

**CHAPTER V**  
**IMPLEMENTATION**  
**OF WELFARE**  
**SCHEMES**



## CHAPTER V

### IMPLEMENTATION OF WELFARE SCHEMES

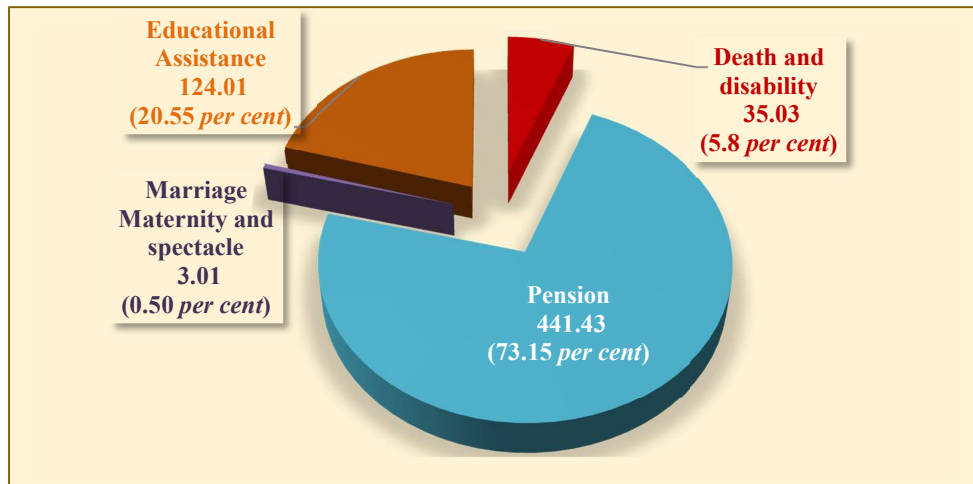
Abnormal delays in processing of claims of beneficiaries marred the implementation of welfare schemes. Lack of clarity on eligibility criteria, lack of awareness among members and lack of due diligence by the officers dealing with claims for assistance had resulted in non-extending of benefits, including cash assistance, to large number of beneficiaries during COVID-19 pandemic. Simultaneously, a significant number of beneficiaries received COVID cash assistance more than once.

#### 5.1 Welfare schemes of TNCWWB

TNCWWB implements various schemes for the welfare of construction workers. The schemes implemented by TNCWWB include (a) Pension including Family Pension, (b) Marriage Assistance Scheme for self and children, (c) Children Education Assistance, (d) Maternity Assistance, (e) Death and Funeral Assistance, (f) Compensation for accident at work site, etc. Details of the schemes are listed in **Appendix 5.1**. During 2017-22, TNCWWB disbursed ₹603.48 crore towards various scheme assistances to 7.85 lakh beneficiaries as given in **Exhibit 5.1/Appendix 5.2**.

Exhibit 5.1: Kind of assistances distributed by TNCWWB

(₹ in crore)



(Source: Data furnished by TNCWWB)

## **5.2 Pension scheme of TNCWWB**

Payment towards pension and family pension accounted for about 73 *per cent* of the total expenditure of TNCWWB. Members who attain the age of 60 or incapacitated due to medical reasons before attaining the age of 60 are eligible for pension. On the demise of a pensioner, the spouse is eligible for family pension.

Audit scrutiny of the Pension/Disability Pension and Family Pension schemes disclosed the following:

- **Non-revision of the amount of Pension/Family Pension:** The amount of pension was increased from ₹500 per month to ₹1,000 per month from December 2011. During the last 12 years, the monthly pension as well as family pension have not been revised despite an increase of 50.9 *per cent* in the Whole sale Price Index (WPI) as of February 2023<sup>21</sup>, which is a reliable benchmark for cost of living. It was further observed that GoTN had not taken a decision on the repeated requests from the representatives of the members, despite continuous increase in surplus funds with TNCWWB. It was seen that in the states of Delhi and Punjab, the amount of pension to construction workers was ₹3,000 per month and ₹2,000 per month, respectively.
- **Comparison with Social Security Pension:** The amount of pension was the same as the Social Security Pension being paid by GoTN to poor people above 60 years. Thus, the pension from TNCWWB could not be considered as a retirement compensation to the workers, as most of the workers would otherwise be eligible for Social Security Pension.
- The family pension for the spouse of the deceased pensioner was last increased from ₹400 to ₹500 in August 2018. In comparison, the Social Security pension paid to destitute widows by GoTN's was ₹1,000 per month. TNCWWB, did not even match the GoTN scheme, but kept the family pension at ₹500 from August 2018. The family pension sanctioned by other States were much higher as Delhi sanctioned ₹1,500 per month; Punjab and Uttar Pradesh sanctioned ₹1,000 per month.
- Only the spouse of the pensioner on his/her death is entitled to a family pension, but this possibility does not apply to the spouse of a registered worker on his/her death. This anomalous situation is a lacuna in ensuring the wellbeing of member's families.
- **Non-fixing of minimum service period for pension eligibility:** As per the BOCW Act, a worker would be eligible for pension only if

<sup>21</sup> WPI was at 150.9 *per cent* in February 2023 against the base year 2011-12 at 100 *per cent*.

he/she was a member of the Welfare Board for a minimum of three years. However, as per the TNCWWB pension scheme, every member becomes eligible for pension on attaining the age of 60 and there are no prescribed minimum years of membership to qualify for pension. Audit analysis of 54,723 new pensions sanctioned during 2020-22 disclosed that 18,463 of the new pensioners (34 per cent) had been members of TNCWWB for less than three years, which included 59 members who received pension within one month of becoming members of TNCWWB and 3,889 persons had received pension within one year of becoming members. This shows that there was significant spike in the number of members registering with TNCWWB just before attaining the age of 60, probably only to avail the retirement benefits. As the current Pension scheme of TNCWWB did not place any restriction on pension eligibility based on the number of years of enrolment as a member, Audit observed that the possibility of misuse of the scheme could not be ruled out.

