



**DEPARTMENTALLY RELATED STANDING COMMITTEE
ON DEVELOPMENT (B) DEPARTMENTS
2024-2025**

FIFTEENTH

ASSAM LEGISLATIVE ASSEMBLY

**Report on the Demand for the Grant No.36
for the year 2024-2025**

DEPARTMENT : LABOUR WELFARE

TWENTY FIRST REPORT

Presented to the House on 21st February, 2024.

**ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT
DISPUR :: GUWAHATI - 781006**

Contents

<u>Subject Matter</u>	<u>Pages</u>
1. Composition of the Committee	i
2. Introduction	ii
3. Report	
Chapter - I	1-3
4. Observations & Recommendations for the Year 2023-24 and Action taken Report	4-7
6. Observations & Recommendations for the Year 2024-25	8-9

**COMPOSITION OF THE DEPARTMENTALLY RELATED STANDING
COMMITTEE ON DEVELOPMENT (B) DEPARTMENTS, 2024-25**

CHAIRMAN : Shri Bhabendra Nath Bharali

MLA & Chairman

MEMBERS :

1.	Shri Terash Gowalla,	MLA & Member
2.	Shri Utpal Borah,	MLA & Member
3.	Shri Sibu Misra,	MLA & Member
4.	Shri Rupak Sharmah,	MLA & Member
5.	Shri Kaushik Rai,	MLA & Member
6.	Shri Taranga Gogoi,	MLA & Member
7.	Shri Diganta Kalita,	MLA & Member
8.	Shri Darsing Ronghang,	MLA & Member
9.	Shri Rupsing Teron,	MLA & Member
10.	Shri Dharmeswar Konwar,	MLA & Member
11.	Shri Phanidhar Talukdar,	MLA & Member
12.	Shri Jolen Daimary,	MLA & Member
13.	Dr. Amiya Kumar Bhuyan,	MLA & Member
14.	Shri Basanta Das,	MLA & Member
15.	Shri Abul Kalam Rasheed Alam,	MLA & Member
16.	Shri Diganta Barman,	MLA & Member
17.	Shri Abdul Batin Khandakar,	MLA & Member
18.	Shri Bhaskar Jyoti Baruah,	MLA & Member
19.	Shri Abdur Rahim Ahmed,	MLA & Member
20.	Hafiz Bashir Ahmed,	MLA & Member
21.	Shri Aminul Islam (Senior),	MLA & Member
22.	Shri Abdul Aziz,	MLA & Member
23.	Shri Charan Boro,	MLA & Member
24.	Shri Manoranjan Talukdar,	MLA & Member

OFFICERS, ASSEMBLY SECRETARIAT

1. Shri Hemen Das, Principal Secretary,
2. Shri Dulal Pegu, Secretary,
3. Smti. Deergha Baruah, Deputy Secretary,
4. Shri Samir Das, Under Secretary,
5. Shri Dhanajit Talukdar, Special Officer,
6. Shri Madhab Chetri, Estate Officer,
7. Shri Mahen Ch. Doley, Superintendent Member's Hostel,
8. Shri Fakhar Uddin Chowdhury, Committee Officer,
9. Dr. Rosy Saikia, Language Officer,
10. Shri Baidurjya Bharali, Superintendent,
11. Shri Bhaskar Saikia, Librarian,
12. Shri Lakhi Nath Mardhi, Assistant Research Officer.

(ii)

INTRODUCTION

1. I, as Chairman of the Departmentally Related Standing Committee on Development (B) Departments, having been authorized by the Committee to submit the Report on their behalf, present this twentieth Report on Demands for Grant No. 36 of the Labour Welfare Department for the year 2024-25.
2. Demands for Grant have been examined by the Committee under Rule 260(a) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly.
3. The Committee took evidence of the representatives of the Labour Welfare Department on 16th February, 2024.
4. The Draft Report was considered and approved by the Committee at their sitting held on 19th February, 2024.
5. The Committee Members expressed their thanks to the Officials of the Labour Welfare Department for placing before them the requisite materials and their considered views in connection with the subjects under consideration and also thanks to officials of Finance and Transformation & Development Departments for their kind co-operation.
6. The Committee would also like to place on record their deep sense of appreciation for the invaluable assistance rendered to them by the Officials of Assam Legislative Assembly Secretariat attached to the Committee.

Shri Bhabendra Nath Bharali
Chairman

Departmentally Related Standing
Committee on Development (B) Department
Assam Legislative Assembly.

