour and Employment according to which the States shall authorize all Gram Panchayats and Municipalities also to register construction workers under the Act. In addition, Assistant/ Junior Engineers of the various Engineering Departments like PWD, Irrigation, Water Supply, Power etc. shall

also be given power to register workers under BOCW (RECS) Act. The Committee opine that the naka workers who are not able to prove their days of working and are ignorant of the guidelines issued by the Ministry of Labour and Employment in this regard may be guided by print/electronic media/CBWE to register themselves as construction workers and benefits thereof may also be publicized.

Reply of the Government

Directions under Section 60 of the BOCW Act were issued on 08.10.2015 stating that the Boards shall be competent to spend money on publicity and awareness generation through press and media under section 22(h) of the Act. However, expenditure on such campaign or activities shall be justified to the extent it focuses on BOC workers only.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 2.13)

The Committee note that majority of workers engaged in Building and Other Construction activities are migrants. As such they do not possess necessary documents required for registration, leading to less number of registrations. Moreover, either the contractors or the workers do not come forward for their registration. The Committee, therefore, recommend that the BOCW Board may initiate action to contact the State Labour Authorities, who usually visit the construction sites for implementation of labour laws, to have information about the registration of workers at those sites. The Committee also recommend that the Labour I-Cards be seeded with Adhaar Cards to avoid duplication of registration of those workers. The Committee further desire that wherever found necessary, Adhaar camps may also be organised for facilitation of issuance of Adhaar Cards for the workers who do not possess the same.

Reply of the Government

States/ UTs have been requested during the meeting of the Monitoring Committee held on 12.12.2017 that the registration of construction workers may as far as possible be linked with the Aadhar to avoid duplication of registration. BOCW Boards have been advised time and again to make arrangements for adequate publicity and awareness amongst the BOC workers including on-site publicity.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 2.14)

The Committee find that as of now there is no proper mechanism available for giving publicity to the ongoing welfare schemes meant for the construction workers by the BOCW Board. They attribute this as one of the reasons for low registration of workers as most of the workers are migrant, illiterate and ignorant about the benefits of the schemes available for them. The Committee, therefore, recommend that wide publicity be given to the welfare schemes and the benefits of registering as a construction worker so that workers may come forward on their own for registration. They also desire that the contractors of big construction sites be encouraged to publicise the benefits of registration amongst the workers and also try to get each and every construction worker engaged by him/her registered. The Committee further desire that information centers be set up at the district level also.

Reply of the Government

The BOCW (RECS) Act, 1996 provides welfare measure for construction workers by the State Governments/ UT administration through their Building and Other Construction Workers Welfare Board constituted under the Act. States are required to take all possible efforts to make aware construction workers of their rights available under the Act. The Central Government issues directions from time to time to the State/ UTs for implementation of the Act in letter and spirit. Directions under Section 60 of the BOCW Act were issued on 08.10.2015 stating that the Boards shall be competent to spend money on publicity and awareness generation through press and media under section 22(h) of the Act. However, expenditure on such campaign or activities shall be justified to the extent it focuses on BOC workers only. The matter of awareness of the rights of the construction workers and publicity of welfare schemes formulated by the States for construction workers was discussed in the meeting of the Monitoring Committee held on 12.12.2017. It was reiterated that the awareness generation and wide publicity regarding rights of construction workers and welfare schemes may be given due importance.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 2.18)

The Committee note that the welfare Schemes to be run under the BOCW Welfare Cess Act, 1996, differ from State to State. The Committee desire that the welfare schemes under the Act should be structured by the Central Government/Ministry of Labour & Employment who is the custodian of the Act so that a Pan-India uniformity may be maintained.

Reply of the Government

Section 22 (1) of the Act prescribed welfare measures for construction workers. As per the Section, the Board may-

- (a) provide immediate assistance to a beneficiary in case of accident
- (b) make payment of pension to the beneficiaries who have completed the age of sixty years
- (c) sanction loans and advances to the beneficiary for construction of a houses.
- (d) pay premia for Group Insurance Scheme of the beneficiaries.
- (e) give financial assistance for the education of children
- (f) meet medical expenses for treatment of major ailments
- (g) make payment of maternity benefit to the female beneficiaries; and
- (h) make provisions and improvement of such other welfare measures and facilities as may be prescribed.

