17

STANDING COMMITTEE ON LABOUR

(2020-21)

(SEVENTEENTH LOK SABHA)

MINISTRY OF LABOUR AND EMPLOYMENT

DEMANDS FOR GRANTS

(2021-22)

SEVENTEENTH REPORT

LOK SABHA SECRETARIAT

NEW DELHI

March, 2021/Phalguna, 1942 (Saka)

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DEMANDS FOR GRANTS

(2021-22)

Presented to Lok Sabha on 16.03.2021

Laid in Rajya Sabha on 16.03.2021

LOK SABHA SECRETARIAT

NEW DELHI

March, 2021/Phalguna, 1942 (Saka)

CONTENTS

* Not appended with this cyclostyled copy.

COMPOSITION OF THE STANDING COMMITTEE ON LABOUR (2020-21)

Shri Bhartruhari Mahtab - Chairperson

MEMBERS
LOK SABHA

2.	Shri Subhash Chandra Baheria
3.	Shri John Barla
4.	Shri Pallab Lochan Das
5.	Shri Pasunoori Dayakar
6.	Shri Feroze Varun Gandhi
7.	Shri Satish Kumar Gautam
8.	Shri B.N. Bache Gowda
9.	Dr. Umesh G. Jadhav
10.	Shri Dharmendra Kumar Kashyap
11.	Dr. Virendra Kumar
12.	Adv. Dean Kuriakose
13.	Shri Sanjay Sadashivrao Mandlik
14.	Shri Khalilur Rahaman
15.	Shri D. Ravikumar
16.	Shri Nayab Singh Saini
17.	Shri Naba Kumar Sarania
18.	Shri Ganesh Singh
19.	Shri Bhola Singh
20.	Shri K. Subbarayan
21.@	*Vacant*

RAJYA SABHA

22.	Shri Dushyant Gautam
23.	Shri Neeraj Dangi
24.	Shri Oscar Fernandes
25.	Shri Elamaram Kareem
26.	Dr. Raghunath Mohapatra
27.	Dr. Banda Prakash
28.	Ms. Dola Sen
29.	Shri M. Shanmugam
30.	Shri Vivek Thakur
31.*	Shri Naresh Bansal

SECRETARIAT

1.	Shri T.G. Chandrasekhar	-	Joint Secretary
2.	Ms. Miranda Ingudam	-	Deputy Secretary
3.	Shri Gaurav Attray	-	Assistant Executive Officer

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* Nominated w.e.f. 23rd December, 2020.

@ Vacancy occurred vice Shri P.K. Kunhalikutty resigned w.e.f 3rd February, 2021.

INTRODUCTION

I, the Chairperson, Standing Committee on Labour (2020-21) having been authorized by the Committee do present on their behalf this Seventeenth Report on 'Demands for Grants (2021-22)' of the Ministry of Labour and Employment.

2. The Committee considered the Demands for Grants (2021-22) of the Ministry of Labour and Employment which were laid on the Table of the House on 12th February, 2021. After obtaining the Budget Documents, Explanatory Notes, etc., the Committee took evidence of the representatives of the Ministry of Labour and Employment on 19th February, 2021. The Committee considered and adopted the Report at their sitting held on 15th March, 2021.

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

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

New Delhi;
15th March, 2021
24 Phalguna, 1942 (Saka)

BHARTRUHARI MAHTAB
CHAIRPERSON,
STANDING COMMITTEE ON LABOUR

REPORT

PART-I

I. INTRODUCTORY

1.1 Work is part of everyone's daily life and is crucial to one's dignity, well-being and development as a human being. Economic development means not only creation of jobs but also working conditions in which one can work in freedom, safety and dignity. The Ministry of Labour & Employment, one of the oldest and important Ministries of the Government of India, is functioning to ensure improving life and dignity of labour force of the country by protecting and safeguarding the interest of workers, promotion of their welfare and providing social security to the labour force both in Organized and Unorganized Sector by enactment and implementation of various Labour Laws, which regulate the terms and conditions of service and employment of workers. The State Governments are also competent to enact legislation, as labour is a subject in the Concurrent List under the Constitution of India.

1.2 The Ministry of Labour and Employment has taken several initiatives, legislative as well as administrative, to provide decent working conditions and improved quality of life for workers, employment generation and simplification of Labour Laws for ease of doing business. The endeavour of the Ministry is statedly to create a climate of trust that is essential for economic growth and development and for the dignity of the labour force of the country.

1.3 As per the recommendations of the 2nd National Commission on Labour, Ministry has taken steps for codification of existing Central labour laws into four Codes by simplifying, amalgamating and rationalizing the relevant provisions of the Central Labour laws.

1.4 **Vision**

- Decent working and improved quality of life for workers
- India without child labour
- Employability enhancement on a sustainable basis
- Safety and health of workers
- Old age protection for Unorganised workers

1.5 **Mission**

- Social Security of workers
- Minimum wages to workers

- Occupational Safety and Health of workers
- Employment Generation
- Eliminating Child Labour
- Harmonious Industrial Relations

1.6 **Functions**

- Formulating and implementing Policies/Legislations/Programmes /Schemes /Projects for the stated Missions
- Enforcing compliance with provisions of Labour Laws
- Improvement in Working Conditions, Occupational Health and Safety of Workers
- Ensuring Social Security of Workers
- Strengthening Employment Generation Services
- Enhancing Employability of youth
- Making provisions of social services for unorganised workers
- Withdrawal and mainstreaming of Child Labour
- Shifting adolescents from Hazardous Sectors
- Prevention and settlement of Industrial Disputes

LABOUR LAW REFORMS

1.7 Four Codes have been enacted in 2019-20 by simplifying, amalgamating and rationalizing the relevant provisions of the Central Labour laws. All four Codes have now been notified and rules are being framed.

Name of the Code	**Number of Acts subsumed**	**Date of Notification**
Code on Wages	4	08.08.2019
Occupational Safety, Health and Working Conditions Code	13	29.09.2020
Industrial Relations Code	3	29.09.2020
Code on Social Security	9	29.09.2020
TOTAL	29	

1.8 On being asked to state the present status of the Rules under these Labour Codes, which will make Labour reforms a reality, the Ministry responded as under:-

"Pursuant to the notification of the Code on Wages, 2019, the Industrial Relations Code, 2020, the Code on Social Security, 2020 and the Occupational Safety, Health and Working Conditions Code, 2020 and in terms of requirement of pre-publication, the following draft rules were pre-published on 7th July, 2020, 29th October, 2020, 13th November, 2020 and 19th November, 2020 respectively in the Official Gazette for inviting objections and suggestions from all the stakeholders within the specified time:-

(i) The Code on Wages (Central) Rules, 2020
(ii) The Industrial Relations (Central) Rules, 2020
(iii) The Code on Social Security (Central) Rules, 2020
(iv) The Occupational Safety, Health and Working Conditions (Central) Rules, 2020

These draft Rules are being finalized."

1.9 It was further elaborated as under:

"(i) The major provisions in the draft Code on Social Security(Central) Rules which would have the effect of simplifying and rationalising the Central labour laws are as under:

- *Inapplicability is only in respect of Establishments that have voluntarily registered under Chapter III and Chapter IV, as per proviso to Section 1(7) of Code on Social Security 2020.*
- *Provision for online single registration and cancellation.*
- *Enabling provision for establishing ESI Society by the State Government*
- *Provision of creche Allowance in lieu of crèche facility.*
- *Provisions for electronic registration facilities and portability of benefits upon movement from one state to another for Building and Other Construction workers.*
- *Provision for Social Security of gig workers and platform workers.*
- *Provisions for electronic registration facilities have been made through Aadhaar for unorganised workers, gig workers and platform workers.*
- *Reduction in number of forms and rules.*

(ii) The Occupational Safety, Health and Working Conditions (Central) Rules, 2020, there is one registration, one license and single return for simplification/ reduction in the compliance burden. The comparison between earlier registration, license and return is as under

Name of Compliance	*Existing*	*Proposed in OSH&WC Rules*
Registration	*6*	*1*
License	*4*	*1*
Return	*21*	*1*

(iii) The Industrial Relations (Central) Rules, 2020:

- *Introduction of technology.*
- *Formulation of three draft Model Standing Orders for mines, services and manufacturing sectors,*
- *Introduction of "Work From Home".*
- *Reduction in number of forms.*
- *Reduction in number of rules.*

(iv) The Code on Wages (Central) Rules, 2020

Concept of a floor wage has been introduced, which is to be determined by the Central Government after taking into account the minimum living standards of workers.

- *Provision for time limit for the payment of wages.*
- *Provision for equal remuneration for all genders.*
- *Reduction in number of forms and rules.*

II. OVERALL FINANCIAL OUTLAYS AND PERFORMANCE

2.1 The Ministry of Labour and Employment (MoLE) presented their Detailed Demands for Grants for the Financial Year 2021-22 to the Parliament on 12th February 2021 under Demand No.63 detailing fund requirement by the Ministry under the following Major Heads of Accounts:-

1. 2251 Secretariat Social Services
2. 2225 Welfare of SC/ST and Other Backward Classes
2. 2230 Labour Employment & Skill Development
3. 2552 Lump Sum-Provision for North Eastern Region
4. 3601 Grants-in-aid to State Governments
5. 3602 Grants-in-aid to Union Territories Governments
6. 4225 Welfare of SC/ST and Other Backward Classes
7. 4250 Capital Outlay on other Social Services

2.2 Total allocation for the Ministry for the year 2021-22 is as under:-

Budgetary Allocations 2021-22

			(Rs. In Crore)
Sl.No	**Revenue**	**Capital**	**Total**
1	13269.37	37.13	13306.50

2.3 Budgetary allocation under Revenue & Capital is Rs.13269.37 crore and Rs.37.13 crore respectively. Employees' Pension Scheme, 1995, with a Budget allocation of Rs. 7364.00 crore accounts for 55.34% of total budget allocation.

(i) Proposals and Allocations for 2021-22

2.4 The Ministry have been allocated Rs.13306.50 Crore for the year 2021-22. Major Schemes run by the Ministry includes Pradhan Mantri Rozgar Protshan Yojana, Aatmanirbhar Bharat Rojgar Yojana (ABRY), National Career Services – Employment Exchanges Mission Mode Project, Welfare of SC/ST job seekers through Coaching, Guidance and Vocational Training, Social Security, Pradhan Mantri Shram Yogi Maan-Dhan (PM-SYM), National Pension Scheme for Traders and Self - Employed Persons, Labour Welfare Scheme (RIHIS) – 2016, Social Security for Plantation Workers in Assam, National Child Labour Project, Rehabilitation of Bonded Labour, National Database for Unorganised Workers (NDUW), Employees Pension Scheme 1995,

2.5 On being asked to furnish details of proposed amount, scheme wise proposals and actual allocation as approved by the Ministry of Finance, the Ministry of Labour and Employment submitted the following:-

Budget Allocation (2021-22) and Expenditure under Major Schemes in 2020-21 (Rs. in Crore)

S. No.	Description	BE 2020-21	RE 2020-21	Actual 2020-21(Up to 14.02.2021)	% Exp over RE	BE 2021-22
1	**Employees Pension Scheme**	**7457.00**	**7457.00**	**7457.00**	**100%**	**7364.00**
2	**Pradhan Mantri RojgarProtsahan Yojana (PMRPY)**	**2550.00**	**1364.80**	**1100.00**	**80.60**	**900.00**

3	**National Child Labour Project (NCLP) including Rehabilitation of Bonded Labour**	**120.00**	**50.00**	**12.26**	**24.52**	**120.00**
4	**Pradhan Mantri GareebKalyan Yojana**	**0.00**	**2600.00**	**2850.00**	**109.62**	**0.00**
5	**Aatmanirbhar Bharat Rozgar Yojana**	**0.00**	**1000.00**	**0.00**	**0.00**	**3130.00**
6	**National Career Services (NCS)**	**79.39**	**49.63**	**31.31**	**63.09**	**57.00**
7	**Labour Welfare Scheme**	**150.00**	**100.00**	**45.64**	**46.34**	**150.00**
8	**Labour and Employment Statistical System**	**25.00**	**27.00**	**10.46**	**38.74**	**150.00**
9	**National Data Base of Unorganised Workers**	**50.00**	**50.00**	**44.49**	**88.98**	**150.00**
10	**Bima Yojana for Unorganised Workers**	**200.00**	**1.00**	**0.00**	**0.00**	**0.10**
11	**Social Security for Tea Plantation Workers in Assam**	**40.00**	**40.00**	**12.00**	**30.00**	**60.00**
12	**Grant to Autonomous Bodies**	**100.00**	**98.03**	**95.67**	**97.59**	**105.00**
13	**Pradhan Mantri Shram Yogi Man Dhan Yojana**	**500.00**	**330.00**	**319.37**	**96.78**	**400.00**
14	**National Pension Scheme for Traders &Self Employed**	**180.00**	**15.00**	**5.86**	**39.07**	**150.00**

	Persons					
15	**Establishment Expenditure of the Centre**	**594.00**	**527.00**	**437.86**	**83.09**	**550.50**
16	**Other Expenditure**	**20.10**	**10.10**	**9.48**	**93.86**	**19.90**
	Total	**12065.49**	**13719.56**	**12432.10**	**90.62**	**13306.50**

2.6 On being pointed out that proposed allocation for a new scheme like Aatmanirbhar Bharat Rojgar Yojana has apparently not been taken into account at proposal stage itself which led to error in estimation of funds at BE stage in the year 2021-22, the Ministry explained as under:-

> **"***The BE proposal for the fiscal year 2021-22 was sent in the month of September- 2020. The Government announced Aatmanirbhar Bharat 3.0 package to boost the economy in post Covid recovery phase in the Month of November, 2020. Therefore, the BE 2021-22 for the Ministry was firmed up in the month of January, 2021 at higher number than the proposed number.*"

2.7 On being asked to furnish steps taken/proposed for improvement in the implementation of Schemes in the Financial Year 2021-22, the Ministry replied as under:-

> "*Ministry has intensified the monitoring activities and in this aspect Regional conferences were held under Chairmanship of Hon'ble MoS L&E (I/C) covering the entire country to engage with states regarding implementation of schemes. Regular meetings are being held with States, to sensitize them on effective implementation of the schemes. Expenditure is monitored on monthly basis. All the concerned officers have been instructed to continuously follow up and monitor the implementation of Schemes/Project, pace of expenditure and utilization of funds.*"

2.8 The Ministry also submitted details indicating the extent to which various items of Demands for Grants 2021-22 were modified in light of earlier recommendations of Standing Committee of Labour on Demands for Grants of previous years as under:-

- "*Based on observations made by the Standing Committee on Labour, all Bureau Heads were requested to propose realistic budget provision for various schemes. They have assured a rigorous scrutiny of their budget proposals and accordingly the provisions reflected in the Demands for Grants have been made more realistic.*
- *Budget Allocation for PMSYM and NPS Traders have been reduced vis-a vis year 2020-21.*
- *PMRPY budget allocation has been made more realistic.*"

(ii) <u>Budgetary Allocation and Utilisation during 2018-19, 2019-20 and 2020-21</u>

2.9 The Details of Fund Allocation and Utilization by the Ministry during the years 2018-19, 2019-20 and 2020-21 are as under:-

<u>Expenditure pattern of the Ministry (Rs. in Crore)</u>

Year	BE	RE	Actuals	% Expenditure over RE
2018-19	**7700.00 (EPS 4900.00)**	**9749.58 (EPS 4900.00)**	**9291.23 (EPS 4900.00)**	**95.29% (EPS 100%)**
2019-20	**11184.09 (EPS 4500.00)**	**11184.09 (EPS 6075.52)**	**10085.02 (EPS 5096.67)**	**90.17% (EPS 113.25%)**
2020-21	**12065.49 (EPS 7457.00)**	**13719.56 (EPS 7457.00)**	**12432.10 (EPS 7457.00) (up to 14.02.2021)**	**90.57% (EPS 100%) (up to 10.02.2021)**
2021-22	**13306.50 (EPS 7364.00)**	**------**	**------**	**--**

2.10 Questioned on the reasons for upward revision of BE figures of Rs. 12065.46 Crore to Rs. 13719.56 Crore during the year 2020-21, the Ministry submitted as under:-

"*Pradhan Mantri Gareeb Kalyan Yojna (PMGKY) was launched during the Covid-19 pandemic to boost economy. For PMGKY an amount of Rs. 4860 crore was provided in the first Supplementary Demand for Grants. Of the additional allocation of Rs. 4860 crore, only Rs. 2566 crore could be spent as on 15.02.2021. Accordingly, the allocation for the scheme was revised to Rs. 2600 crore at RE stage. Further, Rs.1000 crore was allocated at RE stage for Aatmanirbhar Bharat Rojgar Yojna (ABRY). The additional amount at RE stage for the Ministry was allocated for both new schemes viz PMGKY and ABRY. However, due to saving in other schemes the increase in budget allocation for the Ministry is less than the sum of allocation of PMGKY and ABRY.*"

2.11 Responding to a specific query on unutilized funds to the tune of Rs. 1366.82 crore in the current Financial Year, the Ministry submitted that the Ministry has spent Rs.12432.10 crores as on 14.02.2021 and it is likely to utilize the complete budgetary allocation by the end of this fiscal.

2.12 On being asked to justify the increased allocation at RE stage despite the shortfalls in expenditure continuously during the last three years, the Ministry responded as under:-

"*RE Budget was increased due to launch of two new schemes during the Covid-19 pandemic viz Aatmanirbhar Bharat Rojgar Yojna and Pradhan Mantri Gareeb Kalyan Yojna.*"

2.13 When enquired about the funds spent in each quarter during Financial Years 2018-19, 2019-20 and 2020-21, the Ministry furnished the following details:-

Expenditure Statement Quarter Wise from the FY 2018-19, 2019-20 and 2020-21 (as on 18.02.2021)

Rs. In Crores

Sl. No.	FY	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total
1	2018-19	1391.76	2950.01	1498.11	3451.35	9291.23
2	2019-20	504.88	5975.92	1806.77	1797.45	10085.02
3	2020-21	3661.82	2798.26	5879.28	94.92(up to 18.02.2021)	12434.28

2.14 Asked to state whether the Ministry made a re-appropriation of funds between the schemes/programmes during 2021-22 and if so, the reasons thereof, the Ministry furnished the following information:-

Details of Re-Appropriation to various Schemes

Rs. in Thousands

Sl.No	Scheme/Programme	Excess	Reasons
1	Directorate General of Mines Safety	13000	Excess was due to payment of mandatory payments of wages.
2.	India's Contribution to International Labour Organisation	28600	Excess was due to volatility in the prevailing exchange rates.
3.	Labour Bureau	4100	Excess was due to clear the counsel bills and additional funds require for renovation and upgrdation to two guest house.
4.	Secretariat Social Service	50000	Excess was due to launch of a large scale media campaign for 4 Labour codes in advertisement and publicity head
5.	Labour Employment Statistical	16000	Excess was due to more payment required for purchase of software and hardware and payment of Municipal Taxes of New Office building.
6	Secretariat Social Service	9600	Excess was due to payment of salaries and payment of Office Expenses of Principal Account Office

2.15 On a specific query on the steps that the Ministry have since taken for accurate estimation of funds at BE stage and whether any robust measures have been institutionalized for optimum utilization of available funds, the Ministry, in a written reply stated as under:-

"*Instructions have been issued to the concerned administrative divisions of the Ministry of Labour & Employment to ensure full utilization of funds. They have been advised to make the Budget Estimates more realistic. They have also been advised to make provisions for only such schemes which are likely to take off in the ensuing year. Further, Bureau Heads have also been advised to ensure proportionate expenditure during the year by fixing quarterly targets and also to review actual expenditure vis a vis targets on regular basis. Pace of expenditure is also reviewed at Secretary/AS& FA level.*"

2.16 Further, on being asked to state the reasons for downslide in expenditure in last three years, the representatives of the Ministry while tendering evidence, deposed as under:-

- *"A total of Rs. 7700 crore was allocated in the BE 2018-19. The budget was further increased to Rs. 9749.58 crore at RE Stage. The Ministry was able to utilize the 95.29 % against the funds allocated at RE Stage and 120 % against funds allocated at BE stage. Allocation of funds during 2018-19 was revised at RE Stage due to additional demand for funds in Pradhan Mantri Rozgar Protshan Yojana after significant increase in no. of beneficiaries. Minor saving occurred in the Pradhan Mantri Rozgar Protshan Yojana due to non-availability of beneficiaries in NER having Aadhar seeded UAN number as benefits under Pradhan Mantri Rozgar Protshan Yojana can only be provided to the beneficiary having Aadhar seeded UAN number.*

- *An amount of Rs. 11184.09 crore was allocated to the Ministry in BE 2019-20 which remained unchanged at RE stage. However, the Ministry could utilize Rs. 10083.75 crore which accounts for 90.16% of the allocated Budget. The shortfall of Rs. 1100.34 Crore is mainly due to following reasons:*

  (i) Non availability of beneficiaries in NER under Pradhan Mantri Rojgar Protsahan Yojana,

  (ii) Less demand by LIC in the scheme of Pradhan Mantri Shram Yogi Maandhan & Pradhan Mantri Karam Yogi Maandhan

- *Further, an amount of Rs. 12065.49 crore was allocated to the Ministry in BE 2020-21. Allocated Budget for the Ministry was enhanced to Rs. 13719.56 crore at RE stage considering the launch of two new* *schemes viz Atmanirbhar Bharat Rojgar Yojana and Pradhan Mantri Gareeb Kalyan Yojana to boost the economy during COVID 19 pandemic. Ministry has spent a total of Rs. 12447.30 Crore as on 23.02.2021 which accounts for 90.72% of RE 2020-21. In the remaining period of one month in the current financial year the Ministry is likely to utilize the allocated budget for the FY 2020-21 to the maximum extent.*

2.17 Annual Report (2020-21) indicates implementation of 11 Central Sector and 3 Centrally Sponsored Schemes as also provision of Grant-in-Aid to Autonomous Bodies *viz*., V.V. Giri National Labour Institute & Dattopant Thengadi National Board for Workers Education and Development (Erstwhile NBWE).

