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Role of State in Employment Generation

The role of state in employment generation can be broadly examined at three levels: (i) directly providing employment in administration, public sector undertakings and other government and semi-government organisations; (ii) creating short-term employment to supplement the income of the vulnerable groups through special employment schemes; and (iii) devising suitable strategies and policies for promotion of employment.

Generation of direct employment in state enterprises has decreased substantially and is no longer viewed as a viable strategy. In fact the public sector employment has hardly recorded any growth in majority of the developing countries, including India, during the last two decades. However, state intervention to create employment especially in rural areas and agriculture and during economic crisis still retains salience. But the most important role of the state will increasingly be as facilitator of employment generation at sectoral/regional/micro levels.

How can the state through suitable policy interventions facilitate employment generation? Deregulation of factor markets and encouragement of privatisation have emerged as the most

important strategy for ensuring growth and employment. However, the above strategies may have adverse consequences in the short run for employment generation given the experience of the last two decades. One pertinent question that arises in this context is: Are deregulation and privatisation adequate strategies for employment generation?

The continued existence of periodic and structural market distortions demand the intervention of the state with a view to correct imbalances between supply and demand for labour. Important

State intervention to create employment especially in rural areas and agriculture and during economic crisis still retains salience. But the most important role of the state will increasingly be as facilitator of employment generation at sectoral/regional/micro levels.

areas for such interventions are: (i) Developing an effective labour market information system based on which employment planning at sectoral levels can be formulated; (ii) Facilitating upgradation of skills and restructure educational systems to enhance employability; (iii) Providing positive incentive structure and appropriate infrastructural support to ensure that the informal sector generate quality employment; and (iv) Identifying successful non-state employment generation models based on community participation, cooperatives, self-help-groups, etc. and facilitating its replication in other areas. □

V.P. Yajurvedi

Round Table Conference on 'Unorganised Workers Social Security Act-2008'

20-21 May, 2010

A Two-day Round Table Conference on 'Unorganised Workers Social Security Act-2008' was held at the Late Narayan Meghaji Lokhande Maharashtra Institute of Labour Studies, Mumbai during 20-21 May, 2010. The Round Table was attended by 45 participants from various trade unions and NGOs and other organizations. The Conference was jointly organized by V.V. Giri National Labour Institute, NOIDA and the Late Narayan Meghaji Lokhande Maharashtra Institute of Labour Studies.

The main objective of the Round Table was to discuss various aspects of the Act and also examine the feasibility of implementation of different social security measures envisaged. The conference was chaired by Shri V.P. Yajurvedi, Director of the VVGNI. Dr. Rajan Tungare, Director of Late Narayan Meghaji Lokhande Maharashtra Institute of Labour Studies welcomed all the delegates and introduced the Chief Guest. He provided a brief outline and objectives of the Round Table. Justice Rajan Kochar, Retd. Judge from Mumbai High Court, inaugurated the programme and delivered the key note address.

In his inaugural address, Justice Kochar said that implementation of the Act would become effective if deterrent provisions were there for non-implementation in the Act. Dr. Shanti Patel, a veteran trade union leader appreciated the Act and said that its proper implementation would be necessary. Shri V.P. Yajurvedi, Director of the V.V. Giri National Labour Institute and Chairperson of the programme, highlighted the perspective of the Act and said that the Unorganised Workers' Social Security Act has a great potential to provide social security coverage to the unprotected unorganized workers in the country. He also said that instead of launching different programmes and schemes, a uniform and single programme could be envisaged for unorganized workers envisaging all welfare and social security measures.

Dr. M.M. Rehman and Dr. Onkar Sharma also explained how the act would be helpful in protecting the unorganized workers in the country.

After the inaugural session, the second session was engaged by Dr. S.K.G. Sundaram, who provided a broad perspective of social security schemes for the unorganized workers in India. In the next session Dr. R. Krishnamurthy, Director of the Industrial Relations Institute of India, explained the major provisions of the Act and apprised participants about the practical implications of functioning the Act.

On the second day of the programme, a panel of experts was constituted. Dr. Shanti Patel chaired the panel and other panelists included Shri M.A. Patil, Shri P.M. Mantri, Mr. B.S. Hegde and Dr. Onkar Sharma. The panelists provided different perspectives to the Act. Shri M.A. Patil brought the issue of mobilization of resources for the implementation of the Act. He suggested that a surcharge on the consumption of petrol and diesel be levied. The panelist, suggested that social and economic survey of the unorganized workers should be undertaken for creating adequate database on the unorganized workers.



