

Initiatives/Programmes/Schemes/Achievement

Ministry of Labour and Employment

The Government of India under the able guidance of Hon'ble Prime Minister, Shri Narendra Modiji is following the approach of 'Reform to Transform' through far-reaching structural reforms.

Path breaking Initiatives/Decisions in the Ministry of Labour and Employment

The initiatives by the Ministry can be classified as:

- 1) Legislative Reforms;
- 2) Administrative Reforms;
- 3) Effective compliance and ease of doing business and Delivery of Social security services through better use of technology;
- 4) Employment; and
- 5) Major National and International initiatives

I. Legislative Reforms

1. **Labour Codes:** The 2nd National commission on Labour had recommended for simplification, rationalization and amalgamation of Labour Laws in to 4-5 Codes on functional basis. At present, the Ministry is working on the proposed codification of existing Labour Laws into 4 Labour Codes, viz.

- a. Labour Code on Wages
- b. Labour Code on Industrial Relations
- c. Labour code on Social Security & Welfare
- d. Labour Code on Occupational Safety and Working Conditions

The Group of Ministers (GOM) in its meeting on 8-3-2017 has agreed to further process the Labour code on Wages for consideration of the Cabinet.

The Labour Code on Occupational Safety and Working Conditions and the Labour code on Social Security & Welfare are in the advance stage of drafting

and will be submitted for consideration of GOM within next 2 months followed by the Labour Code on Industrial Relations

2. **Child Labour (Prohibition and Regulation) Amendment Act, 2016** has been enacted by the Parliament and as per the provisions of Child Labour (Prohibition and Regulation) Amendment Act, 2016, there is a complete ban on employment of children below 14 years in any occupation or process. However, children are allowed to help in their family enterprises only in non-hazardous occupations and that too only after school hours or during vacations. Further, no adolescent (14-18 years) shall be employed or permitted to work in any of the scheduled hazardous occupations or processes. There is more stringent punishment for violations. Following this amendment, **The Cabinet, on 31-3-2017 has also approved the ratification of two Core conventions of ILO, the Minimum Age Convention, (C 138)and The Worst Forms of Child Labour Convention(C 182).**
3. **Model Shops and Establishment Bill, 2016** - Shops and Establishments employing ten or more workers have the freedom to operate 365 days in a year and decide the opening/closing time of establishment. Now women may work during night shift if adequate safety and security measures are provided by the employer. The model Bill has to be adopted by States.
4. **An Advisory was issued to the States under the Factories Act 1948** on 17-2-2016 for permitting women workers in the night shift with adequate safety provisions. States of Maharashtra, Andhra Pradesh, Punjab, Karnataka, Gujarat, Goa, J&K, Mizoram, Tripura and Rajasthan have since then initiated action in this regard.
5. **Payment of Bonus Amendment Act, 2015** has been enacted to enhance the eligibility limit for payment of bonus from Rs 10000/- to Rs. 21000/- per month and Calculation Ceiling from Rs. 3500/- to Rs. 7000/- or the minimum wages for the scheduled employment whichever is larger.

6. **The Maternity Benefit (Amendment) Act, 2017**, after assent of the President has been notified vide Extra Ordinary Gazette No SO.1026(E) dated 31-3-2017. It increases the paid maternity leave from 12 weeks to 26 weeks. It also provides, for the first time, a 12 weeks paid maternity leave to a 'Commissioning mother' and 'Adopting mother'. It has enabling provisions for facilitating 'Work from home'. It also makes it mandatory for establishment having 50 or more employees to provide crèche facilities.
7. **The Employee Compensation (Amendment) Bill 2016**, passed in Lok Sabha, seeks to rationalize penalties and strengthen the rights of the workers under the Act.
8. **The Payment of Wages (Amendment) Act, 2017** to amend the Payment of Wages Act, 1936 was passed in both the Houses of Parliament and received the assent of the President on the 15th February, 2017. Amendment of Section 6 of the Payment of Wages Act, 1936 enables the employers to pay the wages to their employees by Cash or Cheque or crediting it to their bank account and also enables the appropriate Government to specify the industrial or other establishments, by notification in the Official Gazette, which shall pay to every person employed in such industrial or other establishment, the wages only by cheque or by crediting in his bank account. Notification to the effect in respect of all sectors covered under central sphere has already been issued on 16.02.2017.
9. **The Industrial Employment (Standing Orders) Act 1946** have been amended by notification to include “fixed term employment” for textile (apparel + made up) sector as a part of textile package to enhance employment.

