



INDIAN JOURNAL OF LEGAL REVIEW

VOLUME 5 AND ISSUE 4 OF 2025

INSTITUTE OF LEGAL EDUCATION



INDIAN JOURNAL OF LEGAL REVIEW

APIS – 3920 – 0001 | ISSN – 2583-2344

(Open Access Journal)

Journal's Home Page – <https://ijlr.iledu.in/>

Journal's Editorial Page – <https://ijlr.iledu.in/editorial-board/>

Volume 5 and Issue 4 of 2025 (Access Full Issue on – <https://ijlr.iledu.in/volume-5-and-issue-4-of-2025/>)

Publisher

Prasanna S,

Chairman of Institute of Legal Education

No. 08, Arul Nagar, Seera Thoppu,

Maudhanda Kurichi, Srirangam,

Tiruchirappalli – 620102

Phone : +91 94896 71437 – info@iledu.in / Chairman@iledu.in



© Institute of Legal Education

Copyright Disclaimer: All rights are reserve with Institute of Legal Education. No part of the material published on this website (Articles or Research Papers including those published in this journal) may be reproduced, distributed, or transmitted in any form or by any means, including photocopying, recording, or other electronic or mechanical methods, without the prior written permission of the publisher. For more details refer <https://ijlr.iledu.in/terms-and-condition/>

AN ANALYTICAL STUDY ON LABOUR WELFARE LEGISLATIONS AND THE ISSUES AROUSED ALONG WITH THE DISPUTE RESOLUTIONS: SPECIAL REFERENCE TO TAMIL NADU (WITH SECONDARY DATA OF 2020, 2021, 2022)

AUTHOR – DHARUN.P.P, STUDENT AT SCHOOL OF EXCELLENCE IN LAW, TAMIL NADU DR. AMBEDKAR LAW UNIVERSITY

BEST CITATION – DHARUN.P.P, AN ANALYTICAL STUDY ON LABOUR WELFARE LEGISLATIONS AND THE ISSUES AROUSED ALONG WITH THE DISPUTE RESOLUTIONS: SPECIAL REFERENCE TO TAMIL NADU (WITH SECONDARY DATA OF 2020, 2021, 2022), *INDIAN JOURNAL OF LEGAL REVIEW (IJLR)*, 5 (4) OF 2025, PG. 275-288, APIS – 3920 – 0001 & ISSN – 2583-2344.

Abstract

Labour welfare in India is a dynamic concept that encompasses a broad spectrum of services and programs aimed at improving the working and living conditions of labourers. This research paper examines the statutory framework governing labour welfare with a focus on the role of the Labour Welfare Board and the various social welfare schemes instituted for the benefit of unorganized and organized sector workers. The study outlines the intersection between legal mandates and social responsibility, aiming to evaluate the efficacy and outreach of government-initiated welfare schemes. This is a non – doctrinal research paper conducted using secondary data with references from statutes of labour reforms and regulations. It explores the impact, reach, and effectiveness of these schemes, especially among unorganized workers, and identifies the challenges in implementation. The study also offers suggestions for better coverage, awareness, and policy interventions. This study analyses the actions taken by the Tamil Nadu government on labour reforms and their skill development.

Key words: Tamil Nadu Government, unorganised workers, social welfare schemes.

Introduction

Tamil Nadu being a prime destination for industrial investment, always strives for inclusive growth. The Labour Department protects the legitimate rights of the workers to ensure their job security, wage security, social security and conciliates to resolve their disputes to ensure industrial harmony and peace in the State. Since the Labour welfare and economic development have symbiotic relations, the Labour department plays crucial role in uplifting the Labour welfare which paves the way for the rapid industrial and economic growth of the State.

In order to facilitate entrepreneurs to run their business smoothly and hassle-free and to create investor friendly environment in the State, the department is implementing measures to improve Ease of Doing Business by spearheading technology enabled transformative initiatives to bring about more transparency and accountability in the enforcement of Labour laws.

The State Government gives great importance for eradication of Child Labour and Abolition of Bonded Labour and in order to eradicate such social evils from the State, the Labour department works in co-ordination with other line departments.

The 18 Unorganized Workers Welfare Boards are functioning under the Labour Department to ensure the provision of social security measures for the unorganized workers through various welfare schemes and also to provide the construction workers with onsite medical access through mobile health clinics.

Most of the subjects relating to Labour are listed in the Concurrent list, with both Union Government and the State Governments having jurisdiction on them. The relevant entries of the Concurrent list are as follows:-

22. Trade Unions; Industrial and Labour disputes.

23. Social Security and Social Insurance; Employment and Unemployment.

24. Welfare of labour including conditions of work, provident funds, employer's liability, workmen's compensation, invalidity and old age pension and maternity benefits.

33-A. Weights and Measures except establishment of standards.

The Government is continuously taking effective steps to reduce the time taken for the disposal of claim applications submitted by the workers and disbursement of scheme assistance to the workers, implement new schemes for the welfare of registered unorganized workers and impart training to the unorganized workers to enable them to adapt to new technologies and practices and thereby ensuring a higher remuneration for their services and aggregate their services through a common application which would improve their wages and increase the job opportunities.

