

**COMMITTEE ON  
GOVERNMENT ASSURANCES  
(2020-2021)**

**(SEVENTEENTH LOK SABHA)**

**THIRTY-FOURTH REPORT**

**REVIEW OF PENDING ASSURANCES PERTAINING TO THE  
MINISTRY OF LABOUR AND EMPLOYMENT**

**Presented to Lok Sabha on 17/03/2021**



**LOK SABHA SECRETARIAT  
NEW DELHI**

**March, 2021 / Phalguna, 1942 (Saka)**



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**COMPOSITION OF THE  
COMMITTEE ON GOVERNMENT ASSURANCES\*  
(2020 - 2021)**

**SHRI RAJENDRA AGRAWAL** - Chairperson

**MEMBERS**

2. Shri Sudip Bandyopadhyay
3. Shri Nihal Chand Chauhan
4. Shri Gaurav Gogoi
5. Shri Nalin Kumar Kateel
6. Shri Ramesh Chander Kaushik
7. Shri Kaushalendra Kumar
8. Shri Ashok Mahadeorao Nete
9. Shri Santosh Pandey
10. Shri Pashupati Kumar Paras
11. Shri M.K. Raghavan
12. Shri Chandra Sekhar Sahu
13. Dr. Bharatiben Dhirubhai Shyal
14. Shri Indra Hang Subba
15. Smt. Supriya Sule

**SECRETARIAT**

1. Shri Pawan Kumar - Joint Secretary
2. Shri Lovekesh Kumar Sharma - Director
3. Shri S. L. Singh - Deputy Secretary

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\* The Committee has been constituted w.e.f. 09 October, 2020 *vide* Para No. 1773 of Lok Sabha Bulletin Part-II dated 16 October, 2020



## **INTRODUCTION**

I, the Chairperson of the Committee on Government Assurances (2020-2021), having been authorized by the Committee to submit the Report on their behalf, present this Thirty-Fourth Report (17<sup>th</sup> Lok Sabha) of the Committee on Government Assurances.

2. The Committee on Government Assurances (2019-2020) at their sitting held on 25<sup>th</sup> August, 2020 took oral evidence of the representatives of the Ministry of Labour and Employment regarding pending Assurances.

3. At their sitting held on 22 December, 2020 the Committee on Government Assurances (2020-2021) considered and adopted this Report.

4. The Minutes of the aforesaid sittings of the Committee form part of the Report.

5. For facility of reference and convenience, the Observations and Recommendations of the Committee have been printed in bold letters in the Report.

NEW DELHI;  
12 March, 2021  
21 Phalgun, 1942 (Saka)

**RAJENDRA AGRAWAL,**  
**CHAIRPERSON,**  
**COMMITTEE ON GOVERNMENT ASSURANCES**

(iv)





# **REPORT**

## **I. Introductory**

The Committee on Government Assurances scrutinize the Assurances, promises, undertakings, etc., given by the Ministers from time to time on the floor of the House and report the extent to which such Assurances, promises and undertakings have been implemented. Once an Assurance has been given on the floor of the House, the same is required to be implemented within a period of three months. The Ministries/Departments of the Government of India are under obligation to seek extension of time required beyond the prescribed period for fulfilment of the Assurance. Where a Ministry/Department is unable to implement an Assurance, that Ministry/Department is bound to request the Committee for dropping it. The Committee consider such requests and approve dropping, in case, they are convinced that grounds cited are justified. The Committee also examine whether the implementation of Assurances has taken place within the minimum time necessary for the purpose and the extent to which the Assurances have been implemented.

2. The Committee on Government Assurances (2009-2010) took a policy decision to call the representatives of various Ministries/Departments of the Government of India, in a phased manner, to review the pending Assurances, examine the reasons for pendency and analyze operation of the system prescribed in the Ministries/Departments for dealing with Assurances. The Committee also decided to consider the quality of Assurances implemented by the Government.

3. The Committee on Government Assurances (2014-2015) decided to follow the well established and time tested procedure of calling the representatives of the Ministries/Departments of the Government of India, in a phased manner and review the pending

Assurances. The Committee took a step further and decided to call the representatives of the Ministry of Parliamentary Affairs also as all the Assurances are implemented through it.

4. In pursuance of the *ibid* decision, the Committee on Government Assurances (2019-2020) called the representatives of the Ministry of Labour and Employment and the Ministry of Parliamentary Affairs to render clarifications with regard to delay in implementation of the pending Assurances pertaining to the Ministry of Labour and Employment and at their sitting held on 25<sup>th</sup> August, 2020. The Committee examined in detail the following 29 Assurances:

Sl.No.	SQ/USQ No. dated	Subject
1*	USQ No. 2913 dated 15.03.2010	Amendment in Contract Labour Act, 1970 (Appendix-I)
2*	SQ No. 472 dated 13.12.2010	Welfare of Contract Labourers (Appendix-II)
3*	USQ No. 5456 dated 13.12.2010	Amendment to Contract Labour Act (Appendix-III)
4*	USQ No. 1766 dated 07.03.2011	Reforms in Labour Laws (Appendix-IV)
5*	USQ No. 1030 dated 28.11.2011	Contract Labour System (Appendix-V)
6*	SQ No. 350 dated 19.12.2011	Contract Workers (Appendix-VI)
7*	General Discussion dated 19.03.2012	Amendment to the Contract Labour (Regulation & Abolition) Act, 1970 (Appendix-VII)
8*	USQ No. 2348 dated 27.08.2012	Contract Labour System (Appendix-VIII)

\* 2. R. Laid on - 11/02/2021

9*	USQ No. 2527 dated 27.08.2012	Labour Unrest at Maruti Suzuki Manesar Plant (Appendix-IX)
10*	USQ No. 3790 dated 17.12.2012	Disparity in Wages (Appendix-X)
11*	SQ No. 56 dated 09.12.2013	Violations of Contract Labour Law (Appendix-XI)
12*	USQ No. 555 dated 09.12.2013	Contract Labour (Appendix-XII)
13	USQ No. 4261 dated 29.08.2011	Growth Rate of Employment (Appendix-XIII)
14	SQ No. 623 dated 21.05.2012 (Supplementary by Shri Jagdish Thakor, M.P)	Employment Avenues (Appendix-XIV)
15	USQ No. 1975 dated 19.08.2013	National Employment Policy (Appendix-XV)
16	USQ No. 530 dated 14.07.2014	National Employment Policy (Appendix-XVI)
17	USQ No. 974 dated 28.11.2011	Minimum Wages for Domestic Workers (Appendix-XVII)
18	USQ No. 648 dated 13.08.2012	Domestic Workers under Labour Laws (Appendix-XVIII)
19	USQ No. 2137 dated 11.03.2013	Domestic Workers (Appendix-XIX)
20	USQ No. 3059 dated 10.02.2014	Exploitation of Domestic Workers (Appendix-XX)
21	USQ No. 50 dated 07.07.2014	Domestic Workers (Appendix-XXI)
22	USQ No. 564 dated 13.08.2012	Violations of Labour Laws (Appendix-XXII)

\* I. R. laid on - 11/02/2021

23*	SQ No. 322 dated 03.09.2012	Private Placement Agencies (Appendix-XXIII)
24*	USQ No. 532 dated 09.12.2013	Illegal Placement Agencies (Appendix-XXIV)
25	USQ No. 5345 dated 29.04.2013	Private Security Companies (Appendix-XXV)
26	USQ No. 3049 dated 10.02.2014	Child Labour (Appendix-XXVI)
27	SQ No. 467 dated 11.08.2014	Wages under Scheduled Employment (Appendix-XXVII)
28	SQ No. 5 dated 24.11.2014	Migrant Workers (Appendix-XXVIII)
29*	USQ No. 1306 dated 01.12.2014	Complaints on Child Labour (Appendix-XXIX)

5. The Extracts from the Manual of Parliamentary Procedures in the Government of India, Ministry of Parliamentary Affairs laying guidelines on the definition of an Assurance, the time limit for its fulfilment, dropping/deletion and extension, the procedure for fulfilment, etc., besides maintenance of Register of Assurances and periodical reviews to minimize delays in implementation of the Assurances are reproduced at Appendix-XXX.

6. During oral evidence, the Committee emphasized that the Ministries/Departments are required to implement an Assurance within a period of three months and if the Ministries/ Departments are unable to fulfil the Assurance within that time period, then it is imperative for them to seek extension of time. Observing that the Ministry of Labour and Employment had a total of 122 pending Assurances and noticing that there were inordinate delays in fulfilment of these Assurances, the Committee enquired about the monitoring and periodical review of the pending Assurances in the Ministry to minimize delays in their implementation and the mechanism available for implementation of Parliamentary Assurances. In reply, the Secretary, Ministry of Labour and Employment accordingly briefed the Committee as under:

"As you said, there are a total of 122 Assurances pending. These are reviewed in the Ministry. There are four Joint Secretaries in the Ministry. Then, there is a Directorate General of Labour Welfare (DGLW). Contract labour comes under it. It mainly deals with organized workers. Monthly meetings are conducted for them wherein the Assurances are reviewed. This is followed by review at the Secretary level. Similarly, Additional Secretary reviews the Assurances pertaining to employment. Joint Secretary reviews the Assurances relating to minimum wages. The Assurances pertaining to child labour are reviewed by the Joint Secretary and then at the Secretary level. We also had meeting yesterday and today. You have sent 29 cases, out of which replies in respect of 14 cases have already been forwarded."

7. Subsequently, the Assurance mentioned at Sl. No. 14 has since been implemented on 20.09.2020 while the Assurance mentioned at Sl. No. 22 has been implemented on 16.09.2020.

#### Observations/Recommendations

8. **The Committee note that out of the 29 pending Assurances taken up by them, the Assurances mentioned at Sl.Nos. 1 to 10, 13, 15, 17, 18, 19 & 23 could not be implemented even after a lapse of more than 07 to 10 years and the Assurances mentioned at Sl. Nos. 11, 12, 16, 20, 21 and 24 to 29 have been pending for more than 06 to 07 years whereas the remaining two Assurances mentioned at Sl. Nos. 14 and 22 could be implemented after a lapse of more than 8 years. The inordinate delays in implementation of the Assurances and the submissions made by the representatives of the Ministry during oral evidence indicate that monitoring, review and follow-up action taken by the**

Ministry to deal with pending Assurances are inadequate and need to be further toned up. The Committee are fully aware that implementation of some of the Assurances especially those pertaining the amendments in Acts, which is a long drawn out process, may be difficult to accomplish within the prescribed time period. However, the fact that as many as 122 Assurances, with many of them pertaining to 15<sup>th</sup> Lok Sabha, have been pending for implementation indicates cavalier attitude of the Ministry though earnest and sustained efforts are required to be made to implement Assurances which are solemn Parliamentary obligations. The Committee, therefore, recommend that in addition to the present Assurances review mechanism instituted by the Ministry, the cases of implementation of Assurances may also be more effectively monitored and reviewed at the highest level at periodic intervals. The Committee also observe that lack of co-ordination between the Ministry of Labour and Employment and other Ministries/Departments is one of the main reasons behind delays in the fulfillment of certain Assurances. The Committee, therefore, desire that the Ministry of Labour and Employment should devise a mechanism for taking a proactive approach and enhancing the level of coordination with other Ministries/Departments concerned including the Ministry of Parliamentary Affairs for early/timely implementation of all the pending Assurances as well as Assurances to be made in future. The Committee also urge the Ministry to furnish the Minutes of the review meetings held in the Ministry from time to time to monitor the Assurances as it will help the Committee in measuring the progress of the Ministry of Labour and Employment with regard to

**implementation of Assurances. Further, it would act as an accountability tool and useful review document.**

**II. Review of the Pending Assurances of the Ministry of Labour and Employment.**

9. In the succeeding paragraphs, the Committee deal with some of the important pending Assurances pertaining to the Ministry of Labour and Employment which have been examined/reviewed by them at their sitting held on 25.08.2020.

**A. National Employment Policy**

- (i). USQ No. 4261 dated 29.08.2011 regarding 'Growth Rate of Employment' (Sl.No. 13);
- (ii). USQ No. 1975 dated 19.08.2013 regarding 'National Employment Policy' (Sl.No. 15); and
- (iii). USQ No. 530 dated 14.07.2014 regarding 'National Employment Policy' (Sl.No. 16).

10. In reply to USQ No. 4261 dated 29.08.2011 regarding 'Growth Rate of Employment' (Appendix-XIII), it was *inter-alia* stated that "a draft National Employment Policy (NEP) has been prepared by Ministry of Labour and Employment in consultation with various Central Ministries/ Departments and other stakeholders which is at advanced stage of finalization.

11. In reply to USQ No. 1975 dated 19.08.2013 regarding 'National Employment Policy' (Appendix-XV), it was *inter-alia* stated that "the draft National Employment Policy (NEP) had been circulated for inter-ministerial consultation on various occasions from 2007 onwards and discussed at the level of Committee of Secretaries. Based on the inputs the draft policy has been revised from time to time. The details and contents of policy can only be indicated after the policy would get approved."

12. In reply to USQ No. 530 dated 14.07.2014 regarding 'National Employment Policy' (Appendix-XVI), it was stated that "an Inter-Ministerial Committee has been constituted to draft the National Employment Policy".

13. Giving an update on the implementation of the Assurances during oral evidence, the Secretary, Ministry of Labour and Employment deposed as under:-

"We drafted it and the Group of Ministers has discussed it as well. It is still at the draft stage. Sir, the Group of Ministers has been formed recently and the discussion has also taken place in the Group of Ministers twice and the final recommendations are yet to come."

14. When the Committee pointed out that more than nine years have elapsed without fulfilling the Assurances, the Secretary, Ministry of Labour and Employment replied during evidence as under:

"Sir, it is a very important document because it is related to the Employment Policy. We will bring it to the notice of the Minister.

#### **Observations/Recommendations**

15. **The Committee note that the Assurances given in reply to USQ No. 4261 dated 29.08.2011, USQ No. 1975 dated 19.08.2013 and USQ No. 530 dated 14.07.2014 pertaining to National Employment Policy are pending for more than 06 to 09 years. During the course of evidence, the Committee were informed that the Ministry of Labour and Employment had drafted the National Employment Policy document and the discussions had also taken place in the Group of Ministers twice but it is still at the draft stage and the final recommendations have not been received so far. The Committee note that once the Government decides to make any law or policy, a series of action set in motion, including consultations with various stakeholders. However, such an action is conspicuously absent in the instant case which is a crucial issue of drafting and finalizing a National Employment Policy. The slow progress and the inordinate delay in the implementation of the Assurances clearly indicate**



lack of seriousness and casual approach and less inclination on having a National Employment Policy on the part of those responsible for it. The Committee are of the view that National Employment Policy is a vision and a practical and comprehensive plan for achieving a country's employment goals. While creation of adequate and high quality employment avenues/ infrastructure is one of the most formidable challenges for economic policy in India today, the National Employment Policy has the scope of formalizing millions of workforce in the country and also ensuring social and job security for them. The policy will also produce a road map to provide incentives for employment generation and will be a critical tool to contribute significantly to achieve the goals of the 2030 Agenda for Sustainable Development. It is regrettable that the Ministry has faltered on this issue. While deploring the lack of concern and failure of the Ministry to take pro-active action in the matter, the Committee recommend the Ministry of Labour and Employment to step up its efforts and pursue the matter vigorously at the apex level for early implementation of the Assurances. The Committee would like to be apprised of the progress made in the matter.

**B. National Policy for Domestic Workers**

- (i). USQ No. 974 dated 28.11.2011 regarding 'Minimum Wages for Domestic Workers' (SI.No. 17);
- (ii). USQ No. 648 dated 13.08.2012 regarding 'Domestic Workers under Labour Laws' (SI.No. 18);
- (iii). USQ No. 2137 dated 11.03.2013 regarding 'Domestic Workers' (SI.No. 19);
- (iv). USQ No. 3059 dated 10.02.2014 regarding 'Exploitation of Domestic Workers' (SI.No. 20); and
- (v). USQ No. 50 dated 07.07.2014 regarding 'Domestic Workers' (SI.No. 21).

16. In reply to aforesaid questions, it was *inter-alia* stated that the Government has formulated a National Policy for Domestic Workers and it is under active consideration of the Government.

17. In its Status Note furnished in August 2020, the Ministry of Labour and Employment apprised the position regarding implementation of the Assurances as under:

"Most of the social security schemes cover all categories of un-organized workers including domestic workers. Apart from the Central Sector schemes almost all the State Governments are also implementing several schemes to provide social security to un-organised workers including domestic workers. All the guidelines mentioned in the Draft National Policy for domestic workers have already been included in several social sector schemes of the Central as well as the State Governments. Ministry of Labour & Employment has initiated action to subsume 44 Acts on labour laws into 4 codes.

The present positions of the Codes are as under:

- (a) Code on Wages has already been passed by the Parliament and after assent of the President Code on Wages Act has been notified.
- (b) Code on Occupational Safety Health and Working Conditions has already been introduced in the Parliament in July 2019.
- (c) Draft of Social Security Code has been introduced in the Lok Sabha 06.12.2019.
- (d) Code on Industrial Relation is under consideration.

The Assurances will get fulfilled once the Codes are enacted as the Social Security Code takes care of all the social security needs of the domestic workers."

18. During oral evidence, the Secretary, Ministry of Labour and Employment assured before the Committee that Implementation Reports in respect of these Assurances would be furnished by 30.09.2020.

### **Observations/Recommendations**

19. The Committee are constrained to note that Assurances given in response to USQ No. 974 dated 28.11.2011, USQ No. 648 dated 13.08.2012, USQ No. 2137 dated 11.03.2013, USQ No. 3059 dated 10.02.2014 and USQ No. 50 dated 07.07.2014 regarding formulation of National Policy for Domestic Workers still remain pending for implementation for more than 09 years. The Committee have been informed that there are 44 labour laws which have already been converted into four Codes, namely, Code on Wages, Code on Occupational Safety Health and Working Conditions, Code on Social Security and Code on Industrial Relations. The Committee desire that the labour codes be operationalised without further loss of time by formally notifying the Rules under the Codes/Acts to improve the lot of millions of domestic workers in the country and for ensuring implementation of the Assurances at the earliest.

### III. Implementation Reports

20. As per the Statements of the Ministry of Parliamentary Affairs, Implementation Reports in respect of the following two Assurances have since been laid on the Table of the House on the dates as mentioned against each:

Sl.No	Sl.No. in the Table (Para No. 4)	SQ/USQ No. dated	Date of Implementation
1.	Sl. No. 14	SQ No. 623 dated 21.05.2012 (Supplementary by Shri Jagdish Thakor, M.P) regarding 'Employment Avenues'.	20.09.2020
2.	Sl. No. 22	USQ No. 564 dated 13.08.2012 regarding 'Violations of Labour Laws'.	16.09.2020

NEW DELHI;  
12 March, 2021  
२१ Phalguna, 1942 (Saka)

**RAJENDRA AGRAWAL,**  
**CHAIRPERSON,**  
**COMMITTEE ON GOVERNMENT ASSURANCES**

**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT**

**LOK SABHA**

**UNSTARRED QUESTION NO. 2913  
TO BE ANSWERED ON 15.03.2010**

**AMENDMENT IN CONTRACT LABOUR ACT, 1970**

**2913. SHRI P. KUMAR:  
SHRI VARUN GANDHI:  
SHRI NAMA NAGESWARA RAO:**

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

- (a) whether the Government proposes to amend the Contract Labour (Regulations and Abolition) Act, 1970 to ensure social protection of contract workers' in the light of the report of the Task Force constituted for the purpose; and  
(b) if so, the details thereof and if not, the reasons therefor?

**ANSWER**

**MINISTER OF STATE FOR LABOUR AND EMPLOYMENT  
(SHRI HARISH RAWAT)**

(a) & (b): A Tripartite Group was constituted vide order dated 30<sup>th</sup> June, 2009 to examine the provisions in the Contract Labour (Regulation and Abolition) Act, 1970 with a view to facilitating more social protection to the contract workers and suggest amendment to the Act. The Group had submitted its report on 31.12.2009. The Government is examining the report.

The issues relating to contract labour were also deliberated in the State Labour Ministers' Conference organized on 22<sup>nd</sup> January, 2010. Some very useful suggestions were given which are under active examination of the Government.