- **Delay in sanction of Pension:** Analysis of Pension database pertaining to the period August 2020 to March 2022 disclosed that the time taken for sanction of 54,723 pension claims by TNCWWB/ACL-SSS offices ranged from one day to 770 days and averaged 232 days. Details of the analysis are given in **Table 5.1**.

**Table 5.1: Time taken for processing pension claims**

Sl. No.	Period of delay	Sampled districts		Non-sampled districts		All districts	
		Number of claims sanctioned	Per cent	Number of claims sanctioned	Per cent	Number of applications processed	Per cent
1.	Within six months	10,500	19	12,301	22	22,801	42
2.	Six months to one year	11,483	21	11,580	21	23,063	42
	One to two years	4,208	8	4,599	8	8,807	16
	Over two years	22	0	30	0	52	0
	<b>Total delay - over six months</b>	<b>15,713</b>	<b>29</b>	<b>16,209</b>	<b>30</b>	<b>31,922</b>	<b>58</b>
<b>Total claims sanctioned (1+2)</b>		<b>26,213</b>	<b>48</b>	<b>28,510</b>	<b>52</b>	<b>54,723</b>	<b>100</b>

(Source: Data furnished by TNCWWB)

- **Rejection of Pension claims:** Analysis of data pertaining to the period August 2020 to March 2022 disclosed that a total of 4,052 pension claims were rejected by TNCWWB/ACL-SSS offices; 1,142 of them (28 per cent) were rejected within six months and 2,910 of them (72 per cent) were rejected after six months. Detailed examination of causes of rejection disclosed that there were unjustified rejections, as given in **Table 5.2**.

Table 5.2.: Reasons for rejection of claims

Incorrect/No reasons for rejection	Number of cases
Non-renewal of registration during COVID-19 pandemic	1,044
Rejected without giving reasons	214
MGNREGS worker/PM KISAN beneficiaries rejected without citing reasons	13
No reasons mentioned - kept blank	7
Invalid reasons (e.g., OK, approved, All records correct, Spouse Govt. servant, etc.)	10
<b>Total incorrect rejections</b>	<b>1,288</b>

(Source: Analysis of data provided by TNCWWB)

It was seen that 1,288 (32 *per cent*) claims were rejected without giving any reason or quoting invalid reasons as mentioned in **Table 5.2** above. In September 2020 and July 2021, GoTN allowed relaxation for those who did not renew their registration during March 2020 to December 2021. This relaxation however was not considered while rejecting pension applications of 1,044 members who had not renewed their membership during COVID period.

**Family pension sanctions:** On an analysis of 21 family pensions sanctioned during August 2020 to March 2022, Audit observed an average delay of 382 days out of which 323 days (85 *per cent*) were on the part of district offices.

**Disability pension sanctions:** On an analysis of 10 disability pension sanctioned during August 2020 to March 2022, Audit observed an average delay of 149 days out of which 131 days (88 *per cent*) were on the part of district offices.

Audit observed that apart from inordinate delay in sanctioning pension claims, the quantum of pension was lower than many other States and remained stagnant for over 11 years. Meanwhile, the TNCWWB's Cess fund kept increasing steadily. In comparison with the BOCW Act, the eligibility conditions for sanction of pension were lenient, which could lead to possible misuse of scheme.

### 5.3 Marriage and Maternity Assistance scheme of TNCWWB

Under the Marriage Assistance Scheme, from February 2011, members are eligible for an assistance of ₹5,000 for female worker or female dependent and ₹3,000 for male worker or male dependent. This was increased to ₹20,000 from May 2022 for self or dependents' marriage. Under the Maternity Assistance Scheme, female members were eligible for an assistance of ₹6,000 from December 2016, which was increased to ₹20,000 from May 2022 for the first two deliveries. During 2017-22, TNCWWB incurred ₹2.94 crore towards 8,018 Marriage Assistance claims and ₹5 lakh for 137 Maternity Assistance claims.

