

## Module 4



# ENTITLEMENT AND SOCIAL SECURITY

Centre for Education and Communication (CEC)

# Entitlement and Social Security

**Centre for Education and Communication (CEC)**  
173 A, Khirki Village, Malviya Nagar New Delhi 110017  
**T:** 91 11 29541841 / 29541858 **F:** 91 11 29542464  
**E:** [cec@cec-india.org](mailto:cec@cec-india.org) **W:** [www.cec-india.org](http://www.cec-india.org)

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*Conceived and prepared by:*

**The Information and Feature Trust (TIFT)**

Lakshmi (Kayyadam), Thondayad Calicut – 17.

*Content Generation:* **Vivek Singh**

*Visual Presentation:* **Pravin Mishra**

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# What is Social Security?



## **What is Social Security?**

Social security represents a system of public measures offered by governments to individual citizens, or sections of the population who require protection of different kinds.

This is provided generally to individuals facing economic and social distress and in situations where there is stoppage or substantial reduction of earnings resulting from sickness, maternity, employment injury, occupational diseases, unemployment, invalidity, old age and death.

## **What is Social Security?**

### **How can workers access Social Security schemes?**

To access these social security measures workers need to be registered under the muster rolls of the owners/employers or with government agencies responsible for such schemes. This is much more significant for workers of brick kilns, as the practice of registering and licensing is absent and workers in the brick kilns fall under the unorganized sector.

Therefore, any initiative of government where they are holding registration camps for identification purposes or otherwise should be attended by all workers.

## What are Entitlements?



## **What are Entitlements?**

The condition of having a right to have, to do or to get something is called an entitlement. These are provisions which are made in accordance with legal provisions in a society.

These are government program providing benefits to a certain section of society.

Here we will be discussing entitlements with regards to workers at brick kilns and the benefits which are available to them.

### **What are the various welfare schemes, provisions and entitlements which are applicable to brick kiln workers and available to them?**

Through our discussion in the previous modules we already know that provisions of Factories Act, Contract Labour (R & A) Act and Interstate Migrant Workmen Act are applicable to workers at brick kilns.

Non-compliance with the welfare provisions of these Acts becomes a violation of the right of brick kiln workers to live with human dignity, enshrined under

## **What are Entitlements?**

Article 21 of the Constitution of India.

### **Supreme Court's take on the issue of entitlements for workers**

*“The rights and benefits conferred on the workmen employed by a contractor under the provisions of Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and Contract Labour (Regulation and Abolition) Act, 1970 are clearly intended to ensure basic human dignity to the workmen and if the workmen are deprived of any of these rights and benefits to which they are entitled under the provisions of these two pieces of social welfare legislations, that would clearly be a violation of Article 21”*

Most of the brick kiln workers are inter-state migrant workmen. This brings them directly under the protection of the Inter-State Migrant Workmen Act.

This is because of the involvement of a contractor in recruiting them who goes to the source state and brings them to the brick kiln at the destination state, thus directly bringing the workers under the ambit of Section 2(e) of the Act.



## **What are Entitlements?**

It is stated that it is not necessary that the contractor or the employer must visit the source State physically in order to recruit and bring migrant workers to the site of the brick kiln.

