

Presented in the House on 9th March, 2023

PUNJAB VIDHAN SABHA

**PUBLIC ACCOUNTS COMMITTEE
(2022-23)**

213th Report

ON THE

Appropriation Accounts of the Government of Punjab for the year

2017-18 and the Report of the Comptroller and

Auditor General of India for

the year 2017-18 (Civil) relating to

the Labour Department



PUNJAB VIDHAN SABHA SECRETARIAT, CHANDIGARH-160001

MARCH, 2023

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COMPOSITION OF THE PUBLIC ACCOUNTS COMMITTEE

(Year 2022-23)

CHAIRMAN

1. Sardar Sukhbinder Singh Sarkaria

MEMBERS

2. Shri Ajay Gupta
 3. Shri Amit Rattan Kotfatta
 4. * Miss Anmol Gagan Maan
 5. Sardar Balkar Singh
 6. Sardar Charanjit Singh
 7. Sardar Devinderjeet Singh Laddi Dhos
 8. Sardar Gurinder Singh Garry Barring
 9. ** Sardar Jai Krishan Singh
 10. Shrimati Jeevan Jot Kaur
 11. Sardar Narinder Pal Singh Sawna
 12. Sardar Sukhvir Singh Maiserkhana
 13. Sardar Sukhwinder Singh Kotli
- *
- ** Doctor Vijay Singla

SABAHA SECRETARIAT

- | | | | |
|----|------------------------|----|-----------------|
| 1. | Shri Surinder Pal | .. | Secretary |
| 2. | Shrimati Amarjeet Kaur | .. | Under Secretary |
| 3. | Sardar Davinder Singh | .. | Superintendent |
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In pursuance of the motion passed by the Punjab Vidhan Sabha at its sitting held on 22nd March, 2022, authorising the Hon'ble Speaker, Punjab Vidhan Sabha to nominate the Members to serve on the Committee on Public Accounts for the year 2022-23, the Hon'ble Speaker nominated the said Committee vide notification no.: 1/P.A.C./2022-23/16, dated 17th May, 2022. Sardar Sukhbinder Singh Sarkaria, M.L.A was appointed Chairman of the Committee under Rule 184(1) read with Rule 207 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly) by the Speaker.

**Miss Anmol Gagan Maan, M.L.A. ceased to be Member of the Public Accounts Committee on being elected as Cabinet Minister on 4th July, 2022.

**Sardar Jai Krishan Singh, M.L.A ceased to be Member of the Public Accounts Committee on being elected as Deputy Speaker. Doctor Vijay Singla, M.L.A was appointed as the Member of the Public Accounts Committee on 13th July, 2022 in order to act in his place for the remaining period of year 2022-23 under Rule 180(3) of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha by the Hon'ble Speaker.

INTRODUCTION

1. I, the Chairman of the Public Accounts Committee having been authorized by the Committee in this behalf, do present the 213th Report on the Appropriation Accounts of the Government of Punjab for the year 2017-18 and the Report of the Comptroller and Auditor General of India for the year 2017-18 (Civil) relating to the Labour Department.
2. The Appropriation Accounts and Report of the Comptroller and Auditor General of India (Civil) referred to in Para-1 above were laid on the Table of the House on 27th February, 2020.
3. The Committee examined the paragraphs relating to the Labour Department appearing in the Appropriation Accounts and Report of the Comptroller and Auditor General of India for the year referred to in Para-1 above. The Committee has finalized this Report based on the evidence tendered/written information furnished by the department.
4. The Committee has finalized this Report after examining the Paras relating to the Labour Department, Punjab in its meeting held on 9.11.2022.
5. The summary of the recommendations/observations of the Committee is appended to this Report as appendix. For facility of reference, these have been printed in thick type in the body of the Report.
6. A brief record of the proceedings of the meetings of the Committee has been kept separately in Sabha Secretariat and the Committee held total 25 meetings during the year 2022-23.
7. The Committee approved the Report in the meeting held on 30th January, 2023.
8. The Committee places on record its appreciation of the valuable assistance given to it by the Accountant General (Audit), Punjab, Chandigarh and his staff and officers of the Finance Department, Punjab, Chandigarh.
9. The Committee is also thankful to the Secretary, Punjab Vidhan Sabha Secretariat and his officers and staff for their valuable assistance and whole hearted co-operation.

CHANDIGARH :
30th JANUARY, 2023

SUKHBINDER SINGH SARKARIA,
CHAIRMAN.

LABOUR DEPARTMENT
(Year 2017-18)

Page No. 41

Para No. 2.2.6.2 (ii)
CAG's Report for the
year 2017-18. (Civil).

1. **Non-Levy of Fine for delay in registration**

The Committee noticed from the audit para that as per Rule 226 (1) of the P B O C W Rules, a fee was to be charged along with the application for grant of a certificate of registration to the establishments.

Sr. No.	No. of Workers	With effect from November 2008 (In Rupees)	With effect from 27 June 2014(In Rupees)
1	0-100	500	1,000
2	101-500	2,000	4,000
3	501-1000	4,000	8,000
4	1000 onwards	5,000	10,000

If the application is received beyond the prescribed period of 60 days, then the registering officer may entertain an application for registration, with an additional fee at the rate of 50% of the fee prescribed under the rules. Audit observed that in the seven selected circles, out of 493 registered establishments 132 establishments (27 per cent) submitted applications after 60 days of commencement of work. Despite the delay ranging between 4 and 1768 days, the penalty of Rs. 0.86 lakh was not levied. The Department admitted the facts (October 2018).

The department stated in its written reply that the feeder offices were instructed that if anyone submits the application from after the stipulated time, they will be penalized. An oral examination of the Additional Chief Secretary, Government of Punjab, Labour and Employment Department was conducted on 21.09.21 to know the reasons for not sending the replies to the audit paragraphs recorded in the C.A.G's Report (civil) for the year 2017-18.

The Committee wanted to know from the department official as to when the replies of the above mentioned paragraphs were sent to the Committee by the department?

The department official stated that these replies were sent late. There are many reasons for sending the replies late and are that the poor people and construction workers got quite affected due to the second wave of Covid. So the Chief Minister made an announcement that Rs 3000 would be given to each construction worker. It was asked to be paid in two installments. We continued to pay them these installments during May-June. The entire payment system was online. There is no physical payment.

We give instructions to the bank from the Headquarters and the bank directly pays them. At times, an error occurs in the account number or I F SC code, which then causes delay. All our employees ensured that the payment is made in every person's account and no one is left behind. The first installment of Rs. 52.42 crores has been given to 3,49,000 labourers and the second installment of Rs. 41.62 crores has been given to 2,77,000 workers. Out of these, 25000 of these accounts had several problems, which we are re-checking. After this, the government made a decision that the construction workers should be vaccinated on priority basis. Therefore, all our officers, field officers started holding the camps. Whether someone was registered or not, we registered everyone on the spot and vaccinated them. Besides this, there were instructions during covid that only 50% of the staff would work. These were some of the reasons that why the reply was sent late to the Committee.

