

**Summary Record of Discussion of the 44th Session of the  
Standing Labour Committee held on 17<sup>th</sup> October, 2011 at New Delhi**

The 44<sup>th</sup> Session of Standing Labour Committee (SLC) was held on 17<sup>th</sup> October, 2011 at Symposia Hall, Indian Council of Agricultural Research, New Delhi under the Chairmanship of Shri Mallikarjun Kharge, Union Minister of Labour and Employment, Government of India. The national level tripartite meeting was attended by senior level functionaries of Central Trade Union Organisations, Employers' Organisations, State Governments and Central Ministries and Departments. A list of participants is enclosed as **Annexure-I**.

2. Shri A. C. Pandey, Joint Secretary, Ministry of Labour and Employment introduced the agenda items of the meeting viz., (i) Review of the Action Taken Report on the Conclusions of the 43<sup>rd</sup> Session of the Indian Labour Conference held on 23<sup>rd</sup> & 24<sup>th</sup> November, 2010 at New Delhi and (ii) Finalization of Agenda for the 44<sup>th</sup> Session of the Indian Labour Conference. The items short listed for consideration were:

- (1) Verification of membership of trade unions;
- (2) Improvements in the working conditions of contract labour;
- (3) Ratification of ILO Core Conventions;
- (4) Enhancing employability and employment; and
- (5) Rationalization of labour laws.

3. Shri A.C. Pandey invited each of the tripartite constituents viz., Workers' Organisations, Employers' Organisations and the representatives of State Governments to elect their respective Vice-Chairman for the meeting. Accordingly, the following delegates were nominated, after getting the consent and consensus of the delegates from respective groups:-

- (1) Shri C. K. Saji Narayanan (Workers' representative);
- (2) Shri Shyam Bang (Employers' representative); and
- (3) Shri Shibu Baby John, Minister of Labour, Government of Kerala (State Governments' representative).

The elected Vice-Chairmen were invited to the Dais and were requested to take their seats.

4. In his welcome address, Dr. Mrutyunjay Sarangi, Secretary, Ministry of Labour & Employment, focussed on the importance of the SLC as a tripartite forum in raising pertinent issues such as social security and social insurance schemes, skill development, schemes for women and child labour etc. He emphasised that Government is making concerted efforts for achieving faster and more inclusive growth, bringing improvement in the living and working conditions of the unorganised workers and equipping youth and new labour market entrants with appropriate skills through various skill development programmes. He stressed that these schemes like MGNREGA, RSBY etc., *inter alia* helped in bringing stability to the rural

labour market, improving average wage of workers, enhancing employability and employment and providing health and social security. He also noted that the recent reduction in the unemployment rate in the last five years as per estimates of the Labour Bureau and National Sample Survey Organisation can largely be attributed to the success of the active labour market policies and programmes of the Government. He also dealt on each of the five agenda items before the Standing Labour Committee and expressed hope that the Committee through the day-long discussion would be able to finalise the agenda items for the forthcoming 44<sup>th</sup> Session of the Indian Labour Conference.

5. In his Presidential Address, Shri Mallikarjun Kharge, Union Minister of Labour and Employment highlighted the long tradition of social dialogue and tripartite consultation process in the country to deal with issues such as minimum wages, social security benefits, education and training, health and safety. He emphasized the need to speedily implement programmes for harnessing its 'demographic dividend' of estimated youth population of 51 crore persons by 2016 in the age group of 15-35. He said that if not done so the same may turn into a liability.

6. Shri Kharge said that initiatives like MGNREGA, Rashtriya Swasthya Bima Yojna, Right to Education, Food Security measures and Right to Information have provided a proper foundation for development for the country's disadvantaged sections. Improving the living and working conditions of our workmen have always been the cornerstone of the Government policy. He said skills and knowledge are the driving forces of economic growth and social development. Quality employment and appropriate skilling of the work force are the major challenges before us. There is a need to create a huge infrastructure for skill training and certification. Imparting training to the informal sector and keeping pace with the demands of the industry is equally important. He further said that the Govt. has arranged resources for upgradation of all the Government ITIs. Most of these ventures have been undertaken through Public Private Partnership and it has received enthusiastic response from the State Governments. The next major initiative of the Govt. is going to be the establishment of new ITIs and Skill Development Centers. He reiterated another significant step undertaken is Skill Development Initiative under which informal workers will be trained in short term courses certified under Modular Employable Skills framework. This will be especially helpful for the school dropouts and unskilled workers. Till now, curriculum for 1200 courses has been developed. Government is also focusing on sectors like construction, real estate, tourism, small and medium enterprises, transport, etc., which are labour intensive. The minister said special attention is being given to the 'Gender dimension' and 'Employability by increasing IT literacy'. The Mission Mode Project for upgradation of Employment Exchanges is going to be one of the most important E-Governance initiatives.

7. Referring to the earlier discussions on the rationalization of Labour Laws in the past in the meetings of National Commission on Labour, State Labour Ministers' Conference, Indian Labour Conference, etc., the Hon'ble

Minister said that the National Commission on Enterprises in the Unorganized Sector (NCEUS) has also reiterated that there is a need to formulate a National Labour Code in the form of basic law which should lay down a floor of substantive labour rights or standards such as Minimum Wages, Maximum Hours of Work, Minimum standards of safety and health at workplace and so on. In addition, he said that 'recognition' of trade unions and verification of the membership of trade unions are issues which are gaining a lot of importance in the Industrial Establishments. He also said that the present system of verification like secret ballot, check off, etc., needs to be closely examined further for evolving an improved system which is more transparent and brings out the proper representation.

8. On the demand of Trade Unions to amend the Contract Labour Act, 1970 to provide for automatic absorption of contract labour in the event of prohibition of employment of contract labour and opposition by the employers' organizations, Shri Kharge said that the ministry has been making efforts to protect the interests of all stakeholders and trying to extend the same benefits to contract workers which are otherwise available to permanent workers.

9. Shri A.C. Pandey, Joint Secretary, Ministry of Labour and Employment, presented the Agenda Item No. 1 of the meeting viz., Action Taken Report on the Conclusions of the 43<sup>rd</sup> Session of the Indian Labour Conference held on 23<sup>rd</sup> & 24<sup>th</sup> November, 2010 at New Delhi for discussions by the social partners.

