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**STANDING COMMITTEE ON LABOUR, TEXTILES AND SKILL
DEVELOPMENT**

(2021-22)

(SEVENTEENTH LOK SABHA)

MINISTRY OF LABOUR AND EMPLOYMENT

**Action Taken by the Government on the Observations/
Recommendations of the Committee contained in their Seventeenth
Report (Seventeenth Lok Sabha) on Demands for Grants (2021-22) of
the Ministry of Labour & Employment**

TWENTY SIXTH REPORT



LOK SABHA SECRETARIAT

NEW DELHI

December, 2021/ Agrahayana, 1943 (Saka)

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DEVELOPMENT**

(2021-22)

(SEVENTEENTH LOK SABHA)

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**Action Taken by the Government on the Observations/
Recommendations of the Committee contained in their Seventeenth
Report (Seventeenth Lok Sabha) on Demands for Grants (2021-22) of
the Ministry of Labour & Employment**

Presented to Lok Sabha on 13.12.2021

Laid in Rajya Sabha on 13.12.2021



LOK SABHA SECRETARIAT

NEW DELHI

December, 2021/ Agrahayana, 1943 (Saka)

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* Not appended with this cyclostyled copy.

**COMPOSITION OF THE STANDING COMMITTEE ON LABOUR, TEXTILES AND
SKILL DEVELOPMENT**

(2021-22)

Shri Bhartruhari Mahtab - Chairperson

**MEMBERS
LOK SABHA**

2. Shri Subhash Chandra Baheria
3. Kunwar Pushpendra Singh Chandel
4. Shri Ravikumar D.
5. Shri Pallab Lochan Das
6. Shri Pasunoori Dayakar
7. Shri Feroze Varun Gandhi
8. Shri Satish Kumar Gautam
9. Shri B.N. Bache Gowda
10. Dr. Umesh G. Jadhav
11. Shri Dharmendra Kashyap
12. Shri Pakauri Lal Kol
13. Adv. Dean Kuriakose
14. Shri Sanjay Sadashiv Rao Mandlik
15. Shri Khalilur Rahaman
16. Shri Naba Kumar Sarania
17. Shri Bhola Singh
18. Shri Ganesh Singh
19. Shri Nayab Singh
20. Shri K. Subbarayan
21. Shri Giridhari Yadav

RAJYA SABHA

22. Shri Naresh Bansal
23. Shri Neeraj Dangi
24. Shri Dushyant Gautam
25. Shri Elamaram Kareem
26. Ms. Dola Sen
27. Shri M. Shanmugam
28. Shri Vivek Thakur
29. Shri Vijay Pal Singh Tomar
30. Vacant
31. * Vacant

SECRETARIAT

- | | | | |
|----|-------------------------|---|------------------|
| 1. | Shri T.G. Chandrasekhar | - | Joint Secretary |
| 2 | Shri D.R. Mohanty | - | Director |
| 3. | Shri K.G. Sidhartha | - | Deputy Secretary |

* Vacancy occurred *vice* Dr. Banda Prakash resigned *w.e.f* 04.12.2021.

INTRODUCTION

I, the Chairperson, Standing Committee on Labour, Textiles and Skill Development (2021-22) having been authorized by the Committee, present on their behalf this Twenty Sixth Report on Action taken by the Government on the Observations/ Recommendations of the Committee contained in their Seventeenth Report (Seventeenth Lok Sabha) on Demands for Grants (2021-22) of the Ministry of Labour & Employment.

2. The Seventeenth Report was presented to Lok Sabha and laid in Rajya Sabha on 16th March, 2021. The Ministry of Labour and Employment furnished their replies on 30th July, 2021 indicating Action Taken on the Observations/ Recommendations contained in the Seventeenth Report. The Committee considered and adopted the Draft Report at their sitting held on 10th December, 2021.

3. An analysis of the action taken by the Government on the Observations/ Recommendations contained in the Seventeenth Report (Seventeenth Lok Sabha) is given at Appendix-II.

