

**ROLE OF SOCIAL MOVEMENTS IN ORGANISING THE
UNORGANISED SECTOR WORKERS: A CASE STUDY OF
LEARN, DHARAVI**

*Dissertation Submitted for the Partial Fulfilment of the M. A. in
Globalisation and Labour for the Academic Year 2008-2010*



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CERTIFICATE



This is to certify that the research report entitled '**ROLE OF SOCIAL MOVEMENTS IN ORGANISING THE UNORGANISED SECTOR WORKERS: A CASE STUDY OF LEARN, DHARAVI**' is the record of the original work done by Tinu K. Mathew under my guidance. This work is original and has not been submitted in part or full to any other university or institute for the award of any Degree or Diploma.

I certify that the above declaration is true to the best of my knowledge and belief.

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DECLARATION

The research report entitled **‘ROLE OF SOCIAL MOVEMENTS IN ORGANISING THE UNORGANISED SECTOR WORKERS: A CASE STUDY OF LEARN, DHARAVI’** has been prepared entirely by me under the guidance of Dr. Ezechiel Toppo, Associate Professor and Chairperson, Centre for Labour Studies, School of Management and Labour Studies, Tata Institute of Social Sciences, Mumbai, India.

I hereby declare that this work is original and has not been submitted in part or full to any other university or institute for the award of any Degree or Diploma.

Place: Mumbai

Date :

TINU K. MATHEW

CONTENTS

Acknowledgement	vi
Summary	vii
Abbreviations	viii
Glossary	ix
CHAPTER 1: INTRODUCTION AND REVIEW OF LITERATURE	1-14
CHAPTER 2: RESEARCH CONTEXT	15-19
CHAPTER 3: PRIMARY FINDINGS	20-29
CHAPTER 4: LABOUR EDUCATION AND RESEARCH NETWORK	30-51
CHAPTER 5: LEARN MAHILA KAMGHAR SANGHATANA	52-67
CHAPTER 6: CONCLUSION	68-70
END NOTES	71-73
REFERENCES	74-79
APPENDIX I	80
APPENDIX II	81
APPENDIX III	82
APPENDIX IV	83-98
APPENDIX V	99

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SUMMARY

The life of the informal sector workers, particularly women, is filled with hardships and difficulties due to various reasons, especially in a country like India where there is little social security for the informal sector workers. This work is an attempt to look into the difficulties faced by the informal sector workers and also to explore the changes that happen in the lives of such workers through trade unions, non-governmental organisations and other similar social movements. Labour Education And Research Network (LEARN), a non-governmental organisation, is considered as a successful case study in this work. The first chapter deals with the introduction and literature review. The second chapter is about the research context which covers the research methodology also. The third chapter looks into the difficulties faced by the informal sector workers, especially women workers. The fourth chapter is all about the work and achievements of LEARN. This chapter discloses the major objectives and activities of LEARN as a Non-Governmental Organisation. The fifth chapter is about *LEARN Mahila Kamghar Sanghatana (LMKS)* which means the LEARN Union of Working Women. This chapter reveals how LMKs has been successful in organising the informal sector workers, mainly women workers in Dharavi, Mumbai. The concluding remarks are included in the sixth chapter.

ABBREVIATIONS

BMC	-	Brihanmumbai Municipal Corporation
BPL	-	Below Poverty Line
BSE	-	Bombay Stock Exchange
CBO	-	Community Based Organisation
DGET	-	Directorate General of Employment and Training
GAWU	-	General Agricultural Workers' Union
GDP	-	Gross Domestic Product
ILO	-	International Labour Organisation
INSAF	-	Indian National Social Action Forum
LEARN	-	Labour Education And Research Network
LMKS	-	Learn Mahila Kamghar Sanghatana
LTF	-	Learn Theatre Foundation
NASVI	-	National Association of Street Vendors of India
NCEUS	-	National Commission for Enterprises in the Unorganised Sector
NGO	-	Non Governmental Organisation
RKS	-	Rationing Kruti Samiti
RTO	-	Regional Transport Office
SEWA	-	Self Employed Women's Association
SEWU	-	Self Employed Women's Union
SHG	-	Self Help Group
TCFUA	-	Textile, Clothing and Footwear Union of Australia
WIEGO	-	Women in Informal Economy – Globalising and Organising

GLOSSARY

Budha Vihar	- Buddhist Temple
Baghaana	- Please Look
Dekho Bhai	- Look Brother
Ghar Kaam Molkarin Sanghatana	- Domestic Workers' Union
Kamghar Haq Abhiyan	- Workmen's Rights Campaign
Kamghar	- Worker
Mahila Adhar Kendra	- Women's Counselling Centre
Mahila	- Woman
Mathadi worker	- Head load worker
Medical Adhar Kendra	- Medical/Health Care Centre
Mumbai Amchi Arthat Mumbai Konachi	- Whose Mumbai is Our Mumbai?
Naaka workers	- Street Corner Daily Wage Labourers
Pane Teri Kahani	- Water, this is your story
Sanghatana	- Union
Udiya Punnha Hach Khel	- Tomorrow the same play will be repeated

CHAPTER 1

INTRODUCTION AND REVIEW OF LITERATURE

This is a study which tries to identify the obstacles and opportunities involved in organising the unorganised workers and the role of social movements in organising the unorganised sector workers. The informal economy in India consists of 370 million workers. That makes it about 93% of the total work force (Chen, 2003). This study focuses mainly on the unorganised sector workers, especially women workers, in Dharavi(Mumbai). A case study of Labour Education And Research Network (LEARN) has also been presented as a successful organization involved in organizing the unorganised sector workers of Dharavi.

1.1 Definition of Informal Economy

The term “informal economy” is a new one. Earlier, “informal sector” or “unorganised sector” was the term used to represent the workers who do not have any protection of the labour laws. But, later research scholars from various countries and International Labour Organisation agreed to the fact that the informal sector also contributes to the economy of a country. Moreover, there is a strong relationship between the formal sector and informal sector. Most of the works of the formal sector are outsourced to the informal sector. Formal sector by itself find it difficult to survive as they are more profit-oriented. They are able to find cheap labour in the informal sector. So an overlapping of the work is visible. There is no argument on the fact that the informal sector contributes to the progress of the country. So the appropriate term for this sector has been accepted world wide as “Informal Economy”. Informal economy is very vast and diverse in its nature (Chen, 2002).

There are three dominant schools of thought about the informal economy. The dualist school, popularised by the ILO in the 1970s, considers informal sector as distinct and not related to the formal sector. According to this school of thought, informal economy provides income for the poor at the time of crisis. The structuralist school was popularised by Caroline Moser and Alejandro Portes in the late 1970s and 1980s. This school establishes a connection between the formal sector and the informal sector. Also informal sector increases the competitiveness among large firms by reducing labour and input costs. The legalist school was popularised by Hernando de

Soto in 1980s and 1990s. According to this school, the informal sector consists of micro-entrepreneurs who choose to operate informally to avoid the costs, time and effort of formal registration (Chen, 2004).

The workers who come under informal economy can be broadly classified as,

Employer:

- a) Owners of informal enterprises
- b) Owner operators of informal enterprises

Self-Employed:

- a) Own-account workers
- b) Heads of family businesses
- c) Unpaid family workers

Wage Workers:

- a) Employees of Informal Enterprises
- b) Casual Workers without a Fixed Employer
- c) Home-Based Workers
- d) Domestic Workers
- e) Temporary and Part-Time Workers
- f) Unregistered Workers

Source: - (Carr & Chen, 2002)

There are various definitions for the informal sector in India. According to the Central Statistical Organisation, all unincorporated enterprises and household industries (other than organized ones) which are not regulated by law and which do not maintain annual accounts or balance sheet constitute the unorganised sector. The Directorate General of Employment and Training (DGET) defines the organized sector as comprising all establishments in the private sector, which employ 10 or more persons.

By implication of this definition, informal sector is comprised of enterprises with less than 10 employees. These are *not* a) organised systematically, b) made formal through mandatory registration or licence , c) covered by legislation to protect minimum labour standards in employment and (development) unionised (Amin, 2002).

1.2 Segments of Informal Economy

A vast majority of the self-employed informal sector workers are street vendors. “A street vendor is broadly defined as a person who offers goods for sale to the public at large without having a permanent built up structure from which to sell. Street vendors may be stationary in the sense that they occupy space on the pavements or other public/private spaces or, they may be mobile in the sense that move from place to place by carrying their wares on push carts or in baskets on their heads” (Bhowmik, 2005).

Another major category is domestic workers. According to the definition of ILO ‘a domestic worker is the one whose main responsibilities include or involve house-keeping, house-cleaning, laundry, ironing, cooking, dish-washing, food-preparation or food service, regardless of whether or not that person also acts as a garden worker’ (Blackett, 2000).

Martha Chen defines informal sector as the one which include small workshops that repair bicycles and motorcycles; recycle scrap metal; make furniture and metal parts; tan leather and stitch shoes; weave, dye, and print cloth; polish diamonds and other gems; make and embroider garments; sort and sell cloth, paper, and metal waste, head-loaders, cart pullers, bicycle peddlers, rickshaw pullers, camel, bullock and horse cart drivers and auto rickshaw drivers in India, shoemakers in Madrid, street-side performers and artisans, horse cart drivers, sweat-shop workers and industrial outworkers in New York and assemblers of electronic parts in Leeds¹. There is another broad category of informal sector workers called ‘waste-collectors’. There are millions of waste-collectors across the world. According to Martin Medina, there are around 15 million waste-pickers across the world that makes a living by recovering materials from waste for recycling (Medina, 2009). Waste-collectors and their families sustain by reclaiming reusable and recyclable materials from what others have cast aside as waste (Samson, 2008).

1.3 Globalisation and the Informal Economy

Globalisation is such a phenomenon which is causing an increase in the informal sector work. With the increase in global competition catered by globalisation, liberalisation and privatisation there is the informalisation of the formal sector jobs. Global trade and investment patterns are in the favour of capital. More and more companies are moving to countries that have lower labour costs and are shifting to informal employment arrangements. Outsourcing or subcontracting through global commodity chains has increased. In short, globalisation puts a lot of pressure on low-skilled workers and petty producers by weakening their bargaining power and subjecting them to increasing competition (Carr, Chen; 2002).

Globalisation is a complex phenomenon which has got far reaching results. Some people see it as an irresistible force for delivering economic prosperity when some see it as a source of all contemporary ills. Between 1985 and 2000, 55 developing countries grew at less than 2 per cent per annum and among these, 23 suffered negative growth. Also the income gap between the richest and poorest countries increased significantly (Shenoy, year not mentioned).

With the advent of globalisation, the concept of capitalism has changed. The motive for more profit is driving the capitalists. In order to make huge profits, new methods of productions have been adopted. The jobs are outsourced and employees are kept on contract to save on social security measures of the employees. The concept of temporary or contract workers have become more relevant. The manufacturing locations are frequently changed based on the availability of cheap labour. Lay off of employees has become a strategy of the companies to cope up with the economic crisis. The informal sector will again become the lender of last resort for the laid off employees. Also, informalisation is happening within the formal sector, where some jobs are outsourced to sub-contractors.

1.4 Women in the Informal Economy

The ILO data for 1995-2004 shows that the women's entry into the labour market continues and the gender gap in labour participation has been reduced by 3.5 per cent worldwide. Though women are entering the work force, they are least recognised as workers many a times. A large number of women work without pay. A significant

proportion of women are self-employed which means they are engaged in informal work. They have poor working conditions and they lack social security. There is inequality within this informal work. Women are disproportionately represented and they occupy lower quality jobs within the self-employment. In the case of highly skilled jobs, 28 per cent of the positions are occupied by women and it's increasing. But the gender pay gap still persists due to the inequality and the lack of anti-discrimination laws (ILO, 2007).

According to Martha Chen, majority of the least visible informal sector workers are women. They usually produce or sell good from their homes, garment makers, embroiderers, incense stick rollers, cigarette rollers, paper bag makers, kite makers, hair band makers, food processors and others². Except in North Africa where 43 per cent of women workers are in informal employment, 60 per cent or more of women workers are in informal employment (outside agriculture). In Asia, the proportion of women and men non-agricultural workers in informal employment is roughly equivalent (ILO, 2002).

Half of the 22 million women non-agricultural workers in the unorganised sector in 1999-2000 were independent self-employed workers. Nearly 29 per cent or 7 million were wage workers. About 5 million or 21 per cent were home-based workers, more or less disguised wage workers. In 2004-05, the total self employed women (home-based workers and self employed) constituted 21 million having increased from 15 million in 1999-2000. Among the women wage workers, less than half or 47 per cent were casual workers. A smaller proportion of 20 per cent was engaged as domestic workers in private households. Regular workers formed about 53 per cent of the women wage workers. 54 per cent of the regular workers were employed by private households as domestic workers, which is an increase from 37 per cent in 1999-2000 (NCEUS, 2007).

Indian society has got a significant role in the increasing number of women workers in the informal economy. There are regional, religious, social and economic groups which are independent of each other. Indian society is hierarchical with everyone ranked according to their caste, class, wealth and power. In addition to that, much of women's economic activities like working on farms, weaving, and home-based work etc. are not accounted in the statistics. In addition to that, women are traditionally

responsible for the daily household chores. As a result of the cultural and other restrictions more and more women are involved in informal work than in the formal work, where the jobs are unskilled and low-paying with little benefits (Dunlop and Velkoff, 1999).

1.5 Problems Faced by the Informal Sector Workers

The problems faced by the informal sector workers are wide and varied. Each segment of the informal sector faces different problems based on the type of the work. For eg. Street vending is considered illegal in many countries. Street vending is illegal in Cambodia as per the Sub-Decree on Public Order signed by First and Second Prime Ministers on August 10; 1994. It prohibits selling goods and disturbing public order. Hawkers selling in trolleys are also prohibited. People who fail to obey the rules are fined (Kusakabe, 2006). There were sporadic evictions in Tanzania, Zambia and Zimbabwe. The most violent eviction was Operation Murambatsvina in Zimbabwe in 2005. Around 20000 vendors were harassed, brutally tortured and arrested by the police. Harare was affected most. The vendors lost their vending sites and livelihood. Even bulldozers were used to destruct their sites and other assets (Skinner, 2007). The concept of space for street vending is another major concern. Most of the street vendors operate near public places like railway stations and market areas where they could find customers. In Bangkok, the problem is with the space. There are some authorised areas allotted to street vendors. But this is too small to accommodate all street vendors. As a result most of the street vendors are operating in unauthorised areas and they are considered as illegal. In Bangladesh also, street vending is considered as illegal. The street vendors face harassment from the authorities and they are forced to pay bribes to the officials for their survival. There are some legal provisions for the street vendors in Sri Lanka. They are allowed to trade on pavements by paying a daily tax to the Municipal Council. But if the municipal council feels that they are causing trouble to the general public, they will be evicted from the pavements despite of the legal status (Bhowmik, 2004).