Shri V.P. Yajurvedi, Director (second from left) delivering opening speech in the Roundtable. Seated on his right Professor R. Tungare, Director, MILS and on left Dr. M.M. Rehman and Dr. Onkar Sharma, Faculty members VVGNI

Shri B.S. Hedge emphasized the need for integrated social security. Dr. Onkar Sharma strongly felt that the Social Security Act for the unorganized workers should be made more workers' friendly. He further said that the Social Security Boards both at national and state level was the appropriate mechanism for implementation and monitoring of the on going schemes as well as for introduction of new schemes. He felt that in the implementation of welfare schemes under the provisions of Section-4, even the District Administration should be involved.

In his concluding remarks, Dr. Shanti Patel provided a proper perspective from the National point of view. He mentioned that though unorganized work force contributed to more than 60 percent of the GDP, the expenditure on this sector was around 1.8 percent which was very low. He therefore, felt that more funds should be made available for welfare of unorganized workers through budgetary provisions.

Shri P.M. Mantri made important comments on unorganized sector and said that the Act would create an enabling atmosphere for developing suitable delivery mechanism for extending benefits to workers from unorganized sector. He said that the Government has accepted the fact that 93 percent workers are engaged in unorganized sector. He further noted that the Unorganized Workers Social Security Act made specially for unorganized sector was complementary to ongoing Government schemes for welfare of unorganized workers.

Shri B.S. Hegde suggested that an integrated social security is needed, and for framing and implementation process of the Act, the role of Trade Unions and NGOs was important.

The valedictory session was chaired by Shri V.P. Yajurvedi, Director, VVGNI and Director Dr. Rajan Tungare LNMLMILS made concluding remarks. □

Workshop on Prevention of HIV/AIDS in the World of Work at Kohima, Nagaland

(June 3-4, 2010)

Workshop on Prevention of HIV/AIDS in the World of Work was organized by V.V. Giri National Labour Institute at Kohima. The workshop was attended by about 30 participants drawn from Nagaland Department of Labour, Nagaland State AIDS Control Society, Nagaland University, Network of Positive People of Nagaland, Trade Unions and NGOs working in the area of HIV/AIDS.

The inaugural session was chaired by Shri V.P. Yajurvedi, Director, VVGNI and the chief guest of the inaugural session was Dr. Chumben Murry, Hon'ble Minister of Agriculture, Nagaland. While delivering the key note address, Dr. Murry expressed happiness that workplace intervention on HIV/AIDS was being discussed for the first time in Nagaland. Shri V.P. Yajurvedi in his inaugural address highlighted the importance of prevention of HIV/AIDS in the world of work taking in to consideration the fact 22.7 lakh people are infected with HIV in India and 88.7 per cent of those who have HIV are in the productive age group of 15-49 years. The other dignitaries present during the inaugural session were Mr. Yanger Aier, Joint Labour Commissioner, Nagaland and Dr. Dr. Niphie Kire, Project Director, Nagaland State AIDS Control Society.

The two-day workshop through six technical sessions covered important issues such as (1) Understanding and Addressing HIV/AIDS in the world of work, (2) Current Interventions and the Challenges faced by the Government, (3) HIV/AIDS



A group photo of the participants

related Stigma and Discrimination with focus on the Work place, (4) Awareness and Prevention of HIV/AIDS in Nagaland, (5) Developing a strategy for non-discrimination and protection of People Living with HIV/AIDS (PLHAs), (6) Population Based Survey on HIV/AIDS Prevalence in Nagaland.

Dr. Damodar Bachani, Deputy Director General, NACO was the Chief Guest at the valedictory session. In his address Dr. Bacchani emphasized on the importance of NACO's intervention among workers especially migrant workers. The Workshop ended with a positive note on prevention of HIV/AIDS in the world of work and a vote of thanks by Dr. Ruma Ghosh, Fellow, the workshop coordinator. □

Global Summary of the HIV/AIDS Epidemic 2009

Number of people living with HIV in 2009

• Total	33.4 million	[30.6-36.1 million]
• Adult	31.3 million	[29.2-33.7 million]
• Women	15.4 million	[13.69-16.6 million]
• Children under 15 years	2.1 million	[1.2-2.9 million]

People newly infected with HIV in 2009

• Total	2.7 million	[2.4-3.0 million]
• Adults	2.3 million	[2.0-2.5 million]
• Children under 15 years	43.0 million	

Aids Deaths in 2009

• Total	2.0 million	[1.7-2.4 million]
• Adults	[1.4-2.1 million]	
• Children under 15 years	0.28 million	

Source: UNAIDS: The ranges around the estimates in this table define the boundaries which the actual numbers lie, based on the best available information.



