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Programme: M.A.,HUMAN RESOURCE MANAGEMENT

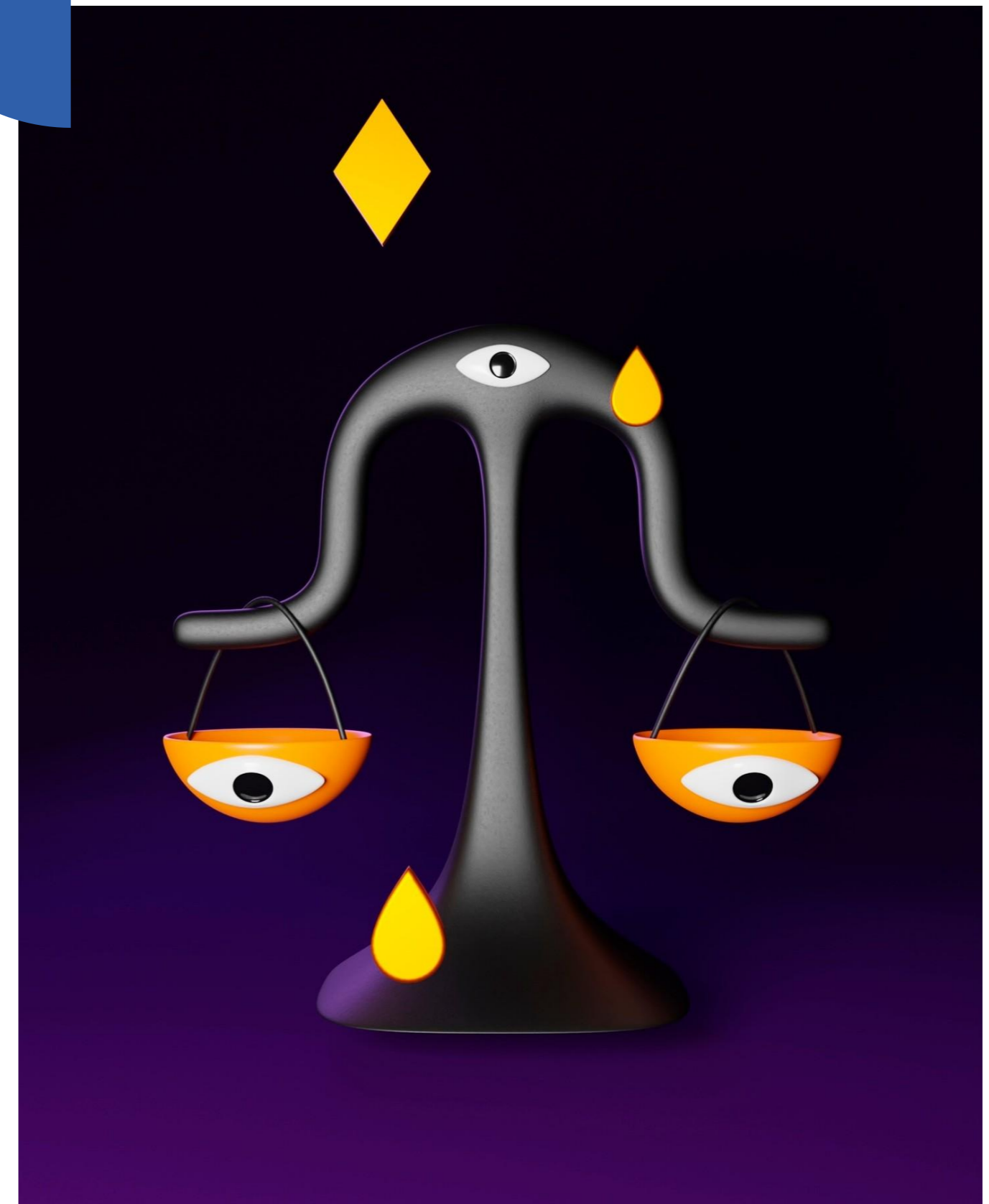
Course Title : labour laws
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Unit-V
Protective legislation

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Introduction to Protective Legislation

Protective legislation plays a crucial role in safeguarding vulnerable populations, particularly children. This presentation explores key provisions of **child labour prevention**, the **rights to information**, and the **Tamil Nadu Catering Acts**, highlighting their significance in promoting welfare and rights within society.





Child Labour Prevention Act

The **Child Labour Prevention Act** aims to eradicate child labour by establishing strict regulations. It prohibits the employment of children in hazardous occupations and mandates **penalties** for violations. This legislation is vital for ensuring that children have the opportunity to pursue **education** and a better future.

Rights to Information

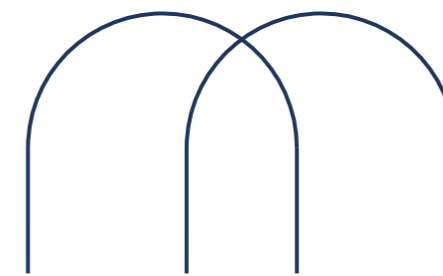
The **Rights to Information** legislation empowers citizens by granting them access to important information. This act promotes **transparency** and accountability, enabling individuals to make informed decisions. It is essential for protecting the rights of children and ensuring that **stakeholders** are held responsible.





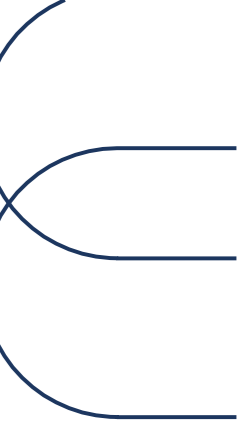
Tamil Nadu Catering Acts

The **Tamil Nadu Catering Acts** regulate the catering industry, ensuring fair practices and the protection of workers' rights. These acts provide guidelines for **hygiene**, **safety**, and fair wages, ultimately benefiting both employees and consumers. They play a significant role in promoting **ethical** business practices.



