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## 247. Do inter-state migrant workers earning above ₹18,000/month fall under the ISMW definition in The Code on Social Security, 2020?

Based on the definition provided in the Code on Social Security, 2020, an inter-State migrant worker is a person who:

### 1. Is employed in an establishment and has either:

- Been recruited directly by the employer or indirectly through a contractor from one State for employment in another State, or
- Moved on their own from one State to another and obtained employment there.

### 2. Has wages not exceeding ₹18,000 per month, or a higher amount if notified by the Central Government.

Based on this, inter-State migrant workers earning above ₹18,000 per month do not fall under the definition of an "inter-State migrant worker" as per the Code on Social Security, 2020, unless the Central Government has notified a higher wage threshold.

- The definition explicitly includes only those workers drawing wages not exceeding ₹18,000 per month.
- If a worker earns more than ₹18,000 per month, they are excluded from the scope of inter-State migrant workers under this law, unless a revised threshold is officially notified by the government.

### Example:

#### Case 1: Machine Operator earning ₹17,000 per month (Covered under ISMW definition)

- Ravi is a Machine Operator from Bihar who is recruited by a contractor to work in a manufacturing plant in Karnataka.
- His monthly wage is ₹17,000.
- Since his wage is below ₹18,000, he qualifies as an inter-State migrant worker under The Code on Social Security, 2020.
- He is entitled to the benefits and protections provided under this law, such as social security, working conditions, and welfare measures.

#### Case 2: Machine Operator earning ₹19,000 per month (Not covered under ISMW definition)

- Amit is a Machine Operator from Uttar Pradesh who moves on his own to Maharashtra and gets a job in an engineering company.
- His monthly wage is ₹19,000.
- Since his wage exceeds ₹18,000, he does not qualify as an inter-State migrant worker under this law, unless the Central Government has notified a higher wage limit.
- Therefore, the special protections under the ISMW category do not apply to him.

**Disclaimer: This document is for educational purposes only and does not constitute legal advice.**

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