Other Professional Engagements of Director and Faculty

Shri V.P. Yajurvedi, Director

- Attended an Interactive session on Welfare Schemes for Workers - A Review in PHD Chamber of Commerce, New Delhi, May 1, 2010.
- Attended a Meeting to discuss the issue of Workers Participation in Management, chaired by Secretary (Labour & Employment), May 11, 2010.
- Delivered Key Note Address at a Programme on Unorganised Workers' Social Security Act, 2008, May 19-22, 2010 in MILS, Mumbai.
- Inaugurated Workshop on HIV/AIDS and the World of Work at Kohima, Nagaland, June 2-7, 2010.
- Attended a Meeting of the Industrial Tripartite Committee on Engineering Industry, at MOLE, June 22, 2010.
- Attended One-day Workshop for SRs organised by Global Fund for Project of MOLE on HIV/AIDS, June 23, 2010.
- Attended a Meeting of the Consultative Committee held in Peterhof, Shimla, H.P. to discuss "Functioning of EPFO", June 24-26, 2010.

Dr. S.K. Sasikumar, Senior Fellow

- Was Chief Guest at the Inauguration of the Economics Association of the

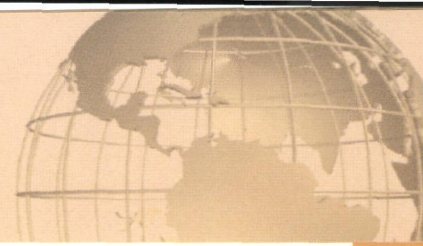
St. Teresa's College, Ernakulum, Kerala and delivered Mother Digna Memorial Lecture for the academic year 2010-11 on June 25, 2010.

Dr. Ruma Ghosh

- Participated in the Regional Meeting on "Implementing the Global Fund New Funding Architecture and Gender Equality Strategy" at Pattaya, Thailand during June 27 - July 1, 2010

Training Programmes:

- Training of Trainers Programme on Prevention of HIV/AIDS for Trade Union Leaders (Course Director: Dr. Ruma Ghosh, Fellow, VVG NLI) - May 3-7, 2010.
- Training of Trainers Programme on Prevention of HIV/AIDS for Teachers of Government ITIs of Delhi under the ILO Project on 'Prevention of HIV/AIDS in the World of work - A Tripartite Response' (Course Director: Dr. Ruma Ghosh, Fellow, WGNLI) - May 19-21, 2010.
- Training of Trainers Programme on Prevention of HIV/AIDS for Teachers of Government ITIs of Delhi under the ILO Project on 'Prevention of HIV/AIDS in the World of work - A Tripartite Response' (Course Director: Dr. Ruma Ghosh, Fellow, VVG NLI) - June 7-9, 2010. □



Recent Training Programmes

Training programmes held during May, 2010

- Training Programme on Effective Enforcement of Building & Other Construction Workers for LEOs, Govt. of UP, May 24-28, 2010 (Course Director: Dr. Sanjay Upadhyaya)
- Empowering Trade Union Leaders May 24-29, 2010 (Course Director: Dr. Poonam S. Chauhan)
- Leadership Development Programme for Rural Trade Union Leaders May 03-07, 2010 (Course Director: Shri Anoop K. Satpathy)
- Leadership Development Programme for Rural Trade Union Leaders May 24-28, 2010 (Course Director: Dr. Sanjay Upadhyaya)
- Towards Improving the Implementation of NCLPs for Project Directors of NCLPs, May 12-14, 2010 (Course Director: Shri Anoop K. Satpathy)
- Training of Trainers Programme on Prevention of HIV/AIDS in the World of Work for Trade Union Leaders, May 03-07, 2010 (Course Director: Dr. Ruma Ghosh)
- Training for Government ITI Teacher on HIV/AIDS, May 19-21, 2010 (Course Director: Dr. Ruma Ghosh)
- Fundamental of Labour Laws for Labour Leaders & NGOs from North Eastern States, May 10-14, 2010 (Course Director: Dr. M.M. Rehman)
- Sensitisation Programme on Labour Laws pertaining to Women Workers for Women Workers of NGOs from North Eastern Region, May 17-21, 2010 (Course Director: Dr. Shashi Bala)
- Training Programme on Promoting Decent Work in a Changing Global Scenario (ITC-ILO, Turin), May 10-14, 2010 (Course Director: Dr. Mahaveer Jain & Dr. S.K. Sasikumar)

