

ACHIEVEMENT OF LABOUR DIRECTORATE (UPTO 31ST DECEMBER, 2014)

(1) Background: - Labour Organization was set up in Tripura in 1951 under one Labour Officer. This was upgraded to Labour Directorate in 1965 under the control of Chief Labour Officer. The Labour Commissioner started functioning as Head of Department since 1978. Subsequently, in 1982 the Organization of Factories and Boilers was separated from the Labour Directorate.

(2) Functions:-

Labour Directorate is responsible for –

- Prevention, investigation and settlement of industrial disputes in the State;
- Enforcement of awards and settlements;
- Implementation of Labour Laws in industries and establishments in respect of which the State Government is the appropriate Government;
- Fixation and revision of minimum rates of wages in schedule employments ; and
- Running welfare activities meant for worker.

(3) Enforcement of Labour Laws: The main function of Labour Directorate is to enforce and administer 22 Labour Acts to secure the rights and privileges of workers contained in Labour Laws. The following Labour Laws are enforced and administered under the Labour Directorate.

(1) The Industrial Disputes Act, 1947, The Industrial Disputes (Central) Rules, 1957, **(2)** The Minimum Wages Act, 1948, The Tripura Minimum Wages Rules, 1952, **(3)** The Payment of Wages Act, 1936, The Tripura Payment of Wages (procedures) Rules, 1960, **(4)** The Plantation Labour Act, 1951, The Tripura Plantation Labour Rules, 1954, **(5)** The Payment of Bonus Act, 1965, The Payment of Bonus (Central) Rules, 1975, **(6)** The Maternity Benefit Act, 1961, The Tripura Maternity Benefit Rules, 1971, **(7)** The Payment of Gratuity Act, 1972, The Tripura Payment of Gratuity Rules, 1972, **(8)** The Contract Labour (Regulation & Abolition) Act, 1970, The Tripura Contract Labour (Regulation & Abolition) Rules, 1978, **(9)** The Motor Transport Workers Act, 1961, The Tripura Motor Transport Workers Rules, 1962, **(10)** The Tripura Shops & Establishments Act, 1970, The Tripura Shops & Establishments Rules, 1970, **(11)** The Beedi & Cigar Workers (Conditions of Employment) Act, 1966, The Beedi & Cigar Workers (Conditions of Employment) Rules, 1967, **(12)** The Trade Union Act, 1926, The Tripura Trade Union Regulation, 1952, **(13)** The Child Labour (Prohibition & Regulation) Act, 1986, The Tripura Child Labour (Prohibition & Regulation) Rules, 1994, **(14)** The Equal Remuneration Act, 1976 **(15)** The Industrial Employment (Standing Orders) Act, 1946, The Industrial Employment (Standing Orders) Rules, 1946, **(16)** The Sales Promotion Employees (Conditions of Service), Act, 1976, The Sales Promotion Employees (Conditions of Service), Rules, 1976, **(17)** The Working Journalists (Conditions of Service and Misc. Provisions) Act, 1955, The Working Journalists (Conditions of Service and Misc. Provisions) Rules, 1957, **(18)** The Inter State Migrant Workman (Regulation of Employment & Conditions of Service) Act, 1979, The Inter State Migrant Workman (Regulation of Employment & Conditions of Service) Rules, 1980, **(19)** The Building and Other Construction Workers (Regulation of Employment & Conditions of Service) Act, 1996, The Tripura Building and Other Construction Workers (Regulation of Employment & Conditions of Service) Rules, 2001, **(20)** The Building and Other Construction Workers Welfare Cess Act, 1996, The Building and Other Construction Workers Welfare Cess Rules, 1998, **(21)** The Un-organized Workers Act, 2008, The Tripura Un-organized Workers Rules, 2011, **(22)** The Labour Laws (Exemption from furnishing Returns and Maintaining Registers by Central Estts) Act, 1988.

(4) Implementation of Social Security and Welfare Scheme:

The following schemes are implemented under this Directorate especially for the benefit of unorganized workers.

- Rastriya Swasthya Bima Yojana
- Employees State Insurance Scheme
- Schemes under T.B.&O.C.W.W.Board.
- Asangathita Sramik Sahayika Prakalpa
- Medical grants for rickshaw puller

The highlights of important activities and achievement during the year 2012-2013 are indicated below.