Literature Review

Labour welfare has long been a subject of socio-economic and legal research, owing to its critical role in maintaining industrial peace and worker dignity. Scholars and institutions have examined the concept from multiple perspectives—statutory obligations, administrative effectiveness, and the socioeconomic impact of welfare schemes.

1. Conceptual Foundations of Labour Welfare

Mishra and Puri (2006) emphasized that labour welfare is a dynamic and evolving concept, influenced by the needs of workers and the growth of industrialization. They noted that welfare measures are not merely philanthropic but essential to improving workforce morale and productivity. According to Sharma (2011), welfare includes not only statutory benefits but also voluntary efforts made by employers to enhance worker well-being.

2. Legal and Institutional Frameworks

The Factories Act, 1948 and the Contract Labour (Regulation and Abolition) Act, 1970 are widely studied as foundational legal frameworks. Bakshi (2015) critiqued the enforcement mechanisms under these laws, pointing out the limited manpower and outdated infrastructure available to labour inspectors. The Unorganised Workers' Social Security Act, 2008 is often cited (Ramaswamy, 2013) as a landmark attempt to formalize social security provisions for informal sector workers, although critics argue it lacks robust implementation mechanisms.

3. Functioning of Labour Welfare Boards

Studies by state governments and independent researchers highlight mixed outcomes. For example, a report by the Tamil Nadu Labour Department (2018) showcased successful registration drives and health initiatives by its Welfare Board. However, similar reports from states like Uttar Pradesh and Bihar revealed poor fund utilization and worker outreach. Jain (2017) suggests that the performance of these boards depends significantly on state-level political and administrative commitment.

4. Effectiveness of Social Welfare Schemes

The Pradhan Mantri Shram Yogi Maandhan Yojana (PMSYM) and Ayushman Bharat are frequently discussed in recent literature. According to a NITI Aayog evaluation (2020), while PMSYM received strong initial enrolment, dropout rates remain high due to a lack of awareness and inconsistent follow-up. Sengupta and Jha (2019) analysed Ayushman Bharat's rollout and found that while it improved

hospital access, many beneficiaries struggled with claim processes due to digital illiteracy and poor grievance redressal systems.

5. Gaps in Implementation and Overlap

Several authors, including Deshpande (2020), argue that welfare schemes in India suffer from duplication and inefficient delivery. Multiple schemes often have similar objectives but operate in silos, leading to administrative confusion and low coverage. Recommendations include consolidation of schemes and the establishment of a centralized digital welfare portal.

Objectives of the Study

- To study the labour welfare and social security schemes available in India.
- To analyse the implementation and impact of these schemes in Tamil Nadu.
- To identify gaps in awareness, coverage, and delivery mechanisms.
- To suggest strategies for enhancing welfare and social security for all categories of labour.

Methodology

This research is primarily qualitative and analytical in nature. It involves the examination of relevant statutory provisions, government reports, and secondary data from scholarly articles and case studies. The primary source for analysis is the reports by Tamil Nadu government. An evaluative approach is used to understand the structure, implementation, and effectiveness of labour welfare measures, supported by legal statutes and social schemes.

LAWS ENFORCED BY THE DEPARTMENT

The details of various labour laws enforced by the Labour Department are given below:

Laws relating to Industrial Relations

These laws outline the relationship between the management, workers and Trade Unions and provide framework for conditions of

employment, dispute resolution and collective bargaining.

The Industrial Disputes Act, 1947

The Act prescribes procedures for settlement of industrial disputes, provides for penal actions for breach of settlement or award and prevents unfair labour practices, illegal strikes and lock-outs.

Under this Act, Officers of Labour Department are empowered to undertake conciliation process. During the period from 01.04.2020 to 31.07.2021, the conciliation officers have effectively intervened and resolved 1,168 industrial disputes amicably. 8 strikes have been resolved during this period.

(a) Major industrial disputes resolved during 2020-2021

1. A settlement was entered between the management of M/s Shardlow India Limited, Hosur and the trade union, Simpson and Group Companies Workers Union and Simpson and Group Companies Staff Union on 04.02.2021 before Special Joint Commissioner of Labour, Chennai, regarding the wage revision of the workers. This settlement is valid for a period from 01.12.2020 to 31.03.2022. Total number of workmen benefitted by the settlement is 34.

2. The previous wage settlement for Bata employees expired on 31.03.2019. Hosur Bata Employees union gave representation for revision of wages for Bata Workers. Conciliation was held in the presence of the Additional Commissioner of Labour (Conciliation), Chennai on 13.7.2021. A new wage settlement effective from 01.04.2019 to 30.11.2023 for a period of 4 years and eight months under section 12(3) of Industrial Disputes Act, 1947 was arrived on 13.07.2021 before the Additional Commissioner of Labour (Conciliation), Chennai. The employees of the Bata India limited have been given hike in their Basic Pay and other benefits by this settlement. 102 (One hundred and two) employees have been benefitted by this settlement.

