



सत्यमेव जयते

GOVERNMENT OF GUJARAT

**LABOUR AND EMPLOYMENT DEPARTMENT
GANDHINAGAR.**

**LABOUR LAWS AND VARIOUS
WELFARE SCHEMES FOR
UNORGANIZED RURAL
WORKERS**

- ☆ RURAL LABOUR COMMISSIONERATE
- ☆ GUJARAT RURAL WORKER'S WELFARE BOARD, GANDHINAGAR
- ☆ GOVERNMENT LABOUR OFFICER
(DISTRICT LEVEL)
- ☆ ASSISTANT GOVERNMENT LABOUR OFFICER,
(TALUKA LEVEL)

JULY-2013

Labour Laws and Various Welfare Schemes for Unorganized Rural Workers.

Out of total Workers in India and Gujarat, the unorganized workers are about 90 percent. Because of unorganized condition of these workers, and due to loss bargaining capacity of workers, they are exploited economically, socially and physically. In the circumstances, socio-economic condition of such unorganized workers remains very weak. Hence it becomes necessary to implement various economic, social, educational and health upliftment welfare schemes.

The Government of Gujarat took initiative in this direction & showed the path of welfare of unorganized workers to the whole country by setting up separate Rural Labour Organization and constituting the Gujarat Rural Worker's Welfare Board. The work of implementation of various Labour Laws protection and welfare schemes of social security for the rural workers of the State are carried out by the Rural Labour Commissioner, Gujarat State and Gujarat Rural Worker's Welfare Board, Gandhinagar, through Government Labour Officer (Rural) at District level and by the Assistant Government Labour Officers at Taluka level, as well as by Honorary Organisers at village level.

Legal Protective Provisions :-

□ The Minimum Wages Act, 1948

Provisions for the workers engaged in agricultural occupations.

1. Under Government Notification dated 06/03/2012 the following rates of minimum wages are prescribed for agricultural workers of the State.
 - a. Rate of annual wage to be to paid to permanent agricultural workers is :- Rs. 43,800/-
 - b. Rate of daily wages to be paid to daily wage worker is : Rs. 120/- per day.
 - c. Wage rate of workers engaged in sugarcane cutting : Rs. 170/- per ton. (w.e.f. dt. 1/12/2008)
2. Wage equal to the rate of male workers has to be paid to female agricultural workers for equal work.
3. If the permanent agricultural worker is employed for particular months of the year, he is to be paid proportional wage at the rate of annual wage.
4. Part time agricultural worker has to be paid at the rate of 50 percent of minimum wage for worker 4 hours or less and for work exceeding four hours wage is payable at full rate.
5. "Young" agricultural worker of the age between 15 to 18 years is eligible for payment of minimum wage rate, but their working hours will be 6 hours in a day.
6. The provision of both fine and/or punishment is made for violation of this law.

Provision for workers engaged in other 13 rural occupations :

As per Government Resolution dated 7.6.2001, following 13 occupations with in Gram Panchayat areas, as specified under the Panchayats Act, 1993, the function of implementation of the Minimum Wages Act is entrusted to Rural Labour Organization. Minimum wage rate is as follows for these 13 occupations.

No.	Occupation	Effective From	Wage Rs. Per Day
1.	Brick kiln	11.2.09	Rs. 119.20 to 154.50 (1000 Bricks)
2.	Cotton ginning and pressing	11.2.09	Rs. 136.20 to 144.20
3.	Tubewell-drilling	11.2.09	Rs. 136.20 to 144.90
4.	Forestry	11.2.09	Rs. 132.00 to 134.00
5.	Office of the Gram Panchayat	11.2.09	Rs. 134.00 to 137.80
6.	Petrol and diesel pump.	11.2.09	Rs. 135.20 to 145.10
7.	Rice-Dal flour mill	11.2.09	Rs. 134.00 to 137.70
8.	Salt pan	11.2.09	Rs. 140.60 to 143.50
9.	Stone crushing	11.2.09	Rs. 131.10 to 136.50
10.	Sugar cutting beyond the limit of sugar factory	11.2.09	Rs. 135.10 to 139.50
11.	Tannery	11.2.09	Rs. 136.30 to 138.90
12.	Bidi rolling	11.2.09	Rs. 131.60 to 132.50
13.	Shops and commercial establishment.	11.2.09	Rs. 134.40 to 144.70

Besides the aforesaid rate of minimum wage "Daily Allowance" has to be paid to the worker engaged in this occupation at the rate that may be declared every six months by the Labour Commissioner of the State. At present, from 01-04-2013 for all the above Mentioned Scheduled Employements the rate of daily Allowance is Rs. 70.40.

For the complaints relating to the Minimum Wage Act in the said occupations of rural area, Government Labour Officer (Rural) of the District or Assistant Govt. Labour Officer of the nearest Taluka has to be contacted.

The responsibility of the implementation of the following laws in 13 rural occupations is also entrusted to the Rural Labour Organization under Govt. Notification dated 21.7.2004.

1. The Equal Remuneration Act, 1976.
2. The Child Labour (Prohibition and Regulation) Act, 1986.
3. The Inter-State Migrant worker's (Regulation of Employment and Service Conditions) Act, 1979.

