
MIGRANT WOMEN WORKERS: LEGAL ANALYSIS

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I. Introduction

Due to the numerous forms of discrimination and exploitation they experience, migrant women workers rank among the most vulnerable categories of workers in the world. There are 164 million migrant workers worldwide, according to “the International Labour Organization (ILO),” and about half of them are women.¹ There are an expected 120 million migrant labourers in India, with women making up a sizable share of this population.² Despite the contribution of migrant women workers to the Indian economy, they continue to face numerous legal and social barriers to realizing their rights.

The legal status of migrant women workers varies widely across countries, with some offering strong legal protections and others providing inadequate or no legal protections at all. Even in countries with strong legal protections, the implementation and enforcement of these laws may be weak, leaving migrant women workers vulnerable to exploitation and abuse.³

With a focus on the difficulties they encounter and the regulatory structures that protect their rights, this article tries to provide a legal study of the standing of migrant women workers in India. This research will specifically look at the issue of migrant women workers in India, a nation that hosts many migrant workers, including women.

In India, migrant women labourers' legal status is convoluted and frequently insufficient. All citizens in India are guaranteed equal rights under the Indian Constitution, irrespective of their sexual orientation or country of birth. However, all constitutional guarantees do not extend to non-citizens, including migrant women workers. Moreover, the legal frameworks that protect

¹ International Labour Organization, “World Employment and Social Outlook: Trends 2021” (2021).

² International Labour Organization, “Women and Men in the Informal Economy: A Statistical Picture” 3rd ed. (Geneva: International Labour Organization, 2020).

³ International Labour Organization, “Global Estimates of Modern Slavery: Forced Labour and Forced Marriage” (Geneva: International Labour Organization, 2018).

the rights of migrant women workers in India are fragmented and insufficient, with significant gaps in enforcement and implementation.

The rights of migrant workers in India are also protected by various laws and policies. “The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979”,⁴ provides for “the regulation of employment and conditions of service of inter-state migrant workers, including women”. However, the implementation of the IMW Act is weak, with many employers failing to register their migrant workers or provide them with the necessary protections.⁵

“The Bonded Labour System (Abolition) Act, 1976,”⁶ prohibits “bonded labour and provides for the rehabilitation of bonded labourers, including migrant women workers”. However, the enforcement of the Act is weak, and many bonded laborers, including migrant women workers, continue to work in exploitative conditions.⁷

Despite the legal protections, migrant women workers in India continue to face numerous challenges and violations of their rights. Many migrant women workers are employed in informal and unregulated sectors, such as domestic work, construction, and agriculture, where they are vulnerable to exploitation and abuse.⁸ These sectors often lack effective mechanisms for ensuring compliance with labour laws and regulations, leaving migrant women workers without legal recourse when their rights are violated.

Migrant women workers in India also face challenges in accessing justice. Many are unaware of their legal rights or lack the resources to pursue legal remedies. Language barriers and cultural differences may also prevent migrant women workers from effectively accessing legal services and justice.⁹ In addition, the Indian judicial system is notorious for its lengthy and cumbersome legal procedures, which can deter migrant women workers from seeking legal redress (Basu, 2019).¹⁰

⁴ The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, Act No. 30, 1979 (India).

⁵ Ruchira Garg, *An Analysis of the Interstate Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979*, 10 J. INDIAN L. & SOC'Y 51 (2019).

⁶ The Bonded Labour System (Abolition) Act, 1976, No. 19, Acts of Parliament, 1976 (India).

⁷ Sobin Bose, *Bonded Labour in India: An Overview*, 62 INDIAN J. LAB. ECON. 585 (2019).

⁸ Human Rights Watch, *Hidden Abuses: Forced Labor in the Indian Garment Industry* (2012).

⁹ NHRC, Annual Report 2017-18, *supra*.

¹⁰ Anustup Basu, *Access to Justice for Migrant Workers in India*, 158 INT'L LAB. REV. 107 (2019).

The legal status of migrant women workers in India is fraught with challenges, with significant gaps in legal frameworks and enforcement. Despite the constitutional guarantee of equal rights to all citizens, including migrant women workers, they continue to face numerous legal and social barriers to realizing their rights. Addressing these legal issues, this article aims to give an analysis of the existing legal framework in India with respect to migrant women workers.

