THE RIGHT TO MINIMUM WAGES AND MATERNITY BENEFITS: A LEGAL ANALYSIS OF THE PROTECTION OF WOMEN SALT PAN WORKERS – A COMPARATIVE STUDY OF SOUTH ASIAN COUNTRIES

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ABSTRACT

Salt production has its origins in the earliest periods of human civilization. As an essential component that supports life on Earth, salt represents a fundamental necessity for human existence. In contemporary society, salt encompasses approximately fourteen thousand documented applications, spanning culinary uses, industrial processes, and de-icing operations. Currently, approximately 120 nations participate actively in salt manufacturing activities. India accounts for approximately six percent of worldwide salt production, while the United States (19 percent), China (15 percent), and Germany (7 percent) constitute the remaining principal producers. The conventional and most extensively employed methodology for salt production involves solar evaporation of seawater and subsurface brine solutions. Nevertheless, developed nations implement vacuum evaporation technologies that yield salt of superior purity. Within India, solar evaporation remains the predominant methodology, although there exists an increasing tendency toward technological modernization.Salt pan workers are the backbone of India's salt production, especially in states like Tamil Nadu, Gujarat, and Rajasthan. Indian Salt Industry is still labour intensive. All the major operations like preparation of beds, extraction of salt, storing on platforms, stacking of heaps, loading into Railway wagons, Motor trucks etc. is done manually.International United Nation global statistics reveal that only 50% of women in developing world contribute to labour workforce. In developing, counties majority of women age between 25-54 years are working as the labour and over the past two decades, legislative bodies instituted various laws in favour of women workers. International Labour Organization (ILO) report on global employment trend for women illustrates, that the women workers in industrial world experience multiple disadvantages. In addition to gender inequality and gender wage disparities, the women workers suffer from migration crisis, poverty, poor work environmental condition, unemployment, insecure earning, triple burden

(family, work, and children) . India is the second most populated country in the world with 1.31 billion people and it is expected that by 2024 the population of India will surpass the population of China]. The gigantic population of India is anticipated to provide large labour and consumer market. In Tamil Nadu, as the second-largest in the state, producing 2.50 lakh tons each year. This is a key area for salt production, with salt exports playing a significant role in the district's economy. In India, especially women play a crucial but often overlooked role in the salt production industry. Though salt work is characterized as seasonal, the workers do not consider it as seasonal work. One reason that salt work, which is legally classified as factory work, has not been practically recognized as such is that regulatory bodies often dismiss it as seasonal labour rather than organized industrial labour. Most of the salt pan workers are employed informally. This means they lack official contracts, are not recognized as regular workers, and are often excluded from the benefits that come with formal employment, such as access to maternity benefits, health insurance, and safety standards that the Factories Act ensured. Although the minimum wage law applies to both organized and unorganized sectors, its impact on workers in the unorganized sector is highly debatable. To enable the salt pan industry to fully reap the benefits of the Factories Act, it is crucial to make a concerted effort to formalize these industries and ensure they are properly registered. Additionally, there needs to be improved enforcement of labour laws and enhanced support systems for workers within the informal sector. However, salt pan workers contribute significantly to the global economy, and their plight remains a critical area for policy intervention. This includes improving inspection systems, raising awareness about workers' rights, and ensuring that legal aid is available to those most in need.Maternal benefits encompass compensated leave and medical insurance provisions. In accordance with The Maternity Benefit Act, female employees are eligible for maternity benefits contingent upon their employment for a minimum of 80 days within the 12-month period immediately prior to their anticipated delivery date within an employer's establishment. The maximum duration for which women are entitled to receive maternity benefits is 26 weeks. Additionally, childcare facilities have been mandated for all establishments with 50 or more employees. The primary factor contributing to inadequate maternity benefit utilization is the apprehension of employment termination, particularly within informal work environments. Employees experience coercion from employers to refrain from pursuing benefits due to concerns regarding potential dismissal. This hierarchical imbalance deprives women of their fundamental entitlements and adversely affects their physical well-being and economic security.

Keywords: Salt Pan Workers, Minimum wages, Maternity benefits, Unorganized workers, Factories Act.

INTRODUCTION

In Tamil, it's a common saying that food that is not salted belongs in the trash. It is remarkable how a community and culture honour salt, one of the most important foods for human consumption, while the people who produce it are not remembered by the general public. This was the case throughout history and is still true now.