List of the Schemes along with Budget Provisions and Expenditure

Sl. No.	Name of Schemes	Total Financial Outlay 2020-21	Allocation for Welfare of Scheduled Castes	Allocation for Welfare of Scheduled Tribes
1	Labour and Employment Statistical System	25.00	2.00	1.00
2	Creation of National Platform Of Unorganised Workers and allotment of an Aadhaar seeded identification numbers	50.00	8.30	4.30
3	Employee's Pension Scheme, 1995	7457.00	1237.86	641.30
4	Social Security for Plantation Workers in Assam	40.00	6.64	3.32
5	Labour Welfare Scheme	150.00	24.90	12.90
6	Bima Yojna for Unorganised Workers	200.00	33.70	17.45
7	Pradhan Mantri Shram Yogi Maandhan	500.00	83.00	43.00
8	Pradhan Mantri Karam Yogi Maandhan (renamed as National Pension Scheme for Traders and Self Employed Persons)	180.00	29.90	15.50
9	National Child Labour Project including grants-in-aid to voluntary agencies and reimbursement of assistance to bonded labour.	120.00	19.92	9.99
10	**Employment Generation Programme**			
i)	National Career Services	79.39	13.25	6.63

ii)	Pradhan Mantri Rojgar Protsahan Yojna	2550.00	417.20	218.36
iii)	Coaching and Guidance for SC, ST and OBCs	17.00	11.00	4.20
Total		**11368.39**	**1887.67**	**977.95**

III. OVERALL ACHIEVEMENTS - PHYSICAL TARGETS

3.1 Scheme wise physical targets and achievements along with reasons for shortfall in achievements of the targets 2020-21 from the major schemes are shown in tabular form as under:-

S. No	Name of the Scheme/ Project/Programme	Financial		Physical	
		Target	Achievement	Target	Achievement
1.	Labour Welfare Scheme (i) Revised Integrated Housing Scheme (RIHS)	92.84 cr	27.34 cr	Only 2nd /3rd installment are being paid under this scheme. The scheme has now been converged with Pradhan Mantri Aaswas Yojana.	55,875
	(ii) Health Scheme	17.31 cr	6.41 cr	Health is a continuous activity hence it is not possible to fix a target in this category. Benefits under this scheme will be extended to all eligible workers and their dependents.	16.41 lakh
	(iii) Education	38.85 cr	0.16 cr	4 lakh	0
2.	National Child Labour Project (NCLP) scheme including Grant-in-Aid Scheme	110 cr	8.46 cr	(i) To attain new enrolment of 50000 working children in special training centers. (ii) Mainstreaming of 50000 children to formal education system.	(i) 5756 new enrolments made. (ii) 8583 children mainstrea

					med.
3.	Rehabilitation of Bonded Labour	10 cr	0 cr	No target has been fixed by the State Governments	Information is still awaited from State Governments
4.	Coaching-cum-Guidance Centers for SC/ST	17.00 cr	7.10 cr	To provide vocational guidance, career counseling, typing and shorthand facilities to 1300 SC/ST job seekers and also prepare them for competitive examination/selections tests for Group 'C' posts	Under Special Coaching Scheme 100% targets were achieved
				To provide Computer training to 1050 educated SC/ST job seekers.	Computer training to 4200 educated SC/ST job seekers is being provided The Computer Hardware Maintenance Training was provided to 1000 SC/ST job seekers.
5.	Pradhan Mantri Rojgar Protsahan Yojana	2550.00 cr	1100cr	No targets have been assigned for the said period as the terminal date for registration under PMRPY was 31.03.2019.	-
6.	National Career Service	79.39 cr	30.83 cr	Organisation of Job Fair at district level	-

				Training to Emp. Offices on NCS Active job seekers Active employers Job vacancies mobilised	- 23.06 lakh 0.48 lakh 9.68 lakh
7.	Pradhan Mantri Shram Yogi Maan-Dham (PM-SYM) Yojana	500.00 cr	330.00 cr	To enroll 2 crore new beneficiaries.	1,18,375 (Achievement is less in comparison to target due to Covid-19 Pandemic)
8.	National Pension Scheme for Traders, Shopkeepers and Self-Employed Persons	180.00 cr	15.00 cr	To enroll 50 lakh new beneficiaries.	6213 (Achievement is less in comparison to target due to Covid-19 Pandemic)

3.2 On being enquired about the reasons for not fixing physical targets during 2021-22 for number of schemes *vis.* EPS-95, PMRPY, NCS, PM Sham Yogi Maan Dhan, Labour Welfare Scheme, NCLP and Scheme for Bonded Labours, the Ministry submitted the following :-

S.No.	Scheme	Reasons/Remarks for not setting physical targets for the year 2021-22
1.	Employees Pension Scheme – 95 (EPS-95)	Targets not available as data related to total labour force in the Country is not available with EPFO.
2.	Pradhan Mantri Rojgar Protsahan Yojana (PMRPY)	No targets are assigned for the period as the terminal data for registration under PMRPY was 31.03.2019.
3.	National Career Services (NCS)	NCS Project is not a target based project. The target of the project depends on outreach activities, job fairs, NCS

		Campaigns etc.
4.	Prahan Mantri Shram Yogi Maan Dhan Yojana	Beneficiaries would start receiving pension only after 60 years of age.
5.	Labour Welfare Scheme	Scheme is demand driven, hence targets cannot be fixed. Further, target depends on applications received.
6.	National Child Labour Projectd (NCLP)	Not possible to fix target.
7.	Scheme of Bonded Labour	As and when bonded labour is detected, such persons are identified for rehabilitation. The responsibility for identifying rehabilitation of the bonded labourers lies with respective State Governments. Hence, no target can be anticipated.

IV. SCHEME WISE ANALYSIS

A. EMPLOYMENT SCHEMES

(i) Pradhan Mantri Rojgar Protsahan Yojana (PMRPY)

4.1 Launched on 9thAugust, 2016 with the objective to incentivise employers for creation of new employment, under the Scheme, the Government of India is paying Employer's full contribution i.e. 12% towards EPF and EPS both (as admissible from time to time) for a period of three years to the new employees through EPFO. Target group of the Scheme are Employees earning upto Rs. 15,000 per month with the aim to create employment and also to cover transition of a large number of informal workers to the formal workforce. The terminal date for registration of beneficiary through establishment was 31stMarch, 2019.This scheme has a dual benefit, where, on the one hand, the employer is incentivised for increasing the employment base of workers in the establishment, and on the other hand these workers will have access to social security benefits of the organized sector. All the beneficiaries under this scheme are Aadhaar Seeded. Initially, Government was paying 8.33% EPS contribution of the employer for all sectors in respect of the new employees. The scope of the scheme was enhanced w.e.f. 01.04.2018 to provide the benefit of full 12% employer's contribution for all sectors. A total of 1.21 crores employees' have been benefited through 1.52 lakh establishments under this scheme till January-2021.

Funds utilization figures of the PMRPY Scheme of the last three years

(Rs. in crore)

S. No.	Year	BE	RE	AE	Short fall/ Excess expenditure
1.	2018-19	1652.09	4000	3499.14	-500.86
2.	2019-20	4500	3400	3400	0
3.	2020-21	2550	1364.80	1100	-264.80
4.	2021-22	1200# (proposed)	--	--	

4.2 Asked to state the reasons for upward revision of funds allocated at the RE stage in the year 2018-19 and contrasting downward revision from BE to RE stage in the years 2019-20 and 2020-21,the Ministry furnished the following reason:-

"*The downward revision from BE to RE stage is mainly due to less number of establishments in NER Region. Also, the last date for registration for availing the benefits under the scheme was 31st March 2019, besides these beneficiaries are exiting after completion of three years.*"

4.3 On seeking the reasons for shortfalls in actual utilization of allocated funds to the tune of Rs.500.86 crore and Rs.264.80 crore during 2018-19 and 2020-21 respectively, the Ministry submitted as under:-

"*The shortfall in actual utilization is mainly due to less number of establishments in NER Region. Also, the last date for registration for availing the benefits under the scheme was 31st March 2019, besides these beneficiaries are exiting after completion of three years.*"

4.4 On being asked whether the Government is considering any proposal to reintroduce the scheme or divert funds to any such employment generation scheme in future, the Ministry replied as under:-

"*The terminal date for registration of beneficiary through establishment for availing benefits under PMRPY was 31stMarch 2019. The beneficiaries registered upto 31stMarch, 2019 will continue to receive the benefits for three years from the date of registration under the scheme as per the* *monthly ECR filed by the establishment. Government has launched Atmanirbhar Bharat Rojgar Yojana (ABRY) with the objective to incentivize every establishment registered with EPFO and their new employees if the establishments take new employees or those who lost jobs between 01.03.2020 to 30.09.2020.*"

4.5 On being asked to furnish details of number of registration of employees and establishments in the years 2018-19, 2019-20 and 2020-21, the Ministry submitted that:-

"As the Establishments/beneficiaries registered upto 31st March, 2019 will continue to receive the benefits for 3 years from the date of registration under the scheme and the number of beneficiaries shown under 2019-20 are those who registered on or before last date of registration i.e. 31.03.2019.

Period	No. of Establishments registered	No. of Establishments Benefitted	No. of Employees registered	No. of beneficiaries added
2016-17	3,793	868	53,134	33,031
2017-18	62,088	39,423	41,50,564	30,25,084
2018-19	1,19,141	1,44,736	95,87,351	87,46,888
2019-20	0	1,52,900 (as on 15.02.2021)	0	3,64,957 (as on 15.02.2021)

4.6 On being asked the details of the amount received by the EPFO towards 12% contribution *vis-à-vis* the amount reimbursed to the employers on this count, the Ministry submitted as under:-

"*Till date an amount of Rs. 8923.47 Crore has been released to EPFO and out of which an amount of Rs. 8857.43 has been disbursed by EPFO to the beneficiaries through establishments till 15th February 2021.*"

4.7 Asked to state the quantum of new employment generated since the introduction of the Scheme, the Ministry submitted that:-

"*Total benefits has been given to 1,21,69,960 beneficiaries through 1,52,900 establishments under PMRPY. It is to mention here that the scheme was launched in August 2016 and the last date of registration for availing the benefits under the scheme was 31st March 2019. The Ministry also submitted that the proposed BE for the financial year 2021-22 is Rs.*

900 Crore. This is for the remaining period of three years for the beneficiaries who are registered till 31st March 2019."

4.8 Further, while tendering oral evidence, on a pointed query of the Committee whether the PMRPY is being subsumed under ABRY, the Secretary, Ministry of Labour and Employment deposed as under:

"I would like to make my submission on PMRPY and AVRY because they are two important Schemes. A mention was made that the provisioning for the Pradhan Mantri Rojgar Protsahan Yojana has gone down. That is a scheme which was there till the year 2018 and thereafter there was no new additions and the benefit was to be given only for three years. So, it is a declining scheme. This year probably is the last year and for the next year the Budget will be zero. So, for PMRPY the Budget is bound to go down. That will be taken over now by the ABRY, the Aatmanirbhar Bharat Rojgar Yojana, which is a much bigger scheme. The Budget that the Government has envisaged is almost Rs. 24,000 crore and it is for a period of two years. The coverage is very wide because the benefit that is being given is 24 per cent, 12 per cent for the employee contribution and 12 per cent for the employer contribution. Again a question was raised whether in PMRPY people were working after two years or three years. In ABRY, learning from the experience of PMRPY, the scheme itself says the beneficiary if he is given the benefit, then he has to be there on the rolls of that company for the period of two years at least. That means they have to be there till the June of 2024 on the rolls. So, that is there in the Scheme. The number of minimum new additions has also been given in the Scheme itself. This is only an indicative Budget because the Government wants to promote employment post-COVID. So, even if the numbers rise, the Budget is committed and that would be there".

(ii) National Career Services (NCS) -Employment Exchanges Mission Mode Project

4.9 National Career Service (NCS) Project is a Mission Mode Project for transformation of the National Employment Service to provide a variety of employment related services like job matching, career counseling, vocational guidance, information on skill development courses, apprenticeship, internships etc. This project consists of three important components namely- (i) NCS Portal (www.ncs.gov.in); (ii) Model Career Centers; and (iii) Interlinking of Employment Exchanges.NCS is a digital portal which brings all the jobseekers and employers on a single platform for job matching in a dynamic, efficient and responsive manner. The portal also facilitates organization of job fairs where both employers and job seekers can interact. These services are available free of cost.The NCS Project also envisaged setting up of Model Career Centers (MCCs) in collaboration with States and other Institutions which will have state of art infrastructure to provide all employment related services. As of now, 207 MCCs have been approved across the Country including 7 non-funded MCCs, out of which 136 are functioning. Under interlinking component of NCS, all employment exchanges are to be interlinked with the NCS portal. Till date funds have been provided to 28 State/UTs for interlinking of employment exchanges and organization of job fairs at district level.In addition, NCS has also signed Memorandum of Understandings (MoUs) with many strategic partners (like leading private job portals, TCS ion, Hiremee, MSDE, MHRD, AICTE, etc) in order to enhance the quality and reach of the services throughout the Country.As on 05.01.2021, over 1.03 crore active jobseekers and over 1.02 lakh active employers are registered on NCS portal. Around 80 lakh vacancies have been mobilized through NCS portal.

Financial Allocation and Expenditure on NCS for the last three fiscals

S. No.	Year	BE	RE	AE	Short fall/ Excess expenditure
1.	2018-19	109.80	38.71	38.71	0.00
2.	2019-20	50.00	66.00	63.93	-2.07
3.	2020-21	79.39	49.63	30.96	-12.67
4.	2021-22	57.00# (proposed)	--	--	

4.10 Statement furnished by the Ministry of Labour & Employment revealed that the proposed BE for the year 2021-22 was kept at Rs.57 crore when the actual utilization for the year 2020-21 as on 15.01.2021 was only at Rs.30.96 crore for the Scheme. On being asked to respond, the Ministry submitted that:

> "*During 2021-22, proposal to implement NCS 2.0 has been envisaged. Besides this, establishments of 200 more MCCs are being considered through SFC. In order to invite wide range of response from stakeholders, media campaign has been proposed. These activities would require additional funds during the F.Y. 2021-22 over and above BE 2020-21.*"

4.11 On further being asked to furnish the year-wise details of cumulative vacancies, the Ministry submitted as under:

S. No.	Year	Vacancies
1	2015-16	1.48 lakhs
2	2016-17	12.85 lakhs
3	2017-18	9.21 lakhs
4	2018-19	16.88 lakhs
5	2019-20	30.00 lakhs
6	2020-21 (as on 18.02.21)	11.28 lakhs

4.12 Asked to furnish the placement figures with respect to regular/adhoc/ part time/contract employments generated in the years 2019-20 and 2020-21, the Ministry submitted that:

> "*As the job seekers and employers registered on NCS on voluntary basis, the placement figure with respect to regular/adhoc/part-time/contract employments is not maintained on the NCS portal. But the functionality of tracking job seekers who have secured job has been recently added on NCS portal and the employers are being sensitised to provide the information. However, total hiring of jobseekers in the year 2019-20 and 2020-21 is 89,034 and 29,102 respectively.*"

4.13 Responding to a pointed query about the number of Job Seekers re-registered after completing the term of their employment on Adhoc/Part time/ Contract basis in the year 2020-21,the Ministry submitted that:-

> "*The registrants including job seekers remain registered on NCS till they want. Job seekers can register on NCS portal irrespective of their employment status. A jobseeker can continue his/her registration on NCS portal even if he/she is employed. The archival policy has been introduced for NCS during the year 2017-18. As per this policy, the inactive registrants' profile is archived after a period of one year from the last login or from their date of registration. The archived profile is referred as inactive.*"

4.14 On a query on the quality of services of MNC's with whom MOU has been signed/ utilized, the Ministry responded as under:

"*There was/is no physical job melas organized in the year 2021 due to Covid-19 pandemic. 195 online job fairs were organised through NCS portal. During the lockdown, one MoU was signed between the Ministry (viz-a-viz NCS) and TCS-iON where TCS-iON is providing online soft skilling programme.*"

(iii) Welfare Of SC/ST Job Seekers Through Coaching, Guidance And Vocational Training

4.15 This Scheme was started on the recommendation of the Elayaperumal Committee (1969) with the aim to make the SC/ST applicants more acceptable to the employers in the Public and Private Sectors. At present there are 25 such Centers functioning in the Country providing services to SC/ST job seekers registered with Employment Exchanges for enhancing their employability through coaching, counselling and related training programmes. Some of the programmes organized by these Centers cover confidence building, individual guidance, mock interviews, training in typing, shorthand and computer, etc. The main objectives of this Scheme are:-

a) To render vocational guidance and career related information;
b) To channelize educated SC/ST job-seekers registered with the Employment Exchanges in appropriate vocations; and
c) To increase their employability through coaching/training/guidance.
d) To render them vocational guidance and career information at the appropriate stage.