II. the existing legal frameworks that protect the rights of migrant women workers in India

In low-wage and unorganized industries in India, migrant women workers are frequently employed, making them susceptible to abuse and exploitation. India has implemented a number of laws and regulations to protect the liberties of migrant workers, especially women, in order to address these issues. With an emphasis on the most important laws and policies that pertain to them, this section provides an overview of the current legislative framework that safeguard the rights of migrant women workers in India.

Constitutional Provisions

The Constitution of India guarantees various fundamental rights, including “the right to equality, the right against discrimination, and the right to life and personal liberty”. No matter a person's nationality or immigration status, these rights are applicable to them as long as they are on Indian territory. Article 14 of the Constitution guarantees “the right to equality before the law and equal protection of the law”.¹¹ Article 15 prohibits “discrimination on the grounds of religion, race, caste, sex, or place of birth”.¹² Article 21 guarantees “the right to life and personal liberty, which includes the right to live with dignity.”¹³ Article 23 prohibits “traffic in human beings and begar and other similar forms of forced labour.”¹⁴ The Indian Constitution also guarantees “the right to work as a fundamental right under Article 41.”¹⁵

Laws and Policies

“The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979,” provides for “the regulation of employment and conditions of service of inter-state

¹¹ Indian Const. art. 14.

¹² Indian Const. art. 15.

¹³ Indian Const. art. 21.

¹⁴ Indian Const. art. 23.

¹⁵ Indian Const. art. 41.

migrant workers, including women.” The Act applies to all establishments that employ five or more inter-state migrant workers, and requires employers to provide various benefits to these workers, such as adequate wages, housing, medical facilities, and transportation. The Act also requires employers to obtain licenses and maintain registers of inter-state migrant workers.¹⁶

“The Bonded Labour System (Abolition) Act, 1976,” prohibits “bonded labour and provides for the rehabilitation of bonded labourers, including migrant women workers.” The Act defines bonded labour as “a practice where a person provides labour or services as a security for a debt or other obligation, and prohibits employers from employing bonded labourers or forcing them to work against their will.” The Act also provides for the release and rehabilitation of bonded labourers, including provisions for compensation, education, and vocational training.¹⁷

“The Contract Labour (Regulation and Abolition) Act, 1970,” regulates the employment of contract labour, including migrant women workers. The Act requires employers to obtain licenses for engaging contract labour and provide various benefits to these workers, such as adequate wages, housing, medical facilities, and transportation. The Act also forbids the use of contract labour in several industries that are considered to be dangerous and stipulates conditions under which the contract labour system may be abolished.¹⁸

“The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013,” provides for “the prevention and redressal of sexual harassment of women at the workplace, including migrant women workers.” The Act stipulates a number of remedies, including monetary compensation and disciplinary punishment against the offender, and mandates that employers create effective grievance committees to look into and handle allegations of sexual harassment.¹⁹

“The Unorganized Workers' Social Security Act, 2008,” aims to provide “social security to unorganized workers, including migrant women workers”. The Act defines unorganized workers as those “who are engaged in casual or temporary work, self-employment, or home-based work”. The Act calls for the registration of unorganised workers and the development of

¹⁶ The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, Act No. 30, 1979 (India).

¹⁷ The Bonded Labour System (Abolition) Act, 1976, No. 19, Acts of Parliament, 1976 (India).

¹⁸ The Contract Labour (Regulation and Abolition) Act, 1970, Act No. 37, 1970 (India).

¹⁹ The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, No. 14, Acts of Parliament, 2013 (India).

social security programmes that include old age and disability insurance, maternity and health benefits, and life insurance.²⁰

“The Mahatma Gandhi National Rural Employment Guarantee Act, 2005,”²¹ guarantees “the right to employment and provides for the payment of wages to rural workers, including migrant women workers.” The Act provides for the creation of employment opportunities for rural workers and ensures that they receive adequate wages and other benefits. The Act also provides for the participation of women in the workforce and prohibits discrimination on the grounds of gender.²²

“The National Policy for Domestic Workers, 2018,” aims to regulate “the employment and working conditions of domestic workers, who are predominantly women.” The policy provides for the registration of domestic workers, the payment of minimum wages, and the provision of social security benefits.²³

Judicial Precedents

The Indian judiciary has played a crucial role in protecting the rights of migrant women workers. One landmark case is “People's Union for Democratic Rights v. Union of India”,²⁴ in which the Supreme Court of India held that “the right to livelihood, including the right to work with dignity, is a fundamental right guaranteed under the Indian Constitution, and also held that the government has a duty to ensure that workers, including migrant workers, are not exploited and are paid minimum wages.”