The Gandhi-Irwin Pact has led to intensive labor exploitation in India's salt-pans, while salt has contributed to a different economy. However, Gandhi's emphasis on salt as a symbol of freedom has facilitated its value as a safe iodine delivery medium.[1]The story of salt in India reveals the collaboration and competition between indigenous merchant networks and the British, as well as the colonial government's engagement with health and nutrition. Salt laws reveal the colonial bureaucracy's operations, including criminalizing occupations linked to salt manufacture and supply.[2]The salt monopoly in India, mainly from Britain and Germany, broke down in 1870-1930 due to the lack of additional sources. Salt was transported from salt-producing areas to areas with insufficient output, causing a significant disruption in the system.[3]Salt is a central subject in the Indian constitution and is listed as item No. 58 of the Union list of the 7th Schedule. This list states that (a) Union agencies manufacture, supply, and distribute salt; and (b) other agencies regulate and control the manufacture, supply, and distribution of salt. Through the Salt Organization, the Central Government is in charge of overseeing every facet of the salt industry.[4] The Periodic Labour Force Survey (PLFS) for 2023-2024 shows that the unemployment rate for India has remained at 3.2% for the year, which is the same as in 2022-2023. The Labour Force Participation Rate (LFPR) has seen a significant increase to 60.1%. This indicates more people are seeking work, particularly in rural areas.[5] As per the Economic Survey, 2021-22, the total number of people working in the unorganized sector is around 43.99 crores during 2019-20.[6] As of 3rd March 2025, over 30.68 crore unorganized workers have already registered on the e-Shram portal, with more than half of them being female (53.68%).The State wise Number of Unorganised Workers Registered

[1] David Arnold, Salt: An Afterword, 46(4) South Asia: Journal of South Asian Studies 886, 886–94 (2023), https://doi.org/10.1080/00856401.2023.2233828
[2] Tanuja Kothiyal & Miles Taylor, Introduction: Salt, Protest and Public Health in Modern India, 46(4) South Asia: Journal of South Asian Studies 729, 729–40 (2023), https://doi.org/10.1080/00856401.2023.224214
[3] Miles Taylor, The Ungrudging Indian: The Political Economy of Salt in India, c. 1878–1947, 46(4) South Asia: Journal of South Asian Studies 791, 791–805 (2023), https://doi.org/10.1080/00856401.2023.2245235
[4] Constitution of India-1950
[5] The Periodic Labour Force Survey (PLFS) for 2023-2024
[6] Economic Survey, report-2021-22

by Gender on Eshram Portal in India (As on 03.08.2025) Female Registrants was 5942808 and Male Registrants 3369800 in which female participation stands higher than male[7].

In Tamil Nadu total of 90,69,411 registered unorganized workers.[8] Unorganized Worker" Defined – According to the 1st National Commission on Labour, unorganized labourers are those who have not been able to organize themselves in pursuit of common objectives on account of constraints like the casual nature of employment, ignorance and illiteracy.[9] small and scattered size of establishments and the position of power enjoyed by employers because of the nature of the industry.[10] To this, poverty, indebtedness, working for below minimum wages, lack of bargaining power, using indigenous technology, compelled migration etc. may also be added.[11]

RESEARCH OBJECTIVES

1.To examine the existing legal frameworks related to minimum wages and maternity benefits for women salt pan workers in selected South Asian countries (e.g., India, Nepal, Bangladesh, Sri Lanka, Pakistan).

2.To assess the level of implementation and enforcement of these legal rights in the salt pan sector, particularly for women working in unorganized and informal settings.

LITERATURE REVIEW

Salt workers often experience occupational health problems, including ophthalmic and dermatological symptoms. These issues are primarily caused by direct sunlight and salt crystals. Preventative measures are needed to address these issues. This paper aims to identify work-related health problems and explore salt workers' opinions on health issues.(D.DURAI RAJ, S.MURUGAN - 2016)[12] It is important to note that the salt industry in Tuticorin largely operates in an unorganized manner, with limited formal structures and regulations in place. Salt

[7] https://www.indiastat.com/table/pradhan-mantri-shram-yogi-maan-dhan-pm-sym/state-wise-number-unorganised-workers-registered-g/1494546 2/ accessed on 13-10-2026-Lok Sabha Starred Question No. 316, dated on 11.08.2025
[8] Ministry of Labour & Employment-Report https://pib.gov.in/PressReleasePage.aspx?PRID=2109828
[9] See Ratnam, C.S.Venkata ed., (2006) Social Security in the Organised Sector in India: Social Development Report, (Oxford University Press, New Delhi, Govt. of India, Economic Survey 2007-2008).
[10] Government of India, Report of National Commission on Labour, 1969
[11] See Second Labour Commission (2002)
[12] Durairaj & Murugan, A Study on Health Hazard of Salt Workers in Tamil Nadu Coastal Areas, (2016), at 137–41.

workers, who engage in the manufacturing, processing, milling, and packing of salt, face continuous exposure to salt within their working environment and surroundings.Furthermore, their working hours are typically unregulated, resulting in long shifts without sufficient breaks or rest. Harassment is also a prevalent issue, particularly affecting women who endure mistreatment and abuse within the workplace (AJEET JAISWAL-2016)

The occupational parameters like eye problems, back pain, fungal infections, allergic reactions, and the production and marketing problems of small-scale industries and pinpointed three key districts in Tamil Nadu Tuticorin, Ramanathapuram, and Nagapattinam that contribute to 85% of the state's salt production, utilizing approximately 30,000 acres of land for this purpose. Author study has concluded that small-scale salt pan workers in Tamil Nadu encounter serious health issues, highlighting the necessity for developing strategies to address these concerns(S.MURUGAN, DR.K.MUTHALAGU - 2017).[13]

