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AGRICULTURAL WORKERS AND THEIR SOCIAL SECURITY IN INDIA

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ABSTRACT

Agricultural workers in India, who form a large chunk of the unorganised segment, experience entrenched socio-economic vulnerabilities, such as low income, absence of social security, hazardous working environments, and limited access to healthcare services. Even though agriculture employs more than 54% of India's labour force, agricultural workers continue to face institutional neglect and economic marginalization, particularly women, who suffer from persistent wage gaps. The aim of this paper is to explore why agricultural workers continue to face a lack of social security, despite legislative measures such as the Minimum Wages Act of 1948, the Bonded Labour System (Abolition) Act of 1976, and the Unorganised Workers' Social Security Act of 2008, which were introduced to protect their rights but whose enforcement has remained weak. It also examines how the Code on Social Security, 2020 seeks to consolidate and enhance protections for informal sector workers, including those in agriculture. Over the past few years, some government initiatives such as the e-Shram Portal, PM-Kisan Maan-Dhan Yojana, PM Fasal Bima Yojana, PM Shram Yogi Maandhan, Ayushman Bharat-PMJAY, and the MGNREGA have focused on bringing social security, health insurance, pensions, and job opportunities to farm labourers.

Keywords: Unorganised workers, Social security, Agricultural workers, Welfare scheme, Wages.

INTRODUCTION

Social security for Agricultural workers, who constitute the unorganized sector, is dealt with in India under a synergy of legal structure and governmental schemes. The Unorganised Workers' Social Security Act, 2008 serves as the basis for formulating welfare schemes, and several schemes provide life and disability cover, health and maternity benefits, and old age protection.

After gaining independence, India sought to reform its unequal rural land structure to control poverty and encourage social justice. Workers in India are largely classified as two categories: the organised and unorganised sectors. The unorganised sector employs a large percentage of the

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workers in India. Most workers who work in the unorganised sector are actually work in agriculture. India is a largely agrarian nation, and most of its citizen still employed in agriculture. Agriculture contributes significantly to the economy of India and 54.6% of the entire workforce is employed in agriculture and allied sector activities (census 2011). Agriculture and allied sector contributes 18.4% of India's GVA at current prices during 2022-2023. Women make up approximately 25% of the global agricultural labor force and 43% of the developing countries' agricultural workers force. Social security-related challenges face agricultural workers in India.²

CHALLENGES FACED BY AGRICULTURAL WORKERS

Agricultural workers generally earn wages that are so low they can't even meet the essential needs like food, housing, and healthcare. Prior to state intervention, employers set these wages, leaving workers with no choice but to accept them. The **Minimum Wages Act, 1948** is the sole legal framework that guarantees minimum wages for agricultural workers. However, during 2004-05, approximately 91% of agricultural workers earned less than the National Minimum Wage,³ and 64% received wages below the minimum standards set by the National Commission for Rural Labour in rural areas.

In 2019–2020, the Indian government conducted a detailed report analyzing agricultural worker wages across the country, gathering data from multiple state governments on a wide range of agricultural activities such as ploughing, sowing, weeding, and harvesting, as well as skilled rural occupations like blacksmithing, carpentry, and cobbling. The report revealed significant disparities in earnings among different categories of workers. The all-India annual average daily wage for male field laborers was reported at Rs. 348, while female field laborers earned significantly less, with an average of Rs. 278 per day, highlighting a persistent and concerning wage gap of nearly 25% between male and female workers in the agricultural sector. Skilled rural laborers, on the other hand, earned an average of Rs. 449 per day nationwide, reflecting the higher value placed on technical expertise. These results highlight the persisting gender wage disparity and the economic marginalization of unskilled and female farmworkers in India. Farm laborers are exposed to serious health hazards with the extensive use of fertilizers, insecticides, pesticides, and farm machinery. Their long-term exposure to chemicals can lead to long-term health issues. The increasing

² C. Anita Fabiyola & K. Kaviya, "Agricultural Workers: A Comprehensive Overview of their Importance and Challenges", (2024) 7(4) International Journal of Law Management & Humanities 1570–1578, ISSN 2581-5369, available at: <https://ijlmh.com/paper/agricultural-workers-a-comprehensive-overview-of-their-importance-and-challenges/> (last accessed June 10, 2025).