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

New Delhi;
10 December, 2021
19 Agrahayana, 1943 (Saka)

BHARTRUHARI MAHTAB
CHAIRPERSON,
STANDING COMMITTEE ON LABOUR,
TEXTILES AND SKILL DEVELOPMENT

CHAPTER- I

REPORT

This Report deals with the action taken by the Government on the Observations/Recommendations of the Committee contained in their Seventeenth Report (Seventeenth Lok Sabha) on 'Demands for Grants (2021-22)' of the Ministry of Labour & Employment.

2. The Seventeenth Report was presented to Lok Sabha/ laid in Rajya Sabha on 16th March, 2021. It contained 21 Observations/ Recommendations. Replies of Government in respect of all the recommendations have been received and are categorized as under:-

- | | |
|--|--|
| (i) Recommendations/Observations which have been accepted by the Government – Rec. Para No. 1, 2, 3, 4, 5, 6, 7, 8, 10, 15, 16, 17, 18, 19, 20 and 21 | Total:16
Percentage:71.43 |
| (ii) Recommendations/Observations which the Committee do not desire to pursue in view of the Government's reply – NIL | Total:00
Percentage:00 |
| (iii) Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration – Rec. Para No.11 and 12 | Total:02
Percentage:14.28 |
| (iv) Recommendations/Observations in respect of which replies of the Government are interim in nature – Rec. Para Nos. 9, 13 and 14. | Total:03
Percentage:14.29 |

3. The Committee desire that Action Taken Notes in respect of Observations/ Recommendations contained in Chapter-I and final action taken reply in respect of the Recommendations contained in Chapter V of

this Report, for which interim reply has been given by the Government, may be furnished to them at the earliest.

4. The Committee will now deal with some of their earlier Observations/ Recommendations which either require reiteration or merit further comments.

I. OVERALL FINANCIAL PERFORMANCE

(Recommendation Para No.1)

5. In their Seventeenth Report, the Committee had noted that for the year 2018-19, the BE, RE and AE figures stood at Rs.7,700.00 crore, Rs.9,749.58 crore and Rs.9,291.23 crore respectively. There had been a significant upward revision in the Budget allocation at RE stage during the year and the overall utilization of the funds earmarked at the RE stage had been to a substantial 95.29%. For the year 2019-20, the BE, RE and AE figures stood at Rs.11,184.09 crore, Rs.11,184.09 crore and Rs.100,85.02 crore respectively indicating thereby that the percentage utilisation of funds, though lower than the previous year was yet substantive at 90.17%. For the year 2020-21, BE, RE and AE (upto 14.02.2021) figures stood at Rs.12,065.49 crore, Rs.13,719.56 crore and Rs.12,432.10 crore respectively which amounted to a utilization percentage of 90.57% vis-à-vis the funds allocated at RE stage. The upward revision of the allocation in RE 2020-21 had been due to launch of Pradhan Mantri Gareeb Kalyan Yojana (PMGKY) during the Pandemic with a view to giving a boost to the economy. The Committee noted that though an allocation of Rs.4860 crore had been made for PMGKY in the First Supplementary Demand for Grants, only Rs.2,566 crore could be spent as on 15.02.2021, which amounted to utilisation of only 52.8% of the funds. Further, there had been a downward revision of the allocation for the scheme to Rs.2,600 crore at the RE Stage. That apart, Rs.1,000 crore had been allocated for Atmanirbhar Bharat Rojgar Yojana (ABRY) at RE stage. The Committee further noted that

the savings witnessed in respect of various other Schemes of the Ministry during the year are equivalent to the additional budget allocation for the PMGKY and ABRY taken together. The Committee observed that the launch of two new special Schemes *viz.* PMGKY and ABRY had been intended to cater to the needs of the Country owing to the Pandemic. The Committee had emphasised that accurate budgetary estimates should be made before seeking supplementary allocation, if required, for smooth implementation of the Schemes. The Committee had further desired that the Ministry should seriously look into the infrastructural or procedural constraints impeding optimal utilization of funds especially made available during the Pandemic.