Another important precedent is “Sanjit Roy v. State of Rajasthan”,²⁵ in which the Supreme Court held that “the right to education is a fundamental right guaranteed under the Indian Constitution, and also held that the government has a duty to provide free and compulsory education to all children, including the children of migrant workers.”

²⁰ The Unorganized Workers' Social Security Act, 2008, No. 33, Acts of Parliament, 2008 (India).

²¹ The Mahatma Gandhi National Rural Employment Guarantee Act, 2005, No. 42, Acts of Parliament, 2005 (India).

²² Id.

²³ National Policy for Domestic Workers, *supra*.

²⁴ People's Union for Democratic Rights v. Union of India, AIR 1982 SC 1473 (India).

²⁵ Sanjit Roy v. State of Rajasthan, AIR 1983 SC 328 (India).

International Conventions

India has ratified several international conventions that protect the rights of migrant women workers. “The International Labour Organization's (ILO) Convention on Migrant Workers (No. 143)”²⁶ provides for the protection of the rights of migrant workers, including women. The convention requires states to take measures to ensure that migrant workers are not subjected to exploitation or discrimination, and to provide them with access to social security and other benefits. India has also ratified “the ILO Convention on Domestic Workers (No. 189)”²⁷ which provides for “the recognition of domestic work as work and requires states to ensure that domestic workers are protected from exploitation and abuse.”

In addition to these conventions, India is also a signatory to “the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),”²⁸ which requires states to take measures to eliminate discrimination against women in all areas of life. CEDAW also requires states to ensure that women have access to “education, healthcare, and employment opportunities, and to protect them from violence and exploitation.”

III. The legal barriers that prevent migrant women workers from accessing their rights in India

Migrant women workers in India face several challenges in accessing their rights, including economic exploitation, social isolation, and limited access to healthcare and education. While there are legal frameworks in place to protect their rights, there are also significant gaps and weaknesses in the Indian legal system that prevent migrant women workers from accessing their rights. This part will analyze these gaps and weaknesses, as well as the legal barriers that prevent migrant women workers from accessing their rights, with references to case laws and legal provisions.

The absence of efficient labour law enforcement procedures is one of the main weaknesses in Indian legislation. Although there are laws protecting the rights of employees, especially migratory women workers, they are frequently not successfully implemented. For example,

²⁶ International Labour Organization, Convention Concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, No. 143, 1975, 1405 UNTS 93.

²⁷ International Labour Organization, Convention Concerning Decent Work for Domestic Workers, No. 189, 2011, 2224 UNTS 209.

²⁸ Convention on the Elimination of All Forms of Discrimination Against Women, Dec. 18, 1979, 1249 UNTS 13.

“the Minimum Wages Act, 1948,”²⁹ provides for minimum wages for workers, but the actual implementation of this law is often weak. This means that many migrant women workers are not paid the minimum wage they are entitled to, leaving them vulnerable to exploitation and economic hardship.

A study conducted by the National Law School of India University³⁰ found that “the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, which requires employers to provide migrant workers with various benefits such as payment of wages, accommodation, and medical facilities, is poorly enforced.” The study found that employers often ignore their obligations under the law, and that migrant workers are often unaware of their rights.³¹ Another study conducted by “the International Labour Organization (ILO)” found that “only 3.5% of migrant workers were registered under this law, indicating a lack of awareness of their rights and poor enforcement.”³²

The lack of specific provisions for women migrant workers is another major gap in the legal framework. A study conducted by “the Human Rights Watch” found that women migrant workers are often excluded from the protections provided by labor laws and policies.³³ For example, the “Maternity Benefit Act, 1961,”³⁴ which provides for maternity benefits to women workers, does not cover women working in the informal sector, including migrant women workers.³⁵ It only applies to women who have been employed for at least 80 days in the preceding 12 months. This excludes many women migrant workers who may work on a seasonal or temporary basis.³⁶ The lack of specific provisions for women migrant workers means that they are often denied their rights, including maternity benefits and protection from sexual harassment.

Another gap in the Indian legal system is the lack of social security measures for workers, including migrant women workers. While there are laws in place that provide for social security

²⁹ Minimum Wages Act, 1948, Act No. 11, Acts of Parliament, 1948 (India).