4.16 On being asked about the proposal to expand the number of such Centers, the Ministry replied that:

"*The issue regarding expansion of network of NCSC for SC/STs is considered in the States/UTs where services of NCSC for SC/STs are not available. NCSCs are established as a model centre in the States and the responsibilities of State/UTs Govt. is to replicate the model. So far 25 NCSC for SC/STs have been established in the Country. Establishment of new centers in remaining State/UTs shall be considered after receiving the consent from concerned State Govt./UTs.*"

4.17 On further being asked to furnish details and breakup of the number and category of Candidates who have benefitted from these Centers, the Ministry submitted as under:

"*All 25 centers have provided career counseling and Guidance services to 1,47,777 educated SC/ST jobseekers, facilitated 11,213 SC/ST candidates in practice of typing and shorthand, 1300 and 1050 candidates have been admitted in Special Coaching Scheme and Computer Training respectively during 2019-20.*"

4.18 On a specific query whether the Financial outlay for the year (2021-22) for NCS Centre for SC/STs which stood at Rs.19.90 crore would be sufficient to run this Scheme, the Ministry submitted as under:

"*Allocated fund for the year 2021-22 would be sufficient to run this scheme. In case of additional requirement of funds the same would be raised at RE Stage.*"

4.19 On the specific reasons for the sharp decline in the number of beneficiaries provided with Vocational Guidance and Career Counseling Service from 70,000 in the year 2021-22 to a meager 5500 candidates who actually got placement, the Ministry responded as under:

"*Out of 70,000 SC/ST jobseekers which includes candidate pursuing higher education also were provided vocational guidance and career counseling. Therefore all SC/STs candidate register for vocational guidance and career counselling may not necessarily be aspiring for employment. Post coaching/computer training at NCSC-SC/STs enable candidates for placement through outreach programmes like Job fairs and camps organised time to time.*"

4.20 On being asked to furnish reasons for shortfalls in expenditure despite downward revision in quantum of funds at RE stage, the Ministry replied as under:

"*Due to COVID-19 pandemic, Government has put 15% cap on expenditure during each of first 2 quarters of the F.Y. 2020-21. Therefore, priorities on the scheme were reworked to maintain the financial discipline which resulted into downward revision at RE stage. Due to pandemic, non receipt of proposals from the State/UTs seeking financial grant under the NCS schemes major reason for underutilization of funds. However, proposals are in pipeline and enhanced expenditure on the scheme is likely during last quarter of F.Y. within RE ceiling.*"

4.21 On under allocation and under utilisation of funds and their impact on the implementation of the Scheme, the Ministry submitted as under:

"*Priorities on the Scheme were reworked to maintain the financial discipline on account of instructions of Government to cap expenditure at 15% during each of first two quarters of F.Y. 2020-21. Besides this, entire Country remained shut for a considerable period and offices of Central/State Governments were also affected to COVID-19 pandemic. This has slowed down the process of implementation of the Scheme.*"

4.22 Asked to state the number of job fairs, outreach activities and campaigns organized during the year 2020-21,the Ministry submitted as under:

"*Due to the Covid pandemic, the outreach activities have been stalled and the campaigns have been restricted to social media handled by the Ministry only. As far as the job fairs, is concerned only online job fairs were organised through NCS portal, and the total no. of job fairs organised during 2020-21 is 1699 (till Jan2021).*"

4.23 On the absence of amenable targets and outcomes through which the progress of the Scheme is mapped, the Ministry submitted that:

"*National Career Service Scheme provides services free of cost to different stakeholders (including job seekers and employers) through digitized web portal (www.ncs.gov.in). The portal is accessible by all users including jobseekers, employers, skill providers, placement organisations, career counsellors etc. The portal also facilitates organization of job fairs where both employers and job seekers can interact. As the services under this scheme are voluntary in nature, therefore, targets and outcomes are not defined. However, the hits on NCS portal steeply increased during COVID.*"

B. SOCIAL SECURITY SCHEMES

(i) Pradhan Mantri Shram Yogi Maan Dhan Yojna (PMSYM)

4.24 PMSYM was launched in February, 2019 as a voluntary and contributory pension scheme for providing monthly minimum assured pension of Rs. 3000/- on attaining the age of 60 years. The workers in the age group of 18-40 years whose monthly income is Rs. 15000/- or less and not a member of EPFO/ESIC/NPS can join the Scheme. This Scheme is administered by Ministry of Labour & Employment and implemented by Life Insurance Corporation of India as fund Manager and Common Service Centre (CSC), a special purpose vehicle of Ministry of Electronics and Information Technology.

In addition eligible persons can also self-enroll through vising the portal www.maandhan.in.

4.25 The financial allocation and expenditure for the last two fiscals are as under:

(Rs. in crore)

S. No.	**Year**	**BE**	**RE**	**AE**	**Short fall/ Excess expenditure**
1.	2019-20	500	408	352.20	-55.80
2.	2020-21	500	330	318.67	-11.33
3.	2021-22	500# (proposed)	--	--	

4.26 On being asked the total number of subscribers as on date enrolled through Common Service Centers and through self enrollments, Ministry submitted the following data in this regard:

"*Total number of subscribers enrolled under Pradhan Mantri Shram Yogi Maan-dhan is* ***44,88,570*** *{including the 5,06,603 subscribers enrolled through bulk enrolment} as on 18.02.2021*."

The details of enrolment in PM-SYM are as under;

Mode of Enrolment	2019-20	2020-21
Common Service Centres (CSC)	10,82,620	1,18,375 till November, 2020
Self Enrolment	Separate data of Self enrolment is not maintained by the enrolment agency.	

4.27 Asked to state the year-wise details of breakup of funds disbursed to the enrolled beneficiaries under PM-SYM Scheme as 50% contribution by Central Government, the Ministry submitted as under:

Year	Fund released for PM-SYM as 50% contribution by Central Government (Rupees in Crore)
2018-19	31.68
2019-20	281.71
2020-21	275.36 (upto 31.01.2021)

4.28 On being asked to furnish a detailed note on the operation/implementation of the Scheme highlighting the exact role/ responsibilities of Ministry of Labour & Employment, LIC and CSC, the Ministry stated as under:

"*PM-SYM was launched on 15th March, 2019. LIC and CSC are the main implementing agencies. The enrolment is done through CSC with its network of 3.5 lakhs centers across the country whereas LIC of India is acted as Pension fund Manager and responsible for pension pay out. The government contribution is released to LIC. In order to ensure the successful implementation of the scheme, a collaborated implementing mechanism has been adopted and State Governments have been requested to mobilise the beneficiaries through their government mechanism. Further, State Level Monitoring Committees under Chief Secretaries and District Level Implementation Committee under DM/DC have been constituted in all the States and Districts. Apart from this, IEC activities undertaken through states for which IEC fund allocated to them. Simultaneously, Meetings with Trade Unions, Business Association were also held. Besides this, a pension Saptah (30thNovember, 2019 to 6th December,2019 was also launched by the Hon'ble Minister(L&E) across all 3.5 lakh CSCs to popularize the scheme and enhance enrolment.*"

The role/responsibilities of Ministry of Labour & Employment, LIC and CSC are as under:-

Ministry of Labour and Employment:

a. Ensure that the various agencies of the Government and the parties hereto work collectively with each other in a coordinated manner;
b. Support awareness campaigns to drive adoption and usage of the Scheme;
c. Financial sponsor for this project as agreed with LICI and CSC-SPV;
d. Undertake the overall design, management and implementation of the project on ground across all the locations through various agencies/partner and the parties involved for this project;
e. Co-ordinate with various Government Departments/agencies/regulators for issuance of guidelines,

notifications, advisories for implementation and management of the Scheme and issue necessary directions from time to time;

f. Undertake the responsibility of redressal of grievance of the subscriber or any other party in connection to the Mandate registration or wrong debit in co-ordination primarily with LICI or any other party herein.

Life Insurance Corporation of India:

a. Prepare and share the data mandate as per prescribed format with Sponsor Bank (IDBI Bank) for upload to National Automated Clearing House (hereinafter referred to as "NACH");
b. Preserve the soft copies of the Mandates for further reference in case of dispute and audit by any authority;
c. Share the response data with accept/reject reason form customer bank with CSC on receipt from IDBI Bank;
d. Ensure that the response files received from the customer's bank are updated in their database so that transactions are originated on valid mandates only;
e. Ensure that the transactions are generated only on the mandates that are confirmed by banks as valid. In case LICI generates a transaction on a mandate that has been rejected by the bank, such transactions will be rejected by NACH at the time of upload itself;
f. Ensure the debit transactions are presented to NPCI on staggered cycle dates (after 10th of each month) so that they are evenly distributed throughout the month to enable the detention bank to process the transactions without any constraint;
g. Address the disputes arising out of auto debit, if any, as detailed in Annexure III to this MoU;
h. Set up a call centre or dispute resolution mechanism to handle customer complaints and disputes in co-ordination with MOLE and CSC-SPV;

Common Service Centre (CSC-SPV):

a. Ensure customer related information is validated using customer bank passbook before completing the registration process;
b. The onus of recording the correct details of the customer and validation of customer will be on CSC;

c. *Post successful registration, CSC-SPV to prepare data mandate as per the format prescribed with the consent of the parties for transmission to LICI.*
d. *Register the grievance of the subscribers and act on the same in consultation of MoLE and LICI.*
e. *CSC-SPV to ensure confidentiality and security of the beneficiary data and not to pass on the same to any organisation other than the signatories to this MoU.*

4.29 Perusal of the documents furnished by the Ministry revealed that there was a consistent reduction in fund allocation from BE stage to RE stage in the fiscal years 2019-20 and 2020-21 with percentage of expenditure hovering at 70.44% over BE in the year 2019-20 and 63.73% in the year 2020-21. On being asked to explain the reasons for downward revision in both years, the Ministry stated as under:

> "*PM-SYM is a flagship scheme of Government of India and it was launched to assure monthly pension to unorganized sector workers having monthly income not exceeding Rs.15000/- and not a member of EPFO/ESIC/NPS. The Budget in RE for the FY 2019-20 and 2020-21 were allocated of Rs. 408 Crore and Rs. 330 Crore respectively. The Budget for 2020-21 was slightly reduced as outbreak of COVID-19 Pandemic and related lockdown adversely affected the enrolment drive. Further, the scheme is not a dole-out, rather it is a contributory pension scheme and beneficiaries are also required to contribute from Rs.55/- to Rs.200/- monthly, depending upon their entry age into the scheme. Due to the outbreak of COVID-19 Pandemic, the economic condition of Unorganised Workers got also disrupted which resulted in downward of enrolment. However, it is expected that the situation will improve in coming months and due to concerted efforts of the Ministry, the enrolment under PM-SYM is likely to improve.*"

4.30 Asked to state the Ministry's plan for optimal utilization of funds allocated for the year 2020-21, it was submitted that:

> "*The Government is mandated to the welfare of unorganized Sector Workers and extends the benefits of PM-SYM to most of these workers. Government contribution is not directly released to any beneficiary or state Government rather; it is released to LIC of India which is pension fund manager. LIC in turn deposit the co-contribution to the Central Government*

in the pension account of the beneficiaries. Within proceed enrolments under the scheme, fund will be utilized separately."

4.31 Enquired about the reasons for less demand generated by LIC with regard to Pradhan Mantri Shram Yogi Man Dhan Yojana, the Ministry submitted as under:

"*Pradhan Mantri Shram Yogi Man Dhan Yojana (PM-SYM) and Pradhan Mantri Karam Yogi Maandhan Yojana renamed as National Pension Scheme for Traders and self-employed persons (NPS Traders) are the pension schemes being implemented by the Ministry of Labour & Employment to provide old age protection in the form of minimum monthly assured pension of Rs. 3000/- to unorganized sector workers including self-employed persons with monthly income not exceeding Rs.15000/- and not a member of EPFO/ESIC/NPS and not an income tax payee. For NPS Traders the annual turnover of the beneficiary should not exceed Rs. 1.5 crore. It is contributory scheme and not a dole- out. The beneficiaries are required to contribute monthly from Rs.55/- to Rs.200/- depending upon their entry age. The Central Government also provides matching contribution in the pension account of the beneficiaries through LIC. Due to sudden outbreak of COVID-19 pandemic and lockdown, the lives of the Unorganised Workers have been adversely affected. This has resulted in low registration of the unorganised workers under the scheme. Hence, there was saving reported by the LIC. However, it is expected that the situation will improve in coming months and due to concerted efforts of the Ministry and respective State/UT Governments, the enrolment under the both schemes is likely to improve in the future.*"

4.32 On the initiatives taken by the Ministry to revive the demand and improve the performance of the Scheme, the Ministry submitted as under:

"*PM-SYM was launched on 15th March, 2019. LIC and Common Service Centre (CSC) are the main implementing agencies. The enrolment is done through CSC with its network of over 3.5 lakhs centres across the country whereas LIC of India is Pension fund Manager and responsible for pension pay out. The government's matching contribution is released to LIC. Government is mandated to extend the benefits of PM-SYM to most of the workers of unorganised sector and in order to ensure the successful implementation of the scheme, a collaborated implementing mechanism has been adopted and State Governments have been requested to mobilize* *the beneficiaries through their government mechanism. The efforts made by the Ministry are summarised as under:*

i. *Over 50 Review Meetings held in the Ministry (Secretary/ AS / JS& DGLW level)*
ii. *Yearly target sets(State-wise/District-wise)*
iii. *Mobilization of beneficiaries through State Government machinery (Labour Departments)*
iv. *State Level Monitoring Committees under Chief Secretaries and District Level Implementation Committee under DC/ DM constituted in all the Districts & States*
v. *Information, Education Communication (IEC) materials such as Pamphlets, Backdrops, creatives for standee, Video documentaries (in local language) sent to states by email*
vi. *IEC activities undertaken through states for which IEC fund allocated to them*
vii. *TVC/ Radio Campaign by the Ministry*
viii. *Video clips were also uploaded on the YouTube and website of the Ministry*
ix. *Regular VCs by Secretary (L&E) with all CSs*
x. *Scheme was also explained in the Regional Labour Conferences held at Bhubaneswar (for six States), Kochi (Six States) and at Guwahati (8 states).*
xi. *Work Plan/ guidelines circulated to all States/ UTs which envisage Kaamgaar Enrolment camps at CSCs*
xii. *A Pension Saptah (30th Nov,2019 to 6th december,2020) also launched by Hon'ble Minister on 30th Nov,2019 across all 3.5 Lakh CSCs to popularize the scheme and enhance enrolment.*
xiii. *Meeting with Trade Unions, Business associations were convened etc.*
xiv. *State(s) CSCs were being on-boarded to increase out reach of the scheme."*

(ii) Atmanirbhar Bharat Rojgar Yojna (ABRY)

4.33 ABRY was launched as one of the Aatmanirbhar Bharat 3.0 package to boost the economy in Post Covid Recovery Phase. Under this Yojana, every establishment registered with EPFO and their new employees will benefit if the establishments take new employees or those who lost jobs between 01.03.2020 to 30.09.2020.

4.34 On a pointed query regarding the NIL utilization of funds during the year 2020-21 the Ministry responded as under:

"*An amount of Rs. 1000 Crore has been allocated for the ABRY scheme during F.Y. 2020-21 at Second Supplementary Demands for Grants stage* *and till date no funds have been received under the scheme. Hence, as and when the amount will be received then the funds will be released to EPFO for utilisation under the scheme. As per the communication received from EPFO an amount of Rs. 175.97 Crore is due for reimbursement to beneficiaries under the scheme as on 17th February 2021.*"

4.35 Asked to furnish the data on number of beneficiaries as on 15th February, 202, the Ministry submitted as under:

"*14.76 Lakh "New Employees" have been registered under ABRY. Benefits of Rs.175.97 Crore have been claimed for 8.77 Lakh employees through ECRs filed by 38,777 Establishments.*"

4.36 On being asked to furnish break up of funds disbursed, towards the Contribution of employees and employer's share of EPF contribution in establishments employing less/more than 1000 employees, the Ministry submitted as under:

Contribution of employees and employer share of EPF contribution in establishments employing less than 1000 employees:

No. of Establishments	Members	Employee Share (Rs. In Crores)	Employer Share (Rs. In Crores)
38,777	6,26,829	73.68	73.68

Contribution of employees and employer share of EPF contribution in establishments employing more than 1000 employees is as under:

No. of Establishments	Members	Employee Share (Rs. In Crores)	Employer Share (Rs. In Crores)
893	2,50,326	28.56	No Provision under the scheme

4.37 Questioned on the number employees holding UAN drawing monthly wages less thanRs.15,000/- who have availed benefit of the Scheme despite having exited from employment during Covid-19, the Ministry submitted the following figures:

> *"As on 17.02.2021, out of 2,58,983 registered employee beneficiaries, ECRs have been filed for 1,54,959 employees under this category by their respective employer establishments so far."*

4.38 On the number of employees drawing monthly wage less than Rs.15,000/- and were not enrolled/ registered with EPFO before 1st October, 2020 but who got benefitted from the Scheme, the Ministry stated that as on 17.02.2021, out of 12,09,303 registered employee beneficiaries, ECRs have been filed for 7,22,196 employees under this category by their respective employer establishments so far.

4.39 Asked to justify enhanced BE (2021-22) of Rs.3,130 crore for ABRY despite NIL expenditure during 2020-21 and the preparedness of the Ministry to ensure optimal utilization of funds during 2021-22, the Ministry responded as under:

> *"An amount of Rs. 1000 Crore has been allocated for the ABRY scheme during F.Y. 2020-21 at Second Supplementary Demands for Grants stage and till date no funds have been received under the scheme. Hence, as and when the amount will be received then the funds will be released to EPFO for utilisation under the scheme. As per the communication received from EPFO an amount of Rs. 175.97 Crore are due for disbursement to beneficiaries under the scheme as on 17th February 2021. It is likely to utilize full budget under this scheme by the end of fiscal 2020-21. It is therefore, the proposal for the FY 2021-22 has been increased."*

(iii) Labour Welfare Scheme (Revised Integrated Housing Scheme (RIHS)

4.40 Revised Integrated Housing Scheme (RIHS) 2016 which was launched *w.e.f* 22.03.2016 is in the winding up phase and further applications are being forwarded to the concerned ULBs Blocks for sanction under PMAY (Pradhan Mantri Awas Yojna).

4.41 On being asked to furnish a factual note on the progress of transition of RIHS to PMAY (Pradhan Mantri Awas Yojna), the Ministry responded as under:

> *"As per the directions of Expenditure Finance Committee, a timeline and a transition plan was drawn up and all new sanction under RIHS were stopped and housing subsidy were drawn from PMAY. In compliance of the transition plan, all Welfare Commissioners were directed:-*

1. WCs should examine all the applications received by them and bifurcate them as per eligibility for PMAY (G) and PMAY (U).

2. To examine all the applications received by them and bifurcate them as per eligibility for PMAY (G) and PMAY (U).

3. Ministry of Rural Development (MoRD) will share the list of beneficiaries prepared for providing assistance under PMAY (G) with O/o DGLW (Ministry of Labour & Employment) who in turns will share it with welfare commissioners. The MoRD will also write to all the State Governments/District Authorities to share the data with welfare commissioners. The WCs will check which Beedi/LSDM/IOMC/Mica/Mines/cine workers have been included in the above list. If it is found that any of the above mentioned workers has been left out of the list but are otherwise eligible to get housing assistance under PMAY(G), the concerned WC should take up the matter with the concerned Gram Sabha to get their name included in the list of eligible person for getting assistance under PMAY (G)."

4.42 On the steps that may have been taken/proposed by the Ministry of Labour & Employment in coordination with Ministry of Urban Development to popularize and promote the RHIS among the targeted beneficiaries, the Ministry made the following submissions:

"*A meeting was held to discuss the issues regarding Convergence of Revised Integrated Housing Scheme (RIHS) with Pradhan Mantri Awas Yojana (PMAY) (Grameen) and Pradhan Mantri Awas Yojana (PMAY) (Urban) in light of the directions conveyed in the EFC meeting held on 11.05.2018 under the Chairmanship of Secretary (Expenditure). As per decision taken in the meeting Welfare Commissioners will examine all the applications as per eligibility. Ministry of Rural Development will share the list of beneficiaries prepared for providing assistance under PMAY (G) with O/o DGLW (MoLE) who in turns will share it with Welfare Commissioners. The MoRD will also write to all the State Governments/District Authorities to share the data with Welfare Commissioners. The WCs will check which Beedi/LSDM/IOMC/Mica Mines/Cine workers has been included in the above list. If it is found that any of the above mentioned workers have been left out of the list but are otherwise eligible to get housing assistance under PMAY (G), the concerned WC should take up the matter with the concerned Gram Sabha to get their name included in the list of eligible persons for getting assistance under PMAY (G).*"

4.43 In response to a specific query about how many workers have availed the benefits under the Pradhan Mantri Awas Yojana (PMAY) since the transition, the Ministry replied that 48045 applications of workers have been forwarded for availing benefits under Pradhan Mantri Awas Yojana (PMAY) since the transition.