Dispur:
Dated 19th February, 2024

CHAPTER-I

REPORT

GARNT No. 36

After presentation of the budget in the house for the financial year 2024-25 on the 12th February, 2024, the Departmentally Related Standing Committee on Development (B) Departments held its meeting on 16-02-2024 discussed in respect to Grant No. 36 relating to the Labour Welfare Department.

The Departmentally Related Standing Committee on development (B) in its sitting held on 16th February, 2024 examined the papers and documents received from the departments and took evidence of the departmental representatives. At the same time, the Committee considered the Action Taken report on the recommendations made in its twentieth Report in the Year 2023-24 and in addition to the scrutinizing of the budget provision.

Budget Provisions under Grant no 36 relating to the Labour and Employment Department, 2024-25 are as follows:

	REVENUE	CAPITAL	TOTAL
	(Rs. in lakhs)		
VOTED	9307.93	800.51	10108.44
CHARGED	0.00	0.00	0.00

Under the following heads, an estimated budget allocation has been fixed as shown below:

2210 Medical & Public Health	4244.65
2230 Labour & Employment	5063.28
4250 Capital Outlay on Social Services	800.51
Grand Total	10108.44

The amount so allocated is presented before the House for approval and the money is proposed to be spent in the Revenue and Capital Expenditure respectively.

While discussing the Budget provision for the year, 2024-25, the Committee found the Budget so allocated comparatively less than the previous Financial Year and there is no clear indication as to why the Budget allocation has been reduced. However, the Committee feels that the Department should communicate with Finance Department, Assam for necessary Budget provision in order to restrict the hindrances that may arise while performing the function of the Department.

1.1 The Labour Welfare Department is solely responsible for administration of all labour enactments (both Central and State) along with the Rules on number of subjects related to the welfare of labourers.

1.2 The Labour Welfare Department is responsible to discharge the judicial and semi-Judicial functions pertaining to industrial disputes arising out of different labour problems through its conciliation machineries, Industrial Tribunals and Labour Courts created under Section 7-A and Section -7 of the Industrial Disputes Act, 1947. The Department takes up various enforcement activities for implementation of Central & State Acts and Rules through the fund received under Grant No. 36. Four state rules under four Labour Codes i.e. i) Assam Wages Rules, 2021 ii) Social Security Assam Rules, 2021 iii) Assam Industrial Relations Rules, 2021 and iv) Assam Occupational safety, Health and Working conditions Rules, 2022 have been published in Assam Gazette for obtaining views/suggestions of different stakeholders except Assam Occupational safety, Health and Working conditions Rules, 2022.

1.3 There is a Research Cell under Labour Welfare Department within the Secretariat which has been coordinating the functions of all the Directorates under Labour and Welfare Department and also monitors the works of Heads of Departments in respect of plan Schemes as well as schemes under different Labour Laws.

1.4 The Inspectorate of Boilers under the Department of Labour Welfare is responsible for implementation of the Indian Boilers Act, 1923 (as amended) and the Rules and Regulations framed there under and play a very important role in timely and proper execution or various power plants and steam based industries. In the process of implementation, the Inspectorate ensures safe design, materials, quality assurance and workmanship through sophisticated instrument. By inspection and testing, it ensures safe operation of Boilers and thereby provides safety to human lives and property.

1.5 The Inspectorate of Factories under the Labour Welfare Department is responsible for implementation of the Factories Act, 1948 and Factories Rule, 1950 or ensuring occupational safety, health and welfare of workers engaged in tea factories and other industries.

1.6 There is a Board of Trustees for the Assam Tea Plantation Provident Fund Organisation, which implements, enforces and administers social security schemes for the employees of tea estates and tea factories in the State of Assam. It is a self financing organization with respect to the benefits paid and its administrative expenses.

1.7 Labour Welfare Department is also responsible for running Employees State Insurance Schemes (ESI Scheme) to provide medical benefits to the insured persons and their family members in pursuance of ESI Act, 1948 through a network of 28 dispensaries and one 20 bedded hospital in the State. For taking up various welfare activities for the tea garden workers, there is a Tea Employees Welfare Board under the Department of Labour Welfare.

5. A Brief Note in respect of Grant No. 36:

Labour Welfare Department had proposed an amount of Rs. 1994.45 Lakhs for implementation of SOPD schemes during the Financial Year 2023-24.

However, the Finance Department has allocated an amount of Rs. 840.55 Lakhs under SOPD for Labour Welfare Department.

