

Rita

LEGISLATION

Labour Laws-Problems of Implementation

Mobile Creches has always been aware of the laws concerning Labour on construction worksites. Direct experience in the field situation has given us an insight into the many aspects of the problem of implementing them. It has also led us to see clearly that the Laws that apply to the construction situation have been framed prior to and without sufficient understanding of the realities of the situation and therefore the protections they seek to give are half-hearted and encourage evasion.

Since the Contract Labour Act was passed in 1970, no work has been done to study the problems of implementation posed by the Law. Therefore it remains framed on paper and the situation on worksites has hardly altered.

The inspectorate is ignorant of the practical problems of observing many of the provisions of the Act and what is more crucial, is indifferent to its spirit.

The people for whom it is meant are an economically insecure group, illiterate and constantly on the move, and are unable therefore to use the law to alter their situation.

We have thought deeply about the impracticalities of the law as they affect employers and about the inadequacies of the Law as they affect the workers. And on our part, we have tried concretely to improve the situation by setting up the infrastructure which is required to make the law operable.

We have held the conviction right from the start that penalties and penalisations represent a negative and counter-productive approach. They encourage evasion and a haggling over the letter of the law. They are based on a convenient shifting of responsibility. It is only through education of both contractors, workers and the guardians of law, as well as through practical experiments in creating a supportive machinery, that the spirit of the law which seeks a betterment of the society, will come into being.

In Mobile Creches, we have accepted our responsibility in applying our minds to this problem, and seek through this paper to put together our thinking on this matter.

The Problem: Target Group

Mobile Creches has worked for 10 years on construction sites in Delhi and Bombay. We have been in contact with the situation of the families of the rural poor who work in unskilled capacities on construction sites and camp there in temporary shelters. These people are on the margin of survival. They are employed on daily wages. There is no guarantee of continuous employment. They thus live in a situation of constant movement, poor environmental condition and insecure earnings.

The adult group has some physical sturdiness and strengths drawn from their years in a rural area, but the child group that is growing up on the construction sites is at grave risk-on health grounds and from erosion of the factors which provided psychological and emotional stability for their parents. They are growing up less equipped and more vulnerable in the struggle for marginal existence.

#### Scale of the Problem:

After Agriculture, the construction industry seems to be the second largest employer of manpower in the country. As such this group is but a sample of the situation existing in many parts of the country. It is a problem of vast proportions.

#### Living and Working Conditions:

Unskilled labour from the villages of Andhra Pradesh, Karnataka, Madhya Pradesh, U.P., Rajasthan and Maharashtra are recruited by a Jamadar or labour contractor (usually from the same village or nearby village) and brought to the towns of Delhi and Bombay. He is responsible for finding work and shelter for them on large construction sites. Labour lives on the sites with their families and both parents work leaving the young children to take care of themselves.

The employment is on daily wages and our experience has shown that approximately 50% of the labour do not spend more than one to three months on a worksite though the project may take 2 to 2½ years to complete. Even during this period the full number of employed days is not guaranteed for any individual. There is a seasonal return to the villages to work on the land in return for grain.

The conditions of work are harsh and work is carried out in conditions of great exposure. The camping sites have the most meagre shelters. Sanitation facilities are non-existent. Everything is makeshift in the extreme. Rubble, garbage and poor environmental conditions are the rule on all construction sites.

#### Children's Problem:

There is no protection for the children except where Mobile Creches are operating. Special disadvantages are encountered by children living on construction sites. The migrant way of life entails great physical hardships as the family group moves from one worksite to another. It causes emotional dislocation for the children with the weakening of village ties and the impossibility of building new friendships and associations as they are constantly on the move. It furthermore deprives them of all opportunities for developing skills either from their agricultural background or from city life. The young child suffers acute physical neglect due to the mothers' rough work schedule and the absence of elders to care for the child. Poor environmental conditions of the labour camp further expose the child to infections. Both these factors contribute to malnutrition and constant sickness at a very crucial development stage. Many deaths occur during 1-3 years of age.

The older child who minds the house and looks after the younger ones, carries a very heavy load of responsibilities. In the parents' absence, such children are left to their own devices, gradually falling out of the main stream of life and opportunities. Children of construction workers are also sharply exposed to construction hazards. Lift shafts, collapsing earth works, un-protected water-tanks are constant dangers. This group of children lies outside the concern or interest of local authorities. There is no policy which enforces any responsibility towards them.