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

“A total of Rs.12,065.49 crore was allocated to the Ministry for the FY 2020-21. It was revised to Rs.13,719.56 crore at RE stage. The Ministry was able to utilize Rs. 13,213.46 crore by the end of FY 2020-21 which accounts for 96.31% of the budget at RE stage.

An amount of Rs.4,860 crore was allocated for newly launched Pradhan Mantri Gareeb Kalyan Yojana (PMGKY) to boost the economy during the Covid 19 pandemic. The claimants were required to voluntarily apply for benefits under the scheme. The entire process of submission of Electronic Challan cum return (ECR) to EPFO and settlement of claims are online”.

7. The Committee appreciate that as a result of the concerted efforts made by the Ministry, the utilisation of enhanced revised budgetary allocation accounted for 96.31% by the end of Financial Year 2020-21 which has been the highest in terms of overall utilisation of funds during the last three years. As it is imperative to focus on optimal utilisation of the Budgetary Allocations to effectively implement the ongoing/envisaged schemes, the Committee impress upon the Ministry to fortify the measures undertaken for the purpose. The Committee are also of the considered opinion that the provision of submission of Electronic Challan

cum Return to EPFO and settlement of claims via online platform is a step in the right direction and should be persisted with unabatedly.

II. BIMA YOJANA FOR UNORGANISED WORKERS

(Recommendation No.10)

8. In their Seventeenth Report, the Committee had noted that as per the decision taken by the Government in May, 2017, the Aam Aadmi Bima Yojana (AABY), a social security scheme for unorganised workers to provide insurance for life and disability was transferred to the Ministry of Labour and Employment from the Department of Financial Services with the directive to converge AABY with Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY) and Pradhan Mantri Suraksha Bima Yojana (PMSBY) for those in the age group of 18-50 years. For those in age group of 51-59 years, the old AABY Scheme was continued with. The PMJJBY provided a cover of Rs.2 lakh in cases of natural death for which the premium amount is Rs.330/-per annum per beneficiary in the age group from 18-50 years; and PMSBY provided accidental death and disability cover of Rs.2 lakh on death and permanent disability and Rs.1 lakh in case of partial disability, for which the annual premium of Rs.342 per beneficiary is shared between the State and Central Government on 50:50 basis. The Scheme was implemented in 2018-2019 and 2019-2020 for the unorganised workers. However, in September, 2019, a decision was taken by the Government for transition of the Scheme from a 'subsidy regime' to a 'full premium payment scheme' *w.e.f.* 1st April, 2020 through the Department of Financial Services and make it available for subscription by the public. The Committee observed with concern that with the Scheme ceasing to exist *w.e.f.* 01.04.2020, there would be a vacuum in regard to providing a specific Bima Scheme for Unorganised Workers that was funded by the Government. The Unorganised Workers Social Security Act, 2008 having been since subsumed in the Social Security Code, 2020, the Committee expected that the Ministry would bring forth more befitting welfare schemes providing insurance for the

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

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

“The Aam Aadmi Bima Yojana (AABY) has been converged with Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY) and Pradhan Mantri Suraksha Bima Yojana (PMSBY). The total annual premium payable for both the schemes are of Rs. 342/- (Rs. 330/- for PMJJBY + Rs. 12/- for PMSBY) depending upon their eligibility. The total premium of Rs. 342/- is to be borne by individual/ State Government under full premium regime with effect from 01.04.2020 as per the decision taken by Committee of Secretaries in its meeting dated 12.09.2019. The observation of the standing committee has been noted for consideration of the Ministry”.

10. While taking note of the Ministry’s efforts to converge and integrate social security schemes for unorganized workers, the Committee recommend that the Ministry should contemplate introducing more welfare schemes to provide insurance for the unorganized workforce and awareness/publicity campaigns be launched for the purpose to educate the unorganized workers about the benefits of such schemes.