10. Shri S. K. Rathore, All India Secretary, Bhartiya Mazdoor Sangh stressed the need for amendment of contract labour laws and emphasized that the explicit purpose of engaging contract labour is to provide less wages and poor service conditions, leading to sheer exploitation. He expressed his concern over permanent jobs being converted into contractual job even in PSU's and Government Departments. Therefore, there is a need for immediate amendment of the Contract Labour (Regulation and Abolition) Act in order to prevent all types of exploitation. He also focused on issues pertaining to women working in Anganwadi, ASHA and mid-day meal workers etc. who are facing gender discrimination and working under exploitative conditions. He also highlighted the issue of wide variation in minimum wages from state to state and sector to sector which has resulted in large scale migration. He expressed that the need to fix a National Minimum Wage to combat uneven income disparity.

11. Shri Srinageshwar, Council of Indian Employers reflected on the similarity in the condition of workers engaged in various sectors and on the issue of Contract Labour. He reiterated that the western models for improving the conditions of contract labour could not be transmitted to India rather there should be focus on direct impact of employment generation. While pointing out at the content of the Impact Study Report, he considered it to be important to engage in a discussion in a tripartite forum and come out with a concrete decision. He also focused on the competitiveness of the industry with simultaneous flexibility that cannot be underestimated either by

the government or trade unions. He further stated that the employers train a huge number of trainees in their premises who become a source of huge pool of trained manpower for the industry either locally or outside. This should be recognized and the employer should be incentivized by the government for undertaking these initiatives.

12. Shri Janardhan Singh Sigriwal, Labour Minister, Govt. of Bihar expressed his concern on the issue of poor working conditions of Contract Labourers. The increasing tendency towards outsourcing of Contract Labour has led to the hiring of more Contract Labour in comparison to regular workers. Moreover, globalization has led to migration of workers outside India who are subjected to all kinds of exploitation by placement agencies. He quoted examples of migrant workers from Bihar who recently returned from Libya and were devoid of any social security. Therefore, he stressed the need for a law to protect the interests of international migrant workers. He also emphasized the need for skill development as skill and knowledge is considered as motivating power for economic and social development. He stressed the need for establishment of more and more industrial training institutes to boost the supply of skilled manpower to meet the projected demand of 50 crore skill manpower by 2022 as per estimates of National Kaushal Vikas Mission

13. Shri R. Chandrasekheran, India National Trade Union Congress reflected on the issue of non implementation of agenda items which were discussed in the 43<sup>rd</sup> ILC earlier. He stressed on the need for fixation of national minimum wage to be taken seriously and it should be fixed at Rs. 7000 per month. With regard to MGNREGA he said that 200 days of work should be made available. He also gave valuable suggestions regarding the implementation of a policy for the establishment of a Labour Technical University for skill development. Other suggestions included the running of ESIC hospitals directly by the central government and not through state governments, fixation of gratuity for 30 days, payment of bonus without ceiling, withdrawal of taxation on allowances and perks, introduction of welfare schemes for unorganized sector workers and the need for performance and productivity audit every 2 years by the National Productivity Council.

14. Shri Sudarshan Sareen, Vice president, All India Manufacturers' Organization raised an important question regarding the permanency of workers in seasonal industries and pointed out the fact that it is difficult to make such workers permanent due to the seasonal nature of their occupation. Another issue addressed by him was the equal pay for regular and contract workers. In this context, he opined that the increase in quality of production would ultimately lead to increase in wages in case of some regular workers and such a situation would lead to discrepancy in the wages of both regular and contract labourers.

15. Shri Chandrashekhar Sahu, Labour Minister, Govt. of Chhattisgarh, in his address, highlighted efforts of the State Government to bring improvement in the conditions of contract labour. He informed the house

that the state government has already started giving wages to the contract labourers through banking institutions. He further informed that approximately 60 percent of contract labourers in industry have started receiving their wages through banks and the government is planning to link the remaining 40 per cent workers with the banking system in near future. He further pointed out that Chhattisgarh government is also working towards registration of contract labour by issuing them with identity cards etc., where details of their nature of work and working hours would be mentioned.

16. Shri H. Mahadevan, Deputy General Secretary, All India Trade Union Congress, expressed his concern over job losses and stressed on job retention and job creation. He further stated that there is a need to check misuse of trainees and apprentices. He gave suggestions regarding special packages for micro, small and medium enterprises, extension of employment guarantee from 100 to 200 days and also the ratification of ILO Convention No.87 and 98 on freedom of association and protection of the right to organize and Right to organize and collective bargaining.

17. Shri R.K.Bharadwaj, Vice President, Laghu Udyog Bharti stressed on the need of promotion of micro and small enterprises and said that concessional credit should be made available to these enterprises. He stated the plight of micro and small enterprises suffering from loss in terms of rejection and loss of productivity though they are engaged in providing employment to a large section of rural youth. He also suggested that MGNREGA should be integrated with micro- enterprises so that it enables the youth to get employable skills.

18. Pt. Shiv Charan Lal Sharma, Labour Minister, Govt. of Haryana, in his address, invited the attention of the audience to the successful implementation of various developmental measures undertaken by the Haryana Government. While raising the issue of child labour he said that every child has the fundamental right for his/her psychological, physical, intellectual and social development but still they are exploited in all walks of life. In fact, Haryana is no exception to it. He said that, though child labour is still found in some places in Haryana, concerted efforts have been undertaken by the Govt. in this regard. He further stated that the district administration and regional officers are instructed to organize workshops and also to monitor the activities of different institutions related to child labour. While focusing on the efforts of the Haryana Government, he mentioned the establishment of three rehabilitation centres at Faridabad, Panipat, Yamunanagar for destitute and migrant children. Apart from providing education, food and shelter, such centres also focused on providing vocational training and skill upgradation to bring such children to the mainstream and make them capable citizens. With regard to working conditions of contract labour, he agreed that considerable attention has been given by the state government to ensure that all payments are made in the form of cheques. He also focused on the occupational safety of the workers and believed that tripartite forums are suitable platforms for discussion on social security of workers.

