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ORGANISATIONAL STRUCTURE & FUNCTIONS

LABOUR JURISDICTION

2.1 Under the Constitution of India, Labour is a subject in the Concurrent List where both the Central and State Governments are competent to enact legislations subject to certain matters being reserved for the Centre.

Box 2.1	
LABOUR JURISDICTION: CONSTITUTIONAL STATUS	
Union List	Concurrent List
Entry No.55 Regulation of labour and safety in mines and oil fields	Entry No.22 Trade Unions; industrial and labour disputes
Entry No.61 Industrial disputes concerning Union employees	Entry No.23 Social security and insurance, employment and unemployment
Entry No.65 Union agencies and institutions for "Vocational... Training..."	Entry No.24 Welfare of labour including conditions of work, provident funds, employers invalidity and old age pension and maternity benefit

PERSONNEL

2.2 Dr. Sahib Singh Verma took over the charge as Minister of Labour on 01.07.2002. Shri Sharad Yadav demitted office as Labour Minister on 01.07.2002. Shri Vijay Goel took over the charge of Minister of State for Labour on 29-1-2003 and demitted office on 24-5-03. Shri Santosh Gangwar took charge as Minister of State for Labour on 24-5-03 and demitted on 31-8-2003. Dr. P.D. Shenoy IAS(KN:67) continued to hold the charge of the post of Secretary (Labour). Shri Baleshwar Rai IAS(AGMU:70) assumed the charge of the post of Addl. Secretary w.e.f. 04.02.2003 (FN). Dr. G.S.Ram, (IES) LEA retired on 31-7-2003. Dr. Ashok Sahu (IES) assumed charge of the post of Labour & Employment & Adviser on 28.11.2003. Shri D.S. Poonia, IAS(MT:78), Shri Manohar Lal, IAS (RJ-77), Shri K. Chandramouli, IAS(UP-75) and Shri J.P. Pati, CSS continued to hold the charge of the post of Joint Secretaries in the Ministry. Smt. Asha Murty IAS(AP:74) continued to hold the charge of the post of Director General (Employment & Training) and Shri S.K. Mukhopadhyay, CLC(C) also continued to hold the charge of the post of Chief Labour Commissioner (Central).

STRUCTURE AND FORMATION

2.3 The Ministry has following four attached offices and ten subordinate offices, four autonomous organizations, nineteen adjudicating bodies and one arbitration body .

ATTACHED OFFICES

Directorate General of Employment & Training (DGE&T)

2.4 This Office is responsible for laying down the policies, standards, norms and guidelines in the area of vocational training throughout the country and also for coordinating employment services.

Office of the Chief Labour Commissioner (Central)

2.5 The Office is responsible for (a) prevention, investigation and settlement of industrial disputes in the Central sphere (b) enforcement of awards and settlements (c) implementation of labour laws in industries and establishments in respect of which Central Government is the appropriate government (d) verification of membership of Unions affiliated to the Central Organisations of workers for giving them representation in national and international conferences and committees and (e) fixation and revision of dearness allowance component of minimum wages by notification under the Minimum Wages Act, 1948 in scheduled employments.

Directorate General of Factory Advice Service and Labour Institutes (DGFASLI)

2.6 This Office is concerned with formulation of policy relating to the safety, health and welfare of workers in factories and docks. It is responsible for coordinating the implementation of the measures of the Factories Act, 1948 by the State Governments and formulation of Model Rules thereunder. It is also concerned with the administration of the Dock Workers (Safety, Health and Welfare) Act, 1986. It undertakes research in industrial safety, occupational health, industrial hygiene, industrial psychology and industrial physiology. It provides training mainly in the field of industrial psychology and industrial safety and health including a diploma course of one year duration in industrial safety. The Diploma is an essential qualification for appointment of Safety Officers in factories. Regular in-service training of Factory Inspectors is another important activity of the Organisation.

Labour Bureau

2.7 The Bureau with its headquarters at Chandigarh and Shimla, is responsible for collection, compilation and publication of statistical and other information regarding employment, wages, earnings, industrial relations, working conditions etc. It also compiles and publishes the Consumer Price Index Numbers for industrial and agricultural / rural workers. The Bureau further renders necessary assistance to the States for conducting training programmes in labour statistics at State / District / Unit levels.

