



Standing Committee Report Summary

The Workmen's Compensation (Amendment) Bill, 2008

- The Standing Committee on Labour submitted its 37th Report on 'The Workmen's Compensation (Amendment) Bill, 2008' on December 19, 2008. The Chairperson was Shri Suravaram Sudhakar Reddy.
- Although "workmen" has been substituted with "employee" to make it more gender neutral, no changes have been incorporated with the proposed substitution of the term. The Committee notes that a simple substitution may not cover the entire spectrum of the workforce in the fast changing trend of job scenario in the context of outsourcing, computerisation and mechanisation of the sector. Therefore, it recommends that the definition of "employee" may be amended in a suitable manner.
- The Committee recommends that the funeral expenses of employees be revised to a minimum of Rs 5000 and be linked to a periodic upward revision. Also, the revision in wage ceiling of employees should be done at regular intervals, with a maximum gap of five years.
- The Committee suggests that beside external injuries, any internal injuries caused during the course of employment, which should include passage from residence to workplace and vice versa, be included to determine the compensation payable to the employee.
- The Act or Bill does not have any provision regarding reimbursement of any expenditure incurred by the employee over treatment due to injuries received during the course of employment. The Committee emphasises the need for a provision to reimburse actual medical expenditure incurred for treatment of injuries caused during the course of employment.
- The Act states that only those persons with a legal background may be eligible for the post of Workmen Compensation Commissioner. The Committee recommends that the eligibility criteria be widened to include persons with other educational qualifications such as personnel management, human resource development and industrial relation. Also, a stipulated time frame should be fixed within which the Commissioner has to take a decision regarding compensation.

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