Audit scrutiny disclosed that:

- **Marriage Assistance:** During August 2020 to March 2022, only 1,046 availed Marriage Assistances.
- In two<sup>22</sup> out of the 38 districts, no member claimed any Marriage Assistance. Among the districts where there were claims, minimum number of claims were from Ranipet (one), Kallakurichi (three), Kancheepuram (three) and Mayiladuthurai (four) and Villupuram (four). This indicated that the information about the scheme had not reached the members through proper IEC activity.
- In 638 (61 *per cent*) of claims, the assistances were paid within six months, in 328 (31 *per cent*) claims within six to 12 months and in 80 (eight *per cent*) claims, the assistances were paid after a year or more. Further, 90 applications (eight *per cent*<sup>23</sup>) were rejected. Abnormal delays in releasing the assistance defeated the objective of helping the members to meet the expenditure during marriage.
- **Maternity Assistance:** The number of persons who availed Maternity Assistance was very low (i.e. 137 claims) evidently due to a similar assistance extended under the popular Dr. Muthulakshmi Reddy Maternity Benefit scheme implemented by the Health and Family Welfare Department of GoTN, which is seamlessly linked with primary health care system of the State. Thus, this scheme of TNCWWB did not have many takers.
- In 31 out of the 38 districts, no member claimed Maternity Assistance during August 2020 to March 2022. This indicated that the scheme was not attractive to the workers.
- Audit analysis of 18 claims revealed that the average time taken was 179 days, of which the district offices took 161 days (90 *per cent*) for processing the claims.

Thus, Audit observed that the Marriage and Maternity Assistance schemes benefitted an insignificant number of beneficiaries due to lack of awareness of the scheme and/or existence of similar scheme applicable to all residents of equivalent economic status.

#### 5.4 Educational Assistance scheme of TNCWWB

TNCWWB provides assistance to members for education of a maximum of two of their children, as given in **Table 5.3**.

<sup>22</sup> Krishnagiri and Tirupathur districts.

<sup>23</sup> Out of 1,136 claim applications (1,046 approved and 90 rejected).

**Table 5.3 Educational Assistance**

Sl. No.	Nature of assistance	Amount of assistance
1	For children in Classes six to nine	₹1,000 per annum from October 2021
2	For girl child - studying Class 10	₹2,400 per annum from October 2021 and previously ₹1,000 per annum
3	For girl child studying Classes 11 and 12	₹3,000 per annum from December 2021 and previously Class 11 - ₹1,000 per annum and Class 12 - ₹1,500 per annum
4	For children passing Class 10	₹2,400 from October 2021 and previously ₹1,000.
5	For children passing Class 12	₹3,000 from October 2021 and previously ₹1,500.
6	For children studying ITI/Polytechnic	₹3,000 per annum from May 2022 and previously ₹1,000
7	For Undergraduate study in Art/Science	₹4,000 per annum from October 2021 and previously ₹1,500 per annum
8	For post-graduate study in Art/Science and Professional course (BE, MBBS, etc.)	₹4,000 per annum
9	For PG Professional course	₹6,000 per annum

(Source: Details furnished by TNCWWB)

During 2017-22, 6.37 lakh claims were sanctioned for ₹124.01 crore. Audit scrutiny of sanction and payment of Educational Assistance during August 2020 to March 2022 disclosed the following:

- **Non-availing of scheme benefits by eligible members:** TNCWWB paid Educational Assistance of ₹38.37 crore to 1,75,822 children relating to 1,15,013 members. TNCWWB members' database furnished to Audit did not contain any details of the workers family. Therefore, Audit could not assess whether the educational assistance was distributed only to those members with eligible children. Audit, however, analysed the age group of registered workers and noticed that as of March 2022, 9.96 lakh members (52 *per cent*) out of 19.30 lakh were in the age group of 35 to 50, who are most likely to have children in the age group of 11 to 22 and pursuing education at different levels (studying Class 6 to PG) requiring/eligible for assistance. Applying these criteria, it is observed that only 1.15 lakh (12 *per cent*) of the estimated 9.96 lakh members having children in the age group of 11 to 22, had availed Educational Assistance from TNCWWB. As discussed above, significant number of workers were not aware of the schemes implemented by TNCWWB leading to non-availing of scheme benefits by an estimated 8.81 lakh (88 *per cent*) members.
- **District level disparity in beneficiaries:** District-wise analysis of those registered workers availing educational assistance showed wide disparity, as given in **Table 5.4:**



Table 5.4: District level disparity in availing benefits

District	Total number of members registered with TNCWWB	Members in the age group of 35 to 50 who are expected to have children in the age group of 11 to 22 (Percentage to total members)	Number of claims per year	Estimated Percentage of members claiming Educational Assistance
<b>Better performing districts</b>				
Perambalur	29,114	15,624 (53.66)	2,992	19
Kanniyakumari	1,27,482	60,539 (47.49)	9,669	16
Namakkal	76,340	37,259 (48.81)	5,766	15
Sivagangai	50,381	28,229 (56.03)	4,059	14
Thoothukudi	37,838	19,169 (50.66)	2,648	14
<b>Underperforming districts</b>				
Pudukkottai	49,856	27,562 (55.28)	1,136	4
Vellore	76,849	39,647 (51.59)	1,631	4
Villupuram	59,042	32,341 (54.78)	1,244	4
Kancheepuram	29,609	14,848 (50.15)	514	3
Tirunelveli	23,340	11,467 (49.13)	341	3

(Source: Analysis of data furnished by TNCWWB)

It is likely that, lack of awareness among workers could be the reason for non-availing of scheme benefits.

- **Rejection of applications for Educational Assistance:** Analysis of data pertaining to the period August 2020 to March 2022 disclosed that TNCWWB/ACL-SSS offices rejected a total of 5,584 applications for Educational Assistances; 4,884 of them (87 per cent) were rejected within six months and 700 of them (13 per cent) were rejected after six months. Detailed examination of causes of rejection disclosed that 1,171 claims were rejected citing non-renewal of membership during COVID pandemic period, despite GoTN's orders (September 2020 and July 2021) relaxing the mandatory renewal of membership during COVID pandemic from March 2020 to December 2021.