SUBORDINATE OFFICES

Directorate General of Mines Safety (DGMS)

2.8 This Office is entrusted with enforcement of provisions of the Mines Act, 1952 and the Rules and Regulations framed thereunder. The provisions of the Indian Electricity Act, 1910 as applicable to mines and oil fields are also enforced by it.

Welfare Commissioners

2.9 The nine Offices of Welfare Commissioners are responsible for providing welfare facilities to the workers employed in mica, limestone and dolomite, iron ore, manganese and chrome ore mines and in the beedi and cinema industries. These offices are located at Allahabad, Bangalore, Bhilwara, Bhubaneswar, Kolkata, Hyderabad, Jabalpur, Karma (Jharkhand) and Nagpur)

Protector of Emigrants

2.10. The Ministry of Labour has progressively decentralised the process of emigration clearance. Currently, this is being done through the eight offices of Protectors of Emigrants (POEs) located at Delhi, Mumbai, Kolkata, Chennai, Chandigarh, Cochin, Hyderabad and Thiruvananthapuram.

AUTONOMOUS ORGANISATIONS

Employees' State Insurance Corporation (ESIC)

2.11 The Corporation is responsible for implementation of the Employees' State Insurance Act, 1948 which provides for medical care and treatment to insured persons and their families. Assistance is given in terms of benefits during sickness and maternity, compensation for employment injury, pensions for dependents on the death of workers due to employment injury, etc.

Employees' Provident Fund Organisation (EPFO)

2.12 This Organisation is responsible for administration of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. Schemes for Provident Fund, Family Pension and Deposit Linked Insurance are implemented by the Organisation for the benefit of workers covered under the scheme. The Organisation is also responsible for administration of Employees' Pension Scheme, 1995 that came into existence on 16.11.1995.

V.V. Giri National Labour Institute (VVGNI)

2.13 The Institute with its headquarters at Noida (U.P.) is a registered society, conducts action oriented research and provides training to grass-root level workers in the trade union movement, both in urban and rural areas and also to Officers dealing with industrial relations, personnel management, labour welfare etc.

Central Board for Workers' Education (CBWE)

2.14 The Board with its headquarters at Nagpur is a registered society dealing with schemes for training of workers in the techniques of trade unionism and in bringing about consciousness among workers about their rights, duties and responsibilities. The Board also undertakes programme for rural workers' education and functional adult education.

ADJUDICATING BODIES

Central Government Industrial Tribunals-cum-Labour Courts (CGITs)

2.15 In all twenty two Industrial Tribunal-cum-Labour Courts have been set up under the provisions of the Industrial Disputes Act, 1947 for adjudication of the industrial disputes in organisations for which the Central Government is the appropriate Government. These Tribunals are located at No. 1&2 Dhanbad (Jharkhand), No. 1&2 Mumbai, Asansol, Kolkata, Jabalpur, New Delhi, Chandigarh, Kanpur, Nagpur, Lucknow, Bangalore, Jaipur, Chennai, Hyderabad, Bhubaneswar, Ahmedabad, Ernakulam, Guwahati, New Delhi (additional) and Chandigarh (additional).

ARBITRATION BODY

Board of Arbitration (Joint Consultative Meeting)

2.16 The Board with its headquarters at New Delhi set up under the Scheme for Joint Consultative Machinery and Compulsory Arbitration is an institution for compulsory arbitration of disputes between employees and the Government and on matters of pay and allowances, weekly hours of work and leave of a class or grade of employees.

Main Subjects dealt in the Ministry of Labour

2.17 In pursuance of the powers desired from the respective entries in the Union List and the Concurrent List of Seventh Schedule of the Constitution, the Ministry of Labour has been allocated the following items of work:

Labour policy (including wage policy) and legislation, Safety, health and welfare of labour, Social security of labour, Policy relating to special target group such as women, child labour, Industrial relations and enforcement of labour laws in the Central sphere, Adjudication of industrial disputes through Central Government Industrial Tribunals-cum-Labour Courts and National industrial Tribunals, Workers' Education, Labour and Employment Statistics, Emigration of Labour for employment abroad, Employment Services and Vocational training, Administration of Central Labour & Employment Services, International Cooperation in Labour & Employment matters

Central Labour Service (CLS)

2.18 The Central Labour Service (CLS) was constituted with effect from 3rd February 1987 to ensure better industrial relations, labour law enforcement and labour welfare.

