SOCIAL SECURITY AND LEGAL PROTECTION TO WORKING CLASS IN UNORGANISED SECTOR: THE INDIAN SCENARIO

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INTRODUCTION

In India, approximately 92% of the working population is engaged in the unorganised sector, which include majority of women workers and children’s too. Predominance of informal employment has been one of the central features of labour market scenario in India. While the sector contributes around half the GDP of the country, its dominance in the employment front is such that in early 1980’s and even before that more than 90% of total workforce has been engaged in the informal economy. Yet, in spite of their vast numbers and their important contributions to the national economy, they are amongst the poorest sections of the country’s population. But what have they in common is that they form the most oppressed section of the Indian society. They do not have the secured employment. They have been progressively alienated from our land, forests and other traditional means of livelihood. They are not covered by various labour legislations and are left at the mercy of their employers. They are not covered under various social security measures like provident fund, pensions, maternity benefits etc. They do not get even minimum wages even in situation where their category of work is covered under the minimum wages act.

Social security measures are an integral part of any society - a means to provide some form of assistance to its members during distress caused by the unforeseen and inevitable eventualities like sickness, accident, unemployment, death etc. However, the evolution of social security and the process of its implementation vary across time and space. In India, the majority of the population particularly those engaged in the unorganised sector continues to be outside the preview of social security coverage.
SOCIAL SECURITY: CONCEPT AND NEED

Social security has assumed considerable importance in recent years. It is one of the basic needs in welfare state like India. It is based on the idol of human dignity and social justice. The basic idea behind social security measure is that a citizen who has contribute or likely to contribute to his country’s welfare should be given protection against certain hazards. It is novel concept in the field of business management and industrial administration. It is true for all country although there is no denying that social security, today embraces a wider field than even before. In additional to labour welfare and economic protection of workers, it covers also socio-economic and development of the working or weaker class.

SOCIAL SECURITY: BACKGROUND INFORMATION

Social security is a dynamic concept so it varies from time to time and country to country. In simple words we can say that social security is a social, economic and legal protection to human being to earn his/her livelihood and maintain his standard of living. It is therefore necessary to link up traditional social security policies and economic policies in general. Getubig for instance defines social security for developing countries as “any kind if collective measures or activities designed to ensure that members of the society meet their basic needs. As well as being protected from contingencies to enable them to maintain a standard of living consistent with social norms.” The focus of the social security is to enhance and protect people’s capabilities to be adequately nourished, to be comfortably clothed, to avoid escapable morbidity and preventable mortality.

The social security can be provided by institutional and non-institutional agencies. The non-institutional agencies existed from time immemorial and they are the backbones of the present social security programs. India is a good example of having non-institutional form of social security measures in the world. The needy and unfortunate are seen protected in joint family set up and the caste system. The hardship due to unemployment, economic difficulties, old age,

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6 Gupta Meenakshi,” Labour welfare and social security in unorganized sector “,77(deep & deep publications)
7 Ibid
9 Ibid.
10Available at http://shodhganga.inflibnet.ac.in/bitstream/10603/6251/8/08_chapter%204.pdf (Last visited on 29/05/2016).
widowhood etc. was taken care of by joint family system. It had a religious backing also. An additional help from individual and institutions was provided to them through the guilds, communities and panchayats, orphanages, widow homes and charity centres available that time. This indicated that India has its own social security system of

i. Self-sufficient village economy  
ii. Caste system  
iii. Joint family system  
iv. Organization of charity

Following the development of liberalism and individualism foster by the western influence, these roots of Indians society were shaken and ultimately lost its significance. The society, its culture and custom were shaken and ultimately lost its significance. The society, its culture and custom were affected a great deal by the foreign impact industrialization created a new class and this rising up class with its rural background and without social and material resources urgently necessitated systematic help from various social security agencies or other than the traditional ones. The ideals of social security ultimately became a social responsibility largely depending on the resources and needs of the country.

