

Bill No. XXXVI of 2014

THE SALT WORKERS (PROTECTION AND WELFARE) BILL, 2014

A

BILL

to provide for the protection from exploitation and welfare measures to be undertaken by the State for the salt workers of Gujarat and other parts of the Country by setting up a welfare fund, for payment of minimum wages, old age pension, healthcare, maternity facility for women workers, educational facilities for their children and for matters connected therewith and incidental thereto.

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

1. (1) This Act may be called the Salt Workers (Protection and Welfare) Act, 2014.

Short title,
extent and
Commencement.

(2) It extends to the whole of India.

(3) It shall come into force with immediate effect.

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

Definitions.

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

10 (b) “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 connected with salt making from sea or salt lake, as the case may be, including handling of salt;

(c) “prescribed” means prescribed by rules made under this Act;

(d) “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 and includes a person engaged through a contractor or engaged as a self employed person; 5

(e) “wages” means the remuneration capable of being expressed in terms of money which shall, if the terms of the contract of employment, whether express or implied, are fulfilled, be payable to the salt worker in respect of the work done under this Act; 10

(f) “welfare fund” means the Salt Workers Welfare Fund Constituted under section 3.

Establishment
of Salt
Workers
Welfare Fund.

3. (1) The Central Government shall, by notifications in the Official Gazette constitute a fund to be known as the Salt Workers Welfare Fund for the purposes of this Act with an initial corpus of rupee two thousand crore to be provided by Central Government by due appropriation made by law by Parliament in this behalf and thereafter, the Central Government, Governments of the concerned States and employers shall contribute to the welfare fund to such extent and in such manner as may be prescribed. 15

(2) The grants or donations made by corporate houses, financial institutions both domestic and international, individuals and bodies through donations or otherwise shall be credited to the welfare fund. 20

(3) All money received in the welfare fund shall be utilized for the welfare of salt workers in such manner as the Central Government may prescribe from time to time.

Appropriate
Government
to undertake
welfare
measures.

4. (1) It shall be the duty of the appropriate Government to undertake such appropriate measures as it thinks fit for the welfare of Salt workers. 25

(2) Without prejudice to the generality of the provisions of sub-section (1), the measures referred to therein may provide for,—

(a) maintaining a register of salt workers with such particulars and in such manner, as may be prescribed;

(b) maintaining a register of employers employing salt workers with such particulars and in such manner as may be prescribed; 30

(c) ensure that the wages of salt workers is not less than the minimum wages prescribed by it for such workers, from time to time;

(d) ensure protection from exploitation and availability of work round the year for the salt workers; 35

(e) payment of old age pension;

(f) provident fund facility;

(g) medical care, in particular for the skin related diseases caused by salt and salty water which the salt workers have to handle while making salt, free of cost with both the indoor and outdoor patient facilities for the salt workers and their family members; 40

(h) maternity and creche facilities for the female salt workers;

(i) educational facilities to the children of salt workers, free of cost;

(j) water supply for drinking and other purposes;

(k) improving standard of living and nutrition; 45

(l) amelioration of the social conditions;

(m) providing financial assistance in case of infirmity or disability due to accident or any other reason;

(n) such other welfare measures as may be prescribed.

(3) In order to defray the cost of measures cited under sub-section (2), the Central Government may direct it to be defrayed from the Welfare Fund in such manner as may be prescribed.

5 **5.** It shall be the duty of the appropriate Government to provide adequate clean drinking water at the sites where salt is produced for the salt workers and also to make available subsidised diesel at the salt producing sites in such manner as may be prescribed. Appropriate Government to provide clean drinking water.

10 **6.** The appropriate Government shall construct *pucca* roads in salt producing areas for transportation of salt and repair these roads from time to time. Appropriate Government to construct *pucca* roads.

7. (1) The appropriate Government may appoint as many Inspectors control, officers and staff as it deems necessary for carrying out the purposes of this Act. Appropriate Government to make appointment.

45 of 1860. 15 (2) Every person appointed under this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860.

(3) Any Inspector appointed under this Act, may,—

(a) with such assistance, if any, as he may deem fit, inspect at any reasonable time any place which he considers necessary for carrying out the purposes of this Act;

20 (b) do within such place anything necessary for the proper discharge of his duties;

(c) exercise such other powers as may be prescribed.

8. The Central Government shall, after due appropriation by Parliament, provide funds to Governments of concerned States for carrying out the purposes of this Act. Central Government to provide funds.

25 **9.** The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force dealing with the subject matter of this Act. Overriding effect of the Act.

10. Whoever contravenes any of the provisions of this Act, shall be guilty of an offence and punishable with simple imprisonment which shall not be less than six months but may extend upto two years and also with fine which may extend upto one lakh rupee. Penalty.

30 **11.** If any difficulty arises in giving effect to the provisions of this Act, the Central Government, may make such order to give such direction, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for the removal of the difficulty and any such order shall be final. Power to remove difficulties.

12. The Central Government may make rules for carrying out the purposes of this Act. Power of Central Government to make rules.

STATEMENT OF OBJECTS AND REASONS

Salt is a part and parcel of our eating habits and is consumed by one and all. Salt is produced in the coastal states of Gujarat, Maharashtra, Goa, Karnataka, Andhra, Odisha, West Bengal and Tamil Nadu. Gujarat accounts for 76.7 of total salt produced in the country followed by Tamil Nadu 16%, Rajasthan 9%. But the living conditions of salt workers who make salt from the land by digging shallow wells and pumping out the brine and then making salt from the sea water or salt lakes, be it in Gujarat and other parts of our vast nation is very appalling, ridden with poverty, diseases particularly skin diseases, exploitation and in many cases they are bonded labourers. Most of them are illiterates and they are making salt for generations. In Rann of Kutch in Gujarat, salt workers are migrants having no work during monsoon who go back to their villages. They are meagerly paid and remain debt ridden. Salt making process makes them prone to various diseases of skin including cancer and other dangerous diseases. There is no protective umbrella for them in the society. They remain uncared for in their old age and most of them are left to fend for themselves. The salt workers face acute problem of drinking water, power and education for their wards as they stay engaged for nine months in salt making process.

Our nation being a welfare State has to take care of the unfortunate salt workers and their families and children and ensure that they too lead a good life. This Bill tries to ensure that welfare measures are implemented for the salt workers by the Central and State Governments in letter and spirit so as to ameliorate their living conditions.

Hence this Bill.

AHMED PATEL

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the establishment of the Salt Worker Welfare Fund with an initial corpus of rupee two thousand crore. Clause 8 states that the Central Government after due appropriation by Parliament will provide funds to Governments of concerned States for carrying out the purposes of the Bill. The Bill, therefore, if enacted would involve expenditure from the Consolidated Fund of India. The recurring and non-recurring expenditure on this count cannot be estimated at this stage, but has to be worked out by Central Government while implementing the provisions of the Act.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 12 of the Bill gives power to the Central Government to make rules for carrying out the purposes of the Bill. The rules will relate to matters of details only.

The delegation of legislative power is of normal character.

RAJYA SABHA

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to provide for the protection from exploitation and welfare measures to be undertaken by the State for the salt workers of Gujarat and other parts of the country by setting up a welfare fund, for payment of minimum wages, old age pension, healthcare, maternity facility for women workers, educational facilities for the children of the salt workers and for matters connected therewith or incidental thereto.

(Shri Ahmed Patel, M.P.)