The salt pan laborers in Thoothukudi endure unfavorable working conditions, receive minimal pay, and suffer from economic exploitation, resulting in a generally low quality of life. These workers earn meager wages and face both economic and physical exploitation from lenders and traders, which contributes to their poor living standards. During the off-season, they are compelled to borrow money to cover their financial needs, and salt producers offer them advances at the start of the season. The harsh working conditions lead to significant stress and dissatisfaction, causing both physical and mental health problems due to the nature of their work (S.PRAKASH -2018).[14]The seasonal nature of salt production and limited alternative employment options during the off-season contribute to salt workers experiencing significantly low annual household incomes. This, in turn, traps them in a cycle of debt as they resort to borrowing from private money lenders who charge exorbitant interest rates, sometimes as high as 60% per annum. As a result, salt workers remain entrenched in a state of poverty and vulnerability, facing economic impoverishment and social marginalization (ROBIN BRAHMA -2018).Among 75 women workers, 5 women workers were pregnant. They visit the nearby primary health centre (PHC) for antenatal care and checkup. Like other women, salt workers also receive monetary benefits from Gujarat government. They receive 6000 Rupees

[13] Murugan, Muthalagu & Durairaj, Opinion on Occupational Health Problems Among Salt Workers at Saltpan in Tamil Nadu, Int'l J. Pharm. Sci. Rev. & Res. (2017)
[14] Maria Nevis Soris Prakash, A Study on the Working Condition of Salt Pan Workers in Thoothukudi, 3(4) Int'l J. Sci. Eng'g & Mgmt. 545, 545–48 (2018).

under pregnancy aids, however more than half of the women workers are unaware of such schemes(MAYURI BANNERJEE BHATTACHARYA- 2018).The socio economic condition's based on the Daily Wages Classification of women salt-pan workers depending upon the different areas of works(R.A.SHUMUGAVADIVU-2018).

The problems faced during their occupation and the awareness among the workers regarding the use of PPE -Personal Protective Equipment .Workers complain about lack of basic amenities, including safe drinking water, food, and sanitary facilities, and financial struggles due to salt panning stops during rainy seasons. Women workers receive Rs. 150-200 for three hours of work, while men receive Rs. 400.Workers felt underpaid for their work(JYOTI VASUDEVAN, SARAVANAN VAITHIALINGAM-2019)-.[15]The lifestyle practice of salt pan workers including prevalence of cigarette smoking, water intake and food related behaviour, and prevalence of alcohol consumption among them. The study found a high prevalence of unhealthy behaviors among salt-pan workers, and suggests that improving workplace amenities and providing health education could help address these issues.(DR.MATHURAVALLI.S.M.D, DR.SR.MARY.P.A,-2019)[16]

According to the study, the three most significant issues that over 80% of salt workers had were dermatitis, underweight, and cataracts. The cost of treating ocular symptoms has a significant impact on the salt workers' ability to save. women in salt-pans in order to broaden the salt industry's scope and create additional job possibilities for the rural population living in the salt industry's surrounding areas, which would boost the district economy.The effect of health issues at work on household savings in terms of monthly expenses.(S.REKHA, DR.A.ANANDHI-2019)[17]

Despite their vital contributions, women salt workers confront numerous challenges and injustices. They are denied access to basic amenities, such as proper toilet facilities, and endure persistently low economic status. It is imperative to address the gender disparities inherent in this context and strive to improve the working conditions and overall welfare of women salt pan workers, ensuring their well-being, empowerment, and social advancement.(SIVAGAMI

[15] Jyoti Vasudevan & Saravanan Vaithialingam, Common Morbidities and Felt Needs of Salt Pan Workers in a Coastal Area of Tamil Nadu, India, 7(3) Int'l J. Res. Med. Sci. 805, 805–09 (2019).
[16] Mathuravalli & Geetha, Health Profile and Lifestyle Pattern of Saltpan Workers in Thoothukudi District of Tamil Nadu, 6(4) J. Emerging Tech. & Innovative Rsch. (2019).
[17] Rekha & A. Anandhi, Health Impact on Saltpan Workers in Kanyakumari District, 6(1) J. Emerging Tech. & Innovative Rsch. (2019).