In many cities street vending is regulated by issuing licence to the vendors. But very often the concerned authority will not issue the licence so that they can take bribes from the street vendors for not having licence. They can threaten the hawkers for not having a licence and they take bribes from the poor vendors. The vendors have little

option than to pay the bribes so that they can carry out their trade and earn their livelihood. This is very much happening in the city of Mumbai. The authority includes police constables, the BMC staff and the Regional Transport Office (RTO) officials (Anjaria, 2006). Kolkata is not having a provision to issue licence for street vendors and street vending is considered as a non-bailable offence in the city. In Bhubaneswar, the street vending activity is regulated by the Orissa Municipality Act. The street vendors are given licences based on some conditions and if the prescribed conditions are not satisfied the licence will be cancelled (Bhowmik, 2003).

Like street vendors, the home-based workers also face a number of problems. In India, where there is a surplus of unskilled labour, piece rates to home-based workers are very low. Exploitation by the local employers is the beginning of the exploitation in the global value chain. Home-based workers have little access to the market and the final consumer (NCEUS, 2007).

The agricultural labourers also face a number of problems. Lack of credit is one of the major problems faced by such workers. Farmers need credit to maintain the subsistence levels and also for production purposes to meet the increasing costs of cultivation. Increasing indebtedness is one of the major reasons for the increasing farmer suicides. In addition to that, landless and poor tenants continued to lease-in land, but remained unrecorded tenants, without security of tenure and without the benefit of rent regulation (NCEUS, 2007).

The informal sector workers lack social security. There is no job security for them. They will be in big trouble whenever they are in need of medical aid as they are not covered by insurance. There is no pension or any other benefit for them. Above all, they are not fully unionised which in turn reduces their collective bargaining power. Lack of proper unionisation is visible in almost all the sections of informal work (NCEUS, 2007 and Chen, 2002).

1.5.1 Problems Faced by the Women Workers in the Unorganised Sector

As mentioned earlier, a large number of women are working in the informal sector. They face a number of problems also. In India, the patriarchal society imposes a lot of restrictions on women. This causes less freedom for women in the society and exploitation at the work place.

Women face sexual harassment and the pressures of the family responsibilities together at the work place. Street vendors usually face this problem. Ill behaved men used to harass them by passing rude comments. Another major issue for the women vendors is the absence of toilets near the work place. This will in turn lead to various diseases especially urinary infections. (Anjaria, 2006)

Women domestic workers also face similar problems. They face sexual harassment and many a times their working conditions are very bad. Migrant domestic workers face such difficulties in a more intense manner. Sometimes the recruiting agents compel the women to engage in sex work. They even confiscate the papers of the workers. They are forced to work for about 16 hours a day (Reshmi, 2005). Also they are paid very less and due to the lack of bargaining power, they are not in a position to demand more. They are replaced frequently, in case of better wage demands, as they are in surplus in the market.

The women working in the clothing industry in South Africa are also informal sector workers. This kind of informalisation enhances the profitability by avoiding state-imposed controls on hiring and firing. The working class women are most likely to be in low-wage and low skilled category. They are not unionised. They are engaged in unregulated and flexible jobs which are traditionally viewed as women's work. They are least visible and they face various difficulties as they operate from homes. Most of them were formal clothing sector employees earlier. They lost their jobs when the factories were closed down. Some women are engaged in this type of informal work due to downsizing and outsourcing. Chapter 14 of the book 'Beyond the Apartheid Workplace' explain about the difficulties faced by women in the clothing industry in Cape Town, South Africa.

1.6 Theories of Social Movements

T. K. Oommen (1988: 1-16) in his article '*Mobilization for Social Development: The Indian Situation*' mentions that social movements are considered as vehicles of creative and innovative ideas. According to him, the movements are propelled by the groups to achieve a society based on qualitative different collective conscience. The term social movement is defined by S. P. Arya (1988: 17-25), "as designating any collective effort on a mass scale by the concerned society, aiming to tackle and eradicate some widespread social problem of wider dimensions having existed among

the people of the region for a fairly long period” in his article named ‘*Social Movement – A Conceptual View*’. However, Arya says that no particular definition can be given to a social movement because of its diversity. Social movements could be religious, secular, revolutionary, reactionary, co-operative etc. In short, social movement is a collective action to attain a common goal. Arya examines the social movements as the results of various social problems. He, in his article, arrives at the conclusion that social movements are closely bound to certain social classes as a rule, even though they are not primarily aimed at the welfare of a particular class (Srivastava & Srivastava, 1988).

There are three main theories which explain the emergence of a movement. They are relative deprivation, strain and revitalisation. Aberle in the year 1966 gave a definition to relative deprivation. According to him, relative deprivation is a negative discrepancy between legitimate expectation and actuality. He considered this concept as the basis of social movements. Gurr (1970) included perceived capabilities also in addition to the expectations in the theory of relative deprivation. The theory of strain was developed by Smelser in the year 1962. This theory is also known as the theory of collective behaviour. The major factor of this collective behaviour is structural strain. The structural strain occurs at various levels like norms, values and mobilization. Strain together with the generalised belief of the people result in the emergence of a collective action according to the strain theory. Wallace (1956) suggested that social movements emerge out of the deliberate, organised, conscious effort of the members of a society for better conditions. According to Wallace, revitalisation has got four phases namely, period of cultural stability, period of increased individual stress, period of cultural distortion and consequent disillusionment and the period of revitalisation. According to the revitalisation theory, social movements express dissatisfaction, dissent and protest against the existing conditions. But at the same time they offer a practical solution to remedy the difficult situations (Rao, 1979).

Broom and Selznick (1958: 305) suggested that a collective action which is more unified and lasting could be called as a social movement. It is necessary that such a collective action should have certain characteristic features also. According to Coleman (1960: 250), social movements arise from the needs of the individuals. In

short, a social movement is a joint organised endeavour of a group of people which tries to change the course of events by their common effort (Rush & Denisoff, 1971).

1.7 Social Movements in the Informal Sector

In order to counter the forces of globalisation, liberalisation and privatisation the workers should unite beyond the borders of the nations and there should be transnational links between labours. Exchange of ideas should take place and this should not be separated from the local ground realities. The internationalisation of labour should happen for a better bargaining position. Trade unions should then join hands with various non-governmental organisations, women's movements, consumer organisations and community groups irrespective of the countries. In that way, the environmental and social justice interests will also be taken care of. In short, the labour movement will accept the form of a 'social movement unionism' (Webster, Lambert, Bezuidenhout et.al. 2008).

Hyman (2001), in his writings, points out that universally trade unions emerged as social movements. Also trade unions are caught on a tension between two competing pressures, towards "business like service organisation" and "expression and vehicle of the historical movement of the submerged labouring masses". Fairbrother (2008) defines trade unions in a different way. According to him, trade unions are a particular kind of social movement that contains progressive and accommodating dimensions. Another important thing is that trade unions are also a part of the society. It cannot ignore the market as an association of workers. The collective bargaining happens with regard to the market. Clawson (2003) argues that trade unions try to link with the new social movements and finally become a part of them. Fairbrother identifies three critical factors that are essential for the trade unions to have a social movement dimension in the contemporary society. They are the questions of capacity, leadership and ideology. But the real trade union strategy is one that is based on the grass roots and emerges out according to the particular national circumstances and struggle of the working class (Fairbrother & Webster, 2008).

A high level of job identification and a relatively stable employment is required for the formation of a union, historically. So it was always the skilled workers who founded organisations to retain their labour power and improve their status. They did not extend the membership to unskilled workers who have a lower labour market

status. However, this condition did not prevail for long. Despite of the opposition from the skilled workers, the unskilled workers started organising. But the trade union representation for unskilled workers were not so big as that of the skilled workers (Erd and Scherrer, 1985)

As discussed earlier there is a lack of proper unionisation in the informal sector, in India. Majority of the trade unions are concentrated in the formal sector and are oligarchic in nature. With globalisation, liberalisation and privatisation more and more jobs are becoming informal and it's high time that the informal sector workers be organised. Unless they are organised, they will not have the collective bargaining power for better living conditions.

Job security is one of the major concerns of the informal sector workers. The high instability of employment is a major challenge for the unions involved in organising the unorganised sector workers. Very often, informal workers are dismissed without any consultation whenever they ask for a wage rise. This is possible for the employer as the workers have no permanent employee status. Of course, this will force the dismissed worker to search for a new job where the worker may have to migrate to another location. This makes it difficult for the trade union or an NGO which is involved in organising the unorganised sector workers to continue the activities with the workers. Once the workers are unionised, they need to be together for demanding better wages, working conditions, insurance, pension etc. The precarious nature of employment is a major block to such developments. The major requirement is to create a documented relationship between the employer and the employee. The trade unions could put pressure on the government with its strong membership base to influence the policy advocacy. The Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Act, 1969 and the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 specifies that the principal employer rather than the contractor will be considered to be the employer (Hensman, 2001).

The formal sector trade unions are also facing a similar situation. Some trade unions are fighting to abolish contract labour. They are struggling to make the contract workers permanent employees of the organisation. There will be an impact on the strength of the trade union if more and more jobs are outsourced. Ultimately, the trade union will lose its bargaining power. It's very important that such unions should

consider contract labourers also while undergoing the process of policy advocacy and decision making.

In spite of all the hindrances, trade unions have been successful in organising the unorganised sector workers. Labour Education And Research Network (LEARN), which is a Non-Governmental Organisation based at Dharavi, Mumbai (India), is a very good example. It is involved in organising domestic workers, garment workers, waste-collectors, street vendors etc. at the grass root level. It has a separate trade union wing exclusively for the women working in the informal sector.

The Textile, Clothing and Footwear Union of Australia (TCFUA) are organising home-based workers in such sectors. The Timber and Woodworkers' Union and the General Agricultural Workers' Union (GAWU) are organising informal workers in Ghana. HKCTU is the union for domestic workers in Hong Kong. IG Metall in Germany and FILTEA-CGIL in Italy are organising the home-based workers. SIBTTA, the embroiderers' union in Madeira, has got about 8000 members over 25 years of work. WIEGO (Women in Informal Economy – Globalising and Organising) is a network which works at different levels including research, policy proposals and coalition building (Gallin, 2001).

There are also some New Trade Union Initiatives which are exclusively for the informal sector workers. Specific unions for the informal sector will bolster the union's negotiating power. This in turn is characterised by solidarity among the workers and a limited labour pool (Luthje and Scherrer, 2000). The Self Employed Women's Union (SEWU) in South Africa is one such initiative (Gallin, 2001). The Self Employed Women's Association (SEWA), a trade union, is engaged in micro-credit schemes and child care along with unionisation which will help the members in the long run. National Association of Street Vendors of India (NASVI) is the main federation of street vendors in India which played a major role in pressurising the government to have a national policy for street vendors. (Bhowmik, 2006)

1.7.1 Social Movements and Women in the Informal Sector

As discussed earlier, the Indian society is hierarchical in nature. This is visible in trade unions also. The representation of women in trade unions is negligible even though more and more women are entering the workforce. The participation of

women in social dialogue is therefore very low. The average of women participants' worldwide stands at around 15 per cent, the highest share in Europe with an average of 17 per cent (ILO, 2009).

In informal sector, the representation as well as membership of women in trade unions is very less. The main reason for this is that the women are least visible as most of them work from home and their work are not acknowledged as work, very often. But there are exceptions with the new trade union initiatives in the informal sector. LEARN Working Women's Trade Union at Dharavi, Mumbai is a classic example. The union is exclusively for women and they elect leaders from among themselves ensuring 100 per cent representation of women, as the leaders are very much aware of the problems faced by women.

SEWA is another successful example in organising the women workers. 40 per cent of the street vendors in Ahmedabad, Gujarat are women, who are all unionised by SEWA. The SEWA has encouraged the women from the urban poor to take to street vending (Bhowmik, 2006). Women's Trade Centre developed by SEWA helps the grass root women to link their produces directly with the international markets (Chant and Pedwell, 2008). Self Employed Women's Union (SEWU) in South Africa is modelled similar to SEWA. The target group is informal sector women workers. SEWU³ has found that for the poorest women workers, collective organisation is needed in order to give them strength to negotiate for better conditions in order to improve their living and working conditions.

It is very important that the voice of women is also heard while making decisions and framing policies. Women's work should be supported to support the poor households and children. There should be a gender-sensitive policy approach considering the responsibilities of women and men in the informal economy (Chen, 2004). The trade union leadership should therefore ensure proper representation for women within the union.

A number of studies are available on informal economy and women in informal economy. The findings of this study are also not much different. This study was done in Maharashtra concentrating mainly Dharavi in Mumbai. A special emphasis is given to informal sector women workers and the problems faced by them in Dharavi. The

study also analyses how a social movement at Dharavi successfully organised the unorganised sector women workers.