Under Section 22(1)(h) of the Act, States are competent to make provisions and improvement of such other welfare measures and facilities than prescribed in clauses (a) to (g) of sub-section (1) of the Section 22 of the Act. However, Ministry of Labour & Employment under section 60 of the Act prepared a roadmap prescribing uniformity of welfare measures meant for construction workers and advised the states vide directions dated 08.10.2015 to follow the same.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 2.19)

The Committee note that as per the Act, State Governments are free to adopt the best of the schemes run under the BOCW Act or by the State Government in general. The Committee opine that this kind of arrangement would result in the inclusion of construction workers with other unorganised workers and the dedicated fund could be utilised by the State Governments for running the schemes for all unorganised workers. The Committee, therefore, desire that the Schemes meant for construction workers may be separated from the other Schemes run by the State Governments.

Reply of the Government

The State governments are required that the welfare schemes funded from Cess fund should be exclusively for building and other construction workers only. Diversion of cess fund for welfare of other category of workers is not permissible under the Act.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 3.7)

The Committee note that except State of Manipur all the States/UTs have notified the Cess Collecting Authorities dating back to the year 1999. However, in some States like Andhra Pradesh, Goa, Jharkhand, Maharashtra, Punjab, etc., the State Welfare Boards were constituted as late as 7-8 years after the notification of Cess Collecting Bodies. The Committee further note that as per the provisions of the BOCW Act the proceeds of cess collected under sub-section (2) shall be paid by the State Cess Collecting Authority to the Board within 30 days of its collection. The Committee apprehend that in the States, where the Welfare Boards were constituted on later dates, the amount of cess collected would not have either been spent for welfare of construction workers or set aside for the specific purpose by the respective State Governments. The Committee, therefore, desire that the Ministry may identify such States where the Welfare Boards were constituted after notification of Cess Collecting Authority. They further desire that each of such States may also be directed to provide details of the cess collected and deposited with them between the period of notification of cess collecting bodies and constitution of the State Welfare Board.

Reply of the Government

As per the information available all States/ UTs have notified the cess collecting authority and constituted State Building and Other Construction Workers Welfare Board. As per the provisions of the Acts, States are obligated that the cess collected be deposited with the Fund/ Board within prescribed time limit. The states have been requested during meetings of the Monitoring Committee that the cess fund so collected be deposited with the Building and Other Construction Workers Welfare Fund within the statutory time limit.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 3.8)

The Committee note from the figures provided by the Ministry that till 31.03.2017 an amount of Rs. 32,632,96 crore had been collected by the States on account of cess from the works as defined in Para 3.4. The Committee are of the opinion that during the 20 years of promulgation of the Act, the figures of the amount collected as given by the Ministry does not match with the construction activities carried out. They also opine that the given amount could alone be of Railways/NHAI/PWD/CPWD. The Committee are of the view that had the cess been collected/deposited fairly, it could run into crores of rupess. They, therefore, desire that collection from each of the above source may thoroughly be checked and difference, if any, be collected and deposited with the State Welfare Boards.

Reply of the Government

States/ UTs are mandated to assess, collect and remit the cess under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and the Building and Other Construction Workers Welfare Cess Act, 1996. The Ministry of Labour and Employment is regularly reviewing the improvements made by the States/ UTs towards assessment, collection, remittance and expenditure of cess. States/ UTs have been requested that the cess fund be collected both from government and private organizations. Moreover, States have been advised to put in place suitable mechanisms to ensure that cess is collected prior to the approval of the construction activities and to notify more cess collectors. A statement showing the state-wise position of the amount of cess collected and the amount spent as on 31.12. 2017 (provisional) is given below:

Sl. No.	Name of the States/UTs.	Amount of cess collected (Rs. in Crore)	Amount spent (Rs. in Crore)
1	Andhra Pradesh	1543.38	412.66
2	Arunachal Pradesh	65.36	51.6
3	Assam	695.97	167.2
4	Bihar	1181.86	144.71
5	Chhattisgarh	797.72	614.74
6	Goa	120.3	107.7
7	Gujarat	1758.37	122.13
8	Haryana	2050.18	227.49
9	Himachal Pradesh	383.79	72.36
10	J&K	534.027	243.61
11	Jharkhand	353.81	163.35
12	Karnataka	4374.56	328.57
13	Kerala	1535.86	1579.9
14	Madhya Pradesh	2123.31	899.79
15	Maharashtra	5685.33	385.45
16	Manipur	21	10.99
17	Meghalaya	117.22	2.37
18	Mizoram	40.37	21.95
19	Nagaland	20.06	3.34
20	Odisha	1170	404
21	Punjab	1065.92	496.76
22	Rajasthan	1726.76	674.15
23	Sikkim	83.89	22.17
24	Tamil Nadu	2251.25	727.41
25	Telangana	769.03	135.27
26	Tripura	156.08	20.58
27	Uttar Pradesh	3368.72	799.29
28	Uttarakhand	170.41	31.21
29	West Bengal	1638.77	868.83
30	Delhi	2547.94	151.57
31	A & N Island	53.34	6.99
32	Chandigarh	106.94	5.01
33	Dadra & Nagar Haveli	29.61	0
34	Daman and Diu	37.17	0.54
35	Lakshadweep	6.76	0
36	Puducherry	100.16	63.92
Total		38685.227	9967.61

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 3.10)

The Committee note that as per the provisions of the Act all such construction activities incurring cost of above Rs 10 Lakh are bound to deposit cess@1% of the total construction cost. However, going through the collection, the Committee feel that fair collection of cess from private bodies is not properly done. They opine that due to some reason, collection from small builders/private owners is being ignored. They, therefore, desire that the construction activities be properly monitored so that the proportionate collection of cess may be enhanced.

Reply of the Government

The cess collection on the cost of construction and its assessment is done by the cess assessment and collecting authorities notified by the States. States/ UTs have been requested that cess fund be collected both from government, public and private sector and penal action be taken against defaulters. Moreover, States have been advised to put in place suitable mechanisms to ensure that cess is collected prior to the approval of the construction activities and to notify more cess collectors.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 3.11)

The Committee further recommend that the State Welfare Boards may have proper integration with the ESIC/EPFO for extracting the details of contractors engaged in construction activities for organised construction workers, and for unorganised construction workers, they should integrate with Labour Commissioners/Labour Offices to get the realistic data about the number of construction activities/ construction workers under their jurisdiction.

Reply of the Government

States/ UTs have been requested to register eligible BOC workers with ESIC and EPFO for issue of Pehchan Patra and UAN respectively which would help the migrant BOC workers to avail social security benefits anywhere in the country since these will be based on Aadhar numbers and also linked to their bank account number.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 3.12)

The Committee, while examining the subject, had noted that the model followed by Government of Rajasthan appeared to be effective in implementation of the BOCW(RECS) Act, 1996 and BOCW Welfare Cess Act, 1996. They, therefore, desire that the Rajasthan model may be taken as an example and the State Welfare Boards be advised to devise their own models based on the same. The Committee also desire that the Ministry should tabulate the best practices from all the States and circulate it to all the States/UTs.

Reply of the Government

During the meetings of the Monitoring Committee, States/ UTs have shared their experience towards implementation of the Acts. Although the situations, conditions and affairs of the States differ from state to state, it was urged that best practices of a state be followed by other states.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 3.13)

The Committee note that there are several agencies responsible for assessment, collection and deposition of cess with the BOCW Board. In the given scenario, the Committee opine that there is a wider scope for more collection and less deposition of cess with the BOCW Boards as there is no mechanism to monitor the collecting authorities. The Committee, therefore, desire that a few States may be taken up for auditing their assessment of cess viz-a-viz collection and deposition during atleast the last 2 to 5 years.

Reply of the Government

States/ UTs are mandated to assess, collect and remit the cess under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and the Building and Other Construction Workers Welfare Cess Act, 1996. The Ministry of Labour and Employment is regularly reviewing the progress made by the States/ UTs towards assessment, collection, remittance and expenditure of cess. In the ongoing PIL, Writ Petition (Civil) No. 318 of 2006 before the Hon'ble Supreme Court filed by M/s National Campaign Committee for Central Legislation on Construction Labour V/s Union of India and others, CAG has been directed to audit the accounts of the BOCW Boards.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 3.14)

The Committee note that there are no proper guidelines for keeping the collected cess by the BOCW Boards. The collected cess is either being kept in the form of fixed deposits or securities. The Committee recommend that uniform guidelines from the Ministry may be issued for management of cess fund so that every BOCW Board may keep the money according to the guidelines.