19. Shri Sharad Rao, President, Hind Mazdoor Sabha pointed out the need for formulating a white paper providing details about the implementation of existing labour laws. He opined that the labour laws should be applicable to all establishments, irrespective of the number of employees in the establishments and all labour laws should be amended accordingly. Lastly, he congratulated the Union Labour and Employment Minister Shri Mallikarjun Kharge for opposing the implementation of National Manufacturing Policy since it is against the interest of the workers and would lead to further exploitation.

20. Shri R. Venkatanarayanan, Confederation of Indian Industry invited the attention of the delegates to the Global Financial Downturn. He stressed upon the necessity to invest more in order to generate more employment opportunities. He said that the issue of contract labour requires further discussion and law should be strictly followed. He said that regular employees and contract labourers cannot be paid the same due to many considerations such as training, experience etc, and a 'flexibility premium' is the way out. He mentioned that the rationalization of labour laws should be done and as far as possible third party verification and self-certification by the employers should be applicable. He further stated that employment generation and skill development are linked to each other and CII is working towards setting up of several skill centers for skill development of the disadvantaged rural youth. But he believed that much more needs to be done to enhance the employment situation of the country. Therefore, skill training should to be imparted both to the rural and urban youth covering both employment and self employment.

21. Shri B. N. Bachegowda, Labour Minister, Govt. of Karnataka highlighted the following points: (i) A circular has been issued to all Officers, Senior Labour Inspectors to implement the Contract Labour (regulation & Abolition) Act, 1970 and (Karnataka) Rules, 1974 in letter and spirit.

- (ii) A notification has been issued specifying wage rates, holidays, hours of work and other conditions of service in case of workmen employed by a contractor and perform same or similar kind of work as the workmen directly employed by the principal employer.
- (iii) Karnataka State Contract Labour Advisory Board has been constituted, and is functioning since 1991.
- (iv) To make payments to contract workers through bank is an issue which needs amendment to above said Act/Rules.

22. Shri Tapan Sen, General Secretary, Centre of Indian Trade Unions expressed his concern over the issue of safety at workplace and referred to the horrendous incident of 30 workers being burnt alive at a factory at Peeragarhi. He remarked that the latest (66<sup>th</sup> round) National Sample Survey Data (2009-10) signalled the consistently deteriorating trend of employment generation potential of the economy despite higher rate of GDP

growth. Therefore, he suggested that a pattern of “jobless growth” has deeply set in by the neoliberal economic policy regime and structural changes need to be forced upon through appropriate policy interventions. Giving examples from the manufacturing and service sector, he claimed that ‘12 hours working’ has become the order and in some cases there is no payment for overtime. Therefore, he stressed upon the need for enforcement of ‘8 hour working’ norm and a preparatory survey to be undertaken by VVGNNLI to study the impact of stringent enforcement of eight hour working on employment generation. Further he emphasized on the need for employment generation to be structurally and organically linked with the assessment GDP and the periodicity of both employment and GDP statistics must be made same and simultaneous. He also gave valuable suggestions regarding the publication of employment figures quarterly and also the quarterly publication of GDP trends. Such an endeavour, he pointed out would be the best method as well as an instrument to acid test the very efficacy of the economic policies as far as employment generation is concerned.

23. Shri Michael Dias, Federation of Indian Chambers of Commerce and Industry suggested rationalization of labour laws in the context of unorganized sector. In his view, the issues pertaining to contract labour needs to be addressed in-depth, possibly after receiving the report from V.V.Giri National Labour Institute. In this regard, he fully supported and endorsed that a complete data on contract labour be made available and urged the need for a white paper to be brought out by the Ministry of Labour and Employment at the earliest. He considered the issues of enhancing employability and employment as critical ones which needed serious attention from all stakeholders and should be a part of agenda at the next ILC.

24. Shri P. Parijat Singh, Labour Minister, Government of Manipur mentioned the following points:

- (i) there is minimal impact of the global financial downturn in the state as very few workers from the state are employed abroad. Various schemes like MGNREGA, SGSY, SJSRY, PMEGP, RSBY, etc. are implemented in the State. Extension of RSBY to street vendors, domestic workers, MGNREGA workers and building workers registered with the Manipur Building and Other Construction Workers’ Welfare Board is under active consideration of the Government of Manipur.
- (ii) A Tripartite State Advisory Board has been constituted under section 4 of the Contract Labour (Regulation & Abolition) Act. Status of the implementation of the Act in the State is being reviewed as per the recommendations of the 43<sup>rd</sup> Session of the ILC. The Act will be amended to increase the rates of fees for registration of establishments, fees for grant of licences to the contractors and security deposits for grant of licences.

- (iii) The marketing skills/facilities are required to be provided for encouraging the small village enterprises. Proposal for establishment of 10 new ITIs and 50 SDCs have been submitted under Kaushal Vikash Yojana (KVY). He emphasised that instead of following the PPP model, the Central Government may agree to the setting up of 10 ITIs and 50 SDCs under the 90:10 funding pattern in respect of the State of Manipur.

25. Shri Krishna Chakraborty, President, All India United Trade Union Centre referred to issues like job creation, social security, minimum wages etc. which have connotations in a global economy. He added that the benefit of the New Pension Scheme is not clear and further introspection is required.

26. Shri K.C. Mehra, ASSOCHAM complemented the Ministry of Labour for effectively convening the SLC. Referring to the export opportunities he considered labour to be the key input in manufacturing and its performance and productivity would be a competitive advantage in domestic and global market. Keeping in view prevailing situation, he demanded for a Sustainable Social Security Network. He also agreed that the representatives of trade unions, industries and other government authorities including PFRDA, PF, ESI etc., can be associated to prepare a Social Security Network for benefit of workers. Aiming at skill updating and upgrading towards competency building of skill inventory, he urged to explore workers' hidden talents and competency by motivating them to participate and undergo not only in-house training but also beyond the organizational boundaries in market driven skills.