India is a country where economic resources are less and needs are more. The social security enactments that are find today in India are an amalgamation of the ideals and principles emerged over the years. “Social Security” is very wide term and today it has acquired a global character. The concept is also of multi-dimensional in its contents and form, and it has social, Economic, psychological, ethical and political over tune besides legal ones. But the irony is that it has not yet acquired any standard or uniform definition. However according to “Beveridge” it is designed to provide against want, disease, ignorance, squader and idleness.11 Ruling of British “East-India Company” in India affected the Indian economy very much. Traditional self-sufficient village economy and agricultural based village economy had totally been broken down due to this. New administrative policy, development of railways and other communication made the commodity, goods as manufactured in England easily available in India. Thus the traditional cottage industry in the Indian villages came to an end. India then became the open market of British Commodity as well as sources of raw materials for British factories in England. The workers engaged in the cottage industry either made them engaged in cultivation or remain

unemployed. The social security of the farmers, labour class etc. in modern India came into question during this period of 1765-1856. In the middle of 18th Century, India was very sound and rich in the field of commerce and industry in the world. Bengal, Agra, Multan, Lohar, Burhanpur, Surat, Broch, Ahamedabad etc were famous for cotton industry. But as a result of industrial revolution, the Comparatively Chip and Standard quality cotton and silk sharee and other products are available in the Indian market and the British Parliament imposed 10% custom duty in exporting of Indian cotton to England whereas imposed only 2% custom duty in importing cotton from England to India. Accordingly the Indian Industry was totally broken down. The concerned workers of the Indian industries became unemployed. Few others engaged in cultivation but survival was not easy for them. It was very tough to have the minimum fooding, clothing and lodging for the said unemployed workers in India and hence, there was no scope for having social assistance or social insurance.

The history of social security of labour or working class in modern India has its root with the enactment and execution of labour and industrial legislations during the British ruling as well as in independent India. From the middle of 19th Century to the end of First World War, the Indian industrial legislation was in the period of origin. It was through a slow and steady process that the industrial law took root in India. The Apprentices Act figures the first law introduced in India relating to labour. It was enacted for better enabling children to learn trades, crafts and to seek employment by which when they come to full age, they may gain a livelihood.

Cotton mills and jute mills that have been established during 1850s marked the beginning of factory system in India. The conditions of workers in those mills were pathetic due to long working hours without any safety and security. Based on the principles of torts, Fatal Accidents Act, 1855 was enacted for providing compensation to legal heirs of these employees where death occurred by an actionable wrong. Minimum rate of compensation, to some selected legal heirs and a restricted application were the main drawback of the said Act. The quantum of said compensation was very minimal so the application of this Act was not wide enough also. So, the measure for social security for the workers under this Fatal Accident Act was not exclusive one and after that The Indian Merchant Shipping Act was enacted in the year 1859 for the better health condition to be provided to the workers in the sea. But practically it was not so effective.
in providing social security to the sea men. In the same year Workmen’s Breach of Contract Act was passed which provided for criminal penalties for workers for breach of contract of service.

In 1860, Employers and Workmen (Disputes) Act was passed and it provided for speedy and summary settlement of disputes between employers and workmen. By this time 1881, the number of factories was increased at a huge rate in India, but workers did not organize themselves simultaneously with the industrialization. The safety and working conditions of these workers were prime concerns for many members of the House of Lords and they argued for legislation. Thus in 1881, Indian Factories Act 1881 was passed. In order to improve the conditions of plantations labours, Island Emigration Act 1892 and to secure safe and healthy conditions of work in mines, Indian Mines Act, 1901were passed.