Impact on Society

The implementation of protective legislation has profound impacts on society. By addressing issues like **child labour** and promoting **workers' rights**, these laws foster a safer and more equitable environment. They encourage **social responsibility**, ensuring that vulnerable groups are prioritized and protected.



Contract Labour (Regulation and Abolition) Act, 1970

- Definition: The Act regulates the employment of contract labor in certain establishments and provides for the abolition of contract labor in specific cases.
- Objective: To improve the conditions of contract laborers and regulate their working conditions.

- **Scope of the Contract Labour Act, 1970**
- Applies to establishments where 20 or more workers are employed through contractors.
- Covers industries such as construction, manufacturing, etc.

Responsibilities of Employers and Contractors

- Employers must ensure welfare, health, and safety of contract workers.
- Contractors must provide adequate working conditions, wages, and benefits.

- **Key Definitions**
- **Contract Labour:** Workers employed by a contractor in an establishment.
- **Establishment:** A place where work is done, such as factories, construction sites, etc.

Important Case Laws

- **Air India v. Nergesh Meerza (1981)**: The case emphasizes the rights of workers employed in temporary or contractual roles.
- **Management of Indian Oil Corporation v. Their Workers (2003)**: Discussed the applicability of welfare provisions for contract labor.

The Child Labour (Prevention and Regulation) Act, 1986

- **Introduction to the Child Labour (Prevention and Regulation) Act, 1986**
- **Definition:** The Act prohibits the employment of children below 14 years in certain hazardous occupations.
- **Objective:** To eliminate child labor, particularly in hazardous work environments.

Scope of the Child Labour Act, 1986

- Prohibits employment of children under 14 in dangerous and hazardous industries.
- Permits children above 14 to work in non-hazardous jobs with conditions.

- **Important Provisions**

- **Section 3:** Prohibition of employment of children in hazardous occupations.
- **Section 14:** Penalties for employing children in violation of the Act.
- **Section 16:** Powers of inspectors and enforcement mechanisms.

Rights of Children under the Act

- Right to education and safe working conditions.
- Employers must provide education during working hours.

- **Key Case Laws**

- **People's Union for Democratic Rights v. Union of India (1982)**: Recognized the importance of preventing child labor and protecting children's rights.
- **Child Rights & You (CRY) v. The Government of India (1996)**: Highlighted child labor cases and raised awareness on its elimination.

Right to Information Act, 2005

- **Introduction to the Right to Information (RTI) Act, 2005**
- Definition: The RTI Act empowers citizens to seek information from public authorities.
- Objective: To promote transparency, accountability, and responsiveness in governance.

Scope of the RTI Act, 2005

- Applies to all public authorities (government departments, public sector units, etc.).
- Excludes sensitive areas like national security, foreign relations, etc.

Important Provisions

- **Section 6:** Right to request information.
- **Section 8:** Exemptions from disclosure.
- **Section 19:** Appeals and penalties for non-compliance

Key Definitions

- **Public Authority:** Government organizations and bodies under the control of the government.
- **Information:** Includes records, documents, emails, etc.

Tamil Nadu Catering Establishments Act, 1958

- **Introduction to Tamil Nadu Catering Establishments Act, 1958**
- **Definition:** Regulates the working conditions of employees in catering establishments.
- **Objective:** To ensure welfare and fair treatment of workers in the hospitality industry.

Scope and Important Provisions

- Applies to all catering establishments employing 10 or more persons.
- Includes provisions for work hours, wages, and welfare measures.

Tamil Nadu Shops and Establishments Act, 1947

- **Introduction to Tamil Nadu Shops and Establishments Act, 1947**
- Definition: Regulates the working conditions in shops and commercial establishments.
- Objective: To ensure fair working hours, wages, and conditions for employees in the retail and commercial sectors.

Scope and Provisions

- Applies to shops, hotels, restaurants, and other commercial establishments.
- Regulates hours of work, weekly holidays, overtime, and payment.

Application of Labour Laws in Special Economic Zones (SEZs)

- **Introduction to SEZs and Labor Laws**
- Definition: SEZs are specially designated areas aimed at promoting industrial growth and exports.
- Objective: To boost economic growth through infrastructure and tax incentives, but labor laws are often less stringent.
- **Labor Law Exemptions in SEZs**
- SEZs often have relaxed labor law provisions to encourage investment.
- Exemptions from certain provisions of labor laws like minimum wages, work hours, etc.

Issues in SEZs Regarding Labor Laws

- Workers in SEZs often face exploitation, unsafe working conditions, and lack of unionization.
- Poor enforcement of labor standards and violations of rights like overtime and compensation.

Challenges in SEZs

- Lack of proper inspection and monitoring.
- Contradictory interests between economic growth and worker protection.
- Shortage of skilled labor and minimal labor unions.

- **Case Studies on Labor Issues in SEZs**

- **SEZ of Gujarat (2009):** Issues regarding wages, working hours, and safety.
- **Noida SEZ (2015):** Workers' strike due to exploitation and wage discrepancies.

Strategies to Address Labor Issues in SEZs

- Strengthening labor law enforcement and ensuring workers' rights.
- Establishing labor unions and collective bargaining in SEZs.
- Improving infrastructure and creating better living conditions for workers.



Conclusion

In conclusion, understanding protective legislation is essential for promoting the rights and welfare of children and workers. By adhering to the provisions of the **Child Labour Prevention Act, Rights to Information, and Tamil Nadu Catering Acts**, society can create a more just and equitable future for all.