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**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT**

**LOK SABHA**

**STARRED QUESTION NO. 472  
TO BE ANSWERED ON 13.12.2010**

**WELFARE OF CONTRACT LABOURERS**

**†\*472. SHRI DINESH CHANDRA YADAV:  
SHRI RAJIV RANJAN SINGH ALIAS LALAN SINGH:**

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

- (a) whether the Government has any proposals for improving the economic and social conditions of the contract labourers in the country;**
- (b) if so, the outlines of the proposal thereof; and**
- (c) the time by which the said proposal is likely to be given final shape?**

**ANSWER**

**MINISTER OF STATE FOR LABOUR AND EMPLOYMENT  
(SHRI HARISH RAWAT)**

**(a) to (c): A statement is laid on the Table of the House.**

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**STATEMENT REFERRED TO PART (a) TO (c) OF THE LOK SABHA  
STARRED QUESTION NO. 472 RAISED BY SHRI DINESH CHANDRA  
YADAV: SHRI RAJIV RANJAN SINGH ALIAS LALAN SINGH  
REGARDING WELFARE OF CONTRACT LABOURERS.**

(a) to (c) : The Government has taken necessary steps to ensure appropriate wages, social security, basic amenities and other benefits to contract workers. Further, a Task Force was constituted by the Government on 30.6.2009 to examine the provisions in the Contract Labour (Regulation & Abolition) Act, 1970 with a view to facilitating greater social protection to the contract workers and to suggest amendments to the Act. The issue was taken up in State Labour Ministers' Conference held on the 22<sup>nd</sup> January 2010. The issue was also considered in the 43<sup>rd</sup> Session of Indian Labour Conference held on 23<sup>rd</sup> & 24<sup>th</sup> November, 2010. The proposal to amend the Act is under the consideration of the Government.

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GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
LOK SABHA

UNSTARRED QUESTION NO: 5456  
ANSWERED ON: 13.12.2010

AMENDMENT TO CONTRACT LABOUR ACT

5456 SHRI KAMLESH PASWAN:  
SHRI SURESH KUMAR SHETKAR:  
SHRI N. CHALUVARAYA SWAMY:

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

- (a) whether the Government has reviewed the working of the Contract Labour (Regulation and Abolition) Act, 1970;
- (b) if so, the details thereof;
- (c) whether the Government proposes to amend the Act, in view of new emerging scenario;
- (d) whether the views of the labourers, Non-Governmental Organisations (NGOs) and State Governments and other stakeholders have been elicited in this regard; and
- (e) if so, the details thereof; and
- (f) the time by which the amendment proposals are likely to be introduced in the Parliament?

ANSWER  
MINISTER OF STATE FOR LABOUR AND EMPLOYMENT  
(SHRI HARISH RAWAT)

(a) to (f): A proposal to amend the Contract Labour (Regulation and Abolition) Act, 1970 is under consideration of the Government. The views of all stakeholders are being considered. A Tripartite Task Force was constituted to look into the issues relating to contract labour. These issues were also considered during the State Labour Ministers' Conference as well as the Indian Labour Conference.



GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT

LOK SABHA

UNSTARRED QUESTION NO. 1766  
TO BE ANSWERED ON 7.3.2011

REFORMS IN LABOUR LAWS

1766. SHRI SAMEER BHUJBAL:  
SHRI AMARNATH PRADHAN:

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

- (a) the number of employees in the organised and unorganised sector in the country;
- (b) whether there is any plan for computerization of registration of the labour force in the unorganised sector;
- (c) if so, the details thereof;
- (d) whether the high level of unorganised employment is due to rigid labour laws;
- (e) if so, the details of the steps proposed to be taken to reform the labour laws including the Contract Labour Act;
- (f) the current labour and contract workers and their growth during the last five years; and
- (g) the steps taken to prevent exploitation of contract workers by the employers?

ANSWER

MINISTER OF LABOUR AND EMPLOYMENT  
(SHRI MALLIKARJUN KHARGE)

(a) to (g): As per Annexure.

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**ANNEXURE REFERRED TO IN REPLY TO PART (a) TO (g) of LOK SABHA UNSTARRED QUESTION NO. 1766 BY SHRI SAMEER BHUJBAL: SHRI AMARNATH PRADHAN: TO BE ANSWERED ON 7.3.2011**

(a): As per the survey carried out by the National Sample Survey Organisation in the year 2004-05, the total employment in both organised and unorganized sector in the country was 45.9 crore. Out of this, about 2.6 crore were in the organised sector and the balance 43.3 crore in the unorganised sector.

(b) & (c): At present there is no plan for computerization of registration of the labour force in the unorganized sector. However, those below poverty line are being registered and a smart card is being issued to them under Rashtriya Swasthya Bima Yojana.

(d) to (e): No. The Labour laws are reviewed from time to time and where necessary, amendments are done. At present a proposal to amend the Contract Labour (Regulation & Abolition) Act, 1970 is under consideration of the government.

(f): The number of workers on contract basis in Central Sphere Establishments in 2009-2010 in the country were 13,73,430 for whom licence has been obtained. No survey has been conducted to assess the increase in contract labour in the country.

(g): Regular inspections are conducted by officers of CLC(C) Organisation who are notified as Inspectors under various labour laws in Central Sphere Establishments to check the level of compliance and to ensure that the interest of workers are protected and they are paid their due wages. Apart from above, the Government has issued 79 notifications prohibiting engagement of contract labour in various establishments in the Central sphere from time to time.

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Appendix-V

**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT**

**LOK SABHA  
UNSTARRED QUESTION NO. 1030  
TO BE ANSWERED ON 28.11.2011**

**CONTRACT LABOUR SYSTEM**

**1030. SHRI S. ALAGIRI:  
SHRI YASHBANT N.S. LAGURI:  
SHRI RAVNEET SINGH:  
SHRI SAMEER BHUJBAL:**

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

- (a) whether the Government has any proposal to amend the Contract Labour Act, 1970;
- (b) if so, the salient features of the proposed amendments;
- (c) the number of employees in the organized and unorganized sectors;
- (d) the reasons for not eliminating the contract labour system in the Government organizations; and
- (e) the steps taken by the Government to ensure equal wages, facilities, benefits to contract workers and prevent their exploitation?

**ANSWER  
MINISTER OF LABOUR AND EMPLOYMENT  
(SHRI MALLIKARJUN KHARGE)**

- (a) & (b): The proposal to amend the Contract Labour (Regulation and Abolition) Act, 1970 is under consideration of Government.
- (c): As per the National Statistical Survey Organization, Employment and unemployment Survey 2004, the number of organized and unorganized Sector employees is approx. 2.6 and 43.3 crore respectively
- (d): The contract labour per se is not prohibited and any establishment can engage contract labour as per their requirements unless, the said job/work is prohibited under section 10 of the Contract Labour (Regulation and Abolition) Act, 1970.

Contd..2/-

(e): In order to protect the fundamental rights of workers, the Government has enacted various labour legislations and created an Inspectorate whose primary responsibility is to enforce the said legislations in the Central sphere. Rule 25(2)(v)(a) of Contract Labour (Regulation and Abolition) Central Rules, 1971 provides as one of the terms and conditions of the license that if the contract labour is performing the same and similar nature of work as being performed by the regular workers, the contract workers shall be entitled to the same wages and same service conditions as applicable to the regular workers on the same and similar kind of work provided that in case disagreement with regard to the type of work, the same shall be decided by the Deputy Chief Labour Commissioner (Central). In the Central Sphere, the Officers of the office of Chief Labour Commissioner conduct regular inspections and take action by cancelling the licences and filing the prosecutions against the violators.

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GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT

LOK SABHA  
STARRED QUESTION NO. 350  
TO BE ANSWERED ON 19.12.2011

CONTRACT WORKERS

\*350. SHRI E.T. MOHAMMED BASHEER:  
SHRIMATI SUPRIYA SULE:

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

- (a) whether the service conditions, wage structure, welfare and amenities available to the contract workers as stipulated in Contract Labour (Regulation and Abolition) Act, 1970 are not being strictly followed all over the country;
- (b) if so, whether the Government proposes to amend or revamp the Contract Labour (Regulation and Abolition) Act, 1970 in the light of the widespread outsourcing of works in the major industries and also for the automatic absorption of contract labourers;
- (c) if so, the details thereof;
- (d) if not, the reasons therefor; and
- (e) the extent to which the Inter State Migrant Workmen Act, 1979 is effective in the country?

ANSWER

MINISTER OF LABOUR AND EMPLOYMENT  
(SHRI MALLIKARJUN KHARGE)

(a) to (e): A statement is laid on the Table of the House.

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**STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 350 BY SHRI E.T. MOHAMMED BASHEER: SHRIMATI SUPRIYA SULE: TO BE ANSWERED ON 19.12.2011 REGARDING CONTRACT WORKERS.**

(a): The Central Government is appropriate Government in respect of the establishments in central sphere. The respective State Governments are the appropriate Government for the establishments in state sphere and private institutions also come under their jurisdiction. The provisions of the Act are strictly being implemented through the Central Industrial Relations Machinery and action is being taken against the violators of the Act in the Central Sphere.

(b) & (c): A proposal to amend the Contract Labour (Regulation & Abolition) Act, 1970 is under consideration of the Government to protect the interest of the contract workers in term of wages and social security. However, there is no proposal for amending the said Act for automatic absorption of contract labourers.

(d): Automatic absorption can pave the way for back door entry in regular jobs and also effect the employment prospects of the SCs/STs, OBCs and other categories for which reservation has been provided in regular jobs.

(e): The Government has not conducted any study to find out the extent to which the Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979 is effective in the country. However, on the recommendation of Working Group constituted by Indian Labour Conference held at New Delhi on 20<sup>th</sup> & 21<sup>st</sup> February, 2009, a Tripartite Group was constituted to examine the provision of Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979. The Group examined various provisions of the Act and reviewed the problems faced by the migrant workers, existing provisions of the Act, enforcement machinery, problem in implementation of the Act etc. The Group has submitted its report and the report has been placed before Indian Labour Conference held on 23-24 November, 2010.

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*Amendment to the Contract Labour  
(Regulation & Abolition) Act, 1970*

MR. CHAIRMAN: Hon. Members, those who want to lay their written speeches can lay their speeches on the Table of the House.

श्रम और रोजगार मंत्री (श्री मल्लिकार्जुन खरगे): सभापति जी, श्री गुरुदास दासगुप्त जी, ने आज सदन के सामने विचार के लिए विषय रखा है - "The situation arising out of widespread discontentment among the working class due to faulty Government policies." इस विषय पर निम्नलिखित माननीय सदस्यों ने अपने विचार रखे हैं :- श्री अधीर चौधरी, डॉ. मुरली मनोहर जोशी, श्री यशवंत सिन्हा, श्री शैलेन्द्र कुमार, डॉ. बलीराम, श्री शरद यादव, श्री कल्याण बनर्जी, श्री ए.सम्पत, श्री अनंत गंगाराम गीते, श्री सी.शिवासामी, डॉ. रघुवंश प्रसाद सिंह, श्री प्रशान्त कुमार मजूमदार, श्री कामेश्वर बैठा, श्रीमती पुतुल कुमारी और चौधरी लाल सिंह।

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Sir, at the outset, I would like to thank all the hon. Members who have been kind enough to provide some very useful inputs and insight into the problems relating to working class. I would also like to specially thank the hon. Member, Shri Gurudas Dasgupta, who has always been very supportive of the efforts that the Government has made in resolving issues relating to workers.... (Interruptions) "Supportive" means do not think that he has merged with the Congress. It is for resolving the issues relating to workers.... (Interruptions)

श्री गुरुदास दासगुप्त : मंत्री बनाओगे तो सपोर्ट करेंगे।

श्री मल्लिकार्जुन खरगे : बनायेंगे, आइये जल्दी आइये।

Let me now draw the attention of the House towards some of the steps that the Government has taken in the interest of the workforce, especially those in the unorganized sector. The Government has been very much concerned about the conditions of such workers and that is why we enacted the Unorganized Workers Social Security Act. It has been our endeavour to evolve schemes to provide social security to this segment of the workers. Accordingly, the National Social Security Fund has also been constituted to fund welfare schemes.

With a view to providing health insurance cover to Below Poverty Line Workers and their families, the smart card based cashless health insurance scheme, "Rashtriya Swasthya Bima Yojana" was launched. More than 2.83 crore families have been covered under the scheme. The Government has spent more than Rs.1630 crore since the inception of this scheme. The scheme is presently being implemented in 24 States and Union Territories and the remaining States have also initiated the process to implement it. The scheme has been extended to building and other construction workers, street vendors, MNREGA workers/beneficiaries who have worked for more than 15 days during the preceding year and beedi workers also. It is the endeavour of the Government to extend the scheme to other occupational groups in the unorganized sector in a phased manner.

There has been a lot of concern with regard to the problems faced by contract workers. We are also very much concerned about their plight and, therefore, we have not only taken action against those who have violated the provisions of the Act but also issued 82 Notifications banning engagement of contract labour.

To examine issues relating to contract labour, a Tripartite Group was constituted by the Government. The Group submitted its report on 31<sup>st</sup> December, 2009. Considering the importance of the issues, these were also discussed at length during the State Labour Ministers' Conference on the 22<sup>nd</sup> of January, 2010. The report was also placed in the 43<sup>rd</sup> Indian Labour Conference held on 23-24 November, 2010.

Some very useful suggestions emerged during these deliberations. On the basis of the inputs received from various quarters, a proposal to amend the Contract Labour (Regulation & Abolition) Act, 1970 has been prepared and is under active consideration of the Government.

Strict enforcement of labour laws has been our commitment. So far as enforcement of labour laws in the Central sphere is concerned, there exists a well defined and effective machinery under the Chief Labour Commissioner(Central) for enforcement of the various labour laws. Similarly, Employees State Insurance

Corporation (ESIC) and Employees' Provident Fund Organisation (EPFO) have their own enforcement machinery. Similar arrangements are also available in the States. Since the State Governments are also involved in implementation of labour laws, we are having continuous interactions with them for strengthening of the labour machinery in the State as well as better implementation of the labour laws. The Government has carried out amendments in the following nine Acts – the Payment of Wages Act; the Payment of Bonus Act; the Apprentices Act; the Workmen's Compensation Act; the Maternity Benefit Act; the Payment of Gratuity Act; the Employees' State Insurance Act; the Plantation Labour Act; and The Industrial Disputes Act.

These nine Acts have been amended during these two years. This itself shows the concern of the Government towards the workers. But in spite of that, we have to do a lot more. ... *(Interruptions)* We have to do a lot through implementation. State Governments have to implement; we have to implement. I am agreeing with you but at the same time, it is the duty of all of us to see that it should be strictly implemented in the States also.

It has been the endeavour of the Central Industrial Relations machinery to maintain peace and harmony in the establishments falling under the Central sphere. The industrial relations in the Central sphere remain, by and large, satisfactory though my friends, Shri Gurudas Dasgupta and Shri Acharia will not agree. That is a different matter but it is more or less peaceful.

Employment generation has been one of the most important priorities of the Government. Global economic meltdown has adversely affected most of the economies of the world and there have been widespread job losses. The global crisis affected India as well. However, what is of great significance is that despite the economic slowdown, there was no net employment loss during this period. ... *(Interruptions)*

SHRI BASU DEB ACHARIA (BANKURA): 40 lakh workers have lost their jobs according to the ILO Report.

SHRI MALLIKARJUN KHARGE I will come to that.

The Indian economy, including the Indian labour market, demonstrated a

strong flexibility to the crisis and in fact, around 20 million new employment opportunities were created on current daily status basis during the period 2004-05 to 2009-10 as per the data released by the NSSO for the 66<sup>th</sup> round survey conducted in 2009-10. The unemployment rate also came down from 8.3 per cent to 6.6 per cent during the same period while most of the countries registered increases in their unemployment rates.

It has also been decided to conduct annual Employment & Unemployment Survey by the Government in order to get data on annual basis and keep a close watch on employment & unemployment situation in the country. This will enable the Government to make timely interventions, whenever required.

Besides taking various steps for planned growth of the economy, the Government has also taken special measures like implementation of various employment generation programmes which include - *Swarna Jayanti Shahari Rozgar Yojana*, *Swarnjayanti Gram Swarozgar Yojana*, Prime Minister's Employment Generation Programme and Mahatma Gandhi National Rural Employment Guarantee Act.

Under Swarna Jayanti Shahari Rozgar Yojana, 10.98 lakh beneficiaries have been benefited upto December, 2011.

Prime Minister's Employment Generation Programme directly creates self-employment by providing credit linked subsidy for setting up of micro enterprises. The scheme is for implementation from 2008-09 to 2012-13 with an estimated expenditure of Rs. 4735 crore towards margin money and Rs. 250 crore towards backward and forward linkages with the target for generation of 37.37 lakh employment opportunities.

Under the Swarna Jayanti Shahari Rozgar Yojana, since its inception upto Jan.2012, a total of about 173.34 lakh Swarajgaries have been assisted with bank credit and subsidy.

Under Mahatma Gandhi National Rural Employment Guarantee Act, about 4.10 crore households have been provided employment in the current year till February, 2012.

Swarnjayanti Gram Swarozgar Yojana has been restructured into National Rural Livelihood Mission to provide self employment opportunities. Its allocation has been increased by over 34 percent in the next financial year.

The allocation for Prime Minister's Employment Generation Programme has been increased by 23 percent in 2012-13.

Government has also been making sincere efforts for skill development of a large number of people under various skill development programmes. The hon. Prime Minister has set a target of skilling 500 million persons by 2022 and the Ministry of Labour & Employment is required to train 100 million persons. We have increased the training capacity of the Ministry to 2.7 million against a target of 1.9 million in 2011-12.

All the Government ITIs are being modernized and new courses have been introduced and most of the ITIs are running in two to three shifts. More than 4000 new Government and Private ITIs have been set up in the last five years. According to a study carried out by Quality Council of India, placement rate has increased to about 80% to 99% because of improved infrastructure in the modernized ITIs.

Skill Development Initiative (SDI) scheme based on Modular Employable Skills (MES) has been started during Eleventh Five Year Plan for early school leavers and existing workers, especially in the unorganized sector to improve their employability. 12.65 lakh persons have been trained under the scheme so far. In order to focus skill development efforts in the Left Wing Extremism affected 34 districts, the Government has started a new scheme with an allocation of about Rs. 233 crore.

The Government has been continuously watching the effect of employment situation due to global financial crisis and economic slowdown in India since September, 2008 through quarterly surveys.... *(Interruptions)*

MR. CHAIRMAN: Please do not interrupt the Minister. The hon. Minister has every right to say what he wants.

SHRI MALLIKARJUN KHARGE: The last such survey to assess the impact of economic slowdown on employment in India was conducted by Labour Bureau for the period October - December, 2011.

During the survey, the information was collected from 2188 units/establishments in eight selected sectors, namely, textiles including apparels, leather, metals, automobiles, gems & jewellery, transport, IT/BPO and handloom/powerloom. The overall employment in the selected sectors has experienced a net addition of 25.84 lakh during the period October, 2008 - December 2011. This is the finding of a sample survey for only eight sectors of the economy. It is expected that total job creation in the economy taken all sectors together would be much higher.

Apart from growth of employment in the unorganized sector, there has been a significant growth in the organised sector employment also. While the organised sector employment was 26.4 million in 2004-05, it has now increased to 28.7 million which is all time high.

In order to have a uniform wage structure and reduce the disparity in minimum wages across the country, a concept of National Floor Level Minimum Wage has been evolved... (Interruptions)

MR. CHAIRMAN : No comments, please.

... (Interruptions)

MR. CHAIRMAN: Please, you have no right to make comments. If you want to ask anything, address the Chair, do not interrupt him. This is not correct.

SHRI MALLIKARJUN KHARGE: Sir, this has been revised from time to time primarily taking into account the increase in the Consumer Price Index Number for Industrial Workers. It has been enhanced from Rs.100/- per day to Rs.115/- per day w.e.f. 01.04.2011. Since this is a non-statutory measure, the State Governments are persuaded to fix/revise minimum wages in such a way that in none of the scheduled employments, the minimum wage is less than the National Floor Level Minimum Wage. A proposal to amend the Minimum Wages Act is under consideration of the Government.

