

A Tale of Three States: Labour Reforms in the States of Gujarat, Madhya Pradesh and West Bengal

NLI Research Studies Series
No. 135/2019

Kingshuk Sarkar



V.V. Giri National Labour Institute

A Tale of Three States: Labour Reforms in the States of Gujarat, Madhya Pradesh and West Bengal

Kingshuk Sarkar



V.V. Giri National Labour Institute
(Ministry of Labour & Employment, Govt. of India)

* Dr. Kingshuk Sarkar, presently Deputy Labour Commissioner, Govt. of West Bengal and former Fellow, VVGNNLI, Noida

ISBN: 978-93-82902-63-8

Copyright © V.V. Giri National Labour Institute, Noida

No. of Copies : 300

Year of Publication : 2019

This document can be downloaded from the Institute's website at www.vvgnli.gov.in

Opinions expressed in the study are solely of the author and do not necessarily reflect the views of the Institute.

Printed and Published by V.V. Giri National Labour Institute, Sector-24,
Noida-201301, U.P.

Printed at: Chandu Press, D-97, Shakarpur, Delhi-110092

Content

Preface	v
Acknowledgement	vi
Chapter 1: Introduction and Review of Literature	1
Chapter 2: Labour Reforms in the State of Gujarat	6
Chapter 3: Labour Law Amendments in the State of Madhya Pradesh	20
Chapter 4: Labour Law Reforms in the State of West Bengal	29
Chapter 5: Conclusions and Findings	36
References	42

Preface

National labour administration systems have a crucial role in conception and implementation of national labour policies but the effectiveness of labour administration institutions is not to be taken for granted. Many governments have thus recently taken efforts to modernize their labour administration systems and increase their performance by implementing various types of administrative reforms such as improving planning and coordination, introducing performance management schemes or using new technologies especially in management processes and in providing services to the public. Some of them have also taken measures to reach out to the informal sector which is largely beyond the scope of labour administration in many parts of the world. In addition, many labour administration bodies have strengthened their cooperation with social partners and built partnerships with non-governmental organizations. Extended reliance on the private sector especially in terms of contracting and quality control is a notable development and one that also presents specific challenges.

At the same time many labour administrations in both developed and developing countries have been trying to increase compliance with labour laws. This is a complex matter as compliance is determined not only by the effectiveness of labour inspection services but also other factors such as quality of labour legislation and speed of judicial proceedings, awareness of employers and workers of their right and obligations, the quality of industrial relations especially at the workplace level as well as other factors.

The State through its labour administration system bears a heavy responsibility in the social field most importantly to safeguard the fundamental human rights of workers and in particular to ensure respect of the minimum age for admission to employment, abolition of forced labour, freedom of association, the right to collective bargaining, non-discrimination and equal remuneration for work of equal value. Moreover, labour administration has strengthened cooperation with social partners and has helped grow greater collaboration with social partners and non-governmental organizations. At the same time focus on compliance of labour laws is also there. Thus the entire gamut of sphere of labour administration has become very wide and complex.

India has a federal system of government and labour is on the concurrent list. Both Central and state governments have the power to enact legislations and formulate schemes/programmes for the betterment of working and living conditions of the workforce in the country. For all

issues relating to the organized and unorganized sector, the Ministry of Labour & Employment (MoLE) is the nodal ministry at the Central level. Similarly, there are Labour Departments at the State level looking after the interests of the workers at the State level.

The main challenge before the labour administration system in India today is the large informal economy. Workers in informal and non-regular forms of the employment are not covered by labour legislation. The current Government has embarked on a major labour law reform agenda with the objective of addressing informality and bringing unorganized workers and businesses in purview of labour law.

In this background the present Study is an effort in the direction of highlighting the reforms undertaken in the states of Gujarat, Madhya Pradesh and West Bengal and identifying their similarities and differences in approach.



Dr. H. Srinivas
Director General

Acknowledgement

I express my sincere gratitude and heartfelt thanks to Dr. H. Srinivas, Director General, V.V. Giri National Labour Institute, Noida for his help, encouragement and guidance in shaping this study. It is because of his constant encouragement, penchant for perfection and constructive criticism that I could bring this study to completion. Here I would like to express my heartfelt gratitude and sincere thanks to Dr. Helen R Sekar, Senior Fellow, VVGNNLI, Dr. Sanjay Upadhyaya, Fellow and Dr. Ellina Samantroy, Fellow, VVGNNLI, for extending all possible help and encouragement during the period of study.

I will ever remain grateful to Shri Manish Kumar Gupta, Former Director General, VVGNNLI and present Joint Secretary, Ministry of Labour & Employment, Govt. of India, for providing me encouragement and inspiration during the course of the Study. I am also thankful to Shri Partha Pratim Mitra, Ex-Principal Labour & Employment Advisor, MoLE, Govt. of India for his constant support, encouragement and guidance during the entire course of the study.

I am also thankful to all the distinguished trade union leaders of Gujarat, Madhya Pradesh and West Bengal that I had an interaction with during the course of the study. Their comments and feedback enriched this study. In this regard, I am grateful to all the employers' representative in these three States for their feedback, suggestions and support.

I am also grateful to all the labour administrators of various ranks in these three States for their feedback, opinions, suggestions and time during interactions at various stages of field work. I am especially thankful to Labour Secretaries and Labour Commissioners of these three States for facilitating the process of enquiry and intelligence gathering. Without help and active support from labour administrations in these three States it would not have been possible to carry out this study.

I am also thankful to all the academicians, scholars, activists of these three States for their support, cooperation and valuable suggestions during interactions at various stages of field work of this study.

I gratefully acknowledge suggestions and co-operations provided by all the faculty members, officers and staff members of V. V. Giri National Labour Institute, Noida at different stages of my research work. Broadly speaking, I am grateful to the entire VVGNNLI community.

I am particularly thankful to Kusum Balooni, Roli Thapar and Nikita Singh for their immense contribution towards this work.

It is not possible for me to name individually all the persons who have helped at various stages of this research work. I convey my sincere thanks to all persons concerned for their co-operations in their own ways. My apologies to all for not being able to mention their name individually.

However, any act of mistake or omission is my sole responsibility. Usual disclaimers apply.

Kingshuk Sarkar

Chapter 1

Introduction and Review of Literature

1.1 Introduction

The subject of labour reforms has been under debate over the last two decades in India. The dominant narrative is that there are too many labour laws and most of those are quite old and they are adversely affecting India's employment potential. Liberalization of the economy started happening since 1991 and from late nineties and early 2000, there has been a growing demand to have a broad-based labour reforms as part of second generation reform. To realize the full potential of Indian economy and as a follow-up of first set up liberalization measures, it is thought that labour reforms should follow. It is in wide circulation since then but nothing much happened till recently. Some attempts have been made to rationalize and simplify labour laws. Certain measures were taken to improve the efficiency of the labour administration as well as maintaining its relevance in the present context.

Labour being in the concurrent list, reform initiatives have started both in Centre and State sphere. Centre is presently engaged in formulating Labour Codes (Wage, Welfare, Social Security and Industrial Relation) as part of rationalization and simplification of labour laws. Extensive tripartite consultations are presently being held to finalize these Codes. At the same time, quite a number of States are carrying out significant labour reforms at their respective States. There are two aspects of such reforms: amendments in the existing labour laws and administrative reform of the labour administration. Administrative reform has strong linkages with Ease of Doing Business (EoDB) initiatives and quite heavily using information and communication technology. In this study, I will be concentrating on labour reform initiatives in three States namely Gujarat, Madhya Pradesh and West Bengal. This Study will examine the nature of reforms that has been carried out in these three States and their larger implications on labour administration and labour market. It will try to formulate recommendations which subsequently inform policy-making.

1.2 Review of Literature

The emergence the New Economic Policy has made several regulatory provisions seem highly restrictive adversely affecting the ease of doing business. While governments at both the central and state level have attempted to deregulate labour by easing the reforms, trade unions have resisted any such move and in fact protested against the relaxation in labour practices.

Professors Timothy Besley and Robin Burgess find that rigid labour laws lead to significant reduction in employment, productivity and growth. More importantly, they document a strong relationship between labour laws and urban poverty. In other words, rigid labour laws are also associated with increased urban poverty (Timothy Besley, 2004). The study on manufacturing growth during 1958-1992 says that "States which amended the Industrial Disputes Act in a pro worker direction experienced lowered output employment and investment in registered formal manufacturing. In contrast output in unregistered or informal manufacturing increased. Legislating in a pro worker direction was also associated with increase in urban poverty. This suggests that attempts to redress the balance of power between capital and labour can end up hurting the poor."

According to Fallon and Lucas employment in organised manufacturing would have been 17.5 per cent higher in the absence of job security regulations (Fallon & Lucas, 1991).

A labour market is inflexible if the level of unemployment insurance benefits is too high or their duration is too long or if there are many restrictions on the freedom of employers to fire and to hire or if the permissible hours of work are too tightly regulated or if excessive generous compensation for overtime work is mandated or if trade unions have too much power to protect incumbent worker against competition and to control the flow of work at the site of production or perhaps if statutory health and safety regulations are too stringent.

Eighty per cent of Indian manufacturing output comes from enterprises in the formal sector while a similar proportion of manufacturing employment is generated by enterprises in the informal sector. This is a fundamental disconnect: one set of enterprises accounts for most of the output while another set of enterprises accounts for most of the employment. It has also created a labour aristocracy that seeks to protect its privileges but in effect keeps the majority of industrial workers trapped in informal enterprises. The policy challenge that emerges from this paradox is clear. The government has to create conditions that encourage large enterprises to take on more workers while making it easier for informal enterprises to grow in scale.

Of course there are a large number of voices advocating the importance of these reforms in inhibiting the 'low road to growth' (Sengenberger & Campbell, 1994). They observe that as long as it is possible for the firm to compete on the basis of reducing cost they will continue to lower wage and labour standards. They believe that the boost in productivity with innovation in technology, product design and organisation (high road to growth) will occur only when the other road is barred.

Two papers based on the empirical information on changes in laws on labour in India, which have had the most influence in policymaking circles,

are Lucas (1993) and Besley and Burgess (2004), particularly the latter. It was common in the theoretical literature of the 1980s and 1990s to explain unemployment in developed countries in terms of a simple model of a non-clearing labour market, where employment and real wage were given by the intersection of a downward-sloping demand curve for labour and an upward sloping wage-setting curve, with a labour supply and labour demand curves have usual interpretations. But it has no unique interpretation and has been interpreted differently in different models. For example, in the efficiency wage theory of Shapiro and Stiglitz (1984), it can be interpreted as a no-quitting or no shirking locus, or in the insider-outsider (I-O) theory of Lindbeck and Snower (1990), it may represent an insider's wage claims.

The I-O model of wage setting is therefore not the only explanation for the persistence of involuntary unemployment in the theoretical literature even though policy advocacy for labour market flexibility is the logical outcome of the model. There are other explanations that have little to do with rigid institutional rules that make labour retrenchment difficult. Shapiro and Stiglitz (1984) for example, show how the inability of employers to observe workers' on-the-job effort in a costless way, explains involuntary unemployment as an equilibrium phenomenon. In their model, unemployment results from imperfect monitoring of effort. In equilibrium, all firms pay the same wage above the market-clearing rate, and unemployment, which makes job loss costly, serves as a device for worker discipline. Having gone through these theoretical insights, one might argue that the models to explain the persistence of unemployment in Europe and the United States and their implications for a policy to ensure labour market flexibility have little relevance in the Indian context. At the other extreme, excellent papers have been written to argue for the 'benefits from rigid labour markets' in the Western context (Agell, 1999). There is no inherent trade-off between dynamic efficiency and basic income security for the working poor despite a long stream of theoretical literature on this supported by strong empirical evidence (Chakraborty, 2014)

There is no trade-off between labour flexibility and providing basic economic support to the poor workers (Chakraborty, 2014). This forms the basis for labour market regulation that includes the following aspects of employment such as the conditions of work. Wages and remuneration, employment security and social security measures that can enhance the capability of workers (National Commission for enterprises in the Unorganized Sector (NCEUS), 2009).

With growing casualization of the work force, the size of the informal economy has been expanding which implies rising economic insecurity and vulnerability of the workers. Studies have revealed that the workers in the informal sector are deprived of economic security and other forms

of social protection. Thus ILO has introduced the notion of social security as a fundamental human right to compensate the workers employed in the informal sectors of the economy. The basic idea of social security is to provide social means to prevent deprivation of workers and protect them from vulnerability (Dreze and Sen, 2002). Hence they have introduced a much broader concept of social security to incorporate economic security and not just basic security. The two forms of social security are protection and promotion. The protective measures are directed towards protecting the workers and their families to meet unforeseen contingencies such as preventing a decline in their standard of living as a result of an economic crisis. The promotional measures are aimed at enhancing the living conditions of workers with the help of poverty alleviation programmes such as mid-day meal scheme. The ILO's notion of social security involves a wide range of public norms grouped under social assistance and social insurance. The social assistance includes various measures to protect people with various kinds of disability. The social insurance includes protection to works in cases of income loss due to any kind of employment injury, sickness etc. (Rani and Unni, 2002). The idea of social protection of workers has become significant from the decade of 90s to address the problems of poverty and vulnerability.