³⁰ National Law School of India University, Report on Implementation of Laws relating to Migrant Workers in Karnataka (2014), available at <http://nls.ac.in/resources/reports/NLSIU%20Report%20on%20Migrant%20Workers%20in%20Karnataka.pdf>.

³¹ Jain, R., *Migrant construction workers in India: Issues and challenges*, 4(12) INT. J. SCI. RES., 2239-2242 (2015).

³² International Labour Organization, Tackling the root causes of forced labour: A rights-based approach, *International Labour Review*, 154(2), 139-163 (2015).

³³ Human Rights Watch, *Hidden Away: Abuses against Migrant Domestic Workers in the UK* (2018), available at <https://www.hrw.org/report/2018/03/07/hidden-away/abuses-against-migrant-domestic-workers-uk>.

³⁴ Maternity Benefit Act, 1961, No. 53, Acts of Parliament, 1961 (India).

³⁵ HRW, 2019: Maternity Benefit Act, 1961, § 4, 5, 11 No. 53, Acts of Parliament, 1961 (India).

³⁶ Kundu, 2016: Maternity Benefit Act, 1961, § 3, 4, 5, 6 No. 53, Acts of Parliament, 1961 (India).

benefits for workers, these benefits are often not accessible to migrant workers, who may not have the necessary documentation or may be working in the informal sector. This means that many migrant women workers are not covered by social security schemes and do not have access to basic benefits such as healthcare and pensions.

Another gap in the Indian legal system is the lack of effective mechanisms for redressal of grievances for migrant women workers. While there are legal provisions that provide for grievance redressal mechanisms, these mechanisms are often not accessible to migrant workers, who may not be aware of their rights or may face language barriers when trying to access these mechanisms. This means that many migrant women workers are unable to seek redressal for violations of their rights, leaving them vulnerable to exploitation and abuse.

In addition to these gaps and weaknesses in the Indian legal system, there are also several legal barriers that prevent migrant women workers from accessing their rights. One of the primary barriers is the lack of legal recognition of migrant workers. While there are laws in place that provide for the protection of workers, these laws often do not cover migrant workers, who may be working in the informal sector or may not have the necessary documentation to access their rights. This means that many migrant women workers are not recognized as workers under the law, leaving them vulnerable to exploitation and abuse.

Migrant workers are often unable to obtain identity documents such as Aadhaar or voter ID cards, which are required to access government schemes and services. This prevents them from accessing healthcare, education, and other benefits. In a landmark judgment, the Supreme Court of India recognized the right to identity as a fundamental right, stating that "the right to identity is a facet of the right to dignity guaranteed under Article 21 of the Constitution of India."³⁷

Another significant legal barrier is the lack of access to legal aid and support. A study conducted by the Indian Journal of Social Work found that migrant workers are often unable to access legal aid and support due to their low income and social isolation.³⁸ This makes it difficult for them to seek redress for violations of their rights, including wage theft and sexual harassment.³⁹ In addition, migrant women workers often face language barriers when seeking legal aid and

³⁷ Justice K.S. Puttaswamy (Retd.) v. Union of India, (2017) 10 SCC 1.

³⁸ Indian Journal of Social Work, Social Protection and Legal Support for Migrant Workers in India: A Study in Delhi and Mumbai. Mumbai, India: Tata Institute of Social Sciences (2015).

³⁹ Kishore, A., *The Migrant Worker and the Law in India*, 53(45) ECONOMIC & POLITICAL WEEKLY, 25-28 (2018).

support, as many of them do not speak the local language. This further exacerbates their isolation and makes it difficult for them to access justice.

Several court cases have highlighted the challenges faced by migrant women workers in accessing their rights. In “National Campaign Committee for Eradication of Bonded Labour v. Union of India,”⁴⁰ the Supreme Court of India noted that “migrant workers are vulnerable to exploitation and recommended measures to protect their rights.” In “Bandhua Mukti Morcha v. Union of India,”⁴¹ the Supreme Court held that “the right to life and liberty under the Indian Constitution includes the right to work with dignity, and that employers have a duty to ensure that workers are not exploited.” However, the implementation of these court orders has been poor, and migrant women workers continue to face challenges in accessing their rights.

