

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT**

RAJYA SABHA

**UNSTARRED QUESTION NO. 2501
TO BE ANSWERED ON 17.03.2021**

INTER-STATE MIGRATION WORKMEN ACT, 1979

**2501. SHRI SANJAY SETH:
SHRI RAJEEV SATAV:**

Will the Minister of Labour and Employment be pleased to state:

- (a) whether Government has been able to enforce strictly the inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979;**
- (b) if so, the details thereof and if not, the reasons therefor;**
- (c) whether Government has detected violation of provision in the inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979 during each of the last three years and the current year and action taken thereon; and**
- (d) the other steps taken/being taken by Government to check the trend of inter-State migration and for welfare of migrant workers/labourers in the country?**

ANSWER

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI SANTOSH KUMAR GANGWAR)**

(a) to (d): The Central Government has issued comprehensive Advisory Guidelines on 27.07.2020 to all the States/UTs for the welfare of the migrant workers returning to the destination States in the backdrop of Covid-19. The States/UTs have been advised to implement the advisory guidelines by quickly gearing up their Labour Law enforcement machinery and ensuring statutory compliance by all the

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stake-holders which could provide migrant workers much needed help to mitigate the financial crisis and empower them to deal with the pandemic. The States/UTs have also been advised to maintain updated data of the migrant workers to facilitate the administration to extend benefits of the welfare schemes of the Government to the migrant workers.

Office of Chief Labour Commissioner(C) conducts regular inspections to ensure the compliance of the provisions of Inter-State Migrant Workmen (RE&Cs), Act, 1979 by the establishments of central sphere. The details of inspections conducted during last three years are at Annexure-I.

Several initiatives have been taken by the Ministry of Labour and Employment as part of Pradhan Mantri Garib Kalyan Yojana(PMGKY) and Atmanirbhar Bharat which, inter-alia, include (i) payment of 12% employers' share and 12% employees' share under Employees' Provident Fund (EPF), totaling 24% of the wages by the Government of India for six wage months from March to August, 2020 for all the establishments having up to 100 employees with 90% of such employees earning less than Rs.15,000 monthly wage; (ii) reduction in PF contribution from 12% to 10% of wages for the wage months of May, June and July, 2020; (iii) non-refundable Covid advance from the PF by amending the EPF Scheme, 1952; (iv) extension in the date of filing of returns; (v) issuing advisory to promptly attend to distress calls of workers /employees and also guide them in temporary shelters; (vi) using Building and other construction workers (BOCW) cess fund for transfer of funds in the bank account of construction workers affected by COVID-19 outbreak. In addition to above, measures have also been taken by other Ministries/Departments under PMGKY to support the poor including migrant workers, such as, provision of food grains, gas cylinders free of cost, direct transfer of financial assistance into bank account of the beneficiaries etc. Government has also taken initiatives for creating jobs at local level and supporting migrant workers through Aatmanirbhar Bharat and Pradhan Mantri Garib Kalyan Rozgar Abhiyaan.

ANNEXURE

Annexure referred to in reply to part (a) to (d) of Rajya Sabha Unstarred Question No. 2501 For 17.03.2021 regarding Inter-State Migration Workmen Act, 1979.

Details of Inspections Conducted under applicable labour laws during the last three years in the Central Sphere Establishments* ISMW (RE&CS) Act, 1979

ISMW (RE&CS) Act, 1979*

Sl.No.	Particulars	2017-18	2018-19	2019-20
1	No. of Inspections Conducted	209	185	262
2	No. of Irregularities detected	2952	3463	2963
3	No. Irregularities Rectified	1939	2423	1418
4	No. of Prosecutions Launched	57	84	64
5	No. of Convictions	47	38	29

* Data as received from DD Stats. O/o CLC(C), MOLE.
