

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

(2021-22)

(SEVENTEENTH LOK SABHA)

MINISTRY OF LABOUR AND EMPLOYMENT

Action Taken by Government on the Observations/ Recommendations of the Committee contained in their Sixteenth Report (Seventeenth Lok Sabha) on 'Social Security and Welfare Measures for Inter-State Migrant Workers' relating to the Ministry of Labour & Employment and some other Ministries/Departments concerned.

THIRTY-FOURTH REPORT



LOK SABHA SECRETARIAT

NEW DELHI

August, 2022/ Sravana, 1944 (Saka)

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Presented to Lok Sabha on 04.08.2022

Laid in Rajya Sabha on 04.08.2022



LOK SABHA SECRETARIAT

NEW DELHI

August, 2022/ Sravana, 1944 (Saka)

CONTENTS

PAGE No.

<i>COMPOSITION OF THE COMMITTEE</i>	<i>(iv)</i>
<i>INTRODUCTION</i>	<i>(v)</i>
CHAPTER I Report	
CHAPTER II Observations/Recommendations which have been accepted by the Government	
CHAPTER III Observations/Recommendations which the Committee do not desire to pursue in view of the Government's reply	
CHAPTER IV Observations/Recommendations in respect of which replies of Government have not been accepted by the Committee and which require reiteration	
CHAPTER V Observations/Recommendations in respect of which replies of the Government are interim in nature	

APPENDICES

- *Appendix- I Minutes of the Twenty-Third Sitting of the Committee held on 3rd August, 2022.
- Appendix- II Analysis of the Action Taken by Government on the Observations/ Recommendations contained in the Sixteenth Report (Seventeenth Lok Sabha)

* Not appended with this cyclostyled copy.

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

(2021-22)

Shri Bhartruhari Mahtab - Chairperson

**MEMBERS
LOK SABHA**

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

RAJYA SABHA

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

SECRETARIAT

- | | | | |
|----|-------------------------|---|----------------------|
| 1. | Shri T.G. Chandrasekhar | - | Additional Secretary |
| 2 | Shri D.R. Mohanty | - | Director |
| 3. | Shri Sanjay Sethi | - | Additional Director |

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

** Vacancy occurred *vice* Shri Dushyant Gautam retired *w.e.f* 01.08.2022.

INTRODUCTION

I, the Chairperson, Standing Committee on Labour, Textiles and Skill Development (2021-22) having been authorized by the Committee, present on their behalf this Thirty-Fourth Report on Action taken by the Government on the Observations/ Recommendations of the Committee contained in their Sixteenth Report (Seventeenth Lok Sabha) on Social Security and Welfare Measures for Inter-State Migrant Workers' relating to the Ministry of Labour & Employment and also some other Ministries/Departments concerned.

2. The Sixteenth Report was presented to Lok Sabha and laid in Rajya Sabha on 11th February, 2021. The Ministry of Labour and Employment furnished the consolidated replies on 14th June, 2022 indicating Action Taken by them and other Ministries/Departments concerned on the Observations/ Recommendations contained in the Sixteenth Report (Seventeenth Lok Sabha). The Committee considered and adopted the Draft Report at their sitting held on 3rd August, 2022.

3. An analysis of the action taken by the Government on the Observations/ Recommendations contained in the Sixteenth 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;
3rd August, 2022
12 Sravana, 1944 (Saka)

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

CHAPTER- I

REPORT

This Report deals with the action taken by the Government on the Observations/Recommendations of the Committee contained in their Sixteenth Report (Seventeenth Lok Sabha) on 'Social Security and Welfare Measures for Inter-State Migrant Workers' relating to the Ministry of Labour & Employment and also some other Ministries/Departments concerned.

2. The Sixteenth Report was presented to Lok Sabha/ laid in Rajya Sabha on 11th February, 2021. It contained 46 Observations/ Recommendations pertaining to seven Ministries/Departments viz. Labour & Employment, Consumer Affairs, Food and Public Distribution, Health & Family Welfare, Housing & Urban Affairs, Rural Development, and Skill Development & Entrepreneurship. Replies of Government in respect of all the Observations/Recommendations have been received and are categorized as under:-

- | | |
|--|--|
| (i) Observations/Recommendations which have been accepted by the Government – Rec. Para Nos: | Total:43
Percentage:93.47 |
| 2.30, 2.31, 2.32, 2.33, 2.34, 3.28, 3.29, 3.30, 4.51, 4.53, 4.54, 4.55, 4.56, 4.57, 4.58, 4.59, 4.60, 4.61, 5.13, 5.14, 5.15, 5.16, 5.17, 6.26, 6.27, 6.28, 6.29, 6.30, 6.31, 6.32, 6.34, 7.24, 7.25, 7.26, 7.27, 7.28, 7.29, 7.30, 8.22, 8.23, 8.24, 8.25 and 8.26 | |
| (ii) Observations/Recommendations which the Committee do not desire to pursue in view of the Government's reply – NIL | NIL |
| (iii) Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration – Rec. Para Nos. 4.52 and 8.21 | Total:02
Percentage:4.35 |
| (iv) Observations/Recommendations in respect of which replies of the Government are interim in nature - 6.33 | Total:01
Percentage:2.18 |

3. The Committee desire that Action Taken Notes in respect of Observations/ Recommendations contained in Chapter-I and Final Action Taken Reply to the Recommendations contained in Chapter-V 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 IDENTIFICATION AND COLLATION OF DATA OF THE INTER-STATE MIGRANT WORKERS/IMPLEMENTATION OF CODE ON SOCIAL SECURITY, 2020

Ministry of Labour and Employment

(Recommendation Para Nos. 2.30 and 2.31)

5. In their Sixteenth Report (Seventeenth Lok Sabha), the Committee had noted that there were no reliable or authentic figures on the total number of Inter-State Migrant Workers and the figures on the number of migrant workers who returned to their home States following the outbreak of the Pandemic were based on the information received by the Ministry of Labour & Employment from the States concerned. Considering the fact that without identification and collation of data of the inter-State migrant workers, no social security Scheme could be effectively extended to them, the Committee had exhorted the Ministry to persuade the native as well as the destination States to identify, collect and periodically update the record of such workers.