Audit observed that lack of awareness among members, could be the likely reason for most of the members not availing Educational Assistance. Further, despite specific Government instructions not to insist for renewal of membership during COVID pandemic, applications seeking Educational Assistances from those who did not renew membership during COVID were rejected. Ironically, TNCWWB, extended Scheme benefits and cash assistance to non-members during COVID pandemic, as discussed in **Paragraph 5.5**.

## 5.5 Assistance to potentially ineligible persons

As discussed in **Paragraph 4.6**, TNeGA had carried (2022) out a Data Purity exercise of beneficiary data and had intimated potentially ineligible beneficiaries continuing in the database. TNCWWB, however, had not conducted any verification to weed out those found to be ‘potentially ineligible’.

Audit compared the TNeGA’s electronic data on potentially ineligible beneficiaries with the electronic data of Pensioners of TNCWWB and noticed that potentially ineligible persons had received TNCWWB scheme benefits during 2020-22. Number of claims and reasons mentioned as per TNeGA data are given in **Table 5.5**. The list of Scheme-wise details of potentially ineligible persons who availed benefits are given in **Appendix 5.3**.

**Table 5.5: Aadhaar verification by TNeGA**  
Potentially ineligible persons who received scheme benefits

Sl. No.	Reasons for ineligibility	Number of beneficiaries	Amount (₹ in lakh)
1	Registered member/Pensioner Aadhaar ID found in Government Employee/Pensioner dataset	449	12.32
2	Registered member/Pensioner Aadhaar ID found in Old Age Pension dataset	6,662	159.04
3	Registered member/Pensioner Aadhaar Number found multiple times	102	6.32
4	Registered member/Pensioner provided invalid Aadhaar number	237	46.06
5	Registered member/Pensioner Aadhaar ID found in Death dataset	9	1.91
<b>Total</b>		<b>7,459</b>	<b>225.65</b>

(Source: TNeGA data furnished by TNCWWB)

From **Table 5.5**, it could be seen that 7,459 claims amounting to ₹2.26 crore, were paid to potentially ineligible persons. Similarly, 9,116 potentially ineligible persons were allowed to avail pension benefits by TNCWWB with an annual liability of ₹10.94 crore.

Further, Audit verified the TNeGA’s electronic data on potentially ineligible persons with the manual data of COVID cash assistance in 10 sampled districts and noticed that 27,943 potentially ineligible persons received ₹5.78 crore of COVID cash assistance as given in **Table 5.6**.

**Table 5.6: Aadhaar verification by TNeGA - Potentially ineligible persons who received COVID cash assistance**

District	Number of beneficiaries	Amount (₹ in lakh)
Chennai	1,398	40.42
Dharmapuri	4,468	89.36
Kancheepuram	2,466	55.77
Salem	9,979	199.58
Tiruvannamalai	9,632	192.64
<b>Total</b>	<b>27,943</b>	<b>577.77</b>

(Source: TNeGA data furnished by TNCWWB)

Audit observed that even though TNeGA had reported the deficiencies in August 2022, field verification was not initiated by TNCWWB for taking appropriate action (March 2023). TNCWWB, after due verification of TNeGA reports on potentially ineligible persons, should act against the officials/Trade Unions responsible for registering the ineligible persons and scheme benefits already distributed to them should be recovered.

GoTN replied (February 2023) that action will be taken after submission of field verification reports. The fact remained that this issue was already known to TNCWWB, but corrective action was not taken on time.

## 5.6 Deficiencies in payment of accident relief for death at worksite

As per GoTN's orders (March 2016), personal accident relief of ₹5 lakh is paid to the nominees of the family of the construction workers who succumb due to accident at worksite during the course of employment. This assistance was extended to construction workers not registered with TNCWWB also. Further, the above assistance was extended (August 2018) to all workers even if the death occurs at hospital due to the accident at worksite.

The Commissioner of Labour is the authority to sanction the claim and out of the total 147 claims sanctioned during 2017-22, only 26 were related to registered workers and the remaining 121 were that of unregistered workers. Audit observed that the schemes using the Cess Fund was to benefit the persons registered as construction workers. As such, extending the benefits to persons not registered with TNCWWB is construed as admission of non-coverage of eligible construction workers under social security net. On a review of the claims made with respect to death at worksite during 2017-22, the following observations are made by Audit:

- The average time taken from the date of death to the date of sanction was 629 days. The assistance was disbursed within six months only in respect of 35 cases (24 per cent) and in 93 cases (63 per cent), the time taken was more than one year.

- Payment of accident relief involves submission of formal application by the next of kin of the victim, duly enclosing FIR, death certificate, legal heir certificate, etc. After due verification by ACL-SSS, and officers of DISH, Revenue Department/District Collector, and Police Department, the Commissioner of Labour recommends the case to GoTN for issue of Government order. Audit found that the inordinate delays in certain cases were mainly attributable to delays in submission of mandatory reports by ACL-SSS, DISH, Revenue authorities, District Collectors, etc.

GoTN replied (February 2023) that processing of claims by victim's family in the case of accidental deaths at worksite were delayed as it involved reports from DISH, District Revenue Officer, District Collector and cross verification with Revenue/Police departments. GoTN also stated that the timeline for such claims would be fixed as six months.