³ **David Cheong, Marion Jansen and Ralf Peters (eds.)**, *Shared Harvests: Agriculture, Trade and Employment*, (Geneva: International Labour Office and United Nations Conference on Trade and Development, 2013).
UN Symbol: UNCTAD/DITC/TNCD/2013/2.
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dependence on toxic chemicals, bioagents, and farm machinery poses severe safety and health concerns to farm laborers. Machinery and tool usage also exposes them to more chances of accident and injury. Sprayer operators also tend to feel tired due to the weight of the equipment, and sprayer vibrations tend to cause pain. Moreover, incorrect handling of pesticides like hand mixing solutions without wearing gloves and spraying without protective equipment exposes workers to various health hazards and injuries. Circumstances such as low earnings, poor diet, relentless physical work, low educational attainment, and ignorance contribute to increasing the risk of agricultural workers to occupational injury and illness. The majority of them are employed in the informal economy without written contracts, hence cannot be considered for benefits such as health insurance, pension, and employment security. They tend to be unaware of government welfare programs and find it challenging to access them in view of complicated procedures and insufficient documentation. Non-portable benefits are particularly a challenge for migrant and seasonal workers, while women and marginalized groups have to endure added discrimination and exclusion. Poor implementation, delayed payments, and inadequate monitoring further curtail the efficacy of social security initiatives among farm workers.⁴

LEGISLATIVE MEASURES TAKEN BY INDIAN GOVERNMENT

The Bonded Labour System (Abolition) Act, 1976 was an important landmark in the safety of farm workers in India, as it sought to abolish the deeply rooted phenomenon of bonded labour under which people, mostly drawn from marginalized sections of society, used to work under exploitative conditions to settle their debts to landlords. This law aimed to bring freedom and dignity to individuals who had long been held in forced labour cycles, in effect criminalizing the system and making it punishable. But while the Act remedied the vital problem of labour exploitation, it did not enlarge its ambit to include farm workers' healthcare needs or general well-being. In the same vein, the Minimum Wages Act of 1948 was one of the earliest endeavours at ensuring economic justice by imposing minimum wage requirements on different categories of work, including agricultural work. While it did lay down a legal framework for economic justice, it too did not go far enough in meeting the urgent needs of medical care, safe working conditions, and social protection. Conscious of these loopholes, the government subsequently brought the Unorganised Workers' Social Security Act in 2008, which proposed to give a safety net to workers

⁴ C. Anita Fabiyola & K. Kaviya, "Agricultural Workers: A Comprehensive Overview of Their Importance and Challenges," (2024) 7(4) International Journal of Law Management & Humanities 1570-1578, DOI: <https://doi.org/10.1000/IJLMH.118170>

in the informal sector such as agricultural labourers through schemes pertaining to health insurance, life and disability benefits, and old-age security. Though progressive in its approach, the enforcement of this Act was weak, with low awareness, insufficient funding, and inadequate coordination among agencies diluting its effect. Consequently, a significant majority of farmworkers are still suffering from poor access to healthcare, unsafe working environments, and longstanding economic insecurity, which represents the continued necessity of sweeping reforms and enhanced enforcer efforts in order to genuinely promote and secure this vulnerable sector of the economy.

Social security is the protective actions extended to workers including those in the unorganised sector and platform and gig workers with the view of ensuring financial support and healthcare access. This assistance is particularly vital in instances of old age, unemployment, sickness, disability, accidents occurring in the workplace, maternity, or loss of a household's primary breadwinner. These protections are extended by legal rights and several schemes framed under the Code on Social Security, 2020. The Code on Social Security, 2020 seeks to harmonize and consolidate current social security legislation so that benefits can reach all workers organized or unorganized like gig, platform, migrant, and self-employed workers. These include schemes such as insurance, health, maternity, and provident fund.

JUDICIAL SAFEGUARDS FOR AGRICULTURAL WORKERS'

SOCIAL SECURITY

The Indian judicial system has increasingly acknowledged the rights of farm laborers, with a focus on their social security. *Sanjit Roy v. State of Rajasthan* (1983), the Supreme Court held that if no piece rate is determined under the Minimum Wages Act, the state shall not deduct wages on the basis of the amount of work done. This judgment emphasized fair wage practices and protection of workers against arbitrary deductions.⁵

All India Agricultural Labour Association v. Government of Tamil Nadu (2023), the Madras High Court dealt with the arbitrary connection of productivity/performance norms to wage payment under Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS). The Court held such connections as arbitrary and against the Minimum Wages Act and Articles 14 and 23 of the Constitution, laying stress on the necessity of equitable wage practices for farm workers.⁶

⁵ **Sanjit Roy v. State of Rajasthan**, AIR 1983 SC 328, available at: <https://indiankanoon.org/doc/1150530/> (last visited June 17, 2025).