6. The Committee had also noted that while the existing unemployment insurance Schemes *viz.* Rajiv Gandhi Shramik Kalyan Yojana (RGSKY) and Atal Beemit Vyakti Kalyan Yojana (ABVKY) covered employees who were under the ambit of the ESI Scheme, a large number of migrant labourers especially in the unorganised sector were still left out of the ambit of the ESI Scheme thereby depriving them of any unemployment insurance or allowances which they needed the most during the pandemic. The Committee had, therefore, recommended that the steps envisaged in the Social Security Code, 2020 to extend coverage of the Code to the unorganised workers who were still left out of the ambit of ESI Scheme needed speedy implementation and enforcement.

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

“The Employees' State Insurance (ESI) Act, 1948 is applicable to all factories & notified establishments located in ESI notified areas employing ten or more persons. The employees of these factories & establishments earning wages upto Rs 21000 per month (Rs 25000 in case of persons with disability) are covered under the ESI Act. As such the Act does not apply to the unorganized sector. Moreover,

ESI Act does not categorize covered employees in terms of 'migrant' or 'non-migrant' workers either in terms of their coverage or entitlement in respect of benefits available under ESI Act. The benefits under the Act are uniform for all.

The benefits of ESI Act are available in 578 notified districts of the country. It is proposed to extend the coverage to all districts of the country by the year 2022. With this extension, more eligible employees shall be covered under the ESI Act and thus entitled to benefits of ESI Scheme.

Further, the Code on Social Security, 2020, passed by the Parliament, subsumes nine laws related to social security, including the Employees' State Insurance Act, 1948. The Code has subsumed relevant provisions under the existing ESI Act, 1948 including the following in respect of establishments/employers in the organised sector:

Every establishment in which ten or more persons are employed other than a seasonal factory will be covered under the Chapter IV of the Code related to the ESI Corporation.

The ESI provisions under Chapter IV of the Code will also be applicable to an establishment, which carries on such hazardous or life threatening occupation as notified by the Central Government, in which even a single employee is employed.

Further, an employer of a plantation may opt the applicability of the application of Chapter IV in respect of the plantation by giving willingness to the corporation, where the benefits available to the employees under the ESI scheme are better than what the employer is providing to them.

The contribution from the employers and employees of an establishment shall be payable under section 29 of the Code on and from the date on which any benefits under Chapter IV are provided by the ESI Corporation to the employees of the establishment and such date shall be notified by the Central Government.”

8 The Ministry of Labour and Employment have further stated as follows:-

“The Code on Social Security, 2020 has provision for "scheme for unorganized workers, gig workers and platform workers" in Section 45 of Chapter IV of the Code which relates to the Employees' State Insurance Corporation (ESIC). The corresponding rules are being framed by the Central Government to bring into force the provisions of the Code. The benefits to be provided under the Scheme shall be in consonance with the provisions contained in Section 109(1) and Section 114(1) of the Code. However, these Sections do not have express provision for providing unemployment allowance similar to those provided under Rajiv Gandhi Shramik Kalyan Yojana and Atal Bimit Vyakti Kalyan Yojana (ABVKY).”

“The Ministry of Labour & Employment, has developed e-Shram portal for registration and creation of a comprehensive National Database of Unorganized Workers (NDUW) for all types of Unorganised workers such as Construction Workers, Migrant Workers, Domestic Workers, Agricultural labourers, Self-employed workers, street vendors, small shopkeepers, Asha workers, Anganwadi

workers, Fishermen, unorganised plantation workers, milkmen and similar other sub-group of Unorganised workers. The e-Shram Portal has been launched on 26.08.2021 and handed over to the States/UTs. The portal will work as a useful platform for delivery of existing and future social security schemes such as PM-SBY, PM-SYM etc.”

9. The Committee are pleased to note that after much persuasion, the e-shram portal has been finally launched on 26.08.2021 with the intent to create a comprehensive National Database of Unorganised Workers (NDUW) for all types of unorganized workers such as migrant workers, domestic workers, construction workers, agricultural labourers, self-employed workers, street vendors, small shopkeepers, Asha workers, Anganwadi workers, fishermen, unorganized plantation workers, milkmen and similar other sub group of unorganized workers. Now that the Portal has been established, the Committee impress upon the Ministry of Labour & Employment to make concerted efforts in tandem with the States/UTs so as to ensure the registration of all types of unorganized workers on the portal which in turn would result in effectively delivering the existing and future social security schemes to the intended beneficiaries.

