

(c) whether the provision for housing, education of children, medical facility, drinking water and toilets are made by industries for the above labourers, if so, the details of the industries which have provided the above facilities and the number of people to whom above facilities have been provided?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) and (b) As per the report of the Annual Survey of Industries conducted by Ministry of Statistics and Programme Implementation, the details of workers employed in various factories during 2010-11 and 2011-12 are as follows:

Sl. No.	Parameters	2010-11	2011-12
1.	No. of reporting factories	172177	175710
2.	Average Daily Employment		
a.	All Employees	12694853	13429956
b.	All Workers	9901764	10438365
c.	Male Workers	5313037	5522589
d.	Female Workers	1228145	1305720
e.	Contract workers	3360748	3610056

(c) Social security benefits to the workers are being provided through the labour legislations like The Employees State Insurance Act, 1948, The Employees Provident Funds and Miscellaneous Provisions Act, 1952 (Separate provident fund legislations exist for workers employed in Coal mines and tea plantations in the state of Assam and for seamen), The Workmen's Compensation Act, 1923, The Maternity Benefit Act, 1961, The Payment of Gratuity Act, 1972 and the Unorganised Workers Social Security Act 2008.

ILO's concern to restricting outsiders in trade unions

2646. SHRI A.W. RABI BERNARD: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether the labour wing of the International Labour Organisation (ILO) raised concern over the Centre's proposal to restrict outsiders in trade union;

(b) if so, the details thereof;

(c) whether the ILO convention stands that it should be upto the trade unions to decide the structures and Government should play the role of a facilitator;

(d) if so, the details thereof; and

(e) whether the proposal may hinder the entry of legitimate and elected members into the union, if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) No such communication has been received by Ministry of Labour and Employment.

(b) Question does not arise in view of (a) above.

(c) Yes, Convention No. 87 of ILO provides for the Trade Unions to decide the structure. The Convention No. 87 has not been ratified by India.

(d) Article 2 of Convention No. 87 states that "Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation".

Article 3 of Convention No. 87 states that:

1. Workers' and employers' organisations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities and to formulate their programmes.
2. The public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof."

(e) The draft Labour Code on Industrial Relations, which, *inter-alia*, includes amalgamation and rationalization of provisions of the Trade Union Act, 1926, is under tripartite consultation. The provisions of the Code have not been finalized.

**Workers shifting to manufacturing, construction
and infrastructure sectors**

2647. SHRI PARIMAL NATHWANI: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether a large number of labour workforce has reportedly shifted or is shifting from agriculture sector to manufacturing/construction and other infrastructure sectors;

(b) if so, the details thereof and the reasons therefor;

(c) the estimated number of workforce engaged in agriculture, manufacturing/construction and other infrastructure sectors during each of the last three years;

(d) whether social security benefits are given to the workers/labourers engaged in manufacturing/construction and other infrastructure sectors; and