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UNORGANISED WORKERS—ISSUES AND CHALLENGES

Introduction

Unorganised workers in India constitute more than 90 per cent of the total work force. Unorganised workers who are amorphous include contract labourers, casuals, home-based workers, domestic servants, agriculture workers, sharecroppers, marginal farmers, bonded labourers, artisans, scavengers, women and child labourers and old age workers. Employment of unorganised workers is characterized by seasonal and uncertain employment, scattered workplace, no employer-employee relationship, poor working conditions, irregular and often long working hours and low productivity. In general, unorganised workers are low skilled and low wage earners. They suffer from high levels of social insecurity due to their undocumented status and lack of organizational support. The recent efforts of the Government to revive industry as the engine of growth and turn India into a manufacturing nation aims also at mainstreaming of unorganised workers so that they too can contribute to the well being of the nation while ensuring a life of dignity and an environment of decent work.

Definition and Classification of Unorganised Workers

The term 'unorganised worker' has been defined under the *Unorganised Workers Social Security Act, 2008* as a home-based worker, self-employed worker or a wage worker in the unorganised sector and includes a worker in the organised sector who is not covered by any of the Acts mentioned in Schedule-II of the Act i.e. (i) *The Workmen's Compensation Act, 1923* (ii) *The Industrial Disputes Act, 1947* (iii) *The Employees State Insurance Act, 1948* (iv) *The Employees' Provident Funds and Miscellaneous Provisions Act, 1952* (v) *The Maternity Benefit Act, 1961* and (vi) *The Payment of Gratuity Act, 1972*. The

unorganised worker includes persons whose employment relationship is, in law or practice, not subject to labour legislation, social protection and certain employment benefits.

The Ministry of Labour has categorized the unorganised workers under four groups in terms of occupation, nature of employment, specially distressed categories and service categories. Details are as follows:—

- **Occupation:** Small and marginal farmers, landless agricultural labourers, sharecroppers, fishermen, those engaged in animal husbandry, in beedi rolling, labelling and packing, workers in building and construction, etc.;
- **Nature of Employment:** Self employed, attached agricultural labourers, bonded labourers, migrant workers, contract and casual labourers;
- **Specially distressed categories:** Scavengers, carriers of head loads, drivers of animal driven vehicles, loaders and unloaders; and
- **Service categories:** Midwives, domestic workers, fishermen and women, barbers, vegetable and fruit vendors, newspaper vendors, etc.

Extent of Unorganised Workers

Most of the employment in India is in the unorganised sector. As per the survey carried out by the National Sample Survey Organisation (NSSO 68th Round) in the year 2011-12, the total employment in both organised and unorganised sector in the country was of the order of 47 crore. Out of this, about 8 crore were in the organised sector and the balance 39 crore in the unorganised sector. The workers in the unorganised sector constitute more than 90 per cent

of the total employment in the country. They are neither covered by any formal system of social security nor any regulation of conditions of work. Women and children form a substantial chunk of the unorganised labour. According to *Statistical Profile on Women Labour 2012-13*, brought out by Labour Bureau, Ministry of Labour & Employment, the work participation rate for women was 25.5 per cent in the year 2011 with 30.0 per cent in rural areas and 15.4 per cent in the urban areas. In the rural areas, women are mainly involved as cultivators and agricultural labourers. In

the urban areas, almost 80 per cent of the women workers are working in the unorganised sectors such as household industries, petty trades and services, buildings and construction.

Labour Jurisdiction: Constitutional Position

Under the Constitution of India, Labour is a subject in the Concurrent List and, therefore, both the Central and the State Governments are competent to enact legislations subject to certain matters being reserved for the Centre.

LABOUR JURISDICTION: CONSTITUTIONAL STATUS	
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Union List Entry No. 55 – Regulation of labour; safety in mines and oil fields.	Concurrent List Entry No. 22 – Trade Unions; industrial and labour disputes.
Entry No. 61 – Industrial disputes concerning Union employees.	Entry No. 23 – Social security and social insurance; employment and unemployment.
Entry No. 65 – Union agencies and institutions for: <ul style="list-style-type: none"> • Professional, vocational training or technical training, including the training of police officers; or • The promotion of special studies or research; or • Scientific or technical assistance in the investigation or detection of crime. 	Entry No. 24 – Welfare of labour including conditions of work, provident funds, employers' liability, workmen's compensation, invalidity and old age pensions and maternity benefit.

