

4

**STANDING COMMITTEE ON  
LABOUR & WELFARE**

**(1994-95)**

**TENTH LOK SABHA**

**MINISTRY OF LABOUR  
DEMANDS FOR GRANTS (1994-95)**

**FOURTH REPORT**



सत्यमेव जयते

**LOK SABHA SECRETARIAT  
NEW DELHI**

*April, 1994/Chaitra, 1916 (Saka)*

FOURTH REPORT  
STANDING COMMITTEE ON  
LABOUR AND WELFARE  
(1994-95)

TENTH LOK SABHA

MINISTRY OF LABOUR  
DEMANDS FOR GRANTS – 1994-95

*Presented to Lok Sabha on ..... April, 1994*

*Laid in Rajya Sabha on ..... April, 1994*



सत्यमेव जयते

LOK SABHA SECRETARIAT  
NEW DELHI

*April, 1994 / Chaitra, 1916 (Saka)*

**C L&W No. 4**



*Price : Rs. 6.00*



**© 1994 BY LOK SABHA SECRETARIAT**

**Published under Rule 382 of the Rules & Procedure and Conduct of Business  
in Lok Sabha (Seventh Edition) and Printed by Jainco Art India, Sarva Priya  
Vihar, Hauz Khas, New Delhi - 110016.**

# CONTENTS

	PAGES
COMPOSITION OF THE COMMITTEE .....	(iii)
INTRODUCTION .....	(v)
CHAPTER I — INTRODUCTORY .....	1
CHAPTER II — REPORT	
DEMANDS FOR GRANTS—1994-95	
A. Working Class Family Income and Expenditure .....	5
B. Rural Labour Enquiry .....	6
C. Labour Tribunal Courts of Enquiry and Conciliation Boards .....	8
D. Director General Mines Safety .....	11
E. Transfer to Reserve Fund .....	14
F. Beedi Workers Welfare – Health .....	17
G. Reimbursement of Administrative Charges to the Employees Provident Fund Organisation .....	20
H. National Child Labour Policy .....	22
I. Studies relating to Child Labour .....	23
J. World Bank Assisted Vocational Training Project .....	25
ANNEXURE - I : Composition of the Committee (1993-94) .....	28
ANNEXURE - II : Minutes of the Eighteenth Sitting of the Committee held on 8.4.1994 .....	30
ANNEXURE - III : Summary of Recommendations/ Conclusions .....	33

COMPOSITION OF THE STANDING COMMITTEE ON LABOUR  
AND WELFARE  
(1994-95)

Shrimati Chandra Prabha Urs—*Chairperson*

MEMBERS

*Lok Sabha*

2. Shri D. K. Naikar
3. Shri S. B. Thorat
4. Shri Bheru Lal Meena
5. Shri K. Pradhani
6. Smt. Kamala Kumari Karreodula
7. Kumari Padmasree Kudumula
8. Shri Siddappa Bhimappa Nyamagouda
9. Dr. P. Vallal Peruman
10. Dr. Chinta Mohan
11. Shri A. Prathap Sai
12. Shri B. Akbar Pasha
13. Shri Ramesh Chennithala
14. Shri Gaya Prasad Kori
15. Shri Dattatraya Bandaru
16. Shri Chandubhai Deshmukh
17. Prof. Rasa Singh Rawat
18. Shri Ram Narain Berwa
19. Shri Shivraj Singh Chauhan
20. Shri Swami Sureshanand
21. Shri Mahendra Baitha
22. Shri Vishwanath Pratap Singh
23. Shri Govinda Chandra Munda
24. Shri Ajoy Mukhopadhyay
25. Shri Rup Chand Murmu
26. Shri Vishwa Nath Shastri
27. Dr. R. Sridharan
28. Shri Ram Sagar
29. Shri Yaima Singh Yumnam
30. Shri Satyendra Nath Brohmo Choudhary

(iv)

*Rajya Sabha*

31. Maulana Obaidulla Khan Azmi
32. Shri N. E. Balaram
33. Shrimati Vidya Beniwal
34. Shri Kanak Mal Katara
35. Shri Gundappa Korwar
36. Shri S. Muthu Mani
37. Shri Kameshwar Paswan
38. Shri Narendra Pradhan
39. Shri Ram Ratan Ram
40. Shri Jibon Roy

SECRETARIAT

- |                       |   |                             |
|-----------------------|---|-----------------------------|
| 1. Shri G. L. Batra   | — | <i>Additional Secretary</i> |
| 2. Shri S. C. Gupta   | — | <i>Joint Secretary</i>      |
| 3. Shri Satish Loomba | — | <i>Deputy Secretary</i>     |
| 4. Shri R. S. Misra   | — | <i>Assistant Director</i>   |

## INTRODUCTION

I, the Chairperson of the Standing Committee on Labour and Welfare (1994-95) having been authorised by the Committee to submit the Report on their behalf, present this Fourth Report on the Demands for Grants—1994-95 of Ministry of Labour.

2. The Committee (1993-94) considered the Demands for Grants pertaining to the Ministry of Labour for the current year *i.e.* 1994-95 which were laid on the Table of the House on 4 March, 1994 whereafter the Committee took evidence of the representatives of the Ministry of Labour on 22 March, 1994.

3. The Committee wish to express their thanks to the officers of the Ministry of Labour for placing before them the detailed written notes on the subject and for furnishing the information the Committee desired in connection with the examination of the subject.

4. The Report was considered and adopted by the Committee at their sitting held on 8.4.1994.

5. The Committee would like to express their thanks to the Committee on Labour and Welfare (1993-94) for taking evidence on the subject and obtaining valuable information thereon. The composition of the Committee (1993-94) is given at Annexure-II.

NEW DELHI;  
April 18, 1994  
Chaitra 28, 1916 (Saka)

CHANDRA PRABHA URS,  
*Chairperson,*  
*Standing Committee on*  
*Labour and Welfare.*

## CHAPTER I

### INTRODUCTORY

1.1 The *Shram Mantralaya* (Ministry of Labour) is responsible for laying down policy in respect of labour matters including industrial relations, co-operation between labour and management, settlement of labour disputes, regulation of wages and other conditions of work and safety, women labour and child labour, labour welfare, social security etc. besides development and administration of employment service and training of craftsmen on national basis.

1.2 The implementation of the policy in regard to the above matters is also the responsibility of the State Governments concurrently with the Central Government.

1.3 Objectives of the Ministry of Labour are to promote harmonious relations between labour and management and to regulate wages and other conditions of work.

To ensure speedy implementation of Labour Law awards, Agreements, Code of Discipline etc. for improving industrial relations.

To conduct evaluatory studies of implementation of Labour Laws, Industrial Relations, Personnel Policies and practices etc., in Public Sector Undertakings.

To conduct programmes relating to employment and Training of craftsmen at different levels of skill.

To increase the employment potential of Scheduled Castes and Scheduled Tribes candidates through Coaching-cum-Guidance Centres.

1.4 To achieve the above mentioned objectives, funds are required by the Ministry for their following functional divisions :

1. Welfare of SC/ST and other Backward Classes.
2. Labour Employment and Training.



3. Grants-in-aid to State Governments.
4. Grants-in-aid to Union Territory Governments.
5. Aid Material and Equipment.
6. Capital outlay on other social services.
7. Loans for other social services.

1.5 The Demands for Grants asked by the Ministry are given under the Demand No. 57.

1.6 It has been stated in the performance Budget that the Planning Commission made an allocation of Rs. 160.10 crores during the year 1993-94 of which Rs. 18.04 crores were transferred to Ministry of Urban Development.

1.7 Budget Estimates of the Ministry for the year 1994-95 are placed at Rs. 568.10 crores (Plan Rs. 112.50 crores; Non-Plan Rs. 455.60 crores). The Planning Commission made an allocation of Rs. 126.00 crores for the year 1994-95 out of which Rs. 15.00 crores have been transferred to Ministry of Urban Development for incorporation in the budget documents of the Ministry for Capital Works to be executed during 1994-95. In addition, Plan allocation of Rs. 1.50 Crores has been catered to for retraining of rationalised labour for which expenditure will be met from the National Renewal Fund.

1.8 Asked to state the reasons for low utilisation of Budget earmarked for the Ministry for the year 1993-94, the Secretary, Ministry of Labour stated during evidence :

"First point I would like to submit before you and before the Committee for appreciation is that Labour unlike other Ministries is principally a regulatory Ministry. A lot of work done by the Labour Ministry and also through its field organisations is in the nature of regulatory work for the purpose of securing labour standard, Industrial peace and labour welfare. Because of this main characteristic of the Labour Ministry, I would submit that it may be appreciated that performance in the plan and non-plan sectors together should be taken into consideration. Plan allocation may not be taken as a criterion for judging the performance of the Ministry."