II. Administrative Decisions/ Initiatives

1. **Financial Inclusion drive following demonetization:** Following the decision of demonetization of high currency notes, the Ministry undertook a massive drive for opening bank accounts to ensure cashless transactions of wages to the workers. As on 07-03-2017, total 49,66,489 bank accounts have been

opened for organized and unorganized workers through **1,50,803 nationwide special campaigns**.

2. The government has notified **increase in the basic rate of minimum wages for all sectors in the central sphere**. For the first time minimum wages for all sectors; agricultural, non-Agricultural, construction etc. have been increased simultaneously. Minimum wage (per day) for non–agricultural worker in the ‘C’ area category increased form Rs. 246/- to Rs. 350/-, Rs. 437/- in ‘B’ Area category and Rs. 523/- in ‘A’ area category.
3. **Shram Suvidha Portal**- Unique Labour Identification Number (LIN) is allotted to Units **19,19,848** Lakhs LIN allotted as on **15-05-2017**; filing of self-certified and simplified Single Online Common Annual Return by the establishments. Filing of Single Unified Annual Return for 8 Labour Acts (10 Central Rules) was launched on 24.04.2015. It has facilitated in easing the compliance burden of the employers. Returns under the Contract Labour (Regulation and Abolition) Act, 1970, Inter-State Migrant Workmen (Regulation of Employment and conditions of Service) Act, 1979; and Industrial Disputes Act, 1947, which were half yearly / annually earlier, now need to be filed by all employers annually only. This effort is an evidence of use of technology in order to enhance transparency and minimize harassment contributing to ease of doing business. Online Common Annual Return filing under the Mines Act 1952, has been facilitated on the Portal . **9,845** returns have been filed as on **15-05-2017**; Transparent Labour Inspection Scheme through computerized system based on risk based criteria and uploading the inspection reports within 72 hours by the Labour inspections. Total **2,94,481** inspections have been assigned and out of that **2,76,329** inspections have been uploaded as on **15-05-2017**.
4. Integration of State Labour Departments is being done for using LIN for filing Returns and sharing of inspection reports. Haryana, Madhya Pradesh, Maharashtra and Delhi are already on board on this and is under progress for other States/UTs.

5. Single online common Annual return form by the establishment instead of filing separate return under different Acts and Rules. Common Electronic Challan cum Return(ECR) for EPFO and ESIC has been developed.
6. Shram Suvidha Portal is now available in multi-lingual interface of 11 languages including English.
7. **Simplification of Registers/Forms to be maintained under various Labour laws** :Ministry of Labour & Employment has since notified “**Ease of Compliance to maintain Registers under various Labour Laws Rules, 2017**” on 21st February 2017 which has in effect replaced the 56 Registers/Forms under 9 Central Labour Laws and Rules made thereunder in to 5 common Registers/Forms. This will save efforts, costs and lessen the compliance burden by various establishments. These Rules are available on the Website of this Ministry at the link <http://labour.gov.in/whatsnew/ease-compliance-maintain-registers-under-various-labour-laws-rules-2017>.
8. **Revised NCLP Scheme:** NCLP Scheme has been revised w.e.f. 1.4.2016 to completely align with the Child Labour (Prohibition and Regulation) Act 2016. Further, revised NCLP Guidelines has enhanced the amount for baseline survey to Rs 4 lakhs which is now available to even non- NCLP districts(NCLPs not sanctioned so far). It also has an objective for creation of a Child Labour Monitoring, Tracking and Reporting System(CLMTRS) which is under implementation. Convergence with other schemes have been made like School Health Programme of NRHM etc. Modular course has been introduced for stipend release and payment of stipend to children/ beneficiary is mandated as DBT through PFMS Portal. During 2015-16, about 1.23 lakh children were enrolled in Training Centres and 59076 children were mainstreamed into formal education system under NCLP scheme.
9. **Rehabilitation of Bonded Labour-** Rehabilitation of Bonded Labours Scheme has been revised with effect from 17th May 2016 where financial assistance

has been increased from Rs. 20,000/- to one lakh per adult male beneficiary, Rs. 2 lakh for special category beneficiaries such as children including orphans or those rescued from organized & forced begging rings or other forms of forced child labour, and women and Rs. 3 lakh in cases of bonded or forced labour involving extreme cases of deprivation or marginalization.