Labour Welfare: Government Initiatives for the Unorganised Workers

To address the issues of unorganised workers, the Government has adopted a two-pronged strategy viz. legislative measures and implementation of welfare schemes and programmes. The First National Commission on Labour (1969) recommended the Minimum Wages Act, 1948* to cover unorganised workers also. In August 1987, Government of India appointed a National Commission on Rural Labour to examine the national and regional problems pertaining to rural labour in India. The Commission submitted its

report in July 1991 and recommended old age pension, life insurance, maternity benefit, disability benefits and minimum health care and sickness benefits to all rural workers. The Second National Labour Commission in its report in 2002 recommended umbrella type legislation and drafted an indicative Bill also to provide protection to the workers in the unorganised sector.

The Government subsequently constituted a National Commission for the Enterprises in the Unorganised Sector (NCEUS) in September 2004 to examine the problems of enterprises in the unorganised sector and make recommendations to provide technical, marketing and credit support to these enterprises. The Commission presented its report on *Social Security for the Unorganised Workers* in May 2006. In the light of the Report of NCEUS a Bill, *The Unorganised Sector Workers' Social Security Bill, 2007* incorporating various measures for the welfare of the workers of the unorganised sector including setting

* Other legislations applicable to the workers in the unorganised sector include Workmen Compensation Act, 1923; the Employees State Insurance Act, 1948; the Employees Provident Fund and Miscellaneous Act, 1952; Maternal Benefit Act, 1961; the Contract Labour (Regulation & Abolition) Act; the Bonded Labour System (Abolition) Act, 1976; Equal Remuneration Act, 1976; the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979; Child Labour Prohibition and Regulation Act, 1986; the Building and other Construction Workers (RECS) Act, 1996.

up of National Social Security and Advisory Board at the Central and State level was introduced in the Rajya Sabha in September 2007 and referred to the Departmentally Related Standing Committee (DRSC) on Labour for examination and report.

Based on the Committee's Recommendations, the Government passed *Unorganised Workers Social Security Act, 2008*, which came into force w.e.f. 16.5.2009.

Salient features of The Unorganised Workers' Social Security Act, 2008

- Formulation of schemes by the Central Government for different sections of unorganised workers on matters relating to (a) life and disability cover; (b) health and maternity benefits; (c) old age protection; and (d) any other benefit as may be determined by the Central Government.
- Formulation of schemes relating to provident fund, employment injury benefits, housing, educational schemes for children, skill upgradation, funeral assistance and old age homes by the State Governments.
- Funding of the schemes to be specified in the scheme itself.
- Constitution of National Social Security Board under the chairmanship of Union Minister for Labour and Employment, Member Secretary and 34 nominated members representing Members of Parliament, unorganised workers, employers of unorganised workers, civil society, Central Ministries and State Governments.
- Adequate representation to persons belonging to the Scheduled Castes, the Scheduled Tribes, the Minorities and Women in the National Board.
- The functions of National Board, *inter-alia*, include: to recommend to the Central Government suitable schemes for different sections of unorganised workers; monitor the implementation of schemes and advise the Central Government on matters arising out of the administration of the Act.
- Section 6 has provision for constitution of similar Boards at the State level.
- Identification and Registration of Workers at the District level and issuance of Smart Cards to them.

Schemes under Schedule I of the Unorganised Workers' Social Security Act, 2008

As per clause 3 (2) of the Act the schemes included in Schedule I of the Act were deemed to be the welfare schemes under the Act. These include:

Indira Gandhi National Old Age Pension Scheme; National Family Benefit Scheme; Janani Suraksha Yojana; Handloom Weavers' Comprehensive Welfare Scheme; Handicraft Artisans' Comprehensive Welfare Scheme; Pension to Master Craft Persons; National Scheme for Welfare of Fishermen and Training and Extension; Janshree Bima Yojana¹; Aam Admi Bima Yojana; Rashtriya Swasthya Bima Yojana.