4.44 During the year 2020-21, BE for Labour Welfare was estimated at Rs.150 crore which was revised downward to Rs.100 crore and the actual expenditure upto 15.01.2021 stood at only Rs.40.85 crore. On being asked about the reasons for underutilization of funds during 2020-21 despite the reduced RE, the Ministry responded as under:

> "*The expenditure under the scheme was affected in the FY 2020-21 mainly due to COVID-19 Pandemic. It is likely to improve the performance under this scheme in the next financial year.*"

4.45 On being asked the specific reasons for the Ministry of Labour and Employment withdrawing from the RIHS when it was supposed to be a Labour Welfare Scheme, Ministry made the following submissions:

> "*Expenditure Finance Committee in its meeting dated 11.05.2018 for appraisal and continuation of the Labour Welfare Scheme, directed that the Ministry of Labour & Employment will explore the possibilities to converge the Housing Scheme with the Pradhan Mantri Awaas Yojana of the Ministry of Urban Development and Pradhan Mantri Awaas Yojana (Grameen) of the Ministry of Rural Development. It was suggested by the Committee to frame a timeline and to draw a transition plan when all new sanctions under RIHS will be stopped and housing subsidy will be drawn from PMAY and a transition plan may be drawn up when all new sanction under RIHS will be stopped and housing subsidy will be drawn from PMAY. As per direction of EFC, the decision to converge RIHS with Pradhan Mantri Awas Yojna (PMAY) was taken.*"

(iv) <u>Social Security for Plantation Workers in Assam</u>

4.46 Social Security for Plantation workers in Assam is operated through the State Government of Assam. Following Schemes are dealt by Assam Tea EPFO:-

(i) Deposit Linked Insurance Scheme: - The Deposit Linked Insurance Scheme introduced in the year 1984. Deposit Linked Insurance Scheme provides Assurance benefit (payment linked to the average balance in the Provident Fund Account of an employee, payable to a person belonging to his family or otherwise entitled to it in the event of death of the employee while being a member of the fund) to all the employees in the Tea plantations in Assam. Central Government pays contribution towards Deposit Linked Insurance Scheme under Assam Tea Plantation Provident Fund and Pension Fund @ 0.25% (contribution) and 0.05% (Administrative charges) of the wages of the PF members.

(ii) Family Pension-cum-Life Assurance Scheme: - The Family Pension Scheme came into force with effect from 01.04.1972. Family Pension-cum-Life Assurance Scheme covers the cases of Pension/Family pension to all the members of the Assam Tea Plantation Provident Fund Scheme on retirement, premature cessation and family pension to their families on death while in service.

Central Government pays contribution towards Family Pension Scheme under Assam Tea Plantation Provident Fund and Pension Fund @ 1.16% of the wages of the PF members. The Central Government is also paying Administrative Cost towards the Scheme. The financial allocation and expenditure for the last three fiscals are as under:

(Rs. in crore)

S. No.	**Year**	**BE**	**RE**	**AE**	**Percentage expenditure over BE**
1.	2018-19	35	22	22	62.86
2.	2019-20	19.90	19.90	19.05	95.68
3.	2020-21	40	40	12	30
4.	2021-22	40(proposed)	--	--	

4.47 During the fiscal year 2020-21, Rs.40 crore was allocated at BE stage which was also kept unchanged at RE stage, indicating a certain plan for execution of the Scheme. However, AE as on 15.01.2021 indicates only Rs. 12 crore revealing a utilization percentage of 30%. On being asked about the reasons for the shortfalls in utilisation of funds during 2020-21, the Ministry responded as under:

"*It is stated that out of the total allocation of Rs.40 crore in 2020-21, Rs.30.04 crore is meant for General and NER components. Out of the said amount of Rs.30.04 crore, Rs.12 crore has been released so far, which* *comes to about 40%. The balance amount of Rs. 9.96 crore is meant for SCSP (Rs.6.64 crore) and TSP (Rs.3.32 crore) components. As per Survey Report furnished by Assam Tea EPFO, the percentage of SC and ST beneficiaries are 1.84% and 1.05% respectively. Hence no fund has been released under SC and ST components during 2020-21 till date.*"

4.48 Enquired about the rationale for keeping RE at Rs.40 crore which was the same as BE, when the Ministry could only utilize only 30% of the fund, it was submitted that:

"*The amount could not be utilized till date due to reconciliation of past arrears by the Internal Audit Wing. Funds will be released after finalization of Audit and findings thereof.*"

4.49 Asked to state the reasons for allocation of Rs.60 crore for the Scheme which is 50% more than the Ministry's proposed allocation of Rs.40 crore in the Financial Year 2021-22 despite consistent under utilization in past years, the Ministry submitted as under:

"*The details of funds released to Assam Tea EPFO for the plantation workers in Assam during the last three financial years are as under:*

(Rs. in crore)

Sl. No.	***Year***	***BE***	***RE***	***AE***
1	*2017-18*	*50.00*	*110.00**	*110.00*
2	*2018-19*	*35.00*	*22.00*	*22.00*
3	*2019-20*	*19.90*	*19.90*	*19.05*

**includes past arrears.*

There was less release of funds in the year 2018-19 due to reduction in budget at RE stage. In the year 2019-20, less release of funds to the tune of Rs.0.85 crore under SC and ST components was due to less demand from Assam Tea EPFO under these components. However, Assam Tea EPFO had demanded more funds under NER components. Accordingly, Rs.59.90 crore have been earmarked for NER component in the year 2021-22. Moreover, the activities of Assam Tea EPFO cater to the tea garden workers in the State of Assam only."

(v) Bima Yojna for Unorganised Workers

4.50 In order to provide social security benefits to the workers in the unorganized sector, Government enacted the Unorganized Workers' Social Security Act, 2008. In June, 2017, Government has converged Aam Admi Bima Yojana with Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY) and Pradhan Mantri Suraksha Bima Yojana (PMSBY).Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY) and Pradhan Mantri Suraksha Bima Yojana (PMSBY) provide insurance cover to unorganized workers. Pradhan Mantri Jeevan Jyoti Bima Yojana provides life insurance cover of Rs. 2 lakh on payment of premium of Rs. 330 per annum. PMJJBY is available to people in the age group of 18 to 50 years. Pradhan Mantri Suraksha Bima Yojana provides insurance coverage of Rs. 2 lakh on accidental death or full disability and Rs. 1 lakh on partial disability on payment of premium of Rs. 12 per annum. The Scheme is available to people in the age group 18 to 70 years. The total premium of Rs.342/- is shared equally between the State Government and Central Government. This is implemented through Life Insurance Corporation of India.

4.51 BE proposal for the Fiscal 2020-21 for Bima Yojna for Unorganised Workers was Rs.200.00 crore which was drastically curtailed to Rs.1.00 crore only and finally NIL Expenditure was incurred as on 14.2.2021**.** The reasons furnished for NIL expenditure by the Ministry are as under:

> "*As per decision taken by the Government in May 2017, the Aam Aadmi Bima Yojana (AABY), a social security scheme for unorganised workers to provide insurance for life and disability was transferred to the Ministry of Labour and Employment from Department of Financial Services with the direction to converge AABY to Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY) and Pradhan Mantri Suraksha Bima Yojana (PMSBY) in the age group of 18-50 years. For the age group of 51-59 years, the old AABY was continued. The PMJJBY covers natural death at the rate of Rs. 330/- per annum per beneficiary in the age group from 18 to 50 years and coverage of Rs. 2 lakhs. PMSBY covers accidental death and disability covering with coverage of Rs. 2 lakhs on death and permanent disability and Rs 1 lakh in case partial disability. The annual premium of Rs. 342 (330+12) per beneficiary was shared between the States and Central governments on 50:50 basis. The Scheme was implemented in 2018-2019 and 2019-2020 for the unorganised workers. Further, in Sept, 2019, the decision was taken by the Government to transition the beneficiaries of the scheme from subsidy regime to full premium payment with effect from 1st April, 2020 through the Department of Financial Services as it is available to the open*

public through banks. Hence, the scheme ceased to be implemented w.e.f. 01.04.2020 and therefore there is nil expenditure."

(vi) National Pension Scheme For Traders And Self Employed Persons (Erstwhile Pradhan Mantri Karam Yogi Maan-Dhan Yojana)

4.52 NPS for Traders has been launched on 12.09.2019 as a voluntary and contributory pension scheme. Enrolment to the scheme was done through the Common Service Centers with its network of 3.50 lakh Centers across the Country. In addition, eligible persons can also self-enroll through the portal www.maandhan.in. The traders in the age group of 18-40 years with an annual turnover not exceeding Rs. 1.5 crore and who are not members of EPFO/ESIC/MPS/PM-SYM or an income tax payer can join the Scheme. Under the Scheme, 50% monthly contribution is payable by the beneficiary and equal matching contribution is paid by the Central Government. Subscribers after attaining the age of 60 years are eligible for a monthly minimum assured pension of Rs. 3,000/-.

4.53 On being asked to furnish the reasons for consistent downward revision in quantum of funds with shortfalls in expenditure pattern in respect of the Scheme, the Ministry replied as under:

> "*The National Pension Scheme for traders, shopkeepers and self-employed persons to provide old age protection to the small and marginal traders, shopkeepers and self-employed persons in the form of monthly pension of Rs 3000/, was launched in September, 2019. It is a voluntary and contributory pension scheme. Enrolment to the scheme is done through the Common Service Centres, with its network of 3.50 lakh Centres across the country. In addition, eligible persons can also self-enroll through visiting the portal www.maandhan.in. The traders in the age group of 18-40 years with an annual turnover, not exceeding Rs. 1.5 crore and are not member of EPFO/ESIC/MPS/PM-SYM or an income tax payer, can join the scheme. Under the scheme, 50% monthly contribution is payable by the beneficiary and equal matching contribution is paid by the Central Government. This scheme was launched to provide benefit to around 3.0 crore small and marginal traders, shopkeepers and self-employed person by 2023-24. As on 24.02.2021, the total enrolment under NPS Traders is 43583 only. Ministry has taken various measures to increase the coverage of the scheme. But overall demand is low from the intended beneficiaries of the scheme. Hence, there is downward demand of the fund.*"

4.54 On impact on the implementation of the Scheme due to less allocation and under-utilisation of funds, the Ministry submitted that:

> "*The National Pension Scheme for traders, shopkeepers and self-employed persons to provide old age protection to the small and marginal traders, shopkeepers and self-employed person in the form of monthly pension of amount Rs 3000/, was launched in September, 2019. It is a voluntary and contributory pension scheme. Enrolment to the scheme is done through the Common Service Centres, with its network of 3.50 lakh Centres across the country. In addition eligible persons can also self-enroll through visiting the portal www.maandhan.in. The traders in the age group of 18-40 years with an annual turnover, not exceeding Rs. 1.5 crore and are not member of EPFO/ESIC/MPS/PM-SYM or an income tax payer, can join the scheme. Under the scheme, 50% monthly contribution is payable by the beneficiary and equal matching contribution is paid by the Central Government. . As on 24.02.2021, the total enrolment under NPS Traders is 43584 only. Ministry has taken various measures to increase the coverage of the scheme. But overall demand is low from the intended beneficiaries of the scheme. The allocation has been done on the basis of estimates. If there is any shortfall the same will be provisioned at RE stage.*"

4.55 Asked about the issue of effects of Covid-19 on the Scheme, following submissions were made by the Ministry:

> *"NPS Traders Scheme has been launched to provide minimum assured pension as old age protection to the small and marginal traders, shopkeepers and self-employed person in the form of monthly pension of Rs 3000/- after attaining the age of 60 years. The total enrolment in this scheme is 43584. The enrolment in current year has mainly been affected due to outbreak of the COVID-19 pandemic. However, the reasons for low registration under the schemes are summarized as under:*
>
> *(i) It is contributory scheme, not a dole-out scheme.*
> *(ii) Long-term financial commitment required by the beneficiaries.*
> *(iii) Awareness, persuasion and mobilization of beneficiaries required*
> *(iv) The small shopkeepers such as pan vendors, tea vendors and other small scale shopkeepers/ traders are already covered under the PM-SYM.*
> *(v) Though geographical spread of 3.5 lakh CSCs under Digital India is tremendous, many of them remain inactive.*
> *(vi) Intensive advertisement through TVC/ Radio is required for creating proper awareness about the scheme."*

4.56 Asked about the measures taken to improve upon the disappointing performance of the Scheme, the Ministry thereupon informed as follows:-

> "*In order to ensure the successful implementation of the scheme, a collaborated implementing mechanism has been adopted and State Governments have been requested to mobilize the beneficiaries through their government mechanism. The efforts made by the Ministry are summarised as under:-*

i. *Over 50 Review Meetings were held in the Ministry (Secretary/ AS / JS& DGLW level)*
ii. *Yearly target sets(State-wise/District-wise)*
iii. *Mobilization of beneficiaries through State Government machinery (Labour Departments)*
iv. *State Level Monitoring Committees under Chief Secretaries and District Level Implementation Committee under DC/ DM constituted in all the Districts & States*
v. *Information, Education & Communication (IEC)materials such as Pamphlets, Backdrops, creatives for standee, Video documentaries (in local language) sent to states by email*
vi. *IEC activities undertaken through states for which IEC fund allocated to them*
vii. *TVC/ Radio Campaign by the Ministry*
viii. *Video clips were also uploaded on the YouTube and website of the Ministry*
ix. *Regular VCs by Secretary (L&E) with all CSs*
x. *Scheme was also explained in the Regional Labour Conferences held at Bhubaneswar (for six States), Kochi (Six States) and at Guwahati (8 states).*
xi. *Work Plan/ guidelines circulated to all States/ UTs which envisage Kaamgaar Enrolment camps at CSCs*
xii. *A Pension Saptah (30th November, 2019 to 6th December,2020) also launched by Hon'ble Minister on 30th Nov,2019 across all 3.5 Lakh CSCs to popularize the scheme and enhance enrolment.*
xiii. *Meeting with Trade Unions, Business associations were convened etc.*"

V OTHER PROGRAMMES/PROJECTS/STATUTORY BODIES

(i) National Child Labour Project (NCLP)

5.1 Government initiated the National Child Labour Project (NCLP) Scheme in 1988 to rehabilitate working children initially in 9 child labour endemic

Districts of the Country and is now a Central Sector Scheme covering 78 Districts .

The NCLP Scheme seeks to:

- Eliminate all forms of child labour through identification and withdrawal of all children in the Project Area from child labour,
- Prepare children withdrawn from work for mainstream education along with vocational training;
- Contribute to the withdrawal of all adolescent workers from Hazardous Occupations/Processes and their skilling and integration in appropriate occupations and facilitating vocational training opportunities for such adolescents through existing scheme of skill developments;
- Create awareness among stakeholders and target communities

5.2 National Child Labour Project has seen consistent decline in percentage of expenditure over RE which stood at 104.73% in 2018-19, 99.33% in year 2019-20 and a meager 17.27% in 2020-21.On the impact of the Scheme due to the extent of under utilization of funds, the Ministry replied as under:

> "*The NCLP Scheme is a Central Sector Scheme. Under the scheme, Project Societies are set up at the district level under the chairpersonship of concerned Collector / District Magistrate for overseeing the implementation of the project. Children in the age of 9 – 14 years, withdrawn from work are put in to Special Training Centers (STCs), where they are provided with bridge education, vocational training, mid-day meal, stipend, health care facilities etc. and finally mainstreamed to the formal education system. Children in the age group of 5 – 8 years are directly linked to the formal education system through a close coordination with the Samgra Siksha Abhiyan. Adolescent labour identified in the age group of 14 to 18 years working in hazardous occupations / processes are provided with vocational training opportunities through existing scheme of skill developments.*"

5.3 On being asked to state the reasons for consistent reduction in allocation for the last 3 fiscal years with RE figures standing at Rs.86.00 crore, Rs.78.00 crore and Rs.49.00 crore in the years 2018-19, 2019-20 and 2020-21 respectively, the Ministry responded as under:

> *"The project under NCLP is implemented by concerned District Magistrate. The Ministry release fund for conducting the survey to find out the child*

labour working in different sectors. Children in the age of 9 – 14 years, withdrawn from work are put in to Special Training Centres (STCs), where they are provided with bridge education, vocational training, mid-day meal, stipend, health care facilities etc. and finally mainstreamed to the formal education system. The Ministry provides fund to District Project Society to run the STCs. However, for release of subsequent installment, the Ministry requires necessary documents from District Project Societies. At some occasions, necessary documents viz. Quarterly Progress Report, Utilization Certificate, etc. are not received on time despite regular follow up by the Ministry. Therefore, the funds could not be released. It is also submitted that NCLP is a demand-driven scheme, and utilization of funds depends upon number of proposals received from District Project Societies. As mentioned earlier, the Ministry requires necessary documents from District Project Societies for release of subsequent installment. However, during 2020-21 because of the lockdown due to Covid-19, the STCs were not working. Hence they were not in position to submit the requisite documents. Due to this the pace of expenditure during 2020-21 was slow."

5.4 In congruence with underutilization of funds, the achievement to enroll working children in special training centers have also gone down from 40980 in 2018-19 to 5756 new enrollments in 2020-21. The response of the Ministry thereto is as under:-

"*The low enrolment of rescued child labourers during the current FY 2020-21 is due to lockdown on account of COVID-19 whereby the operational Special Training Centers (STCs) under District Project Societies established under the Scheme would have been running but could not do so. Further, the State Governments had restricted operations of educational institutions and physical attendance of children therein during the said lockdown.*"

5.5 On being asked to state the reasons for reduction in proposed allocation, the Ministry submitted as under:

"*Since NCLP is a demand-driven scheme, and since less number of proposals had been received during the FY 2018-19, 2019-20 and 2020-21, and therefore, the allocation had been reduced at Revised Estimates (RE) Stage under the Scheme. According to the pattern of allocations made during the previous years and the expenditure made therefrom, the* *allocation under the Scheme during 2021-22 has been reduced to Rs.110 crore from the initial proposal of Rs.178 crore.*"

5.6 On a pointed query as to how it was proposed to utilize the allocated funds of Rs.110 crore, the Ministry responded as under:

> *"The Scheme is likely to be operational in 8 more districts to which funds have been released during 2020-21 to conduct survey under the NCLP Scheme to identify child and adolescent labour. The operations of the STCs which were halted during the current FY 2020-21 due to lockdown on account of COVID-19 is likely to be resumed and brought back to full swing during the FY 2021-22, thereby enabling the optimal utilization of the allocated budget of Rs.110 crore. Moreover, the Ministry has developed an online portal PENCiL (Platform for effective enforcement for no child labour) to provide a mechanism for both enforcement of the legislative provision and effective implementation of the NCLP. The Ministry is taking appropriate steps to transfer the stipend to the children through Pencil Portal. It is expected that the portal will help to transfer the amount to the beneficiaries accounts as DBT in an expeditious manner.*"

5.7 In response to a query regarding latest estimated number of economically active children in age group of 5-14 years in the Country, the Ministry furnished the following data:

> *"As per 2011 Census Report, the number of workers in the age group of 5-14 years in the Country is 43,53,247.*"

5.8 On the reasons for a drastic decline in achievement regarding mainstreaming of children to formal education system in the year 2020-21, the Ministry responded as follows:

> "*The reasons for low figure of mainstreaming of rescued child labourers to formal education system during the current FY 2020-21 is due to restricted operations as per directions of the State Governments in respect of educational institutions and physical attendance of children therein due to lockdown on account of COVID-19.*"

5.9 On being asked to furnish details regarding Year-Wise Data of progress in linking of District with NCLP during the last 3 years, the Ministry submitted as under:

"There are 76 active district Project Societies as on date which are currently implementing the NCLP Scheme. The details of the number of operational districts State-wise and Year-wise under NCLP during the last 3 years is as under:

S.No	Name of the State/UT	Number of Operational NCLP Districts		
		FY 2017-18	FY 2018-19	FY 2019-20
1.	Andhra Pradesh	4	4	5
2.	Assam	3	3	2
3.	Bihar	1	0	0
4.	Chhattisgarh	0	0	0
5.	Gujarat	2	3	3
6.	Haryana	2	2	2
7.	Jammu & Kashmir	1	1	1
8.	Jharkhand	7	7	5
9.	Karnataka	7	5	4
10.	Madhya Pradesh	8	9	8
11.	Maharashtra	14	14	11
12.	Nagaland	1	1	0
13.	Odisha	1	4	3
14.	Punjab	3	3	3
15.	Rajasthan	3	3	1
16.	Tamil Nadu	15	15	15
17.	Telangana	4	5	3
18.	Uttar Pradesh	15	17	8
19.	Uttarakhand	0	1	1
20.	West Bengal	17	17	13
21.	Delhi	0	0	0
		108	**114**	**88**

(ii) <u>Rehabilitation Of Bonded Labour</u>

5.10 The Government of India has implemented a Central Sector Scheme for Rehabilitation of Bonded Labour – 2016 for providing rehabilitation assistance to the released bonded labour. As per the Scheme, financial assistance is provided to following categories of Bonded Labour:

1. Rupees one lakh for rescued adult male bonded labour.

2. Rupees two lakh for special category beneficiaries such as children including orphans or those rescued from organized & forced begging rings or other forms of forced child labour, and women.
3. Rupees three lakh in cases of bonded or forced labour involving extreme cases of deprivation or marginalization such as trans-genders, or women or children rescued from ostensible sexual exploitation such as brothels, massage parlours, placement agencies etc., or trafficking, or in cases of differently abled persons, or in situations where the District Magistrate deems fit. In addition to the financial assistance, the beneficiaries are also provided the following benefits by the State Governments:-

1. Allotment of House/site & agricultural land.
2. Land development.
3. Provision of low cost dwelling units.
4. Animal husbandry, diary, poultry, piggery etc.
5. Wage employment, enforcement of minimum wages etc.
6. Collection and processing of minor forest products.
7. Supply of essential commodities under targeted public distribution system.
8. Education for children.
9. Any other welfare Scheme of Central/State Government.