2.19 Factories and mines employing 500 or more workers and plantations employing 300 or more workers are required to appoint a prescribed number of welfare officers under the relevant statutes. Assistant Labour Welfare Commissioners (Central) and Deputy Labour Welfare Commissioner (Central) under the supervision of Welfare Commissioners discharge these statutory functions and they also advise and assist the management of the concerned establishments in maintaining harmonious industrial relations in the areas of safety, health and welfare of workers etc.

2.20 During the period from 1.4.2003 to 31.3.2004 these officers handled 21507 grievances out of which 20817 were settled. They played an important role in preventing these grievances from turning to industrial disputes.

2.21 In addition, officers appointed as Assistant Labour Commissioners (Central), Regional Labour Commissioners (Central), Deputy Chief Labour Commissioner (Central) and Joint Chief Labour Commissioner (Central) in the Central Industrial Relations Machinery (CIRM) headed by the Chief Labour Commissioner (Central) are also entrusted with the task of maintaining good industrial relations in the Central sphere. The officers of the CLS appointed as Assistant Welfare Commissioners and Welfare Commissioners in the Welfare Organisation of the Ministry of Labour under the Director General (Labour Welfare) administer the Welfare Funds for beedi, cine and certain categories of non-coal mine workers.

WORK STUDY

2.22 With a view to bringing about administrative reforms, determining the staffing patterns and designing suitable organisational structure and methods of work, the Internal Work Study Unit has conducted and further proposes to conduct a number of Work Measurement Studies, Method Studies, Records Management Studies and O&M Inspections of various offices in the Ministry of Labour during the year 2003-04.

O & M MEETINGS

2.23 Dr. P.D. Shenoy, Labour Secretary presided over the O&M Meetings. On his direction a Training Module for Peons and other Group 'D' staff has been developed so that there is perceptible, visible, measurable, substantial improvement in behavioural pattern, work-culture, functioning, attitudinal change & better perception amongst the Group 'D' staff. He also directed that superior stenography training may be arranged to build competence, quality secretarial support, improvement in creativity & skills and realisation of crucial role amongst the Stenographers. The Ministry has also drawn a plan of training for Group 'B' officers, i.e. Section Officers & Assistants.

2.23 The Labour Secretary has impressed upon the need for strict monitoring of all pending public grievances in EPFO, ESIC and Public Grievance Cell in the Ministry by observing "Public Grievance Redressal Month" for their expeditious disposal so that position is substantially improved.

Implementation of Provisions contained in Manual of Office Procedure

2.24 Apart from regular inspections of the sections from O & M aspect, inspections are also carried out in the field offices. Orientation sessions are held during these visits to brush up the knowledge of field staff on O&M matters especially pertaining to record management, file management and maintenance of Service Books.

Record Management

2.25 To ensure proper maintenance of records, regular drives are held to focus on this important aspect. In the Ministry, 1840 files were recorded, 2289 files reviewed and 775 files weeded out last year. This is in addition to the drives held in the field units.

AWARDS

2.27 The scheme for grant of cash awards to sections for showing high performance in O&M activities has been introduced and the following sections have emerged as Best Section, First and Second Runners up sections:

Best Section	Career Management and Training & Parliament Unit (CMT/PU)
First Runner Up	Administration – III
Second Runner Up	Internal Work Study Unit (IWSU)

2.28 The best organised Section/Desk/Unit/Cell will be given Minister's running trophy along with cash awards and commendation certificates. The first and second runners up sections will be given cash awards and commendation certificates. The cash awards will be given to each dealing Assistant, Clerk/Typist and Group 'D' employee working in these sections, as per the following details:

Designation	Best	2nd Best/ First runner up	3rd Best/ Second runner up
Desk/Section Officer	Rs.1500/-	Rs.1000/-	Rs.750/-
Dealing Assistant	Rs.1000/-	Rs.700/-	Rs.500/-
Clerk/Typist	Rs.750/-	Rs.500/-	Rs.375/-
Group 'D'	Rs.500/-	Rs.350/-	Rs.250/-

2.29 All the Wing Heads have been asked to follow up the matter with respective heads of all attached/Subordinate offices including autonomous bodies for finalisation of similar award/reward schemes after defining various parameters peculiar to their organisation and ensure implementation of the same by respective organisations in a time bound manner so that bright officials may be recognised and there can be distinction between workers & shirkers and the performers & non-performers. It was emphasised that the officials who receive such awards would really inspire confidence among their fellow staff members for emulating their standards of work efficiency, productivity and work culture by creating enthusiasm in them.

2.30 Apart from above scheme, Annual Competition on 'Awareness of the procedure laid down in the Manual of Office Procedure, among Assistants, UDCs and LDCs of this Ministry (MS) is also held. The Scheme envisages award of commendation certificates and cash awards to the winners as per following details:

- **1 Assistant + 1 UDC @ Rs. 500/- each (First)**
- **1 Assistant + 1 UDC @ Rs. 300/- each (Second)**
- **1 Assistant+ 1 UDC @ Rs. 200/- each (Third)**
- **In the case of LDCs., first, second and third awards are Rs.300/-, Rs.200/- and Rs.100/- respectively.**

CONSULTATIVE COMMITTEE MEETINGS

2.31 Five meetings of the Consultative Committee were held on 30.04.2003, 30.06.2003, 13.08.2003, 07.11.2003 and 19.12.2003. Issues discussed in the meetings relate to: -

- Report of the NCL except the issues already covered i.e. Unorganised Labour.
- Elimination of Child Labour and National Child Labour Projects
- Strategies for Vocational Skill and Training.
- Social Security Scheme for Unorganized Sector.

CAREER MANAGEMENT AND TRAINING (CMT)

2.32 The main function of Career Management and Training (CMT) Unit is to organize training programmes on a decentralized basis for LDCs, UDCs and Stenographers etc. and nominating Officers and members of staff of the Ministry and its attached & subordinate offices and other autonomous organizations under its administrative control, to the Institute of Secretariat Training and Management as well as other such Training Institutes for different training programmes.

2.33 During the period from April, 2003 to March, 2004, 125 Officers and members of staff were sponsored for various training programmes.

2.34 With the motive of building quality Secretarial Support, all the necessary processes have been initiated to train the Secretarial Staff of the Ministry through corporate trainers and the first course in the series was successfully conducted at NATRSS, Janakpuri in June, 2003 and a batch of 15 personnel from the Ministry was imparted training. This training programme helped in harnessing the potential of the participants and updating their knowledge and skills.

2.35 Steps were also taken to train the Group 'D' staff of the Ministry with a view to improve their working skills and inculcate the instinct to learn more. This programme was unique in the sense that these staff members are generally not exposed to training or orientation programmes at any stage of the career. One such course was conducted for the first time in the Ministry from 1-5 September, 2003 through corporate trainers. The programme was successful as it turned out to be very participative and interactive. The Second Course in the series has been conducted from 15-19 March, 2004. In the third phase of Computer Training, 60 personnel of the Ministry of Labour were imparted training through Corporate Trainers of M/s. Aptech Limited.

FINANCE WING

2.36 The Finance Wing is mainly responsible for scrutiny of all Plan Schemes and to give advice on all financial and allied proposals, preparation of budget and revised estimates related to services concerning the Ministry proper and the attached and subordinate offices, Performance Budget, expenditure control and financial review, work measurement studies, internal audit etc. A Controller of Accounts, who is responsible for cash management, heads the accounting set-up.