Out of these schemes *Rashtriya Swasthya Bima Yojana, Indira Gandhi National Old Age Pension Scheme and Aam Admi Bima Yojana* have the widest coverage and may be described in brief as given below:

- The Government launched the *Rashtriya Swasthya Bima Yojana (RSBY)* to provide smart card based cashless health insurance cover of Rs. 30,000/- per annum to BPL families (a unit of five) in the unorganised sector. Apart from BPL families, RSBY has been extended to building and other construction workers, licensed railway porters, street vendors, workers who have worked for more than fifteen days under *Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA)* beedi workers, domestic workers, sanitation workers, mine workers, rickshaw pullers, rag pickers etc.
- *The Aam Admi Bima Yojana (AABY)* was launched on 02.10.2007 with a view to providing insurance cover for below poverty line (BPL) unorganised workers. Under the scheme, insurance benefit up to Rs. 75,000/- are distributed to the injured workers as insurance amount depending on the nature of disability.
- The Government has been implementing *Indira Gandhi National Old Age Pension Scheme*, which has been expanded by revising the criteria of eligibility. All citizens above the age of 60 years and living below poverty line are eligible for benefits under the scheme. For persons above the age of 80 years, the amount of pension has been raised from Rs. 200 to Rs. 500 per month.
- The Central Government launched a co-contributory pension scheme '*Swavalamban*' on 26.09.2010 to encourage unorganised workers to voluntarily save for their retirement under New Pension System (NPS). The Government contributes a sum of Rs. 1,000 to each eligible subscriber who contributes a minimum of Rs. 1,000 and maximum Rs. 12,000 per annum under the *Swavalamban* Scheme.

¹This scheme has been merged with Aam Admi Bima Yojana.

- There are also certain employment-oriented schemes which benefit unorganised workers and include *Swarnajayanti Gram Swarajgar Yojana (SGSY)*, *Swarna Jayanti Shahari Rojgar Yojana (SJSRY)* and *Prime Minister's Employment Generation Programme (PMEGP)*.

Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA)

In the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), the first ever scheme launched by the Government of India, which guarantees wage employment, the primary objective is to enhance livelihood security in rural areas by providing at least 100 days of guaranteed employment in a financial year to every household whose adult members volunteer to do unskilled manual work.

Convergence of social security schemes under the Unorganised Workers Social Security Act, 2008

All the welfare schemes under the Unorganised Workers Social Security Act, 2008, are currently being run by different departments and agencies at the national and State level. This fragmented system creates huge challenges for both Government and beneficiaries. Ministry of Labour and Enterprise has proposed to carry out pilots for convergence of the three major social security schemes: *Indira Gandhi National Old Age Pension Scheme*, *Aam Admi Bima Yojana* and *Rashtriya Swasthya Bima Yojana*. These are proposed to be converged by unifying their data bases, entering their data on a single smart card which then becomes the proof of eligibility and proving access to all schemes through a single point of contact.

Welfare Funds

The Central Government has set up five welfare funds to provide welfare services such as housing, water supply, social security, health care, education and recreation support to some categories of unorganised workers. These funds have been set up and are financed under the following acts:

- (1) *Beedi Workers Welfare Cess Act, 1976* and *Beedi Workers Welfare Fund Act, 1976*;
- (2) *The Cine Workers Welfare Fund Act, 1981* and *Cine Workers Welfare Cess Act, 1981*;
- (3) *The Limestone & Dolomite Mines Labour Welfare Fund Act, 1972*;
- (4) *The Iron Ore Mines, Manganese Ore Mines & Chrome Ore Mines Labour Welfare Fund Act, 1976* and the *Iron Ore Mines, Manganese Ore Mines & Chrome Ore Mines Labour Welfare Cess Act, 1976*; and
- (5) *The Mica Mines Labour Welfare Fund Act, 1946*.

The welfare funds are funded by the Cess being collected or by proceeds of the duty of excise, after meeting the cost of collection on the produce of the industry employing these workers.

Skill Development Initiatives

Skills and knowledge are the driving forces of economic growth and social development for any country. Potentially, the target group for skill development comprises all those in the labour force, including those entering the labour market for the first time, those employed in the organised sector and those working in the unorganised sector. The Government has launched the Skill Development Initiative Scheme for the early school drop-outs and workers especially with unorganised sector.