10. Revised Integrated Housing Scheme, 2016 became operational on 16.12.2016. The Scheme shall apply to workers Registered under Labour Welfare Organisations i.e. Beedi workers, The Iron Ore Mines, Manganese Ore Mines & Chrome Ore Mines Workers, Limestone & Dolomite Mines workers, mica mines Workers and Cine Workers. A housing subsidy of Rs 1.5 lac is given under the scheme to the targeted beneficiaries in the percentage ratio of 25:60:15. Earlier the housing subsidy was of the order of Rs 40,000/- only.

11. Examination Reform in the Mining Sector: Computer Based Test (CBT) for Manager's Examination under Coal Mines Regulations. 1957 was introduced in 2015 and implemented successfully. Computer Based Test (CBT) for Manager's Examination under Metalliferous Mines Regulations. 1961 was introduced in 2016.

12. Mine Safety Initiatives: Against Silicosis Decease :Fresh initiatives have been undertaken by DGMS to create awareness amongst mine users and to train the medical officers in diagnosis and prevention of Silicosis. A project on 'Multi Centric Study of Dust Related Disease in Stone Mines and Development of Sustainable Preventive Programme' has been undertaken in collaboration with National Institute of Miners Health, Nagpur, an autonomous institute under union Ministry of Mines to address the Silicosis related health issues of stone mines and quarries workers of unorganised sectors. An occupational health and safety survey of silicosis affected workers under section 9A of the Mines Act,1952 has been under taken by DGMS.

13. VVG NLI has set up a dedicated Centre to address the training and research needs of the North East. 40 training programmes were organised exclusively for North Eastern Region. 10 research studies were undertaken on labour and employment concerns in North East.
14. VVG NLI organised 250 training programmes (mostly in Training on Trainers' mode) attended by 7500 participants representing major social partners, with a view to enhance skills and capabilities of social partners to respond to the challenges of change.
15. VVG NLI organised 60 Capacity Building Training of Trainers Programmes for leaders representing unorganised/informal sector. The Institute also organised 15 International Training Programmes attended by nearly 400 participants from 80 countries.

16. Initiatives by EPFO:

- a. **Universal Account Number for all EPF subscribers and online delivery of almost all services of EPF including registration of establishment through OLRE portal), payment of contribution, updating of accounts and grievance redressal (EPFiGMS - for registering grievance), Pensioners' portal, eKYC portal, international Workers portal, ECR/Challan submission, Online Transfer Claim Portal (OTCP).**
- b. **Access to online services of EPFO through UMANG app. This includes Employee Centric services (View EPF Passbook, Raise claim, Track Claim), Employer Centric Services (Get remittance details by establishment ID, Get TRRN Status), General Services (Search Establishment, Search EPFO Office, Know Your claim Status, Account details on SMS, Account details on Missed Calls), Pensioner Services (View Pension Passbook, Update Jeevan Praman), eKYC services (Aadhaar Seeding).**
- c. **Employees' Deposit Link Insurance (EDLI) benefit has been increased from Rs 3.6 lakh max to Rs 6.0 lakh in case of death of EPFO member.**
- d. **Banks employing 20 and more persons covered under the EPF & MP Act, 1952**