He further stated :

"The overall performance of the Ministry is quite good. For 1993-94, a lot of expenditure is still on the pipeline. If we take 1992-93, the total expenditure, Plan and non-Plan together, against the outlay last year B.E. was about Rs. 420 crores net. Out of that, we spent plan and non-plan put together, Rs. 346 crores. It accounts for 82 per cent of the expenditure.

If you take R.E. last year, the actual expenditure is 90 per cent. More or less, a similar kind of expenditure in respect of Plan and non-Plan together, will be reflected this year also. If you take Plan alone, it is true, as pointed out, that the performance is seemingly not up to the mark. But if you take Plan alone, there is only one scheme in regard to which we have problem, that is scheme on Training. Eighty per cent of the Plan allocations of the Ministry of Labour is for Training. There is the World Bank aided project for improving the vocational training system, mainly for the purpose of replacing Industrial Training Institute by adding new courses, modernising courses, starting industrial training institute for women etc. It is also to establish one hi-tech apex Institute. The Vocational Training Project is implemented significantly through the States. There have been problems in regard to securing expenditure through the States for various reasons. Mainly on account of the problem in this scheme Plan expenditure for year to year is seemingly lower."

### Recommendation

1.9 It has been stated by the Ministry that the Labour Ministry unlike other Ministries is principally a regulatory Ministry. A lot of work done by Labour Ministry and also through its field organisations is in the nature of regulatory work for the purpose of securing labour standard, industrial peace and labour welfare. However, the plan expenditure is seemingly not up to the mark. There is only one scheme in regard to which they have problem i.e. scheme on training. 80 per cent of the plan allocations of the Ministry of Labour is for training. According to Ministry they have problem in regard to securing expenditure through the States for various reasons. The reason put forward by the Ministry for low expenditure in the plan scheme is not at all acceptable to the Committee. In view of the Committee, the Ministry lacks coordination with the States and its monitoring is not up to the mark. The Committee, therefore, recommend that the Ministry of Labour should have a thorough monitoring over the Central as well as the Centrally Sponsored Schemes. They should also ensure that the funds allocated for various schemes are utilised during the financial year for which they are earmarked and the plan schemes are completed under the plan period. For this the matter should be taken at the highest level and the Committee should be informed about the progress made in various plan schemes after every six months.

1.10 The Committee learnt from the Ministry that out of 315 million strong labour force, 280 million is in the unorganised sectors on which no authentic data is available with them. The Committee are also given to understand that sectoral analysis of the unorganised sector would be a

colossal exercise involving huge time and money. The Committee nevertheless desire that some of the important sectors of unorganised industries such as civil construction, agriculture, kiln and stone works, small time hoteliering etc. should be thoroughly surveyed, taking into account the 1991 census report so as to provide adequate planning and remedial measures through appropriate legislation etc. for their welfare.

1.11 The Committee also observe that despite rising unemployment in the country the total number of registrations with the employment exchanges over the country are showing a declining trend. Alongwith this, is the fact that some persons continued to be registered with E.E. for better opportunities,, despite their holding jobs. The Committee are, therefore, of the view that the overall position of the functioning of the Employment Exchanges should be thoroughly examined for their efficacious and active functioning.

## CHAPTER II

### DEMANDS FOR GRANTS

#### LABOUR BUREAU

##### **Sub-Head – C 1(1)(2)(12) – Working Class family income and expenditure survey 1992-93**

2.1 The Budget Estimates for the year 1993-94 under the scheme was Rs. 1.28 crores. The amount was lowered down to Rs. 21.90 lakhs in the Revised Estimates for 1993-94. However, in the Budget Estimates for 1994-95 the grant has been raised to Rs. 2.25 crores.

2.2 Asked to explain the variation in the Revised Estimates for 1993-94 and the Budget Estimates for the year 1994-95 the Ministry in a written note furnished to the Committee has stated that the scheme involves creation of a large number of posts in Labour Bureau for the purpose of conducting the survey. The Staff Inspection Unit (SIU) of Department of Expenditure (Ministry of Finance) was requested to assess the staff requirement for conducting the survey, keeping in view the existing staff strength of Labour Bureau and volume of work involved in conducting the survey. The SIU had submitted its recommendations in December 1993. The SIU recommendations have been examined and proposal for creation of staff positions were forwarded to the Ministry of Finance in January 1994. The proposals are presently pending with the Ministry of Finance.

2.3 In anticipation of SIU report and further clearance for creation of posts by Ministry of Finance a provision of Rs. 1.28 crores was made in the Budget Estimates for 1993-94. However, as the SIU recommendations were not received at the time of preparation of Revised Estimates for 1993-94 the amount was lowered to Rs. 21.90 crores, in the Revised Estimates for 1993-94. Now that the SIU report has been received and the proposals for creation of posts are in final stages of consideration, an amount of Rs. 2.25 crores has been made in the Budget Estimates for 1994-95.

2.4 Asked to state the steps taken by the Ministry for early clearance of the proposal from the Ministry of Finance, the Ministry of Labour replied

that the Staff Inspection Unit were requested to assess the staff requirements in May, 1992. SIU sent detailed questionnaires to the Bureau which was followed up with visits by SIU team for carrying out on the spot work assessment. The SIU report alongwith the comments of the Labour Bureau was received in the Ministry in December, 1993.

2.5 After examination of the report, the proposals for creation of posts recommended by SIU were sent to the Ministry of Finance in January, 1994 with the approval of Secretary (Labour). It has been followed up with a demi-official letter from Secretary (Labour) to the Secretary (Expenditure) on 11.3.1994. Secretary had also telephonically discussed the proposal with the concerned Joint Secretary in the Department of Expenditure.

2.6 The Ministry have also informed the Committee that the survey involves work in different stages, viz. sample design, field surveys, processing of data, preparation of weighting diagram and release of new price indices on revised base. The survey will be launched after the creation of posts and is expected to be completed in about 5 year's time.

#### **Sub-Head - C 1(2)(1) - Labour Bureau : Rural Labour Enquiry**

2.7 Under the scheme an amount of Rs. 51,54,000/- was actually spent during the year 1992-93. In the Revised Estimates for the year 1993-94 an amount of Rs. 60 lakhs has been provided. The Ministry have now proposed Rs. 90 lakhs in the Budget Estimates for the year 1994-95.

2.8 Giving the salient features of the survey the Ministry has stated that the Agricultural and Rural Labour Enquiries are conducted to collect periodical data on the living and working conditions of agricultural and rural labour for formulating action programmes in order to ameliorate the conditions of the rural labour in general and agricultural labour, in particular. This scheme involves collection of data through field surveys by National Sample Survey Organisation (NSSO) under the Department of Statistics. The data thrown up by these surveys are processed by the Labour Bureau and the reports on different aspects of the Agricultural and Rural Labour, viz. "Employment and Un-employment", "Wages and Earnings", "Consumption Expenditure" and "Indebtedness" are brought out for each round of the NSSO survey.

2.9 Asked to state the dates on which the reports of surveys based on 1983 and 1987-88 were released, the Ministry in a written note furnished

to the Committee has stated that the dates on which the Survey Reports were released are indicated below :

<b>1983 Survey</b>	<b>Date</b>
1. Consumption expenditure	31.12.1990
2. Indebtedness	31.12.1990
3. Wages and Earnings	30.09.1993
<b>1987-88 Survey</b>	<b>Date</b>
1. Indebtedness	31.12.1992
2. Consumption expenditure	31.03.1993

2.10 Giving reasons for a long time lag in the dissemination of results of surveys the Ministry has stated that the main reasons for delay in releasing the 1983 Survey Report on "Employment and Un-employments" was that the early lot of tabulated data was received from NSSO very late i.e. in July, 1988. As the tabulated data was not in accordance with the data requirements of Labour Bureau, the matter was taken up with the field survey division of NSSO at Calcutta and their computer centre. After considerable discussion, the matter was placed before the Governing Council of NSSO on 31.8.1991. The Governing Council agreed to the contention of the Bureau and directed retabulation of the data as per actual requirements. The retabulated data was made available in early 1993. On receipt of the data further processing was carried out and the report has since been finalised and is likely to be released very soon.