10. The Committee note that the benefit of the ESI Act, 1948, is presently available in 578 notified Districts and the Ministry propose to extend its coverage to all the Districts of the country by 2022. The Committee recommend that all out efforts be made to extend the coverage of the ESI Act to all the Districts by the stipulated timeline so that more eligible employees are covered under the Act and thus entitled to the benefits of the ESI Scheme.

11. It is learnt that the benefits to be provided under the ESI Scheme shall be in consonance with the provisions contained in Section 109(1) and Section 114(1) of the Code on Social Security, 2020. The Committee are, however, concerned to note that the said sections do not have express provisions for providing unemployment allowance similar to those provided under Rajiv Gandhi Shramik Kalyan Yojana (RGSKY) and Atal Beemit Vyakti Kalyan Yojana (ABVKY). In view of the imperatives involved in the provision of unemployment allowance to the migrant workers, especially during times of distress as has been witnessed in the course of Covid-19 induced lockdowns, the Committee are of the firm opinion that the Ministry should explore the feasibility of incorporating an express provision for unemployment allowance to the workers in the Unorganised Sector through ESI Scheme in line with RGSKY and ABVKY, more so when e-shram Portal has already been launched to register all types of unorganized workers.

II. PRADHAN MANTRI GARIB KALYAN ANNA YOJNA (PM-GKAY)/ ONE NATION ONE RATION CARD (ONORC) PROGRAMME

Department of Food and Public Distribution

(Recommendation Para No. 4.52)

12. In their Sixteenth Report, the Committee had found that as on 10.10.2020, in Phase-I of Pradhan Mantri Garib Kalyan Anna Yojna (PM-GKAY) i.e. April to June 2020, all States/UTs combined had lifted about 118 LMT (99%) of three months foodgrains from the FCI/Central Pool with reported distribution of over 111.52 LMT (93.5%) foodgrains and in Phase-II, all States/UTs combined had distributed 90.9% (36.62 LMT), 91.5% (36.87 LMT), 79% (31.64 LMT), 10% (4.04 LMT) foodgrains quota for the months of July, August, September and October, 2020 respectively. Except for a few States viz. Puducherry, Chandigarh; Punjab; West Bengal; Bihar and Sikkim where distribution of foodgrains under PM-GKAY had been delayed due to adjustment of distribution cycles/calendar of regular NFSA foodgrains and PM-GKAY foodgrains and other logistical constraints, the

overall progress of lifting and distribution of foodgrains in most States/UTs had been satisfactory. The Committee were, however, concerned to note that in the State of Punjab as well as the UTs of Puducherry and Chandigarh, the total distribution of foodgrains was low, which was ostensibly on account of the plan to distribute five months foodgrains in one go. Observing that the very purpose and intent of the Scheme to provide timely food to the targeted beneficiaries especially the migrant labours were defeated when foodgrains were not monthly and continuously made available to vulnerable sections of the society, the Committee had opined that if due to genuine constraints, monthly distribution as scheduled could not be done, then, at least efforts should have been made for bi-monthly distribution as was done by the State of Sikkim where 62% of Phase-II distribution had been achieved for July-Sept, 2020. The Committee had, therefore, desired the Department of Food and Public Distribution to draw lessons and act in unison with the State Governments to ensure that food grains were not allowed to be piled up for months together depriving the needy people of regular supply.

13. In their Action Taken Note furnished to the Committee, the Department of Food and Public Distribution have stated as follows:-

“The Distribution of foodgrains under PMGKY Phase-I is about 111.6 LMT (i.e. 93%) against allocation for three months i.e April-June 20. The Distribution under PMGKAY phase II is about 185.9 LMT (92.3%) against allocation for five months i.e. July-Nov 20. A details status of Status of provisional lifting and distribution of foodgrains under PM Garib Kalyan Anna Yojana (PM-GKAY) is as under:

S N	States/UTs	PMGKAY-I (Apr to June. 2020)				PMGKAY-II (July to Nov. 2020)			
		Total Monthly Additional Allocation of Foodgrains (in MTs)	Lifted Quantity from FCI/ central pool by the State/UT (in MT)	Total Distribution		Total Monthly Allocation (in MTs)	Lifted Quantity from FCI/ central pool by the State/UT (in MTs)	Total Distribution for PMGKAY - II	
				Total Distribution	% of distribution			Total Distribution	% of Distribution
1	Andaman & Nicobar Islands	304	913	900	99%	304	1,521	1,483	98%
2	Andhra Pradesh	1,34,115	4,02,345	3,91,780	97%	1,34,115	6,33,194	6,03,720	90%
3	Arunachal Pradesh	4,106	12,317	12,225	99%	4,106	20,283	18,417	90%
4	Assam	1,25,765	3,73,457	3,71,362	98%	1,25,765	6,07,769	6,06,602	96%
5	Bihar	4,32,248	12,96,745	11,50,367	89%	4,35,582	18,66,321	19,97,140	92%
6	Chandigarh	1,230	3,690	3,690	100%	1,397	6,334	6,477	93%
7	Chhattisgarh	1,00,385	3,01,155	3,01,154	100%	1,00,385	4,98,759	4,88,650	97%
8	Daman & Diu D&NN	1,428	4,284	4,125	96%	1,440	6,672	6,443	89%
9	Delhi	36,366	1,06,887	1,04,344	96%	36,367	1,75,452	1,68,431	93%
10	Goa	2,660	7,980	7,809	98%	2,660	12,619	12,776	96%