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The wage ceiling for coverage of employees under the Employees' State Insurance Act, 1948 has been enhanced from Rs. 10,000/- to Rs. 15,000/- per month. A Pehchan Identity Card Scheme for Employees' State Insurance Corporation's beneficiaries has been launched and Cards have been issued to about 70 lakh beneficiaries. This card would enable Insured Persons and their family members to avail medical benefits from anywhere anytime, even if living at separate locations. ESIC has decided to set-up one hospital in each State as a Model Hospital and so far Model Hospitals in 18 States have been set up. The minimum amount of periodical monthly payment of dependants' benefit to all eligible dependants of the deceased employee has been enhanced to Rs. 1,200/- under ESI Rules, 1950 w.e.f. 1st March, 2012. Both EPFO and ESIC have undertaken ambitious projects of computerisation and modernisation of their organisations.

The amount of medical bonus under the Maternity Benefit Act, 1961 has been increased from Rs. 2,500/- to Rs. 3,500/-.

The Government has also ratified ILO Convention No. 127 concerning maximum weight for manual transport. The National Policy on Safety, Health and Environment at work-place and the National Policy on HIV/AIDS have been announced. A Bill to amend the Mines Act has been introduced in the Rajya Sabha.

Indian Labour Conference is the highest tripartite forum for discussion on matters related to Labour. The 44th Session of the Indian Labour Conference was held on February 14-15, 2012.

It took up three important items for discussions – one of the Members also specified this – that is Minimum Wages, Social Security, Employability and Employment. Discussions on these agenda items took place in three different Conferences, Committees which comprised of workers, employers and Government representatives. Valuable recommendations have been received by the Government on these items. I would like to assure the Hon. Members that the Government will sincerely follow up on these recommendations.... *(Interruptions)*

MR. CHAIRMAN : Let him complete.

... (Interruptions)

SHRI MALLIKARJUN KHARGE: Apart from this, Raghuvansh Prasad Singh *ji*, then Gurudas Dasgupta *ji* mentioned about the Metro Rail issues. Minimum wages are fixed for the activities and employments and not specifically for the establishment. Many of the activities associated with Delhi Metro such as sweeping, construction, loading, unloading, watch and ward etc. are already covered in the central sphere and definitely I will call for the report and see to it.

Next, Raghuvansh Prasad Singh *ji* spoke about the Majithia Wage Board. The Award of Majithia Board was notified on 11.11.2011. We have requested all the State Governments and employers to implement the awards. Recently, both the Labour and Employment Minister and the Secretary have written to all the State Governments to set up a Committee to monitor early implementation of this Wage Board, and we are monitoring it. Most of the State Governments still have not taken any action. I will follow it up and I will see that this should immediately be implemented. At the same time, I would request the Members to kindly bring pressure on the State Governments to implement it.

MR. CHAIRMAN: How can the Members bring that?

... (Interruptions)

SHRI MALLIKARJUN KHARGE: In our respective States, there are different Governments. If our MPs pressurize, definitely the concerned Ministry will do it... (Interruptions)

You all know that Labour is under the concurrent list. Whatever law we make or enact, that will be implemented by the State Government. At the most, we can monitor, we can call, and we can request them. We can write a letter to them. But, ultimately, the State Governments should become strong and implement it. That is why I am telling it... (Interruptions)

Now, regarding the National Commission for Enterprises in the Unorganised Sector under the Chairmanship of Arjun Sengupta *ji*, about this our veteran leader Gurudas Dasgupta *ji* and other leaders mentioned. Just I want to give two or three instances where we have acted. We might not have implemented it fully but in certain spheres, in certain areas we have taken action. One is, the



Ministry of Labour and Employment had considered the report of NCEUS and the Unorganized Workers' Social Security Act, 2008 was enacted. Many social security schemes were formulated for unorganized workers such as extension of Rashtriya Swasthya Bima Yojana for health insurance cover, higher old-age pension under the Indira Gandhi Old Age Pension Scheme, and Aam Aadmi Bima Yojana to provide for life and disability insurance. These all schemes which will be made applicable to the unorganized workers.... *(Interruptions)*

MR. CHAIRMAN: Mr. Minister, you address the Chair. Except the Minister, nothing will go on record.

*(Interruptions) ... \**

SHRI MALLIKARJUN KHARGE: The welfare of construction workers has been a major concern for the Government... *(Interruptions)* We have repeatedly impressed upon the States to formulate welfare schemes and use the construction workers' cess fund for their welfare. The Rashtriya Swasthya Bima Yojana has been extended to the workers of this.... *(Interruptions)*

MR. CHAIRMAN : Please address the Chair.

*... (Interruptions)*

SHRI MALLIKARJUN KHARGE: Not once, several times, I have written regarding construction workers and cess implementation. Some of the States have acted well, for example, Tamil Nadu, Kerala, West Bengal, Maharashtra, Haryana and even Delhi. Some States have worked on this but some of the States, though there is a lot of cess money, they have not spent it for any scheme. I can give the names but I do not want to elaborate all those things. This is in the hands of the State Governments. They constitute the committee; they implement it; money is with them; and it is in the bank.

Therefore, they have to do it. They should become more sensitive towards this problem.... *(Interruptions)* The minimum wages are linked to variable dearness allowance.... *(Interruptions)*

MR. CHAIRMAN: Anything that you want to speak, please address the Chair. Do not ask directly. It is very unfair that you are doing. Let him complete.

... (Interruptions)

SHRI MALLIKARJUN KHARGE: According to the 66<sup>th</sup> Round of NSSO's Survey, the rural wages for casual labour, have increased from Rs. 49 per day in 2004 to Rs. 93 per day in 2009-10. But this is also not sufficient. I do agree. Again, we have to think over it in the next year.

Now, about the *Beedi* Workers Welfare Fund – the fund collected through cess is not sufficient to meet the requirement for various welfare schemes for *beedi* workers. The Government has provided additional funds through budgetary support for setting up additional hospitals and dispensaries. More dispensaries and hospitals were sanctioned in West Bengal; in Andhra; wherever the *beedi* manufacturing units are there. ... (Interruptions) We have sanctioned hospitals for *beedi* workers.... (Interruptions)

MR. CHAIRMAN: Mr. Acharia, please take your seat. Nothing will go on record except what the hon. Minister is saying.

(Interruptions) ... \*

SHRI MALLIKARJUN KHARGE: It is also significant that Rashtriya Swasthya Bima Yojna has been extended to *beedi* workers. ... (Interruptions) Everybody knows that *beedi* cess is insufficient. We got the budgetary support for scholarship fund and for hospitals. We got additional money and we are implementing that scheme.... (Interruptions)

MR. CHAIRMAN: He has not yet completed. Let him complete first.

... (Interruptions)

SHRI MALLIKARJUN KHARGE: My last point is this. मैं डिटेल में अभी बोलता हूँ उसमें कुछ नहीं है, लेकिन सजेशन मैंने आपके सामने रखा है। एक बात जरा मुझे अच्छी नहीं लगी, जंची नहीं, वह यह है कि बार-बार गुरुदास दासगुप्त जी और बहुत से मैम्बर्स हिट एण्ड रन हो गये। बहुत से सदस्यों ने बात की और चले गये। Mostly, they do not want to listen our suggestions or whatever we want to say. आप देखिये the hon. Prime Minister came for Pradhan Mantri Shram Awards function on 15<sup>th</sup> September, 2010 and 13<sup>th</sup> October, 2011. He has also addressed an Indian Labour Conference, the Parliament of workers, held in the recent past on 14<sup>th</sup> February, 2012. The hon. Finance Minister has encouraged the cause of workers by attending the ESIC Diamond Jubilee Celebrations held in February, 2012. He has been providing all support to our Ministry by providing adequate funds for the workers and their welfare related schemes.

**19.00 hrs.**

The recent initiative of our Ministry is to open new hospitals and dispensaries for *beedi* workers. We are going to implement this plan because of the budgetary support from the Finance Ministry.

So, they are supporting us in all these things. The Prime Minister is supporting us. The Finance Minister is supporting us. ... (Interruptions) Please wait for a minute. I will come to that. ... (Interruptions)

अगर गरीबों और वर्कर्स के लिए उनके पास मन नहीं होता, तो आज जो एलोकेशन सोशल सिक्योरिटी में है, खासकर चाहे मनरेगा हो, मिड-डे-मील हो, राइट-टू-एजुकेशन हो ... (व्यवधान) आप जितना काम करायेंगे, उतना पैसा आएगा, आप उसकी चिंता मत करिए। पहले काम कराइए। चाहे फूड सिक्योरिटी हो, ये सारी चीजें सोशल सिक्योरिटी की स्कीम्स हैं और सारी गरीबों के लिए ही हैं और उनके हित में ही किया जा रहा है। इसके बाजूबद भी यह कहना कि इस गवर्नमेंट को गरीबों के बारे में कोई चिंता नहीं, कर्मचारियों के बारे में चिंता नहीं है, बीपीएल लोगों के बारे में चिंता नहीं है, यह ठीक नहीं है। राष्ट्रीय स्वास्थ्य बीमा योजना हो, रूरल हेल्थ मिशन हो, ये सारी चीजें इन्हीं के लिए हैं और जो दूसरी योजनायें जिनके बारे में मैंने बताया, ये सभी लेबर के हित में हैं। इसलिए यह कहना ठीक नहीं होगा कि इस गवर्नमेंट को गरीबों और कर्मचारियों के बारे में कोई चिंता नहीं है।

दूसरी बात, अब प्रोवीडेंट फंड के लिए ...(व्यवधान) आप ठहरिए। आप रेज करते हैं, फिर उसका रिप्लाय तो होना ही है। रूल 193 में जो आपने रेज किया और दूसरी बहुत सी बातें भी कीं। ...(व्यवधान)

**SHRI GURUDAS DASGUPTA :** Sir, I must welcome the Minister of Parliamentary Affairs. He has come at least at the end. ... *(Interruptions)*

**श्री मल्लिकार्जुन खरगे :** यहां पर बहुत क्रिटिसाइज इसके लिए हुआ कि प्रोवीडेंट फंड का इंटरैस्ट रेट 8.25 हुआ है, यह कम है। इसे गवर्नमेंट ने कम कर दिया है। ऐसा कहा गया। ...(व्यवधान) आप सुनिये।

मैं आंकड़े पढ़ता हूं। वर्ष 2005-06 में 8.5 परसेंट दिया था, वर्ष 2006-07 में 8.5 परसेंट, वर्ष 2007-08 में 8.5 परसेंट, वर्ष 2008-09 में 8.5 परसेंट, वर्ष 2009-10 में 8.5 परसेंट, वर्ष 2010-11 में 9.5 परसेंट, यानी 1 परसेंट ज्यादा दिया। यह क्यों दिया, वहां पर एकाउन्टिंग में जो एक्युमुलेटिड पैसे थे, 1,722 करोड़, सारे ट्रस्टी ने यह सोचा और यह सलाह दी कि यह जो 1,722 सरप्लस फंड है, इसे हमारे वर्कर्स को, बेनीफिशरीज को और कर्लीब्यूटर्स को दिया जाये। उनकी सलाह के अनुसार हमने लास्ट टाइम वित्त मंत्री जी को रिकमेंड किया कि हमारे पास एडीशनल इतनी सेविंग है, इसलिए आप हमको 9.5 परसेंट की मंजूरी दीजिये। उस वक्त भी फाइनेंस डिपार्टमेंट ने एतराज किया। वह बोले कि आपका एक्युअल एनुअल इनकम केवल 8.5 का है, 9.5 का नहीं है, इसलिए आप 8.5 परसेंट कीजिये। फिर हमने लिखित में दिया कि अगर इसमें कुछ कमी होती है तो हम अगले साल, जो हमारे पास रेवेन्यू आयेगा, उस रेवेन्यू में से इसे आप डिडक्ट कर सकते हैं। सारे बोर्ड ऑफ ट्रस्टीज, प्रोवीडेंट फंड के जितने भी मेंबर्स हैं, सबने मिलकर यह डिस्मिशन लेकर भेजा और 9.5 परसेंट पर आए। इस वक्त हमारी इंकम 8.25 परसेंट तक है। इसलिए फाइनेंस डिपार्टमेंट का यह कहना है कि 8.25 ही आपकी एनुअल इंकम है, इसलिए आप 8.25 परसेंट से ज्यादा अगर दिए तो कल के दिन ईपीएफसी में पैसे कम होंगे और आगे दूसरे लोगों तकलीफ होगी। यह गरीबों का पैसा है। हम इसको निकाल कर दूसरे जगह पर डाल नहीं सकते हैं। इसे कोई ले कर नहीं जा सकता है। इसे हम सेफर साईड, ऐसे जगह इन्वेस्ट करते हैं जिस जगह से हमें यह गारंटी हो कि हमारा पैसा भी सेफ रहे और इन्टरेस्ट भी समय पर मिले ताकि हम लोगों को डिस्ट्रीब्यूट करें। इस नीयत से पैसा रखते हैं। अगर हम पैसे को शेयर होल्डिंग में इधर-उधर या बाहर के कंपनियों को दिया तो और भी ज्यादा आ सकता है। अगर यह पैसा किसी दूसरे जगह पर वह सेफ नहीं रहा वहां कोई घोटाला हुआ तो कल के दिन चार करोड़ लोग या हमारे दूसरे मेंबर्स जो भी हैं, छः करोड़ लोग उन सबका पैसा गायब हो जाएगा। इस नीयत से ही हम सिव्कोरड डिपॉजिट रखते हैं जिस जगह हमारा पैसा सेफ रहता है और इन्टरेस्ट भी मिलता है। हम ने इस नीयत से पैसा रखा है। आज हम को 8.25 इंटरैस्ट रेट मिला है। यह लास्ट ईयर का इन्कम है। इस साल थोड़ा ज्यादा मिलने की आशा इसलिए है कि बैंक की दर दिसम्बर से ज्यादा हो गए हैं तो नेचुरली हम को भी वह फायदा इस साल मिलेगा और नेक्स्ट ईयर वह ज्यादा जाने की संभावना है। इसलिए इसमें कोई मिसअंडरस्टैंडिंग नहीं होनी चाहिए। गलतफहमी से ऐसा नहीं होना चाहिए।

कि इसको 9.5 परसेंट से आज एकदम 8.25 परसेंट कर दिया है। गवर्नमेंट है इसलिए ऐसा कर दिया है। यह एंटी लेबर है। यह ठीक नहीं है। पैसा हमारे पास है। पंचायत में जैसे - एक तरफ ट्रेड यूनियन के लीडर्स रहते हैं, इम्प्लायर्स रहते हैं और दूसरी तरफ गवर्नमेंट रहती है। ये तीनों लोग और फायनेंस डिपार्टमेंट के रिप्रजेन्टेटिव सभी मिल कर एक निर्णय लेते हैं उसमें डेफिनेटली कभी ट्रेड यूनियन के लीडर अपना डिमांड ज्यादा रखते हैं और कभी इम्प्लॉयर यह कहते हैं कि उसको उतना देना ठीक नहीं है। ओवर ऑल पिकचर, हम को उस आर्गनाइजेशन को चलाना है, उस आर्गनाइजेशन को जिन्दा रखना है और लोगों के हित में काम करना है। इस दिशा में गवर्नमेंट ने यह काम किया है। इसलिए इसमें कोई दूसरी मिसअंडरस्टैंडिंग करने की जरूरत नहीं है। मैं आप से यही अपील करूंगा कि यह 9.5 परसेंट से एकदम 8.25 परसेंट कर दिया ऐसी न्युज स्प्रेड होना अच्छा नहीं होगा। इसलिए मैं उनसे अपना रिकार्ड स्ट्रेट रखने की विनती करता हूँ। सारे इन्स्पेक्टिव ऑफ पालिटिकल पार्टिज और सभी सदस्यों ने ऐसा सलाह मुझे दिया है कि इसमें कोई पार्टी पालिटिक्स नहीं लाए इसलिए मैं तमाम सदस्यों का धन्यवाद करते हुए अपनी बात को समाप्त करता हूँ।

MR. CHAIRMAN : Yes, Mr. Gurudas Dasgupta.

SHRI GURUDAS DASGUPTA : Minister, there is only question from my side. I am suggesting to you to please call a meeting of all the State Labour Ministers to discuss registration of trade unions, to discuss the minimum wages and to discuss implementation of law. Please call a meeting and allow minimum wages. Please agree to a suggestion for calling a meeting of all the State Labour Ministers.

SHRI ANTO ANTONY (PATHANAMATHITTA): The minimum wages should also be included... (*Interruptions*)

SHRI GURUDAS DASGUPTA : Minimum wages have been included.

MR. CHAIRMAN: Hon. Member, when Mr. Dasgupta is already speaking, why are you shouting? Please take your seat.

SHRI GURUDAS DASGUPTA : Mr. Minister, would you agree for a meeting of the State Labour Ministers?

SHRI MALLIKARJUN KHARGE : It is a good suggestion. Definitely, I will examine it.

MR. CHAIRMAN: Okay.

Yes, Mr. Bishnu Pada Ray, you may ask only one question.

SHRI BISHNU PADA RAY (ANDAMAN AND NICOBAR ISLANDS):  
Regarding safe money, the State Bank of India is already giving 9.25 rate of

interest. आपने वर्ष 2005 से वर्ष 2008 तक 8.5 परसेंट इंटरैस्ट रेट दिया। स्टेट बैंक और इंडिया के पार्लियामेंट ब्रांच में डिपॉजिट पर 9.25 इंटरैस्ट रेट देता है तो आप वहां पैसा क्यों नहीं रखते हैं। मजदूर के हित में आपने काम नहीं किया। इसलिए मैं आपसे अनुरोध करूंग कि सेफ मनी के लिए 9.25 इंटरैस्ट रेट एसबीआई दे रहा है तो आपने क्यों घटा दिया?

MR. CHAIRMAN: Now, Mr. Basu Deb Acharia.

SHRI BASU DEB ACHARIA : Sir, the hon. Minister has referred to hospital for the beedi workers. There is one hospital in my district Purulia at Jhalda. The construction work has been completed. I have already written a letter to the Minister.

The hospital building has been completed. In order to start the hospital and make it functional, whether the Ministry will provide necessary staff and doctors so that the *beedi* workers can get benefit out of it without delay?

श्री मल्लिकार्जुन खरगे : हर माननीय सदस्य ने कहा कि अगर स्टेट बैंक ऑफ इंडिया में डिपॉजिट रखें तो 9.5 प्रतिशत ब्याज मिलता है, तो आप 8.5 प्रतिशत क्यों दे रहे हैं? उसके पूरे रीजन्स हैं। अगर मैं उन्हें पढ़ू तो एक-दो पेज और हैं कि अगर हम सिक्युरिटी में रखें तो कितना मिलता है। सेविंग्स में रखें तो कितना मिलता है। इन सारी चीजों की वजह से रिवैन्यू की ओवर ऑल जो पिक्चर इमर्ज होती है, वह रिवैन्यू हम डिस्ट्रीब्यूट करते हैं। मान लें आप भी मेरी जगह पर आए तो यही करने वाले हैं क्योंकि आपको इस फंड को सेफ रखना है और कंट्रीब्यूटर्स के हित में काम करना है।... (व्यवधान)

श्री विष्णु पद राय : स्टेट बैंक ऑफ इंडिया में है।... (व्यवधान)

श्री मल्लिकार्जुन खरगे : हमारे पैसे स्टेट बैंक ऑफ इंडिया में ही हैं, मैं दूसरी जगह नहीं रखने देता। बहुत से लोग कहते हैं कि वहां रखें, लेकिन वहां भी अलग-अलग है। अगर आप कहें तो मैं पढ़कर बता देता हूँ।... (व्यवधान)

MR. CHAIRMAN : No, it is all right.

श्री मल्लिकार्जुन खरगे : आपने अस्पताल के बारे में कहा। बीड़ी वर्कर्स अस्पताल के लिए हमने एडिशनल फंड्स दिए हैं। अगर कहीं दिक्कत है तो मैं अपने डायरेक्टर (लेबर वेल्फेयर) से कहूंगा कि जहां डाक्टर नहीं हैं, वहां स्टाफ भेजने की कोशिश करें।... (व्यवधान) We have to create staff. We will try....