SHANMUGA SUNDARI 2020)[18]The category of works undergone by male and female workers in salt pans , the problems faced by the workers with their employers like sexual problems, wages and working hours, hazardous nature of work and bonus problems.The study shows that the salt workers suffer from occupational diseases, with 37% suffering from eye and skin issues. State governments are responsible for labor welfare legislation, but money lenders and employers often exploit them. Female salt workers face back pain, eye irritation, and arm and leg injuries.(HENRY PANDIAN, JANAKI VIMAL- 2021)[19]The Salt intake in the countries like Afghanistan, Bangladesh, Bhutan, India, Sri Lanka, Nepal, Pakistan and about salt reduction policies and strategies in South India.Salt intake in South Asian countries is higher than WHO's recommendation of <5g/day, with Bangladesh reporting the highest intake. Evidence suggests moderate to high salt intake, with salt reduction initiatives in most countries still in the planning phase or not fully implemented.(KAMAL GHIMIRE-2021)[20]

Non-governmental organizations (NGOs) dedicated to their welfare have shed light on the prevailing social issues that afflict these workers. Substance abuse, meager wages,insufficient access to nutritious food, illiteracy, and the pervasive problem of domestic violence against women are among the major concerns identified.These issues contribute to a dismal standard of living, intensified family conflicts, a rise in school dropouts due to limited employment opportunities, forced displacement, an alarming increase in mortality rates, heightened insecurity, substandard working conditions, prevalent alcoholism, prostitution, and an upsurge in child delinquency(CHIRAG HARIS BHAI CHAUHAN - 2022).

A large majority (93%) of the workers reported symptoms of heat strain, and 59% had symptoms of dehydration. - A high proportion (77%) of workers reported symptoms suggestive of urinary tract infections, symptoms of dehydration likely due to excessive sweating and low water intake .To adapt to and reduce the risks of heat-related sickness for vulnerable workers, a comprehensive approach is needed, involving actions taken by government organizations, healthcare providers, and businesses.(PRIYA DHARSHINI JOHN, VIVEKAN AND JHA-2023)[21] The dynamics of change and continuity in the salt Industry overtime, along with impact

[18] Sivagama Shunmuga Sundari, Kamala Aishwarya, Regina & Vishnu Priya, A Study on Problems Faced by the Women Workers at Salt Pan in Thoothukudi, 40(40) Stud. Indian Place Names 2292, 2292–98 (2020).
[19] Henry Pandiyan & Janaki, An Economics Analysis of Health Problems of Salt Workers in Thoothukudi District, 20(5) Elementary Educ. Online 6373, 6373–78 (2021).
[20] Kamal Ghimire et al., Salt Intake and Salt Reduction Strategies in South Asia—From Evidence to Action, J. Clin. Hypertension (2021), https://doi.org/10.1111/jch.14365
[21] Heat Stress: A Hazardous Occupational Risk for Vulnerable Workers (Int'l Soc'y of Nephrology 2023).

of monopoly, caste hegemony and exploitative labour relations. Since the colonial era, the state has shown little concern for the welfare of salt workers, leading to their dependency and vulnerability. The state's main focus has been on tackling the 'inefficiency' of Indian salt production, rather than addressing the issues faced by the workers themselves.The article outlines how the British East India Company's establishment of monopoly conditions in the salt industry reinforced and led to the exploitation of salt workers. This situation has persisted into modern times, despite the existence of various legal and regulatory measures, with the government showing little concern for the working conditions and lives of these workers(ARULARASAN G, BALAHARISH V AND SENTHIL BABU D -2023).[22]The coercive mechanisms and practices deploying the convicts for salt gathering.The author argues that the state's executive, administrative, and judicial organs converged in mobilizing convicts for salt pan work, as a means of ridding society of unwanted individuals and deterring crime. This was evident in sentencing and Governor's directives.(SANAYI MARCELLINE -2023)[23]

The Salt workers in Thoothukudi face numerous challenges,With seasonal employment and meager income, these workers lack social and health security. They endure hazardous work environments and extreme climatic conditions, which contribute to various occupational health conditions. Despite the government's provision of housing facilities and financial assistance during the off-season, salt workers still face harsh working conditions and financial insecurity. It is crucial for both the government and local non-governmental organizations to prioritize the health and socio-economic well-being of these salt workers **(**SAKUNTHALA SADASIVAM-2023).The production of iodized salt in India and its export in India.It gives an report about port wise export of salt and its value , and volume of import of salt in India.This article examines the Indian salt industry, focusing on Gujarat, a major salt-producing region in Western India. The industry is labor-intensive, with small and medium-sized producers lacking modern technology. The export-import value of salt in India indicates a positive financial status, but no relation exists between production and import(ASHOK PANIGRAHI, SUKANTA SARKAR- 2024)[24] The majority of the respondents (59%) are female, and most of them (76%) are seasonal workers. The respondents are engaged in various types of work, including lifting of salt (35%), packing and loading (25%), and scrapping (21%). This papers

[22] G. Arularasan, V. Balaharish & D. Senthil Babu, Salt Workers in Contemporary South India: Change and Continuity, 46(4) South Asia: J. South Asian Stud. (2023).
[23] Sanayi Marcelline, Working the Salterns: Convict Workers in the Natural Salt Pans of Hambantota, in British Colonial Sri Lanka, 64(6) Lab. Hist. 736, 736–52 (2023), https://doi.org/10.1080/0023656X.2023.2252768
[24]Ashok Panigrahi & Sukanta Sarkar, An Assessment of the Performance Evaluation of the Salt Industry in India with Special Reference to the State of Gujarat, J. Mgmt. Rsch. & Analysis (2024).

mainly focus on the socio-economic conditions of the workers in the salt industry ABDUL RAHUMAN-2025 .