In the context of developing countries where the size of informal economy is large the workers need a much more comprehensive social protection policy designed by the State. A comprehensive social protection policy should encompass promotional measures, preventive measures and protective measures. The promotional measures aim at improving endowments, exchange entitlements, real incomes and social consumption. The preventive measures are meant to avert deprivation and protective measures provide relief from deprivation. The NCEUS's report on 'Conditions of Work and Promotion of Livelihoods in the Unorganized Sector' (2007) has incorporated the broad concept of social protection. The report has reviewed the working conditions of the farmers, wage workers, home based workers to set up a comprehensive strategy for generating productive employment opportunities in the informal sector units while ensuring decent work approach combined with income and social security. The decent conditions of work include several issues related to payment of minimum wages, reasonable hours of work, work environment, safety conditions and also redressing of disputes. ILO's concept of decent work also matches with the broad concept of social security as developed by Guhan (1994). The basic idea of social security is that it promotes happiness of individuals which is beneficial for growth and stability.

Standing (1999) has proposed that a good society is the one which ensures a good labour market with well- functioning policies and institutions such that the individuals enjoy basic security. The argument of social security

for the workers supports the intuitionist perspective of the labour market institutions. The social security measures help to fulfil a redistributive role in the market economy by providing an insurance cover against various forms of adversities. Various States in India have adopted social security measures to protect the worker's rights but there are differences with regard to their levels of performance. For instance, the first welfare fund was set up in Kerala in 1969 with an active support from the state government to provide economic security to the workers. The welfare fund came to be known as Toddy Tapers' Welfare Fund that has functioned effectively throughout the State. By 1980's a large number of welfare funds were formed and the employer's contribution add to finance the funds. The Social security in Kerala is considered as a political right of the workers. Thus the policy makers can take lessons from the Kerala welfare fund model to design an effective social security system for every State.

The debate regarding the role of the State to provide social protection is an important area of concern. In the overall scenario of the Indian State having been active in extending social security benefits to the people, there is a small segment of the working populace belonging to the public sector and organized private sector that has had the privilege of those benefits. However, with the State taking a pro-business stance from the mid-eighties, the organized sector privileges have also been under pressure. The organizational strength of the workers in the formal sector has also declined because of the State's inability to bail-out the sick industrial units by bringing them under the public fold, which was the practice earlier. The State was also expected to adopt a pro-labour stance with an active involvement in the tripartite negotiations. Even though the formal tripartite structure has not been dismantled, the State has almost stopped taking a pro-labour stance. Thus the welfare role of the State to support the organized sector workers with respect to the payment of the legal dues has declined over the years. When the State is indifferent, if not offensive, to the organized sector, what role does the State take as far as the unorganized sector workers are concerned? We try to examine whether the same State is benevolent towards the so called 'residual sector' of the economy. Is the State equally reluctant in providing social security coverage to the informal sector workers? Is the recent progress in the social security coverage for the informal sector workers a result of the pressure from below or driven by the need for containing the discontent that has followed from squeezing of the organized sector towards greater flexibility of the labour market?

Thus it would be insightful to keep the organized sector in the background while looking at the social security measures for the unorganized sector and examine the social security schemes in the context of the changing dynamics of the two sectors of the economy. The terms organized or formal and unorganized or informal are used interchangeably throughout the study.

Chapter 2

Labour Reforms in the State of Gujarat

The Labour Laws (Gujarat Amendment) Bill 2015 was passed by the government of Gujarat and then by President Pranab Mukherjee to 'relax labour laws to give an impetus to industrialisation in the State'. The new law consists of provisions like settling disputes between workers and management through a compromise formula with 'compounding of offences' and provisions to ban strikes in public utility services for up to one year.

1. Act 29 of 2015- The Labour Laws (Gujarat Amendment) Act

In the Employee's Compensation Act, 1923 in section 22 to sub section 1A a provision was added by which when an employee or his dependents fail to apply for compensation within a period of 90 days such an application can be filed by an officer authorised by state government.

2. The Industrial Dispute Act 1947:

It is proposed to amend the provision of declaring any activity as Public Utility Service from six months to initially one year and subsequently for two years. The said amendment will help increase of industrial productivity and public at large will be benefited for continuous services of various emergencies.

However, workers / industries can agitate their issues by way of strike / lock-out, as the case may be, after giving notice of 14 days.-The complaints of reinstatement can be filed by the workers within one year (previously three years) from the date of retrenchment. The Chapter V-D of the Industrial Disputes Act, 1947 is applicable to the Special Economic Zone (SEZ), where, the retrenchment of workers is kept out of the definition of Industrial Dispute, under the Industrial Disputes Act, 1947. To strike a balance, the retrenchment compensation is enhanced from 15 days to 45 days in Special Economic Zone (SEZ). The present Bill proposes, to expand the ambit of Chapter V-D of the Industrial Disputes Act, 1947 to Special Investment Regions (SIR), 100 % Export Oriented Units and National Investment and Manufacturing Zone (NIMZ). The bill also proposes to enhance the retrenchment compensation to 60 days. It is proposed to amend the provision for Notice of Change in Schedule IV of the Industrial Disputes Act, 1947, so as to exempt the industries from giving the notice of change in cases of change in labour management due to modernization and innovations.

-Penalty for whoever contravenes any of the provisions of this Act is increased from 100 INR to 21000 INR

Section 31A to be inserted after section 31 namely Compounding of Offences:

Any offence punishable under section 25Q (Penalty for layoff and retrenchment without previous permission), 25R (Penalty for closure), 25U (Penalty for committing unfair labour practices), 26(Penalty for illegal strikes and lockouts), 27(Penalty for instigation, etc.), 28(Penalty for giving financial aid to illegal strikes and Lockouts), 29(Penalty for breach of settlement or award), 30A(Penalty for closure without notice), 31(Penalty for other offences)

Sr. No.	Section	Compounding amount	
1	2	3	
1.	25Q	25 days wages last drawn by each workman.	
2.	25R	60 days wages last drawn by each workman.	
3.	25U	(i) By each workman 150/- per day but not exceeding 3000/- in aggregate; (ii) By employer 300/- per day but not exceeding the amount in aggregate as shown below:	
		Number of workmen employed in the industry	Amount not exceeding
		1 to 50	₹ 7,000/-
		51 to 100	₹ 10,000/-
		101 to 500	₹ 15,000/-
		More than 500	₹ 20,000/-
4.	26	(i) In case of illegal strike, 150/- per day by each workman but not exceeding 3000/- in aggregate; (ii) In case of illegal lock-out 300/-per day by an employer but not exceeding the amount in aggregate as shown below:	
		Number of workmen employed in the industry	Amount not exceeding
		1 to 50	₹ 7,000/-
		51 to 100	₹ 10,000/-
		101 to 500	₹ 15,000/-
		More than 500	₹ 20,000/-

5.	27 and 28	As per section 26 above for illegal strike and lockout.			
6.	29	200/- per day in respect of each of the workman.			
7.	30A	25 days wages last drawn by each workman.			
8.	31(1)	Number of workmen employed in the industry	For first offence	For second offence	For third offence
		1 to 50	₹ 10,000/-	₹ 15,000/-	₹ 20,000/-
		51 to 100	₹ 15,000/-	₹ 20,000/-	₹ 25,000/-
		101 to 500	₹ 20,000/-	₹ 25,000/-	₹ 30,000/-
		More than 500	₹ 30,000/-	₹ 35,000/-	₹ 40,000/-
9.	31(2)	(i) For each workman, for the first offence ₹ 1000/-, for the second offence ₹ 2000/- and for the third offence ₹ 3000/-			
		(ii) For Employer:			
		Number of workmen employed in the industry	For first offence	For second offence	For third offence
		1 to 50	₹ 1500	₹ 3000	₹ 6000
		51 to 100	₹ 3000	₹ 6000	₹ 10000
		101 to 500	₹ 4000	₹ 8000	₹ 15000
		More than 500	₹ 5000	₹ 10000	₹ 20000

Offence committed of the same nature will be compoundable for the first three offences, after the offender has acted to the satisfaction of the officer or authority that such an offence is not continued any further.

Also the amount received will be paid to concerned workman or equally amongst workmen or deposited in Gujarat State Social Security Board constituted under the Unorganised Workers Social Security Act 2008.

Entries no 6 to 11 in Fourth schedule (Conditions of Service for change of which notice is to be given) to be deleted (these are 6. Starting, alteration or discontinuance of shift working otherwise than in accordance with standing orders; 7. Classification by grades; 8. Withdrawal of any customary concession or privilege or change in usage. 9. Introduction of new rules of discipline, or alteration of existing rules, except in so far as they are provided

in standing orders;10.Rationalisation, standardization or improvement of plant or technique which is likely to lead to retrenchment of workmen;11. Any increase or reduction (other than casual) in the number of persons employed or to be employed in any occupation or process or department or shift [not occasioned by circumstances over which the employer has no control].)

3. Minimum Wages Act, 1948

In shops or establishments or factories employing, the payment of wages is done through Bank account only (Amendment of Section 11). As per new definition of Employer “Outsourcing Agency” will also be included as Employer; an outsourcing agency means an agency which by a contractual agreement or otherwise provides services or supplies employees (Amendment of Section 2).

Addition of section 18A in Minimum Wages Act 1948 under which Employer as notified by state government must enrol under the self-certification cum consolidated annual return scheme.

The state government will prescribe audit and assessment norms for compliance of labour laws and labour standards.

Under Section 22A (General provision for punishment of other offences) five hundred rupees to be substituted by twenty one thousand rupees for any offence punishable under section 22A (General provision for punishment of other offences) after application be calculated as per table below:

Section	Compounding amount			
2	3			
22A	Number of employees employed in the industry	For first offence	For second offence	For third offence
	1 to 50	₹ 1500	₹ 3000	₹ 6000
	51 to 100	₹ 3000	₹ 6000	₹ 10000
	101 to 500	₹ 4000	₹ 8000	₹ 15000
	More than 500	₹ 5000	₹ 10000	₹ 20000

The State government after notification in the Official Gazette must amend the compounding amount specified in the Table Above.

The offence committed of the same nature shall be compoundable only for the first three offences.

Also the offences shall be compounded only after the alleged offender has acted to the satisfaction of such officer or authority that such offence is not continued any further.

4. The Factories Act 1948

Insertion of new section after section 111 in Act 63 of 1948 (The Factories Act).

Section 111AA all occupiers as notified by state government (taking into consideration number of employees and nature of manufacturing process) has to get themselves enrolled under the self-certification cum consolidated annual return scheme. The state government will prescribe the audit and assessment norms for compliance of labour laws and labour standards. The employer stands to gain incentives as per the results of the audits and assessments. Employer who complies can also seek exemption.

5. The Motor Transport Workers Act, 1961

Insertion of new section 34A in 27 of 1961 (The Motor Transport Workers Act).

Offences punishable under section 29, 31 and 32 may be compounded for an amount of 5000 INR. Provided offence committed of the same nature will be compoundable for the first three offences, after the offender has acted to the satisfaction of the officer or authority that such an offence is not continued any further. 75% of the compounding amount is paid to the concerned worker and if not identifiable then to Gujarat State Social Security Board constituted under the Unorganised Workers' Social Security Act 2008.

6. The Payment of Bonus Act, 1965

Insertion of new section after section 26 in Act 21 of 1965 (The Payment of Bonus Act).

Section 26A all occupiers as notified by state government (taking into consideration number of employees) has to get themselves enrolled under the self-certification cum consolidated annual return scheme. The state government will prescribe the audit and assessment norms for compliance of labour laws and labour standards. The employer stands to gain incentives as per the results of the audits and assessments. Employer who complies can also seek exemption.

Insertion of new section 29A after section 29 in Act 21 of 1965(The Payment of Bonus Act).

Any offence punishable under this act after application by alleged offender be calculated as per table below:

Compounding amount			
2			
Number of employees employed in the establishment	For first offence	For second offence	For third offence
1 to 50	₹ 1500	₹ 3000	₹ 6000
51 to 100	₹ 3000	₹ 6000	₹ 10000
101 to 500	₹ 4000	₹ 8000	₹ 15000
More than 500	₹ 5000	₹ 10000	₹ 20000

Provided offence committed of the same nature will be compoundable for the first three offences, after the offender has acted to the satisfaction of the officer or authority that such an offence is not continued any further.75% of the compounding amount is paid to the concerned worker and if not identifiable then to Gujarat State Social Security Board constituted under the Unorganised Workers Social Security Act 2008.