□ The Bonded Labour System (Abolition) Act, 1976

Under this Act any agricultural worker or servant, if forcefully employed without his will, without or with less wage, till the money advanced to him is not repaid and he is not allowed to change his employer, then, that worker become "bonded labour". The work of inquiring about such bonded labour and declaring him as a bonded labour after due inquiry, is entrusted to the District Magistrate and Collector. Rehabilitation work of such bonded labourers as per rule is done by the office of the Rural Labour Commissioner. Moreover, the

District Labour Officer (Rural) is working as a Member Secretary in the vigilance committees of District and Prant level under this Act.

Various welfare and social security schemes for Rural Worker

With the constitution of separate Rural Labour Organization from 1981 by the Labour and Employment Department for carrying out various activities for welfare of rural workers of Gujarat State, Gujarat Rural Workers's Welfare Board is constituted under the Chairmanship of Hon. Minister for Labour and Employment. Following various welfare and social security schemes are implemented by this Board through the Govt. Labour officer (Rural) and the Assistant Govt. Labour officers and the honorary workers.

(1) Rural / salt workers welfare centers

For implementation of various welfare schemes at village level for rural workers of the state, total 359 (including 49 centres of salt workers) rural /salt workers' welfare centers are established. The honorary Sanchalaks of these centers have been considered equivalent to Gram Sevaks by the Panchayat Department for work of that department, simultaneously they implement various welfare schemes of the Board including activities of making the rural labourers aware of their legal rights.

(2) Shramik Suraksha Yojana Accident Group Insurance Scheme

In cases of accidental death of unorganised rural and urban workers in the State of Gujarat, with a view to providing social security cover to members of their families, Shramik Suraksha Accident Group Insurance scheme has been implemented since 1996. Under this scheme, full amount of premium payable, is paid to insurance companies by the State Government on behalf of labourers. Under this scheme following benefits are provided with effect from 1/4/2008,

1. From 1/4/2008 this scheme is implemented by DIRECTORATE OF INSURANCE, GUJARAT STATE, GANDHINAGAR.
2. In case of accidental death or permanent disablement Rs. 1,00,000 and In case of partial disablement by accident, insurance cover of Rs.50,000 is provided.
3. The benefit is available to rural and urban unorganized workers between age group 14 to 70 years.
4. Under the scheme, after the accidental death of the worker application is to be presented **within maximum period of 90 days** to the office of the Government Labour Officer (Rural) in the case of rural worker and the office of the Government Labour Officer (industry) in the case of unorganized urban worker living in city area. The application for claim has to be made in prescribed application form, with necessary evidence, proof.
5. This benefit is not available to those worker who is covered under the Employee's State Insurance Scheme or Workman's Compensation Act.

6. The following documents are to be attached/enclosed along with the application for insurance claims.

A The evidence/proof of unorganised rural worker (including landless agricultural worker) if there is an identity card it will be considered as approved proof/evidence.

B The evidence of age between 14 to 70 years for Rural area and 18 to 70 years for city area.

C In case of accidental death the original documents of police investigation/ Panchanama/ FIR/ PM Report/ FSL Report/ SDM Report etc. are to be produce.

D An approved evidence of Legal heir of the disceased.

E The amount of Rs.5160.00 Lakh has been paid to 11434 heirs of beneficiaries during 1996 to 2012-13.

3. Scheme of financial assistance to unorganized rural workers for treatment of Chronic and Serious Diseases :-

The rural unorganized workers, cannot incur the high expenditure for treatment of serious diseases, like heart disease, cancer, paralysis and diseases of kidney, suffered by the workers and/or the members of their family, due to their poor economic condition. In such circumstances, with a view to provide social security to these unorganized rural workers, the expenditure of treatment, medicines and operation if required, is being paid to the government recognized hospital directly, after getting. Sanction from the Labour and Employment Department. Total expenditure of this treatment is paid directly to the respective hospital by the State Government on behalf of the worker. No amount is paid to the beneficiary worker under the scheme.

The amount of Rs.879.65 Lakh has been paid to Government Approved Hospitals for 27664 beneficiaries during 1992 to 2012-13.

4. Welfare schemes for unorganized Salt Workers :-

As much as 70 % of salt production of the whole of India, is being produced in the State of Gujarat. About 70,000 workers are engaged in this occupation for 7 to 8 months of the year. Keeping in mind the adverse working conditions of these workers, various welfare schemes are being implemented by the State Government since 1991. Among these welfare schemes,

- ⇒ Establishment of 49 welfare center.
- ⇒ To provide social security through the Accidental death Group Insurance Scheme .
- ⇒ Medical assistance for the treatment of serious and chronic diseases.
- ⇒ To provide assistance for the purchase of bicycle at the subsidized rate of Rs.600/- .

Places of Contact

1. **At State level** .. Office of the Rural Labour Commissioner
 Block No.7, First Floor,
 Dr. Jivraj Mehta Bhavan, Gandhinagar.
 Phone (079) 23253372 to 75.
2. **At State level** .. Gujarat Rural Worker's Welfare Board.
 Block No.6, Third Floor,
 Dr.Jivraj Mehta Bhavan Gandhinagar
 Phone (079) 23253682, 23253372,
 23221889.
3. **At District level..** Office of the Government Labour Officer
 (Rural)
4. **At Taluka level** .. Offices of the Assistant Government
 Labour Officer.....Taluka
- 5 **At Village level** .. Rural/Salt Workers' Welfare Centers