

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

STARRED QUESTION NO:5  
ANSWERED ON:24.11.2014  
MIGRANT WORKERS  
Singh Deo Shri Kalikesh Narayan

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

- (a) the number of migrant workers in the country at present, State/UT-wise;
- (b) the estimated number of children displaced along with the efforts made by the Government to help children of such families;
- (c) the total number of children who are migrant workers at present;
- (d) whether the Government has taken any action against the factories and brick kilns owners that employ migrant child workers and if so, the details thereof and if not, the reasons therefor; and
- (e) the efforts being made by the Government to check migration of families from various States especially in Odisha?

**Answer**

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

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

STATEMENT REFERRED TO IN REPLY TO PART (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO. 5 FOR ANSWER ON 24.11.2014 REGARDING MIGRANT WORKERS.

(a): No data is maintained at the central level in respect of migrant workers. As per information received from Registrar General of India, the migration data of census 2011 is under process and yet to be finalized. As per census 2001, 142.68 million persons migrated to various regions within the country. A statement showing the number of migrant workers State/UT-wise is annexed as Annexure-I.

(b) to (d): No separate data on migrant child workers is maintained. Government is implementing Child Labour (Prohibition & Regulation) Act, 1986 which prohibits employment of children below the age of 14 years in hazardous occupations/ processes including factories and brick kilns. Any person who employs any child in contravention of the provisions of the Act is liable for punishment with imprisonment for a term which shall not be less than three months but which may extend to one year or with fine which shall not be less than Rs. 10,000 but which may extend to Rs. 20,000 or both. For the enforcement of Child Labour Act, the appropriate government is the State Government. Information has been sought from all States in regard to factories and brick kiln owners employing child labour. In the state of Odisha, one migrant child labour belonging to Kadalimunda village of Bolangir District of Odisha was found being engaged in a brick kiln establishment in Gulbarga District of Karnataka. The child labour has been rescued and prosecutions under the Inter-State Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979 and Child Labour (Prohibition & Regulation) Act, 1986 have been filed against the employer/agent who had recruited the child labour. Further, an amount of Rs. 50,000/- has been paid as ex-gratia to the child labour by the Government of Odisha.

(e): 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 the 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 shall be provided within a radius of five kilometers of the village where the applicant resides at the time of applying. In case, 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.

Further, the Government has enacted the Unorganized Workers' Social Security Act, 2008 to provide for social security and welfare of unorganized workers including migrant workers. The Act has come into force w.e.f 16th May, 2009. The Act provides for formulation of schemes by the Central Government for different sections of unorganized workers on matters relating to:

- (i) Life and disability cover;
- (ii) Health and maternity benefits;
- (iii) Old age protection; and
- (iv) Any other benefit as may be determined by the Central Government.

The Act also provides for formulation of schemes by the State Governments relating to provident fund, employment injury benefits, housing, educational schemes for children, skill upgradation, funeral assistance and old age homes by the State Government.

The Government has launched Rashtriya Swasthya Bima Yojana (RSBY) to provide health insurance coverage for certain categories

of unorganized workers which include migrant workers.

The Central Government and some of the States have signed MoUs to facilitate strengthening of inter-state coordination mechanism for smooth implementation of the activities in source and destination areas of migrant workers. The project approach includes:

- (i) Social protection to brick kiln workers by converging government schemes at source and destination states.
- (ii) Improving workplace facilities.
- (iii) Promoting collective bargaining by imparting rights based education to workers.
- (iv) Social dialogue for improving labour recruitment and working conditions and
- (v) Focused approach towards elimination of child labour in brick kilns.

The efforts made by the State Government of Odisha for the safety and welfare of migrant workers in the past 3 years are enclosed as Annexure- II.