⁶ **All India Agricultural Labour Association v. Government of Tamil Nadu**, Madras High Court, decided on 28 Apr. 2023, available at: <https://indiankanoon.org/doc/166549644/> (last visited June 17, 2025).

International Union of Food Agricultural Workers v. Union of India (2025), in this landmark and humanitarian judgment, the Supreme Court of India considered the long-standing plight of the families of the tea estate workers, specifically widows who had been suffering under abject economic and social distress by way of non-payment of wages, harsh working conditions, and denial of social security benefits.⁷

The suit was filed by the International Union of Food and Agricultural Workers, bringing to light the issues faced by many workers in tea estates in Tamil Nadu, Kerala, and Assam. Scores of workers had passed away without getting their legitimate dues and had left behind traumatized families. During the proceedings, it was mentioned that an amount of ₹20 lakh, which had been set apart as an honorarium for retired Justice A.M. Sapre (who had been appointed to head a committee pertaining to tea estate workers' welfare), had been refused by the judge. In a very uncommon and exemplary humanitarian move, the Supreme Court directed that this unclaimed money be diverted to the widows of tea estate workers who needed the most immediate help.⁸

The Court specifically directed the governments of Tamil Nadu, Kerala, and Assam to ensure that this amount was equitably distributed among the affected families. It emphasized the dignity of labor and the State's responsibility to protect the most vulnerable, particularly in sectors like tea plantations, where labor rights are often neglected.

This judgment not only provided immediate financial relief but also reinforced the judiciary's proactive role in ensuring social justice for marginalized agricultural workers. It demonstrated the Supreme Court's recognition that compensation and welfare cannot be delayed, especially when the victims are families who have lost their primary breadwinners.

Moreover, the ruling sent a broader message to state governments and private plantation owners about the urgent need to uphold labor laws, clear wage arrears, and implement social security mechanisms for tea plantation laborers many of whom live in colonial-era conditions with limited legal recourse.⁹

⁷ **International Union of Food and Agricultural Workers v. Union of India, Ministry of Law and Justice**, Supreme Court of India, daily order dated 24 Jan. 2025, available at: <https://indiankanoon.org/doc/57999148/> (last visited June 17, 2025).

⁸ **V.V. Giri National Labour Institute**, *Code on Social Security, 2020*, available at: <https://vvnli.gov.in/en/code-social-security-2020> (last visited Jun. 17, 2025).

⁹ *International Union of Food Agricultural Workers v. Union of India*, W.P. (C) No. 110 of 2020, Supreme Court of India, decided in 2025, available at <https://indiankanoon.org/doc/57999148> (last visited Jun. 15, 2025).

THE GOVERNMENT INITIATIVES FOR THE WELFARE OF AGRICULTURAL WORKERS

The Constitution of India explicitly outlines the responsibilities of the state toward rural labourers. Article 43 states that the state should strive, through appropriate legislation, to ensure all workers whether in agriculture, industry, or other sectors are provided with working conditions that guarantee a decent standard of living.¹⁰ The Unorganised Workers Social Security Act, 2008 aims to address the challenges faced by workers in the unorganized sector by enhancing their social and economic security. The Act seeks to improve the living and working conditions of these workers and extends social security and welfare benefits to a broad range of occupations, including those in agriculture, construction, and domestic work. It covers agricultural and related activities such as forestry, livestock, and fishing, as well as non-agricultural sectors. The Act provides healthcare, maternity benefits, health insurance, pension schemes, and old-age benefits to unorganized workers. Additionally, it establishes grievance redressal mechanisms to ensure proper implementation and enforcement of these benefits.¹¹ The E-Shram portal, launched on 26th August 2021, the e-Shram portal aims to create a centralized national database of unorganized workers, linked with Aadhaar. The database captures key details such as name, occupation, address, educational qualifications, skill sets, and family information to enhance employability and ensure access to social security benefits. As of 16th July 2024, over 29.79 crore unorganized workers have been registered on the portal. This includes agricultural workers. As per self-declared data, by 13th March 2022, out of 26 crore registered workers, approximately 13.78 crore were agricultural labourers.¹² Farming is physically demanding work, which becomes increasingly challenging as farmers grow older. This issue is especially severe for small and marginal farmers who often have little or no savings to support themselves in old age. The Pradhan Mantri Kisan Maan-Dhan Yojana (PM-KMY) addresses this by offering a guaranteed monthly pension of Rs. 3,000 to all small and marginal land-holding farmers, regardless of gender, once they reach 60 years of age.¹³ The Pradhan Mantri Fasal Bima Yojana (PMFBY) is a government initiative designed to provide comprehensive crop insurance coverage to farmers across India, operating under the guiding principle of "One Nation, One Crop, One Premium." The primary objective of this scheme is to