5.11 On the quantifiable efforts taken by the Ministry for real time transmission of data on cases of Rehabilitation of Bonded Labour, the Ministry stated as under:

> "*All State/UT Governments are advised and requested to conduct survey, awareness generation and evaluator studies in a time manner on priority basis as these three components of the Central Sector Scheme for Rehabilitation of Bonded Labourers-2016 are the preliminary and crucial exercises for effective implementation of the same. Guidelines/instructions issued for claiming funds for above activities have been issued to all the State/UT Governments from time to time. To ensure prompt rehabilitation after identification and released of the bonded labour, States are required to create a Bonded Labour Rehabilitation Fund at the district level with a permanent corpus of at least Rs. 10.00 lakhs at the disposal of the District Magistrate which should be renewable. This fund will be utilised for extending immediate financial/rehabilitation assistance to the released/rescued bonded labourers.*"

5.12 Asked to furnish details of District Wise Data of corpus funds utilisation by different States for the year 2020-21, the Ministry submitted the following data:

The Details of the Corpus Funds Utilisation (upto 18.02.2021)

State	Sl.No.	District	Amount (In lakh)
Bihar	1.	Gaya	09.85
	2.	Jahanabad	10.60
	3.	Supaul	09.60
	4.	Saharasa	00.40
	5.	East Chamaparan	00.80
	6.	Purnia	02.20
	7.	Nawada	10.00
	8.	Baanka	00.20
Rajasthan	9.	Bhilwara	09.80

5.13 On the issue of progress on setting up of special fast track Courts for speedier trial and award of penalty to violators, the Ministry responded that:

> "*The Bonded Labour System (Abolition) Act, 1976 provides for a summary trial with imprisonment for a term which may extend to 3 years and also with fine upto Rs. 2000/-. For speedy conviction, there is a provision under Section 21 of the Act, according to which the State Governments may confer, on an Executive Magistrate, the powers of a Judicial Magistrate of the first class or of the second class for the trial of offences under this Act; and on such conferment of powers, the Executive Magistrate on whom the powers are so conferred, shall be deemed, for the purposes of the Code of criminal Procedure, 1973 (2 of 1974), to be a Judicial Magistrate of the first class, or of the second class, as the case may be.*"

5.14 Further, on being asked to furnish data on rescue cases of Bonded Labourers in the year 2020-21, the Ministry submitted the following:

Total number of Bonded Labourers rescued in the year 2020-21

Sl.No.	State	No. of rescued bonded labour
1.	Bihar	220
2.	Rajasthan	49
3.	Madhya Pradesh	34
4.	West Bengal	11
	Total	**314**

(iii) <u>National Database Of Unorganised Workers (NDUW) Project</u>

5.15 Ministry of Labour & Employment is developing a comprehensive National Database for the Unorganised Workers (NDUW) seeded with Aadhaar to deliver various social security/welfare schemes being implemented by the different Ministries/Departments of the Central and State Governments in technical cooperation with NIC on end to end basis. It is an IT infrastructure for the National Portal for registration of Unorganised Workers, issue policy guidelines and make them available to all States/UTs Governments for facilitating registration. The project will enroll all unorganised workers, including migrant workers. The State/UT Governments will use the National Portal for Unorganised workers for facilitating registration of Unorganised workers at Gram Panchyayat/Block level, District level and State level administration. This will also have facility for uploading bulk data available with the State/UT Governments. The estimated cost of the project is approx. Rs.704 crore for 5 years i.e. during 2020-21 to 2024-25. The entire cost for development of the National Portal shall be borne by the Ministry of Labour and Employment.

5.16 Under the scheme for 'Creation of a National Platform of Unorganised Workers', the Ministry were able to utilize 88.98% of the budget allocations for the year 2020-21. On being asked to highlight physical targets and achievements of the Scheme in the year 2020-21, the Ministry submitted as under:

> "*Ministry of Labour & Employment has endured for developing of a comprehensive National Data base of the Unorganised Workers (NDUW) including migrant workers, gig workers, platform workers and Building Workers etc. to address various challenges and deliver various social*

security schemes being implemented by the different Ministries/ Department of the Central and state Government. Such database would help the stakeholders including Government authorities to inter-alia assess the movement of workers from informal sector to formal sector and vice-versa, their occupation, skill profile etc., shall help the Government agency in delivery of various Social Security and welfare schemes being implemented for them. Ministry of Finance approved the EFC note of NDUW project in October, 2020 and Ministry of Labour and Employment has also released Rs. 44.49 crore to NICSI for undertaking the software development work and necessary purchase of hardware and software in December, 2020. Project is expected to be launched in June/ July 2021 or when the portal is Go Live by NIC. During the first year of launch, it is expected that 3 crore Unorganised Workers shall be enrolled on the portal."

5.17 On being asked to explain reduction in the proposed allocation for the Financial Year 2021-22 despite impressive utilization in the year 2020-21, the Ministry responded as follows:

"*The proposed BE 2021-22 of the Ministry of Labour & Employment is reduced by the Ministry of Finance. Accordingly, the Budget allocation for the scheme has been revised to Rs. 150 Cr from Rs. 250 Cr. In case more funds are required, the demands will be raised in RE 2021-22."*

5.18 The Scheme received an enhanced BE (2021-22) of Rs.150.00 crore as compared to last fiscal 2020-21 which had a provision of Rs.50 crore only both at BE and RE stage for 'National Data Base of Unorganised Workers'.The Ministry was thereupon asked to submit a roadmap ahead towards realistic achievement of targets. Accordingly, it was submitted that:-

"*The Project is expected to be launched in June/ July 2021 after the portal is made Go Live by NIC. All the unorganised workers will be required to sensitize about the need of the registration on the Portal. Ministry of Labour & Employment will set monthly/ half yearly and annual targets for the State Governments/ UTs to register the unorganised workers on the Portal. This will be regularly reviewed by the senior officers of the Ministry.*"

5.19 On a specific query as to how the Ministry propose to overcome the present constraints faced in Aadhar seeding, the following submissions were made:-

"The issues related to use of Aadhar are being discussed with UIDAI. Further, a Committee under the Chairmanship of Secretary (L&E), co-chaired by Secretary (MEITY) with the members from the Ministry, NIC, NPCI and UIDAI has been constituted to supervise and review the progress of the panel."

5.20 The distinction per se between intended beneficiaries under the NFSA criteria and Migrant Labours gets blurred at some point of time. The Committee in their earlier report also recommended for a credible database of unorganised workers especially that of Migrant Labourers to ensure seamless delivery of relief packages at the time of distress. On being asked the details of ground work and present status of work done by the Government for this proposed portal, the Ministry submitted as under:

- *"Ministry of Finance approved the EFC note of National Data base of the Unorganised Workers (NDUW) project in October, 2020 and Ministry of Labour and Employment has also released Rs. 44.49 crore to NICSI for undertaking the required software development work and necessary purchase of hardware and software in December, 2020.*
- *The Project Steering Committee (PSC) setup under the Chairmanship of Secretary (L&E) is regularly monitoring the progress of the portal.*

  At present Ministry is working on providing Universal Account Number to all workers irrespective of their working in organised sectors or unorganised sector. The technical team of Ministry is working for its plausible solution for smooth implementation of the concept. Once, it is finalised, the development work of the portal will commence immediately"

(iv) <u>Labour Surveys</u>

5.21 On a specific query on the ongoing Job surveys, it was submitted that the Labour Bureau has been entrusted by the Ministry of Labour & Employment with the task of conducting the following five All-India Surveys:

(i) All-India Survey on Domestic Workers,
(ii) All-India Survey on Migrant Workers,
(iii) All-India Survey on Employment generated by Professionals, and
(iv) All-India Survey on Employment generated in Transport Sector.
(v) All-India Quarterly Establishment based Employment Survey

5.22 On being asked to furnish the details regarding sampling design, sample size and other technical parameters of all the aforesaid surveys, the Ministry submitted as under:

> "*An Expert Group under the chairmanship of Prof. S. P. Mukherjee has been constituted by the Ministry of Labour & Employment. Four Sub-Groups of Experts & Technical Expert Group have also been formed to look into the specific details of the surveys. Broad sampling design of these surveys has been approved in principal. Based on the design, sample calculation and actual selection are being undertaken under the guidance of the Expert Group".*

5.23 Asked to state the Broad Timelines/Roadmaps and finalisation schedules drawn up to successfully conclude the Surveys, the Ministry submitted as under:

> "*Each survey is expected to be completed in seven to eight months from the date of beginning of field work for these surveys which includes survey work, data processing and release of final report, subject to the guidance of the Expert Group & necessary approvals by the competent authorities.* The *Schedules and Instruction Manuals have been prepared under the guidance of Expert Group & Sub Groups and pre-testing of the schedules in the field has been undertaken in January & on 21st February, 2021. On the basis of field testing results, some modifications are to be made in the schedules which are under the consideration of the Expert Group ".*

5.24 On being enquired about the fund allocation for each survey, the Ministry furnished the following information:

- *(i)* "*All-India Survey on Domestic Workers - Rs. 2270.30 lakhs*
- *(ii)* *All-India Survey on Migrant Workers - Rs. 2270.30 lakhs*
- *(iii)* *All-India Survey on Employment generated by Professionals – Rs. 1880.80 lakhs*
- *(iv)* *All-India Survey on Employment generated in Transport Sector – Rs. 1880.80 lakhs*
- *(v)* *Other related activities under the four above-mentioned surveys :*

- *(a)* *Creation of Temporary Offices at All-India level and upgradation of Regional Offices – Rs. 371.52 lakhs*
- *(b)* *Setting up of Technical Support Group in Labour Bureau – Rs 622.20 lakhs.*

(vi) *All-India Quarterly Establishment based Employment Survey (AQEES) - Rs 3252.16 lakhs*

5.25 On a pointed query on the five surveys announced by the Minister of Labour, the Secretary, Ministry of Labour and Employment deposed during the oral evidence as under:-

> *"Among these five surveys, one is on migrant labour, the second is on workers in the transportation sector, the third is on domestic workers, the fourth is on employment by professionals. These four are absolutely final.*
>
> *The fifth is also on the way. That is on quarterly establishment survey. This is a very important survey because this is going to cover establishments employing less than ten workers. This is the first time that such a survey is going to be conducted. This is going to be quarterly. "*

5.26 On a further query as to whether there were any survey on gig workers, he supplemented during the oral evidence as under:-

> *"There is no survey planned for gig workers per se. But there is a Scheme which will come once the codes are implemented. Gig workers are already there. They are the part of the platforms and the data is readily available".*

5.27 In response to a point raised by the Committee on the comprehensiveness of the survey and measures taken to improve the quality of data *vis a vis* Socio- economic survey 2011, the Secretary clarified as under:

> "सर, जो सामाजिक-आर्थिक सर्वेक्षण हुआ था, वह हर हाउस होल्ड और फैमिली का सर्वेहुआ था, लेकिन यह एक सैम्पल सर्वे है। इस सैम्पल में ऐसा नहीं है कि देश के जो सारे माइग्रेन्ट हैं, उन सबकी लिस्टिंग होगी। यह एक सैम्पल सर्वे है, माइग्रेन्ट लेबर की कितनी व्याप्ति है, कौन से राज्यों में है, कौन से राज्यों से किधर जाते हैं, उनका प्रोफेशन क्या है। यह एक सैम्पल सर्वे है।
>
> हमारा जो नेशनल डेटा बेस ऑफ अन ऑर्गनाइज्ड वर्कर्स पोर्टल है, वह कॉम्प्रिहेंसिव होगा। इस बारे में मैंने शुरू में भी जिक्र किया था कि इसमें सरकार ने हमारे लिए *700* करोड़ रुपये सैंक्शन किये हैं। इसमें *50* करोड़ रुपये का काम पहले से ही एन आई सी को दे दिया है और अगले वर्ष के लिए भी *150* करोड़ रुपये का बजट है। उसका उद्देश्य यह है कि जितने भी अन ऑर्गनाइज्ड वर्कर्स हैं, जिसमें माइग्रेन्ट वर्कर्स, गीगवर्कर्स, कन्स्ट्रक्शन वर्कर्स, डोमेस्टिक वर्कर्स, एग्रीकल्चर वर्कर्स और जितने तरह के भी वर्कर्स हैं, अन ऑर्गनाइज्ड के भी तरह-तरह की कैटेगरी है,

माइग्रेन्ट के भी तरह-तरह की कैटेगरी है। माइग्रेन्ट में भी कोई एक कैटेगरी नहीं है, वे जगह-जगह काम करते हैं। उन सबको हम आधार के साथ जोड़कर काम कर रहे हैं। इस प्लेटफॉर्म के ऊपर वे अपना रजिस्ट्रेशन कर सकते हैं, चाहे सेल्फ रजिस्ट्रेशन करें, चाहे सीएससी के माध्यम से करें, उसमें हम स्टेट का भी सहयोग लेंगे।"

5.28 On the issue of sample size, the Secretary, Ministry of Labour and Employment during oral evidence deposed as under:-

"जैसा आपने कहा कि यह एक शुरुआत है। आगे हमारे पास जैसा भी परिणाम आएगा, क्योंकि हमारा भी उद्देश्य है कि इसको जल्दी से जल्दी कर सकें। जैसा आप लोगों ने पहले भी यह कहा कि छह-आठ महीने में रिपोर्ट आनी चाहिए। हम जितना बड़ा करेंगे, उसमें थोड़ा सा समय भी लग सकता है।"

5.29 Asked to state as to how the Ministry intend to use the data collected in all these surveys to focus on thrust areas of the Labour market, the Ministry submitted as under:

"Ministry of Labour & Employment through the Labour Bureau is conducting the surveys on the thrust areas mainly comprising of the Informal segment of the Indian Labour Market such as Migrant workers, Domestic Workers, employment in various sectors etc.

Through these surveys, the data will be collected in a robust manner which would help us to understand the specific plights of such workers especially engaged in the informal sector.

The results of these surveys would definitely be helpful for the government in building/focusing policies & implementation based on evidence, for the vulnerable sections to support them."

(v) <u>Mandate of O/o Chief Labour Commissioner</u>

5.30 Chief Labour Commissioner's (Central) Organisation, also known as Central Industrial Relations Machinery (CIRM) is an attached office of the Ministry of Labour & Employment. The CIRM is headed by the Chief Labour Commissioner (Central). It has been entrusted with the task of maintaining harmonious Industrial Relations, Enforcement of Labour Laws and Verification of CTUOs (Central Trade Union Organisations). CIRM has complement of 18 officers at the Head Quarters and 287Officers in the field. The offices of these officers are spread over different parts of the country with regional and unit level formations.

5.31 During the Year 2020-2021 (April to November) the CIRM has intervened in 238 numbers of threatened strike and by their conciliatory efforts succeeded in averting 89 strikes which represented a success rate of 37.39%.As for industrial disputes handled by the CIRM during the year 2018-2019, 2019-2020 and 2020-2021(April to November, 2020) the details are as under:-

Head	**2018-2019**	**2019-2020**	**2020-2021 (Apr to Nov)**
Industrial Disputes Handled	12,427	14,002	9,018
Industrial Disputes Disposed off	7,976	9,016	2,532
Strike Averted	461	698	89

5.32 Statement showing number of Inspections made/conducted (Act-wise) for the Year 2020-21(till 31-1-21) as furnished by the Ministry is tabulated as follows:

Sl no	*Enforcement*	*No. of Inspection made*	*No. of irregularities*		*Filed*	*No. of Prosecution*	
			detected	*rectified*		*Convictions*	*Fine imposed by court/ by DG inspection under BOCW Act in (Rs.)*
1	*2*	*3*	*4*	*5*	*6*	*7*	*8*
1	*Contract Labor (R & A)Act*	*904*	*8533*	*9898*	*706*	*302*	*431250*
2	*BOCW (RE & CS) Act*	*124*	*1434*	*2222*	*124*	*23*	*42000*

3	ISMW. Act	28	217	261	18	9	56000
4	MB Act	19	8	41	1	0	0
5	P.B. Act	305	489	700	102	6	1750
6	Child Labour (P & R)Act	528	73	76	9	0	0
7	MW Act	945	6726	5894	434	134	53600
8	P.W. (MINES)	177	1534	2346	93	22	6500
9	P.W. Act (Rly)	88	360	692	19	0	0
10	P.W. Act (A.T.S.)	13	111	188	8	5	0
11	P.W.(major port) Act	0	0	0	0	00	0
12	HOER (RLY) Act	48	70	151	0	0	0
13	E.R. Act	291	229	200	38	36	53000
14	P.G. Act	310	827	1516	11	5	1000
	Total	3780	20611	24185	1563	542	705100

5.33 On the State-Wise Details of the Number of establishments which have obtained labour license in the Financial Year 2020-21, the Ministry submitted the following statistics:

Number of Licenses Approved online as on 23rd Feb 2021

S. No	**Region**	**2020-21**
1	Ahmadabad	1036
2	Ajmer	896
3	Asansol	272
4	Bangalore	806
5	Bhubaneswar	793
6	Chandigarh	998
7	Chennai	776
8	Cochin	326
9	Delhi	336
10	Dhanbad	651
11	Dehradun	398
12	Guwahati	593
13	Hyderabad	1263
14	Jabalpur	744
15	Kanpur	697
16	Kolkata	446

17	*Mumbai*	*605*
18	*Nagpur*	*244*
19	*Patna*	*414*
20	*Raipur*	*609*

5.34 On being asked about the extant mechanism drawn for taking action against Establishments who are working without obtaining Licence and the timeline for the action, the Ministry responded as under:

> "*Legal action is taken against the establishment working without licence. Whenever it is found that establishment/(s) are working without licence legal action is taken against the establishment in all cases. Specific timeline is stipulated is three months for initiating action against the establishments.*"

(vi) <u>Employees' Provident Fund Organisation (EPFO)</u>

5.35 The Employees' Provident Fund Organisation (EPFO) came into existence under the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 [Act 19 of 1952]–an Act to provide for the institution of provident funds, pension fund and deposit–linked insurance fund for employees in factories and other establishments. Ministry of Labour & Employment is only providing 1.16% Government Share towards Employees' Pension Scheme'1995.The Employees' Pension Scheme, 1995 (EPS,1995) is a Scheme framed under EPF & MP Act, 1952 came into effect from 16th November, 1995. On introduction of EPS, 1995, the erstwhile Employees' Family Pension Scheme, 1971 ceased to operate and all the assets and liabilities of the old scheme were transferred and merged with the Employees' Pension Fund.