11	Gujarat	1,68,083	5,03,704	4,82,672	96%	1,91,268	7,91,207	7,94,041	83%
12	Haryana	63,245	1,76,847	1,71,250	90%	63,245	2,77,394	2,79,661	88%
13	Himachal Pradesh	14,322	42,967	40,363	94%	14,322	68,170	66,066	92%
14	Jammu And Kashmir	36,205	1,08,435	1,06,923	98%	36,205	1,76,307	1,75,389	97%
15	Jharkhand	1,31,850	3,95,532	3,61,711	91%	1,31,850	5,92,368	5,21,722	79%
16	Karnataka	2,00,965	6,02,895	5,89,205	98%	2,00,965	9,62,542	9,51,850	95%
17	Kerala	77,400	2,32,200	2,19,244	94%	77,400	3,60,723	3,68,547	95%
18	Ladakh	719	2,158	2,075	96%	719	3,598	3,570	99%
19	Lakshadweep	110	330	330	100%	110	542	534	97%
20	Madhya Pradesh	2,73,210	8,11,202	6,14,517	75%	2,73,210	11,70,160	11,85,920	87%
21	Maharashtra	3,50,085	9,30,139	9,47,754	90%	3,50,085	15,39,415	15,79,375	90%
22	Manipur	12,284	36,852	36,708	100%	12,335	59,893	54,039	88%
23	Meghalaya	10,728	32,177	32,175	100%	10,728	53,628	53,628	100%
24	Mizoram	3,341	10,023	9,227	92%	3,341	15,491	16,060	96%
25	Nagaland	7,023	21,070	19,959	95%	7,023	34,005	34,004	97%
26	Odisha	1,61,798	4,85,394	4,41,251	91%	1,61,798	7,65,197	7,65,329	95%
27	Puducherry	3,172	9,455	9,142	96%	3,172	14,930	14,069	89%
28	Punjab	70,725	2,12,164	1,99,011	94%	70,725	3,32,243	3,34,143	94%
29	Rajasthan	2,23,310	6,69,863	6,59,136	98%	2,23,310	10,94,917	10,93,510	98%
30	Sikkim	1,894	5,676	5,682	100%	1,894	9,264	8,797	93%
31	Tamil Nadu	1,78,669	5,36,006	4,93,109	92%	1,78,669	8,92,542	7,38,544	83%
32	Telangana	95,810	2,87,430	2,75,597	96%	95,810	4,48,235	4,49,064	94%
33	Tripura	12,414	37,242	35,554	95%	12,509	58,649	59,339	95%
34	Uttar Pradesh	7,26,977	21,45,318	20,83,714	96%	7,32,141	35,13,477	35,33,021	97%
35	Uttarakhand	30,979	91,738	91,347	98%	30,970	1,48,183	1,46,495	95%
36	West Bengal	3,00,919	9,02,823	8,84,872	98%	3,00,919	14,69,814	14,54,852	97%
Total		39,94,844	1,17,99,413	1,11,60,018	93%	40,26,844	1,86,81,818	1,85,91,711	92.3%

14. In their earlier Report, what the Committee impressed upon was that foodgrains should be distributed on monthly basis and if due to unforeseen and genuine constraints, monthly distribution of foodgrains under PM-GKAY could not be done, then at least efforts should have been made for bi-monthly distribution, as was done by Sikkim. However, the

concern expressed by the Committee has not been addressed by the Department. The Committee therefore, reiterate that every effort be made by the Department of Food and Public Distribution in unison with the State Governments to ensure that the foodgrains instead of being piled up for months together are continuously made available to the vulnerable sections of the society so as to honour the very purpose of the PM Gareeb Kalyan Anna Yojana (PM-GKAY).

(Recommendation Para No. 4.53)

15. In their earlier Report, the Committee had noted that as on 16.10.2020, 1140 complaints from various sources were forwarded to States concerned for further appropriate action at their end. Observing that even though the primary responsibility of timely distribution of food grains to ensure uninterrupted access to foodgrains by the needy during the Pandemic rested with the States/UTs, the overall responsibility vested in the Central Government could not be undermined. The Committee had, therefore, desired that a status report on the action taken by the State Governments/UTs concerned on the 1140 complaints received on the foodgrain distribution be prepared and corrective measures initiated to plug the loopholes.

16. In their Action Taken Note furnished to the Committee, the Department of Food and Public Distribution have stated as follows:-

“Concerned States/UTs have been requested to send status report on the action taken by their Food and Civil Supplies Department on the complaints forwarded by this Department regarding the foodgrain distribution during the COVID-19 period from 01.03.2020 to 10.08.2020 and also to convey the corrective measures taken/initiated to plug the loopholes relating to the complaints.”

17. The Committee appreciate that pursuant to their Recommendation, the Department have requested States/UTs concerned to send status report on the action taken by their Food and Civil Supplies Departments on the 1140 complaints received on food grain distribution during COVID-19 period from 01.03.2020 to 10.08.2020. As considerable time has elapsed in between, the Committee urge the Department to expedite the

receipt of the status report from the States/UTs concerned indicating the corrective action initiated by them so as to enable the Department to embark upon further remedial measures, wherever warranted.

(Recommendation Para No. 4.54)

18. Keeping in view the fact that the provision of social audit existed under the National Food Security Act and PMGKAY foodgrains were being issued to the same beneficiaries covered under NFSA, the Committee, in their earlier Report, had urged that social audit on the distribution of foodgrain under the Scheme for eight months period i.e. April-November be carried out so that accountability was fixed and corrective measures taken. The Committee had further desired that the findings of such social audits be placed in the public domain so as to ensure transparency of the whole Scheme.