(b) Labour Courts and Industrial Tribunals

Section 10 of the Industrial Disputes Act provides for disposal of all unresolved industrial disputes by referring them for adjudication to Labour Courts or Industrial Tribunal, based on the nature and scope of the issues connected with the disputes so as to prevent industrial unrest and promote peace and harmony in the industries.

Labour Courts are adjudicating bodies which issue award and pass orders on labour related matters specified in the second schedule appended to the Industrial Disputes Act, 1947. In Tamil Nadu, there are 18 Labour Courts to adjudicate upon industrial dispute cases that are not settled amicably through conciliation process. Chennai has four Labour Courts, Vellore, Coimbatore and Madurai have two each while Salem, Cuddalore, Tiruchirappalli, Tirunelveli, Kancheepuram, Kumbakonam, Hosur and Udthagamandalam have one court each. The Labour Courts have disposed off 570 cases in 2020.

Industrial Tribunals are adjudicating bodies which deal with the matters specified in the third schedule annexed to the Industrial Disputes Act, 1947. One Industrial Tribunal is functioning at Chennai, which has disposed 2 cases in 2020.

The Industrial Employment (Standing Orders) Act, 1946

The Act requires employers of industrial establishments to define conditions of employment of workers under certified Standing Orders. During the period from 01.04.2020 to 31.07.2021, 256 standing orders of industrial establishments were certified.

The Trade Unions Act, 1926

The Act provides for the registration of trade unions and lays down the procedures relating to registration of Trade Unions.

During the period from 01.04.2020 to 31.07.2021, 179 Trade Unions were registered.

Laws relating to Wages

These laws provide for the fixation and revision of minimum rates of wages and ensure prompt payment of wages, bonus and equal remuneration to male and female employees.

The Payment of Wages Act, 1936

The Act ensures prompt and timely payment of wages to the employees without any unauthorized deductions and takes care of speedy disposal of the claims.

During the period from 01.04.2020 to 31.07.2021, 11,274 inspections were conducted and 9 cases were disposed off in the courts with a fine amount of Rs.24,800/- against employers for various contraventions. Besides this 126 claims were disposed off and Rs.45,33,449/- was ordered to be paid to the workmen.

The Minimum Wages Act, 1948

The Act aims at fixing of minimum rates of wages in certain employments appended to the schedule of the Act. This Act ensures not only the sustenance of life but also preservation of efficiency of the employees.

I. During the period 01.04.2020 to 31.07.2021 the Minimum Wages have been newly fixed for the following employments.

- i) Employment in Folding Textile Goods.
- ii) Employment in Pottery Works.

II. During the period 01.04.2020 to 31.07.2021 the Minimum Wages have been revised in respect of the following employments.

- i) Employment in Carpentry and Blacksmithy
- ii) Employment in Gunny Industry
- iii) Employment in Paper and other incidental processes connected with the Handmade Paper Industry
- iv) Employment in Footwear making Industry
- v) Employment in Agriculture and works ancillary to agriculture
- vi) Employment in Coir Manufactory.

III. During the period 01.04.2020 to 31.07.2021 Preliminary Notification for Revising the Minimum Wages have been issued for the following employments.

- i) Employment in Distillery Industry
- ii) Employment in Chemical Fertilizer Industry
- iii) Employment in Cotton ginning and Pressing and employment in cotton waste
- iv) Employment in Printing Press
- v) Employment in Construction of Pandals
- vi) Employment in Mushroom Growing and allied works
- vii) Employment in Appalam Manufactory
- viii) Employment in Tobacco (including beedi making other than beedi rolling) manufactory
- ix) Employment in Bakeries and Biscuits Manufactory
- x) Employment in Vessel (Utensil) Making
- xi) Employment in Bricks and Tiles Manufactory
- xii) Employment in Cashewnut Industry
- xiii) Employment in Coffee Curing Works
- xiv) Employment in Electronic Industry
- xv) Employment in Polythene Manufactory, Processing Foam items and Plastic Manufactory
- xvi) Employment in any Plantation, that is to say, any estate which is maintained for the purpose of growing cinchona, rubber, tea, coffee or cardamom.
- xvii) Employment in Coconut Peeling

During the period from 01.04.2020 to 31.07.2021, enforcement officers have conducted 22,888 inspections under the Minimum Wages Act, 1948 and 28 cases were disposed with a fine amount of Rs.68,500/- against employers for various contraventions. 687 claims were disposed off and Rs.7,65,03,900/- have been disbursed to the workmen.

The Payment of Bonus Act, 1965

The Act enables payment of bonus to persons employed, on the basis of profit or production or productivity in factories and establishments, where 10 or more persons are employed.

The Equal Remuneration Act, 1976

Payment of equal remuneration to men and women workers is guaranteed and discrimination on the ground of gender against women is forbidden under this Act. During the period from 01.04.2020 to 31.07.2021, enforcement officers have conducted 4,269 inspections in various establishments.