CHAPTER 2

RESEARCH CONTEXT

2.1 Basis for the Study

The labour market all over the world is undergoing a transition now. The concept of permanent workers is slowly disappearing. More and more jobs are getting outsourced. The industries and companies started employing temporary workers to increase the profit and to escape from social security measures for the workers. This phenomenon is accelerated with globalisation, liberalisation and privatisation. In addition to that, the informalisation of the previously formal sector jobs is also taking place. As a result, the economic crisis and other financial downturns of the industry will directly have a negative impact on the temporary workers. The laid off workers have no choice other than taking up a job in the informal sector as a street vendor, a construction worker or any other work where there is no proper employer-employee relationship and social security. The traditional trade unions in India have been working with the formal sector workers. Now that the informal sector is increasing drastically, they started formulating new strategies for organising and including the informal sector workers in the union. Also, new trade union initiatives are established exclusively for organising the unorganised sector workers. Some Non-Governmental Organisations (NGOs) and similar social movements are also engaged in such activities for the welfare of the unorganised sector workers. It is very important to analyse the role of such organisations and their strategies in organising the unorganised sector workers, especially women workers. A large number of women are working in the unorganised sector and very often they are exploited on various terms. The study also analyses the role of social movements, targeting women, in improving the bargaining power of women workers. Though the topic has been touched by a number of scholars and academicians, the studies on social movements for women with a right-based approach is limited. The study is important as more and more women are entering the informal sector work force to support their families and trade unions, Non-Governmental Organisations (NGOs), Community Based Organisations (CBOs) etc. are trying to develop new strategies to organise the workers under a common umbrella. Otherwise, labour will lose its power ultimately.

2.2 Objectives of the Study

The informal sector workers face a number of problems and their problems are very different from that of the formal sector workers. The formal sector workers usually have problems with working conditions and wages whereas the informal sector workers have 'stable' work itself as a major concern. The informal sector workers have a lot of difficulties regarding work, housing, children's education etc. These difficulties often turn out to be the obstacles for the trade unions in organising such workers. It's not very easy for the trade unions, NGOs and other civil society movements to organise the unorganised sector workers. It becomes more difficult when it comes to women workers. In several cases the bread-winners for the family are women for various reasons. It becomes extremely difficult for such women to be a part of the union and union's activities as they don't have time left after their work and child care at homes. The patriarchal Indian society adds to the trouble of the women. These are all the major challenges for the trade unions engaged in organising the women unorganised sector workers. But it doesn't mean that it's impossible to organise the informal sector workers including women. There will be a number of opportunities for the informal sector workers once they are organised. Labour Education And Research Network (LEARN) is an NGO which has been successful in organising the unorganised sector workers in Maharashtra. The main centre of its activity is Dharavi, Mumbai. It has a trade union wing which has been successful in organising the unorganised sector women workers. The study analyses the problems of the women workers in Dharavi. It also includes a comparative study of the life of women before and after joining the union. The case of LEARN is included as a success story in organising the informal sector workers in Maharashtra (Dharavi, Nashik and Solapur).

2.2.1 Main Objectives of the Study

a) To understand the difficulties and problems faced by the informal sector workers, especially women workers, in the state of Maharashtra with a special focus on Dharavi.

- b) To analyse the obstacles and opportunities involved in organising the unorganised sector workers with help of the work of LEARN in this field.
- c) To identify the role of trade unions, NGOs and other social movements in organising the unorganised sector workers.

2.3 Selection of Areas for the Study

The research was mainly conducted among the informal sector women workers at Dharavi in Mumbai. The study was also extended to Nasik and Sholapur in a smaller scale where LEARN has got a membership base. The informal sector workers in these areas include domestic workers, embroidery workers, garment workers, waste-collectors, home-based workers etc. Majority of the domestic workers, embroidery workers and home-based workers are women in these areas.

Mumbai is the commercial capital of India⁴ with the presence of Reserve Bank of India (Apex Bank in India) Headquarters and Bombay Stock Exchange (BSE). A number of financial institutions and companies are operating in Mumbai. Mumbai contributes to 5 per cent of India's GDP and accounting for 25 per cent of industrial output, around 40 per cent of maritime trade and 70 per cent of capital transactions to India's economy (Windle, 2009). But on the other side of the city, there is Dharavi. Dharavi is known as Asia's largest slum⁵. All types of works which involve unskilled work are taking place at Dharavi. Slums have the potential to provide employment to a vast majority of people and as a result more and more people are attracted to the cities from rural areas. They are forced to stay at unhygienic conditions as the formal housing sector is not affordable for them⁶. Around one million people are staying at Dharavi in an area of 223 hectares (550 acres). The population density in Dharavi would be around 314,887 per square kilometre, assuming a population of 700,000. Migrants from all over India are settled in Dharavi like potters from Gujarat, tanners from Tamil Nadu and embroidery workers from Uttar Pradesh. Dharavi also offers affordable housing for such migrant workers in Mumbai⁷. A survey conducted in 1986 by National Slum Dwellers Federation (NSDF) found that 530,225 people (106,045 households) living in 80,518 structures (Windle, 2009). As stated earlier the informality of work is increasing all over the world and the greatest increase since 1990 has occurred in sub-Saharan Africa, Latin America and Central Asia. Dharavi houses more than 10,000 small unregulated factories. These factories provide an

income to around one million people living there. The working conditions in these unregulated factories are very much unsafe (Delgado, 2008).

Women and men are working in unregulated industries like large-scale recycling, leather tanneries, wood work, garment factories, printing and various other manufactured goods factories for local consumption as well as export. The annual value of goods produced at Dharavi is around 500 million dollars (Windle, 2009). Dharavi is the major centre of informal economy with all types of work and such a remarkable contribution to the economy. The population of Dharavi consists of various religions, castes, socially and economically marginalised like Scheduled Castes (SCs), Muslims and Nomadic Tribes. The backward castes and minorities have undergone much difficulty to live in Mumbai adding to their poor economic status. This phenomenon which is prevalent in the Indian society, especially in urban slums like Dharavi, has to be considered while developing strategies for organising the unorganised sector workers (Khandare, 2008). LEARN, an NGO, has been working with the informal sector workers in Dharavi for more than 6 years. The LEARN Working Women's Trade Union has been successful in organising the unorganised sector women workers in Dharavi. LEARN has a trade union wing for the garment sector male workers also. The collective bargaining power of the women workers increased by joining the trade union and together they could achieve many benefits from the government. The strength of this union is approved in Dharavi. Later, the activities of the union were extended to the informal workers in the urban area of Nashik and Sholapur.

Dharavi has been selected for the study considering the huge informal sector work going on there. Regions within Dharavi like Rajiv Gandhi Nagar, Muslim Nagar, Kubharwada and Mukund Nagar were focussed in the study. People at Dharavi face a number of problems which are analysed in the study. The presence of many social movements including LEARN at Dharavi for the welfare of the unorganised sector workers is another factor for the selection of the same area. The activities and strategies of such organisations are analysed in this study.

2.4 Research Methodology

Qualitative methodology of research is used to analyse the conditions of informal sector workers. Ethnographic study was done at Dharavi for the primary data. Visual

methodology using photographs is also used to have a better understanding of the situation of the workers and work places. The major source of data, therefore, is the participant observation for a period of 6 months. Few interviews were also conducted during the study among the women workers engaged in domestic work, garment work and embroidery work. The interviews were not based on structured questionnaires. They were semi-structured with open-ended questions. The interviews covered women workers from areas of Rajiv Gandhi Nagar, Mukund Nagar, Muslim Nagar and Kubharwada of Dharavi. Some of the interviews were conducted at the union offices and some of them were conducted in the workers' homes. There were also interactions with the leaders of unions and NGOs. Such interactions were done with the workers and union leaders at Nashik and Sholapur also. These interviews helped in identifying the positive impact of unions on the workers. This also gave an insight of the obstacles faced by the unions in organising the informal sector workers. In addition to participant observation, newspaper articles, books, journals, various government reports etc. were referred for secondary data.

2.5 Research Ethics

This research was conducted as a requirement of the M.A. Globalisation and Labour Program at Tata Institute of Social Sciences. This research is for the academic purposes. The findings of the research are made available to the public. Extreme confidentiality of the participants is maintained throughout the paper. It was made sure that the interviewees and other participants were comfortable at the questions and also at different stages of the research.

CHAPTER 3

PRIMARY FINDINGS

The primary findings of the research and the related discussions are included in this chapter. The problems faced by the informal sector workers in Dharavi, Nashik and Sholapur are analysed in this chapter with a special focus on the slums in Dharavi. A special emphasis is given to the problems faced by the women who are engaged in domestic work and home-based work.

3.1 Informal Workers in Dharavi

The contribution of informal sector to GDP is 41 percent for Asia. In the year 1990-91, the contribution by the informal sector is 45 percent GDP as percentage of non-agricultural GDP. In the period 1994-2000, informal employment as percentage of non-agricultural employment in India became 83 percent. Women's contribution to informal employment as a percentage of non-agricultural employment is 86 percent and that of men's is 83 percent (ILO, 2002). This shows the value of the informal economy. But actually the importance given to the informal sector in various policies is negligible. The informal sector workers are provided with least social security and other benefits. They have no option than to engage in street vending, domestic work, home-based work etc. to earn their livelihood. They are also engaged in producing export quality products. But the real grass-root level workers are least benefitted. Because of the lack of progress in the implementation of the formal legislation (The Unorganised Sector Workers' Social Security Bill, 2005) (Appendix IV) covering the social and economic security needs of the informal sector workers, their lives are filled with hardships and risks.

The conditions of Dharavi in Mumbai, one of the largest slums in the world, are no different. A number of workers in the informal sector are settled in Dharavi. Most of them are migrated from other parts of the country for their work and livelihood. Majority of the informal workers are staying on rent and some are staying on the road sides. The most important thing is that many of them are working and living in the same area. With the advent of globalisation, liberalisation and privatisation after the 1990s more and more jobs are getting contractual. The concept of permanent job is disappearing and more and more people are engaged in temporary jobs. The

employers make the most out of this opportunity by escaping from the social security of informal workers. Even the State is withdrawing from its responsibility of providing education, health care, housing, supply of essential goods, services like sanitation and water supply and also job oriented trainings.

The oppression faced by the informal sector workers on various issues like space, beautification of the city etc. from the upper and middle class is another issue. The formal sector workers are paying the taxes directly and they resist this money being spent for those in the informal sector. They often forget the fact that the informal sector workers are also paying taxes when they buy their essential goods from the market. The people in the informal sector are often attacked on various pretexts including crime and beautification of the city. The increase in the unemployment rate and the dwindling income forces people to engage in anti-social activities. The families in Dharavi are under extreme pressure arising from the economic limitations. Women and children are often victimised in such conditions. There are other problems like communalism, political issues and identity crisis also.

3.2 Social and Educational Constraints

The informal workers in Dharavi have a marginal social and educational standard. They belong to various religions, castes, socially and economically marginalised sections like Scheduled Castes, Muslims and Nomadic Tribes. Even though the Government of India has some special policies for the benefit of the marginalised sections of the society, they won't reach these people due to the lack of proper implementation of the policies. Majority of the informal workers in Dharavi, Nashik and Sholapur are illiterate as they did not have the opportunity to study due to various reasons. The illiteracy is another major cause which prevents the informal workers from having access to various welfare policies of the Government and other organisations. The workers may not even know to read and write and under such circumstances they are asked to fill various application forms which are in English language. The poor financial condition of the informal sector workers pushes the children of such workers into child labour than to school.

3.2.1 Social constraints of Women Workers in the Informal Sector

The women are suppressed in various sectors of the Indian society. The major sectors where women face suppression are,

- a) Democracy
- b) Education
- c) Family
- d) Income
- e) Judiciary
- f) Ownership of Property
- g) Religion
- h) Sex
- i) Society
- j) Workplace

The main reason for this suppression is the Patriarchal Society. Patriarchy or the "Rule of Father" still exists in the Indian society. So a gradual transformation from Patriarchy to Feminism is required which ensures equality for all. There should be the emergence of new thoughts and women should be able to think beyond the four walls of her house. Also women should be protected in her own family, society and also by herself through a defensive mechanism called "self-confidence". In many cases women are afraid to resist, oppose or raise their voice against exploitation.

Most of the families in Dharavi and nearby areas belong to the marginalised sections and minorities. The men in such families are very conservative regarding women and children, especially girls. They don't really support women going out of their houses for work or studies. This situation is more severe in Muslim conservative families.

3.2.2 Educational Constraints of Women Workers in the Informal Sector

The literacy level of the women and the new generation girls are very low in Dharavi slums. The same is the condition among the urban poor in Nashik and Sholapur. The major reason for this low level of education among the women and girls is the social constraints and the lack of availability of good quality schools in the vicinity of their areas. An analysis is done to identify the reasons behind such backwardness of the girls and women in Dharavi. The major reason is the lack of good quality schools in and around Dharavi. The girls have to travel a long distance to reach the schools for

higher secondary education. For this reason they stop their studies after completing their 7th standard. The families too are not in a position to encourage girls to travel such a long distance due to economic reasons. In addition to that the conditions of the schools in Dharavi are very dismal. There are not enough qualified teachers to teach the students. Even if they are there, they are not regular to their work. This eventually prevents the students from going to schools as there is no value addition for them.

The economic conditions in the families add to the total miseries. Most of the families struggle a lot to earn their livelihood. As a result, they give very less importance to the education of the children, especially girls. They encourage girls also to help them in domestic work and even in their home-based work. They think of earning a bit more money by making the girls also take part in the work. This process continues and they don't realize the importance of coming out of this condition by having better education and jobs. As a result, they continue to be in the same miserable condition still.

The environment around the girls in Dharavi also contributes to such pathetic situations. The families are living in a slum and they have various concerns about a girl child including her physical and mental wellness. There are chances that the girls fall in love and enter into complications as they are not much aware about the consequences. Worried on this fact the parents try to get them married at an earlier age. This will prevent the girls from having the opportunity to study further. It's normal that these girls regret about their condition later in their life. There is another situation also. When a child comes to the family as a new born baby, he or she is exposed to the conditions and work of the parents since then. Some girls eventually become a part of the family's job in the due course of time. Once they enter into the jobs, they hardly have the chance of coming out of it.

It is very clear that the problems faced by the girls are wide and varied. But as long as they are not able to break the bondage the conditions will prevail forever in a cyclical manner. Only through awareness, education and training that these girls could be provided with a better life.

3.3 Exploitation of the Workers

Exploitation of the workers is increasing day by day, particularly in the unorganised sector. The workers are paid nominal wages which are much lesser than the minimum wages and they are not in a position to question and raise their voice against this exploitation. This is because of the fact that they are helpless and illiterate. They don't have any other option than to obey their masters. A number of middle-men are there who used to take advantage and major share of the profit. In the case of Dharavi, where there are a number of home-based workers and domestic workers, the exploitation is maximum. The role of middle men is also visible there. The entire family has to work to complete the embroidery work in a piece of cloth for two to three days and at the end of the day they will be paid in paisa per piece which is very less. The same item, when it comes to the market, will cost hundreds. The point is that



A woman working from her home

the actual grass-root level workers are not getting reasonable money for their work. The same is the case with domestic workers also. Many a times, they are convicted of

robbery by the house owners. Also they have to work in three to five houses a day to earn around Rs.1500/- a month. They don't have any leaves or offs and they are supposed to work on Sundays also. They don't have any time left with them for their own families and society.