27. Shri Manik Dey, Labour Minister, Government of Tripura highlighted the following issues:

- (i) On the agenda item "Global Financial Downturn", there is no mention of specific number of jobs lost due to financial slow down. This was quite enormous in labour intensive sectors which appear to be toned down to show a growth of jobs in these sectors. There should be scientific compilations of job losses and job growth vis-à-vis, the stimulus package given to the employers in these sectors. Instead of depending on NSSO surveys on employment in the country, employment growth/loss should be quantified simultaneously with GDP growth figures. This will show the complete correlation between growth and employment. The formulation that unemployment rate has come down, as stated in the agenda paper, does not reflect the actual position at the grassroot level in the country.
- (ii) He suggested that at least 5% of the GDP should be allocated for the welfare of unorganised sector workers. There should not be any capping of BPL level for social security schemes, and these

schemes should be for universal coverage of unorganised sector workers.

28. Shri S.P. Tiwari, General Secretary, Trade Union Coordination Centre while reflecting on the job losses and employment situation, reiterated that during the global downturn, job loss was 22 lakh and there was a need to provide jobs to 38 lakh people affected by downturn including the newly entered people in the labour market. Some important suggestions given by him included the monitoring of the RSBY scheme, amendment of Contract Labour Act, initiatives for irrigation, seed supply, crop insurance, food grains storage, etc. He also suggested for at least 3% allocation of budget for welfare of unorganized workers, uniform social security programmes and involvement of central trade unions in skill development initiatives

29. Shri Sharad S. Patil, Council of Indian Employers stated the following points:

- (i) Referring to a study conducted by OECD providing that the flexibility in labour laws result in more employment generation, he suggested that the central govt. should take up similar study to explore the rigidities of laws.
- (ii) There is a need for improving agriculture methods for generating employment and imparting training to people engaged in non-farm sectors.
- (iii) The schemes under MGNREGA should also be instrumental in generating employable skills.

30. Shri Bhaskar Mushahary, Principal Secretary, Govt. of Assam highlighted the action taken by the Assam government on various agenda items of the action taken report. He stated that the state government has proposed to increase the numbers of seats in ITIs from the present 0.23 lacks to 1.02 lacks by the end of 12<sup>th</sup> Five Year Plan. He also stressed that for faster generation of employment, Career Counselling Cum Coaching Centre in all Employment Exchanges of the State are being set up. He further pointed out that for effective coordination on skill development activities state govt. has constituted an apex body as State Skill Development Council under the chairmanship of Hon'ble Chief Minister of Assam to formulate Plan and Policy on Skill Development in the State. The other efforts undertaken by the State Government as reported by him included district-wise Skill Mapping in existing and emerging trades and employability skills and IT literacy course being implemented in the Govt. ITIs as per DGE&T instruction.

31. Ms. Manali Shah, Self Employed Women's Association referring to Global Financial Downturn expressed her concern over the job losses and demanded for a strict implementation of labour laws as well as a broad based social security mechanism for workers. While referring to RSBY

scheme, she said it is difficult to register the workers inspite of the fact that the scheme extends to domestic workers, railway porters, bidi workers, street vendors. This is due to lack of data about such workers. Moreover, the scheme only caters to the need of few categories of workers. Therefore, there is an urgent need to include all kinds of workers in this scheme without any limitations of APL and BPL. She also expressed a deep sense of concern regarding National Social Security Fund. Regarding the Contract Labour Act, she stated that outsourced workers are not included in it therefore she demanded for their inclusion in the Act.

32. Shri N. K. Singh, National Vice President, Laghu Udyog Bharati emphasised that as micro and small industries are the major source of employment generation, it needs the support and attention of the Ministry of Labour and Employment for its sustainable growth and to generate more employment. He further suggested that the Central Government should develop a mechanism through skill development programme like STEP-UP, at block and district level for self employment of the rural labour force.

33. Shri D. S. Pandit, Labour Secretary, Govt. of Arunachal Pradesh said that Arunachal Pradesh is trying to enforce all the labour laws and the Government is planning to constitute a tripartite body.

34. Shri Swapan Mukherji, General Secretary, All India Central Council of Trade Unions referring to the new manufacturing policy remarked that no trade union zone should be abolished. The other suggestion given by him included immediate action for amendments to Contract Labour (AR) Act and also equal remuneration for equal work. He also gave suggestion regarding urban employment, inclusion of 94% unorganized sector workers in PDS, implementation of national floor level minimum wages and intervention regarding exploitation of contract labour and honorarium to workers engaged in the schemes like Anganwadi, ASHA and mid day meal scheme.

35. Shri Madhu Sudhan Baidya, Labour Commissioner, Govt. of Andaman & Nicobar Islands raised the following points:

- (i) The Contract Labour (Regulation & Abolition) Act, 1970 and Rules made there under is effectively enforced in letter and spirit with available inspectorate staff.
- (ii) The Andaman & Nicobar Contract Labour Advisory Board is to be revived shortly.
- (iii) To make payments to contract workers through bank is an issue which needs amendment.
- (iv) Around 2500 trainees were trained and got certified in different trades. 49 VTPs have been registered so far to provide SDI (MES) training to urban and rural youths.

36. Shri M. Shanmugam, General Secretary, Labour Progressive Federation mentioned the following points:

- (i) Many industries have closed down due to global downturn without giving any terminal benefit;
- (ii) Retirement benefits of EPF pension should be increased;
- (iii) National Level Minimum Wage should be introduced;
- (iv) Necessary steps to be taken up for skill training to agricultural workers and
- (v) Public Distribution System should be improved.

37. Shri B.C.Prabhakar, Council of Indian Employers highlighted the need for skill training and pointed out that more steps should be taken in this regard during the 12<sup>th</sup> five year plan. He further stated that elimination of contract labour is impractical and focus should be on regulation of their service conditions and effective implementation with issuance of proper guideline to enhance their situation. Regarding employment generation and skill development, he appreciated the details given in the ATR.

38. Dr. Kavita Gupta, Principal Secretary, Govt. of Maharashtra stated that the State Government had taken necessary action regarding the payment of wages to the contract labours through cheques. She also pointed out that the state has introduced the Labour Management System.

39. Shri Mihir. R. Chandra, United Trades Union Congress while reflecting on the needs of the informal sector suggested steps to reduce the gap between training capacities and training needs, setting up of vocational training at school level and reemployment for retrenched employees. He mentioned that since the term "Rationalization of Labour Laws" is very vague, focus should be on the implementation of labour laws. Some of the other suggestions that he gave included equal pay and other benefits to contract labour as given to direct regular employees.

