

**13**

**STANDING COMMITTEE ON LABOUR  
(2020-21)  
(SEVENTEENTH LOK SABHA)**

**MINISTRY OF LABOUR AND EMPLOYMENT**

**[Action taken by Government on the Observations/  
Recommendations of the Committee contained in their Fifth Report  
(Seventeenth Lok Sabha) on Demands for Grants (2020-21) of the  
Ministry of Labour & Employment]**

**THIRTEENTH REPORT**



**LOK SABHA SECRETARIAT  
NEW DELHI**

**February, 2021/ Magha, 1942 (Saka)**

**THIRTEENTH REPORT**

**STANDING COMMITTEE ON LABOUR**

**(2020-21)**

**(SEVENTEENTH LOK SABHA)**

**MINISTRY OF LABOUR AND EMPLOYMENT**

**[Action taken by Government on the Observations/  
Recommendations of the Committee contained in their Fifth Report  
(Seventeenth Lok Sabha) on Demands for Grants (2020-21) of the  
Ministry of Labour & Employment]**

***Presented to Lok Sabha on 03.02.2021***

***Laid in Rajya Sabha on 03.02.2021***



***LOK SABHA SECRETARIAT***

***NEW DELHI***

**February, 2021/ Magha, 1942 (Saka)**

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

**Shri Bhartruhari Mahtab - Chairperson**

**MEMBERS  
LOK SABHA**

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

**RAJYA SABHA**

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

**SECRETARIAT**

1. Shri T.G. Chandrasekhar - Joint Secretary
2. Shri P.C. Choulda - Director
3. Shri D.R. Mohanty - Additional Director
5. Shri Gaurav Attray - Assistant Executive Officer

## **INTRODUCTION**

I, the Chairperson, Standing Committee on Labour (2020-21) having been authorized by the Committee, present on their behalf this Thirteenth Report on Action taken by the Government on the Observations/ Recommendations of the Committee contained in their Fifth Report (Seventeenth Lok Sabha) on Demands for Grants (2020-21) of the Ministry of Labour & Employment.

2. The Fifth Report was presented to Lok Sabha and laid in Rajya Sabha on 13<sup>th</sup> March, 2020. The Ministry of Labour and Employment furnished their on 10<sup>th</sup> July, 2020 replies indicating Action Taken on the Observations/ Recommendations contained in the Fifth Report. The Committee considered and adopted the Draft Report at their sitting held on 3rd November, 2020.

3. An analysis of the action taken by the Government on the Observations/ Recommendations contained in the Fifth 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;**  
**2 February, 2021**  
***13 Magha, 1942 (Saka)***

**BHARTRUHARI MAHTAB**  
**CHAIRPERSON,**  
**STANDING COMMITTEE ON LABOUR**

## CHAPTER- I REPORT

This Report deals with the action taken by the Government on the Observations/Recommendations of the Committee contained in their Fifth Report (Seventeenth Lok Sabha) on 'Demands for Grants (2020-21)' of the Ministry of Labour & Employment.

2. The Fifth Report was presented to Lok Sabha/ laid in Rajya Sabha on 13<sup>th</sup> March, 2020. It contained 14 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 –<br><b>Rec. Para No.2,4,5,6,7,9,10,11,13 and 14</b>  | <b>Total:10</b><br><b>Percentage:71.42</b> |
| (ii) Recommendations/Observations which the Committee do not desire to pursue in view of the Government's reply – <b>NIL</b>  | <b>Total:00</b><br><b>Percentage:00</b>    |
| (iii) Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration – <b>Rec. Para No. 1</b> | <b>Total:01</b><br><b>Percentage:7.14</b>  |
| (iv) Recommendations/Observations in respect of which replies of the Government are interim in nature – <b>Rec. Para Nos. 3, 8 and 12.</b>                                      | <b>Total:03</b><br><b>Percentage:21.44</b> |

**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, 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. FINANCIAL PERFORMANCE**

### **(Recommendation Para No.1)**

5. In their Fifth Report, the Committee had expressed concern on low utilisation percentage of most of the Schemes which hovered in the range of 60% to 70% with National Career Service (NCS) recording a lowest of 60.88%. The Committee exhorted the Ministry to address the underutilisation of funds, strengthen implementation mechanism and bring forth more robust interventions to considerably improve their overall performance in physical and financial terms.