3.4 Conditions of the Workers

The conditions of the unorganised sector workers are terrible. Dharavi, Asia's largest slum, will unveil the conditions of the informal sector workers to the world. They hardly have a single room to stay and sometimes that too on rent. The rent starts from Rs.700/- to too many thousands. Apart from that they have to pay deposits, electricity charges etc.. It's a huge burden on them as they are hardly earning Rs.2000/- a month. Even if all the family members work, they are unable to meet all their expenses. At the work place, no one is there to take care of them. The employer is worried only about the work and not about the worker. The work place may be a small room where more people have to sit to work. This makes the room congested and the workers may not even be able to sit properly. Women workers often suffer much under such conditions. There are no toilet facilities for the women at the work place and so women suffer from various urinary infections. The clever employers will manage the work in such a way so as to escape the Factories Act, 1948 and other laws which safeguard the interests of the unorganised sector workers. There are no properly implemented social security measures for the unorganised sector workers.

3.5 Employer-Employee Relationship

In the unorganised sector, the employer-employee relationship is negligible. The interesting fact is that the workers themselves don't know who their employer is. They have dealings only with the middle men. The alienation from work and products of work is maximum here. The workers are engaged in a monotonous work and the middle men will collect the products from them. Very often, they may be working on a part of an entire product. Fordism, Assembly line manufacturing etc. are the terms used for this type of work in factories which use machines for manufacturing. For eg., Stitching of buttons on a shirt. Those who work on attaching the buttons may not be aware of where the shirt has been made. Division of labour is quite high in the informal sector. So all in all, the employer-employee relationship is only virtual in the unorganised sector which is revealed in Dharavi in Mumbai. One of the major reasons

for this weak employer-employee relationship in the informal sector is that the employers would like to escape from providing the workers with social security and other benefits.

3.6 Minimum Wages

The Minimum Wages Act, 1948 provides for the fixation and enforcement of minimum wages in India. It prevents the labour from exploitation through payment of low wages. The Act offers a minimum subsistence wage for the workers. The national floor level minimum wage from November 2009 is Rs.100/- which has been increased from Rs.80/- in 2007. The minimum wages for the semi-skilled and unskilled labourers in Maharashtra are Rs. 145/- and Rs.141/- respectively in the year 2009⁸. But still the minimum wage is far less than these levels. One of the major reasons for this is the lack of proper unionisation in the informal sector. It's only through trade unions that collective bargaining and wage negotiations can be done. Another important aspect is that the union gives its members respect and an identity in the society. The employers may not be concerned of an individual employee, but they may consider the union and its strength. So the employers may hesitate to cheat the workers who are union members. In the case of domestic workers, if they are unionised the workers will be able to take a day off in a week and the union may be able to provide somebody else in place of her for ensuring an uninterrupted service. The customers will be happy in such cases and the payment to the alternative worker can be done through the Union. In addition to that, a minimum wage for the domestic workers can be determined. The domestic workers' board can negotiate for an additional service charge if the customer needs service on Sundays also. The surplus labour in the informal economy gives a choice to the employers and this causes the wages to be lower than the minimum wages. It's only through the unionisation of the workers that the issue could be solved.

3.7 Particular Issues in Dharavi

The informal sector workers in Dharavi face a number of issues in particular. They are particular as most of the workers in Dharavi are migrants from other parts of the country. Their social and educational background also contributes to their miserable conditions.

3.7.1 Issue of Ration Cards

India retained public distribution of food grains as a deliberate social policy, when it embarked on the path of planned economic development in 1951. The main objective of this program is to provide food grains, fuel for cooking and other essential items to vulnerable sections of society at reasonable (subsidised) prices. Public Distribution System (PDS)⁹, from mere rationing, had evolved into the National Food Security System. The major requirement to avail the benefits of this scheme is to have a Below Poverty Line (BPL) ration card. The difficulty lies at this stage. A number of documents or proofs are required to apply for a BPL ration card. Most of the unorganised sector workers in Dharavi don't have any identity proofs with them. This makes it difficult for them to apply for very important documents like ration card. Ration cards will help those who are below poverty line to procure food grains and fuel for cooking at a price which is less than the market price. In this way the workers will be able to save some money out of their meagre income for health care. The cost of the fuel (kerosene) is so high in the open market that the women have to spend one fourth of their monthly income for fuel. Also, very often the women are cheated by the shop-keepers by giving them food grains and fuel for cooking lesser than the allotted quota or by giving them nothing. In addition to all the difficulties, though the informal sector workers are in the BPL category in Dharavi, they have not been still recognized as BPL workers. So they are forced to struggle a lot for their basic rights.

3.7.2 Issue of Election Identity Cards

Right to vote is one of the fundamental rights of the citizens of India. The Indian Government has come up with the concept of an Election Identity Card which is a mandatory requirement for exercising the voting right. Alternatively, a passport, a driving licence or any such valid government identity card can be used for voting purpose. The Government of India also declared that election identity card can be used to avail the benefits of various policies and schemes in India. The most important thing is that it signifies the citizenship of the country. The application process for the election identity cards is a complex one. A proof of property ownership or residential address proof is required to apply for an election identity card. The unorganised sector workers in Dharavi lack both these documents. The house owners will never issue a no objection certificate or a certificate of residence to

them as they fear that the workers may claim ownership on their property. The government officials also will not listen to the workers even if they realize the difficult situations of the unorganised sector workers. The corruption at the government offices add to the difficulties of the workers. As a result of all these things, it's a tedious process for the unorganised sector workers to have the election identity cards.

3.8 Response of the Informal Sector Women Workers

The unorganised sector women workers face a number of difficulties in their day to day life. It may be related to their work or to their families. The intensity of their difficulties increases when they fail to identify themselves as workers. A few responses of the women workers in Dharavi are given below which shows the dimensions of their difficulties.

I was working as a cook at three places for Rs.700/- per month. Now I'm not able to as I'm suffering from various diseases.

I have been working as a domestic worker for 23 years. My mother was also a domestic worker. I'm working without any offs or bonus.

I work from 8.00am to 8.00pm in eight houses to earn Rs.3000/- a month. My husband is a drunkard who spends all my hard earned money on drinks.

My house is in a bad condition. My family suffers a lot in monsoon season. My husband tortures me physically after drinking.

I had to attend the funeral of one of my close relatives. The next day I was thrown out of my job for taking an off.

I'm not happy about the behaviour of my employers. I have to work in three houses from 11.00am to 3.00pm. I'm earning Rs.1500/- per month.

My husband is a drunkard and a gambler. I have to work as a domestic worker and a home-based worker to meet the expenses.

I am working in four houses daily. My husband suffers from mental disability. Now, I'm suffering from head ache and fever due to my work load.

My husband is a casual worker. I have to earn for my children's education and father-in-law's medicines.

I don't have a house and my husband is a drug addict. Sometimes I sell the kerosene on my ration card for food. I used to work overtime to earn a little more. But I'm not always paid genuinely.

I completed ten years as a domestic worker. Still my employer considers me as a fresh employee and pays me less.

I have three daughters and a son who is handicapped. My husband is no more. I work as much as I can for my children. My employers shout at me for no reasons.

I did not get an increment in the past twelve years. I'm not able to demand as there are others to take up my job for even lesser wages.

CHAPTER 4

LABOUR EDUCATION AND RESEARCH NETWORK (LEARN)

LEARN (Labour Education and Research Network) is registered as a Non-Governmental Organisation on 6th September 2000. It is registered under The Societies Registration Act (1860) and The Bombay Public Trust Act (1950). It has been working for the welfare of the labourers in the informal sector and the marginalised sections of the society since 2000.

4.1 History of LEARN

More than 93 percent of the work-force in India is in the informal sector. The figure is increasing day by day with the advent of globalisation and its impacts. One of the major impacts of globalisation is the increase in the process of outsourcing. This is nothing but informalisation of the formal sector jobs. Most of the jobs have become contract jobs. This will prevent the employers from providing social security to the workers and also will enable them to make more profit. A number of organisations are working in India for the welfare of the workers and to safeguard the workers' interests. But majority of them are concentrated around the formal sector workers and they have a traditional method of functioning. The problems of the unorganised and the marginalised sector workers are typical. They cannot be solved in a traditional way. An approach which is based on the problem should be adopted in such cases. The unorganised sector workers should be given basic education and a technical foundation for growth. Further they should be provided with awareness about their rights and also about the policies of the government. These policies should be made available to the beneficiaries through a right advocacy. Most of the unorganised sector workers are migrant workers from different parts of the country and they are concentrated in the slums of the metropolitan cities like Mumbai. They are also contributing to the city's economy but they often considered as a nuisance by the Officials of the city. They are always excluded from the urban planning. All these issues of the unorganised sector workers make their life more miserable. Very few organisations are able to study these issues and show the unorganised sector workers the right path. Labour Education And Research Network (LEARN) is one such organisation which is totally interested in the welfare of the unorganised sector workers. LEARN has been started by a group of social-activists which include

academicians, trade unionists, doctors, lawyers and other professionals in the year 2000.

4.2 Objectives of LEARN

The main aim of LEARN is to help the unorganised sector workers unionise and also to provide educational, technical and developmental support to labour in the informal economy.

The major objectives of LEARN are:

- To conduct research on issues of social, economic and developmental problems
- To organise and conduct training and awareness programmes on the above issues
- To mobilise the marginalized sections to fight for their rights and to network with other organisations with similar objectives
- To promote awareness on human rights among marginalised sections
- To promote literacy and technical education among socially and economically under-privileged children
- To arrange discussions, lectures and debates on relevant social issues
- To promote performing arts and other related cultural activities
- To establish documentation and library facilities
- To publish periodicals, journals, books, pamphlets etc. related to research and other activities/issues

4.3 Major Activities of LEARN

1. *Working with Informal Sector Workers*
 - a) *Creating awareness about the strengths of a Trade Union*
 - b) *Working with Hawkers / Street Vendors in Mumbai, Nasik and Sholapur*
 - c) *Working with Domestic Workers in Mumbai, Sholapur And Nashik*
 - d) *Working with Daily Collection Agents in Nasik*
 - e) *Working with the Waste pickers in Mumbai And Sholapur*
 - f) *Working with Private Security Guards in Nagpur*
2. *Training Programmes for Self Help Groups on Micro-finance*

3. *Gender Education*
4. *Education for Under-privileged Children by running a special education school*
5. *Medical Adar Kendra for Medical Help*
6. *Mahila Adar Kendra for Family Counselling*
7. *Performing Arts through LEARN Theatre Foundation*
8. *Campaign on Basic Rights for Slum dwellers*

1. Working with Informal Sector Workers

LEARN has been working with informal sector workers since its inception in the year 2000. While working with the informal sector workers the major focus areas have been fixed as,

- i) Creating awareness about trade unions and its strengths.
- ii) Initiating a dialogue on demand for a policy on unorganized sector workers.
- iii) Formulating a draft policy in consultation with various unorganised sectors and also with the authority.
- iv) Facilitating the formation of district level network of organisations working with the unorganised sector workers.
- v) Helping in the formation of trade unions and other membership-based organisations.

LEARN has been organising a number of workshops for the unorganised sector workers since 2000 with the intention of igniting the thought process among the unorganised sector workers. Awareness should be created among them on various issues and also about the policies of the government. Most of the unorganised sector workers are illiterate and they are afraid of approaching the Officials for their rights. By providing them awareness about these issues, they will be in a position to cry for their rights. The importance of a Union comes into the picture now. If the workers are organised as a Union, they could together fight for their rights and this will have an impact on the policies of the government also. LEARN has been trying to make the informal sector workers aware of their rights. A number of workshops have been conducted in the districts of Mumbai, Thane, Nasik, Aurangabad, Sholapur, Nagpur,

Buldhana and Yavatmal in Maharashtra. The target groups of these workshops were Street Vendors, Home-Based Workers, Rag-Pickers, Women Domestic Workers, Garment Sector Workers and Naaka Workers.

A union should be there in order to formulate a draft policy for the unorganised sector workers. The representatives of the union can contact various departments and can follow up the activities in a better way. The problem arises here. Most of the unorganised sector workers in the cities are migrant workers. They used to migrate from one city to another based on the availability of the work, particularly the construction sector workers. Also they used to migrate from one job to another. For eg. , a person may work as a construction worker for some time and then when the work gets over will shift to another sector may be as a head-load worker. This is mainly due to the non-availability of permanent jobs and also because of the financial conditions of the workers. The unionisation of the unorganised sector workers under such conditions is a big challenge. However, LEARN has been successful in unionising the unorganised sector workers especially the women domestic workers, home-based workers, rag-pickers, street vendors and garment sector workers.

LEARN also identified that co-operation and co-ordination among similar organisations will be helpful while working with the unorganised sector workers. LEARN has been trying to have a network of such organisations so that it will be easy to formulate a draft policy for the unorganised sector workers through consultations.

a) Creating awareness about the strengths of a Trade Union

The lack of awareness is the major obstacle for the success of the majority of programmes, by various organisations and even by government, for the unorganised sector workers. It's very important that the unorganised sector workers should realize the importance of the trade unions and should come forward to join the unions or should organise themselves as a Union. '*Unity is Strength*' is the principle applied here also. Unless and until the workers are organised, they cannot reach their rights. Competition among the workers should be converted into co-operation through trade unionism. Once the workers are united and organised, they acquire the strength to ask for their rights and also to safeguard their rights.