Salient Features of National Policy on Skill Development (Skill Development for the Unorganised Sector)

- Separate institutional mechanism will be explored which will *inter alia* plan, implement and monitor the skill development efforts for the unorganised sector.
- The mode of informal apprenticeship and learning will be recognized and accommodated in the National Vocational Qualifications Framework (NVQF) to help in horizontal and vertical mobility.
- Various avenues/institutions including schools and public/private training institutions/civil society organisations/NGOs etc. will be encouraged to conduct skill development programmes for the unorganised sector.
- Flexible delivery strategy and patterns that suit the needs of the target groups, such as part/full time and on/off site training, will be adopted.
- Special efforts will be made to eliminate child labour, to improve access for girls, people with disabilities and other vulnerable groups.
- Skill development initiatives for the unorganised sector will include a definite component on literacy, basic education and soft skills.
- Institutes for entrepreneurship development, technology incubation centres and other such institutional arrangements will be utilised to support successful adoption of entrepreneurship of unorganised sector workers.
- Competency standards and certification systems will be developed for unorganised sector work and incorporated in the national testing and certification system. Mechanisms will be developed for vocational counselling and career guidance; information regarding employment trends and training opportunities will also be provided to motivate young people and workers to acquire and continuously upgrade their skills and knowledge.

New Initiatives

The pro-labour reforms proposals of the Government include demand based vocational training, an apprenticeship scheme and revamped health insurance scheme for the unorganised workers. Minimum wages Act is also under revision. Skill development is another thrust area for the new Government.

The Government has created a separate Ministry of Skill Development and Entrepreneurship (SD&E) with mandates, *inter-alia*, making broad policies for all other Ministries/Departments with regard to market requirements and skill development and co-ordination with all concerned for evolving an appropriate skill development framework, removal of disconnect between the demand for and supply of skilled man power through vocational and technical training, skill up-gradation and building of new skills. The new initiative will also benefit the unorganised sector and be effective for their upliftment.

PRADHAN MANTRI-JAN DHAN YOJANA (PMJDY)

Pradhan Mantri Jan-Dhan Yojana (PMJDY) is a National Mission for Financial Inclusion. It was launched on 28 August 2014. The scheme aims to provide atleast one bank account to each household across the country with a target of covering 75 million households by 26 January 2015. Objective of (PMJDY) is ensuring access to various financial services like availability of basic savings bank account, access to need based credit, remittances facility, insurance and pension to the excluded sections *i.e.* weaker sections and low income groups. Pradhan Mantri Jan-Dhan Yojana can also empower the unorganised workers in the country.

Major Categories of Unorganised Workers

Building and Other Construction Workers

A sector that employs the largest number of unorganised workers is Construction sector. According to NSSO sample survey, 2011-12 about 5.02 crore workers are employed in the construction sector. In order to ensure the welfare of workers in this sector, the Government has enacted the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and Building and Other Construction Workers Welfare Cess Act, 1996 to regulate their wages, working conditions, safety, health and welfare measures. Under these two Acts the States have to, *inter-alia*, appoint cess collection authorities and constitute State Building and Other Construction Workers Welfare Boards which implement various welfare schemes in pursuance of the said Acts. The collection of cess is the main source of fund for the Welfare Board.

The major source of the fund to the Building and Other Construction Workers Welfare Board is the collection of cess and the same is paid to the State Building and Other Construction Workers Welfare Boards. The major challenge in implementing the provisions of the Acts has been the failure to register all the workers and to develop and implement schemes for their welfare. The Building and Other Construction Workers Related Laws (Amendment) Bill, 2013, introduced in the Rajya Sabha on March 18, 2013 seeks to amend the two Acts. The Bill was referred to the Standing Committee on Labour. The Standing Committee submitted its report on 15.03.2014. The report of the Committee is under examination in the Ministry of Labour & Employment.

Inter-State Migrant Workers

Owing to the unequal economic development of different regions in the country there is a high level of mobility of labour. They work mostly as unorganised sector. They also suffer from the additional burden that comes from disempowerment in the destination States and being cut off from social support systems in their home States. In order to regulate the employment of inter-State migrant workmen and to provide for their conditions of service, the Government has enacted the *Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979*. As per Section 13 of the Act, the wage rates, holidays, hours of work and other conditions of service of an inter-State migrant workman shall be the same as those applicable to other workman and shall in no case be paid less than the wages fixed under the Minimum Wages Act, 1948. The provisions of various labour laws are also equally applicable to migrant workers. Since the nature of migration has changed over the years, Government is considering to bring out a comprehensive amendment of the *Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979*. The Government is also making efforts to tackle the problem of migration through a multidimensional course of action such as rural development, improved infrastructural facilities, removal of regional disparities, land reforms, employment generation etc.