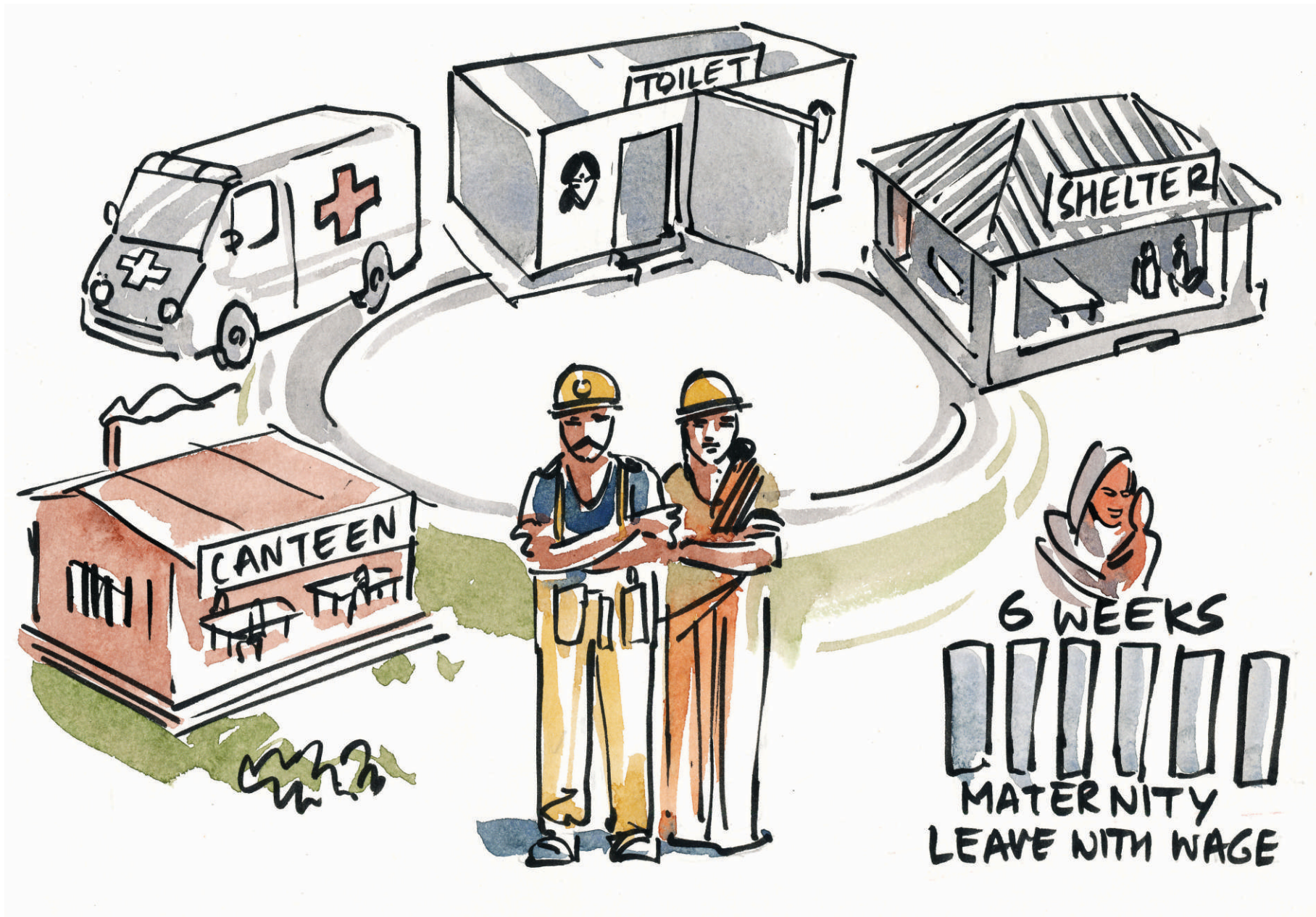
Recruitment criteria under Section 2(e) can be satisfied by the contractor by simply sending a word through another worker and if the workers as a consequence of the communication do end up at the required brick kiln site. This has been observed by the Supreme Court in the Bandhua Mukti Morcha case as well.

As a consequence of the applicability of the Inter-State Migrant Workmen Act, 1979, these migrant workers are entitled to the benefits of Workmen's Compensation Act, 1923, the Employees State Insurance Act, 1948, the Minimum Wages Act, 1948, the Employees Provident Funds and Miscellaneous Act, 1952 and the Maternity Benefit Act, 1961.

**Various entitlements under the Acts are discussed below.**

- Brick kilns are classified as factories by the Act. Therefore, provisions of the

# What are Entitlements?



## What are Entitlements?

Factories Act, 1948 with regards to health, safety and welfare of workers also apply to the brick kilns.