LEARN's first challenge was to create this awareness among the workers in the unorganised sector. It should also be noted a number of workers in the unorganised sector are women and they are rarely considered as workers in a patriarchal Indian society. Moreover, the women do not consider themselves as workers. They used to work in their homes and in addition to that they work outside homes or as home-based workers to earn their livelihood. But the society considers men as the source of income in a family and the work of women is often neglected. The only way by which this mentality can be eradicated from the society is through education and awareness generation among the unorganised sector workers including the marginalised sections of the society. LEARN has been constantly working with this objective and conducted a number of meetings at Dharavi, Nasik, Sholapur and some other areas of Maharashtra among the unorganised sector workers. LEARN has initiated a project exclusively for women with the same objective in 2004. It's called *Learn Mahila Kamghar Sanghatana* (Trade Union for Working Women) which is now in the process of getting registered as a trade union to become an independent unit. It's a union of the working women in the unorganised sector. The union has members in Nasik and Sholapur also apart from Dharavi, Kurla, Bandra and Matunga in Mumbai. The Union has various departments and various sub-unions catering to the requirement of its members. The major objective of this Union is to create awareness among the unorganised sector women workers about the need and strength of a trade union.

b) Working with Hawkers/Street Vendors in Mumbai, Nasik and Sholapur

Street vendors form an integral part of the society. All people depend on street vendors in one way or the other. Sometimes we find them located very near to our home selling vegetables and fruits for us. Sometimes they move with a trolley or with a head load and they come to our door step to deliver items for us. Street vendors are those poor people who do a great service to the society but whose value is never realized. Their presence on the streets creates liveliness and security to the society. The unavailability of street vendors can cause a major vacuum in the day to day life of people.

A major portion of the urban poor works in the informal sector and majority of the people are street vendors. There is an increase in population in the urban poor

recently. This is mainly due to the migration of people from rural areas to urban areas in search of job. Most of these migrated people will become street vendors in the due course of time as street vending requires only a small amount of money as investment. Most of the street vendors, particularly women vendors, are engaged in selling vegetables, fruits etc. as these vending demand only a small investment. Some of the street vendors in Mumbai, Ahmadabad and Kolkata were forced to come to the street to sell things as a result of the decline in the formal sector. Most of them were working in the textile mills in Mumbai, Ahmedabad and the engineering firms in Kolkata (Bhowmik, 2001).

The street vendors are providing people fresh food items and good quality goods, when compared to the shopping malls, at a reasonable price. There is no doubt that those who are opposing or exploiting street vendors are also benefitted by their services. But our society is not ready to accept them legally despite of the services they offer. Street vendors supply almost all the goods for daily and long term uses .Most of the goods that they sell are directly bought from the home-based workers. So they indirectly promote or help another section of workers in the informal sector to earn their livelihood. They are doing a decent work to earn their livelihood. But they face a lot of problems, especially at the time of contingencies like that in the case of 26/11 Mumbai terror attacks.

The main objectives of LEARN are,

- a) To help the already existing groups of street vendors to form their union
- b) To put pressure on the State Government to implement national hawkers' policy and form a state hawkers' policy based on the national policy
- c) To spread awareness among the street vendors about the national hawkers' policy and their rights
- d) To help them form their own self help groups
- e) To advocate for the rights of child street vendors

LEARN started its work among the street vendors in Sholapur city and later got expanded to other parts of Maharashtra. Around 500 street vendors have been organised from three markets in Sholapur. Most of these street vendors belong to minorities like Muslim community and they sell fruits and vegetables. LEARN conducted workshops for the street vendors to make them aware of the need of

national hawkers' policy and micro-credit schemes. A peaceful rally was organised on 22nd December 2006 to Sholapur Municipal Corporation demanding the implementation of hawkers' policy. LEARN is also planning to give vocational training to the children of street vendors to make them equipped for better careers.

LEARN conducted a survey in Mumbai in association with Rizwi College of Architecture among the street vendors near Dadar Railway Station. The survey was conducted with financial support from Brihanmumbai Municipal Corporation (BMC) to assess the feasibility of the street vendors. The survey proved that it was not the street vendors who created traffic problems and the pedestrian movement, but the unauthorised parking of cars by the show room owners. LEARN is planning to interfere at the policy level by proposing models which will be friendly to the street vendors.

LEARN works with street vendors in Mumbai, Sholapur and Nashik.

c) Working with Domestic Workers in Mumbai, Nasik and Sholapur

Domestic workers constitute a major section of the unorganised sector workers. Majority of them are women. They are economically marginalised and the most vulnerable section of the society. The problems of the domestic workers are wide and varied. Most of the domestic workers face sexual abuse and exploitation at their work place. Apart for this, they have to work in three to six houses a day to earn around Rs.1500/- per month. They have to wash the clothes, clean the utensils, go to the market and sometimes cook food also. Because of the nature of their work, many of them suffer from various types of health problems. Majority of the domestic workers are illiterate and as a result they are unaware about the government policies and also about their own rights.

LEARN realized the difficulties of the domestic workers and started working for the rights of the domestic workers. The major objectives of LEARN are,

- a) To help existing smaller groups of domestic workers to form their union
- b) To help them form their own Self help Groups
- c) To put pressure on the state government to bring in force the Domestic Workers' Board

- d) To initiate a movement on various issues of the domestic workers like rationing, health and housing
- e) To link up the struggle of the domestic workers with the larger struggle of the unorganised sector workers for the right to food, right to dignified livelihood and right to education

Initially LEARN decided to concentrate on two taluks namely, Nasik and Sinnar. When it started its work, it could organise around 100 domestic workers from 8 regions of Nasik city. LEARN then helped them to form their own union by name '*Ghar Kaam Molkarin Sanghatana*' which means Union of Domestic Workers. Now from Nasik and Sinnar alone there are around 1300 members in the Union. The union is expanding to the nearby places and there is a similar response from Manmad Taluk also. Two major rallies were organised to the Collectorate demanding the establishment of a domestic workers' board and also for the inclusion of names of the domestic workers in the Below Poverty List. LEARN helped the domestic workers to be a part of '*Janashree Yojana*', an insurance scheme, through which around 1100 domestic workers were insured. Also through the *Janashree Yojana*, around 250 Educational Scholarships were distributed to the children of the domestic workers. Some of the members of the Union could avail medical help also through the Union. Around 8 self help groups are formed till now. *Learn Mahila Kamghar Sanghatana*, the trade union wing of LEARN is trying to strengthen the Domestic Workers' Board through meetings and workshops.

In Mumbai, around 400 domestic workers are organised under the Domestic Workers' Board. The area of activity of LEARN is Dharavi where a number of unorganised sector workers are concentrated. Majority of the domestic workers are from Rajiv Gandhi Nagar, Pila Bungalow, Kubharwada and Muslim Nagar areas of Dharavi. They do not possess any documents and so it's very difficult for them to approach the government for any of the policies. In addition to the exploitation at the work place, they have to pay much for their rations. LEARN started working for their ration cards. As of 2009, around 150 ration cards have been issued and more cards are under process. The rationing authority was convinced by the work of LEARN and it agreed to issue temporary ration cards for its members.

A workshop on sexual exploitation and violence in home and society was organised separately for the domestic workers in Nasik and Sholapur. LEARN is planning for a number of such workshops in Mumbai and other cities as awareness generation is much required for the unorganised sector workers in this regard. LEARN's objective is to empower the domestic workers in Mumbai, Nashik (Nashik city, Yeola and Sinnur taluka) and Sholapur.

d) Working with daily collection agents in Nasik

Micro-Credit collection representatives are those who collect daily Rs. 10 to Rs. 500/- from the account holders by going to their doorsteps. They deposit the money in the account holders' account in the bank. Though this section of the workers, play a very vital role in raising funds through the medium of micro-credit, there are no laws implemented to protect and safeguard their labour rights. Recently, there was a judgment from Supreme Court of India in which the court has declared and accepted the micro-credit collection representatives (Daily collection agents) as workers of the concerned bank, but most of the workers working in this sector do not know about this order and hence are exploited by the bank for which they work for.

LEARN's objectives are,

- (i) To help them to form their union
- (ii) To put pressure on the state government to form micro-credit savings representatives' Board

LEARN started working in Nasik city. Around 350 daily collection agents have been organized under the banner '*Alpa Bachat Pratinidhee Sanghatana*', which means micro-credit representatives' union, from Nasik city and Yeola. Recently a credit co-operative bank got closed down. Immediately many depositors' money went at stake and they started to harass the daily collection agents for the recovery of their money. Under such circumstances one agent did suicide as he got frustrated from the harassment of the depositors. LEARN intervened in this issue and organized several demonstrations to the Collectorate after which the State had to direct the bank to give back the depositors their money. LEARN is planning to

start a movement for these daily collection agents demanding employee status in the respective bank.

e) Working with the Waste-Pickers in Mumbai and Sholapur

Waste pickers or Rag pickers earn their livelihood from the collection, segregation and sale of scrap materials for recycling. They work under terrible conditions in garbage bins on the streets and at landfill sites where garbage is dumped. They are considered to be self-employed having no legally tenable employer-employee relationship either with the municipalities or with the recycling industries to which they contribute. Obviously, they come under unorganised sector workers. Being unprotected manual workers, they are not recognized as workers with labour rights and do not enjoy any form of social security or legislative protection. Most of them are girls and women and they are harassed at the place of work and are often abused. Health is also a major concern for these people due to the nature of their work.

LEARN is working for the waste pickers,

- (i) To help them form their union so that they are protected from unscrupulous municipal authorities and policemen who collect money from them
- (ii) To register them and distribute the endorsed identity cards so that they can do their work without any hindrance
- (iii) To help them enhance and upgrade their livelihood
- (iv) To help them form their own self help groups and co-operatives
- (v) To integrate them in the city's cleanliness drive so that their work is recognized as an important contribution to the city.
- (vi) To initiate a movement on various issues of the waste pickers like rationing, health and housing
- (vii) To provide Medical Insurance Coverage
- (viii) To extent Pre-Matric Scholarships to the children of waste pickers
- (ix) To find space for storage and initiate co-operative scrap stores
- (x) To integrate waste pickers in door to door collection as service providers

In Sholapur LEARN has been successful in organizing around 275 waste pickers from 6 areas. Waste pickers were organized in Nayi Zindagi Slum, Modikhana,

Ghongade Vasti, Forest area, Konapure chawl, Dhor Galli, Laskar Vibhag and Moulali Chowk, Modikhana. Most of these waste pickers belong to scheduled castes.

A number of workshops were organised for the waste pickers which covered various issues. Issues like illiteracy of the members, alcoholic addiction of the members' husbands and education of their children were discussed in such workshops. Very few children of the waste pickers go to school. Percentage of malnutrition is very high among their children. One workshop has been organized on this issue and LEARN is planning to send its leaders to Pune for an exposure visit and training.

In Mumbai, LEARN has been able to organize 250 waste pickers from Matunga Labour Camp, Dharavi, Mahim, Dadar, Bandra, Wadala, Santacruz, Andheri and Jogeshwari. Most of these waste pickers are from Tamil Nadu. And they work at Vasai and beyond. Some of them have to travel daily to Vasai and bring their collection back to Dharavi to sell it.

LEARN has been discussing with Brihanmumbai Municipal Corporation (BMC) to give the waste pickers a plot of land for collection and segregation of waste materials. BMC has agreed to build toilets in the place where these workers live. LEARN has been successful in forming the Self Help Groups (SHG) of these workers in the initial phase. Now LEARN intends to expand and bring all the members into SHGs. Its main objective is to help these workers to form their own co-operative through which they will be able to collect the waste and sell it directly in the market, which will give them a reasonably good rate, by avoiding the middle men.

LEARN works with waste pickers in Mumbai and Sholapur (Solapur city and Barsi taluka) and plans to cover Nashik and Malegaon. LEARN has initiated the task of organising the waste pickers already in Nasik and Solapur and is strengthening these efforts in Mumbai.

f) Working with Private Security Guards in Nagpur

Almost all the companies and industries are employing private security guards now a day. The main advantage for the companies is that they could employ security guards

on contract basis in such cases. This will protect the employers from giving social security benefits to the security guards. In addition to that such security guards could be made to work in shifts. Sometimes the security guards are forced to work in double shifts and over time. They are not paid much for their extra work. The use of private security guards has considerably grown in the last 10 to 15 years. Presently, most of the private industries, private establishments and even some of the semi-state establishments have started to employ private security guards. This section of workers is highly neglected and exploited. They have to work for more than 10 to 12 hours daily at a very meagre salary. The work is highly risky, strenuous and the pay is less than the minimum. Though the State Government has announced the formation of a board for security guards, it has not been very effective even in Mumbai.

The major objective of LEARN is,

- (i) To help the security guards form a common federation of organizations working with security guards in Nagpur
- (ii) To put pressure on the government to form a Security Guards' Board in Nagpur
- (iii) To help them form their own self help groups

In Nagpur LEARN has been successful in forming a single federation called '*Maharashtra Rajya Suraksha Rakshak Kamgar Sanghatana*', which means Maharashtra State Protection Workers' Union, of organizations working with private security guards. Around five unions have come together under this banner. A two days' workshop was organized for the security guards where they were given awareness about their rights. Also information about social security bill was shared with the private security guards.

2. Training Programmes for Self Help Groups (SHGs) on Micro-finance

Micro-finance is often considered as one of the most effective and flexible strategies in the fight against global poverty. It is sustainable and can be implemented on a massive scale necessary to respond to the urgent needs of those living on daily wages. LEARN evolved a programme based on the needs of poor with their participation, ownership and control. The poor people's need for money emanate from consumption, sudden events like deaths or illnesses and lifetime events like marriages. Sometimes these are also attributed to

factors beyond their control. Therefore primary focus of LEARN is to create access and control over financial services like savings and credit for poor unorganised sector women workers by promoting localized Self Help Groups (SHGs).

As merely forming groups is not enough for building human capacities, a strong emphasis is placed on training and skill development. SHG members are trained on conducting meetings, sanctions for leave, election and rotation of group leaders, division of responsibilities for handling cash, decision making on lending, micro-planning, maintenance of records and book keeping and facilitation of capital formation. Group leaders are trained on group formation, conflict resolution within SHGs, book keeping and government programmes.

LEARN has been conducting workshops on micro-credit for workers in informal sector, especially for women engaged in this sector and women living in slums.

3. Gender Education

In a patriarchal Indian society women are deprived of their opportunities to a larger extent. The educational levels of the women are also less when compared to that of men. The socio-economic status is also at a lower level for the women. The women often fail to identify themselves as workers. Realizing this fact, LEARN has been conducting workshops to create awareness among women about their rights. It has also initiated various training programs and workshops¹⁰ to upgrade their skills. Through these workshops LEARN seek to build capacities for young women to achieve better opportunities in life and to break gender unjust stereotypes in the society. Also women should be made aware of the importance of a society with gender equality.

