

NOTE

Unorganised Still

Bharat Dogra writes :

Last year India's labour scene witnessed a strange spectacle—the country's leading unions protesting against what was publicised by the government as the biggest ever initiative for the social security of unorganised sector workers. The reason of course was that the long-awaited proposed legislation had completely betrayed the expectations of workers. However the fact that the bill on social security of unorganised sector workers was referred to a standing committee of Parliament and the labour minister has kept the door open for amendments had revived hopes partially that it may still be possible to salvage a just deal for unorganised sector workers who have waited for social security for several decades. The Parliamentary committee has recommended an alternative draft law which is in some respects an improvement on the government's draft. However some more improvements are needed before it can be called a satisfactory law.

High hopes were raised when the United Progressive Alliance (UPA) made a firm commitment to social security for unorganised workers in the National Common Minimum Programme (NCMP). As a step in this direction the government set up the National Commission for Enterprises in the Unorganised Sector (NCEUS). The NCEUS prepared first one, and then two separate bills for social security- one for farm workers and other for workers in non-agricultural sectors. These were not exactly to the satisfaction of the country's leading trade unions and campaigns, and several improvements were suggested by them. It was hoped that by incorporating several of these improvements, the laws proposed by the NCEUS would at least be regarded as a good beginning in a crucial area that had remained neglected for too long. But when in May last year they saw the draft law that had been finally approved by the cabinet, workers' representatives were shocked to see that this had hardly any definite commitments and therefore fell much short of the NCEUS recommendations. The bill introduced in Parliament was also along the lines of the May draft.

It has been estimated by the National Sample and Survey Organisation that out of the employment of 397 million in India 28 million are in the organised sector while 369 million (93 percent) are in unorganised sector.

This failure is particularly glaring in view of the fact that before the UPA government assumed power, the Second National Labour Commission (appointed as early as 1999) had already prepared a draft legislation for comprehensive social security to unorganised sector workers. This had been prepared on the basis of detailed consultations with various stake holders in various parts of the country. Thus the UPA government certainly did not have to start from scratch in this critical area.

But surprisingly the UPA government behaved as if the report of the Second National Labour Commission (or at least its part relating to social security for unorganised sector workers) did not exist. Finally when the NCEUS came up with its two draft laws, these too were largely ignored in the decision taken in May by

the Cabinet. This decision provides only for a National Advisory Board which will just recommend 'model' schemes. What the workers have waited for all these years are firm, time-bound commitments for all essential social-security obligations, regulation of employment and adequate budget allocations or just fund-raising mechanism to make this social-security a reality. What needs to be remembered is that the Second National Labour Commission had presented a draft law and a framework which provided for all this. □