- e. Death claims to be processed within 07 days and retirement claims to be settled on the day of retirement (in response to the PRAGATI review meeting held on 26th October by the Prime Minister of India)
- f. Optional Deferment of age for drawing Pension from 58 year to 60 year with 4% per year incentive.
- g. Threshold limit of Provident Fund withdrawal raised from Rs. 30,000/- to Rs. 50,000/- for Tax Deducted at Source (TDS) effective 1st June, 2016.
- h. Self-certification regarding compliance introduced by EPFO in the case of start-ups: In order to facilitate promotion of start-up ecosystem in India, establishments in the first year of their operation allowed to submit self-certification of compliance under the EPF & MP Act, 1952.
- i. Digital India/e-kranti: Employer's Registration under the Act is online and on Real time basis with no manual intervention and no requirement of any paper document. Filing & Payment of contribution is also online with no requirement of any paper document.
- j. An Amnesty scheme for EPF defaulters was declared to provide an impetus to social security for workers. Under the scheme, an employer can declare the name of the employees who were on his rolls during the period 1.4.2009 to 31.12.2016 but EPF contribution was not deposited with EPFO. To encourage employer to declare correct employment figures eligible for deposit of EPF, employers were provided with certain rebates/relaxations in terms of waiver of administrative charges, nominal damages @ Rs 1/- per annum only, waiver of employee's share/contribution if not deducted during the period. The scheme remained in force for six months till 30th June 2017 starting 1st January 2017. During the campaign period, 1,01,31,453 members (with contribution) were enrolled under EPFO.

17. Initiatives by ESIC:

- a. Wage ceiling for coverage under ESI Act,1948 has been increased from Rs 15000/- to Rs 21000/- w.e.f. 01.01.2017.
- b. For workers covered under ESI Act,1948 maternity leave increased from existing 12 weeks to 26 weeks. Provision of maternity benefits also extended to commissioning & adopting mothers.
- c. ESIC 2.0 initiative** on digitization of health records, online availability of medical reports, Abhiyaan Indradhanush, tele-medicine facility and geo-tagging of ESIC hospitals etc
- d. The ESI Corporation has launched a pilot project of Tele-medicine Services at 11 ESI locations in co-ordination with Health Informatics and Electronics Division (HIED), C-DAC, Mohali under 'Digital India' programme of Government of India.
- e. ESIC has been paying the cash benefits to its beneficiaries directly in their Bank Accounts. Ministry of Labour & Employment and all its divisions alongwith ESIC have taken-up a special drive for getting the bank accounts opened for the workers.
- f. At present, ESI Scheme is being implemented in industrial/commercial clusters within districts. The target was to cover all 393 districts, where these clusters are located. Out of which around 298 districts have been fully covered. In the second phase, the further target is to cover all the remaining districts of the country.
- g. ESIC has decided to enhance period of unemployment allowance under RGSKY from 12 months to 24 months along with the medical benefit to Insured Person/Insured woman and his/her family. The eligibility of contribution condition has also been reduced from three years to two years for getting the benefits under RGSKY.
- h. In order to improve the health care facilities for the beneficiaries, ESI Corporation has decided to open 6 bedded Day Care Centres in various ESI Dispensaries, all over the country. To begin with, two Day Care Centres at

ESIC Dispensary at Factory Road, Sarojini Nagar, New Delhi and Dwarka, New Delhi have been started.

- i. ESIC has introduced a landmark health initiative to keep Insured Persons (IPs) healthy and aware about their health by starting of Annual Preventive Health Check-up for Insured Persons (IPs) of age 40 years and above in all ESIC/ESIS Hospital and equipped ESI Dispensary.
- j. In order to improve the medical services under State run ESI facilities, the ESI Corporation has decided to increase per capita ceiling of sharing expenditure with State Governments from existing Rs. 2150/- to Rs. 3000/- with sub ceiling of Rs. 1250/- for “Administration” and Rs. 1750/- for “Others”. With enhancement of this ceiling, the State Governments are now further equip better their medical services to ESI Beneficiaries in its ESI medical institutions.
- k. In order to promote Khadi, ESIC proposes to sign a Memorandum of Understanding (MoU) between KVIC and ESIC for supply of bedsheets and pillow covers in ESI Hospitals and Dispensaries.
- l. ESIC has recruited 135 talented sports persons from all across India.
- m. To extend the coverage to the entire workforce, **ESI Corporation has introduced a new Employer friendly Scheme named ‘Scheme for Promoting Registration of Employers and Employees (SPREE)’**. The Amnesty Scheme provides a onetime opportunity to encourage the employers to register themselves and their employees, who have been left out of ESIC coverage including contractual, casual, temporary etc. The employers registering during the period will be treated as covered from the date of registration or as declared by them whereas the newly registered employees shall be treated as covered from the date of their registration. This Scheme will remain open from 20th Dec. 2016 till 31st March, 2017. Under this scheme, as on 28.02.2017, 23505 Employers and 4422834 Employees have been covered under ESI Scheme.