Laws relating to Social Security

The provision of social security and formulation of welfare schemes for the workers of both organized and unorganized sectors are governed by these laws. Payment of gratuity, payment of subsistence allowance, conferment of permanent status to workmen, maternity benefit to female workers, payment of compensation to workers in case of accidents are being dealt under these laws.

The Employees' Compensation Act, 1923

As per the Act, workers are paid compensation in the event of death or disablement for loss of earning capacity due to accidents arising out of and in the course of employment. The Regional Joint Commissioners of Labour have been notified as Commissioners to hear the claims and pass orders under the Act. The compensation amount awarded is to be deposited by the Employers / Insurance Companies with the Commissioner. 1,467 cases were disposed off and a sum of Rs.58,69,23,510/- was ordered as compensation, during the period from 01.04.2020 to 31.07.2021.

The Payment of Gratuity Act, 1972

Payment of gratuity to the employees in the event of retirement / resignation / death / disablement is covered by this Act. The worker will be eligible for the payment of gratuity, if he / she has put in a continuous service for a period of not less than five years.

The Deputy Commissioners of Labour in the office of the Regional Joint Commissioners of Labour have been notified as Controlling Authorities and the Zonal Additional Commissioners of Labour as Appellate Authorities under this Act.

1,370 claims were disposed off and a sum of Rs.9,18,96,048/- was ordered to be paid to the claimants and 324 appeal petitions were heard and disposed during the period from 01.04.2020 to 31.07.2021.

The Tamil Nadu Payment of Subsistence Allowance Act, 1981

The Act deals with the payment of subsistence allowance to workmen during the period of suspension, pending enquiry. The Deputy Commissioners of Labour in the office of the Regional Joint Commissioners of Labour have been notified as Authorities and the Regional Joint Commissioners of Labour as Appellate Authorities under this Act.

57 claims were disposed off and a sum of Rs.49,67,319/- was ordered to be paid as subsistence allowance to the claimants and 13 appeal petitions were heard and disposed during the period from 01.04.2020 to 31.07.2021.

The Maternity Benefit Act, 1961

This Act regulates and ensures employment, payment, and certain maternity benefits for women for the period before and after childbirth. This Act provides for 26 weeks leave with wages for childbirth of which not more than 8 weeks shall precede the date of expected delivery. 5,349 inspections have been carried out under this act during the period from 01.04.2020 to 31.07.2021. Further, 2 cases were disposed off in the court with a fine amount of Rs.3,000/- imposed against employers.

The Tamil Nadu Industrial Establishments (Conferment of Permanent Status to workmen) Act, 1981

This Act provides for conferment of Permanent status to workmen in an industrial

establishment who have been in continuous service of 480 days

within a period of 24 months. During the period from 01.04.2020 to 31.07.2021, 160 petitions seeking permanency were disposed and orders were issued directing the employer to confer permanent status to 216 workmen.

The Tamil Nadu Labour Welfare Fund Act, 1972

A Fund is constituted under this Act, for the purpose of promoting the welfare of organised labour and matters connected therewith.

The Tamil Nadu Manual Workers [Regulation of Employment & Conditions of Work] Act, 1982

The Act regulates employment, the conditions of work & workplace and security of manual workers in certain employments.

Laws relating to regulation of Employment and Working Conditions

These laws regulate and emphasize conducive environment for workers working in the shops, commercial establishments, catering establishments, motor transport undertakings, plantations, beedi and cigar establishments and newspaper establishments, contract labour, etc.

The Tamil Nadu Shops and Establishments Act, 1947

The Act regulates conditions of employment of workers employed in shops and commercial establishments. During the period from 01.04.2020 to 31.07.2021, 23,738 inspections were conducted of which, 2,389 cases were compounded for various offences and a sum of Rs.6,21,300/- was collected as compounding fee. 5 cases were disposed off in courts with a fine amount of Rs.17,200/- against employers for various contraventions.

The Tamil Nadu Catering Establishments Act, 1958

The Act regulates conditions of workers and the workplace in various catering establishments, including hotels and restaurants. During the period from 01.04.2020 to 31.07.2021, a sum of

Rs.1,01,29,793/- was collected as registration, renewal and amendment fee from the employers of catering establishments. 3,651 inspections were made and contraventions were noticed in 2,799 cases and a sum of Rs.4,62,090/- was collected as compounding fee.

The Motor Transport Workers Act, 1961

This Act protects the welfare of motor transport workers and their conditions of work. During the period from 01.04.2020 to 31.07.2021, 310 Motor Transport establishments were registered, 686 inspections were conducted. 326 cases were compounded and a sum of Rs.1,13,000/- was collected as compounding fee.

The Plantations Labour Act, 1951

The Plantations Labour Act, 1951 and Rules thereof provide for health, safety and welfare to the plantation labourers and regulates the conditions of work in plantations. This Act applies to any land used or intended to be used for growing tea, coffee, rubber, cardamom and cinchona in an extent of 5 hectares or more and in which 15 or more workers are employed.

The Act binds the Employers / Planters to provide housing facilities, medical facilities, creches, educational facilities, protective clothing, drinking water etc., to the workers.