Reply of the Government

Under the provisions of the Act, the cess collected on the cost of construction shall be deposited with the State Building and Other Construction Workers Welfare Fund. States/ UTs were impressed upon during the meeting of the Monitoring Committee that the cess fund be deposited with the Nationalized Banks only, as per the directions of the Hon'ble Supreme Court.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 3.23)

The Committee note that the State Governments/UTs have been able to utilise only 23% of the total cess collection during the last 20 years. The Committee are of the view that if those States whose performance is good in utilization of cess fund, be segregated from others, the utilisation would be dismal. The Committee desire that the performance of each State/UT be judged independently so that the Ministry may help less performing States/UTs in finding the reasons for abysmal performance and encourage them to utilise the collected funds.

Reply of the Government

During the meeting of the Monitoring Committee, States/ UTs have shared their experience towards implementation of the Acts and they were requested that the best practices of other states be followed by other States so that the cess fund be utilized. It was discussed in these meetings that Kerala and West Bengal were the best performing states while some states like Maharashtra were the poor performing states.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 3.24)

The Committee opine that the amount of Rs 7,516.52 crore spent so far include 5% expenditure incurred on salaries, allowances and other remuneration of the

members, officers and other employees for the Board. The Committee are of the view that after deducting 5%, an amount of Rs 7140.70 crore has been spent actually on the welfare of BOC Workers. The Committee, therefore, recommend that expenditure on salaries, allowances and other remuneration of the members, officers and other employees for the Board need not be mixed with the expenditure incurred on welfare Schemes so that a real picture of the utilisation of funds may come out.

Reply of the Government

The recommendation has been noted and the States/UTs were requested that the utilization of cess fund be bifurcated between cess spent on welfare measures and cess spent on administrative expenses.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 3.25)

The Committee observe that as per the Hon'ble Supreme Court Order dated 04.09.2015 come of the State Governments/UTs have incurred expenditure on advertisements from the BOCW Cess fund. The Committee desire that such States/UTs be identified and the amount incurred on advertisements be verified and deposited with respective State Welfare Boards. They also desire that suitable advisory cautioning the State Governments/UTs for such type of misuse of cess fund be issued by the Ministry of Labour and Employment.

Reply of the Government

The observations of the Hon'ble Supreme Court were brought in the notice of the States and directions under Section 60 of the Act were issued on 23.09.2015 requesting that the cess fund spent on advertisement be recouped into the cess Fund on immediate basis.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 4.3)

The Committee note that as of now the Ministry do not have any data regarding the cases pending with the appellate authorities as the appellate authorities are being appointed by the State Governments. The Committee apprehend that there may be cases where the appellate authority would not have been appointed by the respective State Governments. They, therefore, desire that all the State Governments be persuaded to appoint appellate authorities as early as possible.

Reply of the Government

The Appellate Authority under rule 2 (h) of the Building and Other Construction Workers Welfare Cess Rules, 1998 is appointed by the appropriate Government. States have been advised to appoint appellate authorities.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 4.12)

The Committee note that Hon'ble Supreme Court had passed an order on 8.5.2017 requesting CAG to file a tabular chart, within a period of six weeks from the date of Order, containing (i) the amount collected under BOCW Welfare Cess Act since the enactment of the Act i.e., 1996 till 31st March, 2017, (ii) the amount collected and transferred to BOCW Board till 31st March, 2017, and (iii) the amount which has been collected but not yet transferred to the Boards. The Committee desire to be apprised of the current status in this regard. They also desire that the information furnished to the CAG may also be furnished to the Committee for their consideration.

Reply of the Government

CAG submitted its report to the Hon'ble Court, a copy of which is enclosed (Annexure-II).

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

CHAPTER-III

**OBSERVATIONS/ RECOMMENDATIONS WHICH THE COMMITTEE DO NOT
DESIRE TO PURSUE IN VIEW OF THE GOVERNMENT'S REPLY**

NIL

CHAPTER-IV

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

(Recommendation Para No. 2.5)

The Committee note that after the promulgation of the Building and Other Construction Workers (Regulation of Employment and Conditions of Services) Act, 1996, the implementation of the Act was started after the year 2000 in some States and others followed suit late, i.e. around 2007. The Committee further note that there is no frequency prescribed under the Rules so formulated for meeting of the State Advisory Committees. They feel that in the absence of any set timeline for meeting, the purpose of constitution of State Advisory Committees got defeated. They, therefore, recommend that as prescribed for Central Advisory Committee to meet twice a year, the same should be made mandatory for the State Advisory Committees also so that the agenda before them should be cleared atleast within six months.