40. Shri Govind Rao Adik, General Secretary, National Front of Indian Trade Unions (DHN) stated that globalization has brought about many challenges for labour force and outsourcing has also impacted stable employment situation adversely. He expressed his concern over non-implementation of policy decisions taken in the 42<sup>nd</sup> and 43<sup>rd</sup> national Conference. Moreover, global downturn had resulted in job losses and he urged that subsequent steps should be taken by the government to provide job opportunities to people who have lost their jobs in the downturn. In spite of innumerable laws made in the country, he reported, some laws are still not implemented. Therefore, he called for an urgent implementation of laws and policies pertaining to the benefit of workers.

41. Dr. Lalit Mehra, Principal Secretary, Govt. of Rajasthan suggested for the amendment of the Contract Labour Act, 1970.

42. Shri Shahid Inayatullah, Labour Commissioner, Govt. of Jammu and Kashmir focussed on the developmental schemes launched by the Jammu and Kashmir Government. He pointed out that the State has constituted Building and Other Construction Workers Welfare Board in 2007 to look after the welfare of the workers of the unorganized sector. Registration of workers under the scheme was in progress. He also highlighted the improvement of services in the state provided by the ESIC hospitals to the workers. To further improve the facilities and services by the ESI Dispensaries, he stated that a project entitled "Dhanvantri" (total computerization on line service) has been initiated by ESI Corporation in the State. He further mentioned that there are already some proposals ongoing regarding the rationalization of labour laws and impact studies have also been done. To address the issue in a holistic way, it would be appropriate to constitute a National Labour Laws Commission which will look into all aspects of labour laws/National Labour Code including reducing the number of Labour Acts.

43. Dr. H. K. Nagu, Addl. Commissioner of Labour, Govt. of Andhra Pradesh highlighted the following issues:

- (i) For mitigation of hardship caused by lay-off, retrenchment and closure, the relevant provisions under the Industrial Disputes Act, 1947 are implemented effectively in the State.
- (ii) The proposal of the central Government to amend the Minimum Wages Act, 1948 by incorporating the National Floor Level Minimum Wage to give it legal force is a welcome move.
- (iii) Formation of A.P. Rules under the Unorganised Workers Social Security Act, 2008 and constitution of Social security Board are under active consideration of the State Government.
- (iv) The Building and Other Construction Workers' (RE & CS) Act, 1996 and the Building and Other Construction Workers' Welfare Cess Act, 1996 have been implemented in the State vigorously since 26-06-2007 when the amended State Rules came into force.
- (v) The existing provisions under the Contract Labour (R&A) Act, 1970 and the A. P. Rules there under have been implemented effectively.
- (vi) As regards Constitution of State Advisory Board under the Contract Labour Act, it was replaced with "Designated Authority".

- (vii) The number of employees of the Establishments to be covered under the Contract labour Act was reduced to five in the State and now an amendment is under examination of the Government to further reduce it to one employee and to deem the contract employees engaged without registration and licence under the CL Act.

44. Shri Piyush Sharma, Joint Secretary, Govt. of Delhi expressed his concern over the issue of contract labour and stated that since contract labour is hired for a short duration they are deprived of all benefits. He, therefore, emphasised that necessary actions should be taken with regard to providing benefits to contract labour even after the completion of the contract.

45. Shri P. Karuppasamy, Additional Labour Commissioner, Govt. of Tamil Nadu while emphasising on the efforts undertaken by the State Govt. regarding social security net stated that 53 lakh unorganised workers are registered and subsequent benefits have been given to them accordingly.

46. Shri Vinod Kumar, Labour Commissioner, Govt. of Madhya Pradesh highlighted the following points:

- (i) No cess is deposited under MGNREGA scheme. It is requested that the Ministry of Labour and Employment should take up this issue with Ministry of Rural Development.
- (ii) Restriction of 20 workers in the Contract Labour (Regulation & Abolition) Act, 1970 should be relaxed.
- (iii) Cement industries should be decontrolled looking at the number of contract labours employed.
- (iv) Every district in the State has a labour officer and soon every block will have a labour inspector.

47. Shri Sita Ram Meena, Labour Commissioner, Uttar Pradesh highlighted the efforts undertaken by the Uttar Pradesh government in line with major policy decisions from the Central Government. With regard to ensuring the existing provisions of the Contract labour (Regulation and Abolition) Act 1970, he stated that Uttar Pradesh Government has given directions to all labour officers for necessary actions. With regard to the mandate of the states to constitute Tripartite State Advisory Boards, he mentioned that planning is being made in this direction. He also suggested that the contract workers should be paid through banks and necessary action would be taken up immediately.

48. Shri N. C. Kulashri, Assistant Labour Commissioner, Govt. of Uttarakhand giving certain recommendations regarding the agenda items to be placed in the 44<sup>th</sup> session of the Indian Labour Conference, highlighted the contract labour system prevailing generally in all the industrial and

service providing sectors in the State. He said that the State Govt. of Uttarakhand has framed State Rules to enforce the Contract Labour Act in the State. He added that for registering, licensing, and inspecting, authorities have also been appointed and the State Contract Labour Advisory Board has also been constituted. With regard to ensuring various benefits to the contract labourers, he stated that regular inspections of the principal employers and contractors are carried out in the state and legal action are taken against the defaulting employers.

49. Shri Indranil Sengupta, Additional Secretary, Govt. of West Bengal emphasised the following points:-

- (i) The evils of retrenchment, lock-out, wage-cut, evasion of statutory contribution and dues are continuing to affect the industrial relations. There is no universal coverage of social security in a fruitful and effective manner. Minimum wages and other essential terms of employment are violated more often than not.
- (ii) There should be a comprehensive agenda on unorganised sector workers i.e., problems and prospects of improvement of the condition of the unorganised as well as their social security coverage.
- (iii) There should be a study on contributions realized vis-à-vis benefits received by the insured persons and where the present system is leading to accumulation of money which can be utilized for the benefit of the insured persons.
- (iv) There is no single document declaring a Labour Policy of the Government of India. A labour Policy at the national level may set the right direction for bringing parity in approaches of the States as well as different stakeholders like Government, employers and the workers.
- (v) There is a need for legal support to the workers.
- (vi) National floor level Minimum wages should also be made enforceable as the bottomline throughout the country.