In the year 1919 just after the World War First the ILO was formed in accordance with the provisions of the Versailles treaty. The treaty provided for the right to social security of the working class. ILO has adopted many conventions and recommendations casting different types of liability on industry, Government and labor. Under the Montague-Chelmsford Reforms in 1919, the central legislature was given definite legislative authority to enact industrial laws. Using that power, in 1923, India passed a major enactment called Workmen’s Compensation Act, 1923, with an object to eliminate hardship caused to workmen injured, through providing prompt payment of benefits regardless of fault from their side and with minimum legal formalities. In 1925, Government of India enacted another Act, Provident Fund Act, 1925. Royal Commission on Labor was appointed in 1929 which recommended a scheme for health insurance to industrial workers on a contributory basis (financed by employers along with small deductions from the wages of workers) and provisions against old age and payment of gratuity.

During the period of 1919-1942, there was a great progress in modifying old laws and in enacting of new ones. Some new enactments were passed for specifically addressing certain industrial establishments. These were not merely intended for regulating employment in the
industries but attempted to give better conditions of employment like shorter hours of work, weekly holidays, safety of premises, and payment for overtime, rest period and paid holidays.\textsuperscript{20}

In 1943, ‘Standing Labour Committee’ was appointed for the purpose of formulating a scheme for health insurance for individual workers. In 1947, India became independent and an interim government was formed. The interim government formulated a five year programme for the welfare of the labour class. The significant features of the programme were\textsuperscript{21}:

(i) Organization of the health insurance scheme;
(ii) Revision of the Workmen’s Compensation Act;
(iii) Central law for maternity benefit; and
(iv) Extension to other classes of workers the right within specific limits to leave with allowances during sickness.

Industrial Disputes Act enacted in 1947 introduced an adjudicating system where an industrial worker can raise an industrial dispute. Employee’s State Insurance Act was passed in 1948. It introduced a scheme of compulsory health insurance and benefits in the event of sickness, maternity and employment injury to workmen.\textsuperscript{22} In 1966, a Committee on Labour Welfare and National Commission on Labour was appointed. The Committee on Labour Welfare was set up for examining the functioning of various welfare schemes in operation in industrial establishments and to suggest improvements. Both the Committee and the Commission submitted detailed reports in 1969. Apart from these legislative efforts, Committees and Commissions, a key role is seen played by Planning Commission.\textsuperscript{23}


\textsuperscript{20} Ibid.
\textsuperscript{21} Ibid.
\textsuperscript{22} Ibid.
\textsuperscript{23} Ibid.

6 | P a g e  Journal On Contemporary Issues of Law (JCIL) Vol. 2 Issue 4
(1996), etc reveal the attention given to the organized workers to attain different kinds of social security and welfare benefits.\textsuperscript{24}

Even though the concept of social security in implicit in Indian constitution but even after sixty years of the adoption the status of unorganized workers in India is far from satisfactory. Therefore Second Labor commission also submitted report on their commendation that there is require national policy for providing social security to the workers in the unorganised sector.

SOCIAL SECURITY LAWS IN INDIA \textsuperscript{25}

i. Employees’ State Insurance Act, 1948 (ESI Act)
   a. covers factories and establishments with 10 or more employees
   b. Provides medical care to employees and their families.
   c. Provides Cash benefits during sickness and maternity
   d. Monthly pension after death or permanent disability.

ii. Employees’ Provident Funds Act, 1952

Applies to specific scheduled factories and establishments employing 20 or more employees and ensures terminal benefits to provident fund, superannuation pension, and family pension in case of death during service.

iii. Workmen’s Compensation Act, 1923 (WC Act)

Requires payment of compensation to the workman or his family in cases of employment related injuries resulting in death or disability.

iv. Maternity Benefit Act, 1961 (M.B. Act)

Provides for 12 weeks wages during maternity as well as paid leave in certain other related contingencies.

\textsuperscript{24} Available at http://www.abhinavjournal.com/images/Commerce_&_Management/Feb13/6.pdf (Last visited on 29/05/2016)

\textsuperscript{25} Available at http://mrunal.org/2012/07/economy-social-security-epfo.html (Last visited on 29/05/2016)
v. Payment of Gratuity Act, 1972 (P.G. Act)

Provides 15 days wages for each year of service to employees who have worked for five years or more in establishments having a minimum of 10 workers.