¹⁰ India, Constitution of India, 1950, Art. 43.

¹¹ C. Anita Fabiyola & K. Kaviya, "Agricultural Workers: A Comprehensive Overview of Their Importance and Challenges," (2024) 7(4) International Journal of Law Management & Humanities 1570-1578, DOI: <https://doi.org/10.1000/IJLMH.118170>.

¹² Ministry of Labour & Employment, *Schemes Implemented for Agricultural Labourers*, 21 Mar. 2022, <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1807657>.

¹³ Government of India, *Pradhan Mantri Kisan Maan-Dhan Yojana*, effective from Aug. 2019, <https://pmkisan.gov.in/Documents/PMKMY%20-%20Operational%20Guidelines.pdf>.

offer financial protection to farmers against the risks associated with crop failure due to unforeseen natural calamities, pest attacks, or plant diseases. By compensating farmers for their losses, the scheme aims to stabilize their income and ensure that they are not driven into financial distress, thereby enabling them to continue their agricultural activities with confidence. In addition, PMFBY seeks to encourage farmers to adopt modern and innovative farming techniques by reducing the financial risks involved in experimentation and technology adoption. Another critical goal of the scheme is to ensure a steady flow of institutional credit to the agricultural sector, which is essential for both short-term needs and long-term investment in sustainable farming practices. Through these objectives, PMFBY plays a vital role in enhancing the resilience and productivity of India's agricultural community.¹⁴

Pradhan Mantri Shram Yogi Maandhan is a government initiative aimed at providing old-age protection and social security to unorganized workers (UWs). These workers are typically employed in occupations such as home-based work, street vending, mid-day meal services, head loading, brick kiln labor, cobbling, rag picking, domestic work, washing, rickshaw pulling, landless labor, own-account work, agriculture, construction, and similar fields. There are about 42 crore unorganized workers across the country. This scheme is voluntary and contributory, offering beneficiaries a guaranteed minimum pension of Rs. 3,000 per month upon reaching 60 years of age. In the event of the beneficiary's death, their spouse is entitled to receive 50% of the pension as a family pension.¹⁵

Other widely implemented social security programs aimed at supporting all vulnerable groups. The National Social Assistance Programme (NSAP) is a welfare initiative administered by the Ministry of Rural Development. It is implemented across both rural and urban areas.¹⁶ The Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (Act No. 42 of 2005), as amended in 2007 and 2009, mandates that State Governments must provide at least 100 days of unskilled manual employment per financial year to every household whose adult members are willing to work. Individuals undertaking such work are entitled to receive wages at the prescribed wage rate for each day of employment.¹⁷ Ayushman Bharat–Pradhan Mantri Jan Arogya Yojana (AB-PMJAY) is a universal health coverage scheme that offers health and maternity benefits. As of

¹⁴ Government of India, *Pradhan Mantri Fasal Bima Yojana*, launched on 18 Feb. 2016, <https://pmfby.gov.in/>.

¹⁵ Government of India, *Pradhan Mantri Shram Yogi Maandhan*, launched on 15 Feb. 2019, https://maandhan.in/show_content.php?lang=1&level=1&ls_id=28&lid=28&page=6. Government of India, *National Social Assistance Programme*, launched on 15 Aug. 1995, <https://nsap.nic.in/circular.do?method=aboutus>.