19. In their Action Taken Note furnished to the Committee, the Department of Food and Public Distribution have stated as follows:-

“A letter has been sent to all States/UTs to carry out social audit of the distribution of foodgrain for eight months period i.e April-November under PMGKAY so that accountability is fixed and corrective measures may be taken by this Department.”

20. Though subsequent to the Committees’ recommendation, a letter has been sent by the Department to all the States/UTs to carry out social audit of the distribution of food grains for eight months period, i.e., April-November 2020 under PMGKAY, the Committee are of the considered opinion that mere issue of a letter without persuasion and follow up action may not serve the purpose. The Committee, therefore, exhort the Department to ensure expeditious receipt of the social audit reports from all the States/UTs so as to fix accountability and take corrective measures. The Committee also reiterate that the findings of such social audits along with the action taken by the Department thereon be placed in the public domain so that transparency of the Scheme is ensured.

(Recommendation Para No. 4.57)

21. In their earlier Report, the Committee had observed that since no data on actual or estimated number of migrants/ stranded migrant persons across the Country was available with any Department or Organisation, the Department of Food and Public Distribution had liberally estimated a figure of around 8 crore such persons (roughly 10 percent of total 80 core NFSA population in the Country) and allocated 8 LMT foodgrains to cover maximum migrants/ stranded migrants. While taking into cognisance the deliberately liberal and situational estimates of the Department with the well intended objective to cover maximum number of migrant laborers during the unprecedented crisis of Covid-19 Pandemic, the Committee had opined that it was high time the data on actual number of migrants/ stranded migrants across the Country were captured and periodically updated as exponentially liberal and unrealistic estimates might turn out counterproductive, especially in the areas of food distribution, housing facilities and skill training to migrant labour.

22. In their Action Taken Note furnished to the Committee, the Department of Food and Public Distribution have stated as follows:-

“A dedicated helpline number (14445) has been rolled out in States/UTs to provide option to migrant beneficiaries to register themselves. The department has also launched ‘Mera Ration’ mobile application to facilitate ‘One Nation One Ration Card’ (ONORC) plan. The mobile app also provides facility to ration card holders to register & submit details like name, mobile number, ration card number, going/coming to / from State/district, duration of stay etc.”

23. The Committee appreciate the Department’s efforts for rolling out a dedicated helpline number in States/UTs to provide option to the migrant beneficiaries to register themselves. It is equally commendable to note the launch of ‘Mera Ration’ mobile application to facilitate One Nation One Ration Card Plan (ONORC). The Committee are of the considered view that the steps taken by the Department are in right direction and should be persisted with so as to maintain robust database of intra and inter State movement of the migrant labours and effectively execute the ONORC Scheme.

III. PRADHAN MANTRI JAN AROGYA YOJANA (PM-JAY)/ LINKING HEALTH DATA OF MIGRANT LABOURS WITH National Database of UNORGANISED WORKERS(NDUW)

Ministry of Health and Family Welfare

(Recommendation Para No. 5.14)

24. In their earlier Report, the Committee had noted that the Ministry of Health & Family Welfare could not provide data on Migrant Labourers who might have sought, needed or availed health care attention/facilities on account of being afflicted by Covid-19 infection as well as other ailments. There was no authentic or reliable data on the health status or requirements of Inter-State migrant labourers, or their numbers, that was maintained centrally. The Committee desired that a suitable mechanism be evolved for creating and maintaining such a data base, specifically covering aspects relating to the health status and requirements of Migrant Labourers. The Central Health Ministry, as the nodal Ministry needed to put in place a coordinating mechanism with the States/UTs for maintenance of real-time data on various parameters pertaining to the health of Migrant Labourers. The Committee had further desired that the possibility of linking this data with the online portal on data of Inter-State Migrant labourers proposed to be put in place by the Ministry of Labour & Employment be explored by the Ministry of Health & Family Welfare.

25. In their Action Taken Note furnished to the Committee, the Ministry of Health & Family Welfare have stated as follows:-

“The observations of the Committee are noted. The feasibility of linking of health data of migrant labourers with the proposed online portal on data of Inter-State Migrant labourers, by Ministry of Labour & Employment shall be examined in coordination with State Health Departments.”

26. The Ministry of Labour & Employment had launched e-Shram portal on 26.08.2021 for registration and creation of a comprehensive National Database of Unorganized Workers (NDUW) for all types of Unorganised workers such as Construction Workers, Migrant Workers, Domestic Workers, etc. The Committee trust that efforts must have been made by now for linking health data of the migrant labours with the Online Portal so as to extend timely health care facilities to them.

(Recommendation Para No. 5.15)

27. On the extent of access to healthcare services provided to Migrant Workers under the Pradhan Mantri Jan Arogya Yojana (PM-JAY) or Ayushman Bharat, the Committee, in their earlier Report, had noted that the Scheme, being entitlement

based, the beneficiaries thereof were identified on the basis of Socio-Economic Caste Census (SECC) of 2011. In the urban areas, the census list was based on occupational categories viz. construction workers, transport workers etc., which included most migrant workers. However, the database being very old, many of the migrant workers or people who should have been eligible for benefits under Ayushman Bharat at the ground level did not find place in the list. As for rural areas, the SECC list was based on 'deprivation categories' which should have also ideally covered all migrant workers but in actuality, did not. Observing that building a credible real time database was the 'sine-qua non' for undertaking any relief measures specific to Inter-State Migrant Labour, particularly in view of the high mobility rate of migrant labour, the Committee had recommended that appropriate steps be taken in the right earnest and in collaboration with the Departments concerned for drawing up a more accurate, reliable and credible database on Migrant Labourers.