WORKFORCE IN INDIA

The dimensions and complexities of the problem in India can be better appreciated by taking into consideration the extent of the labour force in the organized and unorganized sectors. The NSSO survey of 2004-05 has brought out the vast dichotomy between these two sectors into sharp focus. While as per the 1991 census, the total workforce was about 314 million and the organized sector accounted for only 27 million out of this workforce, according to the survey conducted by the National Sample Survey Organization (NSSO) in 2004-05, the total number of workforce was 459 million of which About 433 million (about 94%) of the total workforce is engaged in unorganized sector and 26 million on organized sector. The organized sector is already covered through social security legislations like the Employees’ Provident Funds and Miscellaneous Provisions Act, 1952 and the Employees State Insurance Act, 1948. The Government has also enacted Unorganised Workers’ Social Security Act to create a framework for providing social security to unorganized workers. As per a survey carried out by the National Sample Survey Organization (NSSO) in 2009–10, the total employment in the country was of 46.5 crore comprising around 2.8 crore in the organised and the remaining 43.7 crore workers in the unorganised sector. Out of these workers in the unorganised sector, there are 24.6 crore workers employed in agricultural sector, about 4.4 crore in construction work and remaining in manufacturing and service. Thus, it can be concluded from these findings that there has been a negative growth in the organized sector in comparison the growth in the unorganized sector.

ORGANIZED AND UNORGANIZED SECTOR IN INDIA

The organized sector includes primarily those establishments which are covered by the Factories Act, 1948, the Shops and Commercial Establishments Acts of State Governments, the Industrial Employment Standing Orders Act, 1946 etc. This sector already has a structure through which

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26 Available at http://www.labour.nic.in/content/division/social-security-php (Last visited on 29/05/2016)
27 Available at http://vikaspedia.in/social-welfare/unorganised-sector-1/unorganized-sector-informal-sector (Last visited on 29/05/2016)
28 Available at http://mrunal.org/2012/07/economy-social-security-epfo.html (Last visited on 29/05/2016)
social security benefits are extended to workers covered under these legislations.\(^{29}\) Examples: employees of union and state Government, army, navy, air force, Multinational companies, Infosys, and so on.\(^{30}\) The term 'unorganised' is often used in the Indian context to refer to the vast numbers of women and men engaged in different forms of employment. These forms include home-based work (for example: rolling *papads* and *beedis*), self-employment (for example: selling vegetables), employment in household enterprises, small units, on land as agricultural workers, labour on construction sites, domestic work, and a myriad other forms of casual or temporary employment.\(^{31}\) Workers engaged in the unorganised sector do not have the benefit of several laws such as the Minimum Wages Act or the Factories Act. They are also not covered by statutory welfare measures such as maternity benefits, provident fund, gratuity, etc, all of which were put in place after intense struggles by the Indian working class in the pre- as well as post-Independence period.\(^{32}\) The term 'unorganised' is often used interchangeably with the term 'informal', or employment in the informal sector. Strictly speaking, 'informal' is used to denote those forms of enterprise that are not governed by any legal framework (for example, registration under Company Laws).

Although it is quite logical that an 'informal' enterprise will employ 'informal'/unorganised' labour, it must be remembered that 'formal' enterprises also have 'unorganised' employees, and, in fact, there is an increasing tendency to formalise employment relationships in the formal sector.\(^{33}\) The Ministry of Labour, Government of India, has divided the unorganised labour force under four groups depending on occupation, nature of employment, specially distressed categories and service categories.

i. **Under Terms of Occupation:**

Small and marginal farmers, landless agricultural labourers, share croppers, fishermen, those engaged in animal husbandry, beedi rolling, labelling and packing, building and construction workers, leather workers, weavers, artisans, salt workers, workers in brick-kilns and stone quarries, workers in saw mills, oil mills, etc. come under this category.