5.36 Benefits under the proposed EPS-95 to the members and their families include *inter-alia* Member Pension upon Retirement/Superannuation; Member Pension upon disablement while in service; Withdrawal Benefit upon leaving service after putting in less than 10 year but more than six months of service; Spouse Pension upon death of member; Spouse Pension upon death of member as pensioner; Children Pension along with spouse pension (up to age 25) for two children at a time; orphan Pension upon death or remarriage of spice(up to age 25): Disabled Child Pension to children/orphan (life-long): Nominee Pension to the Nominee when no family exists: Dependent Parent Pension when no family and nominee exist.

5.37 Elaborating further the Ministry furnished the following data as regards to No. of Registered Establishments and members (exempted and un-exempted) as on 10.02.2021 (Both EPF and EPS)

	Exempted	**Un-exempted**	**Total**
Establishments	3,477	15,48,709	15,52,186
Total Members	1,38,04,814	24,23,73,409	25,61,78,223
Contributory Members under EPS and EPF	43,06,239	5,28,79,963	5,71,86,202
Contributory Members under EPS	43,13,835	5,17,89,033	5,61,02,868

5.38 On being enquired about the impact of Multiple Banking System facility which enables establishments to make direct payments through 13 banks on the new enrollments and quantum of funds with EPFO, the Ministry responded as under:

"EPFO had banking arrangement till 2016 with a Single bank only i.e SBI for the collection of EPF dues. EPFO in its quest for providing better services for all, decided to make its collection banking arrangement more flexible and more employer friendly. The MoL&E, vide the Gazette notification No. GSR 6(E), dated 4th January, 2017 amended the Para 38 of EPF Scheme, 1952, to enable the participation of scheduled banks, both public sector and private sector, for the collection of the EPF dues.

- *Accordingly, EPFO started multibanking arrangements for the collection of dues from December-2016 in tune with ease of doing business initiative of Govt of India, giving flexibility and convenience to the employers to make online payment.*

- *Multibanking facility helped EPFO to negotiate better rates with collection banks and this eventually led to the waiving off of collection charge of Rs 12 per challan, by all the banks including SBI in Janauray-2020. Further, the employers have been given flexibility to make multiple challans as per their convenience and this exercise of allowing challanas free of charges in turn will increase the count of payment challanas in the days to come. With waiving off the collection charges in multibanking collection by all the collection banks, it is expected to result in saving of more than Rs. 12 crore in 2020-21, inspite of it being a Covid-19 year. This* *is a continuous permanent saving for the organisation, where increase in number of challans in near future will entail no cost to EPFO and the savings is also for all the times to come.*

- *Today, more than 99% of the EPFO collections are collected through the internet banking mode, making the system safer , seamless , secure, more effective and also in line with the Digital India Initiative of the Government of India and multi-banking allows establishments ease/efficiency of business transactions.*

- *This has helped Employer and employee to receive payment confirmation and updation of passbook at an early stage as funds are settled on T+ 1 basis compared to T+ 2 in the earlier system and that too without any cost to EPFO.*

- *The increased flexibility and convenience has brought positive impact on the collection of all the dues in EPFO."*

5.39 Annual Report (2020-2021) of the Ministry of Labour and Employment highlights that the Grievances received regarding EPFO primarily relates to following areas:

- Non Transfer of PF Accumulations.
- Final PF Withdrawal
- KYC related issues of Subscriber pertaining PF Office.
- Claim settled but amount not credited in member's bank account.
- Non Settlement of PF Advance claim.

5.40 On being sought the details of grievances in EPFiGMS received and redressed for the year 2018-19, 2019-20 & from 01.04.2020 to 31.12.2020, the Ministry submitted the following data:

	2018-19	2019-20	2020-21 (01.04.2020 to 31.12.2020)
Grievances pending at the beginning of the year	3272	5215	20526
Received during the year	645040	920881	936986
Total	648312	926096	957512

Disposed off during the year	643097	905570	927101
Balance at the end of the year	5215	20526	30411
Percentage of Disposal	99.19	97.78	96.82

5.41 The Committee desired to know whether there was any proposal to revise minimum pension under EPS-95 and what will be the financial implications of the same. During oral evidence, the Secretary deposed on the issue as under:

> *"Then there is the issue of Employees' Pension Scheme, 1995. A minimum pension of Rs. 1,000 was announced in 2014. Prior to that, there was no minimum pension at all. The pension which an employee used to get post-retirement was on the basis of the one-year average salary. On the basis of that, the pension used to be given. But in the year 2014, I believe that many of the pensioners who used to get very low pensions, may be Rs. 100 or Rs. 200, this minimum pension of Rs. 1,000 was introduced for them. Now, there is a demand to increase it further to Rs. 2,000 or to Rs. 3,000, and today even to increase it further to Rs. 9,000 has been suggested.*
>
> *As one can see in the presentation that even today on the Employees' Pension Scheme, the Government of India is giving almost Rs. 7,500 crore every year to sustain this minimum pension of Rs. 1,000. There is a contribution from the Government of India to the extent of 1.16 per cent for the entire contribution to sustain this minimum pension of Rs. 1,000.*
>
> *The problem with the EPS, 1995 is that there is no link with what the person is saving and what he is going to get by way of pension. Everything goes into a pool account and the pension is given on the basis of what his last salary was. As one can look in the presentation itself, there is the scheme of Pradhan Mantri Shram Yogi Maandhan. One can join Pradhan Mantri Shram Yogi Maandhan between the age of 18 and 40. The person has to make contributions. But he has to stay invested till the time he becomes eligible for the pension, that is, at the age of 60. It is not that one can withdraw during that period.*
>
> *While in the EPS, 1995, there is no time limit. Anybody can withdraw any time. One can take out the entire balance and then become eligible for a*

minimum pension. So, that is not really appropriate until and unless the scheme is changed or modified accordingly. There is going to be a burden on the exchequer. We have worked out that if the pension amount is going to increased to Rs. 3,000, then the additional burden on the Government will be about Rs. 14,000 crore to Rs. 15,000 crore. It means that considering the amount of Rs. 7,500 crore at present, it will come to Rs. 20,000 crore to Rs. 25,000.

Then, there is an issue whether pension should be only for workers or it should be there for all the old-age residents of the Country. That itself is an issue. Why should only the workers get it when it is not linked to their contribution? Why should only they get the pension? Why should it not be there for all the old-age citizens of the Country".

(vii) Employees State Insurance Corporation (ESIC)

5.42 Employee's State Insurance Corporation is a statutory body under the Administrative control of Ministry of Labour & Employment, Government of India. The Chairman of the Corporation is appointed by the Central Government and the members are appointed by Central and State Government, representing the Central/State Governments respectively and also representatives of employers and employees recognized for the purpose by Central Government. The Employees' State Insurance Corporation does not receive any grant-in-aid/budgetary allocation from Government of India. The Employees' State Insurance Act, 1948 applies to all non-seasonal factories employing 10 or more persons. The provision of the Act are being extended area-wise by stages. The Act contains an enabling provision under which the "Appropriate Government" is empowered to extend the provisions of the Act to other classes of establishments – industrial, commercial, agricultural or otherwise. Under these provisions, several State Governments have extended the provisions of the Act to shops, hotels, restaurants, cinemas including preview theatres, road motor transport undertakings, newspaper establishments, educational and medical institutions employing 10/20 or more employees. Twenty four State Governments have reduced the threshold of coverage of shops and other establishments to 10 or more persons. Employees of factories and establishments covered under Act drawing monthly wages upto Rs.15,000/- (Rs.21000/- w.e.f. 01.01.2017) p.m. and Rs.25,000/-p.m for physically challenged employees are covered under the Scheme. To encourage employers to engage physically challenged persons, Govt. of India fully bears the employers' contribution for 3 years.

5.43 The Scheme provides medical care and cash benefits in sickness, maternity, employment injury and dependant benefit to the dependants of Insured Persons in case of death due to employment injury besides payment of funeral expenses of an Insured Person. The medical care including hospitalization facilities is also provided to members of the family of the Insured Persons.

5.44 The Employees' State Insurance Scheme is mainly financed by the employers' and employees' contribution. The rate of employers' share of contribution is 4.75% of the wages of the employees while the employees' share of contribution is 1.75% of their wages (3% and 1% of wages in respect of employers' and employees' contribution in new area where the scheme is implemented for the first time w.e.f. 06.10.2016). Employees earning wages upto Rs.100/-per day (Rs.137/- per day w.e.f 14.06.2016) are exempted from payment of their share of contribution. The expenditure on medical care is shared between the Employees' State Insurance Corporation and the State Governments in the ratio of 7:1. The Corporation does not receive any financial assistance from the Central Government. Scheme for Promoting Registration of Employers and Employees (SPREE) was launched and more than 1 lakh employers and more than 1.3 crore employees were covered under ESIC Scheme.

5.45 Further, following data regarding number of Insured Persons, Hospitals, Dispensaries and Medical Colleges furnished by the Ministry:

Employees' State Insurance Corporation of India

S. No	**Item**	**Number**	
1	No. of IPs (as on 31.03.2020)	3.41 Cr	Total No. of Beneficiaries are 13.24 cr
2	Hospital	159	49 run by ESIC and 110 by States
3	Dispensaries	1500	37 run by ESIC and 1406 by States
4	Medical Colleges	17	PGIMSR – 6, Only MBBS -6 Dental Colleges - 2, Nursing Colleges -2, Paramedical College-1
5	Super Speciality Hospitals	2	Out of the hospitals listed at Sl. No.2

- Reduction in ESI contribution from 6.5% to 4% (from 1st July, 2019)

- Number of District covered under ESIC -575
- 312 AYUSH units (161 Ayurveda, 36 Yoga, 3 Unani, 27 Siddha and 85 Homeopathy) functioning in ESI Hospitals and dispensaries across the country.

5.46 On being enquired about the overall performance of ESIC since enhancement of wage ceiling under ESI Act from Rs.15,000/- per month to Rs.21,000/- per month w.e.f 01.01.2017 as well as enhancement in the per Insured Person (IP) expenditure ceiling from Rs.2,150 to Rs.3,000 per annum w.e.f 1.4.2017, the Ministry responded as under:

1. There has been a substantial increase in the number of Insured Persons covered under ESI Act, 1948 after the enhancement of the wage ceiling from Rs.15,000/- to Rs.21,000/- per month w.e.f 1.1.2017.

The comparative number of IPs from 2015-16 to 2020-21 is as under:

Year	*No. of Insured Persons as on 31st March of the financial year*
2015-16	*2.14 Crore*
2016-17	*3.19 Crore*
2017-18	*3.43 Crore*
2018-19	*3.50 Crore*
2019-20	*3.41 Crore*

2. The contribution income & revenue income of ESIC during the last five years is as under: -

Year	*Contribution Income & Revenue Income*
2015-16	*11,455 Crore*
2016-17	*13,662 Crore*
2017-18	*20,077 Crore*
2018-19	*22,279 Crore*
2019-20	*16,744 Crore*

The rate of ESI contribution was reduced from 6.5% of wages to 4% of wages (reduction of about 38%) which was made effective from 01.07.2019. Subsequent to this reduction, the contribution income has declined by about 25% during 2019-20. The financial position of ESIC continues to remain robust.

3. Impact of on account payment to State Govt. due to enhancement of expenditure ceiling from Rs.2,150 to Rs.3,000 per annum w.e.f. 01.04.2017 is depicted in the money paid to the States by ESIC which has increased over the years:

Year	*On account payment to States*
2015-16	*2,712 Crore*
2016-17	*2,442 Crore*
2017-18	*2,907 Crore*
2018-19	*3,646 Crore*
2019-20	*3,573 Crore*

5.47 As per the Scheme, employers are required to pay contribution at the rate of 4.75 percent of wages of the covered employees. The rate of contribution for the employees is 1.75 percent of their wages. Further now, wage workers drawing wages upto Rs.137 per day are exempted from paying their share of contribution and the State Governments bears 1/7th of the expenditure of medical care. On the mechanisms put in place to ensure that contribution from employees and employers being paid regularly, the Ministry furnished the following:

"*The ESI contribution is paid by employer online which includes the employee & employer share. In case of non-payment or non-compliance, action against the defaulter is undertaken as per provisions of ESI Act. However, the ESI beneficiaries are not denied their benefits, which they are otherwise entitled to as per ESI Act, which makes them eligible even when the contribution is paid or payable. The compliance is ensured on the online portal of ESIC on the basis of return on contribution filed by the registered employer in respect of their ESIC covered employees. Regular monitoring of the compliance of the statutory obligation of the employer is done and an automated defaulter list of the defaulting employer is generated for taking action against the employer.*

Inspections of employers are also conducted through Shram Suvidha Portal in an automated, transparent system which generates inspection based on predetermined risk criteria without any manual intervention.

The Corporation has set up a Centralized Analysis and Intelligence Unit (CAIU) with mandate to order inspection of units on the basis of inputs, secondary sources of data and set criteria based on the complaints received regarding default in compliance by employer.

The recovery machinery of the Corporation has been set up under the provisions of the ESI Act, to take coercive action and recover contribution from defaulting employers."

5.48 Further in response to a pointed query regarding measures taken by ESIC to ensure that contribution of low paid workers drawing upto Rs.137/- per day is honestly paid by employers, the Ministry submitted that:

To ensure that the contribution of low paid workers drawing wage upto Rs.137 per day is paid by the employer following steps have been taken: -

1. When an employer files contribution of low paid worker, the online system automatically calculates contribution of employer only and employee's contribution is exempted.

2. If a complaint is received from a low paid worker for non-compliance by employer then Centralized Analysis and Intelligence Unit (CAIU) takes appropriate action on the complaint.

3. The details are checked from the wage register and financial records of the employers.

4. The number of IP/employees (low paid workers)covered under Rule 52 of the ESI (Central) Rules, 1950 in respect of whom only employers' share has been received during the current financial year (up to Dec 2020) is given below:

April,2020 to December, 2020	***Number of low paid workers covered under rule 52***
Apr-20	*394379*
May-20	*385702*
Jun-20	*362543*
Jul-20	*353387*
Aug-20	*342877*
Sep-20	*319826*
Oct-20	*328737*
Nov-20	*304422*
Dec-20	*297444*

5.49 On being asked whether ESIC is considering revision of the limit of Rs.137/- for exemption from payment of employees' share to ESIC, the Ministry submitted that:

> "*The past hike in the exemption limit of wage for payment of contribution of employee's Share was effected based on the National Floor Level Minimum Wages (NFLMW). The exemption limit for payment of employee's share was enhanced from Rs.137/- to Rs.176/- by Ministry of Labour & Employment, vide notification GSR 638(E) dated 06.09.2019 amending Rule 52 of ESI (Central) Rule, 1950 which is effective from date of publication in Gazette i.e. 06.09.2019. The Government of India, Ministry of Labour & Employment raised the National Floor Level Minimum Wages to Rs.176/- w.e.f. 01.06.2017, which continues to remain the same as on date.*"

5.50 During the oral evidence the Committee enquired on the aspect of enhancement of wage ceiling under ESI Act from Rs.15,000/- per month to Rs.21,000/- per month and developments thereof. In response, the Secretary deposed as under:-

> *"The first issue which I will try to cover is regarding ESIC and the limit of enhancement of ceiling. As of now, with the limit of Rs. 21,000, there are about 3.5 crore beneficiaries who are part of ESIC, and considering the families, it means a total of about 12-13 crore beneficiaries are being benefitted through ESIC. Today, ESIC does not cover the entire country. It only covers about 550 notified Districts. And even in some districts also, only the District Headquarter is covered. The entire country is not covered. But now, with the coming of the new Code, the Social Security Code, the entire country is going to be covered by ESIC. So, the number of people who are likely to benefit from ESIC is likely to go up. We are going to have a scheme for platform and gig workers, which is under discussion. It is going to be implemented with the implementation of Codes, and we expect almost 40-50 lakh gig workers to come under the purview of ESIC.*
>
> *An amount of Rs. 21,000 is being given to the people who are in the organized sector, where ECRs are being filed by the employers. Once the new Code comes, we will get the freedom to prepare schemes for the unorganized sector or the self-employed people also. We expect that more people will be able to come in as a part of the ESIC. So, let us see for one or two years before enhancing the limit further that what will be the load*

on ESIC, and whether we will be able to take up that load. That is the intention. Of course, we can enhance the ceiling by Government notification. That does not require an amendment to the rules."

5.51 On being asked to furnish State-wise/District-wise details of account of arrears, arrears recoverable as well as non recoverable at present and recovery made during the last 5 years, the Ministry submitted the following data:

State wise Annual Arrear(Contribution, Interest & Damages) as on 31.3.20				
S.No.	**Name of the State**	**Total dues Recoverable (Rs. In Crore)**	**Total dues not recoverable (Rs. In Crore)**	**Total dues Recoverable & Non-Recoverable (Rs. In Crore)**
1	Andhra Pradesh	108.04	54.42	162.46
2	Assam,	10.52	196.01	206.53
3	Bihar	17.55	16.77	34.32
4	Chattisgarh	30.37	66.13	96.50
5	Delhi	83.08	80.43	163.50
6	Goa	7.76	1.84	9.60
7	Gurjat	46.31	31.18	77.49
8	Haryana	87.74	95.34	183.08
9	Himschal Pradesh	12.87	5.28	18.15
10	Jammu&Kashmir	17.23	12.02	29.26
11	Jharkhand	16.48	12.00	28.48
12	Karnataka	196.75	127.74	324.49
13	Kerala	98.63	47.79	146.42
14	Madhya Pradesh	54.92	56.82	111.74
15	Maharashtra	433.86	494.32	928.18
16	Orissa	61.20	31.78	92.97
17	Puducharry	22.78	7.42	30.20
18	Punjab	51.56	14.20	65.76
19	Rajasthan	65.07	24.91	89.98
20	Tamil Nadu	235.59	369.12	604.71
21	Telengana	168.94	112.51	281.45
22	Uttar Pradesh	91.40	39.69	131.09
23	Uttarakhand	7.39	8.21	15.60
24	West Bengal	206.22	294.20	500.42
	Total	**2132.26**	**2200.12**	**4332.38**

*Non-recoverable dues are those against which stay has been obtained from various courts)

Performance of last 05 years Recovery made

Year	Amount (Rs.in Crore)
2015-16	205.8
2016-17	251.88
2017-18	305.21
2018-19	433.8
2019-20	454.9

5.52 During the oral evidence, the Committee raised the issues regarding poor medical services, misappropriation of funds and overall mismanagement of State run ESIC Hospitals. In response thereto, the Secretary deposed as under:-

"The issue of State-run hospitals has been discussed earlier also in this Committee. We are fully conscious that the quality of services provided in the State-run hospitals is much poorer, much lower than what it is in the ESIC-run hospitals. On your advice and on the advice of this Committee, the ESIC Corporation, as I had mentioned last time also, has taken a decision that henceforth any new hospital which will come up or the new hospitals which are going to be constructed by ESIC, by default they will be run by ESIC until and unless the State Government says that we want to run it. Till now, the default option was that the State Government will run it and ESIC will not run it. Now, the default option will be that ESIC will run it, and only if the State insists that they want to run it, we will give it to the State Government.

I have visited many hospitals. In Maharashtra, I have seen there is very poor condition. While the number of ESIC members is the highest in Maharashtra, that is, almost 50 lakh beneficiaries but it is still in an extremely poor condition. We are in discussion with the State Governments. Wherever they want to give it back to ESIC, we are willing to take it back, and we will run it on our own. We are already in touch with the State of Maharashtra. Also, in any other State wherever it is possible, we will take it back."