(Interruptions)

MR. CHAIRMAN: Now, the House will take up 'Zero Hour'.

Shri Nikhil Kumar Choudhary

... (Interruptions)

MR. CHAIRMAN: Nothing will go on record, except the speech of Mr. Nikhil Kumar Choudhary.

(Interruptions) ... \*

MR. CHAIRMAN: You have to speak very, very briefly. Everybody will speak for two minutes only, and not more than that.





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

**UNSTARRED QUESTION NO. 2348  
TO BE ANSWERED ON 27<sup>TH</sup> AUGUST, 2012**

**CONTRACT LABOUR SYSTEM**

†2348. SHRI ARJUN MEGHWAL:

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

- (a) whether contract system has adversely affected on the condition of labourers;
- (b) if so, the details thereof;
- (c) whether the Government have conducted any study in this regard;
- (d) if so, the details thereof;
- (e) whether the labourers of Government sector, non-Government sector and unorganised sector have organised strikes, dharnas, demonstrations during last year against this contract system; and
- (f) if so, the steps taken by the Government to protect the interests of those labourers?

**ANSWER**

**MINISTER OF LABOUR AND EMPLOYMENT**

**(SHRI MALLIKARJUN KHARGE)**

(a) to (d): Contract labour is a growing form of employment and it has opened more employment opportunities for the workers. To protect the interests of the contract labour in term of wages and other service conditions, the Government has enacted Contract Labour (Regulation & Abolition) Act, 1970. The social security aspects of contract workers under Employees Provident Fund and Miscellaneous Provision Act, 1952 and Employees State Insurance Act 1948 are enforced by the Employees Provident Fund organization and Employees State Insurance Corporation respectively provided the establishments in which contract workers are working are covered under the said Acts.

In an impact study conducted by VV Giri National Labour Institute revealed that the contract labour are being paid less wages than the wages given to the regular workers of Principal Employer even though contract labour perform same or similar kind of work.

(e) & (f): Yes. The Central Government is the appropriate Government in respect of the establishments falling in central sphere. The private companies in non Government sector and unorganised sector come in State sphere. In the central sphere, the complaints/grievances are received in the field offices of Chief Labour Commissioner (Central) Organization, Employees Provident Fund organization and Employees State Insurance Corporation and action is taken. Apart from the prosecutions, Central Government has prohibited employment of contract labour in various establishments in central sphere through 84 Notifications issued from time to time under the Contract Labour (Regulation & Abolition) Act, 1970. To further protect the interests of the contract labour a proposal to amend the Contract Labour (Regulation & Abolition) Act, 1970 is under examination.

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Appendix - IX

**GOVERNMENT OF INDIA**  
**MINISTRY OF LABOUR AND EMPLOYMENT**  
**LOK SABHA**  
**UNSTARRED QUESTION NO. 2527**  
**TO BE ANSWERED ON 27<sup>TH</sup> AUGUST, 2012**  
**LABOUR UNREST AT MARUTI SUZUKI MANESAR PLANT**

**2527. SHRI GURUDAS DASGUPTA:**

**SHRI PRABODH PANDA:**

**SHRI MANICKA TAGORE:**

**DR. THOKCHOM MEINYA:**

**SHRI NAMA NAGESWARA RAO:**

**SHRI K. SUDHAKARAN:**

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

- (a) whether the Government's attention has been drawn to the continued labour unrest at the Maruti Suzuki's Manesar plant which was developed into violent action and resulted in killing of a senior executive on 18 July this year and injuries to many;
- (b) if so, the details thereof;
- (c) whether any inquiry has been conducted into the matter;
- (d) if so, the details thereof and the action taken by the Union Government to resolve the problem and create an atmosphere for the smooth resumption of the work at the plant;
- (e) whether the Government proposes to amend the Contract Labour (Regulations & Abolitions) Act, 1970 and Trade Union Laws; and
- (f) if so, the time by which it is likely to be done?

**ANSWER**  
**MINISTER OF LABOUR AND EMPLOYMENT**  
**(SHRI MALLIKARJUN KHARGE)**

(a) to (d): Yes, Madam. A violent incident had occurred at the Maruti Suzuki's Manesar Plant on 18<sup>th</sup> July, 2012 in which a senior executive was killed and approximately 91 other supervisory staff were injured. Following the incident, the management of Maruti Suzuki announced a lockout. As the establishment of Maruti Suzuki falls under the State sphere, the State Government of Haryana has constituted a Special Investigating Team which is conducting an inquiry into the incident. Further, the State Government of Haryana has held many meetings with the management of Maruti Suzuki to resolve the problem and to create an atmosphere for smooth resumption of work at the Plant. It has been reported by the State Government of Haryana that the management of Maruti Suzuki have lifted the lockout on 21<sup>st</sup> August, 2012. The workers have joined duty and work at the Plant has resumed partially.

(e) & (f): A proposal to amend the Contract Labour (Regulation & Abolition) Act, 1970 is under examination of the Government and the act will be amended as per procedure laid down for this purpose. At present, there is no proposal to amend the Trade Union Laws.

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GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT

LOK SABHA

UNSTARRED QUESTION NO. 3790  
TO BE ANSWERED ON 17.12.2012

DISPARITY IN WAGES

3790. SHRIMATI SUPRIYA SULE:  
DR. SANJEEV GANESH NAIK:

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

- (a) whether there is a huge differences in the wages of a regular and a contract worker doing the same nature of work;
- (b) if so, the steps taken by the Government to remove such difference in wages of labours doing the same work;
- (c) whether the Government is considering to bring in necessary changes in the Contract Labour Act in this regard;
- (d) if so, the details thereof; and
- (e) the steps taken to redress the problems of contract labours and tackle the problem of wage differences and also labour unrest in the country?

ANSWER

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT  
(SHRI KODIKUNNIL SURESH)

(a), (b) & (e): As per the Contract Labour (Regulation & Abolition) Central Rules, 1971, in cases where the contract worker perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service shall be the same as applicable to the workmen directly employed by the principal employer doing the same or similar kind of work.

(c) & (d): Yes, Madam. To safeguard the interests of the contract labour further in term of wages and social security, a proposal to amend the Contract Labour (Regulation & Abolition) Act, 1970 is under consideration of the Government.

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**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT**

**LOK SABHA  
STARRED QUESTION NO. 56**

**TO BE ANSWERED ON 09.12.2013**

**VIOLATIONS OF CONTRACT LABOUR LAW**

**\*56. SHRI BHARTRUHARI MAHTAB:  
SHRI SANJAY DHOTRE:**

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

- (a) the details of the legal provisions/norms governing employment of contract labour in Central Government Departments/Public Sector Undertakings (PSUs);**
- (b) whether the cases of poor working condition and non-compliance of labour laws/norms for contract workers in various Central Government Departments/PSUs have come to the notice of the Government in the recent past and if so, the details thereof;**
- (c) whether the Government has conducted any inquiry in this regard and if so, the details thereof and if not, the reasons therefor;**
- (d) whether the Government proposes amendments to the Contract Labour (Regulation and Abolition) Act/Rules to bring parity between the contractual and permanent labour based on the premise of equal benefits for similar jobs; and**
- (e) if so, the details thereof along with the other remedial measures taken/being taken by the Government in this regard?**

**ANSWER**

**MINISTER OF STATE FOR LABOUR AND EMPLOYMENT  
(SHRI KODIKUNNIL SURESH)**

**(a) to (e): A statement is laid on the Table of the House.**

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**STATEMENT REFERRED TO IN REPLY TO PART (a) to (e) OF THE LOH SABHA STARRED QUESTION NO. 56 TO BE ANSWERED ON 09.12.2013 REGARDING VIOLATIONS OF CONTRACT LABOUR LAW RAISED BY SHRI BHARTRUHARI MAHTAB: SHRI SANJAY DHOTRE.**

**(a):** The employment of contract labour engaged in Central Government Departments/Public Sector Undertakings is governed by the provisions of Contract Labour (Regulation & Abolition) Act, 1970 and Rules made thereunder. The Act applies to every establishment employing 20 or more workmen as contract labour. The Act provides for registration of the principal employer and licensing the contractor. It covers the aspects of health, welfare, working conditions, hours of work and wages of contract labour. The Act also provides abolition of contract labour in certain establishments in certain circumstances.

**(b)&(c):** Chapter VI of the Act provides for penalties for non-compliance of provisions of the Act. Wherever cases of non-compliance of the Act are noticed by the inspecting staff, the inspectors have been given powers to take legal action under the Act. The enforcement figures for violations under the Act in the central sphere for the last 3 years are enclosed at Annexure-A.

**(d) & (e):** In order to safeguard the interests of the contract workers in terms of wages and social security and bringing parity between contract labour and directly employed workers of principal employer, a proposal for amendment to the Contract Labour(Regulation & Abolition) Act, 1970 is under consideration of the Government.

**Annexure-A****Enforcement of Labour Laws in Central Sphere Establishments  
(2010-11, 2011-12, 2012-13 & 2013-14\*)****Contract Labour (Regulation & Abolition) Act, 1970**

S. No.	Particulars	2010-11	2011-12	2012-13	2013-14*
1.	No. of Inspections conducted	7327	7268	8146	2647
2.	No. of Prosecution Launched	4908	4962	4671	1654
3.	No. Irregularities	148731	192418	148838	86749
4.	No. of Convictions	3643	4962	2871	1626

**Minimum Wages Act, 1948**

S. No.	Particulars	2010-11	2011-12	2012-13	2013-14*
1.	No. of Inspections conducted	16780	15155	15460	5698
2.	No. of Prosecution Launched	6008	6879	5267	2322
3.	No. Irregularities	305796	289525	291116	195976
4.	No. of Convictions	6124	6746	4914	3047

**Equal Remuneration Act, 1976**

S. No.	Particulars	2010-11	2011-12	2012-13	2013-14*
1.	No. of Inspections conducted	3421	3453	4167	1086
2.	No. of Prosecution Launched	570	994	773	335
3.	No. Irregularities	6996	7721	8821	6219
4.	No. of Convictions	1241	937	777	466

\*Provisional (upto Sep.2013)

**Payment of Wages (Major Ports)**

S. No.	Particulars	2010-11	2011-12	2012-13	2013-14*
1.	No. of Inspections conducted	92	17	12	4
2.	No. of Prosecution Launched	07	59	0	0
3.	No. Irregularities	1231	1099	827	807
4.	No. of Convictions	0	14	19	35

**Inter State Migrant Workers (RE&CS) Act, 1979**

S. No.	Particulars	2010-11	2011-12	2012-13	2013-14*
1.	No. of Inspections conducted	452	174	155	61
2.	No. of Prosecution Launched	55	331	51	38
3.	No. Irregularities	4325	6177	5660	753
4.	No. of Convictions	37	250	43	1

**Payment of Bonus Act, 1965**

S. No.	Particulars	2010-11	2011-12	2012-13	2013-14*
1.	No. of Inspections conducted	1083	765	905	294
2.	No. of Prosecution Launched	55	19	39	0
3.	No. Irregularities	4672	3331	5610	2644
4.	No. of Convictions	128	31	14	37

\*Provisional (upto Sep.2013)

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GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
LOK SABHA

UNSTARRED QUESTION NO. 555  
TO BE ANSWERED ON 09.12.2013  
CONTRACT LABOUR

555. SHRI LAXMAN TUDU:

SHRI P.L. PUNIA:  
SHRI GORAKH PRASAD JAISWAL:  
SHRI RAMESH VISWANATH KATTI:  
SHRI KIRTI AZAD:  
SHRI DEVJI M. PATEL:  
SHRI K. SUDHAKARAN:  
SHRI A.T. NANA PATIL:  
SHRI JEETENDRA SINGH BUNDELA:  
SHRI RAM SUNDAR DAS:  
SHRI KAPIL MUNI KARWARIYA:  
SHRI P.C. MOHAN:

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

- (a) whether large a number of organizations in the Government departments/public/private sectors prefer engagement of contract labour over employment on regular basis denying social benefits to such employees;
- (b) if so, the reaction of the Government thereto;
- (c) the details of provision and law for employing contract labour in an establishment;
- (d) the details of action taken against such establishments which violate the statutory provisions under all labour laws, State-wise during each of the last three years and the current year;
- (e) whether the Government has not maintained the centralised record of persons working on contract basis in various Ministries/ Departments/ Establishments;
- (f) if so, the reasons therefor;
- (g) whether there have been several cases where contract labourers have not been paid minimum wages or have not been provided with their entitled benefits and if so, the reasons therefor along with the action taken in this regard; and
- (h) whether there are disparities between States in ensuring minimal working conditions for such contract labourers and if so, the details of the steps taken by the Government to address the same?

ANSWER

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT  
(SHRI KODIKUNNIL SURESH)

(a) to (c) : Any establishment can employ contract workers through private contractors in any job or process unless it is prohibited under section 10 of the Contract Labour (Regulation & Abolition) Act, 1970.

However, the establishments engaging contract workers have to follow the statutory provisions contained in labour laws.

The Government ensures that the interest of contract labour in terms of wages and other service conditions are safeguarded under the Contract Labour (Regulation & Abolition) Central Rules, 1971. The wages of the contract labour shall not be less than the rates prescribed under Minimum Wages Act, 1948 and in cases where the contract worker perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service shall be the same as applicable to the workmen directly employed by the principal employer doing the same or similar kind of work. This is enforced by Chief Labour Commissioner in the Central sphere and State Labour Commissioners in the State sphere.

The social security aspects of contract workers under Employees Provident Fund and Miscellaneous Provision Act, 1952 and Employees State Insurance Act 1948, are enforced by the Employees Provident Fund Organisation and Employees State Insurance Corporation respectively provided the workers working in the outsourced establishments are covered under the said Acts.

(d) : To safeguard the interest of the Contract Worker further in terms of wages and social security a proposal for amendments to the Contract Labour (Regulation and Abolition) Act, 1970 is under consideration and the details are being worked out in consultation with other Ministries.

(e) & (f) : Yes, the data pertaining to the contract workers is not being maintained centrally.

(g) : In the central sphere, the complaints are received in the field offices of Chief Labour Commissioner (Central) under the Contract Labour (Regulation & Abolition) Act, 1970, Minimum Wages Act, 1948 and by other laws applicable to contract labour, which are investigated and action is taken

(h) : The Labour being in the concurrent list of the Constitution of India, the State and the Central Government have the powers to make their own rules etc. for the administration of various labour laws. As such, there can be disparities between States in minimum working conditions for the workers/contract labours.

**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT**

**LOK SABHA  
UNSTARRED QUESTION NO. 4261  
TO BE ANSWERED ON 29<sup>TH</sup> AUGUST, 2011**

**GROWTH RATE OF EMPLOYMENT**

**4261: SHRI M.B. RAJESH:  
SHRI P.R. NATARAJAN:  
SHRIMATI RAMA DEVI:  
SHRI ANJAN KUMAR M. YADAV:  
SHRI SANJAY BRIJKISHOR LAL NIRUPAM:**

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

- (a) whether the rate of growth of employment has decelerated including employment in rural areas during the last three years;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether the Government has formulated any National Employment Policy;
- (d) if so, the details thereof alongwith the details of fund provided during the Eleventh Five Year Plan;
- (e) whether the annual compound growth rate of employment opportunities in public sector is negative in almost all the States; and
- (f) if so, the corrective steps taken by the Government in this regard?

**ANSWER  
MINISTER OF LABOUR AND EMPLOYMENT  
(SHRI MALLIKARJUN KHARGE)**

(a) Reliable estimates of employment and unemployment are obtained through quinquennial labour force surveys conducted by National Sample Survey Office. Last such survey was conducted during 2009-10. As per most recent two surveys, rate of growth of employment on usual status has decelerated from 2.95 percent per annum during 1999-2000 to 2004-05 to 0.28 percent per annum during 2004-05 to 2009-10 in the country.

(b) The details of rate of growth of employment per year in rural and urban areas are given below:

Period	Annual rate of growth of employment (%)	
	2004-05/1999-2000	2009-10/2004-05
Rural	2.70	(-) 0.19
Urban	3.71	1.61
Total	2.95	0.28

The reasons for decline in rate of growth of employment during 2004-05 to 2009-10 may be attributed to drastic deceleration in labour force participation rate particularly among women, reduction in subsidiary employment, increase in level of income in rural areas due to increase in real wages, higher level of participation in education, etc.

(c) A draft National Employment Policy (NEP) has been prepared by Ministry of Labour & Employment in consultation with various Central Ministries/Departments and other stakeholders which is at advanced stage of finalization.

(d) The objective of the National Employment Policy is to provide a holistic framework towards achieving the goal of remunerative and decent employment for all women and men in the labour force in a sustainable manner. It aims at accelerating employment growth, particularly in the organized sector, and improving the quality of jobs in terms of productivity, average earnings, and protection of workers, especially in the unorganized sector. The National Employment Policy has not yet been finalized, therefore, no fund has been allocated in the Eleventh Five Year Plan.

(e) Yes, Madam. State-wise details of annual compound growth rate of employment opportunities in public sector during 2005-2009 based on information collected under Employment Market Information Programme of Directorate General of Employment & Training, Ministry of Labour and Employment, Government of India are at Annex.

(f) The Eleventh Plan aims at increasing private organized sector employment ambitiously, by at least 10 million. Along with the public sector, organized sector jobs would then expand by over 15 million, a growth rate of about 9% per annum.

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**Annex**

Annex referred to in reply to part (e) of Lok Sabha Unstarred Question No. 4261 due for reply on 29-08-2011.

State-wise compound annual growth rate of employment opportunities in public sector during 2005-2009.