7. The Beedi & Cigar Workers (Conditions of Employment) Act, 1966

Insertion of new section 33A in 32 of 1966(The Beedi & Cigar Workers (Condition of Employment) Act 1966

Offences punishable under sub section (1) of section 33 may be compounded for an amount of 5000 INR. Provided offence committed of the same nature will be compoundable for the first three offences, after the offender has acted to the satisfaction of the officer or authority that such an offence is not continued any further.75% of the compounding amount is paid to the concerned worker and if not identifiable then to Gujarat State Social Security Board constituted under the Unorganised Workers' Social Security Act 2008.

8. The Contract Labour (Regulation & Abolition) 1970

Insertion of new section 25A in 37 of 1970(The Contract Labour (Regulation & Abolition) Act 1970)

Any offence punishable under sub section (1) and (2) of section 22 and section 24 of this act after application by alleged offender be calculated as per table below

Sections	Compounding amount	
2	3	
22(1), 22(2) and 24	Number of workmen employed in the establishment	Amount not exceeding
	1 to 50	₹ 7000/-
	51 to 100	₹ 10000/-
	101 to 500	₹ 15000/-
	More than 500	₹ 20000/-

Provided offence committed of the same nature will be compoundable for the first three offences, after the offender has acted to the satisfaction of the officer or authority that such an offence is not continued any further. 75% of the compounding amount is paid to the concerned worker and if not identifiable then to Gujarat State Social Security Board constituted under the Unorganised Workers' Social Security Act 2008.

Insertion of new section 29A after section 29

Every principal employer or contractor as notified by state government (taking into consideration number of employees) has to get himself enrolled under the self-certification cum consolidated annual return scheme. The state government will prescribe the audit and assessment norms for compliance of labour laws and labour standards. The employer stands to gain incentives as per the results of the audits and assessments. Employer who complies can also seek exemption.

9. The Payment of Gratuity Act, 1972

Insertion of new section 10A & 10B in 39 of 1972 (The Payment of Gratuity Act, 1972)

Any offence punishable under sub section (2) of section 9 as the provisions of the rules 3, 6(1), 8, and 10A (7) of the Payment of Gratuity (Gujarat) Rules, 1973 after application by alleged offender be calculated as per table below

Compounding amount				
2				
Number of employees employed in the establishment	Rule 3	Rule 6(1)	Rule 8	Rule 10A (7)
1 to 50	₹ 5000	₹ 10000	₹ 2000	₹ 3000
51 to 100	₹ 5000	₹ 15000	₹ 2000	₹ 3000
101 to 500	₹ 5000	₹ 20000	₹ 2000	₹ 3000
More than 500	₹ 5000	₹ 25000	₹ 2000	₹ 3000

Provided offence committed of the same nature will be compoundable for the first three offences, after the offender has acted to the satisfaction of the officer or authority that such an offence is not continued any further. 75% of the compounding amount is paid to the concerned worker and if not identifiable then to Gujarat State Social Security Board constituted under the Unorganised Workers Social Security Act 2008.

Every employer as notified by state government (taking into consideration number of employees) has to get himself enrolled under the self-certification cum consolidated annual return scheme. The state government will prescribe the audit and assessment norms for compliance of labour laws and labour standards. The employer stands to gain incentives as per the results of the audits and assessments. Employer who complies can also seek exemption.

10. The Equal Remuneration Act, 1976

In Section 10 sub section 3, 500 INR substituted by 21,000 INR

Insertion of new section 11A in 25 of 1976 (The Equal Remuneration Act, 1976)

Any offence punishable under sub section (2) of section 9 as the provisions of the rules 3, 6(1), 8, and 10A (7) of the Payment of Gratuity (Gujarat) Rules, 1973 after application by alleged offender be calculated as per table below

Sr. No.	Sections	Compounding amount			
		3			
1	2	Number of workers employed in the Establishments or employment	For first offence	For second offence	For third offence
1	10(1) and 10(3)	1 to 50	₹ 1500	₹ 3000	₹ 6000
		51 to 100	₹ 3000	₹ 6000	₹ 10000
		101 to 500	₹ 4000	₹ 8000	₹ 15000
		More than 500	₹ 5000	₹ 10000	₹ 20000
2	10(2)	Difference in the remuneration paid and actually payable, for 90 days for every completed year of service of each worker.			

Provided offence committed of the same nature will be compoundable for the first three offences, after the offender has acted to the satisfaction of the officer or authority that such an offence is not continued any further. 75%

of the compounding amount is paid to the concerned worker and if not identifiable then to Gujarat State Social Security Board constituted under the Unorganised Workers Social Security Act 2008.

11. Building & Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996

In Section 2 Sub section 1 clause e in sub clause 11 the words “draws wages exceeding one thousand six hundred rupees per mensem” substituted by “draws wages three times more than the monthly wages of skilled labour”

12. The Unorganised Workers Social Security Act, 2008

In schedule II entry no. 2 deleted

Interpretation

Here is an act wise interpretation of the above-mentioned amendments

The Employee's Compensation Act, 1923

Section 22{1(A)}

Old provision: Application required to be made by an employee or dependents for compensation in case of non-fatal injury due to accidents.

Amendment: If application for compensation is not done in 90 days, then such application may be filed by officer authorized by the state government.

Impact: Hand holding by the state government for giving compensation.

The Industrial Disputes Act, 1947

Section 2(n)

Old Provision: Public Utility Service

Notification for Declaring Public utility services initially is for 6 months and further renewed for maximum 6 months.

Amendment: Notification for declaring public utility service is for period of 1 year and further Renewed for maximum 2 years.

Impact: Industrial peace, increase in productivity and uninterrupted employment.

Section 2{A (3)}

Old Provision: Employee retrenched from industry has to file his reinstatement application before Labour Commissioner within three years of retrenchment.

Amendment: The time limit of 3 years is reduced to 1 year.

Impact: It will increase awareness in workers and accountability of records which will lead to speedy disposal and justice to workers.

Section 25{v (2)}

Old Provision: The Existing provision applicable to Special Economic Zone (SEZ) where retrenchment is kept out of the definition of Industrial Dispute

Amendment: The Existing provision is also made applicable to Industrial Establishment located in Special Investment Region (SIR), all 100% Export oriented Units (EOU), National Investment and Manufacturing Zone (NIMZ)

Impact:

- May lead to increase investment
- May lead to increase employment

Section 25 (z) (a) (1) (b)

Old Provision: The workman employed in any industry located in SEZ having continuous service of not less than 1 year entitled for 45 days' retrenchment compensation per completed year on retrenchment.

Amendment: Workers in SIR, NIMZ and 100% EOU to get compensation of 60 days for every completed year.

Impact: Increase in compensation will help in financial rehabilitation of worker.

Section 31 (A)

Old Provision: At present there is no provision of compounding of offences for violation of Section 25(O), 25(R), 25(U), 26, 27, 28, 29, 30, (A), 31(1) and 31(2)

Amendment: The provision for compounding of offences for Sections – 25(Q), 25(R), 25(U), 26,27,28,29,30(A), 31(1), 31(2), is incorporated with minimum compounding amount of Rs.7000/- and maximum compounding amount of Rs. 40000/-

Conditions for Compounding Offences and Impact

- Compounding only after compliance of workmen grievance
- 100% compounding amount to be distributed to affected workmen
- In case workmen are not identifiable, compounding amount is deposited in Gujarat Unorganized Workers Social Security Board

Compounding of Offences under different Labour Laws

Existing Provisions under following Acts:

- The Minimum Wages Act, 1948,
- The Equal Remuneration Act, 1976,
- The Motor Transport Workers Act, 1961
- The Contract labour (R&A) Act, 1970
- The Payment of Bonus Act, 1965
- The Payment of Gratuity Act, 1972
- The Beedi Cigar Workers Act, 1966

Amendment: The provision of compounding of offences is incorporated with minimum compounding amount of Rs. 1500/- and maximum compounding amount of Rs. 20000/-

Conditions for compounding offences and Impact:

- Compounding only after compliance of workmen grievance
- 75% compounding amount to be distributed to affected workmen
- In case workmen are not identifiable, compounding amount is deposited in Gujarat Unorganized Workers Social Security Board

The industrial Disputes Act, 1947

Amendment of fourth Schedule

Old Provision: There are 11 entries at present in fourth schedule of this Act, regarding “Notice of change”

Amendment: Entries No. 6 which provides for starting alteration or discontinues of shift working otherwise than in accordance with Standing Orders is deleted from the fourth schedule

Entries No. 11 which provides for increase or reduction in number of persons employed in any occupation or process or department is deleted from the fourth schedule

Impact: Shall lead to increase in productivity and in competitiveness

The Minimum Wages Act, 1948

Section 2 (e)

Existing: At present there is no expressive provision of “out sourcing agency” in the employer’s definition

Amendment: In the amendment “out sourcing agency” is included in the definition of employer

Impact: The exploitation of employees employed by outsourcing agency can be regulated to a certain extent.

The Minimum Wages Act, 1948

Section 11 (1)

Existing: At present minimum wages to the workers is paid by cash

Amendment: The payment of minimum wages through cheque or bank to workers working in industries registered under the Factories Act & Gujarat Shop and Establishment Act and employing more than 20 Employees

Impact: This amendment will bring transparency in paying minimum wages and will protect workers from exploitation

Enhancement of Penalty

Labour Laws Covered:

- The Industrial Disputes Act, 1947
- The Minimum Wages Act, 1948
- The Equal Remuneration Act, 1976

Existing Provision: At present penalty amount under these Acts is meagre

Amendment & Impacts:

- The Penalty amount is increased up to Rs. 21000
- Expectation is that compliance will increase

The Building and other Construction Workers (Regulation of Employment & Conditions of Service) Act, 1996

Section 2 (E) (ii)

Existing: As per the present definition of construction workers drawing wages not exceeding Rs. 1600/- per month are covered under the provisions of the Act

Amendment: Amendment to cover construction workers drawing wages up to three times the monthly wages shall be covered under provisions of the Act

Impact: More construction workers will be covered under applicable social security schemes

The Unorganized Workers Social Security Act, 2008

Existing: The unorganized workers governed under the provisions of six Acts mentioned in Schedule II of this Act

Amendment: Entry No.2 (i.e. Industrial Dispute Act 1947) is deleted from the schedule

Impact: More unorganized workers will be impacted of various social security schemes

Self-Certification cum Consolidated Annual Return Scheme

Act Covered:

- The Minimum Wages Act, 1948
- The Factory Act, 1948
- The Contract Labour (R&A) Act, 1970
- The Payment of Bonus Act, 1965
- The Payment of Gratuity Act, 1972

Existing: At present provision of self-certification is voluntary

Amendment & Impacts:

- Statutory enrolment to the scheme for establishments, notified by state government
- Audit and assessment for compliance of labour standards
- Exemption from routine inspection to industry which complies with labour laws and labour standards
- Awards and incentives to employers' subject to outcome of audit and assessment

Name of the Public Utility Services Unit

1. The Gujarat Cancer & Research Institute, Ahmedabad.
2. The Gujarat State Road Transport Corporation.
3. The Odhav Environment Project Ltd.
4. Reliance Industries, Vadodara.
5. Kaira District Co-Operative Milk Producers Union Ltd. Anand.
6. Reliance Industries Ltd. (Manu. Divi.) Hзира, Surat.
7. Larsen & Toubro Ltd, Hзира, Surat.
8. G.S.F.C. Kosamba, Surat.
9. Esar Steel India Ltd, Choryasi, Surat.
10. D.N. Maheta, Sarvajani hospital, Navasari.
11. Ashaktatashram Hospital, Surat.
12. The Gujarat Kmicak Port Tarminal Co. Ltd. Lakhigam, Dahej, Bharuch.
13. Reliance Industries, Dahej, Bharuch.
14. G.N.F.C. Bharuch.
15. Vardhman Acrylics Ltd. Jhaghadiya.(Bharuch)

16. Kasturba Vaidhakiy Rahat Mandal, Valsad.
17. Birla Cellulose, Kharach, Kosamba, Surat.
18. Indian Rayon Ltd, Aditya Birala, Veraval.
19. G.S.F.C. Sikka, Jamanagar.
20. G.S.F.C. Vadodara.
21. The Akshaya Patra Foundation, Gandhinagar.