LEARN has been conducting these gender workshops in three districts of Maharashtra viz., Mumbai, Nasik and Sholapur. LEARN has been actively participating in the campaign on violence against women from 2004 onwards. As a part of this campaign film '*Bikat Raah*' by Meena Naik was screened in the area itself at Vatsalatai Naik Nagar, S.G. Barve Marg, Chembur, Stree Bal Shakti hall, BMC colony, Kherwadi, Bandra (East), Smt. Vidhya Nadkarni Adhyan Kaksha, Dr. Ambedkar Nagar, Hans Bhugra Marg, Kalina, Janata High School, Worli and Koliwada so that more than 500 girls could see this film. The screening of the film was followed by discussion in which Ms. Meena Naik, director of the film, addressed

the queries of the girls. Most of the girls expressed that more films should be screened and discussions should take place, which would ultimately help them in building their confidence. The girls said that not even their parents had discussed particular matters very openly with them and they also demanded that discussion on issues like eve teasing of girls, sex education and infatuation should also be included.

4. Education for Under-Privileged Children by Running a Special Education School

LEARN has been engaged in providing integrated educational programmes to school children from socially and economically marginalised groups. The programme has been operational since July 2001. LEARN's effort is to help students to cope up with school curriculum so as to minimise the drop-out rate. Some children have lost a parent (most typically mother) or in some cases both parents. LEARN has also taken the responsibility of total guardianship of these children. LEARN provide them study materials, look after their health requirements and organize picnics and cultural programmes. LEARN has been running this special educational centres in Mumbai.

Among the children of 300 families staying on Hans Bhugra Road, not even a single student has been able to pass the Secondary School Certificate examination. Most of the students drop-out of school by the time they reach the eighth standard. Dr. Neeraj Hatekar, who is associated with the Kalina Centre, had conducted a survey in 1999 to determine the causal factors behind the high drop-out rates. The most important factor that turned out to be responsible for the high drop-out rate was the inability of first generation learners to cope up with subjects like English and Mathematics. LEARN volunteers, who are primarily postgraduate teachers of the Mumbai University and post graduate students have been catering to this need by coaching students. The focus is on individual attention and close monitoring of the performance of each student. The results of six monthly examinations did show an improvement and many students feel that they are now better equipped to cope up with the syllabus. LEARN also hold periodic meetings with parents and volunteers. There are also counsellors who advise parents on problems of children on an individual basis.

LEARN has also been involved in acquainting children above the 7th standard with the basics of information technology and other commonly used Microsoft Software Packages. But LEARN has some limitations in providing the infrastructure for the training. There is no sufficient number of PCs dedicated for the children. The

volunteers of LEARN supported the activities as much as they can. Some of them were actively involved in giving training and some others gave technical support by sharing their personal computers. The Kalina Centre is trying to develop more infrastructure to equip the children with more practical exposure to computers.

Dr. Ambedkar Nagar in Malad witnessed a demolition of one of its larger school named Dr. Babasaheb Ambedkar Vidhyalaya when the State Government went ahead with the slum demolition drive in 1999. As a result of this massive destruction nearly 700 students became helpless without a school for them to study. The school was well equipped with library and laboratories for the students and had provisions till the Secondary level. The school played a vital role in the education of local children and youth, especially girl students. The school was not relocated to another place after the destruction. This affected the education of the girl students since many of them were reluctant to go to another school which was a bit far from their place of residence. The students of the school were mainly belonging to minority and backward classes. This, in fact, added to the difficulties of the students and their families. LEARN decided to intervene in this issue to help the children get education. Hence LEARN started the school with the help of the school committee and the local people. Two makeshift classrooms had been erected which had walls and roofs of plastic sheets, which were supported by bamboos. Some of the Professors of University of Mumbai taught in this school in some classes (Mathematics, History and Science). The principal and some of the teachers were residents of the same slum. So LEARN could effectively involve them also in the teaching work. This school was started on 10th July 2001 and continued till December, after which the regular working of the Vidhyalaya started and the school committee took over the responsibility of running the school.

5. Medical Adar Kendra for Medical Help

LEARN has a number of members from the slum areas and most of them are women. *Learn Mahila Kamghar Sanghatana* which is an independent unit of LEARN is exclusively working for the women workers in the unorganised sector. The major areas of its activity are Dharavi, Kurla, Chembur, Matunga Labour Camp and Bandra which constitute the major slums in the city. The women workers in these areas do not have enough toilet facilities and as a result they are exposed to various urinary related diseases. They often bear these diseases as they don't have enough money for treatment and they sacrifice their health for their husbands and children. LEARN has

conducted a research and realized these facts related to health. LEARN has initiated some health camps for the medical check-up of the women workers in Dharavi and nearby areas.

LEARN has organized a number of medical camps for the people living in slums. The need for this was felt particularly when the slums in Mumbai were being demolished at a very large scale and also when there was flood in Mumbai.

Dr. Ambedkar Nagar in Malad (east) near Sanjay Gandhi National Park is densely populated with more than 8,000 families. The entire area was a slum which also included a School recognised by the Municipality. The entire slum, including the school, was demolished as it was alleged to be in Sanjay Gandhi National Park. Though the slum was demolished, its residents returned soon after. They stayed under plastic sheets as the Forest Department did not allow the erection of any permanent structure. The demolitions had affected the drainage system, water supply and other facilities. The only structure that was intact was the *Buddha Vihar* (the Buddhist Temple). The people of this slum requested some of the activists of LEARN to help them out. This was in April 2001. LEARN intervened in this issue after understanding the situation clearly. LEARN realised that the major threat for the residents could be that of diseases and infections when the monsoons began.

The people residing in Dr. Ambedkar Nagar area are mainly daily wage labourers and the women were engaged in home-based work. They had no social security to take care of their health if the diseases struck them. They were forced to work for their livelihood even if they are ill.

Taking into consideration all these factors, LEARN started a 'Public Health Centre' to protect the slum dwellers from illnesses and diseases. Through the 'Public Health Centre' LEARN,

- a) conducted a health awareness programme,
- b) made available 'Alum' for purifying water,
- c) mobilized team of doctors for the health centre, specialized in paediatrics and medicine, who extended their help free of cost and
- d) Supplied medicines for the common diseases free of cost.

6. Mahila Adar Kendra for Family Counselling

Learn Mahila Kamghhar Sanghatana has a separate wing called 'Mahila Adar Kendra' which deals with family counselling and allied activities. LEARN realised the importance of this wing as it had experiences of a number of family problems of its members which extent to the level of quarrels and conflicts. Sometimes these small issues will end up in the police station and court. If both the parties are given a proper counselling at the initial stage, the problem could be resolved without much trouble.

The main thrust of this program is on the overall development of the children from weaker socio-economic background. Emphasis is laid on providing career based skills for better opportunities in life. This program includes sessions on motivation, personality development (building self-confidence, leadership training, team work, setting goals, building positive attitude, situation analysis) and development of social sensitivity. Counselling of girls and their parents are also being done. LEARN has been conducting similar counselling programmes in the schools run by Brihanmumbai Municipal Corporation in Mumbai.

As a part of LEARN's aims and objectives, LEARN renders Psychological services to motivate children to facilitate and utilise their potentials at its best in accordance with their aptitudes, intelligence, interests and personality characteristics by using standardised (International standards) psychological tests specially developed for educational, vocational guidance and counselling.

The factors which are studied include,

- a) Intelligence: - As intelligence plays a very crucial and important role in achieving educational and vocational goals it is considered as one of the major factors in career guidance and counselling.
- b) Aptitude: - Aptitudes are the special abilities a person has. Aptitude helps to do well in a particular educational as well as occupational area.
- c) Personality: - Personality is considered as the unique combination of innate psycho-physiological systems, characteristics as well as some of the acquired traits. The study of personality permits the prediction of a person that how he/she will behave in a given situation, to a certain extent.

d) Interests: - Interests play an independent role in the career development of an individual. Different people may have different interests and if one gets the education and career of his/her choice he/she will be pleased to utilise his/her potential to the maximum possible extent.

e) Expressed job preference: - It helps to perpetuate some goals as well as to increase the individual's awareness in the area of job selection.

Steps involved in the Testing Programme:-

- I. Test of General Intelligence
- II. Aptitude Test consisting of nine major areas of aptitude
- III. Interest Inventory taps major areas of interest in,
 - (i) Medicine and allied
 - (ii) Technical and allied
 - (iii) Commerce and allied
 - (iv) Art and allied
 - (v) Fine arts and allied

All the findings are correlated and motivational counselling is carried out, along with the individual reports.

7. Performing Arts through LEARN Theatre Foundation

LEARN Theatre Foundation (LTF) initiated by LEARN is a theatre training platform. LEARN feels that it is its primary responsibility to give space to the artists coming from the working class or marginalized communities to perform their arts and expose their talents. The main objective of LTF is to create a common platform for the groups or individuals who are interested in performing their arts. This will enable them to develop their skills thereby developing a sense of social commitment, cooperation and unity. The main aim of LTF is to attract youth towards constructive and progressive movement. Through this cultural wing, LEARN envisage to train and sensitize the youth from the working class on social issues.

Till now LTF has trained 45 youth, who are with a working class background and most of them live in the slums.

LTF has been actively involved in anti-globalisation campaign and it has done many street performances on this issue. Street play named '*Baghana*' (Marathi) written and directed by Mr. Yatin Kadam which calls on the youth for action, '*Dekho Bhai*' – hindi version of *Baghana*, mono act play '*Mumbai Amchi Arthat Mumbai Konachi*' written by Mr. Sahir Annabhau Sathe and mono act play '*Udiya Punaha Hach Khel*' written by Mr. Yatin Kadam have been performed several times on the streets of Mumbai.

LTF is also a part of anti water-privatization campaign and has performed a play called '*Pane Teri Kahani*' in several parts of Mumbai.

LTF has also performed street shows on gender issues. A street play named '*Bunty Aur Baabli*' was staged on gender issues. The street play called '*Bombay Boys*' was based on terrorism. LEARN is planning for a number of cultural events through LTF which is a major technique of reaching to the minds of the common people.

8. Campaign on Basic Rights for Slum dwellers

Slum dwellers and the urban poor live under constant threat of evictions. They are forcibly evicted under the name of beautification, cleanliness and good governance of the city. At the same time, hawkers and naaka workers (street corner daily wage labourers) are evicted and their right to livelihood is taken away with reasons of 'protecting public space'.

The atrocities against the poor are spearheaded by a handful of elitists and corrupt officials who represent less than 1% of the city's population. On the other hand Non-Governmental Organisations (NGOs), Community Based Organisations (CBOs) and other organisations which are working with the poor do not find a voice in deciding urban policies because they are not united. Apart from those working directly for the protection of slum dwellers such as the associations, unions or political organisations operating in the slum areas there are a number of NGOs and CBOs that are working for the development of slum dwellers. Many of them have specific objectives such as women and child development, micro-credit, improvement in sanitation, education etc. There was a need to bring all these organisations together under a common basic

programme of slum protection which in turn will lead to the up gradation of the lives of the slum dwellers. Through this it would be possible to have a common platform for intervention in policy matters concerning slum improvement in particular and urban development in general.

Recognising the need to form a common forum on issues relating to urban development viz-a-viz urban poor on the whole, a network by the name '*Aapli Mumbai*' was formed in August 2002, in which the entire process was being initiated by LEARN. The most important and tough task for Aapli Mumbai was that of drafting a State Policy for slums. This document was based on the draft of national policy for slums but some major changes were made after taking into consideration the suggestions of the affiliated organisations of Aapli Mumbai. This draft policy has been translated to Marathi so that slum dwellers can read it. The objective was of making this into a common platform for organising the slum dwellers and uniting the organisations working in slums. This draft policy could constitute the basic demands of slum dwellers and emerge as a platform for their basic demands. Since this draft policy pertains to the State level, efforts were also being made to create awareness amongst people from other regions like Vidarbha, Konkan, Marathwada, Western region and the North of Maharashtra. Creation of awareness is very important and it has to be there till the target is achieved. Subsequently, organisations in other cities, such as Nagpur, Kolhapur and Nasik were approached with this proposal inviting them to join Aapli Mumbai. The idea was welcomed with enthusiasm. LEARN and Aapli Mumbai organised a number of meetings among slum dwellers in different parts of Mumbai to make the draft reach the common people. The draft policy was submitted to the Government of Maharashtra.

When the State Government started a massive demolition drive of slums in December 2004 to February 2006, LEARN and Aapli Mumbai was engaged in organising protests and mobilising other organisations to protest against these steps initiated against the urban poor.

LEARN and Aapli Mumbai has argued that the issue is of upgrading slums and not demolishing them. Over 60% of Mumbai's population live in slums. Yet, according to the municipal records, slums occupy less than 10% of the land area. Slum dwellers create their own housing using their meagre resources available to them. The slum

dwellers provide cheap labour for the city and also a number of manufacturing units are operating in the slums. In this way the slums contribute to the city's economy both directly and indirectly. LEARN and Aapli Mumbai does not glorify people living in slums but they expect the authorities to understand that slum dwellers do play a positive role in adding to the city's economy. The authorities should accept this reality and should make the necessary provisions for improving conditions of the slums rather than threatening to demolish the slums.

4.4 National Level Alliances

LEARN has been working for the unorganised sector since 2000 and it realized the importance of networking with other organisations having the same objectives and views. LEARN has adopted a 'right-based' approach. LEARN has been contributing for the welfare of the unorganised sector and as a result many internationally and nationally established organisations came forward to be a part of the network with LEARN. LEARN has representation at the national and at the international level in this network.

LEARN has built alliances with,

- INSAF (Indian National Social Action Forum) – LEARN is the State co-ordinating organization for INSAF in Maharashtra. Presently through INSAF, LEARN is involved in extensive campaign on NURM (National Urban Renewal Mission) and its impact on the poor.
- SEWA (Self Employed Women's Association) – LEARN has built up a good understanding network with SEWA for help in building up the unorganized sector women workers co-operative by sharing their vast experience.
- Aapli Mumbai – LEARN is the convening organisation in this platform. Through Aapli Mumbai LEARN is working on the housing rights of poor and on various developmental issues in Mumbai.
- NASVI (National Association of Street Vendors in India) – NASVI is a national level federation of organizations / unions of street vendors with around 72 organisations as members. LEARN is the executive member of NASVI and Maharashtra state co-ordinator.