S.No.	State/Uts	Compound Annual Growth Rate
	<b>I NORTH ZONE</b>	
1	Haryana	-0.63
2	Punjab	-0.71
3	Himachal Pradesh	-3.23
4	Chandigarh	0.00
5	Delhi	-1.27
6	Rajasthan	-0.95
7	Jammu & Kashmir	0.72
	<b>II CENTRAL ZONE</b>	
8	Madhya Pradesh	-0.89
9	Uttar Pradesh	-1.51
10	Uttarakhand	-0.53
11	Chattisgarh	-2.43
	<b>III NORTH ESTERN ZONE</b>	
12	Assam	0.16
13	Meghalaya	-0.28
14	Manipur	-0.24
15	Mizoram	-16.20
16	Nagaland	-0.65
17	Tripura	0.00
	<b>IV EASTERN ZONE</b>	
18	Bihar	1.44
19	Orissa	6.02
20	West Bengal	0.63
21	Jharkhand	-4.95
	<b>V WESTERN ZONE</b>	
22	Gujarat	-1.91
23	Maharashtra	-2.52
24	Goa	8.65
25	Daman & Diu	-0.35
	<b>VI SOUTHERN ZONE</b>	
26	Andhra Pradesh	-1.04
27	Karnataka	-0.22
28	Kerala	3.72
29	Puducherry	-15.91
30	Tamilnadu	-0.37
31	Andaman Nicobar	-0.80
	<b>TOTAL</b>	
		-0.30

**GOVERNMENT OF INDIA**  
**MINISTRY OF LABOUR AND EMPLOYMENT**  
**LOK SABHA**  
**STARRED QUESTION NO. \*623**  
**TO BE ANSWERED ON 21<sup>st</sup> MAY, 2012**

**EMPLOYMENT AVENUES**

**\*623. SHRIMATI JYOTI DHURVE :**  
**SHRI KACHHADIA NARANBHAI:**

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

- (a) whether the Government has any well defined policy for providing adequate employment both for the professionally qualified and for others alike;**
- (b) if so, the details thereof;**
- (c) whether the maximum employment avenues under the current economic scenario are available only for those who have professional qualifications;**
- (d) if so, the facts and details in this regard; and**
- (e) whether the Government proposes to address the issue in an effective manner and if so, the details thereof?**

**ANSWER**

**MINISTER OF LABOUR AND EMPLOYMENT**  
**(SHRI MALLIKARJUN KHARGE)**

**(a) to (e) A statement is laid on the Table of the House.**

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**STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (e) OF  
LOK SABHA STARRED QUESTION NO. \*623 DUE FOR REPLY  
ON 21.5.2012 BY SHRIMATI JYOTI DHURVE AND SHRI  
KACHHADIA NARANBHAI, M.Ps. REGARDING EMPLOYMENT  
AVENUES**

**(a) & (b) Providing employment to all, including professionally qualified, has been the focus of various policies and programmes of the Government. The Government through a process of development planning has been making sustained efforts to increase growth in different sectors to create employment opportunities for all.**

**(c) & (d) Based on 66<sup>th</sup> round of survey conducted by National Sample Survey Office during 2009-10, estimated number of professionals including associate professionals on usual status basis has increased from 17.31 million in 2004-05 to 30.11 million in 2009-10, which is an increase of about 74%. During the same period, total number of workers has increased from 459.10 million in 2004-05 to 465.48 million in 2009-10, which is an increase of only 1.4%. Thus, it can be inferred that persons with professional qualifications have better employment avenues.**

**(e) The Government has taken several steps to provide decent opportunities of livelihood to all those who seek employment.**

**Government is taking all necessary steps to enhance the employability and employment in the country by promoting growth of labour intensive sectors, such as, Construction, Real Estate and Housing, Transport, Tourism, Micro, Small and Medium Enterprises, Information Technology Enabled Services and a range of other new services. Besides, Government is also implementing various employment generation programmes, such as, Prime Minister's Employment Generation Programme (PMEGP); Swarnajayanti Gram Swarozgar Yojana (SGSY); Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) and Swarna Jayanti Shahari Rozgar Yojana (SJSRY).**

**Approach Paper to the 12<sup>th</sup> Five Year Plan (2012-17) suggests focus on faster, sustainable and more inclusive growth for creating adequate livelihood opportunities. Such job opportunities could come from faster expansion in agro-processing, supply chains, steady modernization in farming, maintenance of equipment & other elements of rural infrastructure and the services sector.**

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(Q. 623)

श्रीमती ज्योति धुर्वे : अध्यक्ष महोदया, पिछली पंचवर्षीय योजना में यूपीए की सरकार ने पब्लिक प्राइवेट सेक्टर पार्टनरशिप प्लान में स्किल डेवलपमेंट और आईटीआई के लिए पिछड़े और निचले जिलों को चिन्हित किया था। लेकिन मेरे प्रश्न के उत्तर में जो आंकड़े उन्होंने दिखाये हैं, मुझे लगता है कि यह केवल कागजों में ही दिखायी पड़ते हैं। अध्यक्ष महोदया, आज भी यदि हम रोजगार की वृद्धि के अवसर को देखें तो आपने मनरेगा को गांव में रोजगार के उद्देश्य से लागू किया है। यदि हम स्किल डेवलपमेंट, आईटीआई और पॉलीटेक्निक के इन बच्चों को देखें तो प्रतिवर्ष एक लाख बच्चे आज भी उस गरीब अंचलों से, उन पिछड़े जिलों से, उन पिछड़े प्रदेशों से निकलकर आते हैं, लेकिन प्राइवेट सेक्टर आज भी उन अंचलों में, उस क्षेत्र में जाना पसंद नहीं करते हैं, क्योंकि वहां पर उन्हें वे सारी सुविधायें सरकार ने आज भी उपलब्ध नहीं करायी हैं और इसका दोष उन बेरोजगारों तथा उन युवाओं तक धकेल दिया जाता है। मुझे लगता है कि यह हमारे लिए अन्यायपूर्ण कार्य होगा। आज यदि रोजगार का सबसे बड़ा सेक्टर हम देखें तो लघु उद्योग और मध्यम उद्योग हैं, जहां हम हैंडीक्राफ्ट वस्तुओं का आयात और निर्यात करते हैं। यदि सबसे बड़ा हमारा रोजगार है तो भारत में यही एक रोजगार है जो इस रूप से हम उन बच्चों को उस स्किल डेवलपमेंट के माध्यम से, पॉलिटेक्निक से निकलने वाले बच्चों को छोटे-छोटे कार्यक्रम और योजनाओं के माध्यम से हम रोजगार दे सकते हैं। हमारा एक्सपोर्ट बहुत कम हो गया है। आज भारत बहुत ही पिछड़ चुका है और शायद खत्म होने के कगार पर पहुंच चुका है।

अध्यक्ष महोदया : आप प्रश्न पूछिए।

श्रीमती ज्योति धुर्वे : माननीय अध्यक्ष महोदया, मैं आपके माध्यम से यही पूछना चाहती हूँ कि माननीय मंत्री जी यह बतायेंगे कि पिछले तीन वर्षों में उन्होंने एक्सपोर्ट को बढ़ावा देने के लिए और इन पिछड़े जिलों में आईटीआई और स्किल डेवलपमेंट के माध्यम से रोजगार दिए हैं, यदि हां, तो कितने दिए हैं, कहां दिए हैं, किन प्रदेशों को दिए हैं, कौन सा प्रदेश सबसे आगे है और कौन सा प्रदेश सबसे पीछे है?

श्री मल्लिकार्जुन खरगे : अध्यक्ष महोदया, जो प्रश्न मुझसे पूछा गया है। Whether the Government has any well defined policy for providing adequate employment both for the professionally qualified and for others alike. इसलिए मैंने यह उत्तर दिया था और यह उत्तर हमने नहीं तैयार किया है। यह उत्तर नेशनल सैम्पल सर्वे ऑर्गनाइजेशन ने जो डेटा फीड किया है मैंने वही उत्तर दिया है। ... (व्यवधान)

MADAM SPEAKER: Nothing else will go on record.

(Interruptions) ... \*

अध्यक्ष महोदया : कृपया इन्हें जवाब तो समाप्त करने दीजिए।

... (व्यवधान)

श्री मल्लिकार्जुन खरगे : वर्ष 2004-05 में इम्प्लायमेंट ऑफ प्रोफेशनल्स 17.31 मिलियन थे। वर्ष 2009-10 में 30.11 मिलियन थे।... (व्यवधान) प्रोफेशनल इम्प्लायमेंट में 74 परसेंट इन्क्रिज हुआ है। अन्य और स्कील टुगेदर 459 मिलियन से 465 मिलियन वर्ष 2009-10 में यानी उसमें केवल 1.4 परसेन्ट इन्क्रिज हुआ है।... (व्यवधान)

MADAM SPEAKER: Nothing else will go on record.

(Interruptions) ... \*

श्री मल्लिकार्जुन खरगे : आप आईटीआई की जो बात कर रहे हैं तो मैं उनको बताना चाहता हूँ और खास कर जो नम्बर ऑफ आईटीआईज सिन्स इन्सेप्शन, वर्ष 2007-08 तक 6079 थे और आज सिर्फ चार-पांच साल में आईटीआईज बढ़कर 9447 हो गए हैं। सिर्फ चार साल में इतने आईटीआईज बढ़े हैं। पहले इनकी कैपेसिटी 8.29 लाख थी आज ट्रेनिंग की कैपेसिटी बढ़ कर 13.35 लाख हम ने की है। इसका मतलब है कि पिछले वर्षों की तुलना में आज कम से कम पांच लाख ज्यादा लोगों को ट्रेनिंग दी जा रही है। उसके अलावा जो आईटीआईज थे।... (व्यवधान) आईटीआई में कितने लोगों को काम मिला, कहां काम मिला यह डिटेल्स मेरे पास नहीं हैं।... (व्यवधान) मैं प्रोवाइड करा कर उनको भेज दूंगा ... (व्यवधान) यह क्वेश्चन केवल आईटीआई से कंसर्न्ड नहीं था। अगर आपको वे फीगर्स चाहिए तो मेरे पास जितने अवेलेबल इन्फॉर्मेशन है वह दे दूंगा। बाकी एनएसएसओ या स्टैटिस्टिकल डिपार्टमेंट से मैं मंगा कर और कोशिश करके दूंगा।... (व्यवधान)

अध्यक्ष महोदया : कृपया दूसरा प्रश्न पूछिए।

श्रीमती ज्योति धुर्वे : धन्यवाद अध्यक्ष जी, मेरे प्रश्न का उत्तर माननीय मंत्री जी ने नहीं दिया। शायद वह उत्तर देना चाहते तो जो कम से कम स्कील डेवलपमेंट के लिए, पंचवर्षीय योजना में कितना फंड दिया है वही बता देते तो मुझे लगता कि उनके पास में कुछ आंकड़े सही हैं।

दूसरा प्रश्न मैं आपके माध्यम से यह कहना चाहती हूँ कि सरकार प्रधानमंत्री रोजगार सृजन कार्यक्रम लगातार लंबे समय से उन लोगों के लिए चला रही है जो आज बीपीएल में हैं और उन्हें बीपीएल से एपीएस में लाना है। पीएमईजीपी, स्वर्ण ज्यंती ग्राम स्वरोजगार योजना उन्होंने चालू की है, महात्मा गांधी राष्ट्रीय ग्रामीण रोजगार गारंटी योजना चालू की है। इस महात्मा गांधी राष्ट्रीय ग्रामीण रोजगार योजना को छोड़ कर चाहे स्वर्ण ज्यंती शहरी रोजगार योजना हो, प्रधानमंत्री रोजगार सृजन

योजना हो या स्वर्ण ज्यन्ती ग्राम स्वरोजगार योजना हो इनका प्रमुख लक्ष्य है कि जो परिवार, जो व्यक्ति बीपीएल में आता है उसे योजना के माध्यम से एपीएल की ओर लाना है। क्या माननीय मंत्री जी यह बताएंगे कि पिछले तीन वर्षों में वे ऐसे कितने लोगों को बीपीएल से एपीएल में लाए हैं?...(व्यवधान)

अध्यक्ष महोदया : मंत्री जी की बात सुनिए।

...(व्यवधान)

श्री मल्लिकार्जुन खरगे : अध्यक्ष महोदया, बीपीएल से कितने लोग एपीएल में आए, ये आंकड़े हमारे पास नहीं मिलते। इसे प्लानिंग डिपार्टमेंट करता है। मुझे रूरल डेवलपमेंट से आंकड़े मिले हैं। प्राइम मिनिस्टर इम्प्लॉयमेंट जनरेशन प्रोग्राम, स्वर्ण जयन्ती ग्राम स्व-रोजगार योजना, महात्मा गांधी नेशनल रूरल इम्प्लॉयमेंट जनरेशन स्कीम और स्वर्ण जयन्ती शहरी रोजगार योजना में 2008-09, 2009-10, 2010-11 और 2011-12 का फिजिकल और फाइनेंशियल टारगेट क्या है, मैं उसकी डिटेल्स अभी बता देता हूँ। पहली स्कीम में वर्ष 2008-09 में 2.55 लाख इम्प्लॉयमेंट दिए गए, खासकर फरवरी 2011-12 तक वे 3.57 लाख हुए। इसी तरह स्वर्ण जयन्ती ग्राम स्व-रोजगार योजना में कम से कम 2,238 करोड़ रुपये 2008-09 में, 2,230 करोड़ रुपये 2009-10 में और 2010-11 में 2,665 करोड़ रुपये हैं।...(व्यवधान) आपको फाइनेंशियल टारगेट मालूम है, मैं फिजिकल टारगेट बताना चाहता हूँ - 18.62 लाख, 21 लाख और 11.63 लाख बाकी जितने भी आंकड़े हैं, मैं उनकी डिटेल्स की कॉपी माननीय सदस्य को भेज दूंगा।

माननीय सदस्य ने पूछा है कि ट्वैल्थ फाइव ईयर प्लान में आईटीआई के लिए कितना पैसा रखा गया? स्किल्ड डेवलपमेंट के लिए 1500 आईटीआईज़ खोले जायेंगे और स्किल्ड डेवलपमेंट के लिए 5205 करोड़ रुपये रखे गए हैं। हर साल एक हजार करोड़ रुपये से ज्यादा खर्च करने का हमारा इरादा है। हम बैकवर्ड एरियाज में ज्यादा से ज्यादा स्किल्ड डेवलपमेंट और आईटीआईज़ को प्रोत्साहित करेंगे।

श्री नारनभाई कछाड़िया : अध्यक्ष महोदया, मंत्री जी से प्रश्न कुछ और पूछा जा रहा है और मंत्री जी जवाब कुछ और दे रहे हैं। मंत्री जी थोड़ा घबरा गए हैं।

महोदया, आज हमारे देश में व्यावसायिक शिक्षा बहुत महंगी है फिर भी एक साधारण मध्यम वर्गीय परिवार अपने बच्चों के अच्छे भविष्य के लिए किसी तरह लोन लेकर उन्हें व्यावसायिक शिक्षा दिलाते हैं। व्यावसायिक शिक्षा होते हुए भी आज लाखों बच्चे बेरोजगार हैं। उन्हें उनकी योग्यता के अनुरूप कोई नौकरी नहीं मिलती, विशेषकर नक्सल प्रभावित राज्य जैसे झारखंड, ओडिसा, पूर्वी राज्य। मध्य प्रदेश के पट्टे-लिखे बच्चों को भी जब रोजगार नहीं मिलता तब वे नक्सलियों के साथ जुड़ जाते हैं और नक्सलवादी बन जाते हैं।

अध्यक्ष महोदया, मैं आपके माध्यम से माननीय मंत्री जी से जानना चाहता हूँ कि क्या सरकार ने नक्सलवाद प्रभावित राज्यों के लिए खास पैकेज देने की कोई योजना बनायी है? अगर कोई योजना बनायी है, तो कितने लोगों के लिए नौकरी का प्रबंध किया गया है? अगर कोई योजना नहीं बनायी, तो उसे बनाने के लिए सरकार की क्या कोई योजना है? मैं चाहता हूँ कि मंत्री जी मेरी इन बातों का जवाब दें।

श्री मल्लिकार्जुन खरगे: अध्यक्ष महोदया, नक्सल प्रभावित एरियाज में स्किल्ड डेवलपमेंट को फोकस करने के लिए हमने 34 डिस्ट्रिक्ट्स आईडेंटिफाई किए हैं और इसके लिए 233 करोड़ रुपये की एक योजना तैयार की है। इस योजना को हम उन 34 डिस्ट्रिक्ट्स में लागू कर रहे हैं। इसके अलावा जो डिस्ट्रिक्ट्स इसका लाभ उठाना चाहते हैं, वहां की स्टेट गवर्नमेंट लैंड और इन्फ्रास्ट्रक्चर के लिए आगे आयेगी, तो यह स्कीम वहां भी इम्प्लीमेंट होगी।

अध्यक्ष महोदया, माननीय सदस्य ने अभी कहा कि यह प्रश्न है या उत्तर है। मैं कहना चाहता हूँ कि उत्तर ठीक ही है, लेकिन बड़ी मुश्किल है कि आप उसे समझना नहीं चाहते। ... (व्यवधान) 34 डिस्ट्रिक्ट्स में हम इस योजना को इम्प्लीमेंट कर रहे हैं। ... (व्यवधान) ऐसी योजना उनके लिए बना रहे हैं ताकि उन्हें इम्प्लायमेंट मिले और वह नौकरी प्राप्त कर सकें। अगर उन्हें किसी फैक्ट्री में काम करना है, तो उनके पास कोई न कोई स्किल होना चाहिए। स्किल्ड डेवलपमेंट का यह पहला स्टेप है जिसे हम कर रहे हैं। हम दूसरी जगह भी इसी ढंग से करेंगे।

श्री जगदीश ठाकोर : अध्यक्ष महोदया, मैं आपका आभारी हूँ कि बेरोजगारों के महत्वपूर्ण प्रश्न पर आपने मुझे प्रश्न पूछने का अवसर दिया। मैं आपके माध्यम से माननीय मंत्री जी से कहना चाहता हूँ कि हिन्दुस्तान में तीन-चार तरह से नौजवान बेरोजगार हैं, जैसे पढ़े-लिखे नौजवान, हॉयर एजुकेशन प्राप्त नौजवान, देहातों में रहने वाले अनपढ़ नौजवान आदि। स्टेट गवर्नमेंट हो या सेंट्रल गवर्नमेंट, सभी विभाग की नौकरियां जो उनके विभाग से बाहर पड़ती हैं, उन सबमें ऑन लाइन एप्लीकेशन्स को इन्चाइट करने का सिस्टम बना हुआ है। मैं अपने क्षेत्र पाटन की अगर बात बताऊं, तो मेरे वहां 1300 गांवों में से 700 गांवों में कहीं पर कोई कम्प्यूटर नहीं है। अब ऑन लाइन सिस्टम हो गया है। पहले बेरोजगार नौजवान किसी पोस्ट के लिए कहीं भी एप्लीकेशन पोस्ट द्वारा भेज सकता था, लेकिन वह सिस्टम बंद कर दिया गया है।

अध्यक्ष महोदया, मैं माननीय मंत्री जी से पूछना चाहता हूँ कि क्या वह पुराने सिस्टम, यानी पोस्टेज द्वारा आई एप्लीकेशन्स को भी स्वीकर करेंगे? ऑन लाइन भी एप्लीकेशन्स आये। इस सुझाव को क्या वह मानने के लिए तैयार हैं? दूसरा, मैं कहना चाहता हूँ कि इम्प्लायमेंट एक्सचेंज हर जिले में है। वहां पर बेरोजगार नौजवान अपना नाम दर्ज करवाता है। मैं कहना चाहता हूँ कि ग्राम पंचायतों में ग्राम सभाएं होती हैं। उन ग्राम सभाओं में पायलट प्रोजेक्ट के नाम पर हम कुछ ऐसा सिस्टम कर सकते

हैं कि हर एक स्टेट में, एक जिले की ग्राम पंचायत से अगर बेरोजगार युवक का नाम आयेगा तो हमें सही पता चलेगा। बाकी जो सर्वे वाली या दूसरी बातें हैं, बीपीएस जैसी हैं।... (व्यवधान)

**अध्यक्ष महोदया :** ठीक है, आप अपना प्रश्न पूछिये।

**श्री जगदीश ठाकोर :** माननीय अध्यक्ष महोदया, मैं विनती करता हूँ कि यह बेरोजगार नौजवानों के लिए बहुत महत्वपूर्ण प्रश्न है, इसलिए यदि आप इस पर आधे घंटे की चर्चा करवाने की इजाजत दें, तो मैं आपका आभारी होऊंगा।

**श्री मल्लिकार्जुन खरगे :** अध्यक्ष महोदया, माननीय सदस्य ने अभी जो प्रश्न पूछा, उस संबंध में मैं कहना चाहता हूँ कि पहले अगर इम्प्लायमेंट एक्सचेंज में डायरेक्ट एप्लीकेशन देते थे, तो उसे नोट किया जाता था, लेकिन आज ई-गवर्नेंस की वजह से उन लोगों को दिक्कत हो रही है, क्योंकि विलेज में कम्प्यूटर की व्यवस्था न होने की वजह से वे ऐसा नहीं कर पाते। उनकी जो सलाह है, वह मैं रिएग्जामिन करता हूँ और हमारे डिपार्टमेंट में इसको डिस्कस करके इसके बारे में उनको बताऊंगा।

दूसरी चीज यह है कि हम नेशनल इम्प्लायमेंट पॉलिसी बनाने जा रहे हैं और अब कम से कम 34 विभागों से हमने कंसल्ट किया है। मैं समझता हूँ कि जल्द से जल्द इसको सरकार कंसीडर करेगी और अगर यह नेशनल इम्प्लायमेंट पॉलिसी बन गयी, तो इसमें सारे चीजें आएंगी - मैन्यूफैक्चरिंग साइड में क्या होगा, एग्रीकल्चर साइड में क्या होगा, कंस्ट्रक्शन, इंफ्रास्ट्रक्चर आदि सारी चीजें इसमें जाएंगी। इसलिए हमको इसका थोड़ा इंतजार करना पड़ेगा। हम यह कोशिश कर रहे हैं कि जल्द से जल्दी नेशनल इम्प्लायमेंट पॉलिसी आ जाए।

**श्री तुफानी सरोज :** धन्यवाद, अध्यक्ष महोदया, आपने मुझे इस महत्वपूर्ण विषय पर मुझे बोलने का मौका दिया।

देश को आजाद हुए कम से कम छः दशक से ज्यादा समय हो गया है और यूपीए सरकार अपना तीसरा वर्ष बीतने का जश्न मना रही है। इसी सदन में यूपीए सरकार ने बेरोजगारी दूर करने के लिए योजना बनाने का वायदा किया था, लेकिन बेरोजगारी दिन-प्रति-दिन बढ़ती जा रही है, स्थिति जस की तस बनी हुई है। पढ़े-लिखे, शिक्षित अकुशल लोग बेरोजगार पड़े हुए हैं, लेकिन ट्रेन्ड, व्यावसायिक रूप से योग्य तमाम लोग भी नौकरी के लिए दर-दर ठोकरें खा रहे हैं। तमाम डाक्टर और इंजीनियर भी बेरोजगार पड़े हुए हैं। पहले व्यावसायिक रूप से योग्य लोग विदेशों में नौकरी के लिए जाते थे, लेकिन अब मंदी के कारण उनके लिए वहां जाना भी मुश्किल हो गया है, उनको नौकरियां नहीं मिल रही हैं। मैं सरकार से जानना चाहता हूँ कि क्या सरकार ने व्यावसायिक रूप से योग्य बेरोजगार व्यक्तियों की श्रेणीवार गणना कराई है? यदि हां, उन लोगों की संख्या क्या है और उनको रोजगार देने के लिए क्या सरकार कोई कदम उठा रही है?