While simplistic views may characterize salt merely as a medium of emotional labor that women provide to appease the men in their households, the reality along India's western coastline reveals a more complex dynamic wherein salt production embodies both gendered burdens and benefits as a product of women's physical exertion. Nevertheless, the fundamental economic contributions of women remain systematically undervalued and rendered invisible, notwithstanding their indispensable manual labor in the traditional salt manufacturing process. Consequently, there exists an imperative for enhanced infrastructure and institutional support mechanisms that would enable women to exercise greater autonomy over their temporal and labor resources, thereby transforming conventional work practices into vehicles for economic advancement and empowerment RITIKA PATEL -2025-.

Women make up a higher proportion of salt workers than males, according to a 2015 CSIR research. This research demonstrates how women's work is exploited.The lack of adequate healthcare resources and facilities is another significant issue that these women face. They must travel great distances to get to a primary health center, and the cost of medical care is prohibitive. As a result, women in the Nuniya Community have historically produced salt, but the harsh working conditions have led to a variety of health issues. It is crucial to comprehend the condition and issues of the Nuniya community women, as well as the gender role in health and some significant solutions for these issues NEELA BHAI.R- 2024- [25].

From the above Articles it is evident that it has discussed about the Caste, Structural Exploitation, and Historical Development of the Salt Industry, Socio-Economic Conditions and Economic Vulnerability, Gender-Based Inequality and Exploitation of Women Salt Pan Workers. Likewise discussed the Labour Rights, Working Conditions, and Employer–Worker Relations. The Social Security, Welfare Measures, and Access to Healthcare, Social Problems are also discussed in various Articles, The Broader Context of Salt in Community Welfare, and Quality of Life, Economic Organisation, Production in the Wider Salt Industry are widely disccused in the above Articles.

[25] Neela Bai R., The Detrimental Health Effects of Labor-Intensive Salt Making on Women of Nuniya Community of Gujarat, 12(2) Issues in Soc. Sci. (2024).

The Articles majorly dealt with the Occupational safety and working conditions of the workers and in South Asian countries like Bangladesh, Srilanka , Nepal they talk about the salt transport and salt reduction policies. It does not address the plight of Salt pan workers in getting proper minimum wages and health and Maternity benefits for the workers. The areas like legal aspects of rights and protections which are all applicable for the salt pan workers and the challenges in attaining those rights are lacking in research aspects.

EXISTING LAWS IN INDIA

The Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act, 1982

This act provides a framework for unorganized manual laborers including salt pan workers to register with Welfare Boards and access benefits like pension, maternity benefits, and medical aid. But it's not exclusive to salt workers. It covers many types of manual labor across sectors.[26]

Minimum Wages Act, 1948

This act provides for the fixation of minimum rates of wages in employments where workers are vulnerable to exploitation due to the absence of any organized bargaining power. It aims to ensure that workers, including women salt pan workers, receive fair remuneration for their labor.

Maternity Benefit Act, 1961 (Amended in 2017)

This act entitles women workers to 26 weeks of maternity leave for the first two children and 12 weeks for subsequent children. It also mandates that employers provide certain facilities to pregnant women, such as hygienic restrooms, safe drinking water, and protection from physically strenuous tasks from the 10th week of pregnancy onwards. The act has been extended to cover casual and contractual workers.[27]

Factories Act, 1948

If the salt pans are large enough and meet criteria (like number of workers and use of power), they are technically supposed to be treated like "factories" and given protections under this act: like safety measures, working hour limits, and minimum facilities (toilets, drinking water, etc.).

[26] The Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act, 1982
[27] Maternity Benefit Act, 1961 (Amended in 2017)

In practice, most small salt pans don't register under this act and operate informally, so workers miss out on these protections.[28]

The Unorganized Workers' Social Security Act, 2008

Aimed at workers in informal sectors, this law allows salt pan workers to get benefits like Insurance and pensions if they register. Again, access is patchy because of poor awareness and bureaucratic delays.[29]

The Salt Workers Welfare Bill, 2023

The Salt Workers Welfare Bill, 2023 is a private member's bill introduced in the Lok Sabha by MP Shri Rahul Shewale. It aims to safeguard the rights and welfare of salt workers across India by establishing a comprehensive framework for their protection and support. It discuss about the National Policy for Salt and Salt Workers, The bill mandates the formulation of a unified national policy that includes, Declaring salt as an agricultural product, Ensuring social security and welfare measures for salt workers, Establishing a common salt policy applicable nationwide.[30]