50. In his concluding remarks, Dr. Mrutyunjay Sarangi, Secretary, Ministry of Labour and Employment, congratulated the participants for their constructive suggestions in the area of skill development, employment generation, contract labour, minimum wages and other issues related to the world of work. He highlighted that the work of Ministry of Labour and Employment is vast in nature, which not only deals with the development aspects but also the regulatory aspects of the labour force. Finally, he stated that the success of various schemes of the Ministry depends heavily on the active participation of not only the social partners but also all the State Governments.

51. Shri Mallikarjun Kharge, Union Minister of Labour and Employment, in his concluding remarks congratulated all the delegates for their active participation and valuable suggestions. He mentioned that the views of the stakeholders play a very important role in the decision making of the Ministry and the inputs received from the speakers would definitely play a crucial role. He further stated that every year a sizeable number of workers gets added to the labour force and if the Government does not take the challenge of imparting relevant skills to them then the country might face a very difficult situation. Therefore, he reiterated that involvement of trade unions and public private partnership models will play a very crucial role. He also welcomed State Governments participation for effective implementation of various schemes. He further highlighted on sustainability of enterprises for achieving inclusive growth.

52. Shri Kharge informed the house that based on the general consensus, the three agenda items have been selected for discussion in the forthcoming 44<sup>th</sup> ILC are:

- (i) Minimum Wages,
- (ii) Social Security and
- (iii) Employability and Employment.

53. Finally, he concluded by thanking the delegates of the SLC and assured them that all their suggestions would be taken due note of and would be duly utilized during the formulation of future schemes and programmes.

54. The vote of thanks was delivered by Shri Anup Chandra Pandey, Joint Secretary, Ministry of Labour and Employment.

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**44<sup>th</sup> Session of Standing Labour Committee  
17<sup>th</sup> October, 2011**

**LIST OF PARTICIPANTS**

Shri Mallikarjun Kharge, Minister of Labour & Employment	Chairman
Shri C.K. Saji Narayanan Bharatiya Mazdoor Sangh	Vice Chairman (Workers' Group)
Shri Shyam Bang, Council of Indian Employers	Vice Chairman (Employers' Group)
Shri Shibu Baby John, Labour Minister, Government of Kerala	Vice Chairman (State Governments)

	<b>Name &amp; Designation</b>	<b>Ministry/Department/Organisation</b>
1	Shri Bajj Nath Rai, General Secretary	Bharatiya Mazdoor Sangh
2	Shri Paras Nath Ojha, General Secretary	Bharatiya Mazdoor Sangh
3	Shri N.Tomba Singh, Secretary	Bharatiya Mazdoor Sangh
4	Shri S.K.Rathore, Secretary	Bharatiya Mazdoor Sangh
5	Shri Pawan Kumar, Zonal Org. Secretary	Bharatiya Mazdoor Sangh
6	Shri M.P.Singh, State General Secretary	Bharatiya Mazdoor Sangh
7	Shri Sohan Lal Gupta, State Genl. Secretary	Bharatiya Mazdoor Sangh
8	Shri Rajendra Prasad Singh, Genl. Secretary	Indian National Trade Union Congress
9	Shri R.Chandrasekheran, President, Kerala Branch	Indian National Trade Union Congress
10	Shri Chandra Prakash Singh, President, Bihar	Indian National Trade Union Congress
11	Shri H.Mahadevan, Deputy General Secretary	All India Trade Union Congress
12	Shri D.L.Sachdev, Secretary	All India Trade Union Congress
13	Smt. Amarjeet Kaur, Secretary	All India Trade Union Congress
14	Shri G.L.Dhar, Secretary	All India Trade Union Congress
15	Shri Sharad Rao, President	Hind Mazdoor Sabha
16	Shri A.D.Nagpal, Secretry	Hind Mazdoor Sabha
17	Shri R.A.Mittal, Secretary	Hind Mazdoor Sabha
18	Dr.K.Hemalata	Centre of Indian Trade Unions
19	Shri Tapan Sen, General Secretary	Centre of Indian Trade Unions
20	Shri Surinder Singh Malik, Genl. Secy. Haryana State	Centre of Indian Trade Unions
21	Shri M.L.Malkotia, President, Delhi State Committee	Centre of Indian Trade Unions
22	Shri K.C.Chakraborty, President	All India United Trade Union Centre
23	Shri Ramesh Sharma	All India United Trade Union Centre
24	Shri S.P.Tiwari, General Secretary	Trade Union Co-ordination Centre
25	Shri Hans Raj Akela, Secretariat Member	Trade Union Co-ordination Centre