The Chief Inspector of Plantations in Chennai along with 10 Assistant Commissioners of Labour (Plantations) are at Ooty, Coonoor, Kothagiri, Gudalur, Panthalur, Valparai, Yercaud, Batlagundu, Theni and Nagercoil to ensure enforcement of the Act. Besides there are two Assistant Surgeons (Plantations) posted at Ooty and Nagercoil to ensure medical facilities to Plantation workers.

The total number of plantations in Tamil Nadu is 2,225 covering an area of 62,250 hectares of which 683 are registered plantations covering an area of 54,599 hectares and 1,542 are unregistered plantations covering an area of 7,651 hectares. The total number of workers engaged in plantations is 56,961 of which 22,367 are men and 34,594 are women.

During the period from 01.04.2020 to 31.07.2021, enforcement officers conducted 2,487 inspections under Plantations Labour Act, 1951. 48 cases were disposed off in the court, a fine amount of Rs.2,97,500/- imposed against employers.

The Beedi and Cigar Workers (Conditions of Employment) Act, 1966

The Act takes care of the welfare of the workers in beedi and cigar establishments and regulates the conditions of their work. 615 inspections were made during the period from 01.04.2020 to 31.07.2021 and 9 cases were disposed off by the court and Rs.3,250/- was collected as fine amount.

The Working Journalists and Other Newspaper Employees (Conditions of Service and Miscellaneous Provisions) Act, 1955

The conditions of service of working journalists and other persons employed in newspaper establishments are regulated under this Act. It also authorizes to set up wage boards for fixation and revision of rates of wages in respect of working journalists and non-journalists newspaper / news agency employees respectively. The recommendations of the 'Majithia Wage Board' are in force with effect from 11.11.2011. Out of the 76 News paper establishments in the State, 75 establishments have fully implemented the recommendations of the Majithia wage Board and 1 establishment, the New Indian Express, Ambattur, Chennai has implemented the recommendations based on a settlement made under sec 18(1) of Industrial Disputes Act, 1947 with their employees.

The Tamil Nadu Industrial Establishments (National, Festival and Special Holidays) Act, 1958

National, festival & special holidays are granted with wages to persons employed in industrial establishments. During the period from 01.04.2020 to 31.07.2021, 22,994 inspections were made. Contraventions were noticed in 3,591 establishments and a sum of Rs.24,27,100/- was collected as compounding fee. 8 cases were

disposed off in courts with a fine amount of Rs.7,600/- against employers for various contraventions.

The Contract Labour (Regulation and Abolition) Act, 1970

Employment of contract labour is regulated in certain establishments under this Act. During the period from 01.04.2020 to 31.07.2021, 246 Registration Certificates and 283 Licenses were issued to the principal employers and contractors respectively.

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

This Act is enacted to regulate the conditions of service and to protect the inter-state migrant workmen whose services are utilized outside their native

states. During the period from 01.04.2020 to 31.07.2021, 12 Registration Certificates were issued to the principal employers.

The Child and Adolescent Labour (Prohibition and Regulation) Act, 1986

Children are the most valuable and at the same time most vulnerable asset of the country and ensuring their proper education, health, safety, and overall development has to be given utmost priority to create a better society. Government has adopted a multipronged strategy which includes both stringent legislative and project based approach to fight against the menace of Child Labour.

State Action Plan (SAP) for eradication of Child and Adolescent Labour has been approved by the Government which is aimed at providing broad guidelines to the enforcement officials and redefined the role and responsibility of the other line departments. The Government has also approved the Standard Operating Procedure for effective Enforcement of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.

(a) Enforcement

In order to strengthen the enforcement, a District Level Task Force is functioning in the districts under the Chairmanship of the District Collector. The Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 and the allied Acts prohibiting employment of children are implemented in the State by the officials of the Commissionerate of Labour and the Directorate of Industrial Safety and Health.

The State has notified the Assistant Commissioners of Labour (Enforcement) as Nodal Officers for each district. In order to ensure complete prohibition of employment of children below 14 years, the Government of India has introduced a vibrant enforcement mechanism in the form of an online portal "PENCIL" (Platform for Effective Enforcement of No Child Labour). During the period from 01.04.2020 to 31.07.2021, 32,355 establishments were inspected, which includes the raids conducted by the teams formed under the District Level Task Force. 163 Violations were noticed and 217 child labourers were rescued and rehabilitated. 23 cases ended in conviction and a fine of Rs.4,85,000/- has been imposed.

(b) Awareness Generation

Every year June 12th is observed as "Anti Child Labour Day" to create awareness among the public. This year State level Anti-Child Labour Day awareness programme was observed in the Commissionerate of Labour, and the Hon'ble Minister for Labour Welfare and Skill Development participated in the program. On that day, awareness was created by flying Giant balloon containing Anti Child Labour slogans, taking Anti Child Labour Day Pledge and Signature Campaign was undertaken against employment of child labour.