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\(^{29}\) Ibid.

\(^{30}\) Ibid.

\(^{31}\) Available at http://infochangeindia.org/agenda/women-a-work/understanding-the-unorganised-sector.html (Last visited on 29/05/2016)

\(^{32}\) Ibid.

\(^{33}\) Ibid.
ii. **Under Terms of Nature of Employment:**

Attached agricultural labourers, bonded labourers, migrant workers, contract and casual labourers come under this category.

iii. **Under Terms of Specially Distressed Category:**

Toddy tappers, scavengers, carriers of head loads, drivers of animal driven vehicles, loaders and unloaders come under this category.

iv. **Under Terms of Service Category:**

Midwives, domestic workers, fishermen and women, barbers, vegetable and fruit vendors, newspaper vendors, etc., belong to this category.

**CHARACTERISTICS OF UNORGANIZED SECTOR**

The ‘unorganised’ sector is very diverse. Many efforts have been made to identify the characteristics of employments or undertakings in the sector. But none of the characteristics can be termed as crucial in defining the sector. However, it will be useful to list some of these characteristics:\(^3^4:\)

i. Low scale of organization
ii. Operation of labour relations on a casual basis, or on the basis of kinship or personal relations
iii. Small own account (household) or family-owned enterprises or micro enterprises
iv. Ownership of fixed and other assets by self
v. Risking of finance capital by self
vi. Involvement of family labourers
vii. Production expenditure indistinguishable from household expenditures and use of capital goods
viii. Easy entry and exit
ix. Free mobility within the sector
x. Use of indigenous resources and technology
xi. Unregulated or unprotected nature
xii. Absence of fixed working hours

xiii. Lack of security of employment and other social security benefits
xiv. Use of labour intensive technology
xv. Lack of support from Government
xvi. Workers living in slums and squatter areas
xvii. Lack of housing and access to urban services
xviii. High percentage of migrant labour

The unorganised sector is in no way an independent and exclusive sector. It is linked to, or in many cases, dependent on the organised sector and the rest of the economy through a variety of linkages. It depends on the organised sector for raw materials and other capital requirements, generation of employment, marketing facilities, and so on. The subcontracting model is used by the formal sector for engaging labour in the unorganised sector.\(^{35}\)

It cannot be denied that the unorganised sector does not get enough protection through labour legislation. Despite the existence of labour laws, for various reasons, the workers in this sector do not get social security and other benefits, as do their counterparts in the formal sector. Here, workers are highly exploited by entrepreneurs. They are employed on a casual basis. With the exception of very few cases (where organisations like SEWA are present), there is hardly any trade union or other institutional machinery to fight for the workers. Up to now, collective bargaining has not been able to get any visible space in the unorganised sector.

As the workers in the unorganised sector, particularly women, have not been able to organise themselves, they are further discriminated against in the sector. In this sector workers do not have protection or adequate bargaining power.\(^ {36}\) Thus, unorganised workers are essentially those who do not have the benefit of pension, provident fund, gratuity, maternity leave etc. and work mostly on daily / hourly wages. They are not represented by active trade unions.\(^ {37}\)

**CONSTITUTIONAL MEASURES REGARDING SAFETY AND SOCIAL SECURITY**

The Ministry of Labour and Employment in order to ensure the welfare of workers in the unorganised sector which, inter-alia, includes weavers, handloom workers, fishermen and

\(^{35}\) *Ibid.*
\(^{36}\) *Ibid.*
\(^{37}\) Available at [http://www.arthapedia.in/index.php?title=Unorganised_Worker](http://www.arthapedia.in/index.php?title=Unorganised_Worker) (Last visited on 29/05/2016)
fisherwomen, toddy tappers, leather workers, plantation labourers, beedi workers, has enacted the Unorganized Workers’ Social Security Act, 2008 with a view to provide social security to unorganized workers like those in hotels, private security etc. The Act provides for constitution of National / State Social Security Board at the central /State level to recommend social security schemes like life and disability cover, health and maternity benefits, old age protection and any other benefit as may be determined by the Government for unorganized workers. Act also provides for registration of unorganised workers. Accordingly, the Ministry has constituted a National Social Security Board.