The Committee stated to the department official that what you have mentioned about covid is that the staff was busy in vaccination, the tasks that you have figured up should be important. But we also work at the ground level, we know how much work is done by which department and the officers/officials of which department do such activities. But whatever the audit department has pointed out regarding these audit paras that this audit report was laid in the House on February 27th, 2020 and the replies of these from the department should have been received by the Committee by May 2020, as this is connected with the money of labour class. Discrepancies have also occurred in it. This means that you do not understand the importance of the Committee. Despite sending repeated reminders, the replies were not submitted. Even now those replies that have been sent, were sent on last Friday night. But even those replies are not complete. The position therein is similar to what audit pointed out. The department has also mentioned in the reply that they are making progress and are also taking action over it. Even after 3 years, the department is still considering over it? On page no. 35, it is mentioned that so and so reply is on so and so flag, but no flags have been put. The Committee feels that the reply was prepared for the internal proceeding of the department, and not for the Committee. All the pages from Page No. 35 to 56 have the same position.

The departmental official stated to the Committee that they would examine the replies. If there is any variation then it will be rectified.

The Committee also noticed that page number 10-11 was found missing in the reply sent by the department as a separate page has to be earmarked for each district, there is no linking in it so that one can check across. When the audit pointed out about the Welfare Schemes in it that such number of cases were not eligible, the department itself admitted that these cases were not eligible due to the Aadhar Card, Ration Card or Election Card. In that reply, it was stated that the copy of Ration Card was attached but it was not attached. At point number 2, the department itself stated that action is being taken in 50% of the cases. Whereas this was the situation in the year 2018, the action is being taken in the year 2021 as well and when the audit pointed out the

same, the department forbid the headquarter regarding the payment therein. It was wrongly recommended.

The departmental official intimated the Committee that all officers had been called over for the explanations in these cases, their reply was also received but nothing specific was stated as to that 10-15 cases in Moga Circle are of which people. A D.O. letter was written by the Administrative Secretary to A.G. Punjab, stating that they should specifically state the names of people therein.

The Committee stated to the departmental officials that according to the audit officials, an official of yours visited an official of audit department and clicked pictures of all the documents. There were calls from your office that is why the officials of audit department took photographs from the records and sent them. The departmental official stated that he would check the same. It was in his knowledge that specific names were not provided.

The Committee wanted to know from the departmental official that if there were no specific names then whether the annexure at the end are that of them and your officials were also corresponding through e-mail with the officials of the audit department. The departmental official stated that they had given the reply and asked to mention name also. Currently, the departmental official of the Labour and Employment department got conducted record/annexure check on the spot to the officials of audit department.

The Committee intimated the departmental representative that it is clearly mentioned on Page No. 30 that annexure is being enclosed but there is no enclosure in it. As it is mentioned that "Copy of the Aadhar Card is attached", is it attached? If it is attached show it to be Committee. If the copies of Aadhar Card are attached then show it also to the Committee. If the same are not enclosed the reply thereof? Are the copies of Aadhar Card enclosed or not? The representative of audit department intimated the Committee that the replies which were sent alongwith the required documents, were not attached in any file.

The Committee wanted to know from the departmental official that if the replies were not submitted properly then on what matter should we discuss. Neither you are prepared nor your staff. You also wasted your time, we also came 180 kms all the way.

The Committee wanted to know from the department official as to how much of total budget is with the Labour Department, how much money is left with the department now? Togetherwith the number of beneficiaries whose cards have been made? The departmental official stated that we have 1400 crore rupees. We have approximately 3 lakh beneficiaries. The Committee wanted to know that Punjab has a population of 3 crore and are there only 3 lakh labourers in Punjab? The departmental official intimated to the Committee that only the construction workers are covered in this population of 3 lakh. The Committee intimated the

departmental official that the registration process was made online in the year 2017. Before making this card online, this card was also called Pink Copy in villages and was also called Labour Card. There are 7 Vidhan Sabha constituencies in Hoshiarpur district and the eighth Balachaur Assembly constituency of Nawanshaher also falls in this district. You stated that you had set up camps in villages to make Labour Cards. Please state that how many camps have you set up so far in Hoshiarpur circle?

The departmental official intimated the Committee through his reply that when I joined, we had started organizing camps. We went upto the labour colonies, labour chowks and villages and had set up camps and we ourselves supervised but unfortunately during this time, there was an outbreak of pandemic COVID. Due to which the camps could not be held. When COVID subsidized a bit then we again planned for setting up camps but there was again an outbreak of COVID. Our intention was that whenever everything becomes suitable, we carry our computer, laptop to the places where the labour workers live and get them registered. As one has to visit Suvidha Kendras for registration. Therefore, the workers face a lot of problem.

The Committee wanted to know from the departmental officials whether they could mention about the number of cards prepared in Assembly Constituency Garhshankar? The departmental officer stated in its reply that we provide you the district-wise list. The Committee instructed the department to provide the circle-wise list to the Committee. Where you have mentioned about the ex-gratia scheme. One person has died there. His mobile sim was also not functioning. It was linked to Aadhar Card and could not apply without it. They had to face a lot of harassment to get the new number registered, at the hands of an employee working in Chandigarh office who was a non-sense. MLA sahib must have made at least 100 phone calls. About 50 times messages were also sent. He neither answered the calls nor replied to the messages. The Committee feels that if any department is doing wrong then it is your department. You please state that all the cards applied till date require a fee of Rs. 500-600 rupees but the department declines it and sends it. What is the fault of people in it? A daily wage earner will first miss his workdays, lose wages, then pay the fee, then will go to Hoshiarpur and from there he is being sent back by your staff who have no solution to his problem,. What are the reasons for this? Whether we just don't want to make the cards of people?

The Committee intimated the department official that when a person applies the file then you mention that Form No. 27 is not attached with it. Whereas the form is attached with it. Still the objection arises over it and is received back.

The departmental official stated that the matter is that the Suvidha Kendras are not under us. These are subject to governance reforms. We also hold meetings with them. We have recently asked them to depute an employee who dedicatedly prepares labour cards and deals only with labour cards. They too will implement it soon.

The Committee stated to the departmental official that it was not the query. When the complete file is submitted in Suvidha Kendra then thereafter your Labour Department puts an objection over it and sends it back by saying that Form No. 27 is not attached. Whereas it is appended to it.

The Committee asked the departmental official that if 500 people have applied then they make an objection over those 500 and then decline. We make the people aware that they should get their labour cards made. We make the people aware any person who does any type of work, be it a construction worker, electrician, carpenter, and mason (Installing Tiles) should all get their labour cards made. Have you kept a condition that the card will be made only if the seal of the government contractor is affixed, is it correct? Then why are the people of Hoshiarpur doing so? Why are people being misguided?

The departmental official stated to the Committee that there is nothing as such. Technically speaking, according to law they say that they should bring it in writing from where they have worked. But there were some difficulties in it and no one used to give it in writing. We have made a provision that if the Sarpanch of the village or the Municipal Councillor in the cities gives it in writing, then even we consider it.

The Committee asked the departmental official whether the seal of the Sarpanch is used or of the M.L.A?

The departmental official stated to the Committee that the seal of Sarpanch is affixed. The departmental official stated to the Committee that MLA is above Sarpanch. The official stated that Sarpanch is mentioned in the instructions of the government. The departmental official agreed to the Committee that they will amend it. MLA is a higher authority than the Sarpanch, we will amend this. We will add Hon'ble MLA and Hon'ble M.P. to the same.

The Committee recommends to the department that M.L.A. should also be added in the Performas.