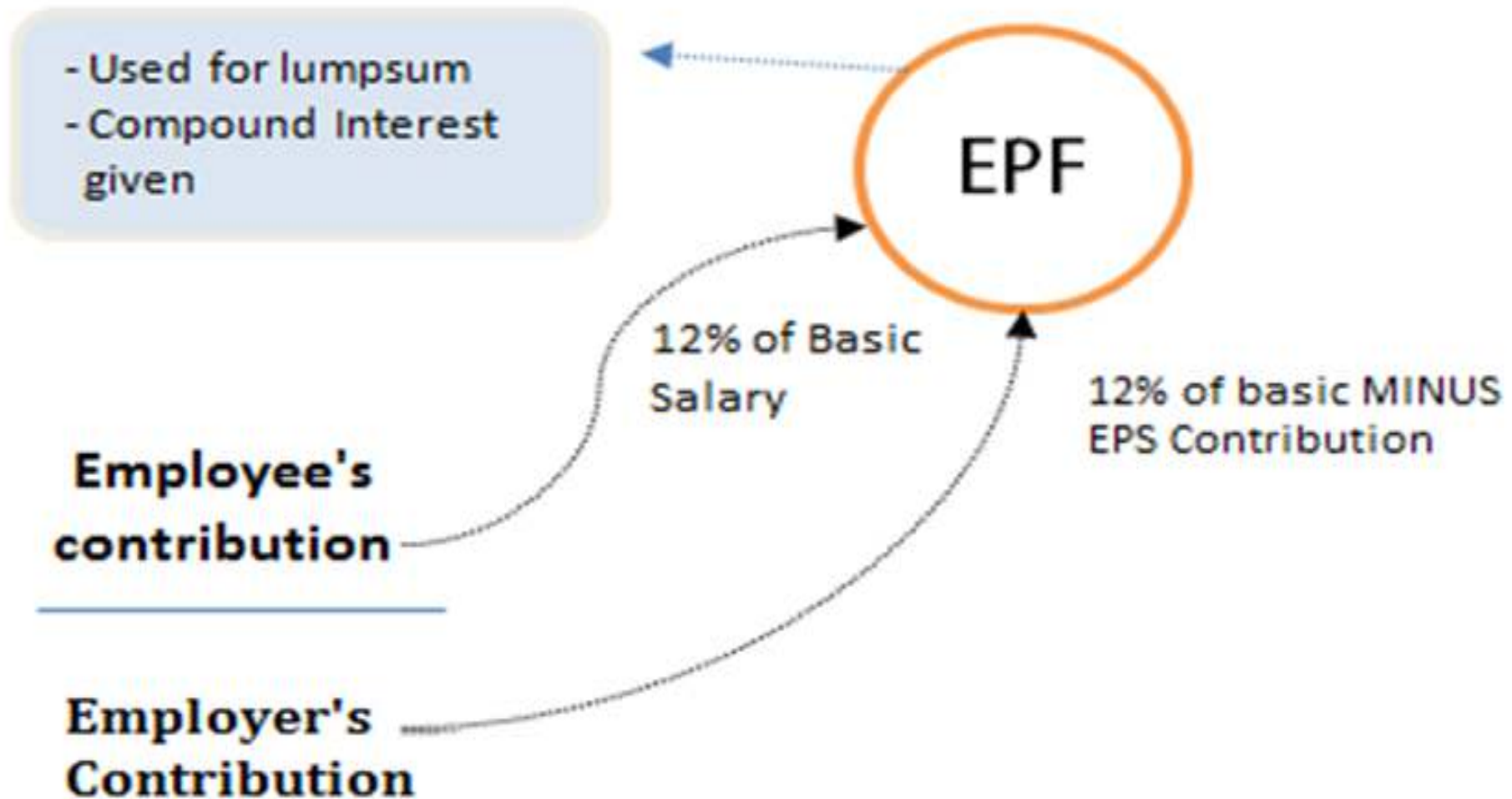
- Every adult worker who has worked 240 days in a year is entitled to leave with wages at the rate of one day's wage for every 20 days he worked. He/she may take leave during or after completion of a year of work.
- In the case of a female worker, maternity leave with wages are to be provided for a number of days not exceeding twenty six weeks.
- According to the Factories Act, 1948, factories which have more than 500 workers, should have an ambulance room with nursing staff.
- For more than 250 workers, there must be a canteen and where there are 150 or more workers; there must be shelters, rest rooms and lunchrooms. Creches are required in every factory having 30 or more women workers.

“If provisions of the Factories Act are being violated then you can approach the labour inspector or other labour officials and ask them to visit the brick

## **What are Entitlements?**

kiln worksites for inspection. This inspection can be with regards to health, safety and/or welfare measures taken up at the brick kilns”.

# Employment Provident Fund and Miscellaneous Provisions Act, 1952



## **Employment Provident Fund and Miscellaneous Provisions Act, 1952**

The Employee Provident Fund (EPF) or simply Provident Fund (PF) is a long-term savings and pension instrument for all salaried persons in India.

Brick kilnshave been added as a scheduled industry within the purview of the E.P.F and M.P. act with effect from 27.11.80 vide notification No S.85 35016(5)/76-PF. II.

By this, brick kilns that employ 20 persons and above would be covered as establishments for which the provisions of the Act and schemes framed under it would apply.

Workmen employed in a brick kiln establishment and who render 60 days of work within a total employment period of 90 days, would be enrolled as members of the Provident Fund, family pension fund and employees deposit link insurance fund.

## **Employment Provident Fund and Miscellaneous Provisions Act, 1952**

The system of EPF works in a way that the employer is under a legal obligation to pay a contribution to the Employees' Provident Fund equal to eight and one-third per cent of the basic wages, dearness allowance and retaining allowance. This rule applies to each of the employees, whether employed by him directly or through a contractor.

The employee's (worker in this case) contributions, on the other hand, shall be equal to the contribution payable by the employer in respect to him. If any employee so desires, the contribution can also be greater. PF deductions are made from the salaries of the workers.