(c) National Child Labour Project

The National Child Labour Project (NCLP) funded by the Government of India is implemented in 15 Districts in Tamil Nadu. The NCLP society is headed by District Collector, who is the chairperson of the National Child Labour Project.

Currently, 231 Special Training Centers are functioning in the 15 NCLP districts in which 4,225 rescued child labourers are studying. During the period from 01.04.2020 to 31.07.2021, the number of children mainstreamed into regular schools was 2,298. In addition to the stipend of Rs.400/- educational materials, free uniform, free medical check-up etc., are supplied to children supported by NCLP. The State Government is providing monthly cash assistance of Rs.500/- to the children who have been in NCLP schools and who have now been admitted in regular schools to pursue higher education. During the academic year 474 Students have been benefited to the tune Rs.28.44 lakh under this scheme.

The Bonded Labour System (Abolition) Act, 1976

The Central Sector Scheme for Rehabilitation of Bonded Labourer, 2016 provides for economic and social rehabilitation of the rescued bonded labourers by amplifying their skill and capacity building. A State Action Plan and Standard Operating Procedure for rescue, release and rehabilitation of bonded labour has been formulated by the State Government in order to provide guidelines to various stakeholders for robust implementation of the Act. The High Level Monitoring Committee has been reconstituted during 2019-20.

All the Assistant Commissioners of Labour (Enforcement) have been appointed as Nodal Officers for the implementation of the Bonded Labour System (Abolition) Act, 1976 and the Central Sector Scheme for Rehabilitation of Bonded Labourer 2016 for their respective administrative jurisdiction.

The rescued bonded labourers are rehabilitated with immediate assistance amount of Rs.20,000/-, Public Distribution System Ration Card, Community Certificate, employment, education, skill training, enrollment in SHG and medical needs; further, they are enrolled in the relevant Unorganized Workers Welfare Boards and the benefits eligible under the respective schemes are extended to them.

Government have sanctioned a total sum of Rs.121 lakh (Rupees One Hundred and Twenty One lakh only) for creation of Permanent Corpus Fund for rehabilitation of bonded labour. The State Government has allotted a sum of Rs.125 lakh for the rehabilitation of the rescued bonded labour during the financial year 2021-2022.

During the period from 01.04.2020 to 31.07.2021, a sum of Rs.57,60,000/- was paid as immediate assistance to 288 rescued bonded labourers.

The Government have ordered to observe Bonded Labour System Abolition Day on 9th February of every year to eradicate Bonded Labour System and make Tamil Nadu as Bonded Labour Free State.

Government have introduced Toll Free Helpline No.1800 4252 650 to receive complaints about bonded labour.

Awareness generation programmes under Bonded Labour System (Abolition) Act.

A regional level training has been conducted at Madurai on 28.12.2020 to create awareness to the line departments regarding abolition of Bonded Labour System. The Officials from Revenue, Police, Social Defence, Directorate of Industrial Safety and Health (DISH), Rural Development, District legal services authority and District Child Welfare Committee have participated in the above training.

Laws relating to Consumer Protection

The Additional Commissioner of Labour (Inspections) is notified as the Controller of Legal Metrology. There are 40 Assistant Commissioners of Labour (Deputy Controller of Legal Metrology), 67 Deputy inspectors of Labour (Assistant Controllers of Legal Metrology), 101 Stamping inspectors and 218 Assistant Inspectors of Labour (Legal Metrology Officers) notified as Legal Metrology officers for enforcing Legal Metrology Act and Rules.

The Legal Metrology Act, 2009

This Act enforces standards of weights and measures and protects the interest of

consumers and regulates trade and business in weights and measures and other goods which are sold or distributed by weight, measure or number.

During the period from 01.04.2020 to 31.07.2021 under Legal Metrology Act, 43,027 inspections were conducted and 2,927 cases were compounded for various offences and an amount of Rs.37.95 Lakh was levied by way of compounding and court cases. During the period Rs.71.22 Crore has been collected as Stamping fees and Rs.72.02 Lakh has been collected as License fee.

The Legal Metrology (Packaged Commodities) Rules, 2011

Under the Rules it is made mandatory that all manufacturers, packers and importers of goods and commodities make certain declarations like net quantity, content, maximum retail price, address of manufacturing unit etc., on the packing material or in the labels of packed commodities. They have to obtain registration certificate for this purpose under the provisions of this Rule. The purpose is to protect the consumers from being charged in excess of the Maximum Retail Price and also make available other information to protect consumer interests.

During the period 01.04.2020 to 31.07.2021 under Legal Metrology (Packaged Commodities) Rules 10,870 establishments were inspected, 936 cases were compounded for various offences and an amount of Rs.52.50 Lakh was collected by way of compounding and disposal of Court cases. A sum of Rs.6.35 Lakh has been collected as Registration fee.

WELFARE BOARDS AND SOCIAL SECURITY SCHEMES

FUNCTIONS

Labour Department has both regulatory as well as welfare functions.

Its regulatory functions include :

1. Enforcement of various labour legislations enacted by the Union and State Governments.

2. Quasi-judicial functions to protect the interest of the workmen.

3. Settlement of industrial disputes through conciliation.

4. Protecting the interest of consumers by enforcing the Legal Metrology Act, 2009 and Legal Metrology (Packaged Commodities) Rules, 2011.