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

“The fund allocated to the Ministry of Labour & Employment for the fiscal 2019-20 was Rs. 11184.0.09 Crore. Out of which Rs. 10079.76 Crore was utilized by the Ministry which is 90.13% of the BE-2019-20. An amount of Rs. 1100 Cr could not be utilized under Pradhan Mantri Rozgar Protsahan Yojana due to non-availability of new beneficiaries.

2. Savings under Pradhan Mantri Shram Yogi Maandhan Yojana and National Pension Scheme for Traders & Self Employed Persons was due to less demand by LIC.

3. Saving under National Child Labour project was due to less proposal received in Grants-in-aid General and Advertising and Publicity.

4. The Expenditure under the Scheme National Career Service was recorded 60.88% up to December 2019. By the end of financial year 2019-20 Ministry was able to utilize 96.86% of the total allocated budget under the scheme National Career Service.”

**7. The Committee are dismayed to note that an amount of Rs.1100 crore could not be utilised under the Pradhan Mantri Rozgar Protsahan Yojna (PMRPY) during 2019-20 due to non- availability of new beneficiaries. It is equally discouraging that there were shortfalls in utilisation of funds in other Schemes viz. Pradhan Mantri Shram Dhan Yogi Mandhan Yojna; National Pension Scheme for Traders and Self Employed Persons; National Child Labour; and National Career Service. Observing the expenditure pattern of 2019-20 while examining the DFG of**

**2020-21, the Committee had stressed the need for strengthening the implementation mechanisms as a result of which some improvement has been noticed in the fund utilisation trend in some schemes by the end of the Financial Year 2019-20. However, shortfalls to the tune of Rs.1100 crore under PMRPY cannot be condoned and under utilisation of funds in other important Schemes like NPS, NCL and NCS cannot be overlooked. The Committee, therefore, reiterate that constraints like non-availability of new beneficiaries less receipt of proposals / demand etc. that impede the smooth implementation of the aforesaid Schemes be looked into with a sense of urgency and priority so as to ensure optimal fund utilisation and the resultant seamless execution of the Schemes in 2020-21 and beyond.**

## **II. NATIONAL CHILD LABOUR PROJECT (NCLP)**

### **(Recommendation Para No.6)**

8. In their Fifth Report, the Committee had noted that 2011 census Report estimated a total of 43.5 lakh child workers continued to exist in the Country, despite a number of legislative interventions made by the Government *viz*, Child Labour (Prohibition and Regulation) Act, 1986, Child Labour (Prohibition and Regulation) Amendment Act, 2016, completely prohibiting employment or working of children below 14 years of age in all occupations and processes, free and compulsory education under RTE, 2009, prohibition of employment of adolescents (14-18) years of age in hazardous occupations and processes, making stricter punishment of employers etc. The Committee had also noted that the State Governments responsible for getting surveys done for identification of child labour in their Districts under National Child Labour Project (NCLP) at times had not timely transmitted the data. Concerned at the delay in transmission of Data pertaining to child labour and data/ information lag in the present digital age, the Committee had exhorted the Ministry to take corrective steps and proactive measures to ensure timely reporting of data form districts and other allied agencies.

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

“To ensure effective enforcement of the provisions of the Child Labour Act and smooth implementation of the National Child Labour Project (NCLP) Scheme a separate online portal Platform for Effective Enforcement for No Child Labour (PENCIL) has been launched w.e.f. 26.09.2017. The Portal connects the Central Government to the State Government(s), Districts(s), all Project Societies and the General Public. The Portal is updated from time to time with new functionalities so as to bridge the distance between this Ministry and the District Project Societies across the country. Certain more functionalities are also underway and will connect the Ministry to the District Project Societies in a much better way thereby reducing possibility of delay and discrepancy in information shared between them.”