This means that the contribution made by owners/employers to the Provident Fund is normally the same as the employees/workers. Therefore workers should be ready to deduct PF from their salaries for their part of the contribution.

## **Employment Provident Fund and Miscellaneous Provisions Act, 1952**

Further according to the Factories Act, 1948 a sum, not over one-fourth of the PF amount, is to be paid, from time to time, to the Family Pension Fund.

The Act also provides for a payment by the employer into a Deposit-linked Insurance Fund to provide life insurance benefits to employees.

*“When it comes to anything to do with money, disputes are likely to arise from time to time. In order to provide a remedy the Factories Act, 1948 authorises the Central Provident Fund Commissioner, any Additional Central Provident Fund Commissioner, any Deputy Provident Fund Commissioner, any Regional Provident Fund Commissioner, or any Assistant Provident Fund Commissioner to resolve the same by holding an enquiry”.*



## **Employment Provident Fund and Miscellaneous Provisions Act, 1952**

Rights under The Building and Other Construction Workers (BOCW) Act, 1996  
/Building and other Construction Workers Welfare Cess Act, 1996

The BOCW Act mandatorily requires registration of establishments and provides for regulation of working hours, welfare measures, suitable working conditions for workers and overtime wages for workers. Though some confusion prevailed earlier, the government has agreed to grant benefits under the BOCW Act to brick kiln workers by registering them either at their work place or native place.

The employer shall provide, free of charges and within the worksite or as near to it as may be possible, temporary living accommodation to all building workers with provisions of drinking water, latrines and urinals.

Under the Act employer shall be responsible for payment of wages to each building worker on or before the prescribed date.

## **Employment Provident Fund and Miscellaneous Provisions Act, 1952**

There is a provision for levy and collection of cess for the welfare of workers at such rate not exceeding two percent- but not less than one percent of the cost of construction incurred by an employer.

### **Eligibility for registration by the Building and other Construction Workers Board**

The worker must be more than 18 years and less than 60 years. He/She must have worked for 90 days in a year as a construction worker.

The registered workers are given a registration booklet by the Board and are required to renew their registration periodically.

For migrant workers who form a majority of the workforce at brick kilns there are many initiatives taken up by the respective state governments to register such workers at the migrant source areas, i.e. the place where the workers come from.

## **Employment Provident Fund and Miscellaneous Provisions Act, 1952**

Following are the different schemes in operation for the benefit of workers by the Building and Other Construction Workers Board include:

1. Child Benefit Plan
2. Maternity Benefit Scheme
3. Girl Help Plan
4. Disability Pension Scheme
5. Death and Disability Scheme
6. Marriage of Daughter for Construction Worker Scheme
7. Death & Cremation Assistance Scheme
8. Skill Development Technological Upgradation & Certification Plan

## **Employment Provident Fund and Miscellaneous Provisions Act, 1952**

9. Pension Scheme
10. Meritorious Student Scheme
11. Critical Illness Assistance Scheme
12. Solar Energy Support Scheme
13. Mid Day Meal
14. Residential School Plan
15. National Health Insurance Scheme
16. Sant Ravidas Education Assistance Scheme

## **Payment of Gratuity Act, 1972**

Gratuity is a complementary payment made to an employee by the employer either at the time of retirement or when he is leaving the job.

The provisions of this Act apply to all establishments, which are factories within the definition of the factory in the Factories Act, 1948.

The brick kiln workers come within the purview of the Payment of Gratuity Act and are entitled to all benefits subject to their meeting eligibility requirements.

Employees who have completed 5 years of continuous years of service with the employer are eligible for gratuity. It is paid to them at the time of termination of employment either due to retirement, resignation, superannuation, disablement or death.

If an employee expires, gratuity is paid to him for the number of years he worked with the company irrespective of his tenure with the company.