While accepting that the process involves coordination with multiple line departments, Audit independently analysed the reasons for the delays in sanction in respect of 30 death assistance claims and found that:

- In 16 of the 30 claims, the proposals for sanction of death assistance shuttled between the ACL and the Commissioner of Labour more than once due to inaccuracies in the proposals submitted by the ACLs.
- In 17 out of the 30 cases, ACLs did not submit proposal for death assistance to the Commissioner of Labour even three months after receipt of all supporting documents from the applicant/line departments.

Thus, Audit observed that TNCWWB had not made the claim process seamless to ensure timely disbursement of eligible assistance to the deceased family.

## **5.7 COVID cash assistance**

**Non-payment of COVID cash assistance to 1.64 lakh eligible persons:** In April 2020, GoTN announced a cash assistance of ₹248.29 crore, at the rate<sup>24</sup> of ₹2,000/₹3,000 to each of the 12,13,882 registered construction workers, who were rendered jobless due to the outbreak of COVID 19. Due to non-availability of a centralised authentic data of registered workers with proper bank details, as discussed in **Chapter IV**, the ACLs - SSS were able to disburse COVID cash assistance to only 6.72 lakh beneficiaries. Later, TNCWWB started using other modes of payment like Aadhaar based fund transfer and money order for covering a further 3.78 lakh registered workers. Against ₹248.29 crore released to district level officers, only ₹214.74 crore was released to registered beneficiaries and the balance returned to TNCWWB. Audit found that 1.64 lakh (14 *per cent*) eligible workers were not given the COVID cash assistance due to issues with the database.

<sup>24</sup> For Chennai Metropolitan area.

**Excess payment of COVID cash assistance - ₹33.31 lakh:** On review of COVID cash assistance data of sampled districts, it was found that 1,729 beneficiaries had received excess payment of ₹33.31 lakh, as given in **Table 5.7**, due to payment of assistance more than once.

**Table 5.7: COVID assistance - Excess payment made to beneficiaries**

District	Number of beneficiaries excess payment received	Excess amount paid (in ₹)	Total excess amount paid (in ₹)
Dindigul	1,358	2,000	27,16,000
Dharmapuri	5	2,000	10,000
Kanniyakumari	127	1,000	1,27,000
	233	2,000	4,66,000
	1	4,000	4,000
Tirunelveli	2	1,000	2,000
	3	2,000	6,000
<b>Total</b>	<b>1,729</b>		<b>33,31,000</b>

(Source: Data furnished by TNCWWB)

GoTN replied (February 2023) that the field level officers were instructed to act on the points raised by Audit. The district level officers stated (March 2023) that recovery of excess payments was under progress.

As the above Audit findings are based on sample check, TNCWWB should study these issues in every district and initiate appropriate corrective action.

## 5.8 Issue of safety kits

Director, DISH had proposed<sup>25</sup> (July 2018) to GoTN that in order to prevent injuries to construction workers during work, it was necessary for the workers to wear safety helmet, jacket, boots, safety goggles etc., and further added that only those employers/contractors involved in construction of multi-storeyed buildings were providing safety kits to their construction workers. Based on the above proposal, DISH procured safety kits for construction workers by utilising the funds of TNCWWB as detailed in **Table 5.8**.

**Table 5.8: Procurement and issue of safety kits**

Sl. No.	GO No. of Labour & Employment Department	Number of beneficiaries/Kits purchased	Expenditure incurred (₹ in crore)
1	GO (Ms) No.141 dated 17/10/2018	25,000	5.46
2	GO (Ms) No.97 dated 14/05/2020	1,00,000	16.73
<b>Total</b>		<b>1,25,000</b>	<b>22.19</b>

(Source: Information furnished by TNCWWB)

<sup>25</sup> Letter No. L2/11438/2018 dated 18/07/2018.

Audit scrutiny revealed that:

- As per the provisions of TNBOCW Rules (Rules 42 to 47), the employers were to ensure the safety of workers by providing safety kits. Section 47 of BOCW Act, 1996 empowers DISH to impose penalty, including imprisonment, for violation of safety measures by employers. Proposing supply of safety kits for construction workers by DISH, instead of invoking the provisions of Section 47 of BOCW Act, 1996 to ensure supply of safety kits by the Employer, had resulted in avoidable expenditure of ₹22.19 crore by TNCWWB.
- It was noticed from DISH reply (September 2022) that it has not maintained the construction workers details (Form XV), particularly the number of registered workers of TNCWWB and had no knowledge of their requirements. In such scenario, the proposal of DISH was without justification.
- The safety kits were procured by DISH and distributed by ACL offices. The number of safety kits procured were only 1.25 lakh (6.48 *per cent*) when compared to the registered beneficiaries (19.30 lakh) and there was no uniformity in identification of beneficiaries by ACL offices as some ACL offices distributed safety kits on first come first serve basis and some based on seniority in registration.
- The first distribution of safety kits (25,000 numbers) was made between April to June 2020 and consisted of helmet, goggles, shoes, jacket and gloves to all categories of workers like carpenter, painter, electrician irrespective of whether the item was useful or not (for e.g., shoes and goggles may not be appropriate safety gear for carpenter and painter).

DISH admitted (October 2022) that as per BOCW Act, the onus of providing safety kits to employees was that of the employer and kits were supplied based on GoTN instructions.