#### **Recommendation**

2.11 The Committee are pained to note that wages and earning survey based on 1983 was released in September, 1993 i.e. after 10 years and survey report on 'Employment and Unemployment' based on 1983 is yet to be released. The reason given by the Ministry in this regard is not at all satisfying to the Committee. In their view while such reports and datas are very useful, steps should be taken up for speedy processing and analysis in order to reduce time lag in their release. The Ministry's monitoring in this regard seems to be very poor. They should have initiated advance consultations between the National Sample Survey Organisation and Labour Bureau to finalise the questionnaire and format for the survey to minimise the gap in data requirements. The Committee are also unable to understand the idea behind proposing Rs. 90 lakhs in the Budget Estimates for the year 1994-95. They would, therefore, like to see that progress made in this regard after six months and also the proposed utilisation of the money

**demanded by the Ministry in the Budget estimate for the year 1994-95. For other surveys, the Ministry in consultation with the Labour Bureau should fix the time target for releasing the reports because late release of results remain only for the sake of record and lose the purpose for which they were meant.**

**Sub-Head – C.1(2)(3) – Labour Tribunal Courts of Enquiry and Conciliation Boards**

2.12 Actual expenditure incurred under the scheme during the year 1992-93 was Rs. 51.59 lakhs. Revised estimate for the year 1993-94 was Rs. 66.20 lakhs. The Government have now proposed Rs. 71 lakhs for the scheme.

2.13 The Ministry has furnished the following statement, showing the number of cases registered and pending in the Labour Courts during the last 3 years.

The number of industrial disputes & applications received during 1991, 1992 & 1993 and pending as on 31st December, 1991, 1992 & 1993 in the Central Government Industrial Tribunals-cum-Labour Courts

Sl. No.	CGIT-CUM-LABOUR COURT	NUMBER OF INDUSTRIAL DISPUTES					NUMBER OF APPLICATIONS								
		Pending as on 31.12.90	Received during 1991	Pending as on 31.12.91	Received during 1992	Pending as on 31.12.92	Received during 1993	Pending as on 31.12.93	Received during 1991	Pending as on 31.12.91	Received during 1992	Pending as on 31.12.92	Received during 1993	Pending as on 31.12.93	
1.	Asansol	89	49	51	60	47	53	60	15	5	11	70	9	15	15
2.	Bangalore	196	87	255	91	312	72	336	0	6	6	13	15	14	27
3.	No. 1 Bombay	156	96	208	71	276	97	298	552	160	660	114	774	126	796
4.	No. 2 Bombay	178	50	173	69	198	94	256	2424	204	2202	223	2066	156	642
5.	Calcutta	280	46	275	63	279	46	298	217	47	233	53	231	51	242
6.	Chandigarh	545	189	663	148	709	155	744	693	451	878	1336	2018	320	1845
7.	No. 1 Dhanbad	483	158	521	145	546	96	635	110	28	117	37	125	28	164
8.	No. 2 Dhanbad	406	166	530	23	447	206	557	34	9	40	8	36	7	37
9.	Jabalpur	793	239	762	247	936	254	1188	1577	251	1133	969	2094	130	2224
10.	Kanpur	721	208	771	153	759	120	822	823	466	1171	360	1150	192	1188
11.	New Delhi	419	152	492	156	577	94	605	1286	908	1672	111	1299	157	1220
TOTAL		4266	1440	4701	1226	5086	1287	5799	7731	2535	8123	3314	9617	1196	8400



2.14 The Ministry has also detailed the following reasons for delay in disposal of cases resulting in their pendency :

- (i) Inadequate number of Industrial Tribunals and Labour Courts.
- (ii) Delay in filling up the vacancies of Presiding Officers.
- (iii) Procedural impediments like parties absenting or seeking frequent adjournments, approaching the High Court or the Supreme Court on preliminary points and obtaining stay.
- (iv) The discretion of the Central Government to withhold adjudication has been lately reduced by judgements of the Supreme Court. Consequently, a comparatively larger number of cases are now being referred for adjudication.

2.15 The Ministry has further stated that no new Labour Court/Industrial Tribunal have been sanctioned by the Central Government during the years 1992-93 and 1993-94.

2.16 Asked to state the reasons for not sanctioning new Labour Courts/Industrial Tribunals during the years 1992-93, 1993-94 the Ministry, in a written reply furnished to the Committee, has stated that the working Group on Industrial Relations for the formulation of Eighth Five Year Plan recommended setting up of six more CGIT-cum-Labour Courts. The recommendation has been examined in consultation with the Ministry of Finance, Department of Expenditure. However, owing to budgetary constraints sanction for creation of only one CGIT-cum-Labour Court at Jaipur could be accorded during January, 1992 (i.e. in 1991-92).

2.17 Asked to state why some of the Courts/Tribunals set up by the Ministry are non-functional for quite a long time in the absence of presiding officers, the Ministry replied that at present out of 11 Central Government Industrial Tribunals-cum-Labour Courts 5 are without presiding officers (one from Sept. 92 two from July 1993, one from Nov. 93 and further from 1.1.94. Appointment to these posts are made from amongst the serving or retired judges (at district or High Court level) in accordance with the provisions contained in Sections 7, 7A, 7B and 7C of the Industrial Disputes Act, 1947. In all the above cases necessary action was initiated well in advance and as per procedure adopted the names of willing and eligible candidates were invited from the High Courts of the concerned States. Response received being generally poor, there are delays in filling up of the vacancies.

2.18 Adding further the Secretary, Ministry of Labour stated during evidence :

“The principal problem has been that of filling up of the vacancies of the Presiding Officers. We have necessarily to have the Judges. We write to the State High Courts. But we are not in a position to get Judges because many do not opt to take up the position of Presiding Officers of Tribunals and Labour Courts. I am taking up with the Department of Personal the proposal that the existing Presiding Officers should be allowed to continue till 65 years of age. Because of the policy considerations Government have stipulated that Presiding officers will have to retire on completion of 60 years of age. This has created a serious problem. The statutory permission is there. But the Appointments Committee says that on completion of 60 years of age, the officer should retire.”

2.19 He further added :

“Even if the Government allows beyond 60 years of age the existing presiding officers to continue, there will still be some vacancies.”

#### **Recommendation**

2.20 The Ministry has accepted that there are delays in disposal of cases by Labour Tribunal Courts of Enquiry and Conciliation Boards number of pending cases have doubled from 4266 to 8400 between the period 31.12.1990 to 31.12.1993 due to inadequate number of Industrial Tribunals and Courts and delay in filling up the vacancies of presiding officers. The Ministry has also stated that although the working group on Industrial Relations and the formulation of 8th Five Year Plan recommended for setting up of six more CGIT-cum-Labour Court yet owing to budgetary constraint sanctions for creation of only one Court at Jaipur could be accorded during the year 1992-93. Regarding the filling up of the vacancies of presiding officers, the Ministry has stated that they are not in a position to get judges because eminent lawyers do not like to take up this job. The Committee are not at all happy with the situation. In their view the cases should be disposed of as quickly as possible. They therefore recommend that the existing presiding officers may be allowed to continue till a new incumbent is found to replace them and they should be allowed to occupy the office upto 65 years of age, as is the case of judges in Supreme Court or Professors in academic institutions. They also recommend for early setting up 5 more CGIT-cum-Labour Courts as has been recommended by the Working Group on Industrial Relations.

**Sub-Head – C.1(3)(4) – Director General Mines Safety**

2.21 Revised Estimates for 1993-94 was 7 crores 29 lakhs and in the Budget Estimates for 1994-95 Rs. 8 crores, 41 lakhs have been provided.

2.22 The Ministry have furnished the following statement of accidents occurred in mines during last three years.

	COAL		NON-COAL	
	Fatal	Serious	Fatal	Serious
1991	138	803	73	269
1992	165	810	64	259
1993*	159	792	58	240

\*Provisional

2.23 Asked to state the measures adopted or proposed to be adopted for mines rescue services the Ministry of Labour in a written note has stated that the Mines Rescue Rule, 1985 were framed superseding the Coal Mines Rescue Rules, 1959. The rescue rules apply to all mines employing more than 100 persons below ground. Under these Rules it is the responsibility of the respective mines managements to establish Rescue Station/Rescue Room in different mining areas. At every Rescue Station/Rescue Room, sufficient number of self contained breathing apparatus and other specified rescue appliances are required to be kept maintained for being rushed to the affected mines in an emergency. A number of mines workers and staff as per prescribed scale are required to be trained to carry out rescue work. To keep the rescue trained persons in readiness, they are subjected to regular refresher practices and periodical medical examinations. Rescue competitions are also organised to improve their skill through a spirit of competitiveness. Following intensive interaction with representatives of manufacturers and suppliers, critical appraisal of design characteristics and evaluation of field performances etc., approvals of self contained breathing apparatus, self rescuers, reviving apparatus etc. have been granted in order to make these life saving equipments available to the mine managements for equipping their Rescue Stations and Rescue Rooms. Some of these initiatives have also led to indigenous manufacturing of self rescuers. Efforts to indigenise self-contained Breathing Apparatus are also being made.

2.24 Asked whether any survey has been conducted to identify mines which are accident prone the Ministry has stated that based on accident statistics, accident prone mines have been identified in two subsidiary coal companies of Coal India Limited viz. Bharat Cooking Coal Limited and Eastern Coalfields Limited. There are 10 Coal Mines in B.C.C.L. and 11 Coal Mines in E.C.L. which have been identified as accident prone based on the number of fatalities and number of persons sustaining serious injuries during the year 1989-93. However the process of identification is a continuous one done on

year to year basis under the Plan Scheme "Survey of Accident Prone Mines & Identification of Corrective Measures" (SAPICOM).