**10. The Committee appreciate that the Portal called ‘Platform for Effective Enforcement for No Child Labour (PENCIL)’ which connects the Central Government to the State Governments, Districts, Project Societies and the General Public is updated from time to time with new functionalities to bridge the distance and reduce the possibilities of delay and discrepancy in information shared. The Committee are of the considered opinion that it is a step in right direction and the Ministry should continue their efforts in updating the Portal with new functionalities at regular intervals so that real time and accurate data of Child Labour are received/ preserved and effective enforcement of the provisions of the Child Labour Act and smooth implementation of the National Child Labour Project (NCLP) are ensured.**

### **III. REHABILITATION OF BONDED LABOUR**

#### **(Recommendations Para No.7)**

11. In their earlier report, the Committee had expressed their anguish and concern on the fact that scourge of bonded Labour still existed in the Country, despite the in-humane practice being abolished in 1976 by Bonded Labour

System (Abolition) Act. Opining that the Ministry's role had confined to merely passing on instructions from time to time without any real time assessment of the progress in creation and utilization of the corpus at the District level, the Committee emphasised the need on the part of the Ministry to evolve more robust and effective mechanisms to identify, rescue and rehabilitate bonded labours with the longterm objective of totally eliminating this social evil including setting up of special fast track Courts for speedier trial and conviction of the violators found guilty. The Committee had also called upon the Ministry to impress upon all States/ UTs for ensuring transmission of real time data on bonded labour cases/ convictions for possible mid-term correction/re-assessment thereof.

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

“The Bonded Labour Rehabilitation Scheme was revamped w.e.f. 17.05.2016 and named as “Central Sector Scheme for Rehabilitation of Bonded Labour, 2016. The Proposal for rehabilitation of bonded labour is submitted by the State Governments on the basis of identification of bonded labour. The onus of rehabilitation of bonded labour lies on the State Government.

2. The Government is committed to eradicate the bonded labour system and rehabilitate the bonded laborers and to achieve this aim the Central Government has taken several steps in this regard. As a part of these initiatives Government has taken several steps. As a part of these initiatives directions have been issued to All State/UT Government for creation and maintain a renewable Bonded labour Rehabilitation Fund of at least Rs. 10 lakhs for providing immediate assistance to the released bonded labour. After for providing immediate assistance to the released bonded labour. After Meeting taken by Hon'ble Minister of State for Labour& Employment (IC) with prominent NGOs working in the field of

bonded labour, concerned State/UT Governments have been directed to maintain corpus fund and improve the protection and provide easy access of bonded labour in various rehabilitative measures in terms of paras-5(v) 5(vi), 5(vii) and 5 (viii)of Central Sector Scheme for Rehabilitation Bonded Laborer, in order to evaluate the monitoring of corpus fund alongwith improvement, protection and providing easy access of bonded labour to various rehabilitative measures in terms of the Scheme, a video Conference under the Chairmanship of DGLW also has been organized with State Governments.

3. For fast track Courts, observations of Committee will be conveyed to State Government with a request to furnish their comments/views in this regard for further action.”

**13. Though the Ministry are reportedly taking a number of measures to address the issue of bonded labour in the Country, the Committee are however concerned to note that tangible results are far from being visible. One most important aspect which needs the executive oversight is the creation and utilisation of Bonded Labour Rehabilitation fund for providing immediate relief to the released bonded labour. It is a fact that the onus of rehabilitation of the bonded labour lies on the State Governments, but it is equally imperative that the Central Government’s commitment to rehabilitate them in coordination with the State Governments cannot be undermined. The Committee, therefore, once again impress upon the Ministry to reinforce their monitoring and coordination mechanism so as to ensure prompt rescue, timely relief and appropriate rehabilitation of the bonded labours in the process of gradual eradication of the social evil. The Committee be also apprised of the progress made in getting the views/ comments of the State Governments**

**for setting up of special fast track Courts to ensure speedier trial and award of penalty to the violators and their accomplices.**

**IV. PRADHAN MANTRI SHRAM YOGI MAAN-DHAN (PM-SYM) YOJANA**

**(Recommendation Para No.10)**

14. While appreciating the introduction of Pension Scheme in form of Pradhan Mantri Shram Yogi Maan-Dhan (PM-SYS) Yojana as a step in right direction for providing social security to hitherto neglected unorganised workforce, the Committee in their earlier Report, had expressed concern at the under utilisation of funds in the maiden year of the scheme. The Committee had therefore urged the Ministry to make concerted efforts to address the impediments so that the initiative which was started in right earnest, fructifies in making the Scheme popular amongst the unorganised workers.

