AS INTRODUCED IN THE RAJYA SABHA
ON THE 7TH FEBRUARY, 2025

Bill No. LXXXIV of 2024

THE NATIONAL COMMISSION FOR THE WELFARE OF SALT WORKERS BILL, 2024

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BILL

to provide for the establishment of a National Commission for the Welfare of Salt Workers and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

Short title and commencement.

1. *(1)* This Act may be called the National Commission for the Welfare of Salt Workers Act, 2024.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government;

(b) "Commission" means the National Commission for the Welfare of Salt Workers established under section 3;

(c) "employer" means any person who employs, whether directly or through any other person, or contractor, whether on behalf of himself or on behalf of any other person, one or more labourer or workers for work related to salt making from sea or salt lake, as the case may be, including handling of salt;

(d) "prescribed" means prescribed by rules made under this Act; and

(e) "salt worker" means any person engaged in making salt from sea or lake water on land by digging shallow wells and pumping out brine or in a chemical factory or any related occupation as a wage earner, whether in cash or kind, for his livelihood.

Establishment of a National Commission for the Welfare of Salt Workers.

3. ***(1)*** **The Central Government shall, by notification in the Official Gazette, establish a Commission to be known as the National Commission for the Welfare of Salt workers to improve the conditions of salt workers in the country.**

(2) The Commission shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.

(3) The head office of the Commission shall be at New Delhi.

(4) The Commission may, with the approval of the Central Government, establish offices at other places in the country, as it may deem necessary, for the efficient discharge of its functions as assigned under this Act.

(5) The Commission shall consist of the following, namely—

(a) a Chairperson;

(b) a Deputy Chairperson; and

(c) three Members

to be appointed by the President by warrant under his hand and seal from amongst persons having special knowledge and vast experience in the field of human rights, law, social security and healthcare of vulnerable sections of the society.

(6) The Commission shall meet as and when necessary and at such times and places as the Chairperson may deem fit for the efficient discharge of the functions assigned to it under this Act.

(7) The Commission shall have the power to regulate its own procedure with regard to transaction of its business.

Terms of office and conditions of service of the Chairperson and Members.

4. ***(1)*** **The term of office of, salaries and other allowances payable to, and other conditions of service of, the Chairperson, Deputy Chairperson and Members of the Commission shall be such as may be prescribed.**

(2) The Chairperson or Deputy Chairperson or a Member may, at any time, resign from his office, by writing under his hand addressed to the President and on such resignation being accepted, he shall be deemed to have vacated his office.

Vacancies etc. not to invalidate proceedings

5. No act or proceeding of the Commission shall be invalid merely by reason of:

(a) any vacancy in, or any defect in the constitution of, the Commission;

(b) any defect in the appointment of a person as Chairperson or Member of the Commission; or

(c) any irregularity in the procedure of the Commission not affecting the merits of the case.

Officers, staff and experts of the Commission.

6. ***(1)*** **The Central Government shall appoint such number of officers and staff including experts to the Commission, as may be required, for its efficient functioning.**

(2) **The method of recruitment, qualifications and experience, salaries and allowances payable to and other terms and conditions of service of the officers, staff and experts of the Commission shall be such as may be prescribed.**

Members, officers and staff to be public servants.

7. The Chairperson, Deputy Chairperson, Members, officers, staff and experts of the Commission shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of sub-section *(2)* of section 28 of the Bharatiya Nyaya Sanhita, 2023.

45 of 2023.

Functions of the Commission.

8. *(1)* It shall be the duty of the Commission to take such steps, as it may deem appropriate, for the welfare and protection of the rights of salt workers and their dependent family members.

