

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

UNSTARRED QUESTION NO:2959
ANSWERED ON:12.12.2011
INTER-STATE MIGRANT ACT
Majhi Shri Pradeep Kumar;Singh Shri Bhola

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether the Government is aware of large number of people migrating from rural areas due to unemployment thereby adversely affecting the agriculture sector;
- (b) if so, whether the Government proposes to amend the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979;
- (c) if so, the details in this regard;
- (d) whether the Government has made any consultations with various stakeholders before finalizing such amendments;
- (e) if so, the details in this regard;
- (f) the extent to which suggestions received from such stakeholders have been incorporated in the proposed amendment act; and
- (g) the measures invited by the Government to develop infrastructure in rural areas so as to prevent migrations?

Answer

MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE)

(a) to (g): A statement is annexed.

STATEMENT REFERRED TO IN REPLY TO PART (a) TO (g) OF THE LOK SABHA UNSTARRED QUESTION NO. 2959 FOR 12.12.2011 RAISED BY DR. BHOLA SINGH: SHRI PRADEEP MAJHI REGARDING INTER-STATE MIGRANT ACT.

(a) & (g): Every citizen has a right to migrate to any part of the country. However, Government's effort has been to prevent distress migration. The Government has enacted Mahatma Gandhi National Rural Employment Guarantee Act which aims at enhancing the livelihood security of people in rural areas by guaranteeing hundred days of wage-employment in a financial year to a rural household whose adult members volunteer to do unskilled manual work. According to the Act, employment shall be provided within a radius of five kilometers of the village where the applicant resides at the time of applying. In cases the employment is provided outside such radius, it must be provided within the Block and the labourers shall be paid 10% extra wages. As such, providing local employment, on demand by the household, mitigates distress migration.

(b) to (f): In order to safeguard the interests of the migrant workers, the Government has enacted Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 which, inter-alia, provides for payment of minimum wages, journey allowance, displacement allowance, residential accommodation, medical facilities and protective clothing etc.

On the recommendations of Working Group constituted by Indian Labour Conference held at New Delhi on 20th – 21st February, 2009, a Tripartite Group was constituted to examine the provision of Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979. The Group examined various provisions of the Act and reviewed the problems faced by the migrant workers, existing provisions of the Act, enforcement machinery, problem in implementation of the Act etc. The Group has submitted its report and the report has been placed before Indian Labour Conference held on 23-24 November, 2010. However, in this context, there is no proposal to amend the Act. An amendment under the consideration of the Parliament is primarily with a view to making it gender neutral.