As such, all unorganised workers including those in hotel, private security and others covered as per the provisions of the Act are eligible to take benefits under the social security schemes/welfare schemes framed under the Act. The “Unorganized workers social Security Act, 2008” came into operation w.e.f 31 December 2008 and it encompasses ten social security schemes benefitting the unorganized workers. Details Beneficiaries of Social Security Schemes Listed Under Schedule-I of the Unorganised Workers Social Security Act, 2008 are given below:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the Scheme</th>
<th>Number of Beneficiaries (as on 31.03.2014)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Indira Gandhi National Old Age Pension Scheme (IGNOAPS)</td>
<td>2,22,02,018</td>
</tr>
<tr>
<td>2</td>
<td>National Family Benefit Scheme</td>
<td>2,77,363</td>
</tr>
<tr>
<td>3</td>
<td>Janani Suraksha Yojana</td>
<td>45,39,000</td>
</tr>
<tr>
<td>4</td>
<td>Handloom Weavers’ Comprehensive Welfare Scheme</td>
<td>23,48,688</td>
</tr>
<tr>
<td>5</td>
<td>Handicraft Artisans’ Comprehensive Welfare Scheme</td>
<td>9,66,280</td>
</tr>
<tr>
<td>6</td>
<td>Pension to Master Craft Person</td>
<td>----</td>
</tr>
<tr>
<td>7</td>
<td>National Scheme for welfare of Fishermen and Training and Extension</td>
<td>48,81,355</td>
</tr>
<tr>
<td>8 &amp; 9</td>
<td>Jan Shree Bima Yojana and Aam Aadmi Bima Yojana (AABY)*</td>
<td>4,54,15,082</td>
</tr>
<tr>
<td>10</td>
<td>Rashtriya Swasthya Bima Yojana (RSBY)</td>
<td>3,85,00,000</td>
</tr>
</tbody>
</table>

Source: Release of Ministry of Labour and Employment dated 22 December 2014

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38 Ibid.
39 Available at http://vikaspedia.in/social-welfare/unorganised-sector-1/unorganized-sector-informal-sector#section-1 (Last visited on 29/05/2016)
40 Supra n. 37
*Janashree Bima Yojana (JBY) was merged into Aam Admi Bima Yojana (AABY) w.e.f. 01.01.2013 and the revised AABY scheme is being implemented through Life Insurance Corporation of India (LIC)

It is estimated that the unorganised sector workers, constitute 88% of the total labour force of 47.29 crore, as per the 66th Round of NSSO Survey of 2011-12.\(^{41}\)

**CONSTITUTIONAL SAFEGUARDS**

The right of workers including social security was demanded to be included in Constitution as fundamental right but the nature of the right and the difficulty in its enforceability made its position in the subordinate category of non-justiciable right. Matters relating to Social Security are listed in the Directive Principles of State Policy and the subjects in the Concurrent List. The social security issues mentioned in the Concurrent List viz., List III in the Seventh Schedule of the Constitution of India are Item No. 23: Social Security and insurance, employment and unemployment. Item No. 24: Welfare of Labour including conditions of work, Provident funds, employers’ liability, workmen’s compensation, invalidity and old age pension and maternity benefits. Article 41 Right to work, to education and to public assistance in certain cases the State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want. Article 42, Provision for just and humane conditions of work and maternity relief. The State shall make provision for securing just and humane conditions of work and for maternity relief. These provisions contained in Fundamental Rights and Directive Principles of Constitution helped a lot for providing facilities to workmen and making effective provisions of public assistance.\(^{42}\)