## **Payment of Gratuity Act, 1972**

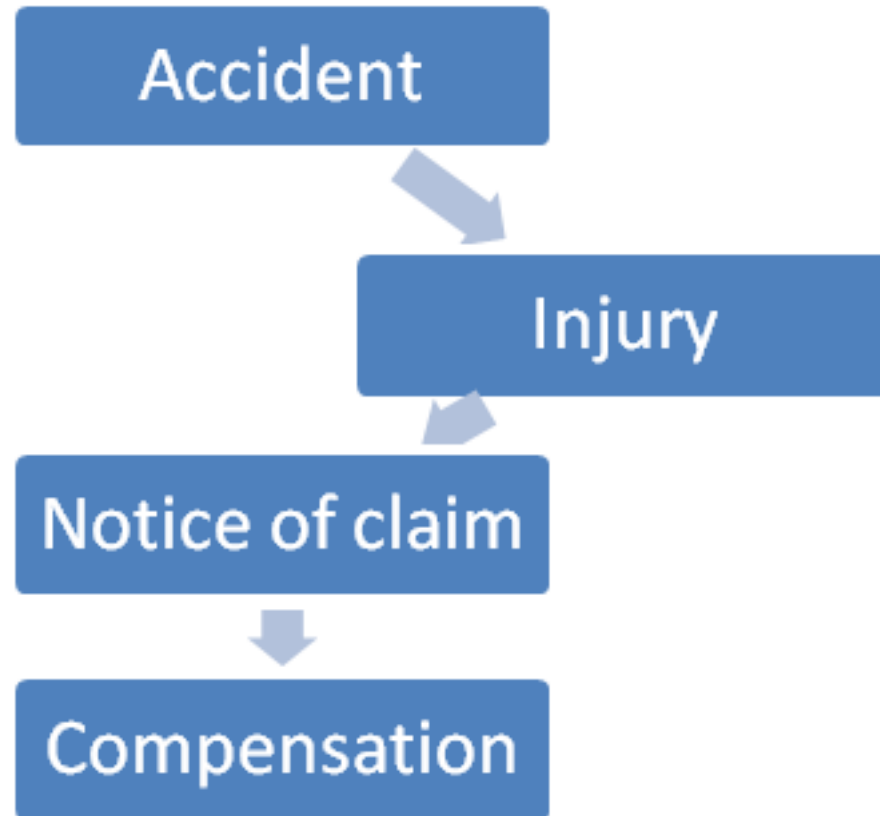
If the employee becomes disabled due to an accident or illness, gratuity is paid to him for the number of years he worked with the company, irrespective of his tenure with the company.

Gratuity is paid at a rate of 15 days wages for every completed year of service or part thereof in excess of Six months. The wages here means wages last drawn by the employee.

If the amount of gratuity is not paid by the employer within the prescribed time the worker has the right to file a complaint with the Controlling Authority under the Payment of Gratuity Act within the area where the employer's establishment is situated or where the employee was working at the time of termination.

The Authority will then issue a certificate for that amount to the Collector, who will recover that amount, along with the compounded interest at the rate laid down by the Central Government. Moreover, the aggrieved person can also approach labour courts to get relief and justice.

# Workmen Compensation Act 1923



## **Workmen Compensation Act 1923**

This Act provides for compensation for injury by accident for workers, by certain classes of employers.

It also applies to occupational diseases peculiar to that employment. Amounts of compensation have been fixed in accordance with the nature of disablement resulting from the injury and the corresponding loss of earning capacity.

### **Are contract labour eligible to receive benefits?**

In case part of the work of an establishment is contracted out to a contractor and a worker employed by the contractor for this purpose is injured then, the principle employer and not the contractor (who is the worker's immediate employer), is responsible to pay compensation as though the worker was directly employed by him.

However, this principal employer holds the right to be indemnified by the



## **Workmen Compensation Act 1923**

person who would normally pay for the compensation of an injured/deceased worker, i.e. the contractor. However, nothing shall prevent the worker from claiming his compensation from the principal employer.

When is the employer liable to pay compensation?

**As per Section 3 of the Act, the employer is liable to pay compensation if the worker is injured by accident that:**

- 1) arises out of (i.e. while engaged in work), and;
- 2) occur in the course of his employment (i.e. during work hours) and;
- 3) results in disablement of the worker.

# Workmen Compensation Act 1923

## Dispute Resolution



# **Workmen Compensation Act 1923**

## **Dispute Resolution**

In cases where the employer does not pay compensation after notice has been issued and after the lapse of 30 days from the date of the accident, or where the employee and employer fail to arrive at an agreement, an application can be made to the labour officer by the worker. The proceedings before the labour officer are quasi-judicial in nature.

In case of workers' injuries, the government has the responsibility of disposing workers claims, in a speedy way. No technical procedure is followed in workmen compensation cases. However, as the employer has to be heard, and the matter may need to be investigated, there is some minimum procedure followed. As it will take away from the government's time, a Labour Commissioner is appointed to discharge this responsibility.

## **Workmen Compensation Act 1923**

### **Who can make the claim?**

The injured employee or someone on his behalf can file a claim before the commissioner for workmen's compensation. In reality mostly a lawyer files the claim.

One of the major issues faced in the implementation of the social welfare schemes for migrant workers is that of inter-state migration. There are schemes which are state specific and which requires workers to possess some sort of identification. Migrant workers at brick kilns are involved in seasonal work, which makes them move to different states as a whole family unit. This creates a problem in maintaining a census of such workers and implementation of the social welfare schemes for them.