(2) Without prejudice to the generality of the foregoing provision, the Commission shall ensure the following provisions are made for the benefit and welfare of salt workers, namely,—

(a) draft a national policy for the welfare and rehabilitation of salt workers across the country that shall be binding on both the Central and State Governments;

(b) **ensure the collection of statistics of all salt workers in the country on a regular basis;**

(c) **undertake the registration of all salt workers at the national and state level by assigning and issuing a Salt Worker Identification Number (SWIN) Card for each of them, in such form and manner as may be prescribed;**

(d) ensure legal equality to salt workers in status and rights in relation to other wage earners performing the same work;

(e) ensure decent wages, social security and occupational health and safety provisions for salt workers through appropriate legislative and administrative measures;

(f) identify, prevent and mitigate potential human rights violations that affect salt workers;

(g) **promote community-based skill-building trainings for the salt workers in coordination with the State and local Governments;**

*(h) e*nsure financial and digital inclusion of salt workers;

(i) receive grievances or complaints from salt workers or their representatives regarding deprivation of their rights, exploitation or violation of any of the provisions of this Act and investigate into complaints so received from them;

(j) collaborate with all relevant stakeholders including the representatives of salt workers, NGOs and trade unions in pursuance of the objective of the Commission;

(k) prepare and present to the President, annually and at such other times as the Commission may deem fit, reports on any matters relating to the welfare of salt workers and in particular in relation to its functions assigned under this Act, containing therein its recommendations to the Centre and the States, as the case may be, for the effective implementation of the safeguards for the protection of their interests and removal of any difficulties faced by them, in such form and manner as may be prescribed; and

(l) any other matter related to salt workers and their welfare, which may be referred to the Commission by the Central or State Governments.

President to lay reports.

9. *(1)* The President shall cause to be laid before each House of Parliament, all such reports presented to him under clause *(k)* of sub-section *(2)* of section 8, alongwith a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Centre and the reasons for the non-acceptance, if any, of any of such recommendations.

(2) Where any such report, or any part thereof relates to any matter with which any State Government is concerned, a copy of such report shall be forwarded to the Governor of that State, who shall in turn, cause it to be laid before each House of the Legislature of the State, where it consists of two House, or where such Legislature consists of one House, before that House, alongwith an explanatory memorandum explaining the action taken or proposed to be taken on the recommendations related to the State, and the reasons for the non-acceptance, if any, of any of such recommendations.

Commission to have powers of a Civil Court.

10. The Commission shall, while investigating any matter referred to in clause *(f)* and clause *(i)* of sub-section *(2)* of section 8, have all the powers of a Civil Court trying a suit and, in particular in respect of the following matters, namely, —

(a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;

(b) requiring the discovery and production of any document;

(c) receiving evidence on affidavits;

(d) requisitioning any public record or copy thereof from any court or office;

(e) issuing commission for the examination of witnesses and documents; and

(f) any other matter which may be prescribed.

Appropriate Government to consult the Commission.

11. The appropriate Government shall consult the Commission on all policies affecting the interests of salt workers.

12. **The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds to the Commission for carrying out the purposes of this Act.**

Central Government to provide adequate funds to the Commission.

13. *(1)* The Commission shall, in consultation with the Comptroller and Auditor-General of India, maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form and manner and at such time of each financial year, as may be prescribed.

Accounts and audit.

(2) The accounts of the Commission shall be audited by the Comptroller and Auditor-General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Commission to the Comptroller and Auditor-General.

(3) The Comptroller and Auditor-General and any person appointed by him in connection with the audit of the accounts of the Commission under this Act shall have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor-General; generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Commission.

(4) The accounts of the Commission, as certified by the Comptroller and Auditor-General or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Central Government by the Commission.

14. The Commission shall prepare, in such form and manner and at such time, for each financial year, as may be prescribed, its annual report, giving a full account of its activities during the previous financial year and forward a copy thereof to the Central Government.

Annual report.

15. The Central Government shall cause the annual report together with the audit report to be laid, as soon as may be after the reports are received, before each House of Parliament.

Annual report and audit report to be laid before Parliament.

16. *(1)* If any difficulty arises in giving effect to the provisions of this Act, the Central Government may make such order or give such direction, not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

Provided that no such order shall be made after the expiry of the period of two years from the date of the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

17. The provisions of this Act and the rules made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Act to have overriding effect.

18. *(1)* The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to make rules and regulations.