**STRATEGIES FOR ELEVENTH FIVE YEAR PLAN (2007-12)**

This plan has, perhaps, given the highest priority to ensuring social security to the unorganised sector workers during the entire plan era. In the context of formulation of the 11\(^{th}\) Five year plan, the planning commission by its order date Aug 23, 2006 setup a Working Group on social

\(^{41}\) *Ibid.*

\(^{42}\) Supra n.22
protection policy- National Social Assistance Program and Associated Programs especially meant for unemployable destitute, to make a dent on extreme poverty and vulnerability (Govt. of India, 2006). The working group felt that a more holistic view if social assistance would however have to be conceded and other aspects of social assistance would have to be discussed more in detail.43

The second year of this FYIP created and unprecedented history. The Unorganised Workers Socials Security Bill, which had been delayed for over five years was passed by the houses of parliament. This act seeks to make a beginning in providing social security to some sections of the vast 92% of the total 423 million working population of the country who have remained outside the purview of this facility to provide a minimum level of social security to the workers in the unorganised sector.44

As per this act, the Central Government shall formulate and notify, from time to time, suitable welfare scheme for unorganised workers on matters relating to –

a. Life and disability cover;
b. Health and maternity benefits;
c. Old age protection;
d. Any other benefits as may be determined by the Central Government.

There is no minimum and universal entitlement to social security, the provisions for social security are not integrated with any implementation framework, and perhaps, most important, there is no time frame for universal coverage of unorganised workers. Apart from this, the act is essentially designed to cover BPL (below the poverty line) workers, which essentially involves the problem of identification and moreover, it does not make it mandatory for the government to introduce new welfare schemes.45

44 Ibid.
45 Ibid.
WAY FORWARD: TWELFTH FIVE YEAR PLAN (2012-17)

In the process of formulating the Twelfth Five Year Plan, the Planning Commission constituted a Working Group under the Chairmanship of Secretary, Labour and Employment (Government of India, 2011). The Working Group’s reports highlights the following aspects while examining the social security for unorganized workers46:

a. More need felt of life and disability cover as in this sector there is the risk of untimely death due to disease or accident (because of sub-standard live and deficient care).

b. Comprehensive mechanism for providing pension benefits by the Government on its own, or in collaboration with insurance companies to ensure old age income security.

c. More intrusive health care facilities and increase in the network of medical facilities/hospitals.

d. Universalisation of social security so as to ensure the availability of minimum social security floor to every worker in the unorganized sector.

e. Convergence of all social welfare schemes and benefit run by different government units at central and state level under one umbrella, if possible.

f. Requirement of strong administrative mechanism – in terms of identification of beneficiaries, there enrollment and making them aware to participate in the scheme- for implementation of universal social security scheme for all.

CONCLUSION AND SUGGESTIONS

Along with the whole world, India also celebrates International Worker’s Day on 1st May and World day for safety at work places on 20th April. But do these days have achieved their importance in India in real terms? With the same thought, an endeavor has been made in this paper to clear the concept of social security, social schemes, constitutional provisions and the Government initiatives. It is studied that the conditions of workers in organized sector were so pathetic in Pre and Post Independent India. Even after a bunch of years of independence, the states of these workers still the same. Undoubtedly, Central and State Governments have taken numerous initiatives for the betterment and development of the unorganized workers, but there are no accurate figures to measure the effectiveness and implementation of these initiatives as

46 Ibid.

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there is no strict standard check. Even these unorganized workers are also not aware about all these schemes, benefits and rights which make their condition unchangeable.

With some, the study concludes that there should be a standard social security system in the country as well as a strict check is required to assess whether these schemes and laws are successfully implemented or not. There should be registration of these unorganized workers as organized workers. Government and NGO’s should conduct such programs in which these workers are given knowledge about these laws, schemes and benefits in their support and of course about their rights too.