28. In their Action Taken Note furnished to the Committee, the Ministry of Health & Family Welfare have stated as follows:-

"To overcome the issues with the SECC database, Ministry of Health and Family Welfare is collaborating with other Ministries running welfare schemes using SECC database (Ministry of Power, Ministry of Petroleum and Natural Gas, Ministry of Housing & Urban Affairs, and Ministry of Rural Development) for the purpose of reaching out to common beneficiaries through their updated address and mobile number. Further, this Ministry is also exploring alternative data sources including National Food Security Act (2013) database."

29. The Committee appreciate that various remedial steps have been initiated by the Ministry of Health & Family Welfare to overcome the issues with Socio Economic and Caste Census (SECC) database of 2011 so as to build credible database of Migrant Labourers. Such initiatives *inter alia* include collaboration with other Ministries running Welfare Schemes using SECC database and exploring alternative data sources including National Food Security Act, (2013) database. While taking note of the collaborative efforts made by the Ministry of Health & Family Welfare, the Committee desire that the coordination and monitoring mechanism be strengthened so as to reach out to the common beneficiaries through their updated address and mobile number for effectively extending the

benefits under Ayushman Bharat-Pradhan Mantri Jan Arogya Yojana (AB-PMJAY).

(Recommendation Para No. 5.17)

30. In their earlier Report, the Committee had observed that despite the serious constraints, as on 5.11.2020, a total of 1,39,996 hospitalisations involving an expenditure of Rs.31.1 crore had been authorised under the portability feature of Ayushman Bharat-Pradhan Mantri Jan Arogya Yojana (AB-PMJAY). The Committee had opined that the shortcomings faced in the implementation of the Ayushman Bharat Scheme needed to be addressed in coordination with State Authorities so that the intended benefits of the Scheme could reach to each and every Migrant Worker. The Committee had also desired that the Ministry of Health and Family Welfare alongwith the National Health Authority (NHA) should make more concerted efforts to optimise the benefits of the Scheme in favour of the really needy Inter-State Migrant Workers.

31. In their Action Taken Note furnished to the Committee, the Ministry of Health & Family Welfare have stated as follows:-

“MoHFW concurs with the Committee’s observations to facilitate migrant workers among other categories of beneficiaries. As on 04.07.2021, approximately 2.63 lakh hospital admissions worth approximately Rs. 516 crore have been authorized under portability services. At the same time, it may be noted that MoHFW is working towards improving the effectiveness of “portability”. MoHFW has mooted a proposal to establish Ayushman Bharat Counselling Centres (ABCC) in each district. The proposed ABCC is meant to facilitate the scheme beneficiaries in availing services at empanelled hospitals. The operational canvas of ABCC is meant to foster inter-State as well as intra-State linkages between empanelled hospitals so as to serve as a referral and/or continuum-of-care mechanism.

Expanding footprint of AB-PMJAY

As on date, AB-PMJAY is being implemented in 33 States/UTs across country other than the following: National Capital Territory (NCT) of Delhi, Odisha and West Bengal. Since Public health falls under the State List in Schedule Seven to the Constitution of India, the final decision regarding the implementation of AB-PMJAY vests with the concerned State/UT governments.

However, MoHFW has spared no efforts to bring all States/UTs on-board AB-PMJAY. Several efforts have been made by MoHFW including visits to meet with leadership at the State level of the non-implementing States/UTs to convince them to come on-board AB-PMJAY platform so that the beneficiaries of these States/UTs are not deprived of the free healthcare services provided under AB-PMJAY. Further, Hon’ble Union Minister for Health & Family Welfare has also written to the Chief Ministers of these States/UTs requesting them to implement AB-PMJAY.

It is a testament to such outreach efforts that on 19.05.2021, Telangana became 33rd State to come onboard the AB-PMJAY platform.

Optimizing AB-PMJAY for migrant workers

It is pertinent to note that MoHFW has entered into an agreement with Ministry of Labour & Employment (MoLE) for the inclusion of Building & other Construction Workers (BoCW) under the ambit of AB-PMJAY. This synergy between AB-

PMJAY and Building and other Construction Workers Welfare Board (BoCWFB) will create an ecosystem wherein workers which are registered with the BoCWFB, are eligible for various social and medical benefits including 'medical expenses for treatment of major ailments of a beneficiary, or, such dependent, as may be prescribed' under the Building and Other Construction Workers (Regulation of Employment and Conditions of Services) Act, 1996. Through this collaboration, MoLE endeavours to meet its health mandate of the larger social security and welfare mandate programme.

The convergence between MoHFW and MoLE is a landmark initiative for the provision of healthcare benefits of upto INR 5 lakhs to an estimated 3.5 crore registered BoCW along with their families across the network of AB-PMJAY empanelled hospitals in the country.

It may be noted that the converged scheme has been launched from 01.06.2021 in the States/UTs of Bihar, Chandigarh and Uttar Pradesh. This may be seen as another step towards optimizing AB-PMJAY towards ensuring the provision of quality healthcare services to migrant workers.”

