GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT

RAJYA SABHA

UNSTARRED QUESTION NO. 3300
TO BE ANSWERED ON 31.03.2022

EXPLOITATION OF LABOURERS IN PRIVATE SECTOR

3300. SHRI DHIRAJ PRASAD SAHU:

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

(a) whether the labourers working in private sector are being exploited and are forced to work in undesirable conditions despite the laws and provisions made by Government in this regard;
(b) if so, the details thereof and the reasons therefor;
(c) whether Government is preparing any scheme to address the said issue and if so, the details thereof; and
(d) whether Government has made certain new provisions to save labourers from exploitation and if so, the details thereof?

ANSWER

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT
(SHRI RAMESWAR TELI)

(a) & (b): Labour laws do not discriminate between private sector and public sector enterprises. Labour being under the Concurrent List, the enforcement of labour laws is done by the State Governments and the Central Government in their respective jurisdictions. While in the Central Sphere, the enforcement is done through the Inspecting Officers of Central Industrial Relations Machinery (CIRM), the compliance in the State Sphere is ensured through the State Labour Enforcement Machinery.

A well-established CIRM, comprising of a country wide network of Deputy Chief Labour Commissioners and Regional Labour Commissioners under the control of Chief Labour Commissioner (Central), is in place to enforce various labour laws in Central Sphere. This Machinery is mandated to take necessary action to redress/ settle the grievances/ complaints/ claims arising out of the

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enforcement of various labour laws. For effective implementation of various labour laws, regular inspections are conducted by the Officers of CIRM.

(c) & (d): In order to safeguard the interest of the workers, the Central Government enacted the Industrial Employment (Standing Orders) Act, 1946 which mandates the employers in industrial establishments to define with sufficient precision the conditions of employment under them and to make the said conditions known to workmen employed by them.

There is a well-established industrial disputes redressal mechanism under the Industrial Disputes Act, 1947. Both the Industrial Employment (Standing Orders) Act, 1946 and the Industrial Disputes Act, 1947 have now been subsumed in the Industrial Relations Code, 2020. Further, the Government has notified the Occupational Safety, Health and Working Conditions Code, 2020. Both the Codes provide for decent working conditions and protection from abuse and exploitation to all categories of organised and unorganised workers.

To provide the welfare of workers on matters relating to life and disability cover, health and maternity benefits, old age protection benefits, education etc., the Government has notified Social Security Code, 2020. The Government has also notified the Code on Wages, 2019 wherein the concept of scheduled employment has been removed. Therefore, all categories of workers will now get the benefit of statutory protection for their minimum wages.

Further, the Government has launched SAMADHAN Portal wherein workmen/ employer can file industrial disputes related to employment. The portal is developed to facilitate timely disposal of industrial disputes in a very simple, useful and transparent manner resulting into a simplified, standardized and streamlined process which is faster and easier to monitor.

The Government also organises campaigns from time to time to spread awareness among workers regarding their rights and benefits under various labour laws.

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