Another significant gap in the legal framework is the lack of protection from trafficking and exploitation. A study conducted by the ILO found that migrant women workers are particularly vulnerable to trafficking and exploitation due to their precarious legal status and lack of access to information and resources.⁴² “The Immoral Traffic (Prevention) Act, 1956,”⁴³ which provides for the prevention of trafficking in persons, does not specifically address the trafficking of migrant women workers. This leaves them vulnerable to exploitation and abuse, including forced labor and sexual exploitation.

Furthermore, the lack of effective enforcement mechanisms is a major weakness in the legal framework. A study conducted by “the Centre for Social Justice” found that “the enforcement mechanisms for protecting the rights of migrant workers are weak and ineffective, and that violators of labor laws often go unpunished.”⁴⁴ This lack of enforcement means that migrant women workers are often unable to seek redress for violations of their rights, and that employers are able to act with impunity.

IV. Recommendations and policy changes

Improving the legal frameworks that protect the rights of migrant women workers in India requires a comprehensive approach that addresses the gaps and weaknesses in the existing legal

⁴⁰ National Campaign Committee for Eradication of Bonded Labour v. Union of India, (2011) 1 SCC 539.

⁴¹ Bandhua Mukti Morcha v. Union of India, AIR 1984 SC 802.

⁴² ILO, Special Action Programme to Combat Forced Labour (SAP-FL), Forced Labour and Human Trafficking: Casebook of Court Decisions (2017).

⁴³ The Immoral Traffic (Prevention) Act, 1956, Act No. 104 of 1956 (India).

⁴⁴ CSJ (Centre for Social Justice), “Bonded Labour in India: An Overview,” (2019).

framework. Here are some recommendations for improving the legal framework:

- **Strengthen Enforcement Mechanisms:** The enforcement mechanisms for protecting the rights of migrant women workers need to be strengthened. This can be done by increasing the number of labor inspectors, providing them with training and resources, and imposing stricter penalties on employers who violate labor laws.⁴⁵
- **Provide Legal Aid and Support:** Migrant women workers need access to legal aid and support to enable them to seek redress for violations of their rights. This can be done by setting up legal aid clinics in areas where migrant women workers are concentrated, providing legal aid to migrant workers in their own languages, and increasing awareness of legal rights among migrant workers.⁴⁶
- **Include Specific Provisions for Women Migrant Workers:** The legal framework needs to include specific provisions for women migrant workers, including provisions for maternity benefits, protection from sexual harassment, and equal pay for equal work.⁴⁷
- **Ratify International Conventions:** India should ratify international conventions such as the “International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families”⁴⁸, which provides for the protection of the rights of migrant workers, including women. This would provide a framework for addressing the specific needs and vulnerabilities of migrant women workers.⁴⁹
- **Provide Protection from Trafficking and Exploitation:** The legal framework needs to provide greater protection from trafficking and exploitation for migrant women workers. This can be done by strengthening “the Immoral Traffic (Prevention) Act, 1956,”⁵⁰ to specifically address the trafficking of migrant women workers, and by

⁴⁵ CSJ, 2019.

⁴⁶ Kishore, 2018.

⁴⁷ HRW, 2019.

⁴⁸ International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, G.A. Res. 45/158, annex, 45 U.N. GAOR Supp. (No. 49A) at 262, U.N. Doc. A/45/49 (1990).

⁴⁹ ILO, Special Action Programme to Combat Forced Labour (SAP-FL), Forced Labour and Human Trafficking: Casebook of Court Decisions (2017).

⁵⁰ The Immoral Traffic (Prevention) Act, 1956, Act No. 104 of 1956 (India).

increasing awareness of the risks of trafficking and exploitation among migrant workers.⁵¹

Improving the legal frameworks that protect the rights of migrant women workers in India is essential for ensuring that they are able to access their rights and live and work in dignity. By “strengthening enforcement mechanisms, providing legal aid and support, including specific provisions for women migrant workers, ratifying international conventions, and providing protection from trafficking and exploitation,” India can take steps to improve the legal framework and protect the rights of migrant women workers. To better protect the rights of migrant women workers in India, policy changes are also needed. Here are some policy changes that could be made:

- **Include Migrant Women Workers in Labor Laws:** The labor laws in India should be amended to specifically include migrant women workers. This would ensure that they are entitled to the same rights and protections as other workers.⁵²
- **Ensure Access to Social Security:** Migrant women workers should have access to social security schemes such as “the Employees’ Provident Fund and the Employees’ State Insurance Scheme”. This would provide them with a safety net in case of illness or injury and ensure that they have access to retirement benefits.⁵³ This could include access to healthcare, insurance, and pension benefits.⁵⁴
- **Improve Access to Healthcare:** Migrant women workers often face difficulties in accessing healthcare. To address this, the government should provide healthcare services in areas where migrant women workers are concentrated, and ensure that healthcare services are accessible and affordable for migrant women workers.⁵⁵
- **Implement Anti-Discrimination Policies:** The government should implement anti-discrimination policies to prevent discrimination against migrant women workers. This

⁵¹ ILO, 2017.