2.25 The Ministry has further stated that under the plan scheme "Survey of Accident Prone Mines and Identification of Corrective Measures" following main physical targets have been fixed for the year 1993-94 :—

Activity	Target
(i) Design and development of computerised formats	2
(ii) Scrutiny of inquiry reports & extraction of data for entry into Electronic Data Processing	200
(iii) Indepth Analysis of Accident Statistics	100
(iv) Special studies of predominant causes of accidents	2 Cause Groups
(v) Visits in connection with safety campaigns	: 20
(vi) Identification of accident prone mines	: 4 Mining Companies

2.26 Detailing further the action taken by Government against the declared coal mines the Ministry has stated that having identified the mines which are accident prone, action is being taken to identify the corrective measures through indepth analysis of causes of accidents in these mines.

2.27 Adding further, the representative of the Ministry of Labour stated during evidence :

"Identification of accident prone mines is based on analysing the data of performance in the last five years. There is a formula to calculate the severity. We take the average of the past performance over the last five years and about top ten per cent of the mines are identified. The list of mines is circulated to the industries and our own field officers to extend facilities to such mines. The officers also visit such mines to analyse the main causes of the accidents so that attention can be given to those mines. Regarding the accident which took place in New Kenda of Eastern Coalfields Limited of West Bengal, it was caused due to fire and carbon monoxide was let off which was inhaled by most of the workers in the mines. This mine was not in the list of accident prone mines based on the past records. A court of enquiry has been set up to find out the circumstances which led to the accident and to recommend whether any action has to be taken against the guilty persons or not."

2.28 Asked to state the reasons of occurrence of accidents in mines inspite of safety measures being provided, the representatives of the Ministry replied during evidence :

“Whenever a fatal accident takes place, it is certainly investigated into and whoever is found guilty, either prosecution is launched in a court of law or suspension or dismissal as decided by the management. Besides that, if there is an enquiry and if any technical cause found for the accident, then it is brought to the notice of the management. It is also discussed in the safety committee meetings, then brought to the notice of the workers so that they can also take precautionary steps. These are some of the measures taken to improve the situation in the mines.”

2.29 The Ministry has stated that the process of identification of accident prone mines is a continuous one done on year to year basis under the plan scheme. They have also stated that 10 coal mines in Bharat Cooking Coal Limited and 11 coal mines in Eastern Coalfields Limited have been identified as accident prone based on the number of fatalities and number of persons sustaining serious injuries during the period 1989-93, but no action seems to have been taken against these coal mines. Also the target fixed for the year 1993-94 in regard to visits in connection with the safety campaigns are at a low ebb. The Committee are not at all happy with this situation keeping in view of the fact that in coal mines number of fatal accidents are at an increasing trend. The Committee, therefore, strongly recommend that a comprehensive survey should be carried out by the Director General Mines in respect of the aged coal mines on time bound scale, and remedial measures should be suggested for them. The matter should be taken up with the management of the coal mines so that the guilty are punished and the probability of untoward incident in future is minimised. The Committee would also like to apprise of the survey conducted in this regard alongwith the Ministry's planning to equip the mines, within six months of the presentation of the report. The Committee should also be informed about the action taken against Bharat Cooking Coal Ltd. and Eastern Coalfields Ltd., which have identified as accident prone mines.

#### Sub-Head – C.1(4) – Transfer to Reserve Fund

2.30 An amount of Rs. 21 crores, 59 lakhs, 44 thousand have been transferred to reserve fund during the year 1992-93. In the revised estimate for 1993-94 Rs. 29 crores have been transferred to the fund. The Ministry have now proposed to transfer Rs. 34 crores 90 lakhs to reserve fund.

2.31 Giving purpose, objective and utilisation of the Reserve Fund, the Ministry in written note furnished to the Committee has stated that the Reserve Fund consist of Five Labour Welfare Funds set up to provide welfare facilities to the workers employed in certain Mines and Beedi and Cine Industry and to supplement the efforts of the employers and State Governments. These Welfare Funds have been established under the respective enactments as under :

- (i) Mica Mines Labour Welfare Fund Act, 1946.
- (ii) Limestone & Dolomite Mines Labour Welfare Fund Act, 1972.
- (iii) Iron Ore/Manganese Ore/Chrome Ore/Mines Labour Welfare Fund Act, 1976.
- (iv) Beedi Workers Welfare Fund Act, 1976.
- (v) Cine Workers Welfare Fund Act, 1981.

2.32 The cess levied under the respective Act is a source of inflow of funds to these Welfare Funds.

2.33 The money transferred to various Labour Welfare Funds is utilised to finance welfare measures under medical and health, housing, education, drinking water, recreation and family welfare facilities. Financial assistance is also provided to the State Government and to employers for implementation of approved schemes for housing, construction of work sheds and godowns by Cooperatives of the Beedi Workers, augmentation of equipment in hospital and dispensaries maintained by the mines management etc.

Regarding balance of Reserve Funds as on date the Ministry has furnished the following statement :

Welfare Fund	Rs. in Lakhs
1. Beedi Workers Welfare Fund	3193.72
2. Mica Mines Labour Welfare Fund	102.38
3. Iron Ore, Manganese Ore and Chrome Ore Mines Labour Welfare Fund	922.36
4. Limestone and Dolomite Mines Labour Welfare Fund	1293.44
5. Cine Workers Welfare Fund	64.54
	<u>5576.44</u>

(Balances under each of the Labour Welfare Fund are worked out at the close of each financial year).

2.34 Asked whether any priority has been fixed by the Ministry to

sanction money out of Reserve Fund for Health and Housing facilities for Beedi Workers and Mica Mines Workers the Ministry has stated that over the years, higher priority has been given to housing, health alongwith education schemes which together accounts for most of the expenditure allocated out of the Reserve Fund. However, in the Central Advisory Committee meetings held in September, 1993, it was recommended to give the highest priority to housing as this created permanent asset and led to lasting improvement in the living condition of the Workers' family. Health and education schemes, however, continue to retain their high priorities.

2.35 The Ministry has also furnished the following statement showing expenditure incurred under Health and Housing Schemes during the years 1992-93 :

### Housing

#### (i) Beedi Workers Welfare Fund

<i>Major Head</i>	<i>Name of the Scheme</i>	<i>Actuals during 1992-93</i>
		<i>(Rs. in thousand)</i>
"2230"	Build your own Housing Scheme (subsidy)	01,63
"3601"	Housing Scheme for Economically Weaker Sections of Beedi Workers	20,83,38 (Grant-in-aid to State Govt.)
"6250"	Loans for other social services (Build your own Housing Scheme)	18,34

#### (ii) Mica Mines Labour Welfare

<i>Major Head</i>	<i>Name of Scheme</i>	<i>Actuals during 1992-93</i>
"2230"	Build Your Own Housing Scheme (Subsidy)	07

### Health

	<b>Beedi Workers Welfare Fund</b>	<b>Mica Mines Labour Welfare Fund</b>
	<i>Actuals during 1992-93 (In thousands of Rs.)</i>	<i>Actuals during 1992-93 (In thousands of Rs.)</i>
Sub-Head		
C.1(3)(2)	6,81,54	87,78

2.36 The Ministry further stated that the expenditure incurred on Health and Housing under the above Schemes during 1993-94 will be known only some time after the financial year comes to an end on 31.3.1994.

2.37 Detailing the difficulties faced by Ministry in drawing money from the Reserve Fund, the Secretary, Ministry of Labour stated during evidence :

“The money is in reserve because every year, the Government of India allows expenditure to the extent that is collected each year. So, there is a lot of more money that can be drawn from the reserve and used for the welfare activities. This has been pointed out to the Ministry of Finance. Because everything is tied up with the remittances in the public accounts, a stipulation is made that each year’s expenditure should be confined to the extent of collection made each year. Our Minister has made a suggestion that we have not been able to achieve as much as we should achieve and so, we should have separate autonomous body like PF Organisation or ESI Corporation. We are examining that. We are coming out with revised organisational structure for administering this fund.”

2.38 The Ministry has stated that the Government allows expenditure to the extent that is collected every year by transfer to reserve fund from various welfare funds established under respective enactments. However, the Ministry has not been able to withdraw money for the expenditure to the maximum extent out of the fund as it is tied up with the remittance in public accounts. The Ministry is, therefore, proposing to have a separate autonomous body like Provident Fund Organisation or ESI Corporation so that there is greater flexibility in withdrawing the money. In view of the Committee this is a welcome suggestion. The welfare money should be available to the workers at the hour of their need. The Committee, therefore, recommend that the Ministry’s proposal for having a separate autonomous body for the reserve fund should be looked into by the Government without further loss of time so that the money is used for the cause for which it has been raised.