Audit observed that the expenditure of ₹22.19 crore on safety kits was unjustified as the Employers were supposed to provide them. Further, the distribution was not efficiently managed.

GoTN did not furnish a specific reply on why the safety kits were issued at the cost of TNCWWB rather than ensuring supply by employers concerned as per law but stated (February 2023) that appropriate legal action was being initiated against the employers who were not supplying safety kits to workers.

## **5.9 Non-ensuring of provision of facilities for workers**

The TNBOCW Rules, 2006, envisages a safe working environment for the workers and provision of various facilities such as latrine, urinals, first aid kits, canteen and a hygienic environment.

Audit, however, found slackness in ensuring the availability of the mandatory facilities at the work site. Joint Physical Verification of 21 construction sites

revealed that only 11 were registered with DISH, thereby DISH had no scope for monitoring the remaining 10 sampled construction sites (48 per cent). It may also be mentioned that as only 3.88 per cent of the Government's contractors were found registered with DISH, as commented in **Paragraph 2.2**, the role of DISH in enforcing provision of the mandatory facilities at construction site was dismal. Supervision by DISH was found inadequate owing to the limited field level presence only at Chennai and Madurai and poor strength of manpower.

### **5.9.1 Deficiencies in health facilities at the work sites through mobile health clinics**

GoTN issued orders (December 2014 and April 2019) for establishment of 50 Mobile Health Clinics (MHCs) to provide health care facilities to the construction workers at the construction sites. The Mission Director, National Health Mission (NHM) is the Nodal Officer for the scheme. As per the orders, all the vehicles should be equipped with GPS facility and will be having equipment like ECG, Semi-auto analyser, microscope and other equipment. GoTN also instructed that the route chart of MHCs shall be prepared and be modified every month based on new construction sites.

Out of 50 MHCs, 35 MHCs were functioning under the control of Director of Public Health and Preventive Medicine and 15 MHCs were functioning under the control of the Commissioner of GCC. Even though the scheme was being implemented by TNCWWB in co-ordination with Directorate of Public Health and Preventive Medicine, GCC and NHM, the details of service rendered, and workers benefitted were not available with TNCWWB, indicating lack of monitoring.

During July 2019, TNCWWB paid a sum of ₹18.28 crore to NHM towards operating the MHCs. Since TNCWWB funds are utilised, TNCWWB should have entered into a formal agreement on user requirements, modalities of payments and receipt of proper Utilisation Certificate (UC). However, no such agreement was entered into with NHM to ensure proper utilisation of funds to the benefit of registered workers of TNCWWB. During beneficiary survey, 277 out of 375 registered workers (74 per cent) stated that they did not avail the MHC facility.

Further, it was seen that the UC furnished by NHM was not in the prescribed form. Instead of Form 12A, the UC was furnished in Form 12C. Furnishing UC in a wrong Form prevented TNCWWB from ascertaining the nature and details of expenditure. As a result, NHM remitted the interest amount of ₹59.88 lakh into Government account, which was not objected to by TNCWWB. The money should have been remitted back to TNCWWB.

GoTN replied (February 2023) that the Mission Director, NHM has been requested to give UC and to remit the interest amount to TNCWWB. The results of the action initiated by TNCWWB are awaited (March 2023).

## 5.10 Other welfare assistance to the construction workers

Several schemes envisaged in the Act/Rule/Government Orders were not implemented as envisaged as given in **Table 5.9**.

**Table 5.9: Details of other welfare assistances to construction workers**

<b>Anganwadi facility to the children of construction workers</b>	GoTN ordered (December 2014) launching of this scheme to address the nutritional and developmental needs of children of construction workers in co-ordination with Integrated Child Development Scheme (ICDS) under Social Welfare and Women Empowerment Department. The scheme did not take off as TNCWWB had not made effective steps to tie up with ICDS.
<b>Scheme for assistance to District/Block topper among children of construction workers.</b>	GoTN launched the scheme in January 2017. However, in sampled districts, Audit did not notice such facility extended to the children of registered workers except for one beneficiary in Tenkasi district. District level officers did not coordinate with the School Education Department to operate this scheme.
<b>Creche scheme under TN Construction Workers Welfare Scheme, 1994</b>	As per Clause 10 of TN Construction Workers Welfare Scheme, 1994, crèches should be provided at appropriate locations to cater to the needs of the babies of women construction workers. It was, however, noticed that such facility was not extended to the children of registered workers in the sampled districts. TNCWWB did not furnish specific reasons.
<b>Provident Fund scheme under TNMW Act, 1982</b>	Even though Section 3(2)(i) Act envisages a Provident Fund scheme for construction workers, TNCWWB is yet to formulate any such scheme.

(Source: Details furnished by TNCWWB)

GoTN replied (February 2023) that Anganwadi scheme was not implemented due to non-receipt of proposal from ICDS since 2017. Fresh instructions were given in February 2023 for effective implementation of the District Toppers scheme in all the districts. GoTN also stated that the Creche scheme did not take off due to poor response.

The replies established the need for GoTN to take co-ordinated efforts to implement these schemes for the benefit of construction workers.

