Inter-state Migrant Workmen Act

Mains: *GS II – Government Policies and Interventions for Development in various sectors and Issues arising out of their Design and Implementation.*

Why in News?

A recent murder of 5 year-old boy in Punjab by a migrant labourer called for the strict implementation of the Inter-State Migrant Workmen Act.

What is the issue?

- **Influx of migrants** – Punjab saw an influx of migrants from other states after the Green Revolution, which saw a rapid rise in paddy cultivation in the state.
- **Apprehension on migrant workers** – Punjab subsequently witnessed a wave of anger against migrant workers, with many panchayats passing resolutions which stated that migrants would not be allowed to stay in their villages.
- Farmer unions, farm labourer organisations and industry bodies too condemned the crime and demanded the strictest possible punishment for the accused.
- But they also urged the government to act against the rising anti-migrant narrative in the state.
- **Demand for implementation** – The Samyukta Kisan Morcha's (SKM's) Punjab unit asked the Punjab government to seriously implement the already existing Punjab Inter-State Migrant Workmen Act, 1979.

What is the act?

- **Act –** The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.
- It is a central legislation enacted by Parliament to protect workers who migrate from one state to another for employment, usually through contractors.
- **Notified on** – It was notified for nationwide enforcement on October 2, 1980.
- **Objective** – The Act's objective is to regulate recruitment, ensure registration of establishments and contractors, and guarantee workers basic rights such as equal wages, displacement allowance, journey allowance, housing, medical facilities, and protective clothing, while holding contractors and employers accountable.

Why Punjab needed the act?

- **Large dependency of migrant workers** – Punjab has historically depended on a large number of migrant workers from Bihar, Uttar Pradesh, Odisha and Jharkhand, particularly in agriculture, brick kilns, construction and industry.

- The trend began in the early 1970s with the onset of the Green Revolution.
- **Increased role of migrant workers** – After initially coming to rural Punjab for paddy sowing, migrants gradually started working in factories and other settings.
- **Large population of migrants** – A survey conducted by the Parvasi Wing of the SAD-BJP government in 2016 estimated Punjab's migrant population at 39 lakh.
- The highest concentration of the migrant population is in Ludhiana, followed by Jalandhar, Amritsar, Mohali, Bathinda, Phagwara and Hoshiarpur.
- **Registered migrants** – During the Covid-19 lockdown in 2020, 18 lakh migrants registered with the Punjab government to return to their homes.
- Of these, nearly 10 lakh were from Uttar Pradesh and 6 lakh from Bihar.
- Others listed West Bengal, Odisha and Madhya Pradesh as their native states.
- **Protecting migrant workers** – The Act was thus essential to protect such workers from exploitation and underpayment, and to maintain accountability and legal oversight over large-scale labour migration.
- Punjab formally adopted the law by framing its own Inter-State Migrant Workmen (Punjab) Rules, 1983, which came into effect in April 1983.
- These rules laid down practical procedures such as registration, licensing, record-keeping, and the duties of contractors and employers within the state.

What are the important rules on migrant workers registration?

- **Registration** – Any establishment or contractor employing 5 or more interstate migrant workers must register with the Registering/Licensing Officer appointed under the Punjab Rules.
- **Web portal** – Registration and licensing are carried out through the e-Labour Punjab portal, where details such as the establishment's name and address, number of workers, nature of work and particulars of contractors must be submitted.
- **Requirements from contractors** – They are also required to provide information about any previous convictions, security deposits and compliance with labour laws.
- **Fee** – A nominal fee is charged based on the number of workers employed, and licenses are valid for one year, after which renewal is required.
- **Maintenance of records** – Employers must maintain records such as muster rolls, wage registers and overtime registers, and notify labour authorities of any major change in workforce or contractor details.
- However, apart from in a few organised industrial sectors, many organisations do not follow this registration process.

Reference

The Indian Express| Inter-State Migrant Workmen Act



SHANKAR
IAS PARLIAMENT
Information is Empowering