#### **Sub-Head — C.1(8) (2) – Beedi Workers Welfare – Health**

2.39 Actual expenditure incurred under the scheme for the year 1992-93 was Rs. 681.54 lakhs. Revised Estimate for 1993-94 was Rs. 979.83 lakhs. The Ministry have now proposed Budget Estimate of Rs. 1023.16 lakhs for the year 1994-95.

2.40 Asked to furnish the details of medical equipments that have been provided to dispensaries/hospitals under the scheme during the period 1992-93 and 1993-94.



2.41 The Ministry has stated that the newly constructed hospital at Gursahaiganj is being provided with following hospital equipments for which sanction of Rs. 16.29 lakhs has been issued :

1. X-Ray Machine and ECG.
2. Operation Theatre, Labour Room, Gynaecological and Surgical equipments.
3. Ward items including items for O.P.D.
4. Kitchen items.
5. Steel & Wooden furniture.

2.42 Besides sanctioning an additional expenditure of Rs. 59,49,200/- during 1993-94 due to cost escalation on the construction of hospital building and staff quarters for the Mysore Hospital, sanction was accorded in 1991-92 to purchase the following equipments for this Hospital at an estimated cost of Rs. 21 lakhs out of which spill over liability of Rs. 3.00 lakhs was incurred during 1992-93.

1. Ambulance Van.
2. Office equipment and stationeries.
3. O.P.D. & Clinical appliances.
4. Anaesthesia-Oxygen Therapy.
5. Operation Theatre, Labour Room.
6. X-Ray & ECG.
7. Laboratory Equipments.
8. Surgical Instruments.
9. Ward Equipments.
10. House keeping/Garden/Workshop.
11. Kitchen equipments.
12. Laundry equipments.
13. Telephones.

2.43 Asked to state the criterion for opening of new dispensaries/hospitals the Ministry in a written reply has stated that the basic criteria for opening of new dispensaries/hospitals, is the concentration of Beedi workers

in the area. The basic parameters of concentration for setting up dispensaries are as under :-

- |       |                      |   |               |
|-------|----------------------|---|---------------|
| (i)   | Ayurvedic Dispensary | - | 500 Workers   |
| (ii)  | Static Dispensary    | - | 3000 Workers  |
| (iii) | Static-cum-mobile    | - | 5000 Workers. |

2.44 Apart from the aspect of concentration of beedi workers in a particular area, the facts about the availability of existing State Govt. medical facilities and ESIC hospital/dispensary in the area, are also taken into consideration while deciding a proposal for opening of a dispensary. Regarding setting up of a hospital, the main criteria is heavy concentration of Beedi workers in that area/district.

2.45 The Ministry have further stated that however, keeping in view the high cost involved in setting up of hospital, the present policy is to give priority for setting up of more number of new dispensaries instead of setting up new hospitals in order to make medical facilities more readily accessible to Beedi workers.

2.46 The Ministry's assertion that they give priority for setting up more number of new dispensaries instead of setting up new hospitals in order to make medical facilities more readily accessible to Beedi workers is a welcome suggestion. However, the Committee's experience in this regard have not been very good. During their visit to areas of Beedi workers concentration at Bangalore and Mysore, the Committee noticed that the dispensaries run for the welfare of Beedi workers were in pitiable condition. No facility for X-ray and Pathology was available there. More so most of the workers suffer from tuberculosis, asthma and cancer diseases. In the absence of proper medical assistance they have to run from pillar to post. The Committee, therefore, recommend that every taluk centres and district headquarters of Beedi workers concentration should have at least 25 beds and 100 beds hospital respectively which will facilitate the workers for the treatment of T.B. and cancer. Also the dispensaries running under the scheme should be provided with basic diagnostic facilities like X-ray and pathology etc. The Committee also recommend that there should be periodical inspections of these dispensaries and hospitals by the respective welfare commissioners and a report should be furnished to the Ministry for their monitoring. The Committee also note that health and housing are the basic needs of the workers engaged in organised and unorganised sectors and as such workers in other areas such as Agarbathi workers etc. should also be brought into the scope of the health and housing welfare

schemes. For this necessary legislation should be brought by the Government for their coverage.

2.47 The Committee have been informed that identification of the Beedi workers is the main issue creating hindrance in extending welfare schemes to them. As per rule, the onus of issuing identity cards to the Beedi workers rests with the employer/contractor. The reputed Beedi managements/contractors are issuing identity cards to the Beedi workers but the Beedi management of unbranded beedies are hesitant to issue identity cards to their workers for various reasons on account of which the Beedi workers are being deprived of the benefits being extended by the Beedi workers welfare fund. The Committee, therefore, strongly recommend that arrangement should be made by the Government to issue identity cards to all the Beedi workers so that benefits should be extended to them from the Beedi workers welfare fund. The Committee may be informed of the progress made in this regard within six months of the presentation of the report. The Committee also recommend that the national minimum wage should be pressed into practice for payment to the beedi workers in order to stop their migration from one state to another, through appropriate legislation.

**Sub-Head- C.1(10)(1)(1)(2) – Reimbursement of Administrative Charges to the Employees Provident Fund Organisation**

2.48 Asked whether any norms had been laid down for opening of offices of Provident Fund Commissioner in States and District Centre under EPF Scheme. The Ministry in a written reply furnished to the Committee has stated that no specific norms have been laid down for opening of regional offices of the EPFO. For opening of Sub-Regional Offices, the existing guidelines include the main parameters of workload (minimum of 75,000 subscribers) and distance (250 kilometers from the nearest HQ/SRO) However, they are under revision.

2.49 Adding further the Secretary, Ministry of Labour stated during evidence :

“The National Productivity Council has undertaken a study. They suggested that some norms be set up according to which the centres should be opened. Yesterday in the Central Board of Trustees meeting we have taken some interim decisions. One of them is to immediately open four more centres and an office is to be at Mysore.

2.50 Regarding performance of the Provident Fund Organisation in terms of service to the subscribers for the purpose of settlement of accounts, issuance

of slips etc., the Secretary, Ministry of Labour informed the Committee during evidence :

“They were in arrears previously to the extent of 144.14 lakhs of slips (1987-88). That has been brought down to 87 lakhs of slips (1992-93). Settlement of claims has significantly increased. Settlement of family pension cases has improved. Partial withdrawal of PF has gone up.

He further stated :

“The settlement of claims has improved mainly because the Central Provident Fund Commissioner has brought under implementation a Central Action Plan. We are also giving productivity linked incentive bonus for the employees of the organisation. Because of that, they have been able to reduce the arrears of work. Significant extent of computerisation has been brought about in all regional offices.”

2.51 Asked to state the steps taken by the Govt. to minimise the delays in settlement of claims, issuance of slips etc. Secretary, Ministry of Labour stated during evidence :

“Delays occur because the forms which are to be filled by claimants are often defective. There is still lot of scope for further improvement. We hope that with the opening of more regional offices, we can take service to the door of the workers.”

2.52 The Committee note that no specific norms have been laid down for opening of Regional Offices of Employees Provident Fund Organisation. It has been stated by the Ministry that the National Productivity Council has undertaken a study and they have suggested that some norms be set up according to which centres of Provident Fund Organisation should be opened. The Ministry has also accepted that delays occur in settlement of claims and issuance of slips etc. because the forms which are to be filled by claimants are often defective and there is lot of scope for further improvement. Keeping in view the fact that Employees Provident Fund Organisation is a social security for the workers, the Committee strongly recommend that more regional offices should be opened so that the service could be taken to the door of the workers. For this there should be set norms for opening of new offices. Also to minimise delays in settlement of claims, issuance of slips etc., the Committee recommend that the forms filled by the claimants should be simplified.

### Sub-Head – C.1(12)(1)(3) – National Child Labour Policy

2.53 The Budget estimate for 1994-95 relating to projects under National Child Labour Policy have been increased from Rs. 320 lakhs for the year 1993-94 to Rs. 363 lakhs.

2.54 Giving salient features of the programmes framed for the year 1994-95, the Ministry in a written reply has stated that all the on-going 9 projects in the States of Uttar Pradesh, Madhya Pradesh, Tamil Nadu, Andhra Pradesh and Rajasthan will be continued. Projects in Uttar Pradesh, Madhya Pradesh and Tamil Nadu will be expanded to cover larger number of children. New projects in the States of Bihar, Orissa, Gujarat and Maharashtra are proposed to be implemented during the year 1994-95. Most of the necessary preliminary steps have already been completed in this regard. The scheme proposes laying of special emphasis on awareness generations through an integrated approach with the assistance of the State Governments, the Project Societies, NGOs etc. Increased involvement of the State Governments in matters relating to health coverage of the target group as well as their entry into the mainstream of formal education has been proposed.