#### Constraints of the Construction Industry:

Before we look at the issue of the legal provisions regarding casual workers on construction sites, we would like to make clear that we are very much aware that the construction industry has many in-built constraints. The bulk of investment in construction is made by the Government on Public works. Budgetary cuts, and policies of changing Governments affect construction constantly and cause fluctuations in spending and commissioning of contracts. The availability of shortage on a national scale, of materials like cement, steel etc. also affect the construction industry. In addition to this, construction work stops and starts as poor co-ordination and delays are created by problems sometimes as simple as drawings not being ready in time. The price of these delays is paid by the unskilled workers and they reduce the possibility of consecutive days of employment. These are factors which influence the construction industry, all over the world (ILO Report-Building & Civil Engineering & Public Works Committee Proceedings Geneva, 1977). In India the free availability of large numbers of unemployed rural unskilled labour, further takes away the incentive to tighten up the planning and co-ordination.

Keeping all this in mind and aware that there are no villains that need whipping, we see the need for serious thinking on the part of planners, social workers and people in the building industry about the enormity of the problems faced by the unskilled workers, and in particular by their children.

Present Legislation only places responsibility on builders and contractors. We see the need for a much wider sharing of responsibility. The Labour Ministry, the Ministry of Works & Housing, and the Ministry of Education & Social Welfare need to think very carefully about the implications of this system for the workers and their children and set up the co-ordinations and infrastructures to improve the situation.

## Legislation Covering Construction Sites:

The Contract Labour Act (R&A) 1970 - This Act sought to regulate the employment of contract labour and to abolish it wherever the nature of the work was continuous as in mines and where employment of labour on contract basis was not warranted. It created a licensing system for contractors and imposed certain obligations on them and on the principal employers. It was a major step forward in introducing some protection for and responsibility towards unorganised labour on daily wages. But it is a piece of legislation that did not adequately envisage the problems of Contract Labour who were migrant and lived and camped on large construction sites.

The Contract Labour Act provides for:-

A. The abolition of Contract Labour where (1) the nature of the work done is continuous (2) the regulation of contract labour in other situations (3) the bringing of contract labour under the protection of other labour legislation such as Minimum Wages Act, Workman's Compensation Act, Equal Remuneration Act (4) the regulation of wage periods and mode of payment.

Our main query regarding these provisions is - Can a man on daily wages, here today and gone tomorrow, ever be in a position to take advantage of the law? Unless the Law seeks to tackle this question, the giving of protections becomes a mockery. Can some semi-permanent security of working days be considered?

B. The Contract Labour Act also provides for the health and welfare of Contract Labour as follows: (1) where contract labour is expected to halt at night in connection with the working of the establishment to which the Act applies and in which the employment of Contract Labour is likely to continue for 3 months or more, rest rooms or other 'suitable' accommodation are obligatory.

There are general specifications for the flooring ventilation and facilities for the rest room and a provision that separate rest rooms be provided for women.

Our query is: Has the migratory nature of the labour on construction sites been taken into account where families are involved? Will the terms "expected to halt at night" allow for situations where families have no alternative residence and therefore have to camp on sites and do they come under this definition? If not, there are no minimum standards laid down for camping facilities and basic amenities.

(2) The Law provides for Canteens. Wherever Contract Labour numbering 100 or more are employed, an adequate canteen is to be provided. Standards for space, lighting cleanliness, furniture, cost of meals etc. are laid down clearly.

∟ is likely to continue for 6 months  
and where Contract Labour

The living and working patterns of unskilled labour lead us to the conclusion that elaborate rules regarding canteen facilities with their specifications of flooring, maintenance etc. should be replaced by provisions of rations at controlled rates. If cereals, oil and fuel are available to them, cooking of their very basic food is totally acceptable to the living habits of the people.

Labour at present suffers greatly because of not having ration cards and ration shops accessible to them. Their cost of living is thus much higher and leads to a depletion of food intake which is eroding their health status severely. If it is difficult to organise basic provisions on the camp-sites, transport to cheap markets should be provided at regular intervals. Responsibility for this is more important than organisation of structures for canteen. It must be borne in mind that building sites being temporary, large investment in pucca structures is not a practical expectation. It should be waived in preference to marketing facilities and rations.

(3) It provides for latrines and their cleanliness and maintenance.