- STREETNET – STREETNET is an international network of waste-pickers and LEARN is a member of this network. LEARN's Chairman Dr.Sharit Bhowmik is in the advisory committee of Street Net.
- WIEGO (Women in Informal Economy – Globalising and Organising) – WIEGO is an international network of organizations working with women in the informal sector. LEARN is a member of this network. Dr.Sharit Bhowmik is the director of urban policies in WIEGO.
- RKS (Rationing Kruti Samiti) – R.K.S. is a platform where the organisations come together on issues of ration and argue for the 'right to food' of the people. LEARN is one of the founder members of this platform.
- Kamgaar Hakh Abhiyaan – It is a platform of 40 organisations working with informal sector workers in Mumbai, Nasik, Thane, Sholapur and Nagpur. LEARN is the convening organization in this platform.

CHAPTER 5

LEARN MAHILA KAMGHAR SANGHATANA (LEARN WORKING WOMEN'S UNION)

Learn Mahila Kamghar Sanghatana (LMKS) is a concept initiated by Labour Education And Research Network (LEARN) in the year 2004. This was initiated as a trade union exclusively for the welfare of the working women in the unorganised sector. More than 93 per cent of the workforce in India is in the unorganised sector. These 93 per cent unorganised sector workers have little benefits than the merely 7 per cent organised sector workers. In fact, the 93 per cent unorganised sector is still growing and 7 per cent formal sector is declining due to outsourcing and contract labour. The unorganised sector includes home-based workers, domestic workers, street vendors, rag pickers etc. Learn Mahila Kamghar Sanghatana consists mainly of women who are domestic workers and home-based workers. It has a different union for garment sector workers also. Men are also given membership in this garment union. But this Union is also under the guidance of the women in the Learn Mahila Kamghar Sanghatana.

5.1 Structure of LMKS

Though LMKS has started its work since 2004, it adopted a structure on its own from December 2008. The trade union for the women workers in the unorganised sector, LMKS, is operated by the women and all the posts are held by women. The members are divided in groups and each group is having 20 members. The Executive Committee consists of thirty two members who are elected by the members and from that committee; the main Office Bearers of the Union are elected. There is a President, Vice-President, General Secretary and three Joint Secretaries. The Joint Secretaries in turn represent their respective departments like Domestic Workers' Board, Embroidery Workers' Department and Training Department. The President is also the In-Charge of the *Mahila Adar Kendra*, the counselling department. The Vice-President is the In-Charge of the *Medical Adar Kendra*, the health care department. Election happens once in every year together with the Annual General Body meeting of the Union.



Annual General Body meeting of LMKS

5.2 Objectives

LEARN has initiated this trade union after identifying and understanding the major objectives of a trade union as,

- a) To bring together all the workers
- b) To address the issues, demands and fear of the workers
- c) To conduct meetings with members and society, call strikes to achieve the goals, create awareness through dramas and street plays and also to issue publications
- d) To apply scientific approach and progressive thoughts in trade unionism
- e) To create political awareness among the members of the union
- f) To eliminate discrimination on the basis of region, religion, caste, sex, society etc. among the members.
- g) To learn from the experiences and strive for success in the future for the working class

The application or implementation of the objectives doesn't mean that the entire structure has to be changed. The argument here is that the control should come into the hands of the labour unions. The unorganised sector is where the labour laws are not applicable. The Factory Act is not implemented effectively in the unorganised sector. ILO has also given a definition for the unorganised sector, accepting the fact that the unorganised sector is present everywhere in the world. Now the unorganised sector is called informal economy. This is because of the fact that this sector also contributes to the GDP of the country.

Based on such objectives and studies of the trade unions, Learn Mahila Kamghar Sanghatana also formulated its own objectives. All the leaders and members of the Union are aware of these objectives and they work towards achieving their common goals. The objectives of LMKS are,

- a) Unorganised sector women workers should be unionised
- b) Religion, caste, region etc. should not affect the functioning of the union
- c) The Union should address the concerns, problems and fear of its members
- d) The Union should not only address workers' problems but also their daily livelihood factors including food, shelter, clothing, education, health etc.
- e) The Union should join hands with other organisations or unions who are working with the same ideology
- f) There should be a scientific approach in the Union's activities

5.3 Why LMKS?

Women working in the unorganised sector are facing various difficulties. They have difficulties in their families, society and also at the work place. Most of the women workers are illiterate also. They are afraid to open up about their difficulties due to the fear of loss of jobs. They often suffer all the difficulties for their families. They have housing and ration problems. They have poor toilet facilities and often women have to suffer due to this. As a result most of them are suffering from urinary infections and related diseases. Learn Mahila Kamghar Sanghatana is trying to bring some relief to the women workers by getting them ration cards and election ID cards where these

women workers are not having any proofs or documents with them. Election ID cards will ensure that these women are also the citizens of India. The next advantage is that of collective bargaining. This is very important as there is no proper employer employee relationship in the unorganised sector. The workers don't even know whom are they working for. Learn Mahila Kamghar Sanghatana is trying to negotiate for better wages for the unorganised sector women workers. In many cases women are afraid to resist, oppose or raise their voice against exploitation at workplace or in the families. LMKS is trying to bring self-confidence among its members by using various mechanisms.

The exploitation at workplace is very common in the unorganised sector. The employers are least willing to accept the workers as permanent employees. The major reason for this is that the employers always prefer escaping from providing the workers with social security and other benefits. Here comes the importance of trade unions in the unorganised sector. It's very difficult for a single worker to bring a massive change. But if all the workers are united many things can be done. If the workers are united, the employers will find it difficult from hiding themselves from their responsibilities. Without unionisation of the workers, things target achievement is difficult. Co-operation among the workers is more necessary than competition to achieve the rights of the workers. There are a number of laws which are passed by the government in favour of the Unorganised Sector workers. The latest one is the Social Security Bill passed in December 2008. But in order to get the laws implemented, unions should play their roles effectively. Otherwise the laws will remain in paper only. LMKS is trying to influence at the policy levels also to get the unorganised sector women workers some benefits out of the various provisions of the laws passed so far.

5.3.1 Leadership Skills

LMKS always gives importance to leadership skills. LMKS is trying to create more women leaders by giving them trainings. It also gives an opportunity for the women to take up the responsibilities of a leader as there are three leaders in each group of twenty members. When the union expands, more and more women will get this opportunity and thereby more women will come in the limelight. The qualities of an LMKS leader include,

- i) Dedication
- ii) Self-control and ability to control others
- iii) Accountability
- iv) Flexibility
- v) Patience



A leader presiding over the group meeting

5.3.2 Medical Adhar Kendra (Health Care Facility)

This is an independent cell in the union which helps the members of the union at times of physical ailments like diseases, surgeries etc. A person is always there in the LMKS office to help and guide the members in matters like which hospital to go and which doctor to be consulted. A number of members made use of this facility in the June to December 2009 period. The members were taken to hospitals and given medical care. Many a times women avoid hospitals at times of physical ailments

thinking about the expenses and family. If women are admitted in the hospital, nobody will be there to take care of the children in the family. Husbands are seemed to be less supportive of the women in many cases in Dharavi. The *Medical Adhar Kendra* will help the family of the admitted woman by providing food and meeting other emergency needs. As a result many of the women will come forward for treatment and other medical related aids. The *Medical Adhar Kendra* also conducts Medical Camps for the members of the union.

5.3.3 Mahila Adhar Kendra (Women's Counselling Centre)

This is one of the most important departments of the Union. The women are having a number of issues in their family and community. Very often these minor things will lead to big quarrels and conflicts. In some cases women feel shy or are afraid to share their problems with a third person. But the *Mahila Adhar Kendra* operates in a friendly manner that women can come and share their problems with the office bearers of the union and their problems will be solved through arbitration and conciliations. And the most important thing is that such cases will be kept confidential.

The women are also offered counselling through *Mahila Adhar Kendra*. An advocate is also associated with this centre who offers her expert advice on various issues. The centre also offers family counselling which is one of the most important techniques in solving various issues at the grass root level itself. LMKS has registered and solved a number of cases through this Centre.

5.3.4 Special Classes for Children

The *Learn Mahila Kamghar Saghatana* also offers trainings for girls above 6 years of age and less than 18 years of age. The classes used to happen on Sundays. The union offers dance classes, computer classes and English classes. There is a counselling session also, every week. The girls face various problems and are having different doubts during their teenage. These cases are quite typical and they won't reveal such cases in front of their near and dear. But they will open up their minds and speak up in front of a third person. This will give the girls a confidence and mental relaxation. More than 50 girls are attending the Sunday classes and many have performed in various stages. The training session is offered only to the children of the members of

the union. The union is planning for a number of workshops for children in the near future.



A training session for the children

5.3.5 Vocational Training Program

The month of June 2009 witnessed the initiation of one of the major activities of the union. It is nothing but the vocational training programme for the members of the union. The training is given in association with *Kherwadi Association*, Bandra. Once the women are given job-based training they will be able to earn their livelihood in a better way. Training is given in the fields of cooking, driving, tailoring, motor-mechanism etc. One batch has successfully completed the training. When the members are skilled in their own respective fields they will be in a better bargaining position.

LMKS is trying to give skill development for as many members of the union as possible through various training programmes. This will equip the members of the union with better skills and abilities which will enable them to earn in a better way.

5.3.6 Ration Cards

Union was able to procure around 150 Ration Cards for its members till December 2009. The cost of the fuel for cooking (kerosene) is so high in the open market that the women have to spend one fourth of their monthly income for fuel. Ration card is one of the recent achievements of the union and many a times the women are cheated by the shop-keepers by giving them less quota or by giving them nothing. The food grains are also very costly. Also the union members, though in the Below Poverty Line (BPL) category, are not recognized as BPL workers. So they have to struggle a lot for their basic needs.

The union conducts workshops on rationing rights for the leaders and the members of the union occasionally. The trained leaders also conduct area-wise meetings for the members of their respective groups. The idea of the workshop is to make the members aware of their rights and also to enable them to make complaints appropriately in case of any discrepancies. With the help of the ration cards the members of the union are now able to get fuel for cooking at 1/4th of the price in open market. They are able to get food grains at a subsidized rate now. As a result they are able to save some amount which could be diverted for other needs, basically for their health care and children's education.



A peaceful rally organised by LMKS for the housing rights in Dharavi

5.3.7 Election Identity Cards

The union has initiated the process of procuring election identity cards for its members. With election identity cards, the members will get documentary evidence of citizenship of the country as well as the proof of residence in Mumbai. This is very important as they don't have any proof with them to establish their place of residence. LEARN has been selected as one of the three organisations in Mumbai city for facilitating registration of electorates and also for the issue of election identity cards exclusively for its members. This was not so easy, and only after continuous struggle and follow up with the Deputy District Collector, the union was able to convince the higher-level Officials about the difficulties of the unorganized sector workers.

The Union approached the Deputy Mumbai District Election Officer¹¹, who is also the Deputy Mumbai City Collector and presented various cases and grievances of the members in front of him. Main issue was the exclusion of most of the members from electoral rolls. The output of this meeting was very positive and first time in the history of Election Commission; the Election Commission of Mumbai District has recognized three organizations from Mumbai, of which one is LEARN, as facilitator organizations for registering the names in the new electoral roll. This happened in the month of June 2009 and the registration of members happened in the LMKS office. The registration process extended for more than one month and by December 2009 almost hundred identity cards have been issued. The Election Commission requested LEARN to extend the same service to non-members also and LEARN accepted the request.

5.4 Major Achievements of LMKS

LMKS has been working since 2004 for the welfare of the unorganised sector women workers. The various phases of its work faced a number of hardships. But LMKS did not move away from its responsibilities and social commitments. Its main motive was to bring together all the women workers together and then demand for their rights including decent work. The illiteracy and family constraints of the members was a big road block for the union at its initial stages. In addition to that, most of the women workers belong to minorities and nomadic tribes. The social backwardness of the members of the union was another challenge. But LMKS struggled hard and

succeeded in bringing some changes among the unorganised sector women workers. Some of the major achievements of LMKS are as follows,

- I) Food and fuel for cooking is a major concern for the unorganised sector workers with nominal income. They have to pay huge amounts for food grains and fuel for cooking and thereby they are not able to save something for their health requirements. LMKS started working in this regard by trying to get them BPL ration cards. The union had to interfere at the policy level and it convinced the Officials about the difficulties of the women workers in the unorganised sector. At last after much struggles, the Rationing Department became ready to recognise the good will and work of LMKS. The Rationing Department agreed to issue temporary ration cards to the members of the union even if they don't have any written proofs with them showing their place of residence. The concerned Department even waived off the need to produce a 'No Objection Certificate' from the house owner in case if the member and her family are staying on rent. Till December 2009, around 150 ration cards have been issued by the Rationing Department for the members of LMKS. The process is still going on and more and more applications are filed in the Rationing Office for the members of the union, through the union.
- II) The citizenship of the country is very much required to avail the policies and benefits of the Government of the country. Most of the members of the union living in the slums don't have any proofs with them showing their ownership or possession of any property. Even they don't have any proofs to show that they are living on rent. This often makes them difficult to apply for any other documentary evidences like passport, election ID card etc. As a result their citizenship is not confirmed and they will not be eligible for any of the beneficiary projects of the Government. LMKS started working towards this and it intervened at the policy level to bring some changes in this regard. The LMKS leaders met the Deputy District Collector who is the Chief Election Commissioner of the District and convinced him of the difficulties of the unorganised sector workers. There was an enquiry from the Collectorate and they were quite impressed by the activities of the union. As a result LEARN was selected as one of the three

organisations for registering the names of its members for the new electoral rolls. This was one of the biggest achievements of LEARN and by possessing an Election ID card the members of the union could easily establish their citizenships of the country.