The Committee asked the departmental official that it is the public money and the people should be benefitted. The people who work doesn't have knowledge about it. If they have knowledge then their cards are not made. Secondly, please state that the Indian Government has E-SHRAM Scheme, in which the workers of unorganized sectors are registered. Few people are from C.S.E(Common Service Centre), they are being registered. If they will be registered there and then if they want their card to be made again then whether this card will be made?

The departmental official stated to the Committee in its written reply that it is on the basis of self-declaration. There is no checking in it. If any child is doing medical engineering in our system, that system is on the basis of self-declaration. He will be registered on the system, which is yet to be framed by the Government of India. When the scheme will be framed, they will get some benefit and then only they can get registered in the Centre scheme and as well as in the scheme of Punjab Government.

The Committee wants to know from the departmental official that the person who was registered there, can be registered here as well? Whether he can be registered through his Aadhar card and bank copy. The people should not be at loss and we can tell them whether their cards can be made or not. You stated in it that the cards of ladies can be made under MGNREGA for 90 days.

The departmental official stated to the Committee that the cards are not made of MGNREGA, but of construction and labour. The construction work is defined in our Act that these are considered as construction work. We provide all the conditions that what all can be made and the ones which cannot be made.

The Committee told the departmental official that you stated that about 3 lakh workers are registered, the total estimate of workers in the entire Punjab is 15 lakh 33 thousand.

The Committee wants that a list regarding the various Labour Cards that can be made be provided to the Committee and each MLA.

The departmental official stated to the Committee there are all kinds of workers. Three lakh workers are registered online.

The audit official intimated the Committee that according to the figures given in our office, an estimated 5 lakh 79 thousands workers are registered. Which are registered both online and offline.

The Committee wants to know that there is an estimate of only 15 lakh 33 thousand construction workers. In March 2017, the Board had evaluated. They might have guessed that. Three lakh are registered online. It might be nearby same picture. There is a huge difference between 15 lakh 33 thousand and 3 lakh. By when, the leftover 9 lakh workers be registered?

The departmental official intimated the Committee that all our work is done online. Many people who do not get their registration renewed, their registrations automatically gets deleted and the new ones keep coming.

The Committee brought to the notice of the departmental representative that the number of members who get deleted, are very few. The ones whom you address as live members, they are also very few. The audit observations also point out that registrations have been very low as your online system has run low. In this way, the estimates that have been made, those workers are not getting registered. If brick kilns are registered in Punjab they are also close to three thousand. The departmental representative stated to the Committee that if we talk about migrant workers they are also registered and they too leave, due to which their numbers also keep increasing and decreasing.

The Audit Officer stated to the Committee that the present income of the Labour Department is increasing day by day. The income of the Labour Department is approximately two hundred twenty five crore, 150 crore comes from cess. 50 to 60 crore derives from interest. Apart from this revenue, there is beneficiaries contribution also.

The Committee desired to know from the departmental officials regarding the income derived last year? Any estimate? The amount that has been derived along with the amount that has been incurred?

The departmental official stated to the Committee that approximately 140 crore rupees was disbursed last year and 138 crore rupees have been disbursed till now. We have not sufficient money, it is with all India, in fact we have meager amount.

The Committee desired to know the reason for high earnings of the department. The Committee desired that benefits should reach the people which are meant for them. We are trying that people should get the maximum benefit of this. People are facing huge difficulties to prepare the card even if some one applied for same. Moreover, S.D.M does not call the meeting. If he calls the meeting it does not pass. The three thousand rupees which was announced by the Government in CORONA, that also has not been received by anyone so far. The member stated that a lady came from Nawanshaher, she has applied for the card since last one year but her health card has not been issued. That card will be issued only, if her Labour Card is prepared. They are poor people, she has to undergo heart operation. It will be possible only if her Labour Card is prepared. It is long since she has applied. She is heart patient, angiography has been done. She asked to issue her health card. How can we prepare as no one is listening. We don't even know who prepares the same.

The departmental official stated to the Committee that only Labour Card will do. If there is any such case, let us know. We have transferred 300 crore rupees without any physical intervention. We have done to bring transparency that the work of sanctioning and scrutiny is done at the S.D.M and D.C level. We just do the payment. Now we are going to launch a mobile app also. In this app worker himself can apply for the card. In which scheme, what benefit is to

be taken, he can do it himself. The Act which was passed by the Parliament of India in 1996 and has been implemented in Punjab after 13 years in 2009. Some people approached the Supreme Court and action has been taken on the directions of the Supreme Court. Whatever action is taken in this regard is taken as per the instructions of the Supreme Court. These are directions of Supreme Court, and we have to address to these directions. The Government of India had framed a scheme which has to be implemented. Practically no work was carried out for one and half year as we used to have some schemes earlier too.

The Committee stated to the departmental official that if there was no corona, you would not have even given the same. S.D.M. Nawanshaher did not hold the meeting for two years. He called a meeting when he was locked inside his office.

The Committee asked the departmental official as to how many Labour Cards have been prepared in District Hoshiarpur along with the number of cards issued in District Mohali? List of the same be sent to the Committee.

The Departmental official stated to the Committee that we are highly sensitive to the poor people's issues. We should be pro-active, I myself have monitored the camps that we had been organizing but unfortunately our plan could not succeed. The departmental official stated to the Committee that there are 6755 workers in Hoshiarpur district.

The Committee stated to the departmental official that there should be 10,000 persons in 200 villages. There are 6700 in entire circle. The village which has a population of 4000, there should be at least 50 beneficiaries in that village but there is not even a single one. There are not 200 beneficiaries in 200 villages. The Committee wants to know that there are 8 Assembly Constituencies in Hoshiarpur circle and each constituency has 200 villages. There are 6700 persons in total 1600 villages, then how many are there from one village? There will be at least 50 persons in each village. You state about Mohali also.

In this regard, the departmental representative also stated to the Committee that some discrepancies have been left while which preparing the reply. Revised reply will be sent to the Committee and audit department within three weeks by correcting the discrepancies.

The department stated through its revised reply that in the report sent by Auditor General Office objection has been raised regarding levying of penalty on 132 Institutions who have applied after 60 days from the commencement of work there is not any foot note in the report regarding the work out of Rs 86,000/- and no Annexure has been attached. Due to which appropriate reply of this paragraph cannot be provided. Yet Instructions have been given to impose the penalty as per Rule 226 (1) of B.O.C Board vide their office letter no: 12507, dated 14.10.2022 to all concerned Institutions who applied after the due date given for registration. The

Committee desires that concerned data in this regard should be re-sent by the Audit department.

The Audit representative stated to the Committee that they will send the concerned record but it is necessary to collect the due penalties for other organizations besides the one examined by the audit.

The Committee recommends that if the department has surplus money, then other welfare schemes should be launched, proper utilization of this money would be possible if more workers will be registered.

The Committee also recommends that due penalty amount should be charged as per the rules of the B.O.C Board from the organizations which have not done the registration during the prescribed time.

2. Financial Management

Page No. 45-46
Para No. 2.2.2.7
CAG's Report for
the year 2017-18
(Civil).

The Committee noticed from the audit paragraph that main source of income of the Board is cess levied and collected under Cess Act and registration and contribution fee received from the registered construction workers.