Reply of the Government

Section 4 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996, provides for constitution of the State Building and Other Construction Workers' Advisory Committee by the State Government to advise the State Government on such matter arising out of the administration of this Act as may be referred to it. The Act prescribes composition of the Committee. Similarly, Section 3 of the Act provides constitution of the Central Building and Other Construction Workers' Advisory Committee by the Central Government to advise the Central Government on such matters arising out of the administration of this Act as may be referred to it. The Act provides composition of the Committee. Further, Rule 20 of the Central Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Central Rules, 1998 made under the Act prescribes frequency of the meetings of the Central Advisory Committee. Under Rule 20(1), the Central Advisory Committee shall meet at such places and at such times as may be decided by the Chairperson of the Committee and shall meet at least once in six months. The states may make rules incorporating the provisions on frequency of meeting of the State Advisory Committees in line with the Central Advisory Committee.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

Comments of the Committee

For comments of the Committee please refer to Para No.6 of Chapter I of this Report.

(Recommendation Para No. 2.15)

The Committee note that the registration of construction workers is being done manually which is time-consuming and results in low registration. Thus a strong IT platform needs to be developed by the Ministry. Besides these workers are required for renewal of registration after every one or three years as per the requirement of BOCW Board. Hence, doing the work of registration/renewal increases many fold. The Committee found that the system of registration of construction workers followed by Rajasthan was more practical, where the dual system of online and offline registration is available. The Committee, therefore, desire that other States may also follow this system to reduce the dependence on manual registration. Also the registration/renewal should be done for three years.

Reply of the Government

The BOCW (RECS) Act, 1996 provides for registration of building workers as beneficiaries. Every building worker who has age of not less than 18 years but not completed 60 years has been engaged in any building or other construction work for not less than 90 days during the preceding 12 months shall be eligible for registration as beneficiary of the Building and other Construction Workers' Welfare Fund. A national portal for building and other construction worker with a purpose to facilitate the registration in collaboration with states and union territories has been developed and made live which can be accessed at <https://bocw.shramsuidha.gov.in>.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

Comments of the Committee

For comments of the Committee please refer to Para No.9 of Chapter I of this Report.

(Recommendation Para No. 3.22)

The Committee note that against the collection of Rs 32,632,96 crore an amount of Rs 7,516.52 crore had been spent by the States/UTs on various welfare Schemes meant for the BOC Workers. The Committee desire to be apprised of the details of expenditure incurred scheme-wise by the respective State Governments/UTs.

Reply of the Government

The cess fund is required to be spent as per the requirements of the schemes formulated by the State Board. The Act provides for welfare measures like accidental assistance, pension, loans and advances for construction of a house, premia for group insurance schemes, education assistance, medical expenses, maternity benefits and other measures as may be prescribed. The States/ UTs are mandated that the cess fund must be spent exclusively on the schemes stipulated in the Act.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

Comments of the Committee

For comments of the Committee please refer to Para No.15 of Chapter I of this Report.

(Recommendation Para No. 4.11)

The Committee note that as per the mandate of the Act all the BOCW Welfare Boards shall furnish an audited copy of accounts together with the auditor's report to the State Government. However, taking note of the intervention of Hon'ble Supreme Court, the Committee cannot but believe that the State Welfare Boards had not adhered to the provisions of the Act. The Committee, therefore, desire that each and every State/UT be directed to furnish its audited copy of accounts from the year the cess collection started, to the State Government as well as the Central Government for their consideration within three months. They also desire that from now onwards every State/UT be directed to furnish their audited report to the State/Central Government annually.

Reply of the Government

Section 27 of the Act makes it mandatory for the State Welfare Boards to maintain proper accounts and other relevant records and prepare an annual Statement of accounts in prescribed form and the accounts of the Boards are to be annually audited by the Comptroller and Auditor General of India. The annual report and auditor's report are laid before the State Legislature by the State Government.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

Comments of the Committee

For comments of the Committee please refer to Para No.18 of Chapter I of this Report.