## 5.11 Skill development

In December 2008, GoTN established Tamil Nadu Academy of Construction (TAC) to enhance the skill, ability and knowledge of the workers employed in the construction sector. This academy was to focus on new skill training, re-skilling and skill upgradation. TAC was to work closely with Tamil Nadu Skill Development Corporation (TNSDC) in operationalising the Recognition



of Prior Learning (RPL) programme for certification of construction workers. Audit noticed the following deficiencies in skill development.

- Even though the sanctioned strength of TAC was seven, it was functioning with only two officials (one Joint Director of Labour and one Assistant). Inadequate staffing of TAC adversely affected its quality of work.
- A Bridge Course Training under Recognition of RPL programme at a cost of ₹1.86 crore was conducted to train 5,000 construction workers in coordination with Construction Industry Development Council. During the period 2017-22, 16 trainings were conducted under RPL concept under the supervision of TAC covering only 3,099 persons. On verification of the details of participants, it was observed that registration number of the participants were not mentioned and as such, Audit could not ascertain whether the participants were registered workers or not. It was also noticed that out of the 3,099 participants, 1,735 (56 per cent) were arranged by trade unions instead of ACL-SSS. This indicates lack of monitoring by TAC and lack of sufficient manpower to effectively discharge its functions.
- GoTN sanctioned (March 2017) ₹10 crore to implement the RPL programme for one lakh workers (which includes 60,000 construction workers) without proper skill certification in unorganised sector but acquired skill through their work experience. TNCWWB transferred an amount of ₹6 crore (November 2018) to TNSDC for implementing the RPL programme for 60,000 construction workers. However, only 24,943 participants were assessed/certified, and an expenditure of ₹2.44 crore was incurred. TNCWWB did not have a system to monitor the utilisation of funds, as the details of participants and UC furnished by TNSDC, were not available with TNCWWB. Audit observed that it was imprudent on the part of TNCWWB to release funds without any system to ensure proper utilisation of the money release.

GoTN replied (February 2023) that action was being taken in coordination with TNSDC.

## 5.12 Mission Mode Project

In July 2020, GoI launched Mission Mode Project (MMP) so that all the construction workers are registered as beneficiaries so to avail the entitled benefits without any hassles. The MMP envisages achieving the objectives by State Welfare Boards within three months time-period. MMP comprised of three components, viz., (i) Registration of left-out construction workers, (ii) Renewal and Portability and (iii) Universalisation of Social Security. The component-wise compliance by TNCWWB and audit observations thereon are given in **Table 5.10**.

**Table 5.10: Components of MMP and status of achievement**

Sl. No.	Components of MMP	Audit observations
1	<b>Registration of left-out construction workers:</b> Special drive shall be conducted to enrol workers with the help of LBs, NGOs and Volunteers.	As on March 2022, 19.30 lakh workers were registered with TNCWWB. But no progress noticed in registration of inter-State migrant workers.
2	<b>(a) Renewal:</b> No physical presence should be insisted for renewal. Seva-Bandhus/NGOs/Volunteers may be engaged to augment the process of renewal.	Online facility for registration is implemented with effect from 19/06/2020. Physical presence is not mandatory. There is no system to incentivise NGO/Volunteer to support the workers.
	<b>(b) Portability:</b> State Welfare Board shall issue online migration certificate (MC) to the workers migrating to other States.	Not implemented by TNCWWB.
3	<b>Universalisation of Social Security</b>	
	<b>(a) Health Insurance</b>	Health insurance scheme was not launched as of March 2023.
	<b>(b) Life and Disability Cover</b>	Life and disability cover is provided to registered workers of TNCWWB.
	<b>(c) Life-long Pension</b>	GoTN adopts its own pension scheme of ₹1,000 per month.
	<b>(d) Subsistence allowance</b>	Not implemented by TNCWWB.

(Source: Information furnished by TNCWWB)

Thus, Audit observed that TNCWWB did not achieve the objectives of MMP in full and lacked ongoing initiatives to implement all components of MMP.

GoTN replied (February 2023) that the audit observations on ‘Mission Mode Project’ were being considered. Further action taken by Government are awaited (March 2023).

### **5.13 Comparison of TNCWWB schemes with that of other State Construction Workers Welfare Boards**

Audit compared TNCWWB’s welfare schemes with that of the Boards of other States. The comparison revealed the following, and the details are given in **Appendix 5.4**.

- (i) In respect of Accidental death at worksite and Housing Scheme, TNCWWB is providing better assistance.
- (ii) In respect of Pension, Family Pension, Maternity benefit, Natural death assistance, Funeral assistance, Marriage assistance and Educational assistance, the monetary value of the assistance provided by TNCWWB was lower than that of many other States.
- (iii) Medical assistance scheme was not implemented by TNCWWB, whereas the Boards of Delhi and Punjab are providing it.

(iv) The Boards of Delhi and Punjab provide assistance for purchase of tools related to work. Such scheme was not available with TNCWWB.

GoTN replied (February 2023) that the issues pointed out by Audit would be considered by the Board for further action.

#### 5.14 Outcomes of TNCWW Scheme

Audit independently assessed the outcomes of TNCWW Scheme through a beneficiary survey and a Joint Physical Verification. The survey was conducted among 634 beneficiaries<sup>26</sup> in 10 sampled districts, by randomly selecting at least 60 beneficiaries per district. Joint Physical Verification of about 501 non-registered workers were done randomly at selected worksites in the State along with ACL-SSS/DISH officials. The outcomes of the Scheme, as assessed through the survey and Joint Physical Verification are discussed below:

##### Findings of beneficiary survey among registered construction workers

The survey findings are given in **Appendix 5.5**. Mainly, the survey disclosed that 43 *per cent* of the registered workers were not aware of various schemes under TNCWWB, 52 *per cent* had not received COVID cash assistance and 69 *per cent* had not received the safety kits.