Table 2.2.1 Details of receipts and expenditure of the Board for the year 2017-18

Year	Receipts				Expenditure			
	Opening Balance	Cess Collected	Beneficiaries Contribution	Interest earned	Total funds available	Expenditure	Percentage of Expenditure	Closing Balance
2013-14	408.43	120.52	1.60	43.47	574.02	81.78	14.25	492.24
2014-15	492.24	155.49	1.90	47.50	697.13	65.16	9.35	631.97
2015-16	631.97	145.97	3.13	55.95	837.02	126.79	15.15	710.23
2016-17	710.23	201.16	5.23	55.51	972.13	169.28	17.41	802.85
2017-18	802.85	163.82	4.76	56.64	1028.07	166.81	16.23	861.26
Total		786.96	16.62	259.07		609.82		

(Rupees in Crore)

Out of available funds of rupees 1471.08 crore opening balance (408.43 crore) Cess Collected (786.96 crore) + Beneficiaries share (16.62 crore) + Interest earned (259.07 crore) an expenditure of rupees 609.82 crore (including rupees 19.45 crore administration expenses) was incurred on the Welfare Scheme for the construction workers during year 2013-18 which ranged between 9.35 and 17.41 percent only. This showed that the Board was not formulating sufficient schemes or not implementing the schemes effectively to provide maximum benefits to the workers.

Due to short proposals or non/short implementation of the Welfare Schemes, there was huge accumulation of funds amounting rupees 861.26 crore as on 31 March 2018, which was enhanced by rupees 452.83 crore (i.e more than 110 percent) during the last five years. The department admitted the facts and stated (October 2018) the efforts would be made to speed up the utilisation of the collected cess on Welfare Schemes.

The department stated through its reply that model Welfare Schemes of Central Government had been framed as per the orders issued by Hon'ble Supreme Court. The schemes have been adopted by the Board by notification dated 26.09.2019.

The amount disbursed under Welfare Schemes by the Board to registered construction workers is as follows:-

Year	Amount disbursed (In Crore)
2018-19	74.69
2019-20	131.78
2020-21	139.69
2021-22	138.61
Upto 31.08.2021	

Maximum efforts are being made to utilize the collected funds to provide the facility for registered construction workers and their dependent family members under various Welfare Schemes.

After discussion the Committee expressed dissatisfaction over the reply sent by the department and stated that reply given by the department is not satisfactory.

In this regard departmental representative stated to the Committee that some discrepancies have been left while preparing the reply. Revised reply will be sent to the Committee and audit department within three weeks by correcting the discrepancies.

The department stated through the revised reply that schemes have already been implemented on large scale in the Board. But initially construction workers applied in small numbers in these schemes due to which amount mentioned in the opening balance of paragraph accumulated, however as per the data shown by the Board year-

wise 2013-14 to 2017-18 it is clear that 120.52 crore collected in year 2013-14, out of which 81.78 crore were incurred. Thus 155.49 crore were collected in the year 2014-15, out of which 65.16 crore were incurred. Rupees 145.97 crore were collected and 126.79 crores were incurred in the year 2015-16. Rupees 201.16 crores were collected and 169.28 crore were incurred in the year 2016-17 and rupees 163.82 crore were collected and 166.81 crore were incurred in year 2017-18. Hence 40% to 100% amount out of the collected cess has been incurred on the schemes and administrative expenses. As far as administrative expenses are concerned, it has been reduced by 5% in each financial year as per section 24(3) of B.O.C Act 1996.

The departmental representative stated to the Committee that many types of Welfare Schemes are being run for the workers in the Board. Now every construction worker is registered through the mobile app and worker can take advantage of the concerned schemes by sending the photos of Marriage cards, Medical Bill, children's education receipts and other related photos through the app to avail the benefits of the schemes. He also stated that department incurs 80% part of its income on Welfare Schemes every year.

The departmental representative also brought into the notice of the committee that now as per the instructions of the Supreme Court only 5% of the incurred amount on Welfare Schemes can be used for administrative expenses and money can not be used for publicity and other expenses out of this fund. The department finds it difficult to pay the salaries of the employees, vehicles and other essential expenses as 5% amount is very marginal.

While expressing consent on the reply given by the departmental representative the Committee recommends to the State Government that funds be provided separately to the Labour Department for P.R so that activities of the department can be carried out in proper manner within time frame.

The Committee also recommends to the department that maximum number of construction workers should be covered under Welfare Schemes and efforts should be made for making aware the workers to avail benefits from these schemes. Process should also be simplified to provide benefits from these schemes. The Committee be apprised of the efforts made by the department in this regard.

3. Injudicious Expenditure of Rupees 48.87 crores

Page No. 47
Para No. 2.2.7.2
CAGs Report for the
year 2017-18.
(Civil).

(i) The Committee noticed from the audit paragraph that the Board had launched (May 2013) skill Upgradation and vocational education scheme. Under the scheme, four skill development centers (i) Amritsar (ii) Jalandhar (iii) Ludhiana and (iv) Mohali were to be constructed so that training to the construction workers and their wards could be provided. For this purpose, the Board had released Rs 42.26 crores, Rs 30.88 crore during August 2015 to May 2016 and Rs 11.38 crore during August 2015 to March 2017 (Between August 2015 and March 2017) to various executing / development agencies from Labour Cess.

Further the Board in meeting (August 2014) decided to share 15 crore (i.e 25 percent of project cost) with Technical Education and Industrial Training Department for construction of four Multi-Skill Development Centers (MSDC) (i) Amritsar (ii) Ludhiana (iii) Hoshiarpur (iv) Bathinda. Consequently, the Board transferred (May 2016) 6.61 crore to Punjab Skill Development Mission.

Audit observed that the Hon'ble Supreme Court ordered (September 2015) not to use the Labour Cess for construction of buildings of the schools, training centers etc. In spite of that an expenditure of Rs 39.70 crore was made during September 2015 to March 2017. The construction work was stopped (August 2016) on the orders of Government of India (June 2016) and buildings were lying incomplete (February 2019) after spending of Rs 48.87 crore.

The department admitted (October 2018) the facts and stated that action would be taken as per directions issued by Government of India.

Thus, injudicious decision of the Department to incur expenditure on the construction of buildings in violation of Supreme Court orders tantamount to contempt of court. Appropriate action should be taken against delinquent officials.

ii) Unregulated expenditure on advertisements

Hon'ble Supreme Court ordered (September 2015) that expenditure incurred on advertisements out of the cess fund was not appropriate and any amount spent for this purpose should be refunded to the funds.

Audit observed that the Board had spent Rs two crore on the advertisements of various schemes through print media and audio visual publicity, All India Radio, Doordarshan, F. M Radio, Newspapers, Flex banners and camps after September 2015 in contravention of ibid orders of the Hon'ble Supreme Court and not adhering to the Government of Punjab's instructions in this regard.

The department stated in its reply (February 2019) that the expenditure was incurred on awareness campaigns, printing of leaflets, posters, forms etc on the directions (October 2010) of Government of India. The reply was not acceptable because as per orders of the Hon'ble Supreme Court (September 2015), the expenditure incurred on the advertisement was not appropriate. The department stated through reply that Hon'ble Prime Minister of India has nominated the Hon'ble Chief Minister of Punjab as convener of India's National Skill Development Mission. A meeting of Skill Development Mission (Technical Education and Industrial Training, Punjab) was organized on dated 02.03.2015 by Hon'ble Chief Minister, Punjab in which it was asked to construct 4 Skill Development Centers in Amritsar, Ludhiana, Jalandhar and especially in Mohali for construction workers. During this meeting it was also decided that these Skill Development Centers will be run by Punjab Skill Development Mission through funding of Punjab Building and other construction workers Welfare Board.