(i). Rastriya Swasthya Bima Yojana (RSBY) :- RSBY is a health insurance scheme. The object of the scheme is to cover BPL unorganized workers families under health insurance scheme and thereby to provide in-patient cashless health care facilities as a measure of social security for the 1st year of 2009-2010. From 2nd round Govt. of India changed guidelines and included BPL unorganized workers, MGNREGA workers, Beedi workers, Street Venders, Domestic help etc. and his family members (a family unit of five) will be eligible to get enrolled under the scheme. The enrolled family will get in-patient cashless health care facilities equivalent to Rs.30, 000/- per annum. Transport cost @ Rs.100/- for journey at the place of treatment (Hospital) will be provided to a family subject to the maximum of Rs.1, 000/- per annum. Transport cost will be disbursed from the place of treatment (Hospital). **Total 5,05,327 numbers** of beneficiaries have been enrolled in all districts during the 2nd year i.e.2012-13. **57 numbers** State level/district level and sub-division level Hospitals have been empanelled under RSBY. Upto 1st December, 2014, **1,54,921 nos.** smart cards holders under the RSBY Scheme have been treated in different hospitals of Tripura and an amount of **Rs.31,34,58,262/-** has been involved for treatment. For 3rd round in Govt. of India new Format survey conducted throughout State with help of PRI Bodies and total data base prepared against 7.71 lakh families for the year 2015-16. New enrolment started from 1st January,2016 in view of completion by 31st April,2015. This RSBY scheme implementation guidelines are Govt. of India guideline and 100% has to strictly follow even a single line can be include or change. In every step against any problem permission of Govt. of India is necessary.

(ii) Implementation of Employees' State Insurance Scheme (ESI) :- On the approval of the Central Government, the provisions of the Employees State Insurance Act,1948 has been extended in a cluster within 8(eight) K.M. of Agartala to secure social security measures like sickness, maternity, disablement and medical benefits etc. to the workers engaged in factories and other coverable establishments. Under an agreement with the ESI Corporation, a dispensary has been set up at Agartala w.e.f. 1st January, 2009 to provide for medical, surgical and obstetric treatment to the workers engaged in factories and shops and commercial establishments under the ESI scheme. The dispensary is running under the control and administration of Labour Directorate. Till 1st December, 2014, **7,360 nos.** insured persons have been registered in different coverable establishment under E.S.I. Scheme.**22,754 nos.** family members are involved against **7,360 nos.** nos. insured persons. From inception **77,698 nos.** beneficiaries have been treated in the ESI Dispensary till 1st December, 2014. Total 200 nos. patients have been referred out side the State for better treatment since inception.

(iii) Tripura Building and other Construction Workers' Welfare Board:- Tripura Building and Other Construction Workers' Welfare Board was constituted to execute the provisions for Chapter-V of the said Act and Rules. The Board provides financial assistance and extend benefit to the registered beneficiaries through its 8(eight) welfare schemes. Since constitution of the Board, **51,517** construction workers have been registered and **Rs.8663.05 lakhs** has been collected as 1% Cess on the value of the cost of construction and contribution by the registered beneficiaries through Bank account as on 31st December, 2014. The Board extended financial assistance to **16,945** registered beneficiaries involving an amount of **Rs. 479.34 lakhs** upto 31st December, 2014.

The following 8(eight) Welfare Schemes of the Tripura Building and Other Construction Workers' Welfare Board for the registered construction workers:-

a) Assistance to a beneficiary in case of accident: - The Board may sanction financial assistance to the beneficiaries, who are hospitalized for 5(five) or more days due to accident. The financial assistance provided Rs.500/- for the first 3(three) days and Rs.200/- per day for the remaining days subject to a maximum of Rs.5, 000/-. If disability is resulted due to accident, the Board may sanction a financial assistance upto a maximum of Rs.15, 000/- . In case referred to outside the State for operation, he/she is given maximum Rs.30, 000/- only.

b) Death benefit: - The Board may sanction Rs.20, 000/- to the nominees or dependants of a beneficiary as death benefit. If the death is due to an accident during the course of employment, the nominee or dependant of the beneficiary is given Rs.40, 000/- as death benefit.

c) Pension: - A registered beneficiary who has been working as a building worker for not less than 5(five) years after the registration as a beneficiary on completion of 60 years of age is eligible for pension. The amount of pension is Rs.400/- per month.

d) Loan and advance (deferred): - The Board may sanction an amount not exceeding Rs.50, 000/- as advance for the out right purchase of a house or for the construction of a house. No advance/loan is sanctioned to any beneficiary who is not registered as a beneficiary continuously for 5 years and having 15 years service left for superannuation.

e) Medical expenses for treatment:- The Board may sanction a maximum amount of Rs.5,000/- per annum for treatment of the beneficiary and is a dependent suffering from 13 nos. serious diseases like Cancer, Tuberculosis (T.B), Heart disease, Kidney disease, Eye disease, Leprosy, Nerve disease, Stomach Ulcer, Gallbladder Stone, Liver disease, Prostate Gland, Gynecology disease & Orthopedic disease, where operation is involved for the treatment. The Board may sanction a maximum amount of Rs.30, 000/- for the operation

f) Maternity to a female beneficiary:- The women employees who are registered beneficiaries for a period of a 1(one) year is given a sum of Rs.3,000/- as maternity benefit during the period of maternity. The benefit is restricted to 2(two) issues.

g) Scheme for financial assistance for the education of the children of registered beneficiary:- Upto 2(two) children of a registered beneficiary reading in Class-VI to XII (as regular student), technical education and degree courses are eligible to get financial assistance at the following rates of in an academic year :-