CHAPTER-V

OBSERVATION/RECOMMENDATION IN RESPECT OF WHICH REPLIES OF THE GOVERNMENT ARE INTERIM IN NATURE

(Recommendation Para No. 2.10)

The Committee note that the primary work relating to registration of workers has not been given the desired priority/seriousness by the Ministry and the BOCW Boards. While tendering evidence before the Committee, Secretary, Labour had also admitted that there are around 4.6 crore construction workers whereas only 2.5 crore workers have been registered. The Committee also opine that the estimated figures are based on the survey conducted by NSSO and not on the eligibility conditions prescribed under Section 12 of the BOCW Act. They, therefore, opine that the number of workers would be much more than the estimated ones. They are not happy with the pace of registration of construction workers by the implementing agencies of the Act. They, therefore, desire that the States may be persuaded to cover/register the estimated number of construction workers in their respective States.

Reply of the Government

As per estimates of National Sample Survey (2011-12), there are about 5.02 crore building and other construction workers in the country. Section 12 of the Act provides for registration of building workers as beneficiaries by the State Building and Other Construction Workers' Welfare Board constituted by the State Governments. Under the Section, every building worker who has age of not less than 18 years but not completed 60 years has been engaged in any building or other construction work for not less than 90 days during the preceding 12 months shall be eligible for registration as a beneficiary of the Building and Other Construction Workers' Welfare Fund. As per the information available, 2,82,13,316 building and other construction workers have been registered with the State Building and Other Construction Workers Welfare Boards. States/ UTs have been impressed upon to accelerate the pace of registration of building and other construction workers as beneficiaries during the meetings of the Monitoring Committee headed by Secretary, Ministry of Labour & Employment. The Committee has been holding regular meetings with the Principal Secretary/ Secretary/ Labour Commissioners of all the States/ UTs to monitor the progress. The Committee has been held eight meetings so far. The most recent meeting was held on 12th December, 2017 under the Chairpersonship of Secretary, Ministry of Labour & Employment.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 3.9)

The Committee are concerned to note that there is no proper system of collection of Cess and its transfer to the State Welfare Boards. They further note that all the States are having their own system for assessment/collection of Cess and transferring it to the State Welfare Boards. The Committee opine that in the absence of any proper/fool-proof system, there are chances of leakages. They therefore, desire that a fool-proof and uniform system of assessment and collection of Cess and its transfer to State Welfare Boards may be developed at the Central Level for implementation by the States. They also recommend that, if need be, a professional agency be consulted for developing a software with an inbuilt provision of internal check at the earliest.

Reply of the Government

Cess assessment, collection and its utilisation under the Building and Other Construction Workers' Welfare Cess Act, 1996, is the responsibility of States/UTs. Cess is utilized under Section 22 by the State/UTs through their State Building and Other Construction Workers Welfare Boards constituted under the Building and Other Construction Workers (RECS) Act, 1996. The Central Government has been issuing directions under Section 60 of the Building and Other Construction Workers (RECS) Act, 1996, to the State Governments / UT Administrations from time to time for proper utilization of cess fund in terms of the provisions of the Act. Further, the Central Government has constituted a Monitoring Committee on 09.09.2015 under the Chairmanship of Secretary (Labour and Employment) to monitor, inter-alia, the implementation of directions issued under Section 60 of the Act, with reference to utilization of Cess fund for Welfare Schemes by the State Building and Other Construction Workers' Welfare Boards. The Committee has been holding regular meetings with the Principal Secretary/ Secretary/ Labour Commissioners of all the States/UTs to monitor the progress. States/UTs have also been impressed upon that the basic objectives of the Act may be given top priority.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

Comments of the Committee

For comments of the Committee please refer to Para No.12 of Chapter I of this Report.

(Recommendation Para No. 3.26)

The Committee note that the Ministry had issued directions under Section 60 to the States/UTs for deposition of amount utilised for any other purpose than the mandated under Section 22 of the BOCW Act to be recovered from the authorities concerned and deposit the same into the cess fund on immediate basis. The Ministry have also reportedly requested for furnishing the compliance report in this regard. The Committee desire to be furnished with the details of expenditure incurred by the States/UTs on this account alongwith the details of amount recovered and deposited with the State Welfare Boards and also a copy of the compliance report as furnished to the Ministry.

Reply of the Government

The observations of the Hon'ble Supreme Court were brought in the notice of the States and directions under Section 60 of the Act have been issued in this regard.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 4.4)

The Committee apprehend that there may be under assessment or over assessment of the cess for which cases might have been registered/pending with the various appellate authorities. The Committee desire that such cases with the appellate authorities may be enquired into so that the manipulations of various under/over assessments could be ascertained and the difference in the amount of cess collected may be deposited with the BOCW Board.