In pursuance with the decision of Hon'ble Chief Minister, Punjab, B.O.C.W. Board in its 17th meeting dated 24.06.2015 decided to construct four Skill Development Centers in Punjab.

The board purchased land for the construction of these skill development centers at subsidized rates for institutional purpose. The construction work of these centers had been entrusted under the competitive bid to the Police Housing Punjab, the corporation when the construction work of these Skill Development Centers was in full swing. The Government of India, Ministry of Labour and Employment vide its letter No. Z-20011/08/2014-BL, dated 07.06.2016 issued directions for banning the construction of buildings for School, Hospitals, Waiting Hall, Hostel, Training Center, Labour Shed-Cum-Night Shelters etc. As a result of which construction work of these Skill Development Centers was temporarily suspended.

The construction work was at full swing at all the four development centers and Board had spent huge amount on these centers. However, in view of the guidelines issued by the Hon'ble Supreme Court of India, the Government of India issued directions on 07.2.2016 to the B.O.C.W. Welfare Board, Punjab to not to spent any amount of cess fund on the construction activities. Therefore, Punjab B.O.C.W. Board had to stop the construction work at above site. B.O.C.W Board written several letters to the Ministry of Labour and Employment for allowing to restart the construction at these sites and complete it. Meetings were also held with officers at various levels in Ministry of Labour and Employment. However, the Ministry of Labour and Employment reiterated that Supreme Court guidelines in this regard be followed strictly. Hence, B.O.C.W. could not restart the work on these four Skill Development Centers.

It is worth mentioning here that B.O.C.W. has been continuously following up the matter with the Government of India and have recently written a D.O. letter dated 20.7.2020

to the Secretary, Government of India that the instructions dated 06.07.2016 issued by the Government of India were mis-interpreted, where as in the Model Welfare Schemes formulated by the Government of India on 30.10.2018, it has been clearly mentioned that construction work for transit, accommodation/Labour Shed/ Hostel/ Night Shelters etc can be carried out. Subsequently , an email as reminder to D.O. letter dated 20.07.2020 was sent on 21.09.2020, Ministry of labour and Employment, Governments of India vide its letter No. Z-20011/08/2014-BL, dated 16.02.2021 has informed us of B.O.C.W. Act and given freedom to work as per the directions of the B.O.C.W. Board.

Taking into consideration the facts mentioned in the letter dated 16.02.2021 by Hon'ble Chief Minister, Punjab, permission has been given to take further action. The Board has written to the Punjab Police Housing Corporation to submit revised estimates and revised time table for completion of these Skill Development Centers located in Amritsar, Ludhiana and Mohali. In this regard, meetings have also been held with the officials of the Punjab Police Housing Corporation.

Besides this, the Hon'ble Chief Minister, Punjab has approved an estimate of Rs.17.98 crore for completing the pending construction work of three Skill Development Centers (Amritsar, Ludhiana and Mohali). Therefore, the Board did not violate the section 22 (5) of the B.O.C.W. Act 1996 and the project for construction of four Skill Development Centers for training labourers, Employees and their families is fully covered by the B.O.C.W. Act and Rule.

Ministry of Labour and Employment, Government of India, New Delhi vide letter No. U-2009/10/23014111, dated 07.10.2010 clarified that this expenditure incurred by the Board on awareness campaign, printing of leaflets, posters, forms etc, is to be treated as a part of expenditure on Welfare Schemes, so that the benefits of schemes can be extended to the poor labourers. Therefore, this expenditure of Rs 2 crore by the Board on advertisement is justified in the light of the above explanation.

The committee expressed its dissatisfaction after discussing the reply sent by the department and told the department that the reply given by the department is not satisfactory.

In this regard, the Secretary, Labour Department also told the committee that some discrepancies have been left while preparing the reply. By correcting those discrepancies, revised reply will be prepared and sent to the committee and Audit Department within three weeks.

The department through its reply stated that the ministry of Labour and Employment, Government of India vide its letter No. Z-20011/08/2014-BL, dated 16.02.2021 did not give permission on this issue but it was stated that the Welfare Board

should take decision on the issue as per section 22 of 1996 according to the delegated powers.

The Hon'ble Chief Minister, Punjab made an assessment on 02.12.2021 and advised to get the opinion of LR regarding the audit implications whether in the light of the orders of Hon'ble Supreme Court and Government of India dated 07.06.2016 B.O.C. Welfare funds can be spent for the construction of Skill Development Centers or not. In this regard, the Department of Legal and Legislative Affairs, Punjab is of the opinion that the B.O.C.W. Welfare fund should not be spent for the construction Skill Development Centers.

As per the model Welfare Schemes expenditure could be incurred on construction of transit accommodation/hostel etc for B.O.C.W. workers. Therefore as agenda item proposal was moved to convert these Skill Development Centers into transit accommodation/hostel etc in 29th Board meeting. But the same was not decided. The agenda will be placed in the next Board meeting to reconsider this matter.

Ministry of Labour and Employment, Government of India, New Delhi vide letter No. U-2009/10/23014111, dated 07.10.2010 clarified that this expenditure incurred by the Board on awareness campaign, printing of leaflets, posters, forms etc is to be treated as a part of expenditure on Welfare Schemes, so that the benefits of schemes can be extended to the poor labourers. Therefore, this expenditure by the Board on advertisement of Rs. 2 crore is justified in the light of the above explanation.

The departmental representative stated that in the year 2015 it was decided to construction four Skill Development Centers in Punjab for which the land was purchased at the reserve price. The construction had started for three centers and fourth was yet to be completed. In the years 2016 the order of the Hon'ble Supreme Court came and the construction of Skill Development Central was banned.

The agencies which were given money for the construction was withdrawn, but by then about 45 crore had already been spent. Then the guidelines came from the Government of India, regarding the creation of a model scheme, even under them money could not be spent for Skill Development Centers. According to these guidelines we can build transit accommodation for migrant labourers and these buildings could be used for other 7-8 works. This matter has also been taken up in the Board meeting. A proposal is being prepared to use these buildings so that the money spent on the construction is not wasted.

The audit representative also brought to the notice of the committee that according to the instructions of the Hon'ble Supreme Court in the year 2015, the money

could not be spent on advertisement but the Department spent Rs. 2 crore for advertisement of various schemes from September, 2015 to March, 2018.

The department representative assured that the details of Rs. 2 crore spent by the department on various schemes from September, 2015 to March, 2018 will be sent to the committee.

The Committee recommends that appropriate efforts be made by the department for proper utilization of these buildings and the efforts made in this regard should be brought to the notice of the Committee and the details of Rs. 2 crore spent for various schemes from September, 2015 to March, 2022 should also be sent to the Committee.