(4) It provides washing and bathing facilities.

(5) First Aid facilities: There are details about the components of the first aid box.

This provision is totally inadequate and has not even considered the health status of the unskilled workers. Disease and infections are rampant and these families being migratory, are not in a position to use hospitals and other facilities. They are thus left exposed to the threat of constant disease. The provision of a first aid facility grossly misunderstands the nature of the problems. Minimum requirements should be the visit of a qualified doctor once a week and medicines at subsidised rates.

(6) Creche: The terms of licence lay down the provision of a creche. Two rooms are to be provided where 20 or more working women are employed as contract labour, for the use of children under 6 years of age. There are elaborate rules (see Annexure I).

But the provisions on Creches have been framed with no insight into the problems of children who move with their parents, and are hence totally inadequate.

No consideration has been given to the severe effects of insecurity and constant movement on the workers and their families in the construction industry. Since the Act does not even touch the problem of securing a minimum number of working days for contract labour, the provision of creches merely pays lip service to the child in this situation.

The entire thinking on provision of elementary care for children of migrant workers as enshrined in the Rules to the C.L.A. needs to be re-considered.

(a) Legislation states that creche facilities are to be provided where there are 20 working mothers. We suggest that there should be no figure stated as it works against women's recruitment. There should be a definite sum set aside for child welfare which can be used in cases where the families are on worksites, and on worksites where there are no families, it should go to a central pool for improving non-formal educational opportunities and creches for low income groups.

(b) There is provision only for creches for children of under 6 years of age.

It must be recognised that all children on a worksite need care. Migrancy deprives them of all chance for education. If we are to prevent the production of a vast number of adult illiterates who also carry stress symptoms born of this unstable existence, some provision has to be made for educational opportunities for older children. The welfare provisions must take into account this age group and the concept of creche changed to that of minimum child care centre for all children on a worksite. Each day-care centre must also be staffed with a person capable of giving older children elementary schooling.

(c) Organisation of integrated day-care facilities on worksites.

10 years of experience has shown that the organisation of basic care for children of low-income groups is a very complex task. Low health status, constant migration, poor diet and unsanitary living conditions create many problems. If the law seeks to protect this vulnerable age group, it must have the vision to recognise that the basic care service will have to be comprehensive, continuous and effective, otherwise the welfare provisions have no meaning at all. And poorly run creches will do more harm than good. Integrated care for underprivileged children requires more skills than the running of creches for better educated and economically stronger families. As such the organisation of this service cannot be left to contractors or site engineers. They should be organised through specialised child care agencies, or through the Ministry of Education & Social Welfare or by a special cell created by the Labour Ministry for Labour Welfare. In any case services must be run by people with skills in child care and child development.

Personnel:

A specialised well trained cadre of workers who can handle health care, and education for a wide age group is what is required for running creches/schools on large worksites. No such recognised cadre exists. The Labour Ministry in collaboration with Social Welfare Ministry should set up training for such workers or certify workers trained by voluntary bodies.

The orientation of these cadres should be such that they can function in makeshift situations on the worksites and can understand the target group. The need for training to develop understanding of the community and of local situations is very great. Many care services at present do not make impact for lack of attention to this aspect.

(e) Medical Attention:

Rules in the Contract Labour Act 1970 provide for once a month check up of children. This is unrealistic because the health status of parents and children is very low. Children come riddled with infections and the danger of cross infections are constant. A doctor's visit once a week is essential, and the presence of a health worker to follow up preventive and curative instructions is a basic necessity, not a refinement. The same doctor should be available for the adults.

(f) Supervision:

Monitoring of the quality of the child care facilities again must rest with a cadre of people who understand child care and in particular the problems of children of low income groups. Having a provision for creches and not having an infrastructure which can adequately ensure minimum standards, is again a self defeating provision. Either Labour Welfare officers must be exposed and oriented to the problems and functioning of creches or a monitoring team be appointed from Government and private bodies competent for such work. The concept of supervision for such programmes has to be linked with responsibility for organisation of the child care facilities.

(g) Equipment:

The equipment list drawn up in the rules is also totally ignorant of the needs of minimum child care. We enclose a list of low cost equipment devised for temporary situations which are essential for infant care (Annexure II). The list also includes a minimum of schooling materials for the activities and basic teaching of literacy for older children.