Detailed Break up of the allocated fund is given below:

Sl. No.	Sector	Allocation for 2023-24 (in Lakhs)
1.	Labour Commissioner, Assam	769.50
2.	Chief Inspector of Factories, Assam	18.00
3.	Chief Inspector of Boilers, Assam	53.05
4.	AMO, ESI Scheme, Assam	0.00
Grand Total		840.55

6. New Schemes launched by the Government, if any, furnish in details

No new scheme has been launched.

4. Action Taken Report on the Recommendation made by the Committee in its 20th Report, Grant No. 36 for the year 2023-24:

The action taken on the Recommendation made by the Committee in its 20th Report against Grant No. 36 are as follows:

Sl	Observations and Recommendations (Grant No.36)	Action taken
1	2	3
1	<p>The Committee observed that there is no provision of allotment/ownership of land and/or house to the tea garden workers after retirement. Most of the workers do not have own house or land for proper settlement after their retirement from garden job. This has caused major hardship for to the tea garden workers and their family members in their post retirement life.</p> <p>The committee recommended that suitable policy should be framed for allotment of land/provision of house to the tea garden workers after their retirement from the job.</p> <p>The Committee also recommended the concerned Department should take necessary step to solve the problem and amending the Labour Plantation Act if necessary.</p>	<p>The recommendation of the Hon'ble committee has been noted and the Labour Commissionerate under Labour Welfare Department has taken the following step for fulfilment of the recommendation –</p> <p>Apart from the facilities that are mandated to be provided under the Plantations Labour Act, the State Government, through the Panchayat and Rural Development Department provides housing under the Pradhan Mantri Awas Yojana (PMAY) to the tea garden population. If any issue of NOC regarding land for building of houses arises, the Officers of the Labour Welfare Department extends necessary cooperation to mitigate the issue.</p>
2.	<p>The Committee observes that the Commissionerate of Labour, Assam, is responsible for the detection and rescue of child/adolescent labours in the State is facing lots of problems to rendering their functions due to insufficient numbers of vehicles.</p> <p>Therefore, the Committee recommends the Department should have to purchase sufficient number of vehicles for smooth functioning of the Department as early as possible.</p>	<p>The suggestions made by Hon'ble committee has been noted.</p> <p>In this regard, it is submitted that, the Commissionerate had submitted budget proposal for purchase and hiring of functional vehicle in the financial year 2023-24 to the Govt. However, no budget was allotted.</p> <p>Keeping in view the recommendation of the Hon'ble Committee, a proposal was once again submitted for procurement of functional vehicles and hiring of vehicles for Head Office and subordinate offices.</p> <p>Therefore, considering the shortage of vehicles in the Commissionerate, decision has been taken to procure one number of State Level Functional Vehicle from the available funds of Assam Labour Welfare Society. Thereafter, the proposal for the same was placed before the Governing Council of the Assam Labour Welfare Society and approval was received to procure one State Level Functional Vehicle. Accordingly One Function Vehicle was procured via Gem Portal for smooth function</p>

		of the Commissionerate.
3	<p>The Committee observed that the UC on the spent amount during commemoration of Labour Day has not yet been furnished by the Deputy Commissioners including Tinsukia District to their concerned Department. The Department has not yet been received an amount of Rs. 1.00 crore till now. This results in problems for getting sufficient budget allocation for the FY 2023-24.</p> <p>The Committee has strictly Recommends the Department to take necessary step to make an enquiry against the defaulters who did not submit their Utilization Certificate (UC) and to take steps for getting the UC at an early date.</p>	<p>This Labour Commissionerate under Labour Welfare Department would like to submit that, Utilization Certificate amounting to Rs. 20,00,000/- Lakhs has also been submitted by DC, Tinsukia which was paid as advance payment in connection to expenditures incurred during the observance of Shramik Kalyan Diwas, 2020 in Doomdooma, Tinsukia.</p> <p>Regarding payment of Pending Bills of DC Tinsukia in connection to celebration of Shramik Kalyan Diwas, 2020, Labour Commissionerate under Labour Welfare Department would like to inform that after repeated reminders, DC, Tinsukia has submitted bills related Shramik Kalyan Diwas, 2020 amounting to Rs. 85,19,355.19.</p> <p>Payment amounting to Rs. 10,15,858.15, has been made to DC Tinsukia as approved by the Governing Council of the Assam Labour Welfare Society. For the remaining amount DC Tinsukia has been requested to resubmit corrected bills.</p>
4	<p>The Committee observed that the accidental cases are increasing in the Tea Estates Factories causing massive injuries to many factory labours.</p> <p>The Committee therefore recommended that the Department should take adequate measures to stop such incidents in Tea Estate Factories at an earliest date.</p> <p>Committee also recommended that the Department to make sudden visit to the Factories during the running time of the Factories in the tea Estates to look after the conditions and safety measures of the working labours. The Committee also recommends that the Department should submit a list of the accidental cases caused in the tea Factories within an early date.</p>	<p>The suggestion made by the Hon'ble Committee has been noted. At present a "Random Web-based Inspection System" mandated by the EoDB initiative Govt. of India is being designed and developed by the National Informatics Centre (NIC), Assam. Upon development and implementation, the system is expected to bridge all the gaps and inadequacies of the routine inspection system.</p> <p>Chief Inspector of Factories under Labour Welfare Department apart from the regular inspection of tea factories of Assam, also undertook the following steps to ensure implementation of the provisions of safety and health Statutes and monitoring of non-compliance in tea factories of Assam, to prevent the instances of occurrences of accidents in tea factories. These are outlined below;</p> <p>(i) All the accidents have been investigated forthwith to detect the cause/causes leading to the accidents with violation of law that led to the accidents.</p> <p>(ii) Approval for launching prosecution have already been accorded to the Inspectors against each accident and accordingly prosecution have been launched against each factory managements where fatal and/or serious accidents occurred.</p> <p>(iii) A guideline for the steps to be taken by the occupiers of all factories to comply with the statutory provisions on general duties and responsibilities stipulated upon them,</p>