2.55 The Ministry has furnished the following statement showing the proposed projects under the scheme alongwith their scope and coverage.

<i>Sl. No.</i>	<i>Project</i>	<i>Area</i>	<i>No. of Children covered during 1993-94</i>	<i>No. of Children proposed during 1994-95</i>
1	2	3	4	5
1.	Sivakasi	Match and fire works	1800	2800
2.	Jaipur	Gem polishing	1000	1000
3.	Mandsaur	Slate Pencil	600	900
4.	Markapur	Slate Pencil	1000	1000
5.	Mirzapur Bhadohi	Carpet Weaving	1000	2500
6.	Ferozabad	Glass	500	800
7.	Aligarh	Lock Making	500	500
8.	Moradabad	Brass Making	500	500
9.	Jaggampet	Tile Making	100	500

1	2	3	4	5
10.	Garwah, Bihar	Carpet Weaving	-	500
11.	Orissa, Sambalpur and Ongul Jamnagar	Bidi Rolling	-	600
12.	Jamnagar, Gujarat	Brass making	-	500
13.	Thane, Maharashtra	Chemical Industries	-	2000
Total			7000	14,100

2.56 Whether at any stage, the scheme has been reviewed by the Ministry, the Ministry has stated that a Central Monitoring Committee has been constituted for reviewing the scheme. The States in which the scheme is being implemented, the Ministries of Rural Development, Health and Family Welfare, Finance, the Department of Education and the Planning Commission are represented on this Committee. The operational aspects of the scheme have been modified during the year 1993 in consultation with the Department of Women and Child Development and the Planning Commission. The Expenditure Finance Committee of the Ministry of Labour has reviewed and approved in September, 1993, in continuation of this scheme during the 8th Plan period.

2.57 The Committee in their Third Report on Ministry of Labour - Abolition of Child Labour have recommended as under :-

"That more projects in other areas of child labour concentration should be taken up by the Government and more special schools should be opened covering more children on the pattern of 'Learn and Earn Scheme' for the rehabilitation of child labour. The Committee also recommend for opening up of Residential Schools or Child Welfare Homes in a phased manner for those children who are orphans or homeless. The Committee have also recommended that unless the Ministry have an authentic data by carrying out surveys in regard to various pockets of child labour concentration of the country, if possible industry wise, they are not in a position to carry out proper planning for the elimination of the Child Labour System in a phased manner. The Ministry, instead of resting only on the Census Report, should have taken up regular surveys."

#### Sub-Head - C.1(12)(1)(4) - Studies relating to Child Labour

2.58 Under the scheme the revised estimate for the year 1993-94 was Rs. 4 lakhs and Budget estimate for the year 1994-95 is Rs. 6 lakhs.

2.59 Giving details of the scheme proposed for the year 1994-95, the Ministry in a written note furnished to the Committee has stated that it is proposed to fund a series of studies relating to child labour to be undertaken by a network of women studies centres of various universities in the country. To begin with a study of child labour in the Beedi Industry is being proposed. In addition studies through reputed institutes which are already dealing with child labour, such as the National Labour Institute, are also proposed.

2.60 Asked whether the scheme has been reviewed by the Ministry of Labour at any stage, the Ministry has replied that the scheme was reviewed while preparing the Budget estimates for the year 1994-95. It may be noted that the proposals for such studies are very specific in terms of their size, scope, duration and objectives. Hence, no rigid details have been specified in the scheme and sanction of individual studies is on a case to case basis.

2.61 The Standing Parliamentary Committee on Labour and Welfare in their third report on Ministry of Labour – Abolition of Child Labour have recommended to institute a comprehensive socio-economic study of the child labour problem in relation to emerging social relations after taking into account 1991 census report. They have also recommended that a comprehensive survey should be conducted State-wise on a time bound scale in areas of child labour concentration such as Beedi workers, fire works, glass works, carpet weaving, hoteliering etc., where large number of children are employed.

2.62 The Committee are pained to note that the Ministry is not at all serious in implementing the recommendations made by the Committee in their third report on Abolition of Child Labour. The Committee's stress has been to institute a comprehensive socio-economic study of child labour problem in relation to emerging social realities after taking into account 1991 census report. They have also recommended that a comprehensive survey should be conducted State-wise on a time bound scale in areas of child labour concentration such as Beedi workers, fire works, glass works, carpet weaving etc. where large number of children are employed. In view of the Committee unless the Ministry have authentic data by carrying out surveys, they were not in a position to carry out proper planning for the elimination of child labour problem in a phased manner. By simply adding the number of children and entrusting the welfare schemes to one or two non-government organisations is not going to serve the purpose. The Committee, therefore, strongly recommend that the Government should plan to have authentic data base regarding the child labour in various areas of their concentration and the job should be entrusted to organisations like National Labour Institute which is the main organ of the Ministry without fail. NGOs, Trade Unions etc. may also be associated in surveys.

The Committee also reiterate their recommendation for opening up of residential schools in a phased manner for those children who are orphan or homeless.

2.63 The Committee are of the view that the employers should be brought under necessary legislation so that they contribute certain percentage of money for the welfare education and health of the child labour for the purpose. The Child Labour Prohibition and Regulation Act 1986 should be amended to provide stringent punishment to the employers violating the law.

#### Sub-Head – C.3(5)(4) – World Bank assisted Vocational Training Project

2.64 It has been stated by the Ministry that total cost of the World Bank assisted Vocational Training Project as per EFC is Rs. 441.58 crores. Cumulative expenditure upto January '94 is Rs. 122.58 crores. Anticipated expenditure during financial year 1993-94 is expected to be 45 crores (inclusive of State share).

2.65 Giving details of the programme, Secretary, Ministry of Labour stated during the evidence :

“There is the World Bank aided project for improving the Voational Training System mainly for the purpose of improving Industrial Training Institutes by adding new courses, modernising courses or starting Industrial Training Institute for Women etc. It is also proposed to establish one hi-tech apex institute. Under the World Bank aided vocational training project, many schemes are implemented on a centrally sponsored basis, 50 per cent of the expenses are borne by the Central Government and the balance is expected to be met by the State Governments. The Project was started in 1989-90”

2.66 Asked to explain the reasons for less utilisation of funds earmarked for the project during the year 1992-93, 1993-94, Secretary, Ministry of Labour stated during evidence :

“To begin with, in the first one or two years, there were certain problems. Some of the States were not providing adequate moneys in their budgets. But later on, this problem has been sorted out. At present there is no complaint against the State Governments regarding non-provision of funds. Now, certain schemes have been transferred to the State Governments from the centrally sponsored schemes. The Planning Commission took a review of the schemes which were to be transferred to the States because certain State Governments were complaining that



many schemes were being started on a centrally sponsored basis and that they were competent to handle at least some of them. So about six schemes were transferred to the State Governments. Otherwise, this has not been a problem with the Labour Ministry. We have no occasion to complaint against the States."

He further added :

"The scheme was to be implemented over a period of seven years. When the Government gave sanction it was for six years. We have to necessarily provide certain amounts according to the project anticipating certain levels of activities in the States. If we do not provide money as per the project on this basis there may be a problem because response from the States may or may not always materialise."

He further stated :

"Out of total of Rs. 441 crores that ought to have been spent under the project, we have already spent Rs. 122.58 crores. This is for salary, equipment, civil work etc. Another Rs. 80 crores of expenditure is already in the pipeline of the activities which have been taken up. The State Government's are committed to claim reimbursement from us. The equipment indented by us will certainly come through by 31st of December, 1995. That is what the Director General of Employment and Training says. I have also conducted detailed study of each activity of the World Bank Project. I am satisfied that all the equipments under the Vth cycle would be purchased before December, 1995. In all, six rounds of equipment purchases are to be made. Fifth round is in the pipeline. Action is being initiated for the sixth round of purchase. Infrastructure is gradually being made available.

2.67 Explaining further the steps taken by Government to over-come the problem the Secretary stated during evidence :

"Letters have been going to the Chief Secretaries from me. Letters have been going from the Labour Minister to the Chief Ministers and Lt. Governors. The Director General of Employment and Training at his level is writing letters to the Secretary and Directors of Employment and training at the State level. They have been holding review meetings. The World Bank team is coming twice a year to review the project. It is possible for us to complete the implementation of the projects in the next two years.

2.68 The Ministry has accepted that the progress of the projet has been slow. The reasons given for the delay on the part of the State

Governments relate to providing lands for civil construction in certain cases, executing civil works, furnishing up requirement of equipment etc. This clearly indicates that the Central Government lack coordination with the States and there has been virtually no monitoring on the part of Central Government. The Ministry should have tried for full utilisation of the funds both Central and Centrally sponsored schemes. The Ministry have now assured the Committee that all the equipments would be purchased by 31st December, 1995, and they will be able to complete the implementation of the project in the next two years. The Committee, therefore, recommend that the Central Government should have a thorough monitoring over the entire scheme and should ensure that the project is completed in the next two years' time. Also the Committee would like to be informed about the progress made at various stages in the implementation of the scheme after every six months.