2.37 The important tasks and activities of the Integrated Finance Division are:

- to advise the Administrative Ministry on all matters falling within the field of delegated powers;
- to screen all expenditure proposals required to be referred to the Finance Ministry for concurrence or comments ;
- to scrutinize budget proposals thoroughly before sending them to the Ministry of Finance ;
- to see that complete departmental accounts are maintained in accordance with the requirements under the General Financial Rules;
- to keep itself closely associated with the formulation of Schemes and important expenditure proposals from their initial stages ;

- to watch the settlement of audit objections, Inspection Reports, draft audit paras etc. ;
- to ensure prompt action on Audit Reports and Appropriation Accounts, Reports, Reports of the Public Accounts Committee, Estimates Committee and Committee on Public Undertakings;

2.38 During the year 2003-2004, all budget and accounts matters were attended to within the time schedule prescribed. By careful scrutiny of proposals, it was ensured that the expenditure conformed to budgetary appropriations, the rules, regulations and the guidelines prescribed by the Finance Ministry and that it was consistent with economy, efficiency and the objectives of the relevant schemes/programmes in connection with which it was being incurred.

PROGRESSIVE USE OF HINDI

2.39 The Ministry of Labour has during the year made several efforts to promote the use of Hindi in official work and create interest in officers/employees to work in Hindi. Steps have been taken to ensure compliance of the provisions of the Official Language Act/Rules and orders/instructions/ guidelines issued by the Department of Official Language from time to time. Hindi Division of the Ministry is entrusted with task of implementation of the Official Language Policy of the Govt. of India and translation of important documents such as papers to be placed before the Parliament, Labour Acts and Legislations, L.M. Speech, Press release etc. and the routine work of the Ministry.

2.40 During the year, two meetings of the Hindi Advisory Committee of the Ministry have been organized under the chairmanship of the Union Labour Minister. The minutes of these meetings alongwith necessary guidelines were circulated to all the concerned officials and heads of attached/subordinate offices of the Ministry for information and necessary action and regular monitoring of the action taken in this regard was done by the Joint Director (Official Language).

2.41 This year the Ministry of Labour has been awarded third prize in the Indira Gandhi Official Language Award of the Department of Official Language for doing good work in the promotion of Hindi in official work. The Secretary (Labour) received the award at a grand function organised at Vigyan Bhavan on 14.09.2003 from the Hon'ble Deputy Prime Minister, Lal Krishan Advani.

2.42 This year, Sept. 2003 was observed as Hindi Month to promote the use of Hindi in the Ministry. On this occasion, ten Hindi related competitions were conducted to promote Hindi culture among the officials. Officials of the Ministry participated in these competitions in large number. The persons who won first, second and third prize in the competitions were given a cash prize of Rs.1200/-, 1100/- and 1000/- respectively alongwith a certificate by the Union Labour Minister at a function organized on 8.12.2003.

2.43 In order to promote and propagate the use of Hindi in official work, a monthly Hindi magazine under the title '**Shram Samachar**' has been started by the Ministry. This magazine is an important compilation of various articles and useful information for the working class and has succeeded in gaining a wide circulation as a handy guide for the working class.

2.44 Almost entire Hindi work is done on computer by the Hindi Division. Two stenographers and two typists of the Hindi Section are working on the Computer. The Ministry is issuing computerized pay slips and GPF Statements to officers and employees in Hindi only.

2.45 Sixteen sections of the Ministry have been notified to do their work in Hindi. Also, 24 subjects being dealt with in eight different sections of the Ministry have been notified so that work related to these subjects is done in Hindi only. All documents under section 3(3) of the Official Language Act, 1963 were issued both in Hindi and English. The Ministry of Labour is making all efforts to ensure effective implementation of the Government's Official Language policy and is committed to fulfill this objective.

ACTION TAKEN REPORT ON THE OBSERVATION OF THE COMPTROLLER AND AUDITOR GENERAL'S (C&AG) REPORT

2.46 The C&AG in Para-6 in their Report No.4 of 2003 pointed out irregularities in disposal of seized assets in exercise of the powers conferred under the provisions of Employees' Provident Fund and Miscellaneous Provisions Act, 1952. The relevant extracts from the Report are given in Appendix-II.

2.47 The Government has initiated enquiry in the matter and if necessary disciplinary action against the wrongdoer will be launched under the relevant service rules.