26	Ms. Manali Shah	Self Employed Women's Association
27	Ms. Shalini Trivedi	Self Employed Women's Association
28	Shri Swapan Mukherjee, Genl. Secetary	All India Central Council of Trade Unions
29	Shri Santosh Roy, National Secretary	All India Central Council of Trade Unions
30	Shri M.Shanmugam, Genl. Secretary	Labour Progressive Federation
31	Shri S.Rathinasabapathy, Treasurer	Labour Progressive Federation
32	Shri Mihir R. Chanda, Office Secretary	United Trades Union Congress
33	Shri Bhim Singh Puri	United Trades Union Congress
34	Dr.Deepak Jaiswal, President	National Front of Indian Trade Unions (DHN)
35	Shri Govindrao Adik, General Secretary	National Front of Indian Trade Unions (DHN)
36	Shri Srinageshwar, Exe. Director, Simpson & Co.	Council of Indian Employers
37	Shri Shyam Bang, Chairman, EFI	Council of Indian Employers
38	Shri Sharad Patil, Secy. Genl., EFI	Council of Indian Employers
39	Shri B.P.Pant, Secretary	Council of Indian Employers
40	Dr.U.D.Choubey, DG, SCOPE	Council of Indian Employers
41	Shri M.L.Shanmukh, Director, BHEL	Council of Indian Employers
42	Shri T.M.Jawaharlal, Secretary, EFSI	Council of Indian Employers
43	Shri B.C.Prabhakar, President, KEA	Council of Indian Employers
44	Shri G.S.Chouhan, Head-Corporate HR, Escorts Ltd.	Council of Indian Employers
45	Shri Rajeev Bhardwaj, GGM-HR, CONCOR	Council of Indian Employers
46	Shri Somesh Dasgupta, Sr.VP, DPSC Ltd.	Council of Indian Employers
47	Shri Satish Anand, Asst.VP, Tata Chemicals Ltd.	Council of Indian Employers
48	Shri Tauquir Hussain, Executive Director (HR)	Council of Indian Employers
49	Shri S.Roy, ED, NTPC Limited	Council of Indian Employers
50	Shri B.Dhal, Executive Director, SAIL	Council of Indian Employers
51	Shri S.A.Khan, GM, SCOPE	Council of Indian Employers
52	Shri Babulal B. Todi, Immediate Past President	All India Manufacturers' Organization
53	Shri Sudarshan Sareen	All India Manufacturers' Organization
54	Shri K.K.Chug, Chairman, Delhi Regl. State Board	All India Manufacturers' Organization
55	Shri Om Parkash Mittal, National Genl. Secretary	Laghu Udyog Bharati
56	Shri Nand Kumar Singh, National Genl. Secy	Laghu Udyog Bharati
57	Shri Rama Kant Bharadwaj, National Secy	Laghu Udyog Bharati
58	Shri Jitendra Gupta, National Vice President	Laghu Udyog Bharati
59	Shri M.L.Dhawan, President, Delhi State	Laghu Udyog Bharati
60	Shri V.J.Vaghasia, President	Laghu Udyog Bharati
61	Shri R.Venkatanarayan	Confederation of Indian Industries.
62	Shri Sushanta Sen	Confederation of Indian Industries.
63	Shri Michael Dias, Secretary, Employers' Assn.	FICCI
64	Shri K.C.Mehra, Res. Dir.,	ASSOCHAM

65	Shri Madhu Sudhan Baidya, Lab. Commissioner	Andaman & Nicobar Islands
66	Shri Kuldip Singh Thakur, Dy.Res. Commissioner	Andaman & Nicobar Islands
67	Dr.H.K.Nagu, Addl. Commissioner of Labour	Andhra Pradesh
68	Shri D.S.Pandit, Secretary (Labour)	Arunachal Pradesh
69	Shri Bhaskar Mushahary, Prl. Secy (Labour & Emp.)	Assam
70	Shri Amlan Baruah, Director, Emp. & Crafts Trg.	Assam
71	Shri Janardan Singh Sigiwal, Labour Ministler	Bihar
72	Shri Vyas Ji, Principal Secretary (Labour)	Bihar
73	Shri Dharendra Mohan Jha, Lab. Commissioner	Bihar
74	Mrs. Mohinder Kaur, Asst. Lab. Comissioner	Chandigarh
75	Shri Swaran Singh, Labour Inspector	Chandigarh
76	Shri Chandra Shekhar Sahu, Minister	Chhatisgarh
77	Shri R.C.Sinha, Secy.-cum-Commissioner, Labour	Chhatisgarh
78	Shri S.L.Jangde, Asstt. Lab. Commissioner	Chhatisgarh
79	Shri D.P.Marskole, Asstt. Director	Chhatisgarh
80	Shri Rama Kant Goswami, Labour Minister	NCT of Delhi
81	Shri Piyush Sharma, Jt. Secretary	NCT of Delhi
82	Shri H.R.Shah, Dy.Labour Commissioner	Gujarat
83	Pt.Shiv Charan Lal Sharma, Labour Minister	Haryana
84	Shri Sarban Singh, Principal Secretary	Haryana
85	Smt. Anuradha Lamba, Dy.Lab. Commisisoner	Haryana
86	Shri Yedullah, Secretary/Commissioner	Jammu & Kashmir
87	Shri Mantra Narayan Thakur, Dy.Lab. Commissioner	Jharkhand
88	Shri B.N.Bachegowda, Labour Minister	Karnataka
89	Shri G.S.Narayanaswamy, Secretary	Karnataka
90	Shri N.Manjunatha Prasad, Commissioner, Employment & Training	Karnataka
91	Shri S.R.Umashankar, Lab. Commissioner	Karnataka
92	Shri G.C.Pentesh Kumar	Karnataka
93	Shri Anil X, Secretary (Labour)	Kerala
94	Shri T.T.Antony, Labour Commissioner	Kerala
95	Shri G.L.Muraleedharan, MD, ODPEC	Kerala
96	Shri Vinod Kumar, Labour Commissioner	Madhya Pradesh
97	Shri R.G.Pandey, Dy.Labour Commissioner	Madhya Pradesh
98	Dr.Kavita Gupta, Principal Secretary (Labour)	Maharashtra
99	Shri P.Parijat Singh, Minister	Manipur
100	Shri Y.Joginder Singh, Labour Commissioner	Manipur
101	Shri E.Tomba Singh, Dy.Lab. Commisioner	Manipur
102	Shri P.B.O.Warjri, Addl. Chief Secretary	Meghalaya
103	Shri Puspendra Singh Deo, Labour Minister	Orissa
104	Ms. C.T.M.Suguna, Commr.-cum-Secretary	Orissa
105	Shri Harish Nayyar, Addl. Labour Commissioner	Punjab