		<p>have been circulated to Tea and other industry associations and in leading dailies. Use of technology such as C.C. camera aided workplace monitoring is one of them.</p> <p>(iv) On the spot Safety and health awareness generation session on the Dos and Don'ts to be observed in the factories to prevent accident, injury and health damage are being carried out by the Inspectors as part of their inspection involving workers, supervisors, fitters, electricians and shopfloor managers. This is already in place as a Standard operating procedure.</p> <p>(v) The Inspectors have been advised to inform the local workers Union representatives in order to make them available during the course of Inspection to enhance transparency, efficacy and purpose of factory inspection.</p> <p>(vi) All Tea factory managements have been instructed not allow any person to enter the factory premises under the influence of any alcoholic beverage or any other intoxicative and without wearing personal protective gears.</p>
5	<p>The Committee observed that the Guest Houses of Labour Welfare Board situated in Ganeshguri, Guwahati is not fully constructed and the salaries of their workers are also not being regularized.</p> <p>The Committee, therefore, recommended the Department to take initiatives to complete the construction work of the Guest House and regularize the salary of the workers</p>	<p>The suggestion made by the Hon'ble Committee has been noted. The Guest House of the Assam Tea Employees Welfare Board situated at Ganeshguri, Guwahati has already repaired by the Executive Engineer Capital Construction Division P.W.D. Dispur and will be opened for the visitors shortly.</p> <p>On the other hand, the Board has been paying monthly salary to its employees regularly.</p>
5	<p>The committee observed during the course of discussion with the Departmental representative that there are not sufficient number of Doctors and Nursing staffs in the Hospitals of most of the tea gardens.</p> <p>Therefore, the committee recommends that the concerned department should have to take necessary steps to fill up the required posts of doctors, nursing staff and others whatever necessary.</p>	<p>The Commissionerate of Labour, Assam under Labour Welfare Department has issued direction to all field level officials to take necessary action for prosecution of defaulting employers in the matter of non-provision of medical facilities in the gardens and submit action taken report vide letter No. PLA.02/2023/4031-32, dated Guwahati the 3rd May, 2023.</p> <p>It is submitted that so far 30 Nos. of prosecution has been launched against the defaulting employers in 6 Districts by the Medical Inspectors as reported for non-appointment of medical officers, nurses etc.</p> <p>Moreover, as per the recommendation of the Hon'ble committee for filling up of vacant post of MIPs through APSC proposal has been submitted to the government for approval vide letter No. ECF.339000/1/227949/2023, dated 21st July, 2023. Additionally, proposal for creation of new MIP posts has also been submitted to the government vide letter No.</p>