New Labour Codes (Wage Code) – 2019

Workers will get benefitted that the guarantee of minimum wages is available to 50 crore workers of organized and unorganized sectors , the Review of minimum wages in every 5 years and it provides the Guarantee of timely payment of wages to all workers[31]For the first time, around 40 crore workers of unorganized sector in the country have got this right to remove regional disparity in minimum wages the provision of floor wage has been introduced. The determination of minimum wages has been made easy. It will be based on criteria such as skill level and geographical area. From 28.08.2017 Payment of Wages Act has increased the wage ceiling from Rs. 18000 to Rs. 24000.[32]A Social Security fund to be created for 40 crore unorganized workers including the gig and platform workers. This would help in extending

[28] The Factories Act, 1948
[29] The Unorganized Workers' Social Security Act, 2008
[30]https://sansad.in/getFile/BillsTexts/LSBillTexts/Asintroduced/53%20of%202023%20as%20intro84202372946PM.pdf?source=legislation
[31]Code on Wages 2019
[32] Report of Ministry of Labour and Employment (www.labour.gov.in)

comprehensive Social security coverage[33].

The updated labor codes mark a significant transition aimed at modernizing labor regulations, facilitating business operations, and enhancing social security for India's workforce. Nevertheless, in the informal sector, issues such as insufficient awareness, ineffective enforcement, and restricted access to registration platforms like e-Shram might hinder the tangible advantages being realized by informal and gig workers[34].

CONSTITUTIONAL PROTECTIONS

Article 14 (Right to Equality) The Equality before the law and equal protection of the laws for all workers (organised or unorganised).

Article 15(3) (Prohibition of Discrimination) Enables the State to make special provisions for women and children and is the basis upon which gender specific labour and maternity laws are made.

Article 21 (Right to Life and Personal Liberty) As interpreted by the Supreme Court this includes the right to human dignity, the right to livelihood and the right to safe working conditions and health. It is therefore a violation of the right to life to pay wages below the minimum wage[35].

Article 39 (d) (Equal Pay for Equal Work) It directs the State to ensure equal pay for equal work to men as well as women and to tackle the issue of wage disparities in informal sectors.

Article 42 (Just and Humane Conditions of Work and Maternity Relief) It directs the State to make provision for securing just and humane conditions of work and for maternity relief.

Article 43 (Living Wage) The State shall strive to ensure a living wage, decent standard of living and social/cultural opportunities for all workers[36].

[33] Code on Social Security 2020
[34] Anjali Mohan & Poonam Someshwar Gosav, *An Analysis of Impact of New Labour Code on Organised and Unorganised Sector in India*, 15(3) INT'L J. SCI. & RSCH. (Mar. 2026).
[35] https://blog.ipleaders.in/unorganised-sector-rights-protection/
[36] Constitution of India 1950

ILO CONVENTIONS:

The International Labour Organization (ILO) does not have conventions specifically for salt pan workers, but salt pan workers especially women and unorganized workers are covered under various core and sectoral ILO conventions that focus on labour rights, working conditions, wages, maternity protection, and occupational safety.

Here are the key ILO conventions relevant to salt pan workers:

1. ILO Convention No. 100 – Equal Remuneration Convention, 1951

Ensures equal pay for work of equal value, regardless of gender. Relevant for addressing wage discrimination faced by women salt pan workers.

2. ILO Convention No. 111 – Discrimination (Employment and Occupation) Convention, 1958

Prohibits discrimination in employment on the basis of gender, race, or social origin. Applies to the social exclusion of women in unorganized sectors like salt pans.

3. ILO Convention No. 183 – Maternity Protection Convention, 2000

Provides 14 weeks of maternity leave, health protection, and right to return to work. Important for ensuring maternity benefits for women salt pan workers. Not all South Asian countries have ratified this.

4. ILO Convention No. 155 – Occupational Safety and Health Convention, 1981

Aims to ensure a safe and healthy working environment. Very relevant to salt pan workers who are exposed to harsh conditions, long sun exposure, and chemical burns**.**

5. ILO Convention No. 182 – Worst Forms of Child Labour Convention, 1999

Targets hazardous child labour. Important because child labour is often found in salt production in unorganized sectors.

6. ILO Convention No.131-Minimum Age Fixing Convention 1970

India has not ratified Convention No. 131. However, the country has its own legislation the

Minimum Wages Act, 1948 which empowers both Central and State governments to fix and revise minimum wage rates for various scheduled employments. This Act aims to prevent exploitation of labor by ensuring minimum wage standards across different sectors and regions.

7. ILO Convention No. 87 – Freedom of Association and Protection of the Right to Organize, 1948

It is a fundamental international labor convention aimed at promoting and protecting the rights of workers and employers to form and join organizations of their choosing.