# Rashtriya Swasthya Bima Yojna



## **Rashtriya Swasthya Bima Yojna**

The scheme provides for health insurance for people living below the poverty line at a subsidized premium of 750 rupees per annum and covers hospitalization cost up to thirty thousand rupees for registered BPL households upto a maximum of 5 family members.

The scheme aims at ensuring access to healthcare services by even the most marginalized section of the society.

The aim of RSBY is to provide BPL families and a defined list of workers from the unorganised sector with health insurance.

The unique feature of this scheme is the portability of health insurance. The only criterion for portability is that the beneficiary family has to be enrolled in the scheme in any one place in India.

## **Rashtriya Swasthya Bima Yojna**

A beneficiary who is enrolled in a particular district can use his/ her smart card in any RSBY empanelled hospital across India, including public and private hospitals.

Cards can also be split for migrant workers to carry a share of the coverage with them separately.

RSBY is centrally sponsored scheme, with a sharing pattern between the Central and State governments of 75%:25% respectively.

The schemes requires that the bima card should be produced to the concerned hospital authorities at the time of hospitalization. When individuals or couples migrate and the elderly in the family are left behind, one of these will not be able to produce the card at the time of hospitalization.

# Rashtriya Swasthya Bima Yojna





# **Rashtriya Swasthya Bima Yojna**

## **How to enroll for RSBY?**

As per the schedule, the BPL list is posted in each village at an enrollment station and prominent places while the date and location of the enrolment is publicized in advance.

Mobile enrollment stations are set up at local centers (e.g., public schools) in each village. These stations are equipped by the insurer with the hardware required to collect biometric information (fingerprints) and photographs of the members of the household covered and a printer to print smart cards with a photo.

The smart card, along with an information pamphlet, describing the scheme and the list of hospitals, is provided on the spot once the beneficiary has paid the 30 rupee fee and the concerned government officer has authenticated the smart card. The process normally takes less than ten minutes. The cards shall be handed over in a plastic cover.

## ICDS (Integrated Child Development Scheme)



## **ICDS (Integrated Child Development Scheme)**

As of now brick kiln workers do not have any access to public services like education or the ICDS scheme, despite the fact that the current policy framework mandates universal coverage in all these three areas.

The gap remains because there is no mechanism through which service departments can factor in presence of a large number of potential clients who are seasonal migrants.

# ASHA



## **ASHA**

ASHA or Accredited Social Health Activist is a trained female community health activist. The ASHA programme is a critical component of the National Rural Health Mission (NRHM) launched in 2005 in the Country.

It represents the selection and deployment of a woman community health worker, resident in the village who supports the health programme at the community level.

With the implementation of the 2nd Phase of NRHM, the ASHA programme has become an inherent part and backbone of the public health system

The ASHA worker is selected from the village itself and works as a link between community and public health system

# ASHA

## Functions of ASHA

- ASHA works as a representative of public health programmes in her village and as the first port of call for health related demands of the community. She promotes institutional delivery, universal immunization and other public health initiatives
- She works as a link between the government and community in referral and escort services for Reproductive & Child Health (RCH) and other healthcare programmes, and construction of household toilets.
- She provides information to the community on nutrition, sanitation & hygienic practices, healthy living and working conditions.
- She counsels women on birth preparedness, makes her aware of importance of safe delivery, breast-feeding and complementary feeding, immunization, contraception and prevention of common infections including sexual diseases.



## **ASHA**

- She also mobilizes the community and facilitates it in accessing health and health related services available at the Anganwadi/sub-centre/primary health centers.
- She also works as a depot holder for Oral Rehydration Therapy (ORS), Iron Folic Acid Tablet (IFA), chloroquine, Disposable Delivery Kits (DDK), Oral Pills & Condoms, etc.

### **Auxiliary Nurse Midwife and Anganwadi Worker (ANM)**

Auxiliary Nurse Midwife (ANM) is a resource person for ASHA.

They hold weekly/fortnightly meeting with ASHA, and provide on-job training by discussing the activities undertaken during the week/fortnight and provide guidance in case ASHA encounters any problem.

ANM also ensures that ASHA gets the compensation for performance and also TA/DA for attending the training schedule.





# ASHA

## **Anganwadi Worker (AWW)**

Anganwadi Worker (AWW) guides ASHA in performing activities such as organising Health Day once/twice a month at Anganwadi Centres and orienting women on health related issues, such as importance of nutritious food, personal hygiene, care during pregnancy, importance of immunization etc.

Anganwadi worker is a depot holder for drug kits and issues these to ASHA.

## Public Distribution System (PDS)



## **Public Distribution System (PDS)**

The Public Distribution System (PDS) has evolved as a system for distribution of food grains at affordable prices and management of emergency situations.