श्री मल्लिकार्जुन खरगे: एग्रीकल्चर लेबरर्स की जो भी इनफार्मेशन है, उनके बारे में मैंने अभी बताया है कि अनस्किल्ड लोगों में वे आते हैं और उनके लिए मनरेगा जैसी योजनाएं चल रही हैं और जो चार योजनाएं मैंने अभी आपके सामने बताई हैं, उनमें से किसी का भी लाभ वे उठा सकते हैं। ... (व्यवधान)

श्री तूफानी सरोज : जो लोग व्यावसायिक रूप से योग्य हैं, उनके लिए आप क्या कर रहे हैं?

अध्यक्ष महोदया : आपने प्रश्न पूछ लिया है, अब जवाब सुनिए।

श्री मल्लिकार्जुन खरगे: महोदया, स्किल्ड और कुशल कार्मिक को जिस जगह रोजगार मिलना है, उसके लिए उनको उसी ढंग से ट्रेनिंग देना, तैयारी करना आदि काम हमारे विभाग का है और हम कोशिश कर रहे हैं, लेकिन हमारी इम्प्लायमेंट जेनरेशन की जो स्कीम्स हैं, मोस्टली प्लानिंग डिपार्टमेंट, रूरल डेवलपमेंट डिपार्टमेंट तैयार करते हैं, उस ढंग से वहां पर उनको इम्प्लायमेंट मिलता है, मैनुफैक्चर सेक्टर में होता है, हाउसिंग सेक्टर में होता है, कंस्ट्रक्शन सेक्टर में होता है। ... (व्यवधान)

इन सारी योजनाओं के अनुसार उनको काम मिलता है और उस काम के लिए उनको हमें जो कुछ भी ट्रेनिंग देनी चाहिए, उसकी कोशिश हम कर रहे हैं।

**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT**

**LOK SABHA  
UNSTARRED QUESTION NO. 1975  
TO BE ANSWERED ON 19<sup>TH</sup> AUGUST, 2013**

**NATIONAL EMPLOYMENT POLICY**

**1975. SHRI ADHI SANKAR:**

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

- (a) whether the Government has prepared a National Employment Policy (NEP) that outlines a draft of changes in the labour laws and Industrial policies to boost employment and ensure good working condition for workers in the country;
- (b) if so, the details thereof;
- (c) whether the new policy will be in conformity with the 12<sup>th</sup> Plan growth target and proposes changes in various labour laws like Minimum Wage Act, Contract Labour Act and Employees Provident Fund Act to bring a major chunk of workers in unorganized sectors under the ambit of the formal sector; and
- (d) if so, the salient features in this regard?

**ANSWER**

**MINISTER OF STATE FOR LABOUR AND EMPLOYMENT  
(SHRI KODIKUNNIL SURESH)**

(a) to (d) The draft National Employment Policy (NEP) had been circulated for inter-ministerial consultation on various occasions from 2007 onwards and discussed at the level of Committee of Secretaries. Based on the inputs the draft policy has been revised from time to time. The details and contents of policy can only be indicated after the policy would get approved.

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

**UNSTARRED QUESTION NO. 530  
TO BE ANSWERED ON 14<sup>TH</sup> JULY, 2014**

**NATIONAL EMPLOYMENT POLICY**

**530. SHRI MOHITE PATIL VIJAYSINH SHANKARRAO :  
SHRI DHANANJAY MAHADIK :  
SHRI SATAV RAJEEV :  
SHRI D.K. SURESH :  
SHRI P.R. SUNDARAM :**

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

- (a) the growth in jobs vis-a-vis economic growth of the country in terms of percentage during the last decade along with the reasons for dismal growth in employment generation;**
- (b) whether the Government proposes to formulate a National Employment Policy to accelerate employment growth in the country;**
- (c) if so, the details thereof along with the basic objectives of the proposed policy;**
- (d) whether the government has sought suggestions from all the stakeholders on the proposed national policy and if so, the details thereof; and**
- (e) the time by which the said policy is likely to be implemented ?**

**ANSWER**

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

- (a) to (e) Estimates of employment and unemployment are obtained through surveys of National Sample Survey (NSS) Office. As per the last three NSS survey results, the estimates of employment are as given below:**



Workforce by Major sectors	2004-05		2009-10		2011-12	
	Percentage	In crore persons	Percentage	In crore persons	Percentage	In crore persons
Primary	58.44	26.83	53.15	24.74	48.90	23.18
Secondary	18.18	8.35	21.48	10.00	24.25	11.50
Tertiary	23.38	10.73	25.37	11.81	26.85	12.73
Total	100.00	45.91	100.00	46.55	100.00	47.41

The estimates of workforce by major sectors show an increase in the overall level of employment and particularly in the secondary and tertiary sectors. The estimates released by Central Statistical Office, Ministry of Statistics & Programme Implementation for Gross Domestic Product (GDP) growth is at Annex-I.

An Inter-Ministerial Committee has been constituted to draft the National Employment Policy. In view of its implications on other sectors comments have been sought from various stakeholders like Ministries, State Governments, Trade Unions, Industry Associations etc. for inputs to the policy.

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**Annex-I referred to in reply to part (a) of the Lok Sabha Unstarred  
Question No. 530 for answer on 14.07.2014**

**Growth Rate in Gross Domestic Product at factor cost (2004-05 prices)**

<b>Year</b>	<b>Percentage of GDP</b>
<b>2004-05</b>	<b>7.05</b>
<b>2005-06</b>	<b>9.48</b>
<b>2006-07</b>	<b>9.57</b>
<b>2007-08</b>	<b>9.32</b>
<b>2008-09</b>	<b>6.72</b>
<b>2009-10</b>	<b>8.59</b>
<b>2010-11</b>	<b>8.91</b>
<b>2011-12</b>	<b>6.69</b>
<b>2012-13</b>	<b>4.47</b>
<b>2013-14</b>	<b>4.74</b>

**Source: Central Statistical Office**

GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT

LOK SABHA  
UNSTARRED QUESTION NO. 974  
TO BE ANSWERED ON 28.11.2011

MINIMUM WAGES FOR DOMESTIC WORKERS

†974. SHRI SYED SHAHNAWAZ HUSSAIN:

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

- (a) whether the Government has recommended minimum wages on hourly basis for the domestic workers in the country;
- (b) if so, the details thereof;
- (c) whether leave, insurance and other benefits have also been included; and
- (d) if not, the reasons therefor?

ANSWER  
MINISTER OF LABOUR AND EMPLOYMENT  
(SHRI MALLIKARJUN KHARGE)

(a) & (b): Domestic work falls under the purview of State sphere. State Governments are empowered to include domestic work as Scheduled Employment under the Minimum Wages Act, 1948. The Central Government has requested the State Governments to take necessary steps for inclusion of domestic work as Scheduled Employment and fix minimum rates of wages for domestic workers. A statement indicating the minimum wages for domestic workers notified by some of the States is given at Annexure.

(c) & (d): The Government has constituted a Task Force to evolve a policy framework for domestic workers in the context of regulatory mechanism and for providing social security. The Task Force has now submitted its report recommending certain measures for safeguarding their rights and welfare. The Task Force has also formulated draft National Policy for Domestic Workers. The report and the draft National Policy are being examined by the Government.

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Annexure referred to in reply to Parts (a) and (b) of the Lok Sabha Unstarred Question No. 974 for answer on 28.11.2011

MINIMUM RATES OF WAGES FOR DOMESTIC HELP/WORKERS FIXED BY DIFFERENT STATES/UNION TERRITORY ADMINISTRATIONS UNDER THE MINIMUM WAGES ACT, 1948

Sl. No.	States/Union Territories	Categories of Workers	Rates of Minimum wage in Rs.
1	Andhra Pradesh		100/- per day (2600/- per month)
2	Bihar	Washing cloths/utensils house keeping ( A house of 1000 sq ft.- one hour )	430/- per month
		Washing cloths/utensils house keeping and looking after the children (8 Hrs.)	3433/- per month
		Washing cloths/utensils, house keeping, looking after the children, taking to school and back & other miscellaneous domestic works ( 8 Hrs.)	3433/- per month
3	Karnataka		149.89 per day
4	Kerala	Lowest	136.50 per day
		Highest	157.50 per day
5	Rajasthan	Washing cloths/washing utensils/house keeping/other domestic works (Maxm. 60 minutes per day )	504/- per month
		Washing cloths, washing utensils, house keeping, looking after the children, taking to school and back etc. domestic works (one day work)	4030/- per month
6	Dadra & Nagar Haveli		147.60/- per day

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GOVERNMENT OF INDIA  
MINISTRY OF LABOUR & EMPLOYMENT

LOK SABHA

UNSTARRED QUESTION NO. 648  
TO BE ANSWERED ON 13.08.2012

DOMESTIC WORKERS UNDER LABOUR LAWS

648. SHRI ADHALRAO PATIL SHIVAJI:  
SHRI ANANDRAO ADSUL:

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

- (a) whether the task Force on domestic help *inter-alia* recommended to covering of the domestic workers under the purview of the existing labour laws and formulation of National Policy on Domestic Helps;
- (b) if so, the details thereof;
- (c) the present status thereof; and
- (d) the time fixed for implementation of the said policy/proposal?

ANSWER

MINISTER OF LABOUR AND EMPLOYMENT  
(SHRI MALLIKARJUN KHARGE)

(a) & (b): The Task Force on Domestic Workers set up by the Government has, *inter-alia*, recommended adoption of National Policy for Domestic Workers formulated by the Task Force. The policy will place a labour right framework for domestic workers and lay down certain minimum working conditions for domestic workers which should not be compromised with. The policy may eventually lead to specific legislative mechanism for domestic workers.

(c) & (d): The National Policy for Domestic Workers is under consideration of the Government.

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

**UNSTARRED QUESTION NO. 2137  
TO BE ANSWERED ON 11.03.2013**

**DOMESTIC WORKERS**

**†2137. SHRIMATI JYOTI DHURVE:**

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

- (a) whether the Government proposes to bring in any legislation for social security of domestic workers engaged in the country;**
- (b) whether the domestic workers have to suffer due to various kinds of harassment meted out to them and that such domestic workers do not get any relief due to absence of legal provision;**
- (c) if so, the reaction of the Government thereto;**
- (d) the total number of domestic workers in the country particularly in the National Capital Delhi;**
- (e) whether the Government has formulated any action-plan for sending them back to their homes; and**
- (f) if so, the complete details thereof?**

**ANSWER**

**MINISTER OF STATE FOR LABOUR AND EMPLOYMENT  
(SHRI KODIKUNNIL SURESH)**

**(a) to (c): The Domestic work falls under the purview of State Sphere. The State Governments are empowered to enact legislation for Domestic Workers. The Central Government has enacted the Unorganised Workers Social Security Act, 2008 for the social security of unorganised workers which include domestic workers. Various labour laws, like the Minimum Wages Act, 1948, the Employee Compensation Act, 1923, the Equal Remuneration Act, 1976 and Inter-State Migrant Workmen (RECS) Act, 1979 are directly or indirectly applicable to these workers. The Central Government is also contemplating to formulate a National Policy for Domestic Workers.**

**(d): The detail of number of domestic workers employed in the country is not maintained at central level. However, as per National Sample Survey (NSS) 2004-05, there are about 47.50 lac domestic workers in the country.**

**(e): Workers including domestic workers have a right to seek employment in any part of the country.**

**(f): Does not arise.**

Appendix- XX

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

**UNSTARRED QUESTION NO. 3059  
TO BE ANSWERED ON 10.02.2014  
EXPLOITATION OF DOMESTIC WORKERS**

**3059. SHRI AVTAR SINGH BHADANA:**

**SHRI J.M. AARON RASHID:**

**DR. BHOLA SINGH:**

**SHRI SUDARSHAN BHAGAT:**

**SHRI KULDEEP BISHNOI:**

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

- (a) the total number of registered/unregistered women domestic workers including minors in the country;**
- (b) whether the Government is aware of such workers including minors being exploited and ill-treated in various work places/households in the country including NCR of Delhi;**
- (c) if so, the reasons for the failure of the Government in curbing them and the measures taken to ensure the rights of such domestic workers;**
- (d) whether the Government proposes to formulate a national policy on domestic workers; and**
- (e) if so, the details thereof and the steps being taken to regulate placement agencies particularly with regard to domestic workers?**

**ANSWER**

**MINISTER OF STATE FOR LABOUR AND EMPLOYMENT  
(SHRI KODIKUNNIL SURESH)**

**(a):** The information about the number of registered/unregistered women domestic workers including minors in the country is not maintained at the Central level. However, as per National Sample Survey (NSS), 2004-05 there are around 47.50 lakhs domestic workers in the country.

**(b) & (c):** Yes, Sir. As per the information made available by Government of National Capital Territory of Delhi, as and when such complaints/incidents relating to exploitation are reported, action is initiated by them as per law. However, the domestic work falls under the purview of state sphere. It is primarily the responsibility of the State Government to take action for protecting people including domestic workers from exploitation in work places/households in the country.

**(d) & (e):** The Government has already formulated a National Policy for Domestic Workers and it is under active consideration of the Government.

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

**UNSTARRED QUESTION NO.50  
TO BE ANSWERED ON 07.07.2014**

**DOMESTIC WORKERS**

**50. SHRI M.B. RAJESH:**

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

- (a) the total number of registered/ unregistered domestic workers including women in the country;**
- (b) whether the Government proposes to formulate a national policy or introduce any legislation specially to protect domestic workers in the country;**
- (c) if so, the details thereof along with the time by which the said policy is likely to be formulated and if not, the reasons therefor;**
- (d) whether the Government has also any proposal to provide social security to such workers;**
- (e) if so, the details thereof and if not, the reasons therefor; and**
- (f) the various measures taken by the Government to ensure the rights of such domestic workers and to check their exploitation?**

**ANSWER**

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

**(a):** No data about domestic workers is maintained at the central level. However, as per National Sample Survey (NSS) Report No. 554: Employment & Unemployment Situation in India, 2011-12, there are about 26.91 lakh domestic workers in the country.

**(b) & (c):** The draft of a National Policy for Domestic Workers is under consideration of the Government.

**(d) & (e):** The Central Government has enacted the Unorganized Workers Social Security Act, 2008 for social security of the unorganized workers which include domestic workers. The Government has extended benefit under Rashtriya Swasthya Bima Yojana (RSBY) to domestic workers. Various labour laws, like the Minimum Wages Act, 1948, the Employees Compensation Act, 1923, the Equal Remuneration Act, 1976 and the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 are also applicable to these domestic workers.



**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR & EMPLOYMENT**

**LOK SABHA  
UNSTARRED QUESTION NO. 564  
TO BE ANSWERED ON 13.08.2012**

**VIOLATIONS OF LABOUR LAWS**

**†564. SHRI RAM SUNDAR DAS:  
SHRI KAPIL MUNI KARWARIYA:  
SHRIMATI KAMLA DEVI PATLE:**

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

- (a) whether the Government has received complaints against certain companies, power plants and Industries set up under the public and private sector for violation of various labour laws including hiring of labours/workers on contract basis;**
- (b) if so, the details thereof, State-wise and sector-wise along with the action taken against them;**
- (c) whether any review has been conducted with regard to the performance of Labour Inspectors on the implementations of various labour laws in the constructed/under construction power plants in Janjgir and Champa areas of Chhattisgarh; and**
- (d) if so, the details and outcome thereof along with the action taken by the Government thereon?**

**ANSWER**

**MINISTER OF LABOUR AND EMPLOYMENT  
(SHRI MALLIKARJUN KHARGE)**

**(a) to (d): The information is being collected and will be laid on the Table of the House.**

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**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT**

**LOK SABHA  
STARRED QUESTION NO. \*322  
TO BE ANSWERED ON 3<sup>rd</sup> SEPTEMBER, 2012**

**PRIVATE PLACEMENT AGENCIES**

**\*322. SHRI PURNMASI RAM:**

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

- (a) whether the Government has taken note of misleading advertisements by unscrupulous placement agencies which indulge in fleecing of innocent unemployed youths in the country;**
- (b) if so, the number of complaints received against such agencies during the last three years and the current year; and**
- (c) the action taken by the Government against them?**

**ANSWER  
MINISTER OF LABOUR AND EMPLOYMENT  
(SHRI MALLIKARJUN KHARGE)**

**(a) to (c) A statement is laid on the table of the House.**

**STATEMENT REFERRED TO IN REPLY TO PARTS (a to c) TO LOK SABHA STARRED QUESTION NO. \*322 BY SHRI PURNMASI RAM REGARDING PRIVATE PLACEMENT AGENCIES DUE FOR REPLY ON 03.09.2012**

(a) to (c) Reports in some sections of media have come to the notice of the Government. However, complaints, if any, are received by the respective State Government/UT Administration and action against the private placement agencies is taken by them under various provisions of relevant laws. Information about unscrupulous private placement agencies which indulge in malpractices and fraudulent activities is not maintained centrally.

However, in order to safeguard the interest of job-seekers, Ministry of Labour & Employment issued guidelines on 30.10.2003 to the State Governments/ Union Territory Administrations to consider regulation of the functioning of Private Placement Agencies as per their local needs. A Tripartite Committee has been constituted on 31.10.2011 to examine the issue pertaining to private placement agencies & publishing of eye catching/ misleading advertisements for various kinds of job opportunities. State Governments have also been advised to take necessary steps for registering placement agencies providing domestic workers.

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Appendix - XXIV

**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT**

**LOK SABHA  
UNSTARRED QUESTION NO. 532  
TO BE ANSWERED ON 09<sup>TH</sup> DECEMBER, 2013**

**ILLEGAL PLACEMENT AGENCIES**

**532. PROF. (DR.) RANJAN PRASAD YADAV:  
SHRI GORAKH PRASAD JAISWAL:  
SHRI S. ALAGIRI:**

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

- (a) whether a large number of illegal placement agencies are functioning in the country particularly in Delhi and National Capital Region (NCR) and if so, the details thereof;**
- (b) whether such illegal agencies continue to exploit minors from other States by employing them at households work and also extracting money from unemployed persons in the name of providing jobs;**
- (c) if so, the action taken against such illegal placement agencies and the number of persons arrested and fine collected from them during each of the last three years, State-wise particularly in Delhi and NCR;**
- (d) whether the Government has also set up a Tripartite Committee to examine the issue pertaining to such placement agencies; and**
- (e) if so, the details thereof along with the details of works carried out by the said Committee?**

**ANSWER**

**MINISTER OF STATE FOR LABOUR AND EMPLOYMENT  
(SHRI KODIKUNNIL SURESH)**

- (a) A number of private placement agencies are functioning in the country. Data regarding private placement agencies is not maintained centrally. State Governments have been requested to take necessary steps for registration of private placement agencies. 518 placement agencies have been registered by the Government of Delhi under the Shops & Establishments Act. In addition, Ministry of overseas Indian Affairs registers Recruitment agents for carrying out recruitment for Overseas employment under the provisions of Emigration Act, 1983.**

**(b) & (c) State Governments are responsible for looking into the complaints against placement agencies and take action as appropriate. Information about such complaints is not maintained centrally. As per information received, no such complaint has been received by Labour Department of Government of Delhi. Further, in order to address various issues concerning Placement Agencies, the Government of Delhi, has drafted Private Placement Agencies Regulation Bill.**

**(d) & (e) Government has constituted a Tripartite Committee on 31.10.2011 to examine the issue pertaining to private placement agencies & publishing of eye catching/ misleading advertisements for various kinds of job opportunities. A meeting of the said Committee was held in 2011 and recommended that possibility of having a legal framework for regulation of private placement agencies be examined. V.V.Giri National Labour Institute has been entrusted to conduct a study in the matter.**

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GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT

LOK SABHA  
UNSTARRED QUESTION NO. 5345  
TO BE ANSWERED ON 29.04.2013

PRIVATE SECURITY COMPANIES

†5345. SHRI BHOOPENDRA SINGH:

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

- (a) the number and details of private security companies in the country at present, State-wise;
- (b) whether the private security service companies are bluntly exploiting the workers and security guards and indulging in irregularities with regard to labour and social security laws;
- (c) if so, the number of such companies that have been found to be violating Labour and Social Security Laws during each of the last three years and the current year, State-wise; and
- (d) the action taken by the Government against such erring companies?