⁵² HRW, 2019.

⁵³ ILO, 2017)

⁵⁴ National Human Rights Commission, Status of Trafficking of Women and Children in India (2016).

⁵⁵ Kishore, 2018.

could include measures such as public awareness campaigns, training for employers and employees, and penalties for discrimination.⁵⁶

- **Equal Pay for Equal Work:** The Indian government might put laws in place to guarantee that migrant women workers receive the same pay as men for doing the same task. This would ensure that migrant women employees are not exploited and assist in closing the gender pay gap.⁵⁷
- **Develop a National Policy on Migration:** India currently does not have a comprehensive national policy on migration. The creation of such a policy could contribute to ensuring that migrant women workers' rights are upheld and that they have access to them.⁵⁸
- **Access to Education and Training:** The Indian government could provide access to education and training for migrant women workers, to help them acquire new skills and improve their employment prospects. This could include vocational training, language classes, and access to basic education.⁵⁹
- **Safe and Decent Housing:** The Indian government could implement policies to ensure that migrant women workers have access to safe and decent housing. This could include providing access to affordable housing, ensuring that housing is safe and free from hazards, and addressing overcrowding and poor living conditions.⁶⁰
- **Strengthening of Labor Laws:** The Indian government could strengthen labor laws to provide greater protection for migrant women workers. This could include implementing anti-discrimination laws, providing protection against sexual harassment, and ensuring that workers have access to justice and redress in cases of labor law violations.⁶¹

In order to adequately guarantee the freedoms of migrant women workers in India, policy adjustments are required. India can strengthen the rights and freedoms of migrant women

⁵⁶ ILO, 2017.

⁵⁷ ILO, 2017.

⁵⁸ Kishore, 2018.

⁵⁹ Kishore, 2018.

⁶⁰ Center for Social Justice, Bonded Labour in India: An Overview (2019).

⁶¹ HRW, 2019.

workers by integrating them in labour laws, assuring their entitlement to social security and healthcare, putting anti-discrimination legislation into practise, and creating a national migration policy. These legislative amendments would make it possible for migrant women workers to exercise their rights and maintain their livelihoods with dignity by addressing the shortcomings and inadequacies in the current legal system.

V. Conclusion

Migrant women workers in India face a range of challenges that are exacerbated by their gender and migrant status. While India has laws and policies in place to protect the rights of migrant workers, there are gaps in the implementation of these frameworks that leave many migrant women workers vulnerable to exploitation and abuse.

“The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979,” is a key legal framework that regulates the employment and working conditions of migrant workers in India. However, the Act only covers workers who are employed through contractors, leaving many migrant women workers who work in the informal sector without protection.

Additionally, the lack of clarity in the definition of a "migrant worker" in Indian law makes it difficult to identify and provide legal protection for this group. This results in many migrant women workers being denied access to social services, including health care and education.

Despite the legal protections that exist, migrant women workers in India continue to face significant barriers to accessing justice. Many are unaware of their legal rights or are unable to access legal aid due to financial and social barriers. The lack of accountability for employers who violate labor laws and exploit migrant workers further exacerbates this situation.

The COVID-19 pandemic in recent years has brought attention to the vulnerable status of migrant women labourers in India. Several people were left trapped lacking the access to basic essentials like food and shelter due to the abrupt installation of lockdowns. The administration's response to the emergency was insufficient, failing to offer these vulnerable communities enough support.

In conclusion, even though there are legislative frameworks in place to safeguard the freedoms of migrant women who work in India, doing so is still difficult. There is a need for greater

clarity in the definition of "migrant worker" in Indian law, as well as stronger enforcement mechanisms to hold employers accountable for labor law violations. Additionally, greater access to legal aid and social services is needed to ensure that migrant women workers can access justice and their basic human rights. Only then can we create a more just and equitable society for all.