Following are the highlights of labour law amendments that was carried out in the State of Gujarat

- When an employee has a fatal injury which occurred at work place the victim may apply under the Employees Compensation Act 1923 before the Employees Compensation Commission within 90 days from the date of accident. Where the employees and his dependent fails to bring such application within 90 days, the nominated government officer will apply on his behalf.
- Where any Shops and Commercial Establishment or factory employs 20 or more employees, it shall make the payment of minimum wages through bank account. This amendment will bring transparency in paying minimum wages.
- According to the Building and Other Construction Workers Act, 1996, the definition of worker is limited to the supervisory workers who receive wages of Rs. 1600 per month only. By reason thereof many of the supervisors are excluded from the applicability of the Act. Therefore, the bill suggests increasing up to three times of the minimum wages for skilled workers.
- Under the proposed law, a workman gets only a year to make an application against his dismissal, discharge, etc., for raising an 'industrial dispute' to the labour court or tribunal, which was hitherto three years.
- By the amendments, certain offences where penal provisions attract three months' imprisonment, such offences have been made compoundable, which means settlement of a violation of the law by paying a compounding fee instead of being jailed.
- Amending the Industrial Dispute Act, the government has fixed compounding amount for an employer up to maximum of 21,000 and for labourer the amount ranges from 150 to 3,000.
- For workers going on strike without informing Labour Commissioner, the compounding amount begins at 150 per day, not exceeding 3,000.
- While the option of filing a criminal case is always open, out-of-court settlement and compounding schemes come into picture only if both the parties are agreeable to the same.

Chapter 3

Labour Law Amendments in the State of Madhya Pradesh

The Madhya Pradesh Labour Laws (Amendment) And Miscellaneous Provisions Act 2015 was passed under the Madhya Pradesh Act (21 of 2015) in November 2015.

The Act consists of 9 parts with 19 Sections (and several sub sections).

Part 1 has Section 1 that discusses the short title and commencement of the act.

Part II has Section 2 & 3 - Amendment of The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996: In Section 7(Registration of Establishment) after sub section 3 of the act, Sub section 3A to be inserted that states that if no adverse order is passed by the registering officer within the prescribed period from the date of submission of application then the registration is considered granted.

Part III has Section 4 & 5 - Amendment of the Building and other Construction Workers Welfare Cess Act, 1996: In Section 3 (Levy & collection of cess) after subsection 1 that talks about a cess for the purposes of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, at a rate not exceeding two per cent but not less than one per cent, of the cost of construction incurred by an employer; Sub section 1 A is to be inserted that states that the costs incurred on purchase and transportation of plants and machinery are to be excluded from the cost of construction incurred by employer.

Further amendment was added on 4th July 2016 whereby the state government excludes the following items from the cost of construction incurred by an employer:

- i. Profit
- ii. Income tax liability
- iii. Cost of finance
- iv. Expense on staff welfare incurred beyond minimum statutory provisions
- v. Donations as exempted under Income Tax Act 1961
- vi. Advertising and business promotion expenses except salaries and wages of employees/labourers
- vii. Audit fees
- viii. Tender expenses

- ix. Puja expenses
- x. Legal charges and fees
- xi. Loss on sale of assets and bad debts written off
- xii. Electric and electronic appliances not covered under the category of furniture and fixtures

Explanation: The cost of plant and machinery is included in cost of construction:

- if plant and machinery are hired for construction work during the project period
- if plant and machinery are purchased or owned, the depreciation incurred during the project period

In Section 11(Appeals) sub section 1 that talks of penalty under section 5 and 9 to be amended to make the scope of appeal regarding assessment under the purview of state government.

Further amendment was added on 4th July 2016 whereby the state government specifies the manner in which appeal may be preferred:

1. An employer aggrieved by an order of the assessment made under section 5 or by an order imposing penalty made under section 12 may appeal against such order within three months of the receipt of such order to the appellate authority.
2. The appeal has to be accompanied with:
 - a. The order appealed against
 - b. A certificate from cess collector to this effect that the undisputed amount of cess or penalty or both as the case may be relating to such appeal has been deposited
 - c. 25% of disputed amount of cess
 - d. Receipt of deposit of fee equivalent to one percent of the amount in the dispute or penalty or both as the case may be under such appeal
 - e. A statement of points in dispute
 - f. Documents indicating clearly the disputed amount of cess and items of costs which are in dispute
 - g. Documentary evidence relied upon
3. If appeal is accepted, then the 25% amount of disputed cess mentioned in sub clause (c) of clause (2) shall be refunded to the appellant within a period of one month from date of submission of such order before the board.
4. If such appeal is partially accepted, then the 25% amount of the disputed cess as mentioned under sub clause(c) of clause (2) shall be:

- i. Fully adjusted against the balance cess payable and the remaining amount of cess shall be payable with an interest at the rate of 2% for every month or part of a month after 30 days from the date of original assessment order made by the assessing officer.
 - or
 - ii. Partly adjusted against the balance cess payable and the remaining amount shall be refunded to the appellant within a period of one month from the date of submission of such order.
5. If such appeal is rejected or dismissed, then the appellant shall pay the balance amount of cess to the board with an interest at the rate of 2% for every month or part of a month after 30 days from date of assessment order made by assessing officer.
 6. If such appeal is remanded, then the assessing officer shall assess the case afresh according to the directions given by the appellate authority. The 25% amount of disputed cess as mentioned under sub clause (c) of clause (2) shall remain deposited with the assessment officer till the assessment order is passed afresh.
 7. On issuing fresh assessment order the 25% amount of disputed cess shall be:
 - i. Fully adjusted against the balance cess payable and the remaining amount of cess shall be payable with an interest at the rate of 2% for every month or part of a month after 30 days from the date of original assessment order made by the assessing officer.
 - or
 - ii. Partially adjusted against the balance cess payable and the remaining amount shall be refunded to the appellant within a period of one month from the date of submission of such order before the board as the case may be.

Part IV has Section 6 & 7- Amendment of The Contract Labour (Regulation & Abolition) Act, 1970

In Section 7 (Registration of certain establishments) after sub section 2, subsection 3 shall be inserted that states that if the Registering Officer does not pass an order (either granting or refusing or objecting to grant or amend) the registration with a period of 30 days from the date of submission of application is considered duly registered.

In Section 13 (Grant of licenses) after sub section 3, sub section 4 shall be inserted that states that if the Licensing Officer does not pass an order (either granting or refusing or objecting to grant or amend)

the license within a period of 30 days from the date of submission of application is considered duly licensed.

Part V has Section 8 & 9- The Factories Act, 1948

In Section 65 (Power to make exempting orders) sub section 2 to be deleted

In Section 65 sub section 3 to be substituted by provision that states notwithstanding anything contained in section 51, 52, 54 and 56 an adult male worker may be allowed to work in a factory for more than 48 hours in a week subject to fulfilment of the following conditions:

- The total number of hours of work in a day not to exceed 12 hours
- The spread over shall not exceed 13 hours
- Total number of work hours in week including overtime not to exceed 60
- Overtime over seven days at a stretch not allowed. Total number of hours of overtime in any quarter shall not exceed 125 hours.
- *Explanation: "Quarter" means a period of three consecutive months beginning on the 1st of January, the 1st of April, the 1st of July or the 1st of October.*
- Overtime is not compulsory or obligatory.
- The occupier must maintain information on working hours and overtime work.

In Section 66 (Further restrictions on employment of women)

- In Sub section 1 clause b that does not allow women to work except from 6AM to 7PM shall be omitted
- After sub section 1, sub section 1A to be inserted that mandates the state government to specify conditions for ensuring safety of women who are required or allowed to work in a factory or manufacturing process between 8PM and 6 AM.

In Section 79 (Annual Leave with Wages), sub section 1 and Explanation 1 to be substituted by new sub section namely, every worker who has worked for a period of 180 days or more in a factory during a year shall be allowed during the year leave with wages for days calculated as follows:

- If an adult 1 day for every 20 days of work
- If a child 1 day for every 15 days of work
- *Explanation: the following are considered days that a worker has worked in a factory for the purpose of computation of the period of 180 days:*

- Any days of lay off by agreement or contract or as permissible under Standing Orders
- In case of female worker maternity leave for any number of days not exceeding twelve weeks.
- The leave earned in the previous year.

Further amendment was added in July 2016 whereby the state government notified the format of “weekly overtime register for adult worker” as follows,

Form No.11A

Weekly Overtime Register for adult workers

1. Name of Worker 2. Designation
 3. Department 4. Ticket No
 5. Week- From Date..... To Date

S. No	Date	Normal Hours worked on the date	Overtime hours worked on the date	Total hours worked on the date
(1)	(2)	(3)	(4)	(5)
1.				
2.				
3.				
4.				
5.				
6.				
Total				

- 1 Total overtime hours worked during the week.....
 2 Total overtime hours worked during the week.....
 3 Total hours worked during the week
 4 Normal rates of wages
 5 Overtime rate of wages

Signature of officer

Signature of worker

Part VI contains Section 10 & 11- Amendment of The Industrial Disputes Act, 1947

In Section 2A (Tribunals) sub section 3 the word "The Labour Court or Tribunal" to be substituted by the words "The Labour Court or Tribunal or Conciliation officer" and now will read as follows:

In Section 25F (Conditions precedent to retrenchment of workmen) Amendments made as follows

- No employee that has been in service for less than one-year period shall be retrenched by employer until: the workman has been given three months' notice in writing indicating the reasons of retrenchment.

In Section 25K (Application of Chapter V-B) for the words "one hundred" workmen to be replaced by the words "three hundred" workmen.

Part VII contains Section 12& 13 - Amendment of The Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979

In Section 4 it should be added that if no adverse order is passed by the Registering Officer within 30 days from the date of submission of application it is considered duly granted.

Part VIII contains Section 14 & 15 – Amendment of The Motor Transport Workers Act, 1961

In Section 3 it should be added that if no adverse order is passed by the prescribed authority within 30 days from the date of submission of application then the registration is considered duly granted.

Part IX contains section 16- Composition of Offences and abatement of trials under certain labour laws

Notwithstanding anything in the following acts

- i) Equal Remuneration Act 1976
- ii) Labour Laws (Exemption from furnishing returns and maintaining registers by certain establishments) Act 1988
- iii) Minimum Wages Act 1948
- iv) Payment of Wages Act 1936
- v) Sales Promotion Employees (Conditions of Service) Act 1976

An officer authorised by the state government can compound:

- An offence punishable with only fine under these acts committed for the first time or after expiry of a period of two years of commitment of previous offence, composition fee is not exceeding the maximum amount of fine but not less than half of the maximum amount of fine for the offence.

- An offence punishable with fine and imprisonment up to three months under these acts committed for the first time either before or after institution of the prosecution on realization of composition fee of an amount equivalent to ten times of the maximum fine subject to a minimum of Rs.10000 for offences punishable with imprisonment up to one month ,Rs.20000 for offences punishable with imprisonment up to two months or Rs.30000 for offences punishable with offences punishable with imprisonment up to three months.

Further amendment was added in July 2016 whereby the state government authorizes Assistant Labour Commissioner, Labour Officers and Assistant Labour Officers holding charge as head of the office within the district of their respective jurisdiction to exercise powers under the act.

Part X contains Section 17- Exemption from Maintaining Registers and Submission of Multiple Returns:

Notwithstanding anything contained in the provisions of the following Acts:

- (i) Contract Labour (Regulation and Abolition) Act 1970
- (ii) Equal Remuneration Act 1976
- (iii) Factories Act 1948
- (iv) Industrial Disputes Act 1947
- (v) Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979
- (vi) Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by certain Establishments) Act 1988
- (vii) Maternity Benefit Act 1961
- (viii) Minimum Wages Act 1948
- (ix) Motor Transport Workers Act 1961
- (x) Payment of Bonus Act 1965
- (xi) Payment of Gratuity Act 1972
- (xii) Payment of Wages Act 1936
- (xiii) Sales Promotion Employees (Conditions of Service) Act 1976

The state government by order may devise or notify forms for maintaining registers and records and furnishing returns by an employer or establishment in lieu of the forms prescribed under the said Acts and the rules made thereunder, State government may allow the registers and records to be maintained in computerised or digital format.

Further amendment was added in July 2016 that added that state government notifies the form for maintaining register and records and

furnishing returns as notified under Voluntary Compliance Scheme published in the Madhya Pradesh Gazette (Extraordinary) dated October 2014 in lieu of the forms prescribed in the above mentioned acts or (2 more added to the list)

- (i) Madhya Pradesh Shram Kalyan Nidhi Adhiniyam, 1982
- (ii) Madhya Pradesh Shop & Establishment Act, 1958

Part XI Contains Section 18- Miscellaneous Provisions

- The Power to make rules is with the state government.
- All rules made are laid on the table of Legislative Assembly.
- The state government by special order in the gazette make such provision for removal of difficulty.

Thus it can be observed that the Government of Madhya Pradesh has initiated far reaching reforms in several labour related legislations principally with a view to ease the compliance and operational exemption of manufacturers from the application of labour laws. A brief outline of such reforms are as follows.