(Annexure II. Equipment for a Unit of 50 children.  
List enclosed for 20 babies, 30 older children).

II. The Inter-State Migrant Labour Bill (1979)

The Interstate Migrant Labour Bill (1979) goes a step further and brings in many protections for Inter-State Migrant Workers. The rules have yet to be framed. However, the main provisions relate to the increased responsibilities of the employer. It provides for displacement allowances, travel allowances, clothing and shelter as well as specific rules for registration of workers and contractors (See Annexure III).

This Act does take into account some of the problems of migratory workers and improves on the Contract Labour Act by recognising the need to lay down provisions for (i) shelter (ii) proper medical facilities (as opposed to mere first aid facilities) (iii) maternity benefits for women workers, thus recognising the role of women in the industry.

But there are two serious inadequacies in the Law:-

1. It sets up distinctions between unskilled workers on contract work drawn from the same state and the unskilled workers on contract work drawn from outside the state.

We consider this a very serious potential threat to peace on a worksite. The better conditions provided for Inter-State workers will create jealousies between local and inter-state workers and may eventually lead to the discontinuation of employment of workers from outside the state. Note should be taken of this before it is too late.

2. The Migrant Labour Bill by introducing the passbook (See Annexure III) in which the period of employment is specified still does not touch the question of a minimum number of consecutive days of employment. Despite the fact that a project may continue for 2½ years, workmen continue to be employed for very short periods as the legal provision mainly requires stipulation of period but not the minimum length of the period of employment.

Both the Contract Labour Act and the Migrant Labour Bill (1979) avoid the central issue of contract labour being on Casual Wages and therefore subject to constant movement in search of work. This means that no welfare provisions really benefit them in the long run, if they come today and are gone in 3 days. Creches have a certain minimum number of consecutive days at one point. The creche provision will remain a half-hearted attempt unless the factor of mobility is also looked at.

The question of decasualisation is beset with problems because of the basic instabilities of the construction industry. But if it is not faced, a vast population will be trapped on the margin of survival and their children totally deprived of all opportunities for development. We suggest a partial decasualisation by the introduction of a minimum number of consecutive working days on each project, worked out in proportion to the duration of the project. In this way the situation of constant flux can be controlled on the large projects.

The problem of workers being on casual wages and the consequent flux lies at the heart of the entire problem. It is a moral and a social issue. Has society the right to make use of this manpower for its own ends and disregard the price paid by them?

Since most large projects are governmental, if there is improvement in the planning for manpower on government projects alone, it will make a sizeable dent in the problem.



### Suggestions for Improvement in Implementation:

The Contract Labour Act is not implemented today and needless to say the Migrant Labour Bill will go the same way unless there is a change in methodology of implementation and a will on the part of the concerned Ministries to look into the details of infrastructure required to make welfare provisions possible. The Contract Labour Act and Migrant Labour Bill both place responsibility for implementation of welfare provisions on the contractor and failing that on the principal employer.

This dual responsibility only leads to shifting of responsibility. We would like to suggest that since the bulk of investment in construction is handled by government public work departments, the responsibility should be definitely given to site engineers as part of normal routine.

They should be oriented and trained in this responsibility just as much as they are given training in planning and organising inspections on a worksite of materials and quality.

Responsibility for planning for the people employed in construction should form part of their orientation, accountability and education.

The basic facilities should be discussed and decided upon at the stage of signing of the contract and starting of work. As far as sanitation is concerned, wherever sewage lines are not laid, a well-developed simple technology of water-seal pit latrines or other similar methods can be used which are suitable for temporary situations.

The poor camping conditions which cause such widespread infection will thus be replaced by camps with minimum basic facilities. These can be set up with the same efficiency and speed with which offices for engineers, proper stores for valuable materials etc. are now set up. Simple drainage into soak pits, a minimum plinth and adequate roofing for the labour camp are basic requirements.

Improvement in implementation can also be secured through better co-ordination of the public works department of the government with local Municipal bodies regarding water connection, garbage disposal etc. It is only reasonable to expect that if patterns of co-ordination for these facilities are set up at the top levels between public works officers and the officers of local bodies, then procedures will be smoother and more a matter of routine than leaving private citizens to pursue the matters of water connections etc. Sanction of plans and acceptance of tenders must be coincided with automatic sanctions and organisation of the facilities that affect the manpower on a construction site.