5. Fixation and enforcement of Minimum rates of Wages for various employments.

6. Rescue and Rehabilitation of Bonded Labour.

7. Eradication of Child Labour in all occupations and adolescent labour in hazardous occupations and processes.

8. Regulation of Inter-state migrant workers and contract workers.

Welfare functions are as follows :

1. Extending various social security benefits to organized and unorganized sector workers through welfare boards

2. Awarding compensation to the workers in case of death / disablement due to accident during the course of employment

3. Extending services through Mobile Health Clinics, Anganwadis, Dormitories, etc. for the unorganized workers.

4. Spreading awareness with regard to various Labour Laws and Regulations.

5. Imparting education on labour management and providing training to unorganised sector workers.

ADMINISTRATIVE SET-UP

The Labour Department in Tamil Nadu was formed in the year 1920. Its head office is located at DMS Campus, Teynampet, Chennai. The department is headed by the Commissioner of Labour and the department has an overall sanctioned strength of 1,897 which includes 12 Additional Commissioners, 16 Joint Commissioners, 24 Deputy Commissioners of Labour, 103 Assistant Commissioners of Labour, 2 Assistant Surgeons (Plantations), 1

Accounts officer and 1 Public Relation Officer, 70 Deputy Inspectors, 220 Assistant Inspectors, 101 Stamping Inspectors and 1,345 supporting staff.

Tamil Nadu Labour Welfare Board

Tamil Nadu Labour Welfare Fund Act, 1972 was enacted to ensure certain basic and necessary services, amenities and facilities to the workers of organized sector. With this objective Tamil Nadu Labour Welfare Board was constituted in 1975. The benefits are offered to the workers by means of contribution from the employees and employers of Factories, Plantations, Motor Transport Undertakings, Catering establishments and Shops and Establishments.

The employees contribute Rs.10/- and employers contribute Rs.20/- per worker and Government contribute Rs.10/- per worker every year. The fine amount imposed by the courts and compounding fees collected by the enforcement officers against the employers for violation of Labour Acts and Rules also constitute Labour Welfare Fund.

The Labour Welfare Fund collected is utilized for the following schemes.

- i) Tailoring classes for dependants
- ii) Creche for Workers' Children
- iii) Assistance for purchasing Sewing Machine
- iv) Education Scholarship, Educational Incentive and Book Allowance
- v) Assistance for Basic Computer Training
- vi) Marriage Assistance Scheme
- vii) Assistance for Spectacles
- viii) Assistance for Natural Death and Funeral Expenses
- ix) Assistance for Accidental Death and Funeral Expenses
- x) Free Supply of Question Bank for students attending 10th standard and 12th standard Board Examination
- xi) Assistance for Entrance Coaching Classes
- xii) District Level Sports Assistance

xiii) State Level Sports Assistance

xiv) Health and Life Skill Development Training

Holiday Homes were constructed at Mamallapuram, Valparai and Coutrallam to provide accommodation at a subsidized tariff to workers and their families in order to provide recreation facilities.

"Jeeva Illam" was constructed to provide accommodation to representatives of workers. It is located near the office of the Commissioner of Labour.

A monthly Tamil Magazine "Uzhaippavar Ulagam" which contains important Court Judgements and articles is published for the benefit of employers and employees.

The Government has constituted 18 Unorganised Workers Welfare Boards under the Labour Welfare and Skill Development Department as below:

Sl. No.	Name of the Boards
1	Tamil Nadu Construction Workers Welfare Board
2	Tamil Nadu Manual Workers Social Security and Welfare Board
3	Tamil Nadu Unorganised Drivers Welfare Board
4	Tamil Nadu Tailoring Workers Welfare Board
5	Tamil Nadu Hair Dressers Welfare Board
6	Tamil Nadu Washermen Welfare Board
7	Tamil Nadu Palm Tree Workers Welfare Board
8	Tamil Nadu Handicraft Workers Welfare Board
9	Tamil Nadu Handloom and Handloom Silk Weaving Workers Welfare Board
10	Tamil Nadu Footwear and Leather Goods Manufactory and Tannery

Workers Welfare Board

Board

11	Tamil Nadu Artists Welfare Board				
12	Tamil Nadu Goldsmiths Welfare Board	3	Natural death	20,000/-	assistance
13	Tamil Nadu Pottery Workers Welfare Board	4	Educational assistance		
14	Tamil Nadu Domestic Workers Welfare Board	a.	Girl children studying	1,000/-	10th
15	Tamil Nadu Power loom Weaving Workers Welfare Board.	b.	10th passed (all	1,000/-	students)
16	Tamil Nadu Street Vending and Shops and Establishments Workers Welfare Board	c.	Girl children studying	1,000/-	11th
17	Tamil Nadu Cooking Food Workers Welfare Board	d.	Girl children studying	1,500/-	12th
18	Tamil Nadu Fire and Match Workers Welfare Board	e.	12th passed (all	1,500/-	students)
		f.	Regular degree course	1,500/-	(Day Scholar)
		g.	Regular P.G. Course (Day	4,000/-	Scholar)
		h.	Professional Degree	4,000/-	Course (Day Scholar)