32. The Committee note that as on 04.07.2021, approx 2.63 lakh hospital admissions involving an expenditure of Rs. 516 crore was authorized under the portability services of Ayushman Bharat – Pradhan Mantri Jan Arogya Yojna (AB-PMJAY). The Committee appreciate that with a view to improving the effectiveness of portability and expanding the footprint of AB-PMJAY, the Ministry of Health & Family Welfare have initiated various measures which, *inter alia*, include establishment of Ayushman Bharat Counselling Centres (ABCC) in each District to foster inter-state as well as intra-state linkages between empanelled hospitals and taking up the matter at the highest level to convince the three States viz. NCT of Delhi, Odisha and West Bengal to implement the Scheme. As a result of the concerted efforts made by the Ministry, as on 19.05.2021, 33 States/UTs have already implemented the Scheme. It is also appreciable that the MOH&FW has entered into an agreement with MoLE for the inclusion of Building and Other Construction Workers (BOC&W) under the

ambit of the Scheme. The converged Scheme has been launched from 01.06.2021 in the States/UTs of Bihar, Chandigarh and UP providing for healthcare benefits of up to Rs. 5 lakh to an estimated 3.5 crore registered BOC&W along with their families across the network of AB-PMJAY empanelled hospitals in the country. Taking into account the intended benefits of the converged Scheme, the Committee recommend that sustained efforts be made by the Ministry to launch the Scheme in other States/UTs so as to maximize the coverage of the Scheme for the benefit of all the registered BOC&Ws across the Country.

V. PRADHAN MANTRI AWAS YOJANA - GRAMIN (PMAY-G)

Department of Rural Development

(Recommendation Para No. 7.28)

33. In their earlier Report, the Committee had noted that the Indira Awas Yojana had been restructured into Pradhan Mantri Awas Yojana - Gramin (PMAY-G) w.e.f. 1st April, 2016 to address some gaps, as pointed out by the C&AG of India, in the rural housing programme as well as to provide "Housing for All" by 2022 and to cover one crore households living in kutcha/dilapidated houses within a period of three years i.e. from 2016-17 to 2018-19. The Committee had found that out of the total target of one crore houses, around 89.50 lakh houses had been completed during the said three years which was a commendable performance. The Committee, however, expressed deep concern on the below par performance during the years 2019-20 and 2020-21 as during 2019-20 out of the sanctioned target of around 52.89 lakh houses only 22.68 lakh houses, including around 63,000 IAY houses could be completed, whereas, during the year 2020-21 out of the sanctioned target of 9.34 lakh houses only around 14,000 houses including 11,839 IAY houses could be completed. While expressing their displeasure at the tardy progress of construction of houses under the PMAY-G during the years 2019-20 and 2020-21, the Committee had exhorted the Ministry to take all requisite measures and effectively address the bottlenecks so that the Government's appreciable commitment to provide "Housing for All" by 2022 was indeed honoured.

34. In their Action Taken Note furnished to the Committee, the Department of Rural Development have stated as follows:-

“The erstwhile Indira Awaas Yojana restructured as Pradhan Mantri Awas Yojana - Gramin(PMAY-G) w.e.f 1st April, 2016 aims to provide “Housing for All” through provision of pucca house with basic amenities to all houseless households and households living in kutcha and dilapidated house in rural areas by 2022. The overall target is to construct 2.95 Crore houses. 2.02 crore houses are expected to be completed by 15th August, 2022. 2.95 crore houses would be completed by 31st March, 2024.

The progress made so far as is as under:

Year	PMAY-G Target	PMAY-G houses constructed as on 23/02/2021
2016-17	4264470	2115
2017-18	3170117	3816032
2018-19	2514493	4472429
2019-20	5976635	2128865
2020-21	6376580	2590575
Total	22302295	13007901

As per A1 report of Awaasoft as on 23.02.2021.

#The houses completed in a given year is against the target of given year and previous years as the time given for completion of a PMAY-G house is 12 months from the date of sanction.

Strategy to accomplish the pending targets/ Steps taken by the Ministry for handholding and improvement of performance of low ranked States/UTs are provided as under:

- i. Push for 100 Percent Sanction of targets.
- ii. Initiatives taken towards completion of delayed houses are as follows:
 - a. State-wise analysis of delayed houses and regular follow-up.
 - b. Regular alerts through emails and SMSs to all levels in the State Govt on delayed houses
 - c. Allowing completion of delayed houses
 - d. Negative marking in Performance Index for those houses which are delayed beyond 12 months time
- iii. Ministry is continuously reviewing the issue of landlessness and requesting States /UTs to accord top priority and allocate land to landless beneficiaries. The matter has been taken up at highest level in the States/ UTs. Hon’ble Minister, RD also reviewed this issue through VC meetings with State/UT RD Ministers held in the month of May, 2020. Continuous persuasion has led to State specific schemes to provide land to the landless, e.g. in Bihar, Assam, Maharashtra etc.
- iv. With respect to migration / death/ unwilling beneficiaries the Ministry has issued guidelines, in consultation with States / UTs, for necessary action.
- v. The Hon’ble MRD has requested Hon’ble Chief Ministers of States and LG/ Administrators to review the progress of PMAY-G at their level.