Bonded Labour

The system of debt bondage in India originated from uneven social structure characterized by feudal and semi feudal conditions. Bonded labourers are unorganised workers and are mainly found in brick kilns, agriculture, stone quarries, pottery, illegal mining etc. To abolish this system, the *Bonded Labour System (Abolition) Act, 1976* has been enacted. The Act made the practice of bondage a cognizable offence punishable by law. In order to assist the State Governments in the task of rehabilitation of released bonded labourers, Central Government launched a

Scheme under which State Governments are provided central assistance on 50:50 sharing basis. The scheme was subsequently modified and the modified scheme provides financial assistance to the State Governments for conducting survey of bonded labourers, awareness generation activities and impact evaluation.

Child Labour

As per 2001 census, the total number of working children between the age group 5-14 years in the country was 1.26 crore. As per NSSO survey 2009-10, the number of working children are estimated at 49.84 lakh. According to census 2011, the number of working children are estimated at 43.53 lakh.

Our Constitution provides for protection of children from involvement in economic activities and vocations unsuited to their age and this is provided for in the *Fundamental Rights (Article 24) and Directive Principles of State Policy*. Flowing from the Constitutional provisions, the National Child Labour Policy announced in 1987 addresses the complex issue of child labour in a comprehensive, holistic and integrated manner. The action plan under this policy is multi-pronged and mainly consists of:

- A legislative action plan;
- Focuses on general development programmes for the benefit of the families of child labour; and
- Project-based action plan in areas of high concentration of child labour.

As per the *Child Labour (Prohibition & Regulation) Act, 1986*, employment of children below the age of 14 years is prohibited in notified hazardous occupations and processes². The Act also regulates employment of children in non-hazardous occupations and processes and in other employments, which are not prohibited under the *Child Labour (Prohibition & Regulation) Act, 1986*. To make the provisions of the Act more stringent a comprehensive amendment is under consideration which will link the age of ban on employment with the age for free and compulsory education under *Right to Education Act, 2009* and prohibit employment of children up to 18 years of age in hazardous occupations³. For the rehabilitation of child labour, Government had initiated the *National Child Labour*

Project (NCLP) Scheme in 1988 to rehabilitate working children in 12 child labour endemic districts of the country. Its coverage has increased progressively to cover 270 districts in the country presently.

Manual Scavengers

There is a very large number of people engaged in manual scavenging in different parts of the country, in rural areas as well as urban areas. Manual scavenging has been a caste-based occupation. Members of this community are placed at the bottom of the caste hierarchy and exist under different caste names throughout the country, such as the *Bhangis* in Gujarat, the *Pakhis* in Andhra Pradesh, and the *Sikkaliars* in Tamil Nadu. Though long outlawed, the practice of manual scavenging continues in most States. In cities, scavengers are actually lowered into filthy gutters in order to unclog them; they are fully immersed in human waste without any protective gear. In 1992 the Government launched a National Scheme that called for the identification, training and rehabilitation of *safai karamcharis* throughout the country. A self employment scheme: *Scheme for Rehabilitation of Manual Scavengers (SRMS)* was introduced in 2007 and revised in 2013 to include cash assistance, training and concessional loans.

The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 provides for the prohibition of employment of manual scavengers as well as construction or continuance of dry latrines and for the regulation of construction and maintenance of water-seal latrines and for matters connected therewith or incidental thereto. Contravention of these provisions is a criminal offence and also liable to prosecution under the *Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989*. *The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013* in which the definition of manual scavengers has been expanded and provides for the prohibition of employment as manual scavengers, rehabilitation of manual scavengers and their families, and for matters connected therewith or incidental thereto.

Street Vendors

Street vendors and hawkers are among the most visible and active category of the unorganised workforce and constitute an integral part of the urban economy. As per census 2001 there are 42.19 lakh street vendors in the country. Street vending is not only a source of self-employment to the poor in cities and towns but also a means to provide 'affordable' as well as 'convenient' services to majority of the urban population, especially the common man. They are the main distribution channel for a large variety of products of daily consumption and provide a low cost, decentralized system and at prices far below those prevailing in established markets. Their elimination

²There are at present 18 hazardous occupations and 65 processes where employment of children is prohibited. Some of the important prohibited occupations include brick kilns, building and construction work, carpet weaving, ware housing, domestic servants etc.