III. NATIONAL PENSION SCHEME FOR TRADERS AND SELF-EMPLOYED PERSONS

(Recommendation No.11)

11. In their earlier report, the Committee had noted that the National Pension Scheme (NPS) for traders was launched on 12.09.2019 as a voluntary and contributory pension Scheme which was open to traders in the age group of 18-40 years with annual turnover not exceeding Rs.1.5 crore. A trader who was not a member of EPFO/ESIC/MPS/PM- SYM could join the Scheme. The subscribers, after attaining the age of 60 years were eligible for monthly minimum assured pension of Rs.3000/-. While 50% monthly contribution was

payable by the beneficiary, an equal matching contribution was made by the Central Government. The Committee noted that for the year 2019-20, the BE, RE and AE figures for the scheme stood at Rs.750 crore, Rs.160.15 crore and Rs.155.87 crore respectively. For the year 2020-21, the BE, RE and AE figures stood at Rs.180 crore, Rs.15 crore and Rs.5.86 crore respectively which were indicative of a significant cut of more than 90% of the funds at the RE stage. The Committee expressed concern to take note of such a drastic cut in the allocation of funds for a newly launched Scheme. The Committee further noted that while the scheme was intended to benefit around 3 crore small and marginal traders, shopkeepers and self-employed persons by 2023-24, the total enrollments under the 'NPS for traders' was a minuscule number of 43,583 as on 24.02.2021. The Committee also noted that with the rate at which the enrolments were progressing, the targets were not going to be achieved unless there was a complete overhaul of the scheme. Further, in view of the low demand for the scheme from the intended beneficiaries, the Committee exhorted the Ministry of Labour and Employment to review the functioning of Scheme at the apex level, set up an appropriate Monitoring Mechanism to review the scheme and suggest concrete measures for overhauling the scheme so as to make it viable. The Committee would like to be apprised of the developments in this regard.

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

“The National Pension Scheme for traders, shopkeepers and self-employed persons to provide old age protection to the small and marginal traders, shopkeepers and self-employed person in the form of monthly pension of Rs 3000/, was launched in September, 2019. It is a voluntary and contributory pension scheme. Enrolment to the scheme is done through the Common Service Centres, with its network of 3.50 lakh Centres across the country.

This scheme was launched to provide benefit to around 3.0 crore small and marginal traders, shopkeepers and self-employed person by 2023-24. As on 15.07.2021, the total enrolment under NPS Traders is 44091. Since the overall demand is low from the

intended beneficiaries of the scheme, it has been reviewed in the Ministry. The main reason for low enrolment in NPS Traders scheme are listed as under: -

- (a) The lack of responsibility and accountability of Common Service Centers (CSC-SPV)
- (b) The small shopkeepers such as pan vendors, tea vendors and other small scale shopkeepers/ traders are already covered under the PM-SYM.
- (c) Policies related to the shopkeepers, traders, self-employed and matters related to their unions/associations are dealt by DPIIT/MSME and they are not under actual control of MOLE.
- (d) Scheme is being implemented in the States through Labour Departments which are not the Nodal departments for trade and commerce
- (e) Due to sudden outbreak of COVID-19 pandemic and lockdown, the lives of the small traders and self-employed persons have been adversely affected.

Further, it is submitted that once the Covid situation normalize in the country and Covid protocol is relaxed, adequate efforts shall be made to popularize the scheme and State Government shall be requested to encourage the unorganized workers, working in different sector to join the scheme”.

13. The Committee are deeply concerned to note that the total enrollment under the NPS for Traders’ scheme as of 24.02.2021 was 43,583 which increased by just 508 beneficiaries as of 15.07.2021. This is indicative of a continuing low demand which does not augur well against the intended target of 3 crore beneficiaries by 2023-24. The Committee appreciate that such low enrolment between February, 2021 and July, 2021 might have occurred due to the Covid-19 Pandemic second wave which was at its peak during the said period. But other factors, as submitted by the Ministry, like lack of responsibility and accountability of the Common Service Centres, procedural rigmaroles regarding jurisdictional overlap between Ministry of Labour & Employment and DPIIT/MSME, State Labour Departments not being the nodal departments

for trade and commerce etc. cannot be condoned for the low demand/enrollment under the Scheme. The Committee, therefore, urge the Ministry to look into the inter-departmental discrepancies/deficiencies with utmost seriousness and take requisite corrective action in unison with other Ministries/State Governments concerned so as to ensure achievement of three crore enrolments under ‘NPS for Traders’ Scheme’ by 2023-24 for the benefit of small and marginal traders, shopkeepers and self-employed persons.

