

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

STARRED QUESTION NO:179

ANSWERED ON:19.08.2013

MIGRANT WORKERS

Bhagat Shri Sudarshan;Deo Shri Kalikesh Narayan Singh

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

- (a) the number of migrant workers in the country at present, State-wise;
- (b) whether the incidents of exploitation of such workers have increased in the country;
- (c) if so, the details thereof including the estimated number of children who are displaced by migrating families along with the efforts taken by the Government to help children of such families;
- (d) the total number of children who are migrant workers at present; and
- (e) whether the Government is taking any action against factories and brick kilns that employ child migrant workers and if so, the details thereof and if not, the reasons therefor and the efforts being made by the Government to check migration in the country?

**Answer**

MINISTER OF LABOUR AND EMPLOYMENT (SHRI SIS RAM OLA)

(a) to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 179 TO BE ANSWERED ON 19.08.2013 RAISED BY SHRI KALIKESH N.SINGH DEO AND SHRI SUDARSHAN BHAGAT REGARDING MIGRANT WORKERS.

(a): Details regarding number of migrant workers State-wise are at Annexure-1.

(b) & (c): Prevention of exploitation of migrant workers and their children is primarily the responsibility of the State Governments and data regarding incidents of their exploitation and number of children displaced by migrating families is not kept by Ministry of Labour and Employment. In order to regulate the employment of inter-State migrant workmen and to provide for their conditions of service, the Central Government has enacted the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979. The Act inter-alia, provides for payment of journey allowance, displacement allowance, residential accommodation, medical facilities and protective clothing, etc. to these workers. As per Section 13 of the Act, the wage rates, holidays, hours of work and other conditions of service of an inter- State migrant workman shall be the same as those applicable to other workman and an inter- State migrant workman shall in no case be paid less than the wages fixed under the Minimum Wages Act, 1948. The provisions of various labour laws as follows are also applicable to migrant workers:

# Employees Compensation Act, 1923, # Payment of Wages Act, 1936, # Industrial Dispute Act, 1947, # Employees State Insurance Act, 1948, # Employees Provident Funds and Miscellaneous Provisions Act, 1952, # Maternity Benefit Act, 1961

To help children including those of migrant worker families, the Government has been implementing the National Child Labour Project Scheme since 1988. Children are rescued/ withdrawn from hazardous occupations and processes and are enrolled in the special schools, where they are provided with bridge education, vocational training, nutrition, stipend, health care etc. Thereafter, they are mainstreamed into formal education system.

(d): As per 2001 census, the total number of working children in the age group of 5-14 years in the country was 1.26 crore. However, in the survey conducted by NSSO, in 2004-05, the number of working children was estimated at 90.75 lakh and in 2009-10, 49.84 lakh. This number includes migrant workers. There is no separate data on children who are working as migrant workers.

(e): The State Governments launch prosecutions against the employers whenever any incidence of child labour is detected in brick kilns and factories. The Government has enacted Mahatma Gandhi National Rural Employment Guarantee Act, 2005 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 kilometres of the village where-the applicant resides at the time of applying. In case t he 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. In addition, Government has increased focus and fund flow on skill development programmes so that people in large number may acquire skills and get engaged in various opportunities to work in their neighbourhood itself.