Over the years, the term PDS has become synonymous with the term 'food security' and also an important part of Government's policy for management of food economy in the country.

It was in 1997, that the government launched the Targeted Public Distribution System (TPDS), with a focus on the poor.

TPDS aims to provide subsidised food and fuel to the poor through a network of ration shops.

Food grains such as rice and wheat that are provided under TPDS are procured from farmers, allocated to states and delivered to the ration shop where the beneficiary buys his entitlement.

## **Public Distribution System (PDS)**

The centre and states share the responsibilities of identifying the poor, procuring grains and delivering food grains to beneficiaries

The National Food Security Act gives statutory backing to the TPDS.

This legislation marks a shift in the right to food as a legal right rather than a general entitlement. The Act classifies the population into three categories: excluded (i.e., no entitlement), priority (entitlement), and Antyodaya Anna Yojana (AAY; higher entitlement). It establishes responsibilities for the centre and states and creates a grievance redressal mechanism to address non-delivery of entitlements.

# Public Distribution System (PDS)

## Benefits under the PDS system

Evolution of PDS	Timelines	Details
PDS	1940s	Launched as a general entitlement scheme
TPDS	1997	PDS was revamped to large poor households
Antyodaya Anna Yojana	2000	Scheme launched to target the poorest to poor
PDA control order	2001	Government notified this order to administer TPDS
PUCL vs UOI	2001	Landmark case in SC bringing Right to Food under the ambit of Article 21
National Food Security Act	2013	Act to provide legal right to food bringing all the existing food related schemes and programmes under one umbrella.

## **Public Distribution System (PDS)**

Under the National Food Security Law (NFSA), enacted in 2013 and which has been completely rolled out across the country in November last year, the government provides 5 kg of foodgrains per person every month at 1-3/kg to over 80 crore people.

Under the NFSA, the APL (Above Poverty Line) category is abolished and eligible households come under two well-defined categories: Priority households, entitled to 5 kg of foodgrains per person per month at nominal prices, and Antyodaya households (the poorest), entitled to 35 kg per household per month.

The Act also has a special focus on the nutritional support to women and children.

Besides meals to pregnant women and lactating mothers during pregnancy and six months after child birth, such women will also be entitled to receive maternity benefit of not less than Rs. 6,000.

## **Public Distribution System (PDS)**

Children upto 14 years of age will be entitled to nutritious meals as per the prescribed nutritional standards. In case of non-supply of entitled foodgrains or meals, the beneficiaries will receive food security allowance.

The Act also contains provisions for setting up of grievance redressal mechanism at the District and State levels. Separate provisions have also been made in the Act for ensuring transparency and accountability

In order to receive subsidies under the NFSA, the Department of Food and Consumer Affairs had issued a Notification under Aadhaar Act on February 8, 2017 which requires individual beneficiaries having ration cards under NFSA to furnish proof of possession of Aadhaar number or undergo Aadhaar authentication to receive subsidies under NFSA (i.e. subsidised food grains or cash Transfer of Food Subsidy under NFSA)



## **Public Distribution System (PDS)**

The NFSA has integrated the legal framework for entitlement and access to foodgrains under a single legislation. Following the NFSA, all existing schemes including the PDS, ICDS, Antyodaya Anna Yojana, mid-day meal scheme etc., have been integrated and coordinated under a single legal framework. As such, legal integration has led to administrative convergence.

# Rights, Entitlements & Various Documentation Required For Accessing Such Entitlements



# **Rights, Entitlements & Various Documentation Required For Accessing Such Entitlements**

## **Right to Food**

The National Food Security Act, 2013 sets forth the right to food as a legal entitlement. The Right to Food involves providing grains at subsidised rates through the Targeted Public Distribution System (TPDS).

The Centre and State governments share responsibility to maintain TPDS functioning. The Centre is responsible for procuring food grains from farmers and allocating food grains to all states on the basis of the number of poor in each state. The Centre then transports the grains to the central depots in every state.

States are responsible for identifying the number of poor households and delivering grains to fair price ration shops.

Individuals must hold ration cards linked with Aadhaar card in order to receive subsidized food grains at local ration shops.

# **Rights, Entitlements & Various Documentation Required for Accessing such Entitlements**

## **Right to Education**

Access to Schools In an effort to address chronic child malnourishment and encourage school enrollment and attendance, the central government started the Mid-Day Meal scheme in 1995. Under this plan, every child enrolled in grades I to VIII in a government or government-aided school is provided free cooked lunch. In 2009, India enacted the Right of Children to Free and Compulsory Education Act, which provides for free and compulsory education to all children aged 6 to 14 based on principles of equity and non-discrimination

## **Poverty Level Classification**

The main purpose of Below Poverty Line census classification is to identify households eligible for social support, including through the Public Distribution System (PDS) and other services.