ANSWER

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT  
(SHRI KODIKUNNIL SURESH)

(a) to (d): The information is being collected and will be laid on the Table of the House.

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GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
LOK SABHA

UNSTARRED QUESTION NO. 3049  
TO BE ANSWERED ON 10.02.2014

CHILD LABOUR

†3049. DR. BHOLA SINGH:

SHRI A.T. NANA PATIL:

SHRI ABDUL RAHMAN:

SHRI D.B. CHANDRE GOWDA:

SHRI JAI PRAKASH AGARWAL:

SHRI JEETENDRA SINGH BUNDELA:

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

- (a) whether the number of child labourers has been continuously increasing in the country making them vulnerable to trafficking and other abuses despite the existence of laws against it;
- (b) if so, the details and numbers of child labourers State and year-wise for each of the last three years and the current year, specially in Maharashtra;
- (c) whether the International Labour Organisation has also attracted the attention of the Government in this regard;
- (d) if so, the details thereof along with the reaction of the Government thereto; and
- (e) the steps taken by the Government to address this menace and also for the rehabilitation of the rescued children including provision of their right to education?

ANSWER

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT  
(SHRI KODIKUNNIL SURESH)

(a) & (b): Child Labour is an outcome of various socio-economic problems such as poverty, economic backwardness and illiteracy. As per 2001 census, the total number of working children between the age group 5-14 years in the country was 1.26 crore out of which there were approximately 12 lakh children found working in the hazardous occupations/processes covered under Child Labour (Prohibition & Regulation) Act, 1986 which include hazardous factories. However, in

Contd..2/-

the Survey conducted by NSSO, in 2004-05 the number of working children was estimated at 90.75 lakh. As per NSSO survey 2009-10, the working children are estimated at 49.84 lakh which shows a declining trend. The state-wise details of working children as per NSSO Survey 2009-10 are given at Annexure-I. The official data of children working in the hazardous occupations/processes of the country for the last three years and current year in respect of Census 2011 or NSSO has not yet been received.

(c) to (e): Ministry of Labour & Employment and the International Labour Organisation (ILO) have been jointly collaborating to address issues related to child labour under the Decent Work Country Programme (DWCP). Considering the magnitude and nature of problem of child labour, Government is following a multi-pronged strategy comprising of statutory and legislative measures, rescue & rehabilitation, universal primary education along-with social protection, poverty alleviation and employment generation. The objective is to create an environment where families are not compelled to send their children to work. The Ministry of Labour & Employment is implementing the Child Labour (Prohibition & Regulation) Act, 1986 which prohibits the employment of children below the age of 14 years in 18 Occupations and 65 Processes. The Act regulates the working conditions of children where they are not prohibited from working. Any person who employs a child in any occupation or process where employment of children is prohibited under the Child Labour Act, is liable for punishment with imprisonment or with fine.

For rehabilitation of child labour, the Government is implementing the National Child Labour Project (NCLP) Scheme since 1988. The scheme seeks educational rehabilitation of children working in hazardous occupations and processes. The Ministry is also running awareness generation programme against the evil of child labour. The enactment of the Right of Children to Free and Compulsory Education Act, 2009 provides free and compulsory education for every child in the age group of 6-14 years which will boost the efforts towards elimination of child labour.

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**ANNEXURE-I****ANNEXURE REFERRED TO IN REPLY TO PART (a) & (b) OF LOK SABHA****UN-STARRED QUESTION NO. 3049 FOR ANSWER ON 10.2.2014.**

Data on Child Labour based on Employment Unemployment Survey during NSS 66th Round (2009-10)					
Sl. No.	Major States/ all India	Age group 5-14			
		Rural		Urban	
		Male	Female	Male	Female
1	Andhra Pradesh	88156	110191	20767	15548
2	Assam	144655	31909	11833	757
3	Bihar	224292	38665	11017	2548
4	Chhattisgarh	3669	7321	636	0
5	Delhi	-	-	18576	0
6	Gujarat	150487	207973	15945	16282
7	Haryana	22664	17471	28073	3988
8	Himachal Pradesh	2300	2942	2156	0
9	Jammu & Kashmir	11274	16872	1139	0
10	Jharkhand	63634	14661	4123	0
11	Karnataka	89796	113429	20793	2479
12	Kerala	1182	0	0	1583
13	Madhya Pradesh	91454	32812	57688	9063
14	Maharashtra	66370	127996	54230	12077
15	Orissa	54390	38288	36522	5363
16	Punjab	16802	6433	15664	9937
17	Rajasthan	93055	261871	43184	7826
18	Tamil Nadu	0	13880	3471	0
19	Uttarakhand	14810	7239	3219	2103
20	Uttar Pradesh	1012294	546320	147820	68899
21	West Bengal	357265	134657	31946	27716
All India		2511101	1727271	546897	198602

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

**STARRED QUESTION NO. \*467  
TO BE ANSWERED ON 11<sup>TH</sup> AUGUST, 2014**

**WAGES UNDER SCHEDULED EMPLOYMENT**

**\*467. SHRI MD. BADARUDDOZA KHAN:**

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

- (a) the estimated number of workers employed in various mini cement plants/ factories and petroleum products outlets, State-wise;**
- (b) whether the employment in such establishments are covered under the Minimum Wages Act, 1948;**
- (c) if so, the details thereof and the rate of minimum wages notified for workers in the said industry at present and the mechanism through which wages of such employees are being regulated;**
- (d) if not, whether the Government has any proposal to declare the employment in such establishments as scheduled employment and also notify minimum wages for their workers; and**
- (e) if so, the details thereof and if not, the reasons therefor?**

**ANSWER**

**MINISTER OF STEEL, MINES AND LABOUR & EMPLOYMENT  
(SHRI NARENDRA SINGH TOMAR)**

**(a) to (e): A statement is laid on the Table of the House.**

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**STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (e) OF LOK SABHA  
STARRED QUESTION NO. \*467 DUE FOR REPLY ON 11.08.2014 BY SHRI  
MD. BADARUDDOZA KHAN, REGARDING WAGES UNDER SCHEDULED  
EMPLOYMENT**

**(a) Sector-wise details of workers employed in various mini cement plant/  
factories and petroleum product outlets are not maintained centrally.**

**(b) to (e): Under the provisions of the Minimum Wages Act, 1948, both  
Central and State Governments are appropriate Governments to fix,  
review and revise the minimum wages of the workers employed in the  
scheduled employments under their respective jurisdictions. The  
appropriate Governments have been empowered to notify any  
employment in the schedule where the number of employees is 1000 or  
more in a State and fix the rates of minimum wages in respect of the  
employees employed therein. Presently, there are 45 scheduled  
employments in the Central Sphere (Annexure I). The workers employed  
in various mini cement plants/factories and petroleum products outlets  
are not included in the scheduled employment under Central Sphere. The  
State Government is the appropriate Government for such workers.**

**Rates of minimum wages fixed by the Central Government are applicable  
to establishments under the authority of Central Government, Railways  
administration, Mines, Oilfields, Major ports and Corporations created  
under the Act of Parliament. A copy of the Minimum rates of wages  
applicable in Central Sphere w.e.f.1.04.2014 is enclosed. (Annexure II).**

**The proposal to amend the Minimum Wages Act, 1948 is under  
consideration.**

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**ANNEXURE 1****SCHEDULED EMPLOYMENTS FOR WHICH CENTRAL GOVERNMENT HAS  
FIXED MINIMUM WAGES UNDER THE MINIMUM WAGES ACT, 1948**

<b>S. No</b>	<b>Name of Employment</b>
1.	Agriculture
2.	Construction/Maintenance of Roads and Building Operations.
3	Maintenance of buildings
4.	Construction and Maintenance of Runways.
5.	Gypsum mines.
6.	Barites mines.
7.	Bauxite mines.
8.	Manganese mines.
9.	China Clay mines.
10	Kyanite mines.
11	Copper mines.
12	Clay mines.
13	Stone mines.
14	White Clay mines.
15	Orchire mines.
16	Fire Clay mines.
17	Steatite (Soapstone and Taic) Mines.
18	Asbestos mines.
19	Chromite mines.
20	Quartzite Mines
21	Quartz mines
22	Silica mines.
23	Magnesite Mines
24	Graphite mines.
25	Felspar mines.
26	Red oxide mines.
27	Laterite mines.
28	Dolomite mines.
29	Iron Ore mines.
30	Granite mines.
31	Wolfram mines.
32	Magnetite mines.
33	Rock phosphate mines.
34	Hematite mines.
35	Marble and Calcite Mines.
36	Uranium mines.
37	Mica mines.
38	Employment in Lignite Mines
39	Employment in Gravel Mines
40	Employment in the Slate Mines
41	Employment in laying down of underground electric, wireless, radio, television, telephone, telegraph and overseas communication cables and similar other underground cabling, electric lines water supply lines and sewerage pipe lines
42	Loading, Unloading in Railways Goods Shed
43	Stone Breaking and Stone Crushing
44	Employment in Sweeping and Cleaning
45	Watch & Ward

**Annexure II**

Name of Scheduled Employment	Category of Worker	Rates of wages including Variable Dearness Allowance per day (in Rs.) w.e.f.01.04.2014		
		Area A	Area B	Area C
1. Agriculture	Unskilled	215.00	195.00	193.00
	Semi-Skilled/Unskilled Supervisory	235.00	217.00	198.00
	Skilled/Clerical	255.00	235.00	216.00
	Highly Skilled	283.00	262.00	235.00
2. Workers engaged in Stone Mines for Stone Breaking and Stone Crushing	1. Excavation & removal of over burden with 50 meters lead/1.5 meters lift:			
	(a) Soft Soil	219.40		
	(b) Soft Soil with Rock	331.56		
	(c) Rock	439.85		
	2. Removal and Staking of rejected stones with 50 metres lead 1.5 metres lift			
		175.13		
	Stone breaking or Stone Crushing for the stone size			
	(a) 1.0 inch to 1.5 inches	1364.91		
	(b) Above 1.5 Inches to 3.0 Inches	1166.28		
	(c) Above 3.0 Inches to 5 Inches	681.91		
(d) Above 5.0 Inches	559.96			
3. Sweeping and Cleaning	Unskilled	329.00	273.00	220.00
4. Watch and Ward	Without Arms	363.00	309.00	256.00
	With Arms	400.00	363.00	309.00
5. Loading and Unloading	Unskilled	329.00	273.00	220.00
6. Construction	Unskilled	329.00	273.00	220.00
	Semi-Skilled/Unskilled Supervisory	363.00	309.00	256.00
	Skilled/Clerical	400.00	363.00	309.00
	Highly Skilled	435.00	400.00	363.00
7. Non-Coal Mines		Above Ground		Below Ground
	Unskilled	220.00	273.00	
	Semi-Skilled/Unskilled Supervisory	273.00	329.00	
	Skilled/Clerical	329.00	382.00	
	Highly Skilled	382.00	435.00	
Name of Scheduled Employment	Nomenclature			
1. Agriculture	Agriculture			
2. Workers engaged in Stone Mines for Stone Breaking and Stone Crushing	Workers engaged in Stone Mines for Stone Breaking and Stone Crushing			
3. Sweeping and Cleaning	Employment of Sweeping and Cleaning excluding Activities prohibited under the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993			
4. Watch and Ward	Employment of Watch and Ward			
5. Loading and Unloading	Employment in Loading and Unloading in (i) Goods Sheds, Parcel Offices of Railways; (ii) Other Goodsheds, Godowns, Warehouses etc. and; (iii) Docks and Ports			
6. Construction	Construction or maintenance of Roads or Runways or in Building Operations including laying down Underground Electric, Wireless, Radio, Television, Telephone, Telegraph and Overseas Communication Cables and similar other Underground Cabling Work, Electric Lines, Water Supply Lines and Sewerage Pipe Lines			

**7. Non-Coal Mines**

Employees engaged in the employment of Gypsum, Barytes, Bauxite, Manganese, China Clay, Kyanite, Copper, Clay, Magnesite, White Clay, Stone, Steatite (including the mines producing Soap Stones and Ta'c), Orchre, Asbestos, Fire Clay, Chromite, Quartzite, Quartz, Silica, Graphite, Felspar, Laterite, Dolomite, Red Oxide, Wolfram, Iron Ore, Granite, Rock Phosphate, Hematite, Marble and Calcite, Uranium, Mica, Lignite, Grave, Slate and Magnetite Mines

**CLASSIFICATION OF AREA**

AREA - "A"					
Ahmedabad	(UA)	Hyderabad	(UA)	Faridabad complex	
Bangaluru	(UA)	Kanpur	(UA)	Ghaziabad	
Kolkata	(UA)	Lucknow	(UA)	Gurgaon	
Delhi	(UA)	Chennai	(UA)	Noida	
Greater Mumbai	(UA)	Nagpur	(UA)	Secunderabad	
Navi Mumbai					
AREA - "B"					
Agra	(UA)	Jodhpur		Jabalpur	(UA)
Ajmer		Kochi	(UA)	Jaipur	(UA)
Aligarh		Kolhapur	(UA)	Jalandhar	(UA)
Allahabad	(UA)	Kozhikode	(UA)	Jamshedpur	(UA)
Amravati		Kota		Puducherry	(UA)
Aurangabad	(UA)	Ludhiana		Jalandhar-cantt.	
Bareilly	(UA)	Madurai	(UA)	Dhanbad	(UA)
Bhavnagar		Meerut	(UA)	Dehradun	(UA)
Bikaner		Moradabad	(UA)	Durg-Bhilai Nagar	(UA)
Bhopal		Mysore	(UA)	Jammu	(UA)
Bhubaneshwar		Nasik	(UA)	Jamnagar	(UA)
Amritsar	(UA)	Pune	(UA)	Vijayawada	(UA)
Chandigarh	(UA)	Patna	(UA)	Vishakhapatnam	(UA)
Coimbatore	(UA)	Raipur	(UA)	Warangal	
Cuttack	(UA)	Rajkot		Mangalore	(UA)
Durgapur		Ranchi	(UA)	Salem	(UA)
Gorakhpur		Sholapur		Tiruppur	(UA)
Guwahati City		Srinagar	(UA)	Tiruchirappalli	(UA)
Guntur		Surat	(UA)	Asansol	(UA)
Gwalior	(UA)	Thiruvananthapuram	(UA)	Belgaum	(UA)
Indore	(UA)	Vadodara	(UA)	Bhiwandi	(UA)
Hubli-Dharwad		Varanasi	(UA)		
Area 'C' will comprise all areas not mentioned in this list.					
NB: U.A. stands for Urban Agglomeration.					



**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT**

**LOK SABHA**

**STARRED QUESTION NO. 5  
TO BE ANSWERED ON 24.11.2014**

**MIGRANT WORKERS**

**\*5. SHRI KALIKESH N. SINGH DEO:**

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

- (a) the number of migrant workers in the country at present, State/UT-wise;
- (b) the estimated number of children displaced along with the efforts made by the Government to help children of such families;
- (c) the total number of children who are migrant workers at present;
- (d) whether the Government has taken any action against the factories and brick kilns owners that employ migrant child workers and if so, the details thereof and if not, the reasons therefor; and
- (e) the efforts being made by the Government to check migration of families from various States especially in Odisha?

**ANSWER**

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT  
(SHRI BANDARU DATTATREYA)**

(a) to (e): A statement is laid on the Table of the House.

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**STATEMENT REFERRED TO IN REPLY TO PART (a) TO (e) OF THE  
LOK SABHA STARRED QUESTION NO. 5 FOR ANSWER ON 24.11.2014  
REGARDING MIGRANT WORKERS.**

**(a):** No data is maintained at the central level in respect of migrant workers. As per information received from Registrar General of India, the migration data of census 2011 is under process and yet to be finalized. As per census 2001, 142.68 million persons migrated to various regions within the country. A statement showing the number of migrant workers State/UT-wise is annexed as Annexure-I.

**(b) to (d):** No separate data on migrant child workers is maintained. Government is implementing Child Labour (Prohibition & Regulation) Act, 1986 which prohibits employment of children below the age of 14 years in hazardous occupations/processes including factories and brick kilns. Any person who employs any child in contravention of the provisions of the Act is liable for punishment with imprisonment for a term which shall not be less than three months but which may extend to one year or with fine which shall not be less than Rs. 10,000 but which may extend to Rs. 20,000 or both. For the enforcement of Child Labour Act, the appropriate government is the State Government. Information has been sought from all States in regard to factories and brick kiln owners employing child labour. In the state of Odisha, one migrant child labour belonging to Kadalmunda village of Bolangir District of Odisha was found being engaged in a brick kiln establishment in Gulbarga District of Karnataka. The child labour has been rescued and prosecutions under the Inter-State Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979 and Child Labour (Prohibition & Regulation) Act, 1986 have been filed against the employer/agent who had recruited the child labour. Further, an amount of Rs. 50,000/- has been paid as ex-gratia to the child labour by the Government of Odisha.

**(e):** Every citizen has a right to migrate to any part of the country. However, Government's effort has been to prevent distress migration. The Government has enacted the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 which aims at enhancing the livelihood security of people in rural areas by guaranteeing hundred days of wage employment in a financial year to a rural household whose adult members shall be provided within a radius of five kilometers of the village where the applicant resides at the time of applying. In case, the employment is provided outside such radius, it must be provided within the Block and the labourers shall be paid 10% extra wages. As such, providing local employment on demand by the household mitigates distress migration.

Further, the Government has enacted the Unorganized Workers' Social Security Act, 2008 to provide for social security and welfare of unorganized workers including migrant workers. The Act has come into force w.e.f 16<sup>th</sup> May, 2009. The Act provides for formulation of schemes by the Central Government for different sections of unorganized workers on matters relating to:

- (i) Life and disability cover;
- (ii) Health and maternity benefits;
- (iii) Old age protection; and
- (iv) Any other benefit as may be determined by the Central Government.

The Act also provides for formulation of schemes by the State Governments relating to provident fund, employment injury benefits, housing, educational schemes for children, skill upgradation, funeral assistance and old age homes by the State Government.

The Government has launched Rashtriya Swasthya Bima Yojana (RSBY) to provide health insurance coverage for certain categories of unorganized workers which include migrant workers.

The Central Government and some of the States have signed MoUs to facilitate strengthening of inter-state coordination mechanism for smooth implementation of the activities in source and destination areas of migrant workers. The project approach includes:

- (i) Social protection to brick kiln workers by converging government schemes at source and destination states.
- (ii) Improving workplace facilities.
- (iii) Promoting collective bargaining by imparting rights based education to workers.
- (iv) Social dialogue for improving labour recruitment and working conditions and
- (v) Focused approach towards elimination of child labour in brick kilns.

The efforts made by the State Government of Odisha for the safety and welfare of migrant workers in the past 3 years are enclosed as Annexure- II.

