

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT**

LOK SABHA

**UNSTARRED QUESTION NO. 2029
TO BE ANSWERED ON 14.03.2022**

RIGHT TO SIT LEGISLATIONS

2029. SHRI FEROZE VARUN GANDHI:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether the Government is aware of the 'right to sit' legislations passed by states, including Kerala and Tamil Nadu which requires shops, storefronts, and commercial establishments to provide employees with seating facilities;**
- (b) whether the Ministry recognises that the unavailability of seating facilities for long hours resulting in the employees standing for the entire duration of their work days has adverse effects on their health;**
- (c) whether the Ministry has assessed the adverse effects of the same, and if so, the details thereof; and**
- (d) whether the Ministry plans to incorporate the right to sit in Occupational Safety Health Working Conditions Code, 2020?**

ANSWER

**MINISTER OF STATE FOR LABOUR AND EMPLOYMENT
(SHRI RAMESWAR TELI)**

(a): "Labour" is in the Concurrent List of the Constitution. Hence, both Central and State Government can legislate in their respective spheres. As per available information, the Government of Kerala and Tamil Nadu have legislated to provide seating facilities for employees during the course of their work in their Acts relating to Shops and Establishments.

(b) to (d): Section 44 of The Factories Act, 1948 inter alia provides for suitable arrangements for sitting so that all workers may take advantage of any opportunities for rest which may occur in the course of their work. The Occupational Safety, Health and Working Conditions Code, 2020 also envisages responsibility to the employer for providing and maintaining welfare facilities to employees in his establishment, including sitting arrangements for all employees obliged to work in a standing position.