In short the ignoring of the needs of this manpower must end and planning for them become a matter of course along with planning for designs and materials.

If full decasualisation is unrealistic for the building industry particularly in a country where there is large scale unemployment, at least competent measures on the lines suggested will improve the situation considerably. And it is time these measures were instituted. A generation is at risk.

#### Annexure - I

#### Summary of Rules pertaining to Welfare and Health of Contract Labour

#### Summary of provisions:

##### 1. Rest Rooms

Where contract labour is expected to halt at night and in which the employment of contract labour is likely to continue for 3 months or more, rest rooms or other "suitable" accommodations are obligatory.

Rest Rooms or other suitable accommodation should have:-

1. Protection from sun, wind, rain
2. Smooth hard impervious floor surface
3. Ventilation
4. Natural or artificial light
5. Size: 1.1 Sq. metre per person
6. There should be separate rooms for women

##### II. Canteens

Wherever Contract labour is likely to continue for 6 months, and where contract labour numbering 100 or more are employed, an adequate canteen shall be provided.

Standards for space, lighting, cleanliness, furniture, cost of meals etc. is laid down clearly.

##### III. Letrine & Urinals

#### No. of Latrines

One latrine for 25 males.

One latrine for 25 females.

This ratio applies to the 1st hundred workers. If there are more than hundred, then latrines are to be provided in the ratio 1:50 for every additional hundred.

## Maintenance

- (a) They should be well lighted and clean
- (b) They should be accessible at all items
- (c) Water shall be provided either by tap or otherwise to be conveniently available.
- (d) Latrines not connected to sewage lines should comply with the requirement of public health authorities.

## IV. Washing Facilities:

These are to be provided at every worksite and shall be conveniently accessible and adequately screened for the use of male and female workers.

## V. First Aid Facilities:

1. A first aid box is to be provided on the basis of at least 1 box: 150 workers.
2. The box is to be in the charge of a responsible person who should be readily available. Where Labour force exceeds 150 persons, a man is expected to be trained in First Aid treatment.
3. The act lays down in detail what the First Aid Box should contain (All items pertain to injuries).

## VI Creche:

The Gazette of India - Extraordinary Part II - Section-3-Sub-section (i) Ministry of Labour, Employment and Rehabilitation-February, 1971. Chapter-III, Clause-25-Forms and terms and conditions of Licence (vi) (a) in every establishment where twenty or more women are ordinarily employed as contract labour, there shall be provided two rooms of reasonable dimensions for the use of their children under the age of six years.

- (b) One of such rooms shall be used as a play room for the children and the other as bed room for the children.
- (c) the contractor shall supply adequate number of toys and games in the play room and sufficient number of cots and beddings in the sleeping room.
- (d) the standard of construction and maintenance of the creches shall be such as may be specified in this behalf by the Chief Labour Commissioner (Central).

1. Location:

Convenient; but safe from dust, odours and fumes.

Building:

- (i) Rain proof
- (ii) Flooring and walls upto 3 feet should have cement surface.
- (iii) Height 10 ft. Door/windows/ventilation
- (iv) 20 Sq. ft. of area per child
- (v) Shady open air playground, fenced, for older children.

2. Amenities:

- (i) Cool drinking water
- (ii) Milk for children below 2 years of age
- (iii) Wholesome refreshments for children over 2 years
- (iv) Convenient kitchen should be attached
- (v) **Convenient arrangements to permit mothers to feed their children.**
- (vi) Creche staff should have uniforms
- (vii) There should be convenient bathrooms with 1 wash basin for children, clean towels, soap and 5 gallons of water per child.
- (viii) 1 Latrine seat: 15 children, separate latrines for mothers and creche staff.

3. Equipment:

**At the rate of 1 per child**

Cradle or cot

Beds or mattresses

cotton sheets, rubber sheets, blankets, pillow covers.

4. Staff:

Every creche should have as its incharge a women with midwifery qualification of training as a creche attendant.

where number of children is more than ten, an Ayah should be added at the rate of:-

- (i) 1 for every 5 children upto 1 year
- (ii) 1 for every 5 children 1-3 years.
- (iii) 1 for every 15 children over 3 years.

The Ayahs should be under 30 years of age and have knowledge and training in handling children.

5. Working hours:

Working hours of the creche should correspond to the working hours of the mother. Creches staff may work in shifts if necessary.