##### Beneficiary survey of Pensioners/Family Pensioners

The result of Beneficiary survey of Pensioners (229), Family Pensioners (19) and Spouse/Nominees (12) revealed that less than one *per cent* of the pensioners and none of the family pensioners had any issues with their pension; whereas, 17 *per cent* of the family members seeking funeral assistance (two out of 12) had not received the assistance.

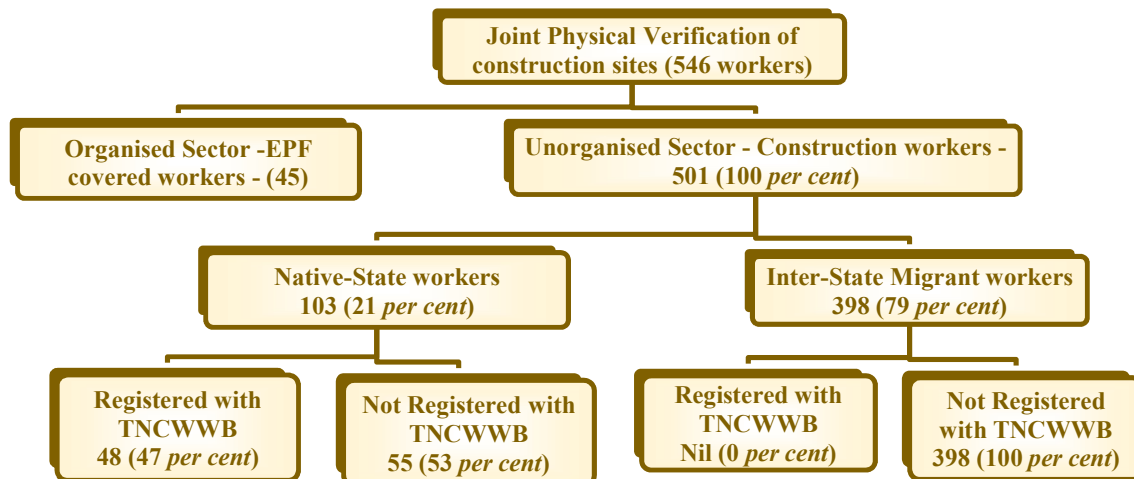
The above survey findings corroborate the Audit observations included in this Chapter.

##### Joint Physical Verification

Joint Physical Verification at 21 construction sites revealed that out of the 546 construction workers, only 45 workers came under the organised sector with coverage under Employees' Provident Fund (EPF) scheme. The balance 501 construction workers consisted of 103 native-State workers and 398 inter-State migrant workers. Out of the 501 construction workers, 453 (90 *per cent*) were not registered with TNCWWB (55 native-State workers and 398 inter-State migrant workers) as given in **Exhibit 5.2**.

<sup>26</sup> Includes 374 workers and 260 pensioners and their family members.

Exhibit 5.2: Joint Physical Verification of construction workers at construction sites



(Source: Joint Physical Verification data compiled by Audit)

Reason for non-registration were reported as lack of awareness of the procedure for registration with TNCWWB and the benefits thereof. Audit observed that lack of proper IEC on the scheme benefits, as commented in **Paragraph 6.3.5**, had resulted in poor awareness and the consequent low registration.

**Establishments/Employers registered with DISH during Joint Physical Verification of construction sites:** Out of 21 construction sites visited, only 11 Establishments/Employers were registered with DISH and the remaining 10 were not registered (48 per cent), as given in **Appendix 5.6**. Further, only one Establishment/Employer produced Form XV - Register of Building workers employed by the Employer. Audit observed that deficiencies in registration, as commented in **Paragraph 2.2**, was the possible reason for Joint Physical Verification findings of poor registration of workers.

### 5.15 Conclusion

Implementation of welfare schemes for the benefit of registered workers suffered due to abnormal delays in processing of claims made by registered workers. Lack of clarity on scheme implementation had resulted in extending benefits to potentially ineligible persons. Lack of due diligence had led to non-extending benefits to large number of beneficiaries during COVID 19 pandemic and simultaneously, a significant number of beneficiaries received assistance more than once. Significant shortfalls in achievements under the Mission Mode Project, launched by GoI, contributed to deficiencies in implementation of welfare schemes.

### 5.16 Recommendations

- Government should fix minimum service period for pension eligibility and also consider fixing quantum of pension based on weightage for such service period.

- Maternity Assistance Scheme should be subsumed under Dr. Muthulakshmi Reddy Maternity Benefit Scheme implemented by Health Department and the expenditure incurred by the Department for the registered workers should be reimbursed.
- Government should fix benchmarks for delivery of services by TNCWWB and ensure schemes assistances are disposed of in a time-bound manner.
- Government should popularise the schemes implemented by TNCWWB by using appropriate Information, Education and Communication (IEC) activities for the benefit of the registered workers.
- Government should speed up implementation of Mission Mode Project so that more schemes are framed for the welfare of construction workers and the scheme implementation is streamlined.