- Companies in Madhya Pradesh that employ up to 300 people will be allowed to retrench workers or shut shop without government approval (the current provision is for those employing up to 100 workers.)
- Employers will have to give a higher compensation package and workers will get a three months' notice and at least three months' salary in the event of retrenchment.
- In case of dispute, a worker will have to approach the conciliation officer within three years of getting retrenched.
- Workers will be entitled to benefit of earned leave after 6 months of service (presently 8 months), which could be availed of in the same calendar year.
- Overtime hours in a quarter will be raised from 75 hours to 125 hours.
- Women can work in night shifts at factories from 8 pm to 6 am in the morning; subject to the state government making necessary provision for their security.
- The process for registration and grant of licenses has been expedited under several legislations, e.g. under the Contract Labour Act, Building and Other Construction Workers Act, and Motor Transport Workers Act. If an application is not disposed within 30 days, it will be deemed registered or approved license.
- Industrial and Commercial Establishment will not be required to maintain multiple registers. They will be allowed to file a single return and maintain a single register.

After failing to get the Centre's approval to the ordinance route, the Madhya Pradesh Assembly later on passed a single bill to amend eight major labour laws; seven other laws would be changed through compounding provisions, etc. With this, Madhya Pradesh became the third State in a year, after Rajasthan and Gujarat, to pass its own labour law amendments in Assembly.

After the amendments, those companies in Madhya Pradesh that employ up to 300 people will be allowed to retrench workers or shut shop without government approval (the current provision is for those employing up to 100 to do so).

To be able to do so, employers will have to give a higher compensation package – workers will get a three – month notice and at least three months' salary in the event of retrenchment.

At present, either of two is provided; and employees are paid 15 days of wages for every year worked. Also, in case of a dispute, a worker will have to approach the conciliation officer within three years of getting retrenched.

Some of the key provisions of the unified bill are as follows: -

1. Factories employing less than 300 workers can be shut down without prior government approval.
2. Retrenched workers should be paid an average salary of 45 days, instead of the 15 days at present.
3. Unions can be formed only if 10 % of the employees or 100 workers, whichever is less, support the proposal. Currently, seven members can form unions.
4. Units employing less than 40 people to be exempted from 14 labour laws as a move to give smaller units' freedom from compliance with the rigors of the law. The definition of a factory is being revised by raising the threshold of minimum workers from 20 to 40 for units operating without power and from 10 to 20 for units operating with power. The micro, small and medium enterprises employing up to 40 workers will be extended the relaxation under the purview of amended law.
5. Restriction on night shifts by women will be removed to allow women to work after 8 pm subject to provision of security by the employer.
6. To dispense with the need to keep documentary records and registers and to replace them with electronic records by employers.

Chapter 4

Labour Law Reforms in the State of West Bengal

The Labour Department of West Bengal has undertaken reforms for enabling Ease of Doing Business (EoDB) in Bengal. Some of these are discussed hereunder.

Gap Analysis and amendments in government processes

Various government processes were examined which were pertaining to industry or start-up ventures. Several government processes were thereafter re-engineered and simplified by introduction of Standard Operating Procedures Flowcharts and introduction of singular or common application forms for the entrepreneurs who applies for a license or renews his old one. Now any applicant can view all the required credentials and steps for issuance of a certificate. The labour department has also ensured that a checklist be created for any applicant to negate the chances of any document going amiss while submitting.

Single Window

Applicants needed to apply to various forums multiple times for clearances and issuance of a registration certificate. The applicant would apply at one office and would have to go to several offices for NOCs or clearances before he was issued his license certificate. Most of the payments of fees were taken in various formats like treasury mode vide challans or cheques etc. and these too were to be paid at multiple offices. The system was a quagmire of confusion for any investor wanting to start his business in Bengal. This entire system has been simplified with one single window being the accepting counter and the same being the counter from which the certificate would be issued.

Computerization & Online

All the measures undertaken have been digitized and now any applicant can apply online and in some cases track his application online. With the rapid advances in computerization in the labour department and its directorates all processes pertaining to application like payment of fees etc. and checking of the application for issuance of certificate/ license are all online. The system has been developed in such a manner that processing of these applications and its issuance would also be done online. The need for any applicant to physically move his application from desk to desk and the drudgery of follow ups has been considerably reduced. All the government to business processes have been digitized and have been made available online. The internal government (g2g) and the online processing

and online issuance of the certificate (b2g) have been developed. Hence, an applicant will now be able to make payments online and would be able to see the processes involved for clearance online.

Time Bound Delivery of Services

Any service being offered by the labour department to any business venture must have a defined time limit. Necessary notifications to this effect have been brought about defining the time taken for delivery of each service. Additionally, the state government has brought out a Right to Public Service Act wherein timelines for delivery of most of the services being offered by the labour department and its directorates have been enumerated. The department has also undertaken steps for deemed acceptance/ rejection. Now nobody would have to wait for unknown periods for getting any License/ Certificate or any other service.

Simplification of payment procedures

Payment of fees/ charges etc. have been made online through GRIPS portal and have also been given the option of the earlier method of conventional deposits.

Simplification of Inspections

The usual complaint against labour department was the plethora of inspections conducted under various acts and rules. Most of these inspections have been simplified with one single inspector performing inspections under various acts/rules.

Additionally, third party inspections under the boilers directorate have been rolled out. The next phase would be to randomize the inspectors visiting any premises for inspection. This would mitigate the possibility of any connivance of any sorts between the stakeholders. Such a randomization would be done by a computerized system. The list of the things that can be inspected along with what all can be asked to be produced during such an inspection would be put up online. Before any scheduled inspection the applicant would receive a prior sms alert telling him/her the date of inspection. This too will be generated through a computerised system.

However, in case of surprise inspections no such prior alerts would be given. But, to avoid any undue harassment to the applicant any surprise inspection will only be allowed if the head of the office or head of the department sanctions the same. These measures have been undertaken to reduce fear of inspections and to create a conducive environment for investment.

Self-Certification

The applicant would now be allowed to self-certify most of the documents and aspects under various acts. Most of the routine matters like whether women employees have been given maternity leave would be self-certified

by the owner. However, in case of any default the penal provisions would be more stringent than before including prosecution under IPC etc. Through this self-certification scheme of the labour department the workload of inspections would get lessened.

Self-Attestation

The state government has brought out the self-attestation scheme wherein copies of the documents being submitted would be self-attested to be true copies of the original. The need for a gazetted officer to attest such copies has been dispensed with.

Most of the acts and rules have been amended after cabinet approval. Most of these provisions existed since inception and even before independence. These have been amended to make them more business friendly and investment facilitating.

TABULAR REPRESENTATION OF AMENDMENTS	
Name of the Act	Salient Amendments
Factories (West Bengal) Rules	Submission of online application and online submission cum bill payment under Factories Act 1948. A license under the Factories Act would be valid for three years(earlier it was one year) from the date of issuance of the said license.
West Bengal Shops & Establishment Rules	Clerical section of a shop that is housed within the premises has been exempted from seeking Registrations under Shops & Establishment Act 1963. Shopkeeper now can submit his return for running the shop overtime 30 days after the said period as against the earlier provision of seeking permission for having overtime for his shop employees which was to be submitted 24 hours in advance. Mandatory closing of shop for one and half days in a week has been amended enabling a shopkeeper from keeping his shop open for 7 days a week.
Contracts Labour (Regulation & Abolition) Rules	License granted or renewed would remain in force for a period of One Year starting from the date of Issuance. The concept of Annual Calendar Year has been abolished.

Various Directorates under the department have initiated online solutions for delivery of G-2-B and B-2-G services and also internal G-2-G processing, thereby reducing time and burden of physically approaching the relevant offices.

The State has also taken a unique initiative by introducing 'Right to Public Service Act' wherein stipulated time frame has been formulated for delivery of services to the citizens. Several Acts & Rules have already

been amended and simplified for the benefit of the general people and the entrepreneurs. Steps are being taken to ensure single window delivery of services to all concerned beginning from application under an act to issuance of certificates/licences.

The end user/entrepreneur would no longer need to visit one office after the other. The procedures for payment of various statutory fees etc. have also been simplified and are being received online. A new policy has been introduced in relation to inspection of units and industries as well. Soon there will be a single comprehensive inspection relating to all the clearances under the department which will be done by a single person. Such Inspector will be sent based on digital shuffling of the pool of inspectors.

The State has further paved way for easing the procedural complications by introducing self-attestation and self-certification by the entrepreneurs for all the processes in relation to establishment of units/industries in this State. The Labour Department is working vigorously for rapid roll out of re-engineered processes and simplified procedures.

Most of these provisions that have been undertaken are industry friendly and aim to reduce the burden of multiple inspections under various archaic provisions of statute. These mini reforms would facilitate investment without compromising on the issues of workers and safe environment. The labour department is aggressively reforming most of offices and their functioning through these above mentioned steps and is pledged towards the state government's commitment in making Bengal a destination for investment and creation of employment.

The Factories Act, 1948

The Factories Act 1948 was designed for administering factories to ensure safe and healthy work environment in the work place. The Act has also provision relating to licensing and registration of factories, working hours, leave with wages and employment of workers including young persons. Women and young persons have been prohibited for working in certain employment. There are also special provisions relating to dangerous operations and hazardous processes, inspections and investigations of accidents and dangerous operations and occurrences, occupational disease and medical examinations of works, safety and health surveys etc. There are also penal provisions for non-compliance of statutes.

The State Government has framed the following Rules under the Factories Act, 1948.

- i. The West Bengal Factories Rules, 1958.
- ii. The West Bengal Factories (Welfare Officers) Rules, 1971.
- iii. The West Bengal Factories (Safety Officers) Rules, 1978.
- iv. The West Bengal Factories (Exemption) Rules, 1982.

Process Re-engineering

Use of ICT- This department has undertaken massive digitization of service delivery mechanism. The department has decided to give all of its services online including payment of fees wherever applicable. The department also intends to digitise its internal office procedures.

Single inspector can now carry out inspections under multiple acts/ rules. Joint inspections can now be carried out under different acts thereby reducing the time spent on inspections considerably. Entrepreneurs in the state now have option to self-certify their compliance under various labour laws. The owners of boilers / economisers have also been given the liberty to opt for third party certification. Checklists and standard operating procedures on inspections have been devised and made available online. The inspectors will now be periodically randomized and allocated through a computerised system. SMS/ Email Alerts will now be sent to the establishments about date and time of inspection

An online module has been developed for computerised risk assessment of the establishment and factories. The establishments and factories will now be classified as per norms. Within these norms low risk establishments have now been exempted from inspections altogether medium risk establishments will now be able to self-certify by themselves and only high risk establishments will be regularly inspected albeit under the revised and more investor friendly norms.

Well Defined Timelines

The Labour department has taken special care to ensure time bound delivery of services. Any of its services to any business have been given a well-defined time limit. Additionally, the state government has brought out right to public services act wherein timelines for delivery of most of the services being offered by the labour department and its directorates have been enumerated.

Self-Attestation

The state government has brought out the self-attestation scheme wherein copies of the documents being submitted would be self-attested to be true copies of the original.

Web portal for the labour department

A new web portal for the labour department has been developed which aims to integrate all the services under its directorates into a single window.

The Department of Industrial Policy & Promotion: Government of India had promulgated a set of recommendations for the States under the 'Ease of Doing Business' initiative. The aim was to facilitate setting of new industries and businesses by simplification of procedures, time-bound delivery of

services, ease of access to information, transparency in inspection procedures etc. In West Bengal, a wide range of activities have been assigned to various Departments. The labour department has been vested with the highest number of action points to ease and simplify the labour regulations.

The Labour Department, Government of West Bengal, under the said initiative, has undertaken massive re-engineering of the statutory procedures and simplified the operating procedures relating to clearances under the labour laws. This is aimed to facilitate the entrepreneurs and industries in setting up their business and compliance to statutory labour regulations.

The existing procedures for statutory clearances have been redesigned and made simple and transparent. Efforts have been made to hasten processing period for statutory clearances. Most of the processes now are lucid and streamlined. Beginning with application for fresh certificate / licence and payment of designated fees to downloading the final approval certificate, the end-user does not need a physical touch point. All the vital service delivery processes have been bound by strict timelines under the 'West Bengal Right to Public Services Act, 2013'.

Dealing with informalization:

The onset of the new economic policy in 1991 and the industrial policy resolution of the Government of West Bengal have a major thrust on the industrial development in the state. But the economy has experienced a stagnant growth of employment in the organized manufacturing industries as a result of the market led reforms of the 90s. The advent of new technologies resulting in higher substitutability of labour has led to a fall in the organized private sector employment. Thus the unorganized sector plays an important role in generating employment and income in the backward regions. Given the predominance of the unorganized or informal sector with the growing informalization of the workforce, their wages, skills and working conditions should figure high in the policy agenda.

The late 60s and 70s have witnessed industrial sickness particularly in West Bengal. The factories got permanently closed down with large scale retrenchment of workers. This was coupled with the effects of economic reforms of 90's which called for restructuring of the state owned enterprises that involved large scale divestment and further retrenchment of workers. The process of deindustrialization in West Bengal associated with falling real output and employment devastated the urban workers. On the other hand, the displacement of the rural producers by the big capitalists led them to migrate to the urban areas in search of jobs. The urban workers fell into deep crisis with increasing pressure on the labour market and high urban unemployment with massive rural-urban migration. The excess labour created out of this process got absorbed in the inferior occupations. The workers in the urban informal enterprises are mainly the laid off employees and the unemployed urban youth, retired workers and the rural-urban migrants.