IV. NATIONAL CHILD LABOUR PROJECT (NCLP)

(Recommendation No. 12)

14. Taking into account the large number of child labour in the age group of 5-14 years in the Country which, as per the 2011 Census Report stood at 43, 53, 247, the Committee in their earlier Report had suggested that the impact of the Pandemic on this Scheme might be appropriately assessed and corrective measures taken for reviving the Scheme. The Committee also urged upon the Ministry to chalk out a concerted action plan towards initiating a coordination mechanism with implementing agencies in the Districts for timely submission of utilization certificates and other requisite documents for release of funds under the Scheme. Further observing the establishment of the online portal PENCIL (Platform for Effective Enforcement for No Child Labour) towards effective implementation of NCLP, the Committee had desired that the Ministry would continue to use advanced technologies for enabling effective implementation of this Scheme.

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

“The Committee’s recommendations are noted. Ministry of Labour& Employment’s endeavor is to have better coordination mechanism with District administrations”.

16. The Committee are not convinced with the cursory response of the Ministry because they have not specifically spelt out the measures taken to put in place an effective and better coordination mechanism with the District Administrations. Taking into consideration the alarming decline in utilization of funds allocated during 2020-21, the Committee urge the Ministry to strengthen their monitoring and coordination mechanism with the District Administrations so as to ensure timely submission of UCs and other requisite documents which in turn would facilitate optimal achievement of physical targets under NCLP. The Committee further impress upon the Ministry, post normalization of Covid-19 situation to a greater extent, to reinforce their supervision of the functioning of the Special Training Centres (STCs) for ensuring prompt rescue, timely relief and appropriate rehabilitation of Child labours.

V. EMPLOYEES STATE INSURANCE (ESI) SCHEME

(Recommendation No.21)

17. In their earlier report, the Committee were concerned to note the state of affairs in some of the State Government run ESIC Hospitals which was not proper or upto the mark. For example, some of the ESI Hospitals were reportedly mismanaged, under staffed, ill-equipped and unable to maintain and augment the infrastructure. The Committee therefore desired that a list of 'non-functional Hospitals' be furnished to them. The Committee had been apprised that a decision had been taken by the Ministry that henceforth any new ESIC Hospital would be run by ESIC until and unless the State Government insisted on running the hospital. The Committee exhorted that ESIC, in public interest, should take a holistic view about the functioning and performance of all Hospitals at the earliest. The Committee also desired that the Ministry, in coordination with the State Governments should examine the

feasibility of closing the totally defunct and non-functional ESI hospitals, and if desired by the State Government, take over the administration of the ESI Hospitals concerned. The Committee further desired to be furnished the details of requests received from the State Governments for handing over the ESI Hospitals functioning under their control to the Central Government.

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

“In order to provide quality health care services to Insured Persons (IPs), Director General, ESIC has recently conducted a number of review meetings with States to address various issues regarding inadequacies in performance of State Government run ESI Hospitals to ensure better management of hospital services, procurement of required equipments, recruitment of adequate medical manpower, etc.

A list of Non-functional ESI Hospitals is as under:

1. ESI Hospital Munger, Bihar
2. ESI Hospital Shahbad, Karnataka
3. ESI Hospital Dalmia Nagar, Bihar

The amount payable to State Government for running of ESI scheme in State Government is being released to treasury of respective State Governments. Funds for managing the State administered ESI Hospitals are released by State Governments through state treasury which is subject to audit by respective State Accountant Generals.

During recently held review meeting with concerned States, Regional Offices have been asked to carry out IP survey in catchment area of non-functional hospitals so that decision could be taken for closing/takeover of administration of such hospitals by ESIC.