		ECF/339000/1/227031/2023, dated 21 st July, 2023. Regarding creation of new posts of MIPs through APSC, the Service Rule is being prepared.
7	<p>The Committee observes that most of the tea gardens of the State do not have the Welfare officers for monitoring the welfare activities of the labours in tea gardens.</p> <p>Therefore, the committee recommends that the Department should take necessary steps for the appointment of the welfare officers in the tea gardens.</p>	<p>With regard to the recommendation of the Hon'ble Committee the Commissionerate of Labour, Assam has issued letter directing all field level officials for taking immediate steps for prosecution of defaulting employers who have not yet filled up the vacant post of welfare officials in their respective tea gardens.</p> <p>Virtual meeting with all the field level Officials have also been taken up at the level of Principal Secretary, Labour Welfare Department and Labour Commissioner, Assam regarding necessary steps to be taken for the appointment of the welfare officers in the tea gardens.</p> <p>At present, 4 nos. of Tea Garden Management in 2 Districts have been prosecuted for non-compliance of appointment of Welfare Officers.</p> <p>Further directions has been issued to all field level Officers to immediately prosecute the defaulting Management for non -appointment of Welfare Officers and submit compliance report within 1 week from the date of issue of the letter.</p> <p>Additionally a letter has been issued to all the Tea Garden Management Associations for filling up of vacant posts of Welfare Officers at the earliest.</p>

OBSERVATIONS AND RECOMMENDATIONS

(Labour Welfare)

GRANT No.36

The Committee after holding threadbare discussions and on close scrutiny the Budget provision in Grant No. 36 of the Labour Welfare Department and on the evidences tendered by the departmental representative made the following observations.

1. While discussing the Committee observes that there is no provision of allotment/ownership of land and/or house to the tea garden workers after retirement. Most of the workers do not have own house or land for proper settlement after their retirement from garden job. This has caused major hardship for the tea garden workers and their family members in their post retirement life.

The Committee recommends that suitable policy should be framed for allotment of land/provision of house to the tea garden workers after their retirement from the job and that necessary steps should be taken for their relocation/re-establishment in any available land under Govt. possession post retirement.

2. The Committee observes that the Commissionerate of Labour, Assam, responsible for the detection and rescue of child/adolescent labours in the State, is facing lots of problems in rendering their functions due to insufficient numbers of vehicles.

Therefore, the Committee recommended the Department to **hire** vehicles for smooth functioning of the Department as early as possible.

3. The Committee observes during the course of discussion with the Departmental representative that there are insufficient number of Doctors in the Hospitals of most of the tea gardens, which in turn is causing a lot of health related issues in the tea gardens.

Therefore, the Committee recommends that the concerned Department should take necessary steps to fill up the required posts of doctors, who may be brought in either from the nearest model hospital(s) or from amongst the MBBS doctors serving their one year term in the National Health Mission (NHM).

4. The Committee observes during the course of discussion that the Present sanctioned Cadre strength of Gazetted Officers in the Commissionerate of Labour, Assam is not sufficient for smooth and efficient functioning of the Commissionerate and timely execution of its regular duties.

Therefore, the Committee recommends that a revision is required in the existing Cadre strength for further recruitments in the Commissionerate to ensure its smooth functioning.

5. The Committee observes during the course of deliberation that Departmental Representatives have proposed for a Scheme of setting up of the State of Art Professional Training Institute of Welders, Boiler Operation Engineer & Boiler Attendant at the Head Quarter, Lalmati, Guwahati, Assam along with the Hostel Facilities for the total estimate of Rs 500.00 Lakhs, from which, a provision of Rs 75.00 Lakh budget allocation has been already made during the current FY 2024-25, instead of Rs 200.00 Lakhs, as required for the first phase. The Committee also felt this proposed Institute will be a vital step toward creation of Employment Generation with skilled manpower requirement in the respective industries in the State.

The Committee, therefore, appreciates the initiative by the respective Department and also recommends that the necessary steps to be taken up for required budgetary allocations for setting up of the State of art Professional Training Institute of Welders, Boiler Operation Engineer & Boiler Attendant at the Head Quarter, Lalmati, Guwahati, Assam with Hostel Facilities during the FY 2024-25. The Committee, therefore, strongly recommends that the Department should take proper and well-timed action in regard to following :

- **To submit a proposal of Supplementary Demand during the year 2024-25 amounting to Rs 125.00 Lakhs, keeping in mind that the requirement for the FISRT PHASE work execution is Rs 200.00 Lakhs (as mentioned above).**

With these observations and recommendations as mentioned aforesaid, the Committee recommends that the Budget provision amounting to Rs. 10108.44 Lakh during the financial year 2024-25 under the grant No. 36 be accepted.

The Action taken on the report may be submitted to the Committee within 90 (ninety) days from the date of presentation of the Report to the House.

-----O-----

2024

Printed at the Assam Government Press
Guwahati-21