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## RECENT AMENDMENTS TO INDIAN LABOUR LAWS

~ *Yati Dharna*

The Second National Commission of Labour submitted its report in 2002 which said that there was a multiplicity of Labour Laws in India and therefore, recommended that at the Central level, multiple labour laws should be codified in four or five Labour Codes. As a result, India has recently implemented significant changes to its labour laws, consolidating 44 existing laws into four primary codes: **The Code on Wages, The Industrial Relations Code, The Code on Social Security, and The Occupational Safety, Health, and Working Conditions Code.** These codes aim to streamline and modernise the regulatory framework governing labour in India, improving ease of compliance for businesses and enhancing worker protections.

Key changes include the establishment of a universal minimum wage, streamlined industrial dispute resolution processes, extended social security benefits to unorganised sector workers, and improved health and safety standards in workplaces. These amendments are designed to foster a more inclusive and robust labour market, balancing the need for economic flexibility with worker welfare.

### Labour Reforms Undertaken since 2014

- The Prime Minister started “**Shramev Jayate**” in October 2014 wherein workers were given the benefit of portability through a Universal Account Number (UAN) to enable them to withdraw their provident fund securely from anywhere.
- The **Pradhan Mantri Shram Yogi Maan Dhan Yojana** was started to provide social security to old age workers of the unorganised sector in which provision was made for a pension benefit for them.
- In 2017, the Payment of Wages Act enabled the payment of wages to employees by cheque or crediting it to their bank account.

- Maternity Benefit Amendment Act, 2017 increased the paid maternity leave from 12 weeks to 26 weeks.

#### **Four New Labour Codes:**

##### **Labour Code, 2019: Right to Minimum Wages**

Wage security, social security and health security to 50 crore workers covering organised and unorganised sectors, a guarantee of minimum wages, a review of minimum wages every five years, a guarantee of timely payment of wages to all workers, and equal remuneration to male and female workers were the key features of this Code.

- From 28.08.2017 Payment of Wages Act has increased the wage ceiling from Rs. 18000 to Rs. 24000.

##### **Industrial Relations (IR) Code, 2020:**

In case of job loss, a worker will get benefits under the **Atal Bimit Vyakti Kalyan Yojna** - a worker of the organized sector who loses his job gets financial aid from the Government. The wages would be credited directly into the worker's bank account to enable him to learn new skills.

- Faster justice to the workers through the Tribunal, Workers disputes to be resolved within a year in the Tribunal, Industrial Tribunals to have 2 members to facilitate faster disposal of cases were the key features of this Code.

##### **Social Security Code, 2020:**

**Social Security for everyone** to secure the right of workers for insurance, pension, gratuity, maternity benefits etc.

- The doors of the Employees' State Insurance Corporation (ESIC) will now be opened for the workers of all sectors.
- Platform and gig workers engaged in new technology will be given opportunity to join ESIC.
- The benefit of a pension scheme (Employees' Provident Fund Organisation) to all workers.
- The requirement of minimum service has been removed for payment of gratuity in case of fixed-term employees and employees engaged on a fixed term to get some social security

benefit as permanent employees and creating a national database of workers in the unorganized sector through registration on Portal were the key features of this Code.

**Occupational, Safety, Health and Working Conditions Code (OSH Code):** to provide a better and safer environment along with occupational health and safety to workers at the workplace.

To provide the workers with a legal identity and enable them to get the benefits of all social security schemes, they can now register themselves as Inter-State Migrant Workers on the national portal under the new provisions of the Code.

- Free annual health check-ups of workers to be provided by the employers has been made mandatory.
- Benefit from the Building and Other Construction Workers' Cess fund will be provided to a worker engaged in building and other construction work in one State and moving to another State.
- Under the “**One Nation - One Ration Card**”, an Inter-State Migrant Worker and his family would get a ration facility in the State he is working in and where they reside respectively.

**Women's empowerment through the Labour Codes: -**

- Women have been given the right to work at night with their consent and employers to make adequate arrangements to provide safety and facilities to women workers at night.