³The *Child Labour (Prohibition and Regulation) Amendment Bill, 2012*, introduced in the Rajya Sabha in December 2012, seeks to amend the *Child Labour (Prohibition and Regulation) Act, 1986*. It is proposed to prohibit employment of children in all occupations and processes to facilitate their enrolment in schools in view of the *Right of Children to Free and Compulsory Education Act, 2009*. The Bill adds a new category of persons called "adolescent" (persons who have completed fourteenth year of age but have not completed eighteenth year) and it seeks to prohibit employment of adolescents in hazardous occupations and processes.

from urban markets would lead to a severe crisis for small farmers and small factory owners who cannot afford to retail their products through expensive distribution networks in the formal sector. The *Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014*, protects the rights of urban street vendors and regulates street vending activities and matters connected therewith or incidental thereto.

Rights and Obligations of Street Vendors under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014*

- Every street vendor shall have the right to carry on the business of street vending activities in accordance with the terms and conditions mentioned in the certificate of vending. Where any area or space, as the case may be, has been earmarked as no-vending zone, no street vendor shall carry out any vending activities in that zone.
- Every street vendor, who possesses a certificate of vending, shall, in case of his relocation under section 18, be entitled for new site or area, as the case may be, for carrying out his vending activities as may be determined by the local authority, in consultation with the Town Vending Committee.
- Where a street vendor occupies space on a time sharing basis, he shall remove his goods and wares every day at the end of the time-sharing period allowed to him.
- Every street vendor shall maintain cleanliness and public hygiene in the vending zones and the adjoining areas.
- Every street vendor shall maintain civic amenities and public property in the vending zone in good condition and not damage or destroy or cause any damage or destruction to the same.
- Every street vendor shall pay such periodic maintenance charges for the civic amenities and facilities provided in the vending zones as may be determined by the local authority.

Domestic Workers

The third *International Domestic Workers' Day* was celebrated on 16th June 2014. In India, official figures show that there are 4.75 million domestic workers, out of which three million are women in urban areas. Every household all over the country, even in the

* The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Chapter III).

most distant areas employ women and/or children, for helping them with their household work. Men are also employed in domestic work. Domestic workers are usually migrants to the urban areas in search of employment. They are unable to get regular jobs in the formal sector on account of their low education and skills. In order to solve their livelihood issues, they often work as domestic workers at nominal wages, taking the risks of uncertainty and uncivil or inhuman conditions of work and treatment. The association of domestic workers as a group linked with crimes (theft in particular) and the consequential, institutional responses exemplify how social structures actively feed into perpetuating these forms of stigma and stereotypes. Any vision of dignified domestic work must take into consideration the poignant issue of prejudice against domestic workers, which is institutionalized not just in informal work relations in individual households, but also in the organised domain. In 2011, the National Policy for Domestic Workers was drafted to look into the protection and the rights of the growing segment of domestic workers. Specific interventions include skills development for domestic workers, extension of social protection schemes and the pilot-testing of registration and monitoring mechanisms of private placement agencies.

Way Forward

Labour protection for the working people in India has been a long standing commitment. The Preamble of the Constitution of India guarantees its citizens justice-social, economic and political; liberty of thought, expression, belief, faith and worship; equality of status and opportunities and fraternity, dignity of individual and dignity of nation. Article 19 guarantees Right to Freedom of Association and Article 23 and 24 prohibits forced labour and employment of children in factories or mines or in hazardous occupations. Part-IV of the Constitution of India relating to Directive Principles of State Policy, *inter-alia*, calls for provisions for right to work and education; public assistance in cases of unemployment and social security; just and humane conditions of work; maternity relief; living wage and working conditions capable of ensuring decent standard of life; and workers participation and management. Most of the laws relating to social security in India are generally conforming to the Conventions and Recommendations of International Labour Organisation (ILO), although many of the Conventions are yet to be ratified by the country.

The workforce in the unorganised sector comprising a daunting proportion of the total workforce do not get adequate labour protection. They suffer from irregular employment, unstable income, prevalence of piece wage rates and little legal protection with regard to income, employment, health and safety. They are often trapped in the cycle of low skills and low wages and there is almost no scope for them to

move vertically in the occupational ladder and accordingly lack social mobility. Subsequent Governments have taken several initiatives including legislative measures and welfare schemes but a lot still remains to be done to make substantial difference to their lives.

Parliament of India plays pivotal role in protecting and promoting the vulnerable sections of society. Members of Parliament can contribute to the framing of enabling laws and formulating policies and programmes for the welfare of unorganised workers so that they can live their lives with dignity.

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