6. Medical attention:

- (i) First Aid Equipment
- (ii) All children should be medically examined before admission.
- (iii) There should be medical check up once a month and weight record should be kept.
- (iv) Registers should be maintained.

Annexure - II

Inadequacies in the prescribed list for Crech Equipment.

1. Kitchen Arrangements

Should include utensils, for serving food shares, meat-safe and proper storage equipment, feeding bottles etc.

2. Cleaning Equipments

Should include items like brushes, and disinfectants, dustbins etc.

3. Linen requirements should include

- (a) Sheets/juhla clothes at least 3 per child to enable washing.
- (b) Netting to protect babies from flies.
- (c) Nappies: 4 per child
- (d) Change of clothing according to season (2 sets per child, jhabla and underpants).

4. Material for activities for older children should include

Stationery/Slates

Paper

Toys/blocks/teaching materials.

5. Furniture such as low tables etc. for older children's group activities, storage shelves racks, cupboards and creche tables for convenient handling of infants are needed.

6. Floor covering such as durries/mats for colder weather are required.

### Annexure-III

The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Bill, 1979.

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Clause 12. Chapter IV - Duties and Obligations of Contractors.

- (1) It shall be the duty of every contractor -

a) to furnish such particulars and in such form as may be prescribed, to the specified authority in the State from which an inter-State migrant workman is recruited and in the State in which such workman is employed, within fifteen days from the date of recruitment, or, as the case may be, the date of employment, and where any change occurs in any of the particulars so furnished, such change shall be notified to the specified authorities of both the States;

(b) to issue to every inter-State migrant workman, a pass book affixed with a passport-size photograph of the workman and indicating in Hindi and English languages, and where the language of the workman is not Hindi or English, also in the language of the workman,

(i) the name and place of the establishment wherein the workman is employed;

(ii) the period of employment;

(iii) the proposed rates and modes of payment of wages;

(iv) the displacement allowance payable;

(v) the return fare payable to the workman on the expiry of the period of his employment and in such contingencies as may be prescribed and in such other contingencies as may be specified in the contract of employment;

(vi) deductions made; and

(vii) such other particulars as may be prescribed;

/(x) As passed by the Houses of  
Parliament in May, 1979.

.....15/-

(c) to furnish in respect of every inter-State migrant workman who ceases to be employed, a return in such form and in such manner as may be prescribed, to the specified authority in the State from which he is recruited and in the State in which he is employed, which shall include a declaration that all the wages and other dues payable to the workman and for the return journey back to his State have been paid.

(2) The contractor shall maintain the pass book referred to in sub-section (1) up-to-date and cause it to be retained with the inter-State migrant workman concerned.

Clause 16, Chapter V - Wages, Welfare and other facilities to be provided to Inter-State Migrant Workmen

It shall be the duty of every contractor employing inter-State migrant workmen in connection with the work of an establishment to which this Act applied:-

- (a) to ensure regular payment of wages to such workmen;
- (b) to ensure equal pay for equal work irrespective of sex;
- (c) to ensure suitable conditions of work to such workmen having regard to the fact that they are required to work in a State different from their own State;
- (d) to provide and maintain suitable residential accommodation to such workmen during the period of their employment;
- (e) to provide the prescribed medical facilities to the workmen, free of charge;
- (f) to provide such protective clothing to the workmen as may be prescribed; and
- (g) in case of fatal accident or serious bodily injury to any such workman, to report to the specified authorities of both the States and also the next of kin of the workman.

Clause 19, Chapter V

It shall be the duty of every contractor and every principal employer to ensure that any loan by such contractor or principal employer to any inter-State migrant workman does not remain outstanding after the completion of the period of employment of such workman under the said contractor or, as the case may be in the establishment of such principal employer and accordingly every obligation of an inter-State migrant workman to re-pay any debt obtained by him during the period of his employment from the contractor of the principal employer and remaining unsatisfied before the completion, be deemed to have been extinguished and no suit or other proceeding shall lie in any court or before any authority for the recovery of such debt or any part thereof.

Clause 21, Chapter VII - Miscellaneous

For the purposes of the enactments specified in the Schedule, an inter-State migrant workman shall, on and from the date of his recruitment be deemed to be employed and actually worked in the establishment or, as the case may be, the first establishment in connection with the work of which he is employed.

- Devika Singh

R. kumar/