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## NUMBER OF MIGRANT WORKERS (STATE-WISE) AS PER CENSUS 2001

Sl. No.	Name of the State/UT.	No. of Migrant Workers
1	Andhra Pradesh	1,22,16,818
2	Arunachal Pradesh	2,25,768
3	Assam	29,86,859
4	Bihar	71,76,727
5	Chhattisgarh	42,67,932
6	Goa	3,00,067
7	Gujarat	91,25,305
8	Haryana	36,44,364
9	Himachal Pradesh	13,82,382
10	J&K	7,56,768
11	Jharkhand	35,29,242
12	Karnataka	82,25,307
13	Kerala	28,01,353
14	Madhya Pradesh	1,01,21,017
15	Maharashtra	2,07,81,152
16	Manipur	2,08,189
17	Meghalaya	1,95,321
18	Mizoram	1,78,687
19	Nagaland	1,79,646
20	Odisha	46,63,274
21	Punjab	35,42,268
22	Rajasthan	91,57,667
23	Sikkim	1,14,009
24	Tamilnadu	77,86,130
25	Tripura	4,03,830
26	Uttar Pradesh	1,41,28,362
27	Uttarakhand	15,12,050
28	West Bengal	96,31,648
29	Delhi	28,07,258
30	Andaman & Nikobar Island	87,224
31	Chandigarh	2,78,187
32	Dadra and Nagar Haveli	50,107
33	Daman and Diu	43,891
34	Lakshadweep	7,966
35	Puducherry	1,65,681
	Total	14,26,82,456

## Annexure- II

### 1. Helpline for Migrant Workers

A Toll Free Helpline No. 155368 has been launched as the Shramik Sahayata Helpline for Migrant Workers and for the RSBY in Odisha State. This number is available between 6:00 a.m. to 10:00 p.m. on all days including holidays.

### 2. Coverage of migrant workers under the Construction Workers' Welfare Board

The State Government has issued instructions vide letter no. 5771 dt. 19.07.2014 for covering migrant construction workers under the Odisha Building and Other Construction Workers' Welfare Board. As per this instruction, the period of engagement of migrant construction workers outside the State will also be taken into account while considering their registration under the Board. This will enable migrant construction workers to avail of the different benefits and welfare measures available under the Odisha Building and Other Construction Workers' Welfare Board.

### 3. Survey of Migrant Workers

The survey of migrant workers was commenced in the districts of Nuapada, Rayagada, Kalahandi and Bargarh.

### 4. State Level Training-cum-Workshop on the issues of migration and Child Labour

A State level Training-cum-Workshop on the issues of migration and child labour was organized on 24.09.2014 with participation of the District Labour Officers, Assistant Labour Commissioners and Deputy Labour Commissioners. The training programme was inaugurated by the Hon'ble Minister, Labour and ESI, Government of Odisha and attended by the Principal Secretary, Labour and ESI Department and Labour Commissioner, Odisha.

### 5. Awareness Camps and Convergence on Inter-State Migrant Workmen (RECS) Act, 1979 with other departments at district level

Funds have already been placed with District Labour Officers of eleven migration prone districts to organize awareness camps for the ensuing migration season. Coordination with other departments for convergence of activities for welfare of migrant workers at district level is in progress. The IEC activities like awareness camps, wall paintings, awareness rallies are in progress.

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**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT**

**LOK SABHA  
UNSTARRED QUESTION NO. 1306  
TO BE ANSWERED ON 01.12.2014**

**COMPLAINTS ON CHILD LABOUR**

**†1306. SHRI ARJUN MEGHWAL:**

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

- (a) whether any complaints against child labour are pending in various courts in the country including the Delhi High Court;
- (b) if so, the number and details of such pending cases at present;
- (c) whether decision has been taken to act within 24 hours on public interest petition pertaining to 'Bachpan Bachao Andolan'; and
- (d) if so, the details thereof and the other measures formulated by the Government for its speedy implementation?

**ANSWER**

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT  
(SHRI BANDARU DATTATREYA)**

(a) to (d): The information is being collected and will be laid on the Table of the House.

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Chapter 8

**Assurances**

8.1 During the course of reply given to a question or a discussion, if a Minister gives an undertaking which involves further action on the part of the Government in reporting back to the House, it is called an 'assurance'. Standard list of such expressions which normally constitute assurances as approved by the Committee on Government Assurances (CGA) of the respective House, is given at Annex-3. As assurances are required to be implemented within a specified time limit, care should be taken by all concerned while drafting replies to the questions to restrict the use of these expressions only to those occasions when it is clearly intended to give an assurance on the floor of the House.

Definition

8.2 An assurance given in either House is required to be fulfilled within a period of three months from the date of the assurance. This limit has to be strictly followed.

Time limit for fulfilling an assurance

8.3 To ensure early fulfillment of assurances, entire process beginning from culling out of assurances from the proceedings of the House to the submission of Implementation Report including extension of time, dropping and transfer of assurances have been automated through a Software Application named "Online Assurances Monitoring System" (OAMS). Requests for extension of time, dropping or transfer of assurances and submission of Implementation Report through any other offline mode shall not be entertained under any circumstances.

Online Assurances Monitoring System (OAMS)

Culling out of Assurances

8.4 When an assurance is given by a Minister or when the Presiding Officer, directs the Government to furnish information to the House, it is extracted by the Ministry of Parliamentary Affairs, from the relevant proceedings and communicated to the Department concerned online through 'OAMS' normally within 20 working days of the date on which it is given on the floor of the House.

Deletion from the list of assurances

8.5 If the administrative Ministry/Department has any objection to treating such a statement as an assurance or finds that it would not be in the public interest to fulfill it, it may upload its request at 'OAMS' within a week of treating such statement as assurance for getting it deleted from the list of assurances. Such action will require prior approval of the Minister concerned and this fact should be clearly indicated in their communication containing the request. If such a request is made towards the end of stipulated period of three months, then it should invariably be accompanied with a request of extension of time. The department should continue to seek extension of time till the decision of the Committee on Government Assurances is conveyed through 'OAMS'. Requests received through offline mode shall not be entertained by either Rajya Sabha/Lok Sabha Secretariat or Ministry of Parliamentary Affairs.

Extension of time for fulfilling an assurance

8.6 If the Department finds that it is not possible to fulfill the assurance within the stipulated period of three months or within the period of extension already granted, it may seek further extension of time as soon as the need for such extension becomes apparent, indicating the reasons for delay and the probable additional time required alongwith details of action taken/progress made in the matter. All such request should be submitted at 'OAMS' for decision by CGA thereon with the approval of the concerned Minister.

Registers of Assurances

8.7.1 The particulars of every assurance will be entered by the Parliament Unit of the Ministry/Department concerned in a register as at Annex 4 after which the assurance will be passed on to the concerned section



*Assurances*

8.7.2 Even ahead of the receipt of communication from the Ministry of Parliamentary Affairs through 'OAMS' the section concerned should take prompt action to fulfill such assurances and keep a watch thereon in a register as at Annex 5.

8.7.3 The registers referred to in paras 8.7.1 and 8.7.2 will be maintained separately for the Lok Sabha and the Rajya Sabha assurances, entries therein being made session wise.

The Section Officer in charge of the concerned section will:

Role of Section  
Officer and Branch  
Officer

- (a) scrutinize the registers once a week;
- (b) ensure that necessary follow-up action is taken without any delay whatsoever;
- (c) submit the registers to the branch officer every fortnight if the House concerned is in session and once a month otherwise, drawing his special attention to assurances which are not likely to be implemented within the period of three months; and
- (d) review of pending assurances should be undertaken periodically at the highest level in order to minimize the delay in implementing the assurances.

8.8 The branch officer will likewise keep his higher officer and Minister informed of the progress made in the implementation of assurances, drawing their special attention to the causes of delay.

8.9.1 Every effort should be made to fulfill the assurance within the prescribed period. In case only part of the information is available and collection of the remaining information would involve considerable time, an Implementation Report (IR) containing the available information should be uploaded at 'OAMS' in part fulfillment of the assurance, within the prescribed time limit. However, efforts should continue to be made for expeditious collection of the remaining information for complete implementation of the assurance at the earliest.

Procedure for  
fulfillment of an  
assurance

**8.9.2** Information to be furnished in partial or complete fulfillment of an assurance should be approved by the Minister concerned before it is uploaded at 'OAMS' in both English and Hindi versions in the prescribed pro forma as at Annex-6 , together with its enclosures. After online submission of the Report for fulfillment of the assurance partial or complete as the case may be, four hard copies each in Hindi and English version with one copy of each version duly authenticated by the officer concerned should be sent to the Ministry of Parliamentary Affairs for laying until e-laying is adopted by the concerned House.

**8.9.3** The Implementation Report should be submitted at 'OAMS' only. Implementation Report sent by any other mode or sent to Rajya Sabha/Lok Sabha Secretariat directly, will not be considered for laying.

Laying of the  
Implementation  
Report on the Table  
of the House

**8.10** The Ministry of Parliamentary Affairs, after scrutiny of the Implementation Report, will arrange to lay it on the Table of the House concerned. A copy of the Implementation Report, as laid on the Table, will be forwarded by Ministry of Parliamentary Affairs to the member(s) concerned. Details of laying of Implementation Report submitted by the Ministry/Department concerned would be made available by the Ministry of Parliamentary Affairs at 'OAMS'. The Parliament Unit of the Ministry/Department concerned and the concerned section will, on the basis of information available at 'OAMS', update their records.

Obligation to lay a  
paper on the Table  
of the House vis-à-  
vis assurance on the  
same subject

**8.11** Where there is an obligation to lay any paper (rule/order/notification, etc.) on the Table of the House and for which an assurance has also been given, it will be laid on the Table, in the first instance, in fulfillment of the obligation, independent of the assurance given. After this, a formal report regarding implementation of the assurance indicating the date on which the paper was laid on the Table will be submitted at 'OAMS' in the prescribed pro forma (Annex-6) in the manner already described in para 8.9.2

*Assurances*

**8.12** Each House of Parliament has a Committee on Government Assurances nominated by the Chairman/Speaker. It scrutinizes the Implementation Reports and the time taken in the fulfillment of Government Assurances and focuses attention on the delays and other significant aspects, if any, pertaining to them. Instructions issued by Ministry of Parliamentary Affairs from time to time as available on 'OAMS' are to be followed strictly.

Committees  
on Government  
Assurances  
RSR 211-A  
LSR 323, 324

**8.13** The Ministries/Departments will, in consultation with the Ministry of Parliamentary Affairs, scrutinize the reports of these two Committees for remedial action wherever called for.

Reports of the  
Committees on  
Government  
Assurances

**8.14** On dissolution of the Lok Sabha, the pending assurances do not lapse. All assurances, promises or undertakings pending implementation are scrutinized by the new Committee on Government Assurances for selection of such of them as are of considerable public importance. The Committee then submits a report to the Lok Sabha with specific recommendations regarding the assurances to be dropped or retained for implementation by the Government.

Effect on assurances  
on dissolution of  
the Lok Sabha



**MINUTES**

**COMMITTEE ON GOVERNMENT ASSURANCES  
(2019-2020)  
(SEVENTEENTH LOK SABHA)  
FIFTEENTH SITTING  
(25.08.2020)**

The Committee sat from 1100 hours to 1215 hours in Committee Room "C",  
Parliament House Annexe, New Delhi.

**PRESENT**

Shri Rajendra Agrawal - **Chairperson**

**MEMBERS**

2. Shri Nihal Chand Chauhan
3. Shri Ramesh Chander Kaushik
4. Shri Kaushalendra Kumar
5. Shri Santosh Pandey
6. Shri Pashupati Kumar Paras

**SECRETARIAT**

1. Shri Pawan Kumar - Joint Secretary
2. Shri Lovekesh Kumar Sharma - Director
3. Shri S.L. Singh - Deputy Secretary

**WITNESSES**

**Ministry of Labour and Employment**

1. Shri Heeralal Samariya - Secretary
2. Ms. Kalpana Rajsinghot - Joint Secretary
3. Ms. Vibha Bhalla - Joint Secretary
4. Shri A.K. Samantaray - Deputy Director General
5. Shri S.B Singh - Deputy Director General

**Ministry of Parliamentary Affairs**

1. Shri P.K. Halder - Under Secretary

At the outset, the Chairperson welcomed the Members to the sitting of the Committee and apprised them that the sitting has been convened to consider and adopt draft Reports and for taking oral evidence of the representatives of the Ministry of Labour and Employment.

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3. Thereafter, the representatives of the Ministry of Labour and Employment and the Ministry of Parliamentary Affairs were ushered in. Welcoming the witnesses to the sitting of the Committee, the Chairperson impressed upon them not to disclose the deliberations of the Committee to any outsider. The Committee then took oral evidence of the representatives of the Ministry of Labour and Employment regarding pending Assurances. The Committee were perturbed to note the long pendency of the Assurances of the Ministry. The Chairperson asked the Secretary, Ministry of Labour and Employment to give an overview of the pending Assurances of the Ministry and also enquired about the internal mechanism and system of monitoring and reviewing the implementation of pending Assurances in the Ministry.

4. The Secretary, Ministry of Labour and Employment accordingly briefed the Committee on the above issues. The Chairperson asked the representatives of the Ministry to furnish the Minutes of their review meetings for monitoring of pending Assurances.

5. The Chairperson and Members thereafter raised various queries and sought certain clarifications on the 29 pending Assurances (Enclosure) taken up for the day. The witnesses responded to these queries and also provided clarifications. As some queries required detailed reply and inputs from various quarters, the Chairperson asked the witnesses to furnish written replies on the same in due course.

6. The evidence was completed.

7. The Chairperson thanked the witnesses for deposing before the Committee and furnishing the available information on the queries raised and clarifications sought by them.

8. The witnesses, then, withdrew.

9. A verbatim record of the proceedings has been kept.

*The Committee then adjourned.*

**Enclosure****Statement of pending Assurances pertaining to the Ministry of Labour and Employment discussed during oral evidence held on 25.08.2020**

Sl.No.	SQ/USQ No. dated	Subject
1	USQ No. 2913 dated 15.03.2010	Amendment in Contract Labour Act, 1970
2	SQ No. 472 dated 13.12.2010	Welfare of Contract Labourers
3	USQ No. 5456 dated 13.12.2010	Amendment to Contract Labour Act
4.	USQ No. 1766 dated 07.03.2011	Reforms in Labour Laws
5	USQ No. 1030 dated 28.11.2011	Contract Labour System
6	SQ No. 350 dated 19.12.2011	Contract Workers
7	General Discussion dated 19.03.2012	Amendment to the Contract Labour (Regulation & Abolition) Act, 1970
8	USQ No. 2348 dated 27.08.2012	Contract Labour System
9	USQ No. 2527 dated 27.08.2012	Labour unrest at Maruti Suzuki Manesar Plant
10	USQ No. 3790 dated 17.12.2012	Disparity in Wages
11	SQ No. 56 dated 09.12.2013	Violations of Contract Labour Law
12.	USQ No. 555 dated 09.12.2013	Contract Labour
13	USQ No. 4261 dated 29.08.2011	Growth Rate of Employment
14	SQ No. 623 dated 21.05.2012 (Supplementary by Shri Jagdish Thakor, M.P)	Employment Avenues
15	USQ No. 1975 dated 19.08.2013	National Employment Policy
16	USQ No. 530 dated 14.07.2014	National Employment Policy
17	USQ No. 974 dated 28.11.2011	Minimum Wages for Domestic Workers
18	USQ No. 648 dated 13.08.2012	Domestic Workers under Labour Laws
19	USQ No. 2137 dated 11.03.2013	Domestic Workers

20	USQ No. 3059 dated 10.02.2014	Exploitation of Domestic Workers
21	USQ No. 50 dated 07.07.2014	Domestic Workers
22	USQ No. 564 dated 13.08.2012	Violations of Labour Laws
23	SQ No. 322 dated 03.09.2012	Private Placement Agencies
24	USQ No. 532 dated 09.12.2013	Illegal Placement Agencies
25	USQ No. 5345 dated 29.04.2013	Private Security Companies
26	USQ No. 3049 dated 10.02.2014	Child Labour
27	SQ No. 467 dated 11.08.2014	Wages under Scheduled Employment
28	SQ No. 5 dated 24.11.2014	Migrant Workers
29	USQ No. 1306 dated 01.12.2014	Complaints on Child Labour



Appendix - XXXII

**MINUTES**

COMMITTEE ON GOVERNMENT ASSURANCES  
(2020-2021)  
(SEVENTEENTH LOK SABHA)  
SECOND SITTING  
(22.12.2020)

The Committee sat from 1100 hours to 1215 hours in Committee Room 'D', Parliament House Annexe, New Delhi.

**PRESENT**

Shri Rajendra Agrawal - **Chairperson**

**MEMBERS**

2. Shri Ramesh Chander Kaushik
3. Shri Kaushalendra Kumar
4. Shri Santosh Pandey
5. Shri Pashupati Kumar Paras

**SECRETARIAT**

1. Shri Pawan Kumar - Joint Secretary
2. Shri Lovekesh Kumar Sharma - Director
3. Shri S.L. Singh - Deputy Secretary

**XXXXX      XXXXX      XXXXX      XXXXX      XXXXX      XXXXX**

At the outset, the Chairperson welcomed the Members to the sitting of the Committee and apprised them that the sitting has been convened to (i) consider Memorandum No. 27 regarding request of the Ministry of Coal on the need for seeking extension of time once Implementation Reports have been furnished/uploaded; (ii) consider and adopt 04 draft Reports; and (iii) take oral evidence of the representatives of the Ministry of Law and Justice (Department of Legal Affairs) regarding pending Assurances. Thereafter, the Committee considered the Memorandum regarding request of the Ministry of Coal on the need for seeking extension of time once Implementation Reports have been furnished/uploaded. The Ministry of Coal had proposed that the extension of time for fulfillment of any Assurance may be deemed as granted once the requisite Implementation Report is submitted and response is awaited. If the Implementation Report is not accepted then, a fresh timeline may begin. The Committee, however, decided not to accede to the request of the Ministry and to continue with the extant practice of treating an Assurance as pending until the Implementation Report of the Assurance

is laid in the House or the Assurance is dropped by the Committee. The Ministries/Departments concerned have to continue to seek extension of time as usual till the relevant Implementation Report is laid in the House.

2. Thereafter, the Committee considered and adopted the following four (04) Draft Reports without any amendments and authorized the Chairperson to present the same:

- (i) Draft Thirty-first Report (17th Lok Sabha) regarding 'Requests for Dropping of Assurances (Acceded to)';
- (ii) Draft Thirty-second Report (17th Lok Sabha) regarding 'Requests for Dropping of Assurances (Not Acceded to)';
- (iii) Draft Thirty-third Report (17th Lok Sabha) regarding 'Review of Pending Assurances Pertaining to the Ministry of Finance (Department of Revenue); and
- (iv) Draft Thirty-fourth Report (17th Lok Sabha) regarding 'Review of Pending Assurances Pertaining to the Ministry of Labour and Employment'.

XXXXX      XXXXX      XXXXX      XXXXX      XXXXX      XXXXX  
XXXXX      XXXXX      XXXXX      XXXXX      XXXXX      XXXXX

*The Committee then adjourned.*

**COMPOSITION OF THE  
COMMITTEE ON GOVERNMENT ASSURANCES\*  
(2019 - 2020)**

**SHRI RAJENDRA AGRAWAL**

Chairperson

**MEMBERS**

2. Shri Sudip Bandyopadhyay
3. Shri Nihal Chand Chauhan
4. Shri Gaurav Gogoi
5. Shri Nalin Kumar Kateel
6. Shri Ramesh Chander Kaushik
7. Shri Kaushalendra Kumar
8. Shri Ashok Mahadeorao Nete
9. Shri Santosh Pandey
10. Shri Pashupati Kumar Paras
11. Shri Parbatbhai Savabhai Patel
12. Shri M.K. Raghavan
13. Shri Chandra Sekhar Sahu
14. Dr. Bharatiben Dhirubhai Shyal
15. Smt. Supriya Sule

**SECRETARIAT**

- |                               |   |                  |
|-------------------------------|---|------------------|
| 1. Shri Pawan Kumar           | - | Joint Secretary  |
| 2. Shri Lovekesh Kumar Sharma | - | Director         |
| 3. Shri S. L. Singh           | - | Deputy Secretary |

\* The Committee was constituted w.e.f. 09 October, 2019 *vide* Para No. 609 of Lok Sabha Bulletin Part-II dated 09 October, 2019