5.53 Asked to state the steps taken by ESI for speedy recovery of arrears during last 5 years and outcomes of the efforts made, the Ministry responded as under:

> "*The ESI Corporation makes earnest efforts to recover the ESI dues from the defaulting employers. Following steps are undertaken by the Corporation to recover the outstanding ESI dues:-*
>
> *(a) Target is fixed every year to recover the outstanding dues.*
> *(b) Monthly performance report of each region is closely monitored and necessary instructions are issued.*
> *(c) Special drive launched every year from 1st December to 31st March in order to ensure recovery of maximum dues of the Corporation.*
> *(d) From time to time D.O. letter are issued to boost up the recovery action.*
> *(e) RDs/Jt. Dirs(I/c) are advised to depute additional staff in Recovery Cell whenever needed.*
> *(f) Apart from attaching the Bank Accounts of the defaulters, recourse to garnishee proceedings, attachment of movable/immovable properties, arrest of defaulters are taken in a judicious manner.*
>
> *Recovery action is a continuous process and the ESIC Hqrs. is making all out efforts to recover maximum amount of arrear dues.*"

PART-II

OBSERVATIONS/RECOMMENDATIONS

OVERALL FINANCIAL PERFORMANCE

1. The Committee note that for the year 2018-19, the BE, RE and AE figures stood at Rs.7700.00 crore, Rs.9749.58 crore and Rs.9291.23 crore respectively. There has been a significant upward revision in the Budget allocation at RE stage during the year and the overall utilization of the funds earmarked at the RE stage has been to a substantial 95.29%. For the year 2019-20, the BE, RE and AE figures stood at Rs.11,184.09 crore, Rs.11,184.09 crore and Rs.100,85.02 crore respectively indicating thereby that the percentage utilisation of funds, though lower than the previous year was yet substantive at 90.17%. For the current year 2020-21, BE, RE and AE (upto 14.02.2021) figures stood at Rs.12,065.49 crore, Rs.13,719.56 crore and Rs.12,432.10 crore respectively which amounts to a utilization percentage of 90.57% vis-à-vis the funds allocated at RE stage. The upward revision of the allocation in RE 2020-21 has been owing to launch of Pradhan Mantri Gareeb Kalyan Yojana (PMGKY) during the Pandemic with a view to giving a boost to the economy. The Committee note that though an allocation of Rs.4860 crore has been made for PMGKY in the First Supplementary Demand

for Grants, only Rs.2566 crore could be spent as on 15.02.2021, which amounts to utilisation of only 52.8% of the funds. Further, there has been a downward revision of the allocation for the scheme to Rs.2600 crore at the RE Stage. This apart, Rs.1000 crore has been allocated for Atmanirbhar Bharat Rojgar Yojana (ABRY) at RE stage. The Committee, in this regard, note that the savings witnessed in respect of various other Schemes of the Ministry during the year total to, or are equivalent to the additional budget allocation for the PMGKY and ABRY taken together. The Committee note that the launch of two new special Schemes *viz.* PMGKY and ABRY has been intended to cater to the needs of the Country owing to the Pandemic. Nevertheless, the Committee would emphasise on ensuring that accurate budgetary estimates are made before seeking supplementary allocation, if required, for smooth implementation of the Schemes. The Committee also desire that the Ministry seriously look into the infrastructural or procedural constraints impeding optimal utilization of funds especially made available during the Pandemic.

2. In regard to utilisation of the budgeted funds, the Committee note that for the current fiscal 2020-21, utilisation of funds has not been evenly spread out across all the four Quarters of the year. The utilisation has been to the extent of Rs.3661.82 crore, Rs.2798.26 crore, Rs.5879.28 crore and Rs.94.92 crore (upto

18.02.2021) respectively in the last four Quarters. The Committee have been apprised that complete utilisation of the budgeted funds was expected for the year 2020-21. The Committee would like to be apprised of the details in this regard. The scheme wise analysis of utilization of funds for the fiscal 2020-21 (upto 18.02.2021) reveals that the Employee's Pension Scheme (EPS) and PMGKY are the only schemes which recorded expenditure to the extent of 100% and 109.62% respectively *vis a vis* RE whereas for most other schemes, the percentage of utilization has been to the extent of 70-80%. In case of the National Child Labour Project (NCLP) and Social Security Scheme for Tea Plantation Workers in Assam, the utilization recorded has been as low as 24.52% and 30%. Needless to say, the endeavour of the Ministry should be to evenly utilize the budgeted funds across all Quarters for ensuring maximum impact of these schemes on the labour force of the Country rather than resorting to increased spending during the last Quarter. The Committee also observe that gross under-utilization of funds has impacted the performance of certain Schemes thereby defeating the laudable intent of these schemes in benefitting the targeted group. The Committee, therefore, exhort upon the Ministry to act on improving the implementation machinery and work towards bringing about more efficiency, especially during these critical times.

<u>PHYSICAL TARGETS AND ACHIEVEMENTS</u>

3. The Committee feel concerned to note that in case of a large number of major schemes, the Ministry have not been able to achieve the physical targets. Understandably, the main reason attributed for the shortfall in achieving the targets is the outbreak of the Pandemic which has had a far reaching impact on the economy. The constraints notwithstanding, the achievement recorded in regard to the target set for Coaching-cum-Guidance Centers for SCs/STs have been to the extent of 100%; and 4200 educated SC/ST job seekers have been provided training in computers as against the target set of 1050. On the other hand, the Committee note that the physical targets in regard to new enrollments of working children in specific training centres could be achieved only to the extent of 5756 new enrollments, whereas the target set for the year was to enroll 50,000 children. As regards Pradhan Mantri Shram Yogi Maan-Dhaan Yojana (PM-SYM), while the target fixed was 2 crore new enrollments, the beneficiaries enrolled has only been to the extent of 1,18,375 persons. The low level of enrollments has been attributed mainly to the outbreak of the Pandemic. Similarly, for the National Pension Scheme for Traders, Shopkeepers and Self-Employed Persons, the enrollments have been a minuscule 6213 *vis a vis* the target of 50 lakh beneficiaries. The Committee, while acknowledging the fact that

the Pandemic may have had a deleterious effect on the implementing agencies, nevertheless, cannot help noting that the targeted beneficiaries of these schemes were also the ones who were severely hit by the Pandemic. The Committee, in this regard, express the view that every effort is to be made to ensure that a robust mechanism is put in place so as to ensure that the scheme regains momentum in the Financial Year 2021-22. The Committee would also emphasise on working out a road map towards full restoration of a healthy pace of implementation of the Central Sector Schemes. The Committee wish to be apprised of the action taken in the matter.

PRADHAN MANTRI ROJGAR PROTSAHAN YOJANA (PMRPY)

4. The PMRPY Scheme was launched on 9th August 2016 with the objective of incentivizing employers for generating new employment, where the Government has been paying the employer's contribution of 12% or the amount as applicable towards both EPF and EPS w.e.f. 01.04.2018 in cases of new employment. One of the stated aims of the Scheme is to bring the 'informal workers' into the fold of 'formal workforce' and provide them access to social security benefits. The terminal date fixed for registration of beneficiaries is 31st March, 2019. The Committee note that under the Scheme, a total of 1,21,69,960 beneficiaries

through 1,52,900 establishments have been enrolled, who will continue to receive benefits for three years from the date of registration and the year 2020-21 will be the last year for making contributions in respect of the beneficiaries added. The proposed BE for PMRPY for the year 2021-22 is projected at Rs.900 crore. As on 15th February 2021, an amount of Rs. 8923.47 crore has been released to Employees Provident Fund Organisation (EPFO) of which Rs. 8857.43 crore has been disbursed to the beneficiaries. Taking cognizance of the fact that the PMRPY, during the period of its implementation, though for a limited period of three years, generated employment to the tune of 1.21 crores, the Committee had, in their First and Fifth Reports of the 17th Lok Sabha on Demands for Grants (2019-20) and (2020-21) of the Ministry of Labour and Employment recommended that the Scheme needs to be given a continued run. The PMRPY Scheme is now to be subsumed under the Atmanirbhar Bharat Rojgar Yojana (ABRY), which is a much larger Scheme with an envisaged expenditure of Rs. 24000 crore spread over two years, and has a wider benefit coverage of 24%, i.e. 12% towards employee's contribution and another 12% on account of the employer's contribution. The Committee take note of the budgetary commitment of the Government towards the ABRY Scheme which has been launched with the overall aim of providing employment in the post Pandemic phase and trust that the

Ministry would endeavour to fulfill the targets, both financial as well as physical, that have been set for the ABRY Scheme.

NATIONAL CAREER SERVICES (NCS)

5. The NCS is a mission mode project for transformation of the National Employment Service like job matching, career counseling, vocational guidance information on skill development courses, apprenticeship, internships etc. The Committee find that the Government has approved establishment of 207 Model Career Centers (MCCS) in the States of which 136 are functioning as on date. Further, till date, funds have been provided to 28 States/UTs for interlinking of employment exchanges and organizing job fairs at the District level. The Committee are pleased to note that as on 05.01.2021, over 1.03 crore active job seekers and over 1.02 lakh active employers are registered on the NCS portal and as many as 80 lakh vacancies have been highlighted through the portal. For the year 2021-22, the budgetary allocation has been reduced by as much as Rs. 22 crore thereby bringing down the funds allocated to Rs.57 crore in 2021-22 from Rs.79.39 crore in the preceding year. Also, there has been short fall in expenditure to the tune of Rs.12.67 crore *vis-à-vis* the RE allocation in the year 2020-21. Further, the figure of cumulative vacancies added during the year, which

stands at 11.28 lakh (as on 18.02.2021) appears to be the lowest since 2017-18. Yet another shortcoming in regard to the NCS portal is the fact that placement figures in regard to regular/ad-hoc/part-time/contract employments are not maintained, which has been attributed to the fact that registration on the portal is purely voluntary. A recently added feature of tracking job seekers on the portal, however, gives an indicative account of the total hiring of job seekers in the years 2019-20 and 2020-21which is 83,034 and 29,102 respectively. The Committee also observe that there have been no physical job melas organized in the year 2021 due to the Pandemic, and instead, 195 online job fairs have been organsied by means of the NCS Portal. With a view to improving upon the service delivery and IT infrastructure along with imparting skills to the enrolled beneficiaries, the Ministry have engaged NCS and TCS-ion. An MOU has been entered into with TCS-ion for imparting soft skills online. The Committee feel concerned to note the decline in expenditure and under achievement of the physical and financial targets. The poor performance in utilization of allocated funds has possibly led to the sizable cut in the allocation proposed for the year 2021-22. The Committee, therefore, urge upon the Ministry to boost the implementation machinery and make efforts towards enhancing the visibility and approachability of the Scheme by organizing campaigns, and job fairs *inter alia* by taking into consideration the

limitations of ‘online connectivity’ in hinterland India. The Ministry also needs to make sincere efforts towards ironing out impediments and constraints faced in optimal utilization of funds allocated for the Scheme. The Committee would like to be apprised of the action taken in regard to resuming holding of job fairs in the post Pandemic period as well as district wise utilization of funds.

<u>WELFARE OF SC/ST JOB SEEKERS THROUGH COACHING/GUIDANCE AND VOCATIONAL TRAINING</u>

6. The Committee note that the Scheme was started on the recommendation of the Elayaperumal Committee (1969) for enabling the Scheduled Caste/Scheduled Tribe applicants to secure employment in the Public as well as the Private Sector. Presently, there are 25 such centers functioning in the Country. The Committee note in this regard that the number of centers has remained constant for quite some time now. The issue of expanding the NCSCs for SC/STs in the States/UTs where services of NCSCs are not available is being considered. Establishment of new centers in States/UTs remaining to be covered is to be considered after receiving the consent from the State Governments/UTs concerned. The Committee also observe with concern that due to the restriction placed on expenditure in the first two Quarters of 2020-21 because of the Pandemic, the Scheme has not been implemented in right earnest. Non-receipt of

proposals during the last year is also said to have contributed towards the substantial under-utilisation of funds. The Committee desire that pro-active steps be taken to revive and re-energise the Scheme in the post Pandemic period. Features like, free of cost service, wide availability, accessibility and number of 'hits' on the NCS Portal cannot be a testament to the effective working of the Scheme. The scheme being voluntary, and outcomes intangible, it is difficult to understand and analyse the impact of the scheme at the grassroot level. The Committee urge upon the Ministry to draw a blueprint and involve the stakeholders to map the outcomes of the Scheme so that the public money spent on running the Scheme is adequately justified and ground results/achievements are clearly perceivable. As observed by the Committee, a credible real time data on the training inputs *vis-à-vis* placement/employment gained would clearly establish the achievement towards augmenting employment of SCs/STs, which is the main intent of the Scheme. To this end, the Committee desire that appropriate mechanisms be put in place for enabling a more accurate assessment of the success of the Scheme in terms of actual benefits and capacity building.

<u>PRADHAN MANTRI SHRAM YOGI MAAN DHAN YOJANA (PMSYM)</u>

7. The Committee note that PM-SYM was launched on 15th March, 2019, with the Life Insurance Corporation of India (LIC) and Common Service Center (CSC) as the main implementing agencies. LIC acts as fund manager and is responsible for payout of pension. ESC, with its network of 3.5 lakh centres acts as the enrollment agency. While appreciating the roll out of Scheme as a step in the right direction for providing social security to the hitherto neglected unorganized workforce, the Committee have, in their reports presented earlier too recommended that the Ministry should make concerted efforts to organize and fortify the awareness campaigns and provide publicity in all possible mediums so as to attract and cover more beneficiaries under the scheme. The Committee observe in this regard that there has been a consistent reduction in fund allocation in the year 2019-20 and 2020-21 from BE to RE stage with percentage expenditure ranging at 70.44% over BE in the year 2019-20 and 63.73% in the year 2020-21.The outbreak of the Pandemic and the resultant impact on the economic condition of unorganized workers is said to have led to a downward slide in enrollment. While empathizing with the difficult circumstances the unorganized labour workforce of the Country has been facing, the Committee urge upon the Ministry to take concerted efforts to make up for the shortfall in implementation in

the previous year and ensure that the scheme gains momentum with new enrollments in the coming year. This is essential as the Scheme has the potential to provide adequate social security to the unorganized workforce of the Country.

ATMANIRBHAR BHARAT ROJGAR YOJANA

8. Atmanirbhar Bharat Rojgar Yojana was launched as part of the Atmanirbhar Bharat 3.0 package for boosting the economy in the Post Pandemic Phase. Under this programme, every establishment registered with EPFO and their new employees who may have been rendered jobless between 01.03.2020 to 30.09.2020 are covered. The Committee note in this regard that an amount of Rs.1000 crore has been allocated for ABRY Scheme during Financial Year 2020-21 at the stage of the second supplementary Demand for Grants but the utilization figure was 'Nil' due to non-dispersal of funds. As on 15.02.2021, 14.76 lakh new employees have been benefitted under ABRY. Benefits to the tune of Rs.175.97 crore have been claimed in respect of 8.77 lakh employees through ECRs filed by 38,777 establishments. Considering the confidence shown by the Ministry in utilizing the budget in full under the Scheme for the year 2020-21, the BE for the year 2021-22 has been enhanced to Rs.3130 crore. The Committee have also been apprised that budget allocations for PMRPY which will be zero

from next year onwards will be taken under ABRY, which is a much larger scheme. The budget that the Government envisaged is almost Rs.24000 crore for a period of 2 years with a wider coverage and enhanced benefit to the extent of 24% of an employee's salary, which includes 12% each of the employees and employers contribution. The Committee note that the scheme has been launched at an opportune time for boosting the economy, encouraging employment generation and providing social security benefit to the targeted beneficiaries. The Ministry needs to make every possible effort to popularize the scheme and create awareness among employees and employers so that the benefits can reach the maximum number of the labour force.

SOCIAL SECURITY FOR PLANTATION WORKERS

9. There is a substantial population of plantation workers in Assam and West Bengal working in various tea gardens spread across both the States. Two Schemes, namely (i) Deposit Linked Insurance Scheme; and (ii) Family Pension cum Life Insurance Scheme are under implementation for providing social security to tea plantation workers in terms of the Assam Tea Plantations Provident Fund Scheme Act, 1955. For the year 2021-22, as against the projected outlay of Rs.40 crore, an allocation of Rs.60 crore has been made for 'social

security for plantation workers'. While the allocation for the current year, 2021-22 exceeds the projected requirement, on the contrary, in the previous year, 2020-21 the expenditure on 'social security for the plantation workers' has been abysmally low amounting to only 30% of the BE amount for the year. The Committee are also concerned to note that numerous tea gardens have reportedly shut down and in those which are functional, many workers are reportedly not provided with Social Security Benefits, Minimum Wages, Provident Fund and Gratuity Benefits. The Committee, therefore, express the need for conducting a survey with a view to obtaining authentic data on the number of tea plantations, garden workers, particularly in Assam and West Bengal. The Committee also urge upon the Ministry to undertake suitable policy initiatives/measures apart from the on-going labour reforms so as to alleviate the socio-economic conditions of the plantation workers.

BIMA YOJANA FOR UNORGANISED WORKERS

10. As per the decision taken by the Government in May, 2017, the Aam Aadmi Bima Yojana (AABY), a social security scheme for unorganised workers to provide insurance for life and disability was transferred to the Ministry of Labour and Employment from the Department of Financial Services with the directive to

converge AABY with Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY) and Pradhan Mantri Suraksha Bima Yojana (PMSBY) for those in the age group of 18-50 years. For those in age group of 51-59 years, the old AABY Scheme was continued with. The PMJJBY provides a cover of Rs.2 lakh in cases of natural death for which the premium amount is Rs.330/-per annum per beneficiary in the age group from 18-50 years; and PMSBY provides accidental death and disability cover of Rs.2 lakh on death and permanent disability and Rs.1 lakh in case of partial disability, for which the annual premium of Rs.342 per beneficiary is shared between the State and Central Government on 50:50 basis. The Scheme was implemented in 2018-2019 and 2019-2020 for the unorganised workers. However, in September, 2019, a decision was taken by the Government to transition the Scheme from a 'subsidy regime' to a 'full premium payment scheme' w.e.f. 1st April, 2020 through the Department of Financial Services and make it available for subscription by the public. The Committee observe with concern that with the Scheme ceasing to exist w.e.f. 01.04.2020, there would be a vacuum in regard to providing a specific Bima Scheme for Unorganised Workers that is funded by the Government. The Unorganised Workers Social Security Act, 2008 having been since subsumed in the Social Security Code, 2020, the Committee expect that the Ministry would bring forth more befitting welfare

schemes providing insurance for the unorganized workforce. The Committee desire that adequate thrust be given on this aspect so as to be in tune with the spirit of the Social Security Code, 2020.

NATIONAL PENSION SCHEME FOR TRADERS AND SELF-EMPLOYED PERSONS

11. The Committee note that the National Pension Scheme (NPS) for traders was launched on 12.09.2019 as a voluntary and contributory pension Scheme which is open to traders in the age group of 18-40 years with annual turnover not exceeding Rs.1.5 crore. A trader who is not a member of EPFO/ESIC/MPS/PM-SYM can join the Scheme. The subscribers, after attaining the age of 60 years are eligible for monthly minimum assured pension of Rs.3000/-. While 50% monthly contribution is payable by the beneficiary, an equal matching contribution is made by the Central Government. The Committee note that for the year 2019-20, the BE, RE and AE figures for the scheme stood at Rs.750 crore, Rs.160.15 crore and Rs.155.87 crore respectively. For the year 2020-21, the BE, RE and AE figures stood at Rs.180 crore, Rs.15 crore and Rs.5.86 crore respectively which are indicative of a significant cut of more than 90%of the funds at the RE stage. The Committee feel concerned to take note of such a drastic cut in the allocation of funds for a newly launched Scheme. The Committee further note that while the

scheme is intended to benefit around 3 crore small and marginal traders, shopkeepers and self-employed persons by 2023-24, as on 24.02.2021, the total enrollments under the 'NPS for traders' was a minuscule number of 43,583. The Committee also note that with the rate at which the enrollments are progressing, it is almost certain that the targets are not going to be achieved unless there is a complete overhaul of the scheme. Mainly in view of the low demand for the scheme from the intended beneficiaries, the Committee exhort upon the Ministry of Labour and Employment to review the functioning of Scheme at the apex level, set up an appropriate Monitoring Mechanism to review the scheme and suggest concrete measures for overhauling the scheme so as to make it viable. The Committee would like to be apprised of the developments in this regard.