8. ILO Convention No. 98 – Right to Organize and Collective Bargaining, 1949

Ensure workers' rights to unionize and bargain collectively. Unorganised salt pan workers often lack union representation.[37]

COMPARATIVE ANALYSIS WITH SOUTH ASIAN COUNTRIES

BANGLADESH

The Bangladesh Labour Act 2006 : Ensures the minimum wage of Bangladesh. The Labour Law obliges the government to establish a Minimum Wage Board‘ to determine and declare the minimum rates of wages for workers in different private sectors. Minimum Wage Ordinance, 1972 , this ordinance sets the minimum wage rates for workers in various industries, including those working in salt pans, to ensure they receive a fair wage.[38]

Maternity Benefit Act, 2004: This act provides for maternity leave and related benefits for women workers. It mandates that women be granted a certain period of maternity leave with full pay. On 2 November 2023 the Bangladesh Parliament approved amendments to the Bangladesh Labour Act 2006, aligning it more with the International Labour Organization. Among the provisions of the Bangladesh Labour Act (Amendment) Act 2023 is the extension of maternity leave from 112 to 120 days. Previously, maternity leave would be divided equally before and after childbirth, but workers can now take the entire 120 days before or after birth.[39]In contrast, the situation of salt pan workers in Tamil Nadu, particularly in regions like

[37] https://www.ilo.org/resource/ilo-conventions
[38] Bangladesh Institute of Labour Studies 2016
[39] https://research.hktdc.com/en/article/MTU1MzcyNDg3Nw

Vedaranyam, Tuticorin, and Marakkanam, remains largely unorganized and informal. Many workers are not covered under formal labour laws due to lack of registration and contract employment. Though India has overarching legislation such as the Minimum Wages Act, 1948 and Maternity Benefit Act, 1961, enforcement among salt pan workers is weak.

NEPAL

Minimum Wage Fixation Act, 1992: This act aims to ensure that workers, including women salt pan workers, receive a minimum wage to protect them from exploitation.Fixation of minimum wages in Nepal started only since 1965 for the workers involved in the manufacturing sector. The Factory and Factory Workers Act was enacted in 1959 as the first labour legislation with the provision of minimum wages covering the manufacturing sector only. A separate minimum wage is fixed for the workers in tea estates. But it is lower than the minimum wage in manufacturing industries.As per 2016, The current level of minimum wage in Nepal is 4,600 rupees per month (unskilled workers in non-agricultural enterprises, excluding tea firms and the jute industry).[40]

Maternity Protection Act, 2019: This act provides for maternity leave and other benefits for women workers. It mandates that women be granted a certain period of maternity leave with full pay. Right to maternity leave: (1) A woman working in a government, non-government or private organization or institution shall have the right to paid maternity leave for a minimum period of ninety-eight days before or after childbirth.[41]

Despite wage provisions, inequality persists across sectors, and many informal workers still fall outside effective regulation. India enforces the Minimum Wages Act, 1948, with wage notifications issued by state governments. Tamil Nadu does declare wages for salt pan workers, but Enforcement is weak, many workers are paid below minimum wage, especially in unregistered or seasonal salt pans. Lack of union representation, irregular employment, and dependence on middlemen further dilute wage rights. Nepal offers universal maternity protection in law, though informality challenges its reach. Tamil Nadu's maternity law offers longer leave but excludes most salt pan women due to informal employment.

[40] Bangladesh institute of labour studies 2016
[41] https://reproductiverights.org/sites/default/files/2020-01/Safe%20Motherhood%20and%20Reproductive%20Health%20Rights%20Act%20in%20English.pdf

PAKISTAN

Minimum Wages Ordinance, 1961: This ordinance sets the minimum wage rates for workers in various industries, including those working in salt pans, to ensure they receive a fair wage.The regulation of minimum wage was extended to the whole of Pakistan, and to all factories or places of work and to all workers except Federal and provincial government employees, mine workers (who had a separate law covering), and agricultural workers. There exists a national minimum wage as well as regional minimum wage coverage.[42]

Maternity Benefits Ordinance, 1958: This ordinance provides for maternity leave and related benefits for women workers. It mandates that women be granted a certain period of maternity leave with full pay.The Constitution of Pakistan directs the State to ensure "maternity benefits for women in employment". Legislation exists for implementing this important directive. Similarly, the West Pakistan Maternity Benefit Ordinance 1958 which applies to the whole of Pakistan provides that women employed in an establishment, whether industrial, commercial, or otherwise, shall be paid wages during maternity leave for 12 weeks i.e. 6 weeks before and 6 weeks after delivery. Violation of the law is made punishable with fine. [43]

While Pakistan offers maternity leave for a shorter duration, it covers a wider range of women, including in non-traditional sectors like salt production. Tamil Nadu provides longer maternity leave, but only to formal workers, leaving most salt pan women without benefits.