- Two-day Round Table on Unorganised Workers' Social Security Act, 2010 at MILS, May 21-22, 2010 (Course Director: Dr. M.M. Rehman) □

Training Programmes held during June, 2010

- Leadership Development Programme for Rural Trade Union Leaders for June 7-11, 2010 (Course Director: Dr. Sanjay Upadhyaya)
- Leadership Development Programme for Rural Trade Union Leaders June 28- July 02, 2010 (Course Director: Dr. M.M. Rehman)
- Training Programme on Developing Social Security Officials from Govt./Civil Society Organisation, June 21-25, 2010 (Course Director: Dr. M.M. Rehman)
- Sensitisation Programme on Child Labour Women Representatives of NGOs Implementing NCLP, June 29-July 01, 2010 (Course Director: Dr. Helen R. Sekar)
- Training Programme on Enhancing Competence of youth in dealing with child labour for Students of Social Work, June 15-17, 2010 (Course Director: Dr. Helen R. Sekar)
- Training of Trainers Programme on prevention of HIV/AIDS for Teachers of Government ITIs, June 7-9, 2010 (Course Director: Dr. Ruma Ghosh)
- Leadership Development Programme For Trade Union Leaders Of North East Region, June 21-25, 2010 (Course Director: Dr. Poonam S. Chauhan)
- Training Programme on Child Labour (Phase-I) Social Partners working in the area of Child Labour, June 7-11, 2010 (Course Director: Dr. Mahaveer Jain)
- Two days National Workshop on HIV/AIDS in the World of Work at Kohima, Nagaland, June 03-04, 2010 (Course Director: Dr. Ruma Ghosh) □



The Unorganised Workers' Social Security Act, 2008

The objectives of the Act are to provide for the social security and welfare of unorganised workers and for other matters connected therewith or incidental thereto. It extends to the whole of India. The definition of the various terms are as under:

- “employer” means a person or an association of persons, who has engaged or employed an unorganised worker either directly or otherwise for remuneration;
- “home-based worker” means a person engaged in the production of goods or services for an employer in his or her home or other premises of his or her choice other than the workplace of the employer, for remuneration, irrespective of whether or not the employer provides the equipment, materials or other inputs;

- “self-employed worker” means any person who is not employed by an employer, but engages himself or herself in any occupation in the unorganised sector subject to a monthly earning of an amount as may be notified by the Central Government or the State Government from time to time or holds cultivable land subject to such may be notified by the State Government;

- “unorganised sector” means an enterprise owned by individuals or selfemployed workers and engaged in the production or sale of goods or providing service of any kind whatsoever, and where the enterprise employs workers, the number of such workers is less than ten;
- “unorganised worker” means 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 n to this Act; and

- “wage worker” means a person employed for remuneration in the unorganised sector, directly by an employer or through any contractor, irrespective of place of work, whether exclusively for one employer or for one or more employers, whether in cash or in kind, whether as a home-based worker, or as a temporary or casual worker, or as a migrant worker, or workers employed by households including domestic workers, with a monthly wage of an amount as may be notified by the Central Government and State Government, as the case may be.

The Central Government shall frame the welfare schemes for unorganised workers on

About 93 per cent of the labour force in India are engaged in unorganised sector employment. The labour force in this sector, by and large, is unprotected. Their conditions of employment are characterised by low wage, absence of social security, legal protection, low skills and so on. As a result, they mostly live in poverty and once their working capacity declines, they face stark uncertainty as they do not have access to social protection. Their conditions further deteriorate when inflation continues to increase eroding their savings. In order to mitigate the problem of social protection, the government of India has enacted the Unorganised Workers Social Security Act 2008 in December 2008. The Act has been notified in May 2009. Since its notification, efforts are on to implement the Act. Excerpts of the important provisions of the Act are presented here.

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

The following schemes are now also carried under the Act:

1. Indira Gandhi National Old Age Pension Scheme.
2. National Family Benefit Scheme.
3. Janani Suraksha Yojana.
4. Handloom Weavers' Comprehensive Welfare Scheme.
5. Handicraft Artisans' Comprehensive Welfare Scheme.
6. Pension to Master craft persons.
7. National Scheme for Welfare of Fishermen and Training and Extension.
8. Janshree Bima Yojana.
9. Aam Admi Bima Yojana.
10. Rashtriya Swasthya Bima Yojana.