Thus the growth of population, high rates of urbanization and most importantly downsizing of the workforce due to closure of organized public sector industries has led to the expansion of the informal sector. This is evident in the growing process of actualization of employment with no job contract which has gone up between 1978-88 and 2004-05 both for male and female workers in the urban areas.

Hence the informal sector employment is accelerating with no generation of 'decent' quality of employment. The common characteristic among the informal workers is that they are unregulated and unprotected. One useful way of describing the situation of the informal workers is to consider the seven forms of work related insecurities following the methodology suggested by standing (1999, 2008). These insecurities are labour market insecurity (provision of adequate employment opportunities), employment security (protection from arbitrary dismissal from work), work security (presence of work entitlements that include social security benefits at work), job security (the extent of control over one's job), income security (provision of enough income earning opportunities), skill security (adequate level of general and technical education for skill formation and employment training), voice representation security (collective strength of workers to voice their interests).

In West Bengal the social security system is segmented in nature as social security plans operate separately for the organized and unorganized sector workers. The ESI and EPF schemes remain restricted to the organized workforce. The data on the social security benefits for the organized workforce reveals that over the years the workers are denied off their legal entitlements. On the contrary when ESI and EPF have failed the PF scheme for the unorganized sector namely SASPFUW (State assisted scheme of provident fund for unorganized workers) has increased its coverage. The scheme is based on the framework of provident fund which provides institutionalized coverage to the organized sector workers. As the informal workers have no direct employer, hence the State makes contributions of the part of the employer. It is a provident fund scheme that runs through institutional support. The coverage of the scheme has been increasing over the years starting from its commencement in 2001 and is extended to cover sixty-one occupations in non-agricultural sector. Again separate welfare funds operate for the Beedi workers, construction workers and the transport workers that cause other groups of unorganized workers to demand for separate welfare board to address their difficulties.

Another serious difficulty of extending social security benefits to the unorganized workers is the absence of information about the total number of eligible beneficiaries. A large number of workers in various districts of West Bengal work under home based category; hence it becomes difficult to estimate the size of the exact number of eligible beneficiaries. A necessary step is to create an identity for the informal workers to guarantee their entitlements of benefits under the social security schemes.

Chapter 5

Conclusions and Findings

The followings are the **common features** observed in the three states:

1. Administrative convenience in the form of online submission of returns and reports, online registration etc.:

In all the three states, certain measures were taken towards administrative streamlining and convenience. Amendments and administrative reforms have been carried out to simplify filing of returns and reports and introduction of online submission in certain cases. A part of such initiative has been integrated with 'Ease of Doing Business' (EoDB) projects that has been going on in all the three States.

2. Provision of single window mechanism in certain cases (labour facilitation centre, helpline numbers):

Efforts have been made towards creating a more enabling support landscape in the form of single-window clearance, labour welfare facilitation centre, 24-hour helpline numbers. In case of multiplicity of authorities, amendments and administrative measures were taken to simplify procedures and providing facilitating infrastructure. Use of technology has played an important part in this respect.

3. Impersonation of inspection mechanism (randomisation and complaints-based):

The process of inspection has undergone significant changes in all the States under review. Inspection schedule is being determined through randomisation (by the use of information technology) and certain restrictions have been put on the freedom of carrying out inspection by the inspecting staff. Inspecting staffs themselves no longer decide about the inspection schedule any more. It is being administratively determined and communicated accordingly. Exceptions are made in case of complaints received or specific infringements reported.

4. Timely redressal of industrial dispute:

Amendments were effected towards setting a timeline for settling industrial dispute. In case of non-settlement within the specified time period, worker/management might now approach the labour court/tribunal for redressal. This is very relevant in case of industrial disputes involving termination/retranchment/lay-off.

5. Means to avoid strikes and lock-outs:

Amendments and administrative reforms have been effected in such manner that strikes and lock-outs are minimized. The focus is on avoidance of loss of person-days because of strikes and lock-outs. More and more industries are now being tagged as public service utility such that strikes/lock-outs can be avoided to a certain extent.

6. Focus on ensuring ease of business:

Labour reforms and more specifically labour law reforms have been integrated with ease of doing business (EoDB) initiative in all the three States. All the three States under review performed exceedingly well with respect to the implementation of the EoDB modules.

7. Cut-off number increased in case of retrenchment, lock-out and closure:

The minimum cut-off number has been increased from 100 to 300 workers pertaining to provision of retrenchment/lay-off/closure provisions of the ID Act 1947 in Madhya Pradesh and Gujarat. Such changes didn't occur in West Bengal.

8. Reform process mainly initiated at the administrative level:

A review of reform process would reveal that basic labour laws didn't undergo any major amendments in all the three States under review. There have been few changes here and there but no major overhaul of labour laws as such.

Major reform initiatives are in the areas of contract labour, industrial dispute act, factories act, apprentice act, minimum wages act, child labour act, employee's compensation act, trade union act etc.

9. Most of the measures are geared towards greater flexibility from the employers' perspective:

The common feature threading all the reform initiatives across the three States are geared towards ensuring more and more administrative convenience and operational flexibility.

10. No radical changes in the existing labour laws:

Basic structures of existing labour laws didn't change much. Amendments were made mostly with regards to filing of returns and reports, online submission, simplification of certain provisions along with rationalization.

11. Introduction of various social security schemes (redistribution):

There has been large-scale informalization of the labour force over the last 25 years. Informal sector lacks explicit employer-employee relationship and consequently most of the labour laws are not applicable for these very large number of workers. Moreover, a significant number among these informal sector labourers are self-employed. These workers don't have any legal protection or social security provisions to fall back upon. Under such conditions, the State is adopting suitable welfare and social security schemes for workers in the informal sector as part of overall redistributive measures. These measures are part of the overall labour reforms process.

12. Stringent penal provisions:

Penal provisions under different labour laws have undergone significant changes and in all cases penal provisions in terms of quantum of cash penalty and imprisonment have been sharply revised in upward manner.

Good practices:**1. Introduction of technology in facilitating registration, submission of returns and reports, obtaining license:**

Such measures were adopted in all the three States. Online registration under various legislations are being granted. Licences and approvals are also being issued online. All these functions are included under the EoDB and e-District initiatives. Significant information technology and infrastructural upgradations have also taken place in all the three States to implement such administrative and legal changes.

2. Setting deadlines for certain activities:

Most of the functions pertaining to issue of documents, licenses, approvals, registrations etc. have been given time specification. Inordinate delay in carrying out such functions would not be feasible in the present context. Fixing responsibility and subsequent delivery of public services have been institutionalized to a great extent.

3. Redistribution through certain social security measures:

As most of the labourers do not fall under the purview of the majority of labour laws, attempts have been made to bring them under various welfare and social security schemes. Some such inclusive measures are employment specific like construction and transport workers and financed from cess revenue generated from such activities. Certain schemes are more general and financed from tax revenue. All such

activities are part of overall redistribution by the State as part of inclusive development paradigm.

4. Facilitating appointment of large number of apprentices:

The Apprentice Act 1961 has been suitably amended in facilitate appointment of greater number of apprenticeship trainees. This will facilitate engagement of apprenticeship trainees in large numbers.

5. State playing a much more proactive role in preventing strikes and lock-outs and subsequent loss of person-days:

Labour administration seeks to play a much more pro-active role in prevention of strikes and lock-outs. In all the three States under review, incidences of strikes have come down significantly during the last decade or so. Gujarat has expanded the scope of public utility services such that greater number of organizations are now included under public utility services definition under the ID Act 1947. Avoidance of strikes and lock-outs seems to have gain priority among all these three States.

6. Rationalization of provisions in certain cases:

Certain aspects of existing labour laws have overlapping areas and certain aspects lost relevance over the years. This is particularly true since most of the labour laws had been enacted long ago and there is multiplicity of labour laws. Thus there is a need to rationalize labour laws such that those remain relevant in the present context and further various ambiguities can be removed.

Critical areas:

1. Dilution of inspection mechanism (contravention of provisions under the Convention 81 of ILO):

The process of inspection has been modified to a great extent in all the three States. Inspection schedule is generated through computer software and randomised in an impersonal manner. But the issue is that such changes violate certain aspects of convention 81 of ILO pertaining to model guidelines of conduct of inspection. The process of inspection has got certain sanctity like freedom of the inspecting officer to carry out inspection, secrecy in terms of no prior information to employer etc. Any administrative changes should be made keeping these aspects in mind and basic principles should not be compromised. Inspection is a key function of the labour administration and this process should not be diluted in the name of ease of doing business.

1. Inadequate social dialogue and tripartite consultation in carrying out and rolling out labour law reforms:

During the course of discussion with the representatives of the trade unions, it was reported that in Madhya Pradesh and Gujarat, trade unions were not satisfied with the kind of tripartite consultations that took place before the amendments were made. They stated that they were consulted but views expressed by them in the consultation were not taken into account while giving shape to final amendments. They felt that even quantum and quality of consultations were also inadequate. The State did not pay heed to the concerns expressed by the trade unions in such tripartite consultations. Trade unions were of opinion that States did what the employers wanted them to do and tripartite consultations were turned into mere formalities. They desired to have more extensive and meaningful consultations to precede before the amendments are finalized. In West Bengal, tripartite consultation didn't take place pertaining to the changes made in administrative procedures or amendments of labour laws. In West Bengal, such changes were made mostly from the administrative framework rather than applying administrative consultation framework. In Gujarat and Madhya Pradesh, tripartite consultation was perceived to be inadequate by the operating trade unions.

2. Lack of measures with regards to prevention of further informalization of labour force (rather certain measures encourages informalization):

It has been felt by the trade unions and subject experts, that labour reform process that are being initiated so far failed to address the issue of growing informalization of the workforce. Rather, a tacit acceptance of such phenomena exists in the nature of reforms that are being carried out. The reform process so far in all the three States treated informalization as an external variable rather than taking a pro-active stance to prevent this. There seems to be an underlying assumption that informalization is inevitable in a neo-liberal framework. The States are rather following a redistributive role to ease the conditions of the informal sector labour in the form of various welfare and social security schemes.

3. Certain measures encroach upon the job security aspects in order to ensure more flexibility vis-à-vis labour market operations:

Certain amendments made in Gujarat and Madhya Pradesh seem to encourage greater flexibility in deployment of labour. Termination, retrenchment, lay-off, closure has been deregulated to a certain extent.

Deregulation per se is not always bad but given the context of Indian labour market (existence of huge unskilled excess supply of labour) provision of certain degree of job security becomes imperative. Otherwise, workers might face severe uncertainty about the tenure of job and also suffer from extremely low wages in certain occupations. Flexibility should not be at the expense of increased job volatility and uncertainty at the workplace.

4. Redistributive measures lack corresponding financial provisions and adequate planning:

As mentioned earlier, State has initiated number of welfare and social security measures for the informal sector workers. These are essentially redistributive in nature. Majority of such schemes are financed from tax revenues. A few of such schemes like that of construction and transport workers are financed through collection of cess. Newer schemes are being added gradually to address the issue of growing informalization, but financing these schemes would create difficulty since financial constraint would lead to resource crunch. Once introduced, such schemes can't be withdrawn at a later date by the State. Thus adequate financial planning should precede before announcing these schemes in public domain. Presently, there seems to be an ad-hoc approach towards conceptualizing and devising such schemes. All such schemes should be backed up by adequate financial resources and planning which are sustainable in the long run.

5. More focus on ensuring ease of doing business rather than protecting workers' rights and entitlements:

The common feature of the reform processes in all the three States is that provisions have been made keeping in mind the ease of doing business paradigm. In other words, ease of doing business concepts dictated the reform agenda to a great extent. Thus, there is lot of focus on flexibility, administrative convenience and ease in operational procedures. However, these issues are getting priority but issues like enforcement of basic work and living conditions, occupational health and safety at workplace, ensuring payment of minimum wages were not given the adequate attention that those deserve. Like ease of doing business, ease of living is an equally important issue and the labour reform process should internalize and manifest elements of ease of living also.

