

Centre / State Acts and Rules on “MIGRANT WORKERS”

<http://www.indiacode.nic.in>

- Bonded Labour System (Abolition) Act, 1976
(No. 19 of 1976)
- Bonded Labour System (Abolition) Rules, 1976
- Building and Other Construction Workers (Regulation of Employment and Condition of Service) Act, 1996
(No. 27 of 1996)
- Building and other Construction Workers (Regulation of Employment and Condition of Service) Rules, 2002
- Building and Other Construction Workers’ Welfare Cess Act, 1996 (No. 28 of 1996)
- Building and Other Construction Workers’ Welfare Cess Rules, 1998
- Contract Labour (Regulation and Abolition) Act, 1970
(No. 37 of 1970)
- Contract Labour (Regulation and Abolition) Rules, 1971
- Child Labour (Prohibition & Regulation) Act, 1986
- Employees’ Provident Funds & Miscellaneous Provisions Act, 1952(No. 19 of 1952)
- Equal Remuneration Act, 1976
(No. 25 of 1976)
- Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (No.30 of 1979)
- Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980
- Maternity Benefit Act, 1961 (No. 53 of 1961)
- Minimum Wages act, 1948 (No. 11 of 1948)
- National Rural Employment Guarantee Act, 2005
(No. 42 of 2005)

- Payment of Gratuity Act, 1972 (No. 39 of 1972)
- Payment of Wages Act, 1936 (No. 4 of 1936)
- Unorganized Workers' Social Security Act, 2008 (No. 33 of 2008)
- Workmen Compensation Act, 1923 (No. 8 of 1923)

National Policy/Schemes

- Citizen Charter (India, Ministry of Labour)
http://www.labour.nic.in/main/cit_charter.htm
- National Employment Policy first Draft 01-08-08 (India, Ministry of Labour)
<http://labour.nic.in>
- National Policy on Children, 1974
- National Policy on Child Labour, 1987
- Development of Women Children in rural Areas (DWCRA) 1983, Scheme
- National Policy on Skill Development
- Protocol on Prevention Rescue, repatriation and Repatriation of Trafficked & Migrant Child labour, 2008

Constitution of India

Article 21. Protection of life and personal liberty – No person shall be deprived of his life or personal liberty except according to procedure established by law.

Article 21 A. Right to education – The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine.

Article 38. State to secure a social order for the promotion of welfare of the people – (1) The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political; shall inform all the institutions of the national life.

(2) The State shall, in particular, strive to minimise the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also groups of people residing in different areas or engaged in different vocations.

Article 39. Certain principles of policy to be followed by the State – The State shall, in particular, direct its policy towards securing-

- a. that the citizens, men and women equally, have the right to an adequate means of livelihood;
- b. that ownership and control of the material resources of the community are so distributed as best to subserve the common good;
- c. that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;
- d. that there is equal pay for equal work for both men and women;
- e. that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter a vocations unsuited to their age or strength;
- f. that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

Article 41. Right to work, to education and to public assistance in certain cases- The State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.

Article 43. Living wage, etc., for workers – The State shall endeavour to secure, by suitable legislation or economic organization or in any other way, to all workers, agricultural industrial or otherwise, work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities and, in particular, the State shall endeavour to promote cottage industries on an individual or co- operative basis in rural areas.