4. Loss of interest of Rs. 48.72 Lakh

Page No. 48-49 Para No. 2.2.7.3 CAG.'s Report for the year 2017-18.(Civil).
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The Committee noticed from the audit paragraph that a memorandum of understanding (M.O.U.) was signed (April 2015) with the Punjab Health Systems Corporation (P.H.S.C) to provide Health Insurance to the construction workers registered with board under Rashtriya Sehat Bima Yojana(R.S.B.Y). The board was to provide the funds to P.H.S.C at the rate of Rs. 750 per family in the corpus in respect of live construction workers. Fifty percent amount was to be provided in the corpus in advance and rest of the amount was to be deposited after utilization of 75 per cent of the earlier advance amount. P.H.S.C. was to create corpus to cover the construction workers. Any interest earned from the corpus was to be ploughed back in the corpus to provide support for the scheme. Messrs united India Insurance Company was engaged for this purpose. The insurance cover was limited to Rs 50,000/- per annum per family.

The board had deposited (8 May 2015) an amount of Rs 5.70 crore (50 per cent premium) for 1,52,016 live workers in the account of the P.H.S.C. and intimated (January 2016) the P.H.S.C. to invest the funds in fixed deposit account till the scheme came into force. But, P.H.S.C. did not invest the funds in fixed deposit account. The insurance company issued 16,429 health cards to the workers under the scheme. The scheme could not come into force because e of introduce of a new Health Scheme Bhagat Puran Singh Sehat Bima Extended Yojna (B.P.S.S.B.Y) Scheme (March 2016) under which the beneficiaries were to be covered.

The board intimated the P.H.S.C. not to start the R.S.B.Y. scheme and as such no benefit of the scheme was passed to any beneficiary. Thereafter, P.H.S.C. return (16 June 2016) Rs 5.70 crore on the request (March 2016) of the board. The board worked out an interest of Rs 53.65 Lakh at the rate of 8.5 per cent and administrative charges Rs 4.93 lakh at the rate of Rs 30 for 16,429 Health Cards issued by the insurance company to the beneficiaries and demanded remaining interest amounting to Rs 48.72 lakh from the P.H.S.C. However, P.H.S.C. declined to pay the interest as it had not invested the funds in any interest earning schemes. Thus, due to failure of the board to insert investment clause in the M.O.U. and ensure effective implementation of the scheme before investment of funds with P.H.S.C had resulted into loss of interest of Rs 48.72 lakh besides blockade of funds.

The department stated (October 2018) that the matter would be taken up with the P.H.S.C. compliance is awaited in Audit (July, 2019).

The department stated through the reply that the matter was taken up with the Punjab Health Systems Corporation (P.H.S.C.) and after continuous efforts the P.H.S.C vide its letter no. 2755, dated 15.10.2019 has refunded a sum of Rs. 8,27,352/-. As per the

calculations made by P.H.S.C. total interest accrued on the principal amount of Rs. 5,70,28,500/- was Rs 40,98,013/- and after deducting Rs. 32,70,661/- (inclusive of T.D.S. amount) 8,27,352/- amount has been returned to the board. The T.D.S. amount of Rs. 4,09,801/- will be deposited by P.H.S.C. at this office after receiving it from the Revenue Department. Punjab B.O.C.W. Board is continuously corresponding with P.H.S.C. A copy of vide it D.O. No. 1751-52, dated 28.04.2020 regarding the deductions made along with interest has been sent for the information of the committee.

The Committee expressed its dissatisfaction after discussing the reply sent by the department. The reply given by the department is not satisfactory.

In this regard, the secretary, the Labour Department also told the committee that some discrepancies have been left while preparing the reply. By correcting those discrepancies the reply will be prepared and sent to the committee and Audit Department within three weeks.

The Committee recommends to the Department to take up the matter again with the Punjab Health Systems Corporation and check where the amount has been spent. The amount which is yet to be recovered from the Punjab Health Systems Corporation, should be recovered at the earliest and the same be informed to the Committee. The Committee also recommends to the department that the responsibility of the officers/employees who were responsible during this time should be fixed and action taken should be brought to the notice of the Committee.

Page No. 49

Para No. 2.2.7.4.
CAG's Report for the
year 2017-18.(Civil).

5.Non –Deposit of Labour cess of Rs. 23.97 crore by the cess Collecting

Agencies

The Committee noticed from the Audit paragraph that the Government of Punjab (Department of Labour) issued instructions (November 2008) for levy of Labour cess at the rate of one per cent of the cost of construction. The cess collecting authorities would deposit the same with the Board on or before 10th of succeeding month. Section 8 of the Cess Act also provides that if any employer fails to pay any amount of cess with in the time specified in the order of assessment, such employer shall be liable to pay interest on the amount to be paid at the rate of two percent for every month. Section 9 of the Act provides that if any amount of cess is not paid with in the date specified in the order of assessment, the authority may impose a penalty not exceeding the amount of cess.

Eleven Development Authorities in seven selected circles (i) Municipal Corporation (M.C.) Amritsar: Rs 7.24 crore (ii) Municipal Council (M.C.L.), Gurdaspur : Rs 4.25 Lakh (iii) M.C, Jalandhar: Rs 10.36 crore (iv) M.C. Patiala Rs 4.22 crore (v) M.C.L. Rajpura: 74.26 Lakh (vi) M.C.L. Sangrur Rs 71.80 Lakh Improvement Trust (I.T.), Amritar (I.T) : Rs 13.73 (viii) I.T. Gurdaspur : Rs 11.86 Lakh (IX) Jalandhar Development Authority: Rs 29.42 Lakh (X) Water Supply and Sanitation Division (W.S.S.), Batala: Rs 7.84 Lakh and (XI) W.S.S. Division, Gurdaspur Rs 1.46 Lakh (D.As) had collected Rs 23.97 crore for the period between April 2013 to March 2018 as cess for various works executed but the same was not deposited with the Board. Non-deposit of cess is an offences. Despite this, the board has neither imposed any penalty against the DAS nor initiated any action to recover the arrears of cess.

The Department while admitting (October 2018) the facts stated that an online system of deposit of cess would be developed to ensure the deposit of labour Cess directly in the board account. But, the reply was silent about the recovery of Rs 23.97 crore. The department stated through the reply sent on 17.9.2021 that the Punjab building construction and other construction workers welfare board has also written letters from time to time to the cess collecting agencies to deposit pending cess and in this regard letters have also been written to these agencies at the level of the Government to deposit the cess. In this regard, meetings have been held by the department with the representatives of the said agencies regarding the deposit of pending cess from time to time and during the meetings, Gmada and PWD have admitted about 10.75 crore and 3.18 crore of pending cess respectively. In this regard instructions have been issued to deposit the pending cess with those agencies.

The committee expressed its dissatisfaction after discussing the reply sent by the department. The reply given by the department is not satisfactory.

In this regard, the Secretary, Labour Department also told the Committee that some discrepancies have been left while preparing the reply. By correcting those discrepancies the reply will be prepared and sent to the Committee and Audit Department within three weeks.

The department through the reply sent by it on 21.10.2022 stated that Punjab Building and other construction workers Welfare Board has also written letters from time to time to the cess collecting agencies to deposit pending cess, and in this regard, letters have also been written to these agencies at the level of the Government to deposit cess. Now, reminders vide this office letter No. 12475-12506 dated 14.10.2022 have also been issued to the concerned Development Authorities to deposit the penal interest alongwith the amount of the cess.