References

- Agell Jonas (1999), On the Benefits from Rigid Labour Markets: Norms, Market Failures, and Social Insurance, *Economic Journal*, 1999, vol. 109, issue 453, F143-64, <http://www.blackwellpublishers.co.uk/asp/journal.asp?ref=0013-0133>
- Alessandrini, Michele (2019), *Jobless Growth in Indian Manufacturing: A Kaldorian Approach*, accessed 31 Jan 2019 at <https://www.researchgate.net/publication/255611152>.
- Besley Timothy and Burgess Robin (2004), Can Labour Regulation Hinder Economic Performance? Evidence from India, *The Quarterly Journal of Economics*, 2004, vol. 119, issue 1, 91-134
- Bhattacharjee, D. (2001), 'The evolution of Indian industrial relations: A comparative perspective', *Industrial Relations Journal*, 32(3), pp 244-263. Google Scholar
- Breman, Jan (1995), 'Labour, Get Lost: A late-capitalist manifesto', *Economic and Political Weekly*, 16 September.
- Chakraborty, Achin (2015), 'Revisiting the Futility Thesis: Reforming Labour Markets in India', *Economic & Political Weekly*, Vol 50, Issue No. 20, 16 May.
- Chakraborty Saumya (2014), The formal-informal dichotomy: Revisiting the debate on the agriculture-industry linkage, *The Economic and Labour Relations Review*, Vol 25, Issue 1, January 14, <https://doi.org/10.1177%2F1035304613517988>
- Dhal, Monoranjan (2018), 'Trade Union Strategy and Responses to Changes in Employment Structure and Forms in India', *Japan Labor Issues*, vol.2, no.8, August-September.
- Drèze J. & Sen A (2002), *India: Development & Participation*, New Delhi, India: Oxford University Press
- Fallon Peter R & Lucas Robert E.B. (1991) Fallon The Impact of Changes in Job Security Regulations in India and Zimbabwe, *The World Bank Economic Review*, Volume 5, Issue 3, 1 September 1991, Pages 395-413, <https://doi.org/10.1093/wber/5.3.395>
- G. Casale and A. Sivananthiran (2015), *Labour Administration and Labour Inspection in Asian Countries: Strategic Approaches*, ILO, Geneva.
- Government of India (1969), Report of the National Commission on Labour (1st), Ministry of Labour & Employment, Govt. of India, New Delhi.
- Government of India (2002), Report of the National Commission on Labour (2nd), Ministry of Labour & Employment, Govt. of India, New Delhi.
- Government of India (2015), Unemployment Employment Survey 2013-14, Labour Bureau, Ministry of Labour & Employment, New Delhi
- Govt. of Karnataka (2015), Annual Report 2014, Bangalore.

- Govt. of West Bengal (2015), Labour in West Bengal 2014, Kolkata.
- Guhan, S. (1994). Social security options for developing countries. 133. 35-53.
- ILO (2011), Labour Administration and Labour Inspection, Report V, International Labour Conference, 100th session, Geneva.
- ILO (1997), '*Industrial Relations, Democracy and Social Stability*', World Labour Report 1997-98, International Labour Office, Geneva.
- J. Heyes and L. Rychly (eds.), (2013) Labour Administration in Uncertain Times: Policy, Practice and Institutions, ILO, Edward Elgar. Publishing, London
- Lindbeck Assar & Snower Dennis J. (1990), Insiders versus Outsiders, *The Journal of Economic Perspectives*, Vol. 15, No. 1. (Winter, 2001), pp. 165-188
- L. Rychly, (2013) 'Ministries of Labour: Comparative Overview. Database, Organograms', ILO Action, LAB/ADMIN, Working Document No. 27, ILO, Geneva.
- Lal Manohar (2005), 'Labour Administration and the Informal Economy in India', in *Informal Economy: The Growing Challenge for Labour Administration*, ed by A Sivananthiran and C.S. Ventata Ratnam, New Delhi.
- Leisink, Peter (1999), (ed.) Globalization and Labour Relations, Cheltenham (U.K.): Edward Elgar.
- Mamkoottam, K (2003), Labour and Change: Essays on Globalization, Technological Change and Labour in India, New Delhi: Response (A Division of Sage).
- Mehrotra Santosh et al. (2012), 'Joblessness and Informalization: Challenges to Inclusive Growth in India', *IAMR Occasional Paper No. 9/2012*, Planning Commission, Govt. of India, Delhi.
- Ministry of Labour & Employment, Govt. of India (2015), Annual Report 2014, New Delhi
- Papola, T.S. and Pais, Jesim (2007), 'Debate on Labour Market Reforms in India, A Case of Misplaced Focus', *Indian Journal of Labour Economics*, Vol. 50, Issue No. 2.
- Patil, B.R. (1998), 'A Contemporary Industrial Relations Scenario in India with reference to Karnataka', *Indian Journal of Industrial Relations*, Vol. 33 No. 3.
- Rani, Uma & Unni, Jeemol. (2004), Unorganised and Organised Manufacturing in India: Potential for Employment Generating Growth, *Economic and Political Weekly*, 39. 4568-4580. 10.2307/4415652.
- Rajeev, Meenakshi. (2010). 'Contract labour act in India: a pragmatic view', *International Journal of Economic Policy in Emerging Economies*. pp. 237-252.
- Saini, Debi S. and Sami A. Khan (Eds.) (2000) Human Resource Management: Perspectives for the New Era, New Delhi: Response Books (A Division of Sage).

- Saini, Debi. S. (1991), 'Compulsory Adjudication of Industrial Disputes: Juridification of Industrial Relations,' *Indian Journal of Industrial Relations*, Vol. 27 No.1.
- Saini, Debi. S. (2003), 'Labour Organization and Labour Relations Law in India' In Lucy Williams, Peter Robson and Absjorn Kjonstad (eds.), *Law and Poverty: Poverty Reduction and the Role of the Legal System*, London: Zed Books.
- Sarkar Kingshuk (2016), 'Enhancing Labour Administration's Performance in India', *NLI Research Study Series*, 118/2016, VVGNNLI, Noida, India
- Sen Gupta, A. K. and P K Sett (2000), 'Industrial relation law, employment security and collective bargaining in India: Myths, realities and hopes,' *Industrial Relations Journal*, Vol. 31, No. 2.
- Sen Gupta, Anil K. (2003), 'Decline of Trade Union Power in India', *The Indian Journal of Labour Economics*, Vol. 46, No. 4.
- Shapiro Carl & Stiglitz Joseph (1984), Equilibrium Unemployment as a Worker Discipline Device, *American Economic Review*, 1984, vol. 74, issue 3, 433-44
- Sengenberger W& Campbell D. (1994), *Creating economic opportunities - the role of labour standards in industrial restructuring*, ILS, Geneva
- Standing Guy (1999), Global Feminization Through Flexible Labor: A Theme Revisited, *World Development*, 1999, vol. 27, issue 3, 583-602
- Thakur, C.P. (2003), 'Emerging Pattern of Industrial Relations', *The Indian Journal of Labour Economics*, Vol. 46, No. 4.
- Vatsa, Vatsala (2005), 'Strategies for Enhancing the Role of Labour Ministry in the Informal economy', in *Informal Economy: The Growing Challenge for Labour Administration*, Ed by A Sivananthiran and C.S. Ventata Ratnam, New Delhi
- Ventakanarayan M and Naik Suresh V (2013), 'Growth & Structure of Workforce in India', MPRA Paper, Vol XXI, No. 52 accessed 30 January 2019 at <https://mpra.ub.uni-muenchen.de/id/eprint/48003>
- Venkata Ratnam C.S. and Anil Varma (Ed.) (1998), *Challenge of Change-- Industrial Relations in Indian Industry*. New Delhi: Allied Publishing
- Venkata Ratnam, C.S. (2001), *Globalization and Labour-Management Relations: Dynamics of Change*, New Delhi: Response (A Division of Sage Publications)
- Venkata Ratnam, C.S. (2003), *Negotiated Change: Collective Bargaining, Liberalization and Restructuring in India*, New Delhi: Response (A Division of Sage Publications)
- World Bank (1995), 'Workers in an Integrated World', *World Bank Development Report 1995*,. New York, Oxford University Press

V.V. Giri National Labour Institute

NLI RESEARCH STUDIES SERIES

No.

- 001/2000 Labour Market Institutions in Globalized Economy: Some Issues in the Indian Context – C.S.K. Singh
- 002/2000 Dynamics of Labour Market in Kerala – S.K. Sasikumar & S. Raju
- 003/2000 Women and Labour Market: A Macro Economic Study – Neetha N.
- 004/2000 Mode of Payment of Minimum Wages in Bihar – Navin Chandra & Nikhil Raj
- 005/2000 Payment of Minimum Wages in Kind and Perceptions Regarding the Mode of Payment – S.S. Suryanarayanan & Rajan K.E. Varghese
- 006/2000 Minimum Wages and Mode of Payment : The Case of Punjab – Ruma Ghosh
- 007/2000 Rural Wages: On Developing an Analytical Framework – Babu P. Remesh
- 008/2000 Employment in Food Processing Industries – S.S. Suryanarayanan & B. V.L.N. Rao
- 009/2000 Determinants of Rural Wages: An Inquiry Across Occupations – Babu P. Remesh, J. Jayaranjan & A.C.K. Nambiar
- 010/2000 Adverse Sex Ratio and Labour Market Participation of Women: Trends, Patterns and Linkages – Neetha N.
- 011/2000 Children of Carpet Looms: A Study of Home-based Productions of Carpet in Uttar Pradesh – Nikhil Raj and Ravi Srivastava
- 012/2000 Child Labour in Slate Industry of Markapur in the Wake of Legislation – K. Suman Chandra, R. Vidyasagar and Y. Gangi Reddy
- 013/2000 Child Labour in Moradabad Home-Based Industries in the wake of Legislation – Ashish Ghosh, Helen R. Sekar
- 014/2000 Child Labour in Bulandshahar District of Uttar Pradesh – Tapan Kumar Pachal
- 015/2001 Outline of a History of Labour in Traditional Small-Scale Industry in India – Tirthankar Roy
- 016/2001 Gender and Class: Women in Indian Industry, 1920-1990 – Samita Sen
- 017/2001 The Politics of the Labour Movement: An Essay on Differential Aspirations – Dilip Simeon
- 018/2001 Child Labour in Home Based Lock Industries of Aligarh – Helen R. Sekar, Noor Mohammad
- 019/2001 Child Labour in Diamond Industry of Surat – Kiran Desai, Nikhil Raj
- 020/2001 Gender and Technology: Impact of Flexible Organisation and Production on Female Labour in the Tiruppur Knitwear Industry – Neetha N.
- 021/2001 Organisational Structure, Labour Relations and Employment in Kancheepuram Silk Weaving – Babu P. Remesh
- 022/2001 International Labour Migration from Independent India – S.K. Sasikumar
- 023/2001 Cine Workers Welfare Fund in India – M.M. Rehman
- 024/2001 Child Labour in Knitwear Industry of Tiruppur – J. Jayaranjan
- 025/2001 Child Labour in the Home Based Gem Polishing Industry of Jaipur – Kanchan Mathur & Ruma Ghosh
- 026/2001 Unorganised Workers of Delhi and the Seven Day Strike of 1988 – Indrani Mazumdar
- 027/2001 Death of an Industrial City: Testimonies of Life Around Bombay Textile Strike of 1982 – Hemant Babu
- 028/2001 Child Labour in the Home Based Match Industries of Sivakasi – R. Vidyasagar
- 029/2001 Migration in the North-Eastern Region during 1901-1991 and Emerging Environmental Distress: A Case Study of Deforestation in Assam – Suresh Chand Aggarwal & Pushpam Kumar
- 030/2001 Women Weavers of Sualkuchi, The Silk Town of Assam – OKD Institute
- 031/2002 Cash and in-kind Modes of Wage Payment in Maharashtra – C.S.K. Singh
- 032/2002 Child Labour in the Knife Industry of Rampur – Ashish Ghosh & Helen R. Sekar
- 033/2002 Labour Contracts and Work Agreements in Tea Plantations of Assam – Kalyan Das
- 034/2002 Organising and Empowering Rural Labour: Lessons from Kancheepuram in Tamil Nadu – Babu P. Remesh
- 035/2002 Child Labour in Chrompet Leather Manufacturing Units of Tamil Nadu – J. Jayaranjan
- 036/2002 Trade Unionism in South Indian Film Industry – S. Theodore Baskaran