- i) For Class-VI to VIII - Rs. 1,000/-
- ii) For Class-IX and X - Rs. 2,000/-
- iii) For Class XI and XII - Rs. 3, 000/-
- iv) For General Degree - Rs. 5, 000/-
- v) For Diploma/Degree in Technical Education - Rs.5, 000/-
- vi) General Muster Degree - Rs. 6,000/-
- vii) Technical & other equivalent Degree -Rs.8, 000/-

h) Assistance to a beneficiary or his/her children for marriage :- The Board introduced a new scheme, namely, “**Mahila Nirman Shramik Vivaha Yojana**” for providing financial assistance to the female registered construction workers and the daughters (maximum of 2 daughters for their life time) of the registered construction workers for marriage. Under the Scheme, the benefit will be provided @ Rs.10, 000/-

i) Funeral assistance in case of death of registered construction workers :-

The Board introduced a another new scheme namely, “**Funeral assistance in case of death of registered construction workers**” for providing funeral assistance in case of death of registered construction workers. A nominee (where the registered beneficiary did not get married) or spouse or depended of the deceased registered beneficiary is eligible to get benefit under the scheme. The amount of funeral assistance will be sanctioned by the Board a sum of Rs.5,000/- only to the nominee of the deceased registered construction workers.

(iv) Asangatita Shramik Sahayika Prkalpa (ASSP) : ASSP is implemented all over the State for the workers engaged in the following 19-un-organized employments and 23-self-employed occupations as a measure of social security to induce the workers to save a portion of their present earning for a rainy day. The beneficiary contributes **Rs.50/-** and Govt. share @ **Rs.50/-** per month. **95,490 nos.** beneficiaries have been enrolled till 1st December, 2014 under the scheme. Wherein **2,454 nos.** beneficiaries have been taken their final withdrawal (maturity) till date.

Names of Un-organized wage employed and self employed occupations:-

(1) Auto Rickshaw operator (2) Rickshaw and hand pulled cart ones (3) Mason (4) Carpenter (5) Painter (6) Electrician (7) Plumber (8) Cobbler/shoe maker (9) Head-load worker (10) Fisherman (11) Street Hawkers including Newspapers Hawkers (12) Aya/attendant engaged in hospital/Nursing home by patient (13) Weaver and other workers in Handloom (14) Domestic Servant (15) Agri./Horti. Labour/Din Mazdoor (16) Driver/Cleaner/Assistant (17) Tailoring workers (18) Pottery workers (19) Barber (20) Washerman (21) Beatle leaf grower workers (22) Dhupkathi making workers (23) Such other workers as may be decided by the Government.

Names of Un-organized Sector Employments:- 1. Brick/Stone breaking and stone crushing (2) Tile Manufactureing (3) Construction of Road and Building Operation etc. (4) Beedi making (5) Rice Mills including husking mills. (6) Public Motor Transport (7) Tailoring Industry (8) Printing Press (9) Handlooms (10) Saw Mills (11) Motor Garage (12) Copy writing works in Court/Registration Office (13) Type copying/work (14) Earth and Pottery work (15) Dhupkathi manufacturing (16) Saloon (17) Landry (18) Rubber Plantations (19) Agri./Horty activities.

If 4(four) workers engaged (except owner) in the aforesaid employments, they will be treated as un-organized sector workers.

(v) Medical Grant Scheme for Rickshaw Pullers: The Labour Directorate runs the medical grant scheme for rickshaw pullers who are suffering from Cancer, TB, Kidney, Eye and Heart diseases. A lump sum grant of Rs.1, 000/- (Rupees one thousand) only is paid to a rickshaw puller suffering from any of the above diseases. The number of beneficiaries during the year, 2014-15 is given below:-

No. of beneficiaries benefited- 29 Nos.

Amount of involved - Rs.29,000/-

5. Fixation/revision of Minimum Wages:-

The State Government in the Labour Department have included/added 24 scheduled employments under the Minimum Wages Act, 1948 and out of 24 scheduled employments, in 24 scheduled employments the minimum rates of wages have been fixed and revised 22 scheduled employments. The State Govt. has taken necessary steps in fixing minimum rates of wages in remaining 2 schedule employments. The component of Variable Dearness Allowance (VDA) has been introduced in 21 scheduled employments and the same is revised twice a year (i.e. 1st April and 1st October every year).

During the year 2014, a complaint has been received from the Teaching and Non-teaching staff of the Ma Anandamayee Vidhyapeeth, Palace Compound, Agartala regarding less payment of wages. The Authority under the Minimum Wages Act, 1948 has annunched an Order against the management of Ma Anandamayee Vidhyapeeth for payment of Minimum Wages as fixed by the State Government. The management of the said institution has filed a Writ Petition before the Hon'ble High Court on the plea that the said Institution is a voluntary organization for which it does not come under the purview of the Act. After heard, the Hon'ble High Court (Single & Double Bench, Tripura) has announced a Judgement and Order against the Management of the Ma Anandamayee Vidhyapeeth with direction to follow the minimum wages as fixed by the State Government in the Labour Department and to pay arrear wages.

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