## **Rights, Entitlements & Various Documentation Required for Accessing such Entitlements**

In 2010, a Memorandum of Understanding was signed between the Unique Identification Authority of India (UIDAI) and the National Coalition of Organisations for the Security of Migrant Workers to “take special measures to ensure that the Aadhar cards are made available to the poor and marginalised which include migrants so that it can enable them to access various government schemes and banking services.

### **Ration Cards**

The possession of a ration card entitles the beneficiary to essential commodities at subsidised rates from PDS) fair price shops. State governments issue ration cards according to per capita or monthly income. There are three types of ration cards available.

*Antyodaya Ration Cards* are available to households who have an income of less than Rs. 250 per capita per month;

## **Rights, Entitlements & Various Documentation Required for Accessing such Entitlements**

*Below Poverty Line (BPL) Ration Cards* are available to households that fulfil the eligibility criteria for being classified as being below the poverty line;

*Above Poverty Line Ration (APL) Cards* are available to all households regardless of monthly income

### **Voter ID card**

Voter ID cards form an essential part of the identification cards required for accessing entitlements available to workers. Works both as a proof of identification and proof of residency.

# Challenges Faced by Workers in Accessing Entitlements and the Possible Solutions



# **Challenges Faced by Workers in Accessing Entitlements and the Possible Solutions**

Migrant workers face particular challenges in producing adequate identity and residence proof due to patterns of migration including multiple and shifting residences;

This section details current and available forms of identity and address proof.

## **Identity and Address Proof**

Proof of (1) identity and (2) residence are required to access many rights and entitlements. Currently available forms of identity and address proof include Aadhaar Cards and Voter Identification cards. Both of these forms of identity proof also include documentation of residency. However, these forms of identity and residence proof are not portable for the purpose of accessing rights and entitlements.



# **Challenges Faced by Workers in Accessing Entitlements and the Possible Solutions**

## **Common criteria for attaining ration cards across India include:**

- (1) surrender and cancellation of any previous ration card issued in that person's name in any other state; and
- (2) residence proof in the area where rations are pursued.

Consequently, inter-state migrants who may travel for employment between and among states at seasonal or other intervals are only able to access entitlements face the challenge of maintaining access to ration cards.

## **A possible solution for migrant workers with regards to ration cards is to:**

- a. Transfer their existing ration card in the name of a non-migrant family member back in the migrant source area
- b. Get a new ration card in the migrant destination area.

## **Challenges Faced by Workers in Accessing Entitlements and the Possible Solutions**

Getting one's Voter ID card transferred to the destination state is also a possibility by making an application to the nearest Electoral Office.

Inter-state cooperation for portability of benefits can also help migrant workers receive benefits in the destination area. One such effort has been the MOUs signed by the states of Odisha-Andhra Pradesh to provide benefits to migrants related to education, housing and PDS benefits.

Another initiative by the Gujarat government in order to uphold the right to education for children was through the Migration Card initiative by the Department of Education.

## **Challenges Faced by Workers in Accessing Entitlements and the Possible Solutions**

It was started in 2009 to address the educational challenges of children of seasonal migrants who move with their families and to enable them to continue schooling and bring down school dropout rates. Under the Migration Card Initiative, children who are intra-State migrants could avail of hostel facilities at source and children who are inter-State migrants are offered Tent Special Training Programmes in temporary schools set up at worksites where their parents are employed.

## **Points to Remember**

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Benefits under the BOWCESS Act are applicable to brick kiln workers by registering them either at their work place or native place.

Brick kiln workers come under the ambit of construction workers for the purpose BOCW Act.

## **Points to Remember**

The worker must be more than 18 years and less than 60 years. He/She must have worked for 90 days in a year as a construction worker.

The BOCW Act mandatorily requires registration of establishments and provides for regulation of working hours, welfare measures, suitable working conditions and overtime wages for workers.

There are a lot of benefits and financial aids through scheme provided through membership of the BOCW board.

Other benefits provided to workers under the law are that of payment of gratuity as well as workmen compensation.

There are various schemes available in our country which are applicable to workers. Schemes including RSBY, ICDS, ASHA, ANM under National Rural Health Mission, PDS all provide benefits and are available to workers as well.

## **Points to Remember**

It is important to note that such schemes require a proof of identification from individuals. Proof of identification and proof of residence form the two most important documents that one should have. Most of these schemes now require an Aadhaar card for obtaining any benefits under them.

In order to avail the benefits of many of these schemes one needs to provide proof of residence of the state in which they are drawing benefits.



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