- 037/2002 Migration, Social Networking and Employment: A Study of Domestic Workers in Delhi – *Neetha N.*
- 038/2002 Study of Child Labour in the Zardosi and Hathari Units of Varanasi – *J. John & Ruma Ghosh*
- 039/2003 Organising Rural Labour for Effective Participation in Development – *M.M. Rehman & Surinder Pratap*
- 040/2003 Study of Child Labour in Glass Bangle Industry of Firozabad – *Ruma Ghosh Singh & Rajeev Sharma*
- 041/2003 Organising Rural Labour for Effective Participation in Development in Khurja – *Poonam S. Chauhan*
- 042/2003 Labour Market and Employment Assessment: A District Level Analysis – *Uday Kumar Varma & S.K. Sasikumar*
- 043/2003 Wage Structure and Labour: Assam Valley Tea Plantations, 1900-1947 – *Rana Partap Behal*
- 044/2003 Oral History Documentation of Indian Labour Movement – *Anil Rajinwale, Krishna Jha, Bobby Poullose*
- 045/2003 Status of Labour Welfare Measures in the Factories of NOIDA: A Case Study of Garment & Hosiery Industry – *Sanjay Upadhyaya*
- 046/2003 Labour History and the Question of Culture – *Chitra Joshi*
- 047/2003 Child Labour in Hazardous Industries: A Case of Slaughter House and Allied Occupations – *Helen R. Sekar*
- 048/2003 The Politics of Representation in the Indian Labour Diaspora – *Prabhu Mohapatra*
- 049/2003 Labour Histories: Agrarian Labour and Colonialism – *Neeladri Bhattacharya*
- 050/2004 Labour Laws, Contractual Parameters and Conditions of Construction Workers: A Study in Chennai – *S.S. Suryanarayanan*
- 051/2004 Labour in Business Process Outsourcing: A Case Study of Call Centre Agents – *Babu P. Remesh*
- 052/2004 Labour, Employment and Gender Issues in EPZs: The Case of NEPZ – *Neetha N. & Uday Kumar Varma*
- 053/2004 Labour Relations in Small Holding Plantations: The Case of Rubber Tappers in Kerala – *Babu P. Remesh*
- 054/2004 Contractual Arrangements in the Tea Plantations of Tamil Nadu – *K. Nagraj & L. Vedavalli*
- 055/2004 Child Labour in Urban Informal Sector: A Study of Ragpickers in NOIDA – *Helen R. Sekar*
- 056/2004 Size, Composition and Characteristics of Informal Sector in India – *Anoop Satpathy*
- 057/2004 Brick Kiln Workers: A Study of Labour Process and Migration – *Ruma Ghosh*
- 058/2004 Impact of Anti-Tobacco-Legislation on the Livelihoods of the Beedi Rollers, Tobacco Cultivators and Tendu Leaf Collectors – *Uday Kumar Varma & S.K. Sasikumar*
- 059/2004 Skills Development System: A Micro Level Evidence – *Shashi Bala*
- 060/2004 Immobilising Labour: Regulation of Indentured Labour in Assam and the British West Indies, 1830-1926 – *Prabhu P. Mohapatra*
- 061/2004 Labour Forms and International Labour Flows in the Context of North-South Relationship: An Overview – *Sabyasachi Bhattacharya*
- 062/2005 Migration and Vulnerability to HIV/AIDS: Towards Evolving Viable Intervention Strategies – *Uday Kumar Varma & S.K. Sasikumar*
- 063/2005 Vocational Training for Rehabilitation of Labour: A Case Study of NCLP Schools and MAYA – *Shashi Bala*
- 064/2005 Organising Rural Labour: Case of Chittorgarh, Rajasthan – *Sanjay Upadhyaya*
- 065/2005 Trade Liberalization and Indian Agriculture: A Discussion on Food Security Concerns in the WTO Regime – *Ashutosh Kumar Tripathi*
- 066/2005 Labour, Employment and Social Security Issues in Education Industry: A Case Study of Private Schools of NOIDA – *Sanjay Upadhyaya*
- 067/2005 Opportunities and Challenges before the Construction Workers in the Globalized Era: The Indian Case – *Priyadarsan Amitav Khuntia*
- 068/2005 Workers' Association in the New Service Sector with Special Reference to Labour Standards – *Jyoti Sinha*
- 069/2005 Gender Implications of Trade Expansion in the Context of WTO: The Case of Textile and Clothing Industries – *Laimayum Basanti Devi*

- 070/2005 Work and Workers in the New Economy: A Study of Work Organisation and Labour Process in the Context of General Agreement on Trade in Services – *Sajikumar S.*
- 071/2006 From Leather Artisans to Brick-Kiln Workers Narratives of Weary Travellers – *Subodh Varma & Mahesh Kumar*
- 072/2006 Impact of Privatisation on Labour: A Study of BALCO Disinvestment - *Babu P. Remesh*
- 073/2007 Migrant Women and Wage Employment: Exploring Issues of Work and Identity Among Health Care Professionals – *Sumangala Damodaran, Krishna Menon*
- 074/2007 Impact of Technological Change on the Demand for Child Labour in Brassware Industry of Moradabad – *Helen R. Sekar*
- 075/2007 Rural Non-Farm Employment in Arunachal Pradesh – Growth, Composition and Determinants – *Deepak K. Mishra*
- 076/2007 Employment and Earnings in Urban Informal Sector: A Study on Arunachal Pradesh – *Vandana Upadhyay*
- 077/2007 Operation of Welfare Fund for Beedi Workers in Madhya Pradesh – *M.M. Rehman*
- 078/2007 A Study of Janshree Bima Yojana – *M.M. Rehman*
- 079/2007 Changing Rural Landscape: A Study of Village Bujhawar – *Poonam S. Chauhan, Shashi Tomar*
- 080/2007 Fishery Sector and Fish Workers in India: An Overview – *K. Manjit Singh, M.M. Rehman, Poonam S. Chauhan*
- 081/2007 Construction Workers of Guwahati City: Employment, Employability and Social Security – *Kalyan Das*
- 082/2007 Operation of the Limestone and Dolomite Mines Labour Welfare Fund in Madhya Pradesh: A Study – *M.M. Rehman, Shashi Tomer*
- 083/2007 Migration, Remittances and Development: Lessons from India – *S.K. Sasikumar & Zakir Hussain*
- 084/2008 भोजपुरी प्रवासी श्रमिकों की संस्कृति और भिखारी ठाकुर का साहित्य – *धनंजय सिंह*
- 085/2009 Contract Labour and Judicial Interventions – *Sanjay Upadhyaya*
- 086/2009 Working Women in Urban India: Concerns and Challenges – *Shashi Bala & Seema Khanna*
- 087/2010 Agrarian Structure, Social Relations and Agricultural Development: Case Study of Ganganagar District, Rajasthan – *Poonam S. Chauhan*
- 088/2010 The Employment and Condition of Domestic Help in India: Issues and Concerns – *Shashi Bala*
- 089/2010 Social Security for Unorganised Sector Workers in India: A Critical Appraisal – *Babu P. Remesh and Anoop K. Satpathy*
- 090/2010 Linkages between HIV/ AIDS and Child Labour: Developing an Integrated Approach towards Effective Policy Formulation – *Helen R. Sekar*
- 091/2010 Health Insecurities of Workers in Informal Employment: A Study of Existing and Possible Interventions – *Ruma Ghosh*
- 092/2010 Insecurities and Vulnerabilities of Informal Sector Workers: A Study of Street Vendors of Delhi – *Ruma Ghosh*
- 093/2011 Labour, Employment and Social Security Issues of Security Guards of Okhla and NOIDA – *Sanjay Upadhyaya*
- 094/2012 Migration from North-East to Urban Centres: A Study of Delhi Region - *Babu P. Remesh*
- 095/2012 Valuing Life in a Regulated Labour Market: A Study on Tea Plantations in Assam, India - *Kalyan Das*
- 096/2012 Employment Situation in North Eastern Region of India: Recent Trends and Emerging Challenges – *Partha Pratim Sahu*
- 097/2012 Growth, Composition and Determinants of Rural Non-Farm Employment in North East India – *Bhagirathi Panda*
- 098/2012 Labour Market Participation of Working Women Post Maternity: A Case of Private Sector - *Shashi Bala*
- 099/2012 Implementation of Maternity Benefit Act - *Shashi Bala*
- 100/2012 Minimum Wage Policy and Regulatory Framework: An Inter Country Perspective - *Sanjay Upadhyaya*
- 101/2012 Engendering Gender Statistics: An Analysis of Gender Differentiated Statistics in India - *Ellina Samantroy & Dhanya M.B*
- 102/2013 MGNREGS in Tripura: A Study on Efficiency & Equity - *Indraneel Bhowmik*
- 103/2013 Migrant and Trafficked Children in Hazardous Employment: The Case of Nagaland - *T. Chubayanger*

- 104/2013 Social Security for International Labour Migrants: Issues and Policy Options – *Rakhee Timothy*
- 105/2013 Fundamental Principles and Rights at Work and Informal Economy in India: Trends, Initiatives and Challenges - *Dhanya M.B.*
- 106/2013 The Anti-Khoti Movement in the Konkan, C. 1920-1949 - *Santosh Pandhari Suradkar*
- 107/2013 Expansion of Natural Rubber Cultivation in Tripura Impact on Landholding, Employment and, Income - *S. Mohanakumar*
- 108/2013 Work Participation and Time-Use Pattern of Women in Rural Arunachal Pradesh - *Vandana Upadhyay*
- 109/2013 ILO Convention 181: Issues and Challenges in the Context of Private Placement Agencies in India – *Ellina Samantroy*
- 110/2014 A Study of Welfare Measures for Beedi Workers in Bangalore and Hyderabad Regions - *Poonam S. Chauhan, Shashi Tomer & M.M. Rehman*
- 111/2014 Marine Fishery Industry and Marine Fish Workers in India: A Study with Special Reference to Exploring Employment Potentials in the Sector - *Poonam S. Chauhan & Shashi Tomer*
- 112/2014 Conditions of Employment, Work and Service of Faculty in Private Engineering Colleges in India – *Sanjay Upadhyaya*
- 113/2015 Reconciling Work and Family Life: A Study of Women’s Time Use Patterns, Unpaid Work and Workplace Policies - *Ellina Samantroy*
- 114/2015 Performance of Labour Administration : A Critical Analysis of Cases Filed under Child Labour (Prohibition and Regulation) Act, 1986 - *Helen R. Sekar, S. C. Srivastava, Pankaj Kumar*
- 115/2016 Gender Dimensions at Work and Employment: A Case of Sexual Harassment – *Shashi Bala*
- 116/2016 Women and Entrepreneurship in North East India: Handloom as an Enterprise in Manipur - *Otojit Kshetrimayum*
- 117/2016 Skilling India: Evaluation of Multi Skills Development Centres – *Otojit Kshetrimayum*
- 118/2016 Enhancing Labour Administration’s Performance in India - *Kingshuk Sarkar*
- 119/2017 Gender Parity in Education and Employment: A Global Perspective – *Shashi Bala*
- 120/2017 Gaps in Education & the World of Work: A Gender Perspective - *Shashi Bala*
- 121/2017 Industrial Relations in India: A Study of Central Industrial Relations Machinery - *Otojit Kshetrimayum*
- 122/2017 Amendments in Labour Laws And Other Labour Reform Initiatives Undertaken By State Governments Of Rajasthan, Andhra Pradesh, Haryana And U.P. An Analytical Impact Assessment - *Sanjay Upadhyaya, Pankaj Kumar*
- 123/2017 Understanding Women’s Work: Gendered Analysis of Women’s Participation in Domestic Duties in North East India - *Ellina Samantroy*
- 124/2017 Skill Development of Youth in North East India: Way Forward - *Priyadarsan Amitav Khuntia*
- 125/2017 Global Labour History: Two Essays - *Marcel van der Linden*
- 126/2017 Strike-breaking or the Refusal of Subalternity? Ethnicity, Class and Gender in Chota Nagpur - *Dilip Simeon*
- 127/2017 Indian Migrant Labourers in South-east Asian and Assam Plantations under the British Imperial System - *Rana P. Behal*
- 128/2017 Workplace Health and Safety: A Study of Select Small Scale Manufacturing Units in Delhi - *Rinju Rasaily*
- 129/2017 ICT Imperatives to Bridge the Digital Divide: Gender Perspective - *Shashi Bala*
- 130/2018 Quality Employment Generation in Micro and Small Enterprises (MSEs) in India: Strategies and Way forward - *Dhanya M.B*
- 131/2018 Prospects for Youth Employment in Agriculture: Issues and Challenges - *Ellina Samantroy*
- 132/2019 Impact of the Maternity Benefit (Amendment) Act, 2017 In the IT /ITES Industry - *ShashiBala*
- 133/2019 Regulation of Fixed-Term Employment: An Inter-Country Perspective - *Sanjay Upadhyaya*
- 134/2019 Family Labour in Small Holding Plantation Sector: A Study with Special Focus on Women and Children in Selected Areas of South India - *Dr. Kingshuk Sarkar & Dr. Rinju Rasaily*

V.V. Giri National Labour Institute is a premier institution involved in research, training, education, publication and consultancy on labour and related issues. Set up in 1974, the Institute is an autonomous body of the Ministry of Labour and Employment, Government of India. It is committed to establishing labour and labour relations as a central feature in the development agenda through :

- Disseminating knowledge, skills and attitudes to major social partners and stakeholders concerned with labour and employment;
- Addressing issues of transformations in the world of work;
- Undertaking research studies and training interventions of world class standards; and
- Building understanding and partnerships with globally respected institutions involved with labour.



V.V. Giri National Labour Institute

(An Autonomous Body of Ministry of Labour and Employment, Government of India)

Sector 24, NOIDA-201301

Uttar Pradesh, India

Website: www.vvgnli.gov.in