(2) The Commission may, with the approval of the Central Government, by notification in the Official Gazette, make regulations not inconsistent with the provisions of this Act and the rules made thereunder, to provide

for all matters for which provision is necessary or expedient for the purposes of giving effect to the provisions of this Act.

(3) Every rule and regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

STATEMENT OF OBJECTS AND REASONS

India is the world's third largest producer of common salt after China and the USA. In India, salt is produced in the coastal states of Gujarat, Maharashtra, Goa, Karnataka, Andhra Pradesh, Odisha, West Bengal and Tamil Nadu. Although salt is popularly perceived as the greatest symbol of India's struggle for independence, salt workers in our country continue to live under extreme poverty, bonded labour and chronic diseases. Salt Industry in India is labour intensive and majority of the workers are unskilled. They are seasonal workers with marginal source of income. Since their job is seasonal in nature, they lack permanent employment contract, adequate wages and social security. The living conditions of these salt workers lack basic amenities like potable drinking water, toilets and waste management systems. Besides, they are exposed to hazardous environmental factors including extreme climatic conditions. They do the toughest of manual jobs, risking blindness, blood pressure, skin lesions, knee injury, back pain and exhaustion, and epidemics such as malaria. Their children are mostly school drop-outs and are vulnerable to chronic cough and tuberculosis. Even though the salt workers make salt under extreme weather conditions, they were often exploited by the contractors, intermediaries and money-lenders. The employers hardly offer them protective gear such as eye goggles or gum boots. Amenities for first aid and recreation are inadequate in many places. The recent evidences from the field studies reflect that salt workers in India suffer from substance abuse, alcohol dependency, work place violence, low wage, poor nutrition status, illiteracy and domestic violence against women. Since they are out of the purview of social and health security schemes, there is an urgent need to initiate appropriate legislative measures to empower the salt workers economically and socially. There is a critical need to enact a comprehensive national policy on salt workers and support them with economic, social and health security measures. Besides, there should be continuous monitoring and evaluation of the condition of salt workers alongwith strict mechanisms to prevent exploitation and physical abuse by contractors and employees. Therefore, the establishment of a national level independent body, i.*e.*, the National Commission for the Welfare of Salt Workers, with quasi-judicial powers, is proposed to address many of these issues faced by salt workers.

Hence, this Bill.

SANDOSH KUMAR P.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for constitution of the National Commission for the Welfare of Salt Workers to carry out the responsibilities assigned to it consisting of a Chairperson, Deputy Chairperson and Members. Clause 4 of the Bill provides for the salaries and allowances payable to and other terms and conditions of service of the Chairperson, Deputy Chairperson and Members of the Commission, whereas Clause 6 provides that the Central Government shall provide such number of officers, staff and experts to the Commission, as may be required for the efficient performance of its duties and for the salaries and allowances payable and other terms and conditions of service applicable to them. Clause 8 of the Bill lays down the functions of the Commission, *inter alia* including collection of statistics of salt workers across the country and ensuring their registration, assigning and issuing of Salt Worker Identification Number (SWIN) Card to each salt worker, conducting of community-based skill-building trainings for them etc. Clause 12 of the Bill provides for the Central Government to provide adequate funds to the Commission to aid its efficient functioning.

The Bill, therefore, if enacted, would involve expenditure, both of non-recurring and recurring nature from the Consolidated Fund of India. However, at this juncture, it is difficult to estimate the actual expenditure likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 16 of the Bill empowers the Central Government make such provisions through an order for removing any difficulty that might arise in giving effect to the provisions of the Bill. Clause 18 of the Bill empowers the Central Government to make rules and the National Commission for the Welfare of Salt Workers, with the approval of the Central Government, to make regulations, for carrying out the purposes of the Bill.

As the matters in respect of which rules or regulations or orders may be made are matters of procedure and administrative detail and it is not practicable to provide for them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

RAJYA SABHA

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to provide for the establishment of a National Commission for the Welfare of Salt Workers and for matters connected therewith or incidental thereto.

(Shri Sandosh Kumar P., M.P.)

RS-P&PS—PMB(E)—061—10.02.2025.