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

“It is submitted that various measures were taken during 2019-20 for covering more subscribers to the PM-SYM scheme. A few of them are like, regular review meetings in the Ministry at Senior level, holding VCs with State Governments, allocation of funds to State/UT Govt- towards IEC activities, etc. it is further submitted that due to Covid pandemic and the subsequent lock -down, there has been not much increase in the enrolled subscribers. Efforts will be made for covering more beneficiaries under the scheme, once the Covid situation is over or under control.”

**16. The Committee feel that although Covid-19 Pandemic and subsequent lockdown may have severely impacted the enrollment of new subscribers, there can't be a more opportune time to popularize a scheme like PMSYSM for extending social security benefits to the unorganized workers. Now, that the process of unlock has gained momentum and the Covid-19 situation has been reconciled to a greater extent, the Committee**

**urge the Ministry to organize and fortify the awareness campaigns and publicity on all possible mediums like Newspapers, Magazines, Banners, Billboards, Radio, Television etc. so as to attract and cover more beneficiaries belonging to the unorganized sector under the PMSYSM Scheme.**

**New Delhi;  
2 February, 2021  
13 Magha, 1942 (Saka)**

**BHARTRUHARI MAHTAB  
CHAIRPERSON,  
STANDING COMMITTEE ON LABOUR**

**STANDING COMMITTEE ON LABOUR**

**(2020-21)**

**Minutes of the Third Sitting of the Committee**

The Committee sat on Tuesday, the 3<sup>rd</sup> November, 2020 from 1430 hrs. to 1600 hrs. in Main Committee Room B, Parliament House Annexe, New Delhi.

**PRESENT**

**Shri Bhartruhari Mahtab - CHAIRPERSON**

**MEMBERS**

**LOK SABHA**

2. Shri Satish Kumar Gautam
3. Dr. Umesh G. Jadhav
4. Shri Dharmendra Kumar Kashyap
5. Dr. Virendra Kumar
6. Shri Ganesh Singh
7. Shri Bhola Singh

**RAJYA SABHA**

8. Shri Rajaram
9. Shri Neeraj Dangi
10. Shri Dushyant Gautam

**SECRETARIAT**

1. Shri T.G. Chandrasekhar - Joint Secretary
2. Shri P.C. Choulda - Director
3. Shri D.R. Mohanty - Additional Director
4. Ms. Miranda Ingudam - Deputy Secretary
5. Shri Kulvinder Singh - Deputy Secretary

2. At the outset, the Chairperson welcomed the Members to the Sitting of the Committee, convened to consider and adopt the following Action Taken Reports:

(i) Action Taken on Fifth Report on Demands for Grants (2020-21) of the Ministry of Labour & Employment;

(ii) XX XX XX XX;

(iii) XX XX XX XX.

3. The Committee then took up the draft ATRs for consideration one by one and adopted them without any modifications.

4. The Committee, then, authorised the Chairperson to finalise the Reports and present them to the House in the upcoming session.

5. XX XX XX XX.

(The witnesses then withdrew)

[A copy of the audio-recorded verbatim proceedings was kept on record]

**The Committee then adjourned.**

(Vide Para No. 3 of the Introduction)

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

	<b>Total</b>	<b>Percentage</b>
<b>I.</b> Total number of Recommendations	<b>14</b>	
<b>II.</b> Recommendations/Observations which have been accepted by Government <b>(Rec. Sl. Nos. 2,4,5,6,7,9,10,11,13 and 14)</b>	<b>10</b>	<b>71.42.00%</b>
<b>III.</b> Recommendations/Observations which the Committee do not desire to pursue in view of Government's replies- <b>NIL</b>	<b>00</b>	<b>00%</b>
<b>IV.</b> Recommendations/Observations in respect of which Government's replies have not been accepted by the Committee and which requires reiteration – <b>(Rec. Sl. No.1)</b>	<b>01</b>	<b>7.14%</b>
<b>V.</b> Recommendations/Observations in respect of which final replies of Government are of interim in nature- <b>(Rec. Sl.No.3,8 and 12)</b>	<b>03</b>	<b>21.44</b>
		<b>100%</b>