The departmental representative said that the department has not yet received this 23.97 crore rupees, from time to time, the department maintains correspondence with the concerned agencies to deposit this outstanding amount with interest.

The Committee instruct the department to let the Committee know about the latest status regarding this paragraph as to how much of amount is to be recovered from various Development Authorities.

The Committee recommends to the department that appropriate action should be taken as per rules against the Development Authorities which has not deposited the cess amount on time, so that the amount due with the Development Authorities can be recovered.

6. Short-assessment and realization of Labour Cess on Building Plans

The Committee observed from the audit paragraph that the Government of Punjab issued (November 2013) instructions for collection of cess at the time of approval of building plans at Rs 900 per square feet on the total covered area. Further, Rule 5(3) of the Cess Rule provides that the cess collected should be remitted to the Board within 30 days after deducting the collection charges at the rate not exceeding one percent of the cess collected.

Page No. 50
Para No. 2.2.7.5.
CAG's Report for the year 2017-18.(Civil).

Audit observed that 12 Das (Appendix 2.1) had approved 1,576 residential/commercial building plans for an area of 61, 10,490.54 square feet at a cost of Rs. 549.94 crore between November 2013 and March 2018. But, against the required collection of cess of Rs 5.50 crore, only Rs 3.23 crore were collected from them. Thus, due to short assessment/realization of labour cess, the Board had suffered a loss of Rs 2.27 crore

Mention had been made in the Comptroller and Auditor General of India's Report on Social, General and Economic sectors (Non-PSUs) for the year ended 31 March 2012 (Paragraph 3.3.5.2 (C) (i) and (ii)). While discussing the matter (October 2015), the Department apprised the PAC that a high power committee was constituted to look after the collection of cess.

Despite the constitution of committee (March 2015), the shortfall in deposit/collection of cess had increased from Rs 48.52 lakh (April 2009 to March 2012) to Rs 26.24 crore (as discussed in Paragraph 2.2.7.4 and 2.2.7.5) upto March 2018.

The Departmental admitted (October 2018) the facts and stated that instructions would be issued to collect the labour cess as per prescribed rates.

The department through the reply sent on 4-10-22 informed that the Assistant Labour Commissioner, Circle-3 Ludhiana through his letter No. 2767, dated 12.12.2019 has informed the department that according to the concerned firm, cess has been deposited in the B.O.C. DLLU Board:-

1. Rs 12,89,195/- from Vardhman Text Garments Phase-8, Focal Point, Ludhiana.
2. Rs.1000000/- from Centex International Private Limited, Phase-7, Focal Point Ludhiana.
3. Rs.8,42,591/- from Eastman Industries Ltd., c-88, Phase-5, Focal Point , Ludhiana.

The Committee expressed its dissatisfaction after discussing the reply sent by the department on 4-10-22. The reply given by the department is not satisfactory.

In this regard, the Secretary, Labour Department also told the Committee that while preparing the reply some discrepancies have been left. The reply will be prepared by correcting those discrepancies and sent to the Committee and the Audit department within three weeks.

In the reply sent to the Committee dated 21-10-2022, the department said that instructions had also been issued from time to time by the Punjab Building Construction and other construction workers Welfare Board to the cess collecting agencies to deposit the pending cess. Now, reminders vide this office letter no. 12514-12538, dated 14.10.2022 has also been issued to the concerned development authorities to deposit the penal interest along with the balance amount of cess.

The Committee instructs the department to let the Committee know about the latest status regarding this paragraph as to how much of amount is to be recovered from various development authorities.

The Committee recommends to the department that appropriate action should be taken as per rules against the development authorities which have not deposited the cess amount on time, so that the amount due with the development authorities can be recovered.

7. Loss of 25.24 Lakh due to non-revalidation of Cheques/Demand Drafts

Page No. 65
Para No. 2.2.11(ii)
CAG's Report for the
year 2017-18.(Civil).

The Committee noticed from the audit paragraph that 80 cheques of labour cess amounting Rs 25.24 lakh received from the different departments/organizations were dishonored during 2013-18 due to difference in titles, insufficient funds, outdated and state instruments and signature mismatch. The board had neither taken any action to re-validate the dishonored cheques from the concerned quarters nor initiated any action to collect the new cheques which led to loss of Rs 25.24 lakh to the Board.

Mention had also been made in the Comptroller and Auditor General of India's Report on Social, General and Economic Sectors (Non-PSUs) for the year ended 31 March 2012 (Paragraph 3.3.8), but the irregularity still persists.

The department stated (October 2018) that mechanism would be devised for 100 per cent online deposit of cess into board account. However, compliance is awaited in audit.

The department stated in its reply dated 17-9-2021 that the dishonored cheques received back from the bank were sent to the Assistant Labour Commissioner/Labour-Cum-Reconciliation Officers in the State to get the same revalidated and return to this office. Out of 80 dishonored bank drafts amounting to Rs 25.24 lakhs, this office has received back 47 cheques amounting to Rs 15,90,124/- after revalidation, 33 cases are being closely monitored by the concerned office.

Thus the details of dishonored bank drafts of Rs 9,34,024/- related to the following circles which are pending are as follows:-

Name of Circle	Number of DD ^s	Amount
Amritsar	3	2,89,572/-
Gurdaspur	8	1,39,527/-
Hoshiarpur	3	7,315/-
Jalandhar-2	1	3,043/-
Moga	6	32,526/-
Mohali	9	2,42,079/-
Deputy Director of Factories Mohali	1	5,000/-

Pathankot	1	2,10,462/-
Sangrur	1	4,500/-
	33	9,34,024/-

Since then efforts are being made to get revalidated cheques from the respective departments through concerned circles of BOCW Welfare Board. Further, directions have been issued to all the field officers to get these bank drafts cleared at the earliest possible. In order to overcome this problem, the (BOCW) Board has signed an MOU with State Bank Of India for online collection of cess. The Board has started receiving cess online.

The Committee expressed its dissatisfaction after discussing the reply sent by the department. The reply given by the department is not satisfactory.

In this regard, the Secretary, Labour Department also told the Committee that while preparing the reply there are some discrepancies. By correcting those discrepancies, reply will be prepared and sent to the Committee and Audit department within three weeks.

The department through its reply on 21-10-2022 said that the dishonored cheques received back from the bank were sent to the Assistant Labour Commissioner/Labour-Cum-Reconciliation Officers in the state to get the same revalidated and return to this office. Out of 80 dishonored bank drafts amounting to Rs.25.24 lakh, this office has received back 41 cheques amounting to Rs. 18,78,045/- after revalidation. In 39 cases close monitoring is being done with the concerned office.

Since then efforts are being made to get revalidated cheques from the respective departments through concerned circles of BOCW Welfare Board. Further, directions have been issued to all the field offices to get these bank drafts cleared at the earliest possible. In order to overcome this problem, the (BOCW) board has signed an MOU with State Bank of India for online collection of cess. The board has started receiving cess online.

The Committee wanted to know from the departmental officers that cheques/drafts worth about 7 lakhs were not deposited in the bank accounts of the department. The departmental officers said that we have re-verified all the entries and only this entry of 7 lakhs has been found, which has not been deposited in the account. He said that we are taking appropriate departmental action against the responsible officer.

The Committee recommends that appropriate action be taken against the responsible officers for not depositing this entry of 7 lakhs on time in the account and the same be informed to the Committee within 1 month.