SRI LANKA

Wages Boards Act, 1941: This act provides for the establishment of wages boards to fix minimum wages in various industries, including salt pans, to ensure fair remuneration for workers. There exists more than one minimum wage rate based on occupation, sector or for specific categories of workers like trainees/apprenticeship or piece-rate workers in Sri Lanka. Currently, minimum rates of wages apply to over 35 trades. Here, the minimum wage levels vary by industry, position and seniority, according to the terms of the relevant Wages Board decision.[44]

[42] Bangladesh institute of labour studies 2016
[43] http://www.commonlii.org/pk/other/PKLJC/reports/27.html
[44] Bangladesh institute of labour studies 2016

Maternity Benefits Ordinance, 1939

This ordinance provides for maternity leave and related benefits for women workers. It mandates that women be granted a certain period of maternity leave with full pay. Maternity Benefits Ordinance No 32 Of 1939 The payment for maternity benefits to women workers and other matters relating to the employment of such women before and after their confinement are included in this act. Through the Amendment act No43 of 1985 the provisions are expanded in order to enhance the benefits from this legislation. This ordinance applies to all women workers other than those employed in or about the business of a shop or an office, or on a casual basis.[45]

Sri Lanka's wages board model ensures more structured and responsive wage setting for sectoral needs, including salt production. Tamil Nadu, though legally equipped, lacks targeted and enforced implementation, particularly for informal or casual workers.

Parameter	**Bangladesh**	**Nepal**	**Pakistan**	**Sri Lanka**	**Tamil Nadu (India)**
Minimum Wage Law	Minimum Wage Ordinance, 1972	Minimum Wage Fixation Act, 1992	Minimum Wages Ordinance, 1961	Wages Boards Act, 1941	Minimum Wages Act, 1948
Applies to Salt Pan Workers	Yes	Yes (general industries, but not always specifically named)	Yes	Yes (via specific Wages Board decisions)	Yes (officially covered, but weak in practice)
Wage Determination Mechanism	National Minimum Wage Board	Central fixing lower wages for tea/jute workers	National and Provincial Minimum Wage Notifications	Industry-specific Wages Boards for over 35 trades, including salt	State government fixes wages, but no sector-specific board for salt workers
Enforcement Status	Moderate – Implementation varies	Weak in informal sectors	Moderate – enforcement issues persist	Relatively better enforcement through Wages Boards	Weak enforcement,especially for informal salt pan workers
Maternity Law	Maternity Benefit Act,	Maternity Protection	Maternity Benefits	Maternity Benefits Ordinance No. 32	Maternity Benefit Act,

[45] https://eohfs.health.gov.lk/occupational/images/pdf/acts_regulations/maternity_benifit_ordinance.pdf

Parameter	**Bangladesh**	**Nepal**	**Pakistan**	**Sri Lanka**	**Tamil Nadu (India)**
	2004 (Amended 2023)	Act, 2019	Ordinance, 1958	of 1939 (Amended in 1985)	1961
Duration of Paid Leave	120 days (as of 2023)	98 days	12 weeks (6 before + 6 after delivery)	Varies – covers industrial workers but excludes shops/offices/casuals	26 weeks (longest among the four)
Coverage of Salt Pan Women Workers	Covered if registered in the sector	Law applies, but many workers are informal	Law applies to all industrial/commercial establishments	Industrial workers covered casual and shop workers excluded	Majority of salt pan workers are informal and excluded from maternity benefits
Implementation Challenges	Low unionization, seasonal work	Informality, limited awareness	Provincial variation, informality	Better legal clarity, but casual work still excluded	Informality, lack of registration, weak inspections
Progressive Features	ILO-aligned maternity reforms (2023)	Universal maternity leave law	Constitutional protection for maternity rights	Sector-specific wage setting, established maternity laws	Longest maternity leave on paper, constitutional wage right
Major gaps	Informal workers not always reached	Unequal wage rates across sectors	Weak enforcement, rural coverage issues	Casual workers and shop employees not protected	Informality excludes most women from rights; no salt-specific wage board

CONCLUSION

Unorganized workers are granted protection by the fundamental rights and directive principles of state policy outlined in the Constitution. There a variety of welfare security laws to regulate working conditions like minimum wages, fixed working hours, social security, workplace safety, maternity leave, rest and recreation, and workplace facilities. India has Ratified a number of human rights treaties that safeguard the rights of unorganized labourers. However,

the workers' basic rights are actually violated. From the Comparative study of South Asian Countries like Bangladesh, Nepal, Pakistan, Sri Lanka all countries have their legislation for Minimum wage and Maternity benefits for the workers in public and private sector. But reports are not available about whether the people working in other than public sector are getting their benefits is a questionable one. Similarly in India the same condition is prevailing. Most salt pan operations in Tamil Nadu are not properly registered under the Factories Act, which means they often do not receive the full benefits of the Act, such as safety standards, health provisions, and maternity benefits. While some efforts have been made to address this issue through state welfare programs, the informal nature of salt pan work continues to be a significant barrier to ensuring that workers, especially women, benefit from the protections intended under labor laws. For the salt pan industry to fully benefit from the Factories Act, a stronger push towards formalizing these industries and ensuring proper registration is essential. It would also require better enforcement of labor laws and stronger support systems for workers in the informal economy. It can be concluded that, while South Asian countries have made progress in enacting laws to protect the rights of women salt pan workers, there is still much work to be done in terms of implementation, enforcement, and expanding the scope of these protections. By addressing these disparities and strengthening their legal frameworks, these countries can better ensure that women salt pan workers receive the fair wages and maternity benefits they deserve.

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