Types of Welfare Scheme Assistances

The welfare scheme assistances provided to the unorganized workers are as follows:-

Sl. No	Types of Assistance	Amount (in Rs.)
--------	---------------------	--------------------

1	Accident Relief Scheme	
a.	Accident death	1,00,000/-
b.	Death at work site / Hospitals caused during the course of employment (both for registered and unregistered construction workers)	5,00,000/-
2	a Accidental disability (based on extent of disability)	Upto 1,00,000/-
b.	Artificial limbs and wheel chair	At the rate fixed by Tamil Nadu Differently Abled Person Welfare

SPECIAL ACHIEVEMENTS

☑ The personal accident relief in case of death at worksite / hospital of a registered / unregistered construction worker was enhanced from Rs.1,00,000/- to Rs.5,00,000/-. From 01.04.2020 to 31.07.2021, the accidental death assistance of Rs.2.00 crore has been disbursed to 40 beneficiaries.

☑ Health care facilities are provided for the benefit of construction workers at the work sites through mobile health clinics in coordination with the Health and Family Welfare Department. So far, 3,451 camps were conducted. 1,38,816 construction workers have been benefited.

☑ Transport facility is arranged for the children of the construction workers staying at work sites to attend regular / SSA schools. So far 1,576 children were benefited.

☑ Computerization work of registration, renewal and disbursement of welfare assistance of

unorganized workers and remittance of cess payable to the Tamil Nadu Construction Workers Welfare Board directly has been undertaken at a cost of Rs.1.05 crore. Online registration facility has been started from 19.06.2020 and renewal / claim submission facility has been started from 26.08.2020. Integrating the application with the line departments is under process. 4,28,835 unorganized workers have been newly registered online upto 31.07.2021.

☒ Registered construction workers in Chennai district are provided food free of cost at Amma Canteens throughout the year.

☒ Government orders were issued to provide school and hostel fees to the outstanding children of construction workers studying in Government school from 6th to 12th standard so as to pursue their education in reputed private schools. So far, 166 Children were admitted and Rs.51.94 lakh has been released.

☒ Safety Kit consisting of Shoes, Helmet, Reflective Jackets, Hand Gloves and Goggles at a cost of Rs.5.44 crore have been distributed to 25,000 construction workers.

☒ The Government has ordered for distribution of Pongal Gift Hamper during Pongal festival to the registered Construction Workers and Pensioners. The hamper contains Raw Rice, Moong Dhal, Edible Oil, Ghee, Jaggery, Cardamom, Cashew Nuts and Raisins. The total cost was Rs.57.13 crore. Dhothy and Angavastham for 5,88,920 male workers, Sarees for 6,80,630 Female workers were distributed at a cost of Rs.37.28 crore.

☒ The Government has ordered for Distribution of Safety Kit Box to protect the welfare of Unorganized Drivers. Accordingly Safety Kit Box containing Uniform, Shoes, First Aid Box and Fire Extinguisher were distributed to 20,000 registered unorganized drivers.

☒ The Hon'ble Chief Minister inaugurated the distribution of welfare scheme assistance of Rs.34.78 crore to 50,000 unorganized workers in Chennai on 30.07.2021 and disbursement has

been completed for all 50,000 unorganized workers throughout the State.

Recommendations

1. **Integrated Welfare Portals:** Unified digital platform for all welfare schemes.
2. **Awareness Drives:** Grassroots campaigns to promote scheme awareness, especially in rural areas.
3. **Capacity Building:** Training for labour department officials for efficient scheme delivery.
4. **Inclusion of Gig Workers:** Extend social security to platform-based gig and freelance workers.
5. **Monitoring & Evaluation:** Regular audits of welfare scheme effectiveness at the district level.

Conclusion

Labour welfare and social security form the bedrock of a just and equitable work environment. While India has a robust legal framework and an expanding catalogue of social welfare schemes, the real challenge lies in implementation. This study underscores the importance of coordinated governance, proactive policy execution, and sustained awareness efforts to realize the intended benefits of these legal and social instruments. Strengthening Labour Welfare Boards and improving scheme accessibility are pivotal for ensuring the dignity and security of the Indian labour force.

Reference:

1. www.labour.tn.gov.in
2. Sakshi malik, Report on the Government welfare schemes, 2023.
3. Malaika Arora, a detailed study on the unorganised labour welfare legislations, 2021.

REFERENCE:

1. Research on social security by Steven Kennedy and Andrew Mackley.
2. <https://labour.gov.in>



INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]

VOLUME 5 AND ISSUE 4 OF 2025

APIS – 3920 – 0001 (and) ISSN – 2583-2344

Published by
Institute of Legal Education

<https://iledu.in>

3. <https://mooreks.co.uk>
4. <https://www.roedl.com>