The State Government may also formulate and notify, from time to time, suitable welfare schemes for unorganised workers, including schemes relating to

- (a) provident fund;
- (b) employment injury benefit;
- (c) housing;
- (d) educational schemes for children;
- (e) skill upgradation of workers;
- (f) funeral assistance; and
- (g) old age homes.

Funding of the Schemes: Any scheme notified by the Central Government may be

- (i) wholly funded by the Central Government; or
- (ii) partly funded by the Central Government and partly funded by the State Government; or
- (iii) partly funded by the Central Government, partly funded by the State Government and partly funded through contributions collected from the beneficiaries of the scheme or the employers as may be prescribed in the scheme by the Central Government.

Implementation of the Schemes: Every scheme notified by the Central Government shall provide for such matters that are necessary for the efficient implementation of the scheme including the matters relating to-

- (i) scope of the scheme;
- (ii) beneficiaries of the scheme;
- (iii) resources of the scheme;
- (iv) agency or agencies that will implement the scheme
- (v) redressal of grievances; and
- (vi) any other relevant matter.

National Social Security Board for Unorganised Workers: Thirty four members to be nominated by the Central Government, out of whom-

- (i) seven representing unorganised sector workers;
 - (ii) seven representing employers of unorganised sector;
 - (iii) seven representing eminent persons from civil society;
 - (iv) two representing members from Lok Sabha and one from Rajya Sabha;
 - (v) five representing Central Government Ministries and Departments concerned; and
 - (vi) five representing State Governments
- The Chairperson and other members of the Board shall be from amongst persons of eminence in the fields of labour welfare, management, finance, law and administration.
 - The term of the National Board shall be three years.

Funding of the Board: The National Board shall perform the following functions, namely:

- recommend to the Central Government suitable schemes for different sections of unorganised workers;
- advise the Central Government on such matters arising out of the administration of this Act as may be referred to it;
- monitor such social welfare schemes for unorganised workers as are administered by the Central Government;
- review the progress of registration and issue of identity cards to the unorganised workers;
- review the record keeping functions performed at the State level;
- review the expenditure from the funds under various schemes; and
- undertake such other functions as are assigned to it by the Central Government from time to time.

State Social Security Board: Every State Government known as (name of the State) State Social Security Board

The State Board shall consist of the following members, namely:

- (a) Minister of Labour and Employment of the concerned State-Chairperson, ex officio;
- (b) the Principal Secretary or Secretary (Labour)-Member-Secretary, ex officio and
- (c) twenty-eight members to be nominated by the State Government, out of whom-

- (i) seven representing the unorganised workers;
- (ii) seven representing employers of unorganised workers;
- (iii) two representing members of Legislative Assembly of the concerned State
- (iv) five representing eminent persons from civil society; and
- (v) seven representing State Government Departments concerned.

The Chairperson and other members of the Board shall be from amongst persons of eminence in the fields of labour welfare, management, finance, law and administration.

Adequate representation shall be given to persons belonging to the Scheduled Castes, the Scheduled Tribes, the Minorities and Women.

The term of the State Board shall be three years.

Eligibility: Every unorganised worker shall be eligible for registration subject to the fulfilment of the following conditions, namely:-

- he or she shall have completed fourteen years of age; and
- a self-declaration by him or her confirming that he or she is an unorganized worker. □

Welcome to Dr. Onkar Sharma



Dr. Onkar Sharma, Central Labour Service Officer has joined the Institute as Fellow. Before joining the Institute, he has worked as Assistant Labour Commissioner (Central) and discharged duties of monitoring Industrial Relations in Central Sphere, Enforcement of Labour Laws and

Quasi-Judicial functions as "Authority" under various Labour Laws. He was also Welfare Commissioner-cum-Chief Executive Officer of Delhi Labour Welfare Board, Government of NCT of Delhi for four years.

He was member, Sub-Committee on Labour Administration constituted for drafting the IXth Five Year Plan and Member, Committee constituted for drafting the Central Rules of Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996.

He has published research papers & Articles in the Journals of International repute and books on the issues relating to Labour Laws and Industrial relations.

He is associated as Guest faculty and Resource person in various Institutes across the country. □

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