NEW DELHI;  
*April 18, 1994*  

---

*Chaitra 28, 1916 (S)*

CHANDRA PRABHA URS,  
*Chairperson,*  
*Standing Committee on*  
*Labour and Welfare.*

COMPOSITION OF THE STANDING COMMITTEE ON LABOUR  
AND WELFARE (1993-94)

Shrimati Chandra Prabha Urs—*Chairperson*

MEMBERS

*Lok Sabha*

2. Shri D. K. Naikar
3. Shri S. B. Thorat
4. Shri Bheru Lal Meena
5. Shri K. Pradhani
6. Smt. Kamala Kumari Karreodula
7. Kumari Padmasree Kudumula
8. Shri Siddappa Bhimappa Nyamagoudar
9. Dr. P. Vallal Peruman
10. Dr. Chinta Mohan
11. Shri A. Prathap Sai
12. Shri B. Akbar Pasha
13. Shri Ramesh Chennithala
14. Shri Gaya Prasad Kori
15. Shri B. Dattatraya
16. Shri Chandubhai Deshmukh
17. Prof. Rasa Singh Rawat
18. Shri Ram Narain Berwa
19. Shri Shivraj Singh Chauhan
20. Shri Swarni Sureshanand
21. Shri Mahendra Baitha
22. Shri V. P. Singh
23. Shri Govinda Chandra Munda
24. Shri Ajoy Mukhopadhyay
25. Shri Rup Chand Murmu
26. Shri Vishwa Nath Shastri
27. Dr. R. Sridharan
28. Shri Ram Sagar
29. Shri Yaima Singh Yumnam
30. Shri Satyendra Nath Brohmo Choudhary

*Rajya Sabha*

31. Shri Jibon Behari Roy
32. Maulana Obaidulla Khan Azmi
33. Shri N. E. Balaram
34. Shri Sushil Barongpa
35. Shrimati Vidya Beniwal
36. Dr. Faguni Ram
37. Shri Anand Prakash Gautam
38. Shri Gundappa Korwar
39. Shri S. Muthu Mani
40. Shri Kameshwar Paswan
41. Shri Narendra Pradhan
42. Shri Ram Ratan Ram
43. Shrimati Ratan Kumari

## SECRETARIAT

- |                       |                               |
|-----------------------|-------------------------------|
| 1. Shri G. L. Batra   | — <i>Additional Secretary</i> |
| 2. Shri S. C. Gupta   | — <i>Joint Secretary</i>      |
| 3. Shri Satish Loomba | — <i>Deputy Secretary</i>     |
| 4. Shri R. S. Misra   | — <i>Assistant Director</i>   |

MINUTES OF THE EIGHTEENTH SITTING OF THE COMMITTEE  
ON LABOUR AND WELFARE (1994-95)

The Committee met on Friday, 8 April, 1994 from 15.00 hrs. to 17.00 hrs.  
in Committee Room 'D', Parliament House Annexe, New Delhi.

PRESENT

Shrimati Chandra Prabha Urs—*Chairperson*

MEMBERS

*Lok Sabha*

2. Shri Bheru Lal Meena
3. Smt. Kamla Kumari Karreodula
4. Shri A. Prathap Sai
5. Shri B. Akbar Pasha
6. Shri Gaya Prasad Kori
7. Shri B. Dattatraya
8. Prof. Rasa Singh Rawat
9. Shri Ram Narain Berwa
10. Shri Shiv Raj Singh Chauhan
11. Shri Swami Sureshanand
12. Shri Ajoy Mukhopadhyay
13. Shri Rup Chand Murmu
14. Shri Vishwa Nath Shastri
15. Shri R. Sridharan
16. Shri Yaima Singh Yumnam

*Rajya Sabha*

17. Maulana Obaidulla Khan Azmi
18. Shri N. E. Balaram
19. Shri Kameshwar Paswan

SECRETARIAT

- |                       |   |                           |
|-----------------------|---|---------------------------|
| 1. Shri S. C. Gupta   | - | <i>Joint Secretary</i>    |
| 2. Shri Satish Loomba | - | <i>Deputy Secretary</i>   |
| 3. Shri R. S. Misra   | - | <i>Assistant Director</i> |

The Committee considered and adopted the draft Fourth Report on the Demands for Grants of Ministry of Labour with following modifications.

*Page No. 5 after para 1.9 add –*

1.9A The Committee learnt from the Ministry that out of 315 million strong labour force, 280 million is in the unorganised sectors on which no authentic data is available with them. The Committee are also given to understand that sectoral analysis of the unorganised sector would be a colossal exercise involving huge time and money. The Committee nevertheless desire that some of the important sectors of unorganised industries such as civil construction, agriculture, kiln and stone works, small time hoteliering etc. should be thoroughly surveyed, taking into account the 1991 census report so as to provide adequate planning and remedial measures through appropriate legislation etc. for their welfare.

1.9B The Committee also observe that despite rising unemployment in the country the total number of registrations with the employment exchanges over the country are showing a declining trend. Alongwith this, is the fact that some persons continued to be registered with E.E. for better opportunities despite their holding jobs. The Committee are, therefore, of the view that the overall position of the functioning of the Employment Exchanges should be thoroughly examined for their efficacious and active functioning.

*Page No. 17 – Para No. 2.20 line 3 – After Boards add –*

“number of pending cases have doubled from 4266 to 8400 between the period 31.12.1990 to 31.12.1993.”

*Page No. 32 After para No. 2.46 add –*

“2.46A The Committee have been informed that identification of the Beedi workers is the main issue creating hindrance in extending welfare schemes to them. As per rule, the onus of issuing identity cards to the Beedi workers rests with the employer/contractor. The reputed Beedi managements/contractors are issuing identity cards to the Beedi workers but the Beedi management of unbranded beedies are hesitant to issue identity cards to their workers for various reasons on account of which the Beedi workers are being deprived of the benefits being extended by the Beedi Workers Welfare Fund. The Committee, therefore, strongly recommend that arrangement should be made by the Government to issue identity cards to all the Beedi workers so that benefits should be extended to them from the Beedi Workers Welfare Fund. The Committee may be informed of the progress made in this

regard within six months of the presentation of the report. The Committee also recommend that the national minimum wage should be pressed into practice for payment to the beedi workers in order to stop their migration from one state to another, through appropriate legislation."

*Page No. 43 – After para 2.61 add –*

"2.61–A The Committee are of the view that the employers should be brought under necessary legislation so that they contribute certain percentage of money for the welfare, education and health of the child labour for the purpose. The Child Labour Prohibition and Regulation Act, 1986 should be amended to provide stringent punishment to the employers violating the law."

The Committee authorised the Chairperson to finalise the Report and present the same to Parliament.

*(The Committee then adjourned.)*

## STATEMENT OF CONCLUSIONS/RECOMMENDATIONS

Sl. No.	Para No.	Conclusions / Recommendations
1	2	3
1.	1.9	<p>It has been stated by the Ministry that the Labour Ministry unlike other Ministries is principally a regulatory Ministry. A lot of work done by Labour Ministry and also through its field organisations is in the nature of regulatory work for the purpose of securing labour standard, industrial peace and labour welfare. However, the plan expenditure is seemingly not up to the mark. There is only one scheme in regard to which they have problem <i>i.e.</i> scheme on training. 80 per cent of the plan allocations of the Ministry of Labour is for training. According to Ministry they have problem in regard to securing expenditure through the States for various reasons. The reason put forward by the Ministry for low expenditure in the plan scheme is not at all acceptable to the Committee. In view of the Committee, the Ministry lacks coordination with the States and its monitoring is not upto the mark. The Committee therefore, recommend that the Ministry of Labour should have a thorough monitoring over the Central as well as the Centrally Sponsored Schemes. They should also ensure that the funds allocated for various schemes are utilised during the financial year for which they are earmarked and the plan schemes are completed under the plan period. For this the matter should be taken at the highest level and the Committee should be informed about the progress made in various plan schemes after every six months.</p>
2.	1.10	<p>The Committee learnt from the Ministry that out of 315 million strong labour force, 280 million is in the unorganised sectors on which no authentic data is available with them. The Committee are also given to understand that sectoral analysis of the unorganised sector would be a colossal exercise involving huge time and money. The Committee nevertheless desire that some of the important sectors of</p>



---

1	2	3
---	---	---

---

unorganised industries such as civil construction, agriculture, kiln and stone works, small time hoteliering etc. should be thoroughly surveyed, taking into account the 1991 census report so as to provide adequate planning and remedial measures through appropriate legislation etc. for their welfare.