- vi. Review of progress through monthly VC at the level of Secretary / Additional Secretary/Deputy DG, Ministry of Rural Development.
- vii. To ensure faster completion of houses, States/ UTs have been requested to do the following:-
 - a. Focus on completion of those houses where 2nd or 3rd installment of funds has been released to beneficiaries.
 - b. Prepare a month-wise target for completion of houses for monitoring and convey the same to MoRD
 - c. Review the low performing districts separately.
- viii. Separate review of States /UTs with high target, poor performing States/UTs and delayed houses in States/ UTs.
- ix. Timely availability and release of funds to the States/UTs
- x. Bringing on board Associations of construction material manufacturers / suppliers to ensure sustained availability of the same.”

35. The Committee note that with the aim to provide ‘Housing for All’ through provision of Pucca Houses in rural areas by 2022 under the Pradhan Mantri Awas Yojana-Gramin (PMAY-G), a target of 2.23 crore houses was fixed whereas as on 23rd February, 2021, only 1.30 crore houses could be constructed. According to the Ministry, the overall target is to construct 2.95 crore houses by 2024, out of which 2.02 crore houses would be constructed by 15th August 2022. With a view to achieving the target, the Ministry are continuously reviewing the progress by taking a number of measures. The Committee desire that the efforts be further leveraged with special focus on timely release of funds to the States/UTs and periodic monitoring of the low performing individual Districts for corrective action so that the targeted construction of 2.02 crore pucca houses by 15th August 2022 and overall 2.95 crore such houses by 2024 are achieved.

VI. GARIB KALYAN ROJGAR ABHIYAN (GKRA)

Ministry of Skill Development and Entrepreneurship

(Recommendation Para No. 8.21)

36. In their earlier Report, the Committee had noted that the Government of India had launched Garib Kalyan Rojgar Abhiyan (GKRA) to address the issues of returnee migrant workers and similarly affected rural population by Covid-19 pandemic in order to provide them immediate employment and livelihood opportunities by giving focus on 25 works in 116 selected districts across six States namely Bihar, Jharkhand, Madhya Pradesh, Odisha, Rajasthan and Uttar Pradesh. In order to support GKRA, the Ministry of Skill Development & Entrepreneurship decided to skill/reskill/upskill the returnee migrants in job roles which were in demand in the said 116 Districts with focus being on those migrants who were likely to stay back in their home districts. Accordingly, a target of 3 lakh candidates (1.5 lakh each for Short Term Training and Recognition of Prior Learning) for skill development training under CSCM component of PMKVY was allocated for the 116 Districts. Data for 60 lakh migrant workers collected from the 116 Districts was uploaded and 2.64 lakh such workers were shortlisted by 93 Districts for training. The Committee hoped that substantial number of migrants out of the 2.64 lakh identified migrants must have been imparted skill development training and able to get employment and livelihood opportunities in the Districts. The Committee had also desired that the Ministry should impress upon the remaining 23 District Administrations to identify and shortlist the returnee migrants in their respective Districts so as to skill/reskill/upskill them for getting sustainable livelihood opportunities.

37. In their Action Taken Note furnished to the Committee, the Ministry of Skill Development and Entrepreneurship have stated as follows:-

“In order to support Garib Kalyan Rozgar Abhiyan (GKRA), skill training of migrant workers has commenced in 116 districts of 6 States namely Assam, Bihar, Madhya Pradesh, Odisha, Rajasthan and Uttar Pradesh under the Centrally Sponsored Centrally Managed (CSCM) Component of PMKVY 2.0. Further, the last date of enrollment of candidates under Short Term Training (STT) and Recognition of Prior Learning (RPL) of the CSCM Component of PMKVY 2.0 was 21.02.2021 due to the fact that most of the reverse migrants have started returning to their place of work from their native places.”

38. The Committee are not satisfied with the reply of the Ministry as the data regarding number of migrants imparted skill development training and got placement out of 2.64 lakh shortlisted candidates in 93 Districts out of the 116 identified Districts of 6 States has not been furnished. The reply of the Ministry is also silent about the steps taken to ensure that the remaining

23 District Administrations identify and shortlist the returnee migrants in their respective Districts. As informed by the Ministry, most of the reverse migrants had returned to their place of work from native places. In view of the imperatives involved in compiling and maintain the data on skill training imparted to the reverse migrants, notwithstanding their return to the work places, the Committee call upon the Ministry to iron out the bottlenecks and hand hold the defaulting District Administrations to identify and shortlist the returnee migrants for skilling/upskilling so as to enable them to earn sustainable livelihood opportunities.

**New Delhi;
3rd August, 2022
*12 Sravana, 1944 (Saka)***

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

(Vide Para No. 3 of the Introduction)

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

	Total	Percentage
I. Total number of Recommendations	46	
II. Observations/Recommendations which have been accepted by Government (Rec. Para. Nos. 2.30, 2.31, 2.32, 2.33, 2.34, 3.28, 3.29, 3.30, 4.51, 4.53, 4.54, 4.55, 4.56, 4.57, 4.58, 4.59, 4.60, 4.61, 5.13, 5.14, 5.15, 5.16, 5.17, 6.26, 6.27, 6.28, 6.29, 6.30, 6.31, 6.32, 6.34, 7.24, 7.25, 7.26, 7.27, 7.28, 7.29, 7.30, 8.22, 8.23, 8.24, 8.25 and 8.26)	43	93.47%
III. Observations/Recommendations which the Committee do not desire to pursue in view of the Government's replies - NIL	00	00%
IV Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration - (Rec. Para. No. 4.52 and 8.21)	02	4.35%
V Observations/Recommendations in respect of which replies of Government are of interim in nature-(Rec. Para. No. 6.33)	01	2.18%
		100%