NATIONAL CHILD LABOUR PROJECT (NCLP)

12. The NCLP Scheme which was initiated in 1988 as a Central Sector Scheme to rehabilitate working children now covers 78 Districts. The Project is implemented by the District Magistrate concerned with the Ministry of Labour and Employment releasing funds for conducting surveys to locate child labour working in different sectors and children in the age group of 9-14 years, withdrawn from work are put in Special Training Centers (STCs) for provision of

bridge education, vocational training, mid-day meal, stipend, healthcare facilities etc. and finally mainstreamed to the formal education system. The Committee note that the NCLP is a demand driven Scheme and utilisation of funds depends on the number of proposals received from District Project Societies and the Ministry requires necessary documents from the District Project Societies for release of the second and subsequent installments. The Committee note with concern that the National Child Labour Project (NCLP) has witnessed a significant decline in expenditure over RE in the last three years with the lowest record of a utilization figure of a mere 17.27% in 2020-21. The Committee find that requisite documents, quarterly program reports, utilization certificates etc. which are essential for release of funds by the Ministry are not received despite regular follow up. Admittedly, during 2020-21 because of the lockdown due to the Pandemic, the STCs have not been working and hence not been in a position to submit the requisite documents which led to the slow pace of expenditure during 2020-21. Further, the Pandemic has been a causative factor for the low enrollment of rescued child labourers during the Financial Year 2020-21. Notably, all efforts are being made for achieving the physical targets during 2021-22. Keeping in view the large number of child labour in the age group of 5-14 years in the Country which, as per the 2011 Census Report stands at 43, 53, 247, the Committee are of

the view that the impact of the Pandemic on this Scheme may be appropriately assessed and corrective measures taken for reviving the Scheme. The Committee also urge upon the Ministry for a more concerted action plan towards initiating a coordination mechanism with implementing agencies in the Districts for timely submission of utilization certificates and other requisite documents for releasing funds under the Scheme. The Committee also note with satisfaction that the online portal PENCIL (Platform for Effective Enforcement for No Child Labour) developed by the Ministry provides an effective mechanism for both enforcement of legislative provisions and effective implementation of NCLP, and appropriate steps are being taken to transfer the stipend to the children through the PENCIL Portal expeditiously. The Committee trust that the Ministry would continue to use advanced technologies for enabling effective implementation of this Scheme.

REHABILITATION OF BONDED LABOUR (RoBL)

13. The Committee feel concerned to note that in 2020-21, 314 bonded labourers have been rescued from 4 States *viz.* Bihar, Rajasthan, Madhya Pradesh and West Bengal which yet again reaffirms that the scourge of bonded labour unfortunately, still persists. The Committee, in this regard, would like to be apprised of Conviction Rate for engaging bonded labour and pending cases in

the Courts. The Committee further note with concern the incomplete data furnished by the Ministry of Labour and Employment on the achievements made under the Scheme *viz.* details of utilisation of corpus fund in respect of only 9 Districts (8 Districts in Bihar and 1 District in Rajasthan) without furnishing similar inputs for Districts in other States/UTs. The Committee note that identification and rehabilitation of bonded labour is a matter under the purview of State Governments, though the Scheme was revamped w.e.f. 17.05.2016 as a Central Sector Scheme for Rehabilitation of Bonded Labour, 2016, under which a bonded labour rehabilitation fund needs to be created at the District Level by each State with a permanent corpus of at least Rs.10 lakh placed at the disposal of the District. The Committee, therefore, reiterate their earlier recommendations for exercising 'executive oversight' in the matter of creation and utilization of Bonded Labour Rehabilitation Fund. The Committee observe that while the primary onus of rehabilitation of bonded labour rests with the State Governments, this does not absolve the Central Government's role and responsibility in coordinating and overseeing the implementation aspects of a Central Sector Scheme. The Committee, therefore, once again impress upon the Ministry to strengthen the monitoring mechanism so as to ensure timely sharing

of information on rehabilitation and rescue figures to map the progress of the Scheme so as to totally eradicate this social evil.

<u>NATIONAL DATABASE OF UNORGANISED WORKERS (NDUW)</u>

14. The Committee note that under the NDUW Project, a comprehensive database seeded with Aadhaar is being developed for delivering various social security/welfare measures for unorganized workers at an estimated total cost of Rs.704 crore over a period of 5 years i.e. 2020-21 to 2024-25. The Committee are pleased to note that the Ministry have been able to utilize 88.98% of the budget allocations earmarked for the scheme, 'Creation of National Platform of Unorganised Workers' in 2020-21. In consonance with the recommendation made by the Committee earlier, the Ministry of Labour and Employment has tasked upon developing a comprehensive National Database of Unorganised Workers (NDUW) including migrant workers, gig workers, platform workers, building workers etc. The database would help the Government authorities as well as the other stakeholders to *inter-alia* access the movement of workers from informal to formal sector and *vice versa,* their occupation, skill profile etc. and help in delivery of various social security and welfare measures. The project is expected to be launched in June/July 2021 after the portal is made live by the National

Informatics Center (NIC), and it is expected that 3 crore unorganized workers are enrolled in the first year itself. As for the proposed allocation for the project during the current year 2021-22, the Committee find that the BE of Rs.250 crore proposed has been revised to Rs.150 crore by the Ministry of Finance, and funds as may be needed would be sought at the RE stage. As regards the constraints faced with regard to 'Aadhar seeding', the Committee trust that the related issues, which are being discussed with UIDAI would be sorted out at the earliest. The Committee would also urge upon the Ministry to take adequate steps towards sensitizing the unorganized workers about the initiative, mainly the merits and benefits of registering on the portal. Inter-Ministerial issues, if any, relating to the Project, need to be addressed at the earliest so that the process of rolling out the database on the portal can be commenced with smoothly. The Committee would like to be apprised of the developments in this regard.

LABOUR SURVEYS

15. The Committee note that the Ministry of Labour and Employment have entrusted the Labour Bureau with the task of conducting All India Surveys in respect of five sectors *viz.* Domestic Workers, Migrant Workers, Employment generated by Professionals, Employment generated in Transport Sector and

Quarterly Establishment based Employment Survey. Budget allocations for these surveys stand at Rs.2270.30 lakhs, Rs.2270.30 lakhs, Rs.1880.80 lakhs, Rs.1880.80 lakhs and Rs.3252.16 lakhs respectively. An Expert Group has been constituted by the Ministry of Labour and Employment with four sub groups of Experts, apart from which, Technical Expert Groups have also been formed to work out specific details of the surveys. The surveys are expected to be completed in seven to eight months from the date of commencement of the field work including survey work, data processing and release of final report and with pretesting of schedules in the field already undertaken in January-February 2021. The Committee trust that the surveys would be carried out in right earnest so as to enable in bridging the gaps in data and generating authentic information that would help in overcoming the lacunae presently faced and help in effective implementation of various social welfare schemes. The Committee also trust that the latest technology and digital platforms are used for ensuring that the surveys are carried out accurately with real time data inputs.

<u>MANDATE OF OFFICE OF CHIEF LABOUR COMMISSIONER</u>

16. The Committee note that the organization of Chief Labour Commissioner also known as Central Industrial Relations Machinery is an apex organization in the Country entrusted with the task of maintaining harmonious Industrial

Relations, Enforcement of Labour Laws and verification of Central Trade Union Organisations (CTOOs). The Committee find that data pertaining to Industrial Disputes handled by Central Industrial Relations Machinery (CIRM) during the last three years reveals that Industrial Disputes handled stand at 12,427, 14,002 and 9,018; Industrial Disputes disposed off stand at 7,996, 9,016 and 2,532; and strikes averted stand at 461, 698 and 89 respectively for the years 2018-19, 2019-20 and 2020-21 (April to November). Keeping in view the significant importance of maintaining harmonious Industrial Relations for optimum productivity from the Labour workforce, the Committee take into cognizance, the important mandate and role of the Chief Labour Commissioner's Organisation as the Nodal Central Industrial Relations Machinery (CIRM) of the Ministry of Labour and Employment. The Committee expect that the office plays a pro-active role in averting strikes and disposing Industrial Disputes in a time bound manner so that unproductive time of the labour force locked in disputes is curtailed to the minimum. The Committee also desire that an appropriate and effective Mechanism be worked out by including all stakeholders and by giving due weightage to all those involved for offsetting and resolving conflicts at the initial stages itself.

17. The Committee also note that a large number of establishments are reportedly working without license in the Country by employing labour workforce

without giving them due benefits. As stated, legal action is being taken against those establishments working without license within a stipulated timeline of three months. In view of the large number of prosecutions amounting to 705,100 fines and 542 convictions in the year 2020-21 (as on 31.03.2021) in particular, the Committee feel that the extant mechanism is not sufficient to deter violations. The Committee, therefore, recommend that the Ministry should take appropriate measures for generating awareness among workers on their legitimate rights and also sensitize employers of the repercussions of committing such violations.

EMPLOYEES PROVIDENT FUND ORGANISATION/EPS-1995

18. The Committee note that the Employees' Provident Fund Organisation (EPFO) under the ambit of Employees' Provident Fund (EPF) and Miscellaneous Provisions Act, 1952 seeks to provide for the institution of Provident Funds, Pension Funds and Deposit Linked Insurance Fund for Employees in Factories and other Establishments with the Ministry of Labour and Employment contributing 1.16% Government share towards Employee Pension Scheme, 1995. The Committee find that as on 10.02.2021, the total number of Registered Establishments stand at 15,52,186 (3477 Exempted and 15,48,709 Un-exempted); total members stand at 25,61,78,223 (1,38,04,614 Exempted and 15,48,709 Un-exempted); contributing members under EPS and EPF stand at 5,71,86,202

(43,06,239 Exempted and 5,28,79,963 Un-exempted) and contributory members under EPS stand at 5,61,02,868 (43,13,835 Exempted and 5,17,89,033 Un-exempted). Keeping in view the large task for the EPFO as exuded by the above data, the Committee are happy to find that EPFO's work has been considerably eased with 99% of EPFO collections made through internet banking mode, thereby making the system safer, seamless, secure, more effective and also in line with the Digital India Initiative. Also, EPFO's multiple banking system facility through 13 banks has contributed to increasing flexibility and convenience bringing about positive impact on the collection and disbursals of dues in EPFO. The Committee appreciate this laudable achievement of the EPFO and trust that systemic improvements and requisite value additions are made from time to time. The Committee would like to be apprised of the developments in this regard.

19. The Committee, however, note with concern that there is a sharp increase in grievances pending at the beginning of the year 2020-21 (as on 31.12.2021) with percentage disposal of the grievances also being the lowest at 96.82% in the year 2020-21 as compared to 99.19% and 97.78% for the years 2018-19 and 2019-20. The Committee observe that proactive measures need to be taken up speedily by the Ministry to bring down the number of unsettled grievances which stood at 30411 till the end of 2020. The Committee are of the considered opinion that the

Government should specifically look into the grievances pertaining to employers failure to deposit PF contribution deducted from the wages of the employee in the PF Accounts and simultaneously defaulting on their own contribution as well. A conscious decision leading to payment to workers who are yet to receive the statutory benefits of PF and ESI since long due to default of the employees needs to be urgently taken up for redressal. With specific reference to EPS 95, the Committee note that the minimum pension which was announced in 2014 and continues to be applicable till date is grossly inadequate. Even this meager amount of Rs.1,000/- is reportedly not being given to many pensioners owing to various reasons and pension amounts as low as Rs.460/- are being disbursed. Therefore, demands and representations have been made for raising the monthly pension to a minimum of Rs.3,000/- or even a better amount ranging upto Rs.9,000/- per month. A major problem with EPS 95, as brought to the notice of the Committee is that there is no link between an employees saving/contribution per se and the actual pension amount as all contributions are pooled together in one account and the pension amount disbursed on the basis of the last salary drawn by the employee. Also, reportedly, no limits exist either on the amount of withdrawals or the time frame for making withdrawals, and yet the account holder continues to be eligible for pension. EPS 95, being a 'Defined Benefit' scheme

which guarantees a minimum pension has inherent limitations, which, as per the Ministry would be a burden on the exchequer unless appropriate changes are made in the administration of the scheme. An increase in the pension amount to Rs.3,000/- would, as pointed out, entail an increased expenditure of Rs.15,000 crore thereby taking the total impact on the exchequer to Rs.25,000 crore. The Committee in this regard, desire that earnest efforts be made for addressing the drawbacks or limitations of the scheme, and at the same time ensure that the worker's interest are protected by way of ensuring a reasonable monthly pension of at least Rs.3,000/- under EPS 95.The Committee would like to be apprised of the developments in this regard.

EMPLOYEES STATE INSURANCE SCHEME (ESIC)

20. The Committee note that the Employees State Insurance Scheme (ESIC) implemented under the aegis of Employees State Insurance Corporation, a statutory body under Ministry of Labour and Employment as per the Employees State Insurance Act, 1948, is mainly financed by the Employers and Employees contribution in the ration of 4.75% and 1.75% of the wages. The Scheme provides medical care and cash benefits in sickness, maternity, employment injury as well as benefit to the dependents of insured persons in case of death due to

employment injury besides payment of funeral expenses of an insured person and medical care and hospitalization facilities to members of the family of the insured. The Committee are, therefore, of the considered view that the extant Scheme is one of the most important Schemes for the welfare of the labour force. The Committee find that the number of insured persons (as on 31.03.2020) stands at 3.41 crore with total number of beneficiaries being 13.24 crores; 159 hospitals with 49 run by ESIC and 110 by States; 1500 Dispensaries with 37 run by ESIC and 1406 by States; 17 Medical Colleges and 2 Super Specialty Hospitals; 575 Districts covered under ESIC; and 312 AYUSH Units (161 Ayurveda, 36 Yoga, 3 Unani, 27 Sidha and 85 Homeopathy). The Committee observe that the resources and infrastructure of ESIC need to be optimally utilized and the time has now come to make the existing facilities of ESIC available to a larger number of workers. The Committee are, therefore, happy to find that with the enactment of the Social Security Code, the labour force in entirety, which *inter-alia* include 40-50 lakhs Gig workers etc. are to be covered under ESIC. The Committee trust that the Ministry would come up with a robust plan for implementation of the Scheme.

21. The Committee are concerned to note the reportage that the state of affairs in some of the State Government run ESIC Hospitals is not proper or upto the mark. Apparently, Section 58 of the ESIC Act which facilitates the State

Governments to run ESIC facilities may have to be re-looked into, so that the overall aim of providing quality healthcare to Insured Persons (IPs) is not compromised in any way. Some of the ESIC Hospitals are reportedly mismanaged, under staffed, ill-equipped and unable to maintain and augment the infrastructure. Inadequacies in the performance of some of the State Government run ESIC Hospitals is a long pending matter of concern. The Committee desire that a list of such 'non-functional Hospitals' be furnished to them. The Committee also find that the Central Government, which provides the entire infrastructure, appears to have little jurisdiction on the management of the State administered ESI Hospitals in so far as they are neither audited nor made answerable to the State Assemblies unlike the Central Government administered ESIC Hospitals. The Committee have been apprised in this regard that a decision has been taken by the Ministry that henceforth any new ESIC Hospital will, by default, be run by ESIC until and unless the State Government insists on running the hospital. The Committee, therefore, exhort that ESIC, in public interest, should take a holistic view about the functioning and performance of all Hospitals at the earliest. The Committee also desire that the Ministry, in coordination with the State Governments, as may be needed, examine the feasibility of closing the totally defunct and non-functional ESIC hospitals, and if desired for by the State

Government, take over the administration of the ESIC Hospitals concerned. The Committee also desire to be furnished with details of requests received from the State Governments for handing over the ESIC Hospitals functioning under their control to the Central Government. The Committee would like to be apprised of the developments in this regard within a period of three months of the presentation of this Report to Parliament.

New Delhi;	**BHARTRUHARI MAHTAB**
15th March, 2021	***CHAIRPERSON,***
24 Phalguna, 1942 (Saka)	***STANDING COMMITTEE ON LABOUR***

Appendix-I

STANDING COMMITTEE ON LABOUR

(2020-21)

Minutes of the Twelfth Sitting of the Committee

The Committee sat on Wednesday, the 19th February, 2021 from 1100 hrs. to 1330 hrs. in Committee Room No. '1', Parliament House Annexe-Extension Building, New Delhi.

PRESENT

Shri Bhartruhari Mahtab – CHAIRPERSON

MEMBERS

LOK SABHA

2. Shri Subhash Chandra Baheria
3. Shri Dayakar Pasunoori
4. Dr. Umesh G. Jadhav
5. Shri Dharmendra Kumar Kashyap
6. Dr. Virendra Kumar
7. Shri Nayab Singh Saini
8. Shri Ganesh Singh
9. Shri Bhola Singh

RAJYA SABHA

10. Dr. Banda Prakash
11. Shri M. Shanmugan
12. Shri Neeraj Dangi
13. Shri Dushyant Gautam
14. Shrii Vivek Thakur
15. Shri Naresh Bansal

SECRETARIAT

1.	Shri T.G. Chandrasekhar	-	Joint Secretary
2.	Shri D.R. Mohanty	-	Director
3.	Ms Miranda Ingudam	-	Deputy Secretary

Witnesses

REPRESENTATIVES OF THE MINISTRY OF LABOUR & EMPLOYMENT

Sl. No	Name	Designation
1	Shri Apurva Chandra	Secretary (L&E)
2	Ms Anuradha Prasad	Additional Secretary
3	Ms. Sibani Swain	Additional Secretary & Financial Advisor
4	Ms KalpanaRajsinghot	Joint Secretary
5	Shri R K Gupta	Joint Secretary
6	Ms. VibhaBhalla	Joint Secretary
7	Shri Ajay Tewari	Joint Secretary
8	Shri Sunil Barthwal,	CPFC
9	ShriHemant Jain	FA, EPFO
10	Sh. S.B. Singh	DDG (E)
11	Shri S C Joshi	Additional CLC(C)
12	Smt. BandhulaSagar	Chief Controller of Accounts
13	ShriGopal Prasad	Economic Advisor
14	Sh. Bharat Bhusan	DDG
15	Sh. R. K. Kataria	Medical Commissioner, ESIC

2. At the outset, the Chairperson welcomed the Members of the Committee and representatives of the Ministry of Labour & Employment (MoLE) to the sitting of the Committee, convened for taking oral evidence of the Ministry on 'Demands for Grants (2021-22)'. Drawing the attention of the representatives to Direction 58 of the 'Directions by the Speaker' regarding confidentiality of

the proceedings of the Committee, the Chairperson asked the Secretary, MoLE, to give an overview of the actual expenditure for the previous year (2020-21) and the Budgetary provisions for the year 2021-22 for various programmes/activities/schemes and the plan of action on the part of the Ministry for optimal utilisation of the earmarked funds as well as maximum achievement of physical targets.

3. The Secretary, Ministry of Labour & Employment after seeking permission from Chairperson nominated Financial Adviser to present a PPT. Accordingly, AS&FA briefed the Committee *inter-alia* highlighting the Budget Estimates (BE) of the Ministry, Schemes/Activities of the Ministry, Major Schemes (2020-21), requirement of additional funds, labour law reforms, brief overview and initiatives of the Ministry under various organisations like ESIC, EPFO, DGFASLI, DGLW, DGMS, CLC(C), Labour Bureau etc. The Secretary also apprised the Committee of the actual expenditure *vis-à-vis* allocations made during the previous fiscal and the physical performance in various schemes/projects/ programmes announced by the Ministry. The Secretary and other representatives of the Ministry also responded to various queries raised by the Members which *inter-alia* included effect of Covid-19 Pandemic on the effective implementation of the Schemes and punitive measures taken/proposed by the Ministry to offset the setback in the seamless operation of the Government's new schemes during the year 2021-22, under utilisation of allocated funds under various Schemes, Initiatives and achievements of ESIC and EPFO, Vision of 'India without Child Labour', Pradhan Mantri Shram Yogi Maan-dhan (PM-SYM) Scheme for welfare of unorganized sector workers, Review of Pradhan Mantri Rojgar Protsahan Yojana (PMPRY), Rehabilitation of 'Bonded Labour', National Child Labour Project, Bima Yojana for unorganised workers; etc.

4. As some points required detailed and statistical reply, the Chairperson asked the Secretary, Ministry of Labour & Employment to furnish written replies thereon within a week. The Secretary assured to comply:

5. The Chairperson, then thanked the Secretary and other representatives of the Ministry for furnishing valuable information on the subject and responding to the queries of the Members.

(The witnesses then withdrew)
[A copy of the verbatim record of proceedings was kept on record]

The Committee then adjourned.