3. 1.11 The Committee also observe that despite rising unemployment in the country the total number of registrations with the employment exchanges over the country are showing a declining trend. Alongwith this, is the fact that some persons continued to be registered with E.E. for better opportunities,, despite their holding jobs. The Committee are, therefore, of the view that the overall position of the functioning of the Employment Exchanges should be thoroughly examined for their efficacious and active functioning.
4. 2.11 The Committee are pained to note that wages and earnings survey based on 1983 was released in September, 1993 *i.e.* after 10 years and survey report on 'Employment and Unemployment' based on 1983 is yet to be released. The reason given by the Ministry in this regard is not at all satisfying to the Committee. In their view while such reports and datas are very useful, steps should be taken up for speedy processing and analysis in order to reduce time lag in their release. The Ministry's monitoring in this regard seems to be very poor. They should have initiated advance consultations between the National Sample Survey Organisation and Labour Bureau to finalise the questionnaire and format for the survey to minimise the gap in data requirements. The Committee are also unable to understand the idea behind proposing Rs. 90 lakhs in the Budget Estimates for the year 1994-95. They would, therefore, like to see that progress made in this regard after six months and also the proposed utilisation of the money demanded by the Ministry in the Budget Estimate for the year 1994-95. For other surveys, the Ministry in consultation with the Labour Bureau should fix the time target for releasing the reports because late release of results remain only for the sake of record and lose the purpose for which they were meant.
-

---

1	2	3
---	---	---

---

5. 2.20 The Ministry has accepted that there are delays in disposal of cases by Labour Tribunal Courts of Enquiry and Conciliation Boards number of pending cases have doubled from 4266 to 8400 between the period 31.12.1990 to 31.12.1993 due to inadequate number of Industrial Tribunals and Courts and delay in filling up the vacancies of presiding officers. The Ministry has also stated that although the working group on Industrial Relations and the formulation of 8th Five Year Plan recommended for setting up of six more CGIT-cum-Labour Court yet owing to budgetary constraint sanctions for creation of only one Court at Jaipur could be accorded during the year 1992-93. Regarding the filling up of the vacancies of presiding officers, the Ministry has stated that they are not in a position to get judges because eminent lawyers do not like to take up this job. The Committee are not at all happy with the situation. In their view the cases should be disposed of as quickly as possible. They therefore recommend that the existing presiding officers may be allowed to continue till a new incumbent is found to replace them and they should be allowed to occupy the office upto 65 years of age, as is the case of judges in Supreme Court or Professors in academic institutions. They also recommend for early setting up 5 more CGIT-cum-Labour Courts as has been recommended by the Working Group on Industrial Relations.
6. 2.29 The Ministry has stated that the process of identification of accident prone mines is a continuous one done on year to year basis under the plan scheme. They have also stated that 10 coal mines in Bharat Coking Coal Limited and 11 coal mines in Eastern Coalfields Limited have been identified as accident prone based on the number of fatalities and number of persons sustaining serious injuries during the period 1989-93 but no action seems to have been taken against these coal mines. Also the target fixed for the year 1993-94 in regard to visits in connection with the safety campaigns are at a low ebb. The Committee are not at all happy with this situation keeping in view of the fact that in coal mines number of fatal accidents are at an increasing trend. The Committee, therefore,
-

---

strongly recommend that a comprehensive survey should be carried out by the Director General Mines in respect of the aged coal mines on time bound scale and remedial measures should be suggested for them. The matter should be taken up with the management of the coal mines so that the guilty are punished and the probability of untoward incident in future is minimised. The Committee would also like to apprise of the survey conducted in this regard alongwith the Ministry's planning to equip the mines, within six months of the presentation of the report. The Committee should also be informed about the action taken against Bharat Cooking Coal Ltd. and Eastern Coalfields Ltd., which have been identified as accident prone mines.

7. 2.38 The Ministry has stated that the Government allows expenditure to the extent that is collected every year by transfer to reserve fund from various welfare funds established under respective enactments. However, the Ministry has not been able to withdraw money for the expenditure to the maximum extent out of the fund as it is tied up with the remittance in public accounts. The Ministry is, therefore, proposing to have a separate autonomous body like Provident Fund Organisation or ESI Corporation so that there is greater flexibility in withdrawing the money. In view of the Committee this is a welcome suggestion. The welfare money should be available to the workers at the hour of their need. The Committee, therefore, recommend that the Ministry's proposal for having a separate autonomous body for the reserve fund should be looked into by the Government without further loss of time so that the money is used for the cause for which it has been raised.
8. 2.46 The Ministry's assertion that they give priority for setting up more number of new dispensaries instead of setting up new hospitals in order to make medical facilities more readily accessible to Beedi workers is a welcome suggestion. However the Committee's experience in this regard have not been very good. During their visit to areas of Beedi workers concentration at Bangalore and Mysore, the
-

---

Committee noticed that the dispensaries run for the welfare of Beedi workers were in pitiable condition. No facility for X-ray and Pathology was available there. More so most of the workers suffer from tuberculosis, asthma and cancer diseases. In the absence of proper medical assistance they have to run from pillar to post. The Committee, therefore recommend that every taluk centres and district headquarters of Beedi workers concentration should have at least 25 beds and 100 beds hospital respectively which will facilitate the workers for the treatment of T.B. and cancer. Also the dispensaries running under the scheme should be provided with basic diagnostic facilities like X-ray and pathology etc. The Committee also recommend that there should be periodical inspections of these dispensaries and hospitals by the respective welfare commissioners and a report should be furnished to the Ministry for their monitoring. The Committee also note that health and housing are the basic needs of the workers engaged in organised and unorganised sectors and as such workers in other areas such as Agarbathi workers etc. should also be brought into the scope of the health and housing welfare schemes. For this necessary legislation should be brought by the Government for their coverage.

9. 2.47 The Committee have been informed that identification of the Beedi workers is the main issue creating hindrance in extending welfare schemes to them. As per rule the onus of issuing identity cards to the Beedi workers rests with the employer/contractor. The reputed Beedi managements/contractors are issuing identity cards to the Beedi workers but the Beedi management of unbranded beedies are hesitant to issue identity cards to their workers for various reasons on account of which the Beedi workers are being deprived of the benefits being extended by the Beedi workers welfare fund. The Committee, therefore, strongly recommend that arrangement should be made by the Government to issue identity cards to all the beedi workers so that benefits should be extended to them from the beedi workers welfare fund. The Committee may be informed of the progress made in this regard within six months of the presentation of the report.
-

1

2

3

---

The Committee also recommend that the national minimum wage should be pressed into practice for payment to the beedi workers in order to stop their migration from one state to another, through appropriate legislation.

10. 2.62 The Committee are pained to note that the Ministry is not at all serious in implementing the recommendations made by the Committee in their third report on Abolition of Child Labour. The Committee's stress has been to institute a comprehensive socio economic study of child labour problem in relation to emerging social realities after taking into account 1991 census report. They have also recommended that a comprehensive survey should be conducted State-wise on a time bound scale in areas of child labour concentration such as Beedi workers, fire works, glass works, carpet weaving etc. where large number of children are employed. In view of the Committee unless the Ministry have authentic data by carrying out surveys, they were not in a position to carry out proper planning for the elimination of child labour problem in a phased manner. By simply adding the number of children and entrusting the welfare schemes to one or two non-government organisation is not going to serve the purpose. The Committee, therefore, strongly recommend that the Government should plan to have authentic data base regarding the child labour in various areas of their concentration and the job should be entrusted to organisations like National Labour Institute which is the main organ of the Ministry without fail. NGOs, Trade Unions etc. may also be associated in surveys. The Committee also reiterate their recommendation for opening up of residential schools in a phased manner for those children who are orphan or homeless.
11. 2.63 The Committee are of the view that the employers should be brought under necessary legislation so that they contribute certain percentage of money for the welfare, education and health of the child labour for the purpose. The Child Labour Prohibition and Regulation Act, 1986 should be amended to provide stringent punishment to the employers violating the law.
-

---

1	2	3
12.	2.68	<p>The Ministry has accepted that the progress of the project has been slow. The reasons given for the delay on the part of the State Governments relate to providing lands for civil construction in certain cases, executing civil works, furnishing up requirement of equipment etc. This clearly indicates that the Central Government lacks coordination with the States and there has been virtually no monitoring on the part of Central Government. The Ministry should have tried for full utilisation of the funds both Central and Centrally sponsored schemes. The Ministry have now assured the Committee that all the equipments would be purchased by 31st December, 1995, and they will be able to complete the implementation of the project in the next two years. The Committee, therefore, recommend that the Central Government should have a thorough monitoring over the entire scheme and should ensure that the project is completed in the next two years' time. Also the Committee would like to be informed about the progress made at various stages in the implementation of the scheme after every six months.</p>

---