Reply of the Government

Suitable advisory has been issued to the States.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

(Recommendation Para No. 4.8)

The Committee note that the cess collecting authorities have to transfer the cess collection to the State Welfare Boards within a period of 30 days. The Committee find that though there is a provision in the Act for penalty for non-payment of cess by the employer, however, the BOCW Act is silent about the penalty provision for those cess collecting authorities who do not deposit the cess proceeds with the State Welfare Boards within 30 days. The Committee, therefore, desire that a penalty provision must be spelt out so that the cess proceeds may be deposited with the Welfare Boards within the prescribed time period.

Reply of the Government

Labour Codes on Occupation Health, Safety & Working Conditions (OSH) and on Social Security is being prepared in the Ministry incorporating various new provisions that are not available in the BOCW Act.

(Ministry of Labour and Employment O.M. No. Z-20012/03/2017-BL (Vol. I) dated 19/03/2018)

**New Delhi;
19th July, 2018
28th Ashadha, 1940 (Saka)**

**DR. KIRIT SOMAIYA
CHAIRPERSON,
STANDING COMMITTEE ON LABOUR**

STANDING COMMITTEE ON LABOUR

(2017-18)

Minutes of the Twenty-fourth Sitting of the Committee

The Committee sat on Wednesday, the 4th July, 2018 from 1200 hrs. to 1250 hrs. in Committee Room No. 2, Parliament House Annexe - Extension Building, New Delhi.

PRESENT

Dr. Kirit Somaiya, MP – Chairperson

MEMBERS

LOK SABHA

2. Shri Rajesh Kumar Diwakar, MP
3. Shri Ashok Kumar Dohrey, MP
4. Shri Satish Chandra Dubey, MP
5. Shri Devajibhai Govindbhai Fatepara, MP
6. Shri Satish Kumar Gautam, MP
7. Dr. Boora Narsaiah Goud, MP
8. Shri C.N. Jayadevan, MP
9. Shri Bahadur Singh Koli, MP
10. Shri Kaushalendra Kumar, MP
11. Shri Hariom Singh Rathore, MP
12. Shri Naba Kumar Sarania, MP

RAJYA SABHA

13. Shri Ram Narain Dudi, MP
14. Shri P.L. Punia, MP
15. Shri Rajaram, MP
16. Shri Amar Shankar Sable, MP
17. Shri N. Gokulakrishnan, MP
18. Ms. Dola Sen, MP
19. Dr. Banda Prakash, MP

SECRETARIAT

1. Ms. Rimjhim Prasad - Joint Secretary (RP)
2. Smt. Anita B. Panda - Director
3. Shri C. Vanlalruata - Additional Director

2. The Committee first took up following draft Reports for consideration:

i. XX XX XX XX

ii. Action Taken by the Government on the Observations/ Recommendations of the Committee contained in their Twenty-eighth Report (Sixteenth Lok Sabha) on 'Cess funds and their Utilisation for Workers' Welfare'; and

iii. XX XX XX XX

3. After some deliberation, the Committee adopted both draft Action Taken Reports and authorized the Chairperson to finalise the Reports in the light of consequential changes that might arise out of factual verification of the Draft Reports and to present the same to both the Houses.

4. XX XX XX XX XX

5. XX XX XX XX XX

The Committee then adjourned.

XX Does not pertain to this Report.

(Vide Para No. 3 of the Introduction)

ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON THE OBSERVATIONS/ RECOMMENDATIONS CONTAINED IN THEIR TWENTY-EIGHTH REPORT OF THE STANDING COMMITTEE ON LABOUR (SIXTEENTH LOK SABHA)

	Total	Percentage
I. Total number of Recommendations/ Observations which have been accepted by Government (Rec. Para No. 2.11, 2.12, 2.13, 2.14, 2.18, 2.19, 3.7, 3.8, 3.10, 3.11, 3.12, 3.13, 3.14, 3.23, 3.24, 3.25, 4.3 & 4.12)	27 18	66.67%
II. Recommendations/Observations which the Committee do not desire to pursue in view of Government's replies- NIL	00	00
III. Recommendations/Observations in respect of which Government's replies have not been accepted by the Committee and which requires reiteration (Rec. Para No.2.5, 2.15, 3.22 & 4.11)	04	14.81%
IV. Recommendations/Observations in respect of which final replies of Government are of interim in nature (Rec. Para No.2.10, 3.9, 3.26, 4.4 & 4.8)	05	18.52%
		100%