III. Employment related initiatives

1. **National Career Service****- Over 3.78 crore candidates, 14.8 lakh establishments are registered on the NCS Portal and it has mobilized over 4.65 lakh vacancies. To enhance the reach and enrich the employment opportunities available to youth,

strategic MOUs have been signed with leading job portals, placement organisations and institutions of repute. Government of India has recently made it mandatory for government vacancies to be posted on the NCS Portal. The NCS project also involves setting up of 100 Model Career Centres to deliver quality employment services and these centres are being set up in collaboration with States and Institutions. NCS has partnered with Department of Posts to extend registration of job seekers through the Post Offices.

- IV. **Pradhan Mantri Rojgar Protsahan Yojanaa (PMRPY)** – The Government of India implemented the Pradhan Mantri Rojgar Protsahan Yojanaa (PMRPY) to incentivize employers for new employment. The Scheme was launched on 9th August 2016 which provides that Government of India will pay the Employees' Pension Scheme (EPS) contribution of 8.33% for all new employees enrolled under EPFO for the first 03 years of their employment. For the textile (garmenting) sector, Government will also pay the 3.67% EPF contribution of employers for these new employees. The scheme is applicable to those employees who are earning wages upto Rs. 15,000/- per month and who not worked in any EPFO registered establishment prior to 1.04.2016 and did not have UAN prior to 1.04.2016. Total No. of beneficiaries under the PMRPY Scheme as on 17.04.2018 is 36,49,188 and the total no. of establishments benefited is 46,370. The total payment made under this scheme is Rs.616 cr as on 17.04.2018.

Government has taken further initiative to provide more incentives under PMRPY scheme by enhancing payment of employer's share of contribution from 8.33% to 12% in the Finance Bill, 2018.

V. **Major National and International Events**

1. As a part of India's BRICS Chairmanship, the **BRICS Labour and Employment Ministerial meeting took place on 27-28 September, 2016** in New Delhi. A Ministerial Declaration was adopted at the end of two day deliberations which were attended by BRICS Ministerial Delegations and the International Organisations such as ILO and ISSA besides others. The Declaration covered issues, including employment generation, skilling of workforce, social security, transition to formality, networking of BRICS lead labour and research institutes

and sharing best practices in implementing policies and programmes to encourage innovation and entrepreneurship for employment generation.

2. **International Labour Conference 2016-** On the issue of Decent Work in Global supply Chains, India made a strong argument against inclusion of labour standards in Trade agreements as this may create non-tariff barriers against developing countries and argued against a new ILO standard without reviewing the effectiveness of the present ILO instruments including the MNE declaration. Supply Chains are a critical cross cutting issue and needs a larger debate before any views are firmed up on the matter.
3. **Regional Labour Conference-** Regional Conferences at the level of State Labour Ministers have been organized under the Chairmanship of Hon'ble MOS(IC) Labour and Employment in Eastern, North-Eastern, North Central and Southern Region so far. The conferences were attended by the senior most officers of Central and State Ministries of Labour and Employment. This had helped in understanding the regional level problems of workers and employers and disseminate the new initiatives at Central and State level for labour welfare.
4. Two workshops titled "**Future of Work and Young People's Aspirations**" and "**Technology**" were jointly organized by the Ministry, ILO and VVGNI in the month of May and November respectively under the 'Future of Work' Centenary initiative of the ILO.
5. **A three Day Conference on "International Vision Zero" on Occupation Safety and Health** was organized by Directorate General, Factory Advice Service and Labour Institutes, MoLE was organized between 15-17 March, 2017 in New Delhi, India. Conference was attended by more than 1500 OSH professional including more than 100 international experts and professionals from the field.
6. The **first International Social Security Association (ISSA) Academy workshop** on "Contribution Collection & Compliance" began on 05 April, 17 in New Delhi. ESIC which hosts the ISSA Liaison Office for South Asia, is the organizer of this Workshop which will continue up to 07th April, 17.