8. Conclusion

Page No. 65
 Para No. 2.2.12
 CAG's Report for
 the year 2017-18.
 (Civil).

The Committee noticed from the audit paragraph that the functioning of the board and implementation of the schemes were affected due to shortfall in regular meetings of State Advisory Committee and Expert Committees. Non-existence of effective mechanism to register the establishments under the Act was noticed and workers were not indentified

or encouraged for registration; besides online registration system was very slow. Only Rs 5990.38 crore was spent during 2013-18 against the availability of Rs 1,471.08 crore resulting in huge accumulation of cess fund with the board. Thus, labour was being impoverished, as despite collecting a part of the workers money, only meager benefits were being provided to them through various schemes. Cases of short-collection and non-deposit of labour cess by cess collecting authorities were noticed. Various deficiencies in the implementation of schemes were noticed due to which irregular payments of Rs 4.44 crore to 5,198 ineligible workers were made. Lack of intensified efforts for aggressive campaigning to spread awareness about the Welfare Schemes was also noticed. Shortage of staff, inadequate monitoring at board level and lack of internal control had also contributed to ineffective implementation of Welfare Schemes.

Regarding the said paragraph, the officer of the department told the Committee that the reply to this paragraph has been given point-wise in the above paragraphs.

The Committee recommends to the department that while implementing various Welfare Schemes by the department, action should be taken as per the Act and Rules and compliance with audit observations should be ensured.

9. Recommendations

Page No. 66
 Para No. 2.2.13
 CAG's Report for the
 year 2017-18.(Civil).

The Committee noticed from the audit paragraph that in the light of audit findings, the State Government /Board must ensure:-

- (i) Conduct of proper survey to enroll more establishments as well as encourage workers for registration and pursue with registered workers to continue their membership so as to avail benefits as envisaged in the Act;
- (ii) To evolve proper mechanism to ensure that the cess was being collected and deposited regularly by the deductors;
- (iii) To prepare efficient annual budget, keeping in view the available resources so that maximum benefits could be provided to the beneficiaries by proper implementation of Welfare Schemes; and
- (iv) To strengthen the monitoring and internal control mechanism for proper implementation of Act and follow up of Welfare Schemes to access the economic growth of the workers.

The matter was referred to Government in September 2018; reply was awaited (August 2019).

The department stated through the reply that E-Labour portal has been developed by the department in this regard and meetings are being held by the Punjab Building and other Construction Workers Welfare Board in this regard, and camps are being set up to create awareness amongst the Construction Workers for registration.

The Committee expressed its dissatisfaction after discussing the reply sent by the department. The reply given by the department is not satisfactory.

In this regard, the Secretary, Labour Department also told the Committee that while preparing the answer, there are some discrepancies. The reply will be prepared by correcting those discrepancies and sent to the Committee and the audit department within three weeks.

In regard to the above paragraph, the following recommendations have been made by the Committee:-

- 1. Conduct of proper survey to enroll more establishments as well as encourage workers for registration and pursue with registered workers to continue their membership so as to avail benefits as envisaged in the Act;**
- 2. To evolve proper mechanism to ensure that the cess is being collected and deposited regularly by the deductors;**

3. To prepare efficient annual budget, keeping in view the available resources so that maximum benefits could be provided of the beneficiaries by proper implementation of Welfare Schemes;
 4. To strengthen the monitoring and internal control mechanism for proper implementation of Act and follow up of Welfare Schemes to access the economic growth of the workers.
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General Observation:-

The Committee recommends to the department that Rs. 75 crore saved by the department every year should be given to the poor. So the department should increase the number of cards. This money should be used for the facilities that poor people get through these cards. The Committee also recommends that target be fixed for each district, block as to how many cards it will register every month. A report should be sent to the Committee regarding the action taken in this regard.

Labour Department

Appendix

Summary of Recommendations/Observations of the Committee on Public Accounts

Sr. No.	Page No.	Paragraph of the Report	Recommendations/observations
1	9	1	<p>The Committee recommends that if the department has surplus money, then other welfare schemes should be launched, proper utilization of this money would be possible if more workers will be registered.</p> <p>The Committee also recommends that due penalty amount should be charged as per the rules of the B.O.C Board from the organizations which have not done the registration during the prescribed time.</p>
2	11	2	<p>While expressing consent on the reply given by the departmental representative the Committee recommends to the State Government that funds be provided separately to the Labour Department for P.R so that activities of the department can be carried out in proper manner within time frame.</p> <p>The Committee also recommends to the department that maximum number of construction workers should be covered under Welfare Schemes and efforts should be made for making aware the workers to avail benefits from these schemes. Process should also be simplified to provide benefits from these schemes. The Committee be apprised of the efforts made by the department in this regard.</p>
3	16	3	<p>The Committee recommends that appropriate efforts be made by the department for proper utilization of these buildings and the efforts made in this regard should be brought to the notice of the Committee and the details of Rs. 2 crore spent for various schemes from September, 2015 to March, 2022 should also be sent to the Committee.</p>
4	18	4	<p>The Committee recommends to the Department to take up the matter again with the Punjab Health Systems Corporation and check where the amount has been spent. The amount which is yet to be recovered from the Punjab</p>

Health Systems Corporation, should be recovered at the earliest and the same be informed to the Committee. The Committee also recommends to the department that the responsibility of the officers/employees who were responsible during this time should be fixed and action taken should be brought to the notice of the Committee.

5 20 5 The Committee instructs the department to let the Committee know about the latest status regarding this paragraph as to how much of amount is to be recovered from various Development Authorities.

The Committee recommends to the department that appropriate action should be taken as per rules against the Development Authorities which has not deposited the cess amount on time, so that the amount due with the Development Authorities can be recovered.

6 21,22 6 The Committee instructs the department to let the Committee know about the latest status regarding this paragraph as to how much of amount is to be recovered from various Development Authorities.

The Committee recommends to the department that appropriate action should be taken as per rules against the Development Authorities which have not deposited the cess amount on time, so that the amount due with the Development Authorities can be recovered.

7 23 7 The Committee recommends that appropriate action be taken against the responsible officers for not depositing this entry of 7 lakhs on time in the account and the same be informed to the Committee within 1 month.

8 24 8 The Committee recommends to the department that while implementing various Welfare Schemes by the department, action should be taken as per the Act and Rules and compliance with audit observations should be ensured.

9 25,26 9 In regard to the above paragraph, the following recommendations have been made by the Committee:-

1. Conduct of proper survey to enroll more establishments as well as encourage workers for registration and pursue with registered workers to continue their membership so as to avail benefits as envisaged in the Act;

2. To evolve proper mechanism to ensure that the cess is

being collected and deposited regularly by the deductors;

3. To prepare efficient annual budget, keeping in view the available resources so that maximum benefits could be provided of the beneficiaries by proper implementation of Welfare Schemes;

4. To strengthen the monitoring and internal control mechanism for proper implementation of Act and follow up to Welfare Schemes to access the economic growth of the workers.

General Observation :

The Committee recommends to the department that Rs. 75 crore saved by the department every year should be given to the poor. So the department should increase the number of cards. This money should be used for the facilities that poor people get through these cards. The Committee also recommends that target be fixed for each district, block as to how many cards it will register every month. A report should be sent to the Committee regarding the action taken in this regard.