Further, DG has addressed to the State Chief Secretaries, requesting them to improve medical services in State run ESIS Hospitals or alternatively handover administration of some ESIS Hospitals to ESIC.

No proposal has been received from State Governments for handing over of ESIS hospital to ESIC”.

19. The Committee appreciate that pursuant to their recommendation, the Ministry have initiated several review measures to improve medical services in State run ESI hospitals and undertaken surveys to ascertain closure/takeover of such hospitals by ESIC. The Committee, however, urge the Ministry to chalk out an effective action plan as a follow-up to the review measures so as to ensure better management and takeover of the State-run ESI hospital services.

**New Delhi;
10 December, 2021
19 Agrahayana, 1943 (Saka)**

**BHARTRUHARI MAHTAB
CHAIRPERSON,
STANDING COMMITTEE ON LABOUR,
TEXTILES AND SKILL DEVELOPMENT**

**STANDING COMMITTEE ON LABOUR, TEXTILES AND SKILL
DEVELOPMENT**

(2021-22)

Minutes of the Fourth Sitting of the Committee

The Committee sat on Friday, the 10th December, 2021 from 1015 hrs. to 1045 hrs. in Committee Room 'D', Parliament House Annexe, New Delhi.

PRESENT

Shri Bhartruhari Mahtab, Chairperson

Lok Sabha

2. Shri Subhash Chandra Baheria
3. Shri Ravikumar D
4. Shri Dharmendra Kashyap
5. Adv. Dean Kuriakose
6. Shri Khalilur Rahaman
7. Shri Naba Kumar Sarania
8. Shri Bhola Singh
9. Shri Nayab Singh

Rajya Sabha

10. Shri Naresh Bansal
11. Shri Neeraj Dangi
12. Shri Dushyant Gautam
13. Shri Vivek Thakur
14. Shri Vijay Pal Singh Tomar

SECRETARIAT

- | | | | |
|----|-------------------------|---|---------------------|
| 1. | Shri T.G. Chandrasekhar | - | Joint Secretary |
| 2. | Shri D.R. Mohanty | - | Director |
| 3. | Shri Sanjay Sethi | - | Additional Director |
| 4. | Shri K.G. Sidhartha | - | Deputy Secretary |

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee, convened for consideration and adoption of the following Draft Reports on:

i) Action taken by the Government on the Observations/ Recommendations of the Committee contained in their Seventeenth Report (Seventeenth Lok Sabha) on 'Demands for Grants (2021-22)' of the Ministry of Labour & Employment;

ii) XX XX XX XX;

iii) XX XX XX XX;

iv) XX XX XX XX.

3. Giving an overview of the important Observations/ Recommendations contained in the Draft Reports, the Chairperson solicited the views/ suggestions of the Members.

4. The Committee, then, took up the Draft Reports one by one for consideration and after some discussions adopted them.

5. The Committee then authorized the Chairperson to finalise the Report and present the Report to Parliament on Monday, the 13th December, 2021.

The Committee then adjourned.

XX Does not pertain to this Report.

(Vide Para No. 3 of the Introduction)

**ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON OBSERVATIONS/
RECOMMENDATIONS CONTAINED IN THEIR SEVENTEENTH REPORT OF THE
STANDING COMMITTEE ON LABOUR, TEXTILES AND SKILL DEVELOPMENT
(SEVENTEENTH LOK SABHA)**

	Total	Percentage
I. Total number of Recommendations	21	
II. Recommendations/Observations which have been accepted by Government (Rec. Para. Nos. 1,2,3,4,5,6,7,8,10, 15,16,17, 18,19, 20 & 21)	16	71.43%
III. Recommendations/Observations which the Committee do not desire to pursue in view of Government's replies - NIL	00	00%
IV Recommendations/Observations in respect of which Government's replies have not been accepted by the Committee and which requires reiteration - (Rec. Para. No. 11 & 12)	02	14.28%
V Recommendations/Observations in respect of which final replies of Government are of interim in nature- (Rec. Para.No.9,13 and 14)	03	14.29
		100%