¹⁶ *Ibid.*

¹⁷ Mahatma Gandhi National Rural Employment Guarantee Act, 2005, No. 42, Acts of Parliament, 2005 (India), available at https://rural.gov.in/sites/default/files/nrega/Library/Books/1_MGNREGA_Act.pdf (last accessed June 14, 2025).

14th March 2022, a total of 17.81 crore individuals, including agricultural laborers, had been verified and issued Ayushman cards under the scheme.¹⁸

CONCLUSION

The social security and well-being of India's agricultural workers are still a pressing issue because of their economic vulnerability, informal work arrangements, and limited institutional coverage. Even though more than half of the Indian labor force works in agriculture, the majority of farm workers work in the unorganised sector, earning low incomes, exposed to hazardous working conditions, and denied access to quality healthcare, insurance, or retirement schemes. Structural issues like the gender pay gap, occupational health hazards, and low awareness of prevailing welfare schemes further exclude this critical section of the population. Though legislative structures such as the Minimum Wages Act, 1948, Bonded Labour System (Abolition) Act, 1976, and the Unorganised Workers' Social Security Act, 2008, and the Code on Social Security, 2020, try to redress such problems, implementation has generally been wanting because of inefficiencies in the system and lack of proper monitoring. Yet, initiatives like PM-KMY, PMFBY, E-Shram, MGNREGA, AB-PMJAY, and Shram Yogi Maandhan are giant leaps towards inclusive welfare and money protection. Judicial interventions have also served to protect the dignity and rights of farm workers, with an emphasis on just wages, decent conditions, and prompt disbursement of benefits to bereaved families. All these will be effective only if there is strong enforcement, awareness generation, increased portability of benefits, and specific outreach to marginalized populations. Overall, an integrated and rights-based model of social security based on effective legislation, responsive administration, judicial activism, and inclusive policy formulation is needed to empower India's farm workers and facilitate their due access to dignity, justice, and economic security.

Despite the presence of various government schemes aimed at supporting agricultural workers, many of them continue to face significant hardships. One of the primary reasons for this is the widespread lack of awareness among workers about the schemes and benefits available to them. Many agricultural laborers, particularly those in remote or rural areas, are not informed about their entitlements due to poor outreach, low literacy levels, and minimal access to digital or formal information channels. Even when workers are aware of these schemes, the actual implementation on the ground is often inadequate. Bureaucratic red tape, corruption, and inefficient delivery mechanisms frequently hinder the effective rollout of welfare programs, leaving many intended beneficiaries excluded or underserved. In addition to these systemic issues, agricultural workers

¹⁸ Ministry of Labour & Employment, Schemes Implemented for Agricultural Labourers, March 2022, available at <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1807657> (last accessed June 14, 2025).

also face challenges related to the nature of their work. The agricultural sector is highly fragmented, with workers often engaged in seasonal, informal, and irregular employment. This makes it difficult to track and register them under formal social security systems. Furthermore, the contexts in which these workers operate ranging from small family-owned farms to large commercial estates and from rain-fed subsistence farming to technologically advanced agribusiness are extremely diverse, necessitating tailored solutions that are rarely provided. These all contribute to restricting social security coverage accessibility and effectiveness, rendering agricultural laborers one of the most exposed in the workforce despite the availability of well-meaning government programs.

To solve this issue in a meaningful way, an inclusive and multi-pronged strategy is required. It is absolutely essential that a big focus is put on generation of awareness. Specific campaigns employing local languages and cultural media like community radio, mobile vans, local leaders, and self-help groups can go a long way in educating workers about their rights and the schemes available. Second, the delivery channels for these schemes must be simplified and made transparent. This can include the utilization of digital platforms for direct benefit transfers, easier application processes, and grievance redressal systems based on mobile phones to eliminate bureaucratic delays and corruption. Additionally, setting up village-level facilitation centres or sending social security facilitators can bridge the distance between workers and administrative channels. The other critical step is to identify and formalize the employment of farm workers by establishing detailed databases through regular surveys and electronic registration. This will assist in targeting benefits correctly and ensuring they reach those who are most in need of them. Moreover, designing schemes to fit the diverse settings in which farm workers work e.g., providing for the needs of migrant, seasonal, or female workers can make them more effective and equitable. Partnerships with NGOs, farm cooperatives, and community-based organizations can also aid outreach and implementation. Finally, a collaborative approach by the government, civil society, and the community is essential to empower the social security net for agricultural labourers and promote their long-term well-being and dignity.