106	Dr.Lalit Mehra, Principal Secretary (Lab. & Emp.)	Rajasthan
107	Sri Satyavirat Sharma, Addl. Lab. Commissioner	Rajasthan
108	Shri Dalip Kumar, Dy.Res. Commissioner	Sikim
109	Shri P.Karuppasamy, Addl. Lab. Commissioner	Tamil Nadu
110	Shri Manik Dey, Labour Minister	Tripura
111	Shri R.K.Vaish, Prl. Res. Commissioner	Tripura
112	Shri Sita Ram Meena, Lab. Commissioner	Uttar Pradesh
113	Shri N.C.Kulashri, Asst. Lab. Commissioner	Uttarakhand
114	Shri A.Roy Chowdhury, Lab. Commissioner	West Bengal
115	Shri Indranil Sengupta, Addl. Secy. (Labour)	West Bengal
116	Shri B.Gangaiah, Adviser	Department of Agriculture & Cooperation
117	Shri B.L.Meena, Dy.Eco.Adviser	Department of Agriculture & Cooperation
118	Shri Manojit Dey, Deputy Secretary	Department of Animal Hus., Dairying & Fisheries
119	Shri N.K.Sharma, Dy.Dir. General	Department of Chemicals & Petrochemicals
120	Shri S.C.Bhatia, Director	Ministry of Coal
121	Dr.N.K.Sinha, Dy.Eco.Adviser	Department of Economic Affairs
122	Shri R.K.Parmar, Director	Department of Heavy Industry
123	Shri K.K.Tiwari, Industrial Adviser	Department of Heavy Industry
124	Shri K.P.Mishra, Joint Secretary	Ministry of Home Affairs (Inter State Council)
125	Shri Naresh Pal, Dy.CEO	Khadi Village Industries Commission
126	Shri S.Sahu, Addl. Dev.Commissioner	Ministry of Micro, Small and Medium Enterprises
127	Shri Harpreet Singh, Asst. Director	Ministry of Micro, Small and Medium Enterprises
128	Shri A.K.Patney, Deputy Secretary	Ministry of Mines
129	Shri Munish Kumar, Director (LEM)	Planning Commission
130	Shri Kuntal Sen Sarma, Director (LEM)	Planning Commission
131	Shri Subhash Chander, Director (SR & Legal)	Department of Posts
132	Dr.Jaipal Singh, Member (E&C), CEA	Ministry of Power
133	Shri Pranay Kumar, Director	Ministry of Power
134	Shri Rajendra Kumar, Director	Department of Public Enterprises
135	Shri A.K.Nigam, Adviser (IR)	Ministry of Railways
136	Shri Labh Singh Chane, Director (Admn.)	Department of Revenue
137	Ms. Preeti Nath, Director	Ministry of Rural Development
138	Shri J.P.Shukhla, Joint Secretary	Ministry of Steel
139	Shri N.K.Narang, PGM (SR)	Department of Telecommunications
140	Shri D.N.Mishra, DGM (IR)	Department of Telecommunications
141	Shri S.P.Pachauri, Director (HR)	Department of Telecommunications
142	Shri Vivek Joshi, Joint Secretary	Ministry of Women & Child Development
143	Shri Ashok Kumar, Deputy Secretary	Department of Personnel & Training.
144	Dr. Mrutyunjay Sarangi, Secretary (L&E)	Ministry of Labour & Employment
145	Shri Ravi Mathur, Additional Secretary	Ministry of Labour & Employment
146	Dr.Vinita Kumar, Labour & Emp. Adviser	Ministry of Labour & Employment
147	Shri A.C.Pandey, Joint Secretary	Ministry of Labour & Employment
148	Shri K.M.Gupta, Economic Adviser	Ministry of Labour & Employment
149	Shri Animesh Bharti, Director	Ministry of Labour & Employment

150	Shri Ranbir Singh, Director	Ministry of Labour & Employment
151	Shri Vikas, Director	Ministry of Labour & Employment
152	Shri Vijay Bahadur Singh, Director	Ministry of Labour & Employment
153	Shri Harish Kumar Jethi, Director	Ministry of Labour & Employment
154	Smt. Vandana Sharma, Director	Ministry of Labour & Employment
155	Shri Babu Cherian, Deputy Secretary	Ministry of Labour & Employment
156	Shri B.L.Choudhary, Legal Adviser	Ministry of Labour & Employment
157	Shri Sandeep Silas, PS to Labour Minister	Ministry of Labour & Employment
158	Shri Braj Mohan, OSD to Labour Minister	Ministry of Labour & Employment
159	Shri B.N.Shetty, OSD to Labour Minister	Ministry of Labour & Employment
160	Shri Shivanna, Addl. PS to Labour Minister	Ministry of Labour & Employment
161	Shri Sharda Prasad, DG (Emp. & Training)	Ministry of Labour & Employment
162	Shri R.L.Singh, Director, DGE&T	Ministry of Labour & Employment
163	Shri D.K.Nijhawan, Director (SDI), DGE&T	Ministry of Labour & Employment
164	Shri M.R.Sindhvani, DDX, DGE&T	Ministry of Labour & Employment
165	Shri I.K.Srivastava, JDX, DGE&T	Ministry of Labour & Employment
166	Shri Anil Swarup, DG (Labour Welfare)	Ministry of Labour & Employment
167	Shri Balbir Singh, Deputy Secretary	Ministry of Labour & Employment
168	Shri D.C.Bijalwan, Under Secretary	Ministry of Labour & Employment
169	Shri N.K.Prasad, CLC ©	Ministry of Labour & Employment
170	Shri J.K.Sagar, Director (Training)	Ministry of Labour & Employment
171	Shri A.Chockalingam, Commissioner (R) ,ESIC	Ministry of Labour & Employment
172	Shri V.P.Yajurvedi, DG, VVG NLI	Ministry of Labour & Employment
173	Dr.M.M.Rehman, Sr. Fellow, VVG NLI	Ministry of Labour & Employment
174	Shri Otojit Kshetrimayum, Associate Fellow, VVG NLI	Ministry of Labour & Employment
175	Dr.Ellina Samantroy, Associate Fellow, VVG NLI	Ministry of Labour & Employment
176	Shri Anoop Kumar Satpathy, Fellow, VVG NLI	Ministry of Labour & Employment
177	Shri H.Vishwanathan, Director (Safety), DGFASLI	Ministry of Labour & Employment
178	Shri Ashok Singh, Chairman, CBWE	Ministry of Labour & Employment
179	Shri. R.K.Thaker, Zonal Director, CBWE	Ministry of Labour & Employment
180	Shri J.P.Phogat, Zonal Director, CBWE	Ministry of Labour & Employment
181	Shri T.Burman, Asst. Director, CBWE	Ministry of Labour & Employment
182	Shri Satish Puri, DGMS, Dhanbad	Ministry of Labour & Employment
183	Dr.A.K.Sinha, Director, Mines Safety	Ministry of Labour & Employment
184	Shri H.S.Tandon	Advisor to EFI and general Secretary of PHDCC