III) LMKS believes in the skill development of its members. LMKS has initiated some vocational job oriented training programmes for its members. The trainings are given in tailoring, cooking, motor mechanism etc. The main objective of this is to ensure that the women are able to earn their livelihood in a better way after having some professional training. In addition to that, the women will be having a better bargaining power in the labour market once they are professionally trained in the traditional activities. Also, LMKS could start a company or co-operative of its own which will enable the trained women to work with the union and then they could share the profit to an extent and could also reinvest some money in the company. The workers will own and operate the company and all the major decisions of the company will be taken by the Board of Directors of the company. The first batch of the women has completed the training successfully and they are about to start the work.

IV) LMKS offers a number of training programmes for the children, who are girls, of the members of the union. LMKS has already offered trainings in dancing, singing etc. The girls have already performed in various stages and won prizes also. The union is conducting special classes for children in collaboration with professionals and academicians in the union office. The classes are meant for girls in the age group of 6 to 18 years and the classes are conducted in batches. There is a separate batch for the girls in the age group of 12 to 18 years. There is also a counselling session in this class. Very often the circumstances in the family force the girl child to quit education and marry soon. Otherwise they will take up the work of their mothers. The family also think of earning more money by employing the children. This will result in a pressure on the children and they often suffer from these tensions. The LMKS is trying to give some guidance to the girls through workshops and counselling. The girls will get an opportunity to open up their mind in front of a third person whereas they may not be able to share their problems with their dear and near. This will help the

girls to get some kind of relaxation at least once in a week. The union started this project with around 10 girls and today around 70 girls are part of this. The name of the group of girls is 'The Grand Group'. This is a major achievement of the union.

- V) LMKS offers an opportunity for leadership at the grass root level. The women were afraid, shy and were reluctant to talk publicly, initially. But later on, by giving them trainings, they started expressing themselves. Mock meetings were conducted in the union office to make the group leaders familiar with speeches and similar activities. This will make the leaders and other members of the union confident in talking publicly. Each time a different member of the union is given the opportunity to preside over the meeting. The main idea of this to make sure that the foundation of the union is very strong.
- VI) LMKS has conducted a number of Medical Camps for its members. This helped the women to a large extent. The women often do not disclose their physical problems for the sake of their families and children. LMKS encourages the women to undergo treatment in case of physical ailments by providing them necessary support. As a result a number of women are going for treatment at times of physical ailments.
- VII) LMKS also offers family counselling for its members. A number of quarrels used to happen among the communities of the women and often they will reach up to the extent of Police Stations and Courts. Since LMKS initiated the *Mahila Adar Kendra* (Counselling Centre) in 2008, a number of cases were solved without the intervention of the Police and Court. Also a number of cases involving family problems were solved through arbitration and counselling. This initiative helped the members in accessing the service of highly qualified professionals. The service of an advocate is made available through this cell of the union.
- VIII) LMKS offers workshops on various issues. It's only through awareness that change could be brought among the women workers. The women should be in a position to understand the issues and take decisions accordingly. The LMKS offers workshops in the field of gender issues, rationing issues and also issues related to crimes and offences. The workshops were organised by LEARN and conducted by professionals in

the respective fields. The Maharashtra Police also conducted one workshop for the women on crimes and offences. The women are able to realize their rights now and more women are targeted in future workshops.

- IX) Reflect trainings for the leaders and prospective leaders are conducted at regular intervals. The main objective of such trainings is that the women should become effective leaders with good qualities and those who are trained should bring others to the leadership levels. The union has been successful in meeting this objective and the trained leaders are all performing well.
- X) LMKS has got a branch in Nasik district of Maharashtra. Work is the major issue in Nasik and so the union is trying to initiate some kind of business based on the skills of the members. There are women working as cooks and tailors in Nasik who are members of the union. The union has already started doing small scale businesses of manufacturing food items like ‘*papad*¹²’. It takes orders from shops and supply ‘*papads*’. Also when swine flu¹³ broke out in the country, there was an acute shortage of masks in the medical shops and the price of the masks was going up due to the larger demand. LMKS, Nasik manufactured some masks and supplied at a reasonable rate with the help of its members. This business offered seasonal jobs to the women and they made profit out of this business. This was a great achievement for the Nasik branch of LMKS and they are now confident enough to step into similar business activities.

5.5 Responses of LMKS members

The trade union, *Learn Mahila Kamghar Sanghatana*, brought a lot of changes to the lives of the unorganised sector women workers in Dharavi, Nasik and Sholapur. A few responses of the union members are given below.

The union made me very strong and bold.

I realized my rights as a domestic worker after joining the trade union.

My child got an admission in the school with the help of union.

I could solve all the problems with my husband through Mahila Adhar Kendra.

My family supports me in all my activities with the union.

My daughter is trained in videography and dancing through the union.

I have completed four years as a union member and I have a ration card now.

I have much awareness about the government policies for the unorganised sector workers through the union.

My husband considers me as a finance manager as I work with the self help groups and he encourages me to continue with the union activities.

The special classes for girls are really good for their mental well being. My daughter doesn't miss any class.

My daughter won certificates for dancing. Thanks to LMKS.

I have my union with me now. My employer cannot exploit me anymore.

I participated in the residential training programme of the union and I'm very confident as a leader now, being an illiterate.

I got the vocational training in tailoring through the union. I'm sure that I'll be able to earn more from now.

5.6 Branches of LMKS

LMKS has initiated its activities in Nasik and Sholapur districts of Maharashtra in addition to its activities in Mumbai. There are around 25 groups in Nasik and around 8 groups in Sholapur. LMKS is expanding gradually to other parts of Maharashtra also. In Mumbai, initially the work was concentrated in Dharavi. It has now spread to Bandra, Kurla, Matunga, Govandi and nearby regions. There are around 75 groups in Mumbai. The other branches of LMKS are under the guidance and support of Mumbai Branch. The trainings and workshops at Nasik and Sholapur are organised and conducted by leaders from Mumbai.

5.7 Prospective Projects of LMKS

LMKS is planning to initiate many projects for the welfare of its members in the near future. Few main projects are given below:

- I) To establish a skill development centre in Dharavi or arrange suitable commutation between Dharavi and Bandra. The reason behind this is that the union members find it difficult to travel daily to the training centre leaving behind their families and children's education. This affects the attendance of the members in training classes. If there is a centre in Dharavi itself, it would be better for more union members to join the vocational training classes. They could also save the time on travel. In addition to that, the Kherwadi Association, Bandra has expressed its willingness to train the union members at Dharavi if there is adequate infrastructure.
- II) To establish a child day care centre and this will help the union members to go out for work and vocational training without any difficulty. This centre will be under the control of the Domestic Workers' Department and the facility will be made available to all the members of the Union. There will be a kitchen also attached to this centre. The main motive of this kitchen is to provide food for the children and in addition to that food will be supplied to the family members of the union leaders and other members whenever there is a requirement. This facility will allow the domestic workers, who are members of the union, to take up jobs at faraway places from Dharavi. The organisation called Mobile Crushes, Mumbai has expressed its willingness to help the union by giving the members practical training and expert advices in going ahead with the child day care centre. The union is trying to find a safe place and establish the centre in the year 2010.
- III) To start English and Hindi language classes for union leaders and group leaders. This is important as the leaders often attend meetings in and out of Mumbai. Once they are able to manage English and Hindi some basic computer education should also be given.
- IV) To start the process of manufacturing garment products. Without directly branding the products, the union is trying to get some contract work from the companies. The trained union members could involve in this activity which will help them improve their skills which in turn will lead to an increase in their incomes. This will be initiated in Mumbai and later will

be extended to Nashik and Solapur. The union is trying to reach out to maximum members and once this is implemented more and more members will come forward to join the training and work with the initiatives of union. The whole idea is to make the members self-sufficient to earn their livelihood.

- V) To come up with a report on socio-economic status of domestic workers in Mumbai. As a first stage a survey is going on in which the data on the area of work, employers, income, type of work etc. are collected. The ultimate idea is to ensure that the domestic workers get a decent minimum wage, paid leaves and other benefits. The main reason for the low wages is the surplus of labour in the market. So it's necessary that all the domestic workers be united under the umbrella of Learn Mahila Kamghar Sanghatana. Once the survey is completed an official letter will be send to all the employers asking for a minimum wage through the union. There will also be some provisions which will ensure an uninterrupted service to the customers/employers. All these facilities will be made available through the union only. The ultimate aim is to establish a board for the domestic workers so that they could avail the benefits of the Maharashtra Domestic Workers Welfare Board Act¹⁴, 2008 as it is the responsibility of the government to protect the rights of the workers.

CHAPTER 6

CONCLUSION

There is no doubt that the informal sector workers face a number of difficulties which are very peculiar sometimes. The hardships of the urban informal sector workers are even more. They have no social security and no job security. Their income is very low to support the entire family. As a result, the entire family including the children are forced to engage in work to earn their livelihood. They have a precarious livelihood. The conditions of the workplace are another major area of concern. The home based workers and street vendors face a lot of difficulties at their workplace. The home based workers are the most invisible section of the informal sector workers as they operate from their homes. Most of the times, the entire family will be staying in a small room which includes the kitchen. They have difficulties in allotting space for work also in that small room. Sometimes a group of ten or fifteen workers used to sit together in a single room, which is very often arranged by a middle man between the employer and the workers, and work from there. This room may not be properly ventilated and there may not be any toilet attached to the room. This makes them work in a bad condition. The difficulties faced by street vendors are even worse. They are forced to pay bribes to the officials as street vending is considered to be an illegal activity. They are blamed for creating nuisance in the society with their valuable presence on the roads which ensures security to the pedestrians and shop owners. They are harassed and exploited despite the facts that they contribute to the national economy and provide goods at a reasonable rate at convenient locations for the customers.

The women workers in the informal workers also face a number of difficulties in particular. First of all, in many cases, they are not considered as workers which make their income very low when compared to the earnings of the male workers. Often they are considered as workers which are traditional and low skilled according to the requirements of the market. This again brings their wages to a further low. They also have to take care of their children at home and at the same time have to work to support their families. In fact, they are doing double the amount of work and paid less than half when compared with their male counter parts. The women who are engaged in domestic work and street vending face difficulties such as sexual harassment and

abusive language. Domestic workers have to work in three to five houses per day without any offs or bonus or overtime wages to earn a meagre income. The women street vendors often suffer from urinary infections and related diseases as they don't have any toilet facility at their workplace. It's very true that they don't have a legally allotted space to do their business in the first case. The conditions of the women workers in the home based operations are not better than this.

LEARN started its work for the welfare of the unorganised sector workers under such huge difficulties of the unorganised sector workers which were really big challenges for LEARN. But it went ahead with the welfare programmes and has been trying hard to organize the unorganised sector workers. It follows a right-based approach and so it's necessary that all the workers unite and demand for their rights. This will ensure a better bargaining power also. Later when it realized the hardships suffered by the women workers in the unorganised sector, a new project was initiated which later took the form of a trade union. This trade union is exclusively for the unorganised sector women workers. As mentioned in the earlier chapters, this trade union movement *LEARN Mahila Kamghar Sanghatana (LMKS)* believes in creating awareness among the workers about their rights and makes them confident enough to struggle for their rights. It does not function as a service based business organisation. LMKS always gives importance to the members as it believes that members are the foundation stones of the union. It gives a lot of importance to the grass root level leadership and ensures proper co-ordination with the grass root level members. It is very clear that the entrance of LMKS into the society brought big changes among the women. The illiterate women became very confident after joining the union. They became good leaders and finance managers. They themselves manage the self help groups. LMKS has proved that proper trainings and moral support could bring changes in the lives of illiterate poor people. The children of the union members, especially girls, are also moving in the right path along with the trade union. LMKS' vocational skill development program helped the women to earn their livelihood in a better way. The trained members are all in praise of the program. This encourages other union members to join the program. Such initiatives will improve the social and economic status of the women and later union could establish its own co-operative where such trained members could find employment and can earn decent income. LMKS is trying to follow the SEWA model and exposure visits for the union leaders

were organised to SEWA and other similar trade unions and membership-based organisations. The union leaders agree to the fact that such visits motivate them to engage in progressive trade unionism. There are various other activities also under the umbrella of LMKS for the welfare of its members which shows the diversity of its operations along with collective bargaining.

LMKS could be considered as a social movement as it contains progressive and accommodating dimensions. These progressive dimensions, in a way, help in organising the unorganised sector workers. The work for procuring ration cards, election identity cards etc. is totally based on the needs of the members of LMKS. LMKS operates in a different way than the traditional way of trade unions functioning only for wage negotiations and collective bargaining. It operates on the basis of the requirements of the community where it functions. The idea of giving vocational training to the members of the union to develop their skills is another progressive thought. The biggest challenge for the unions in the unorganised sector is to organise the workers. But it's quite possible to organise the workers, including women, in the unorganised sector. For that the unions should follow different strategies based on the context in which they operate. The trade unions should also be having a more progressive approach like that of LMKS to accommodate the requirements of the members and their society. This kind of an approach will result in the increase in membership of the union. So there is no doubt that social movement like LMKS could play a very important role in organising the unorganised sector workers.

END NOTES

CHAPTER 1

1 – The detailed description of the informal sector is given by Martha Alter Chen in the article Rethinking the informal economy which is available at <http://www.india-seminar.com/2003/531/531%20martha%20alter%20chen.htm> . This article was accessed latest on 5/3/2010.

2 – The argument of least visibility of women workers in the informal sector is given by Martha Alter Chen in the article Rethinking the informal economy which is available at <http://www.india-seminar.com/2003/531/531%20martha%20alter%20chen.htm> . This article was accessed latest on 5/3/2010. LEARN conducted an exposure visit to SEWA, Ahmedabad and there was the opportunity to interact with paper bag makers, kite makers, cigarette rollers etc. who work from home. They are least visible as workers as their workplace is their own homes.

3 – The detailed description on SEWU is available at <http://www.wiego.org/main/membersewu.shtml> which was accessed on 8/1/2010. SEWU encourages women to train in skills such as plumbing and electric works which are considered as non-traditional skills for women. LEARN also encourages women in the same way and it has started giving vocational training to women in various fields.

CHAPTER 2

4 – Mumbai being referred as the commercial capital with the presence of Bombay Stock Exchange and Reserve Bank of India. The article is available at <http://www.encyclopedia.com/doc/1G1-135758847.html> which was accessed on 10/1/2010.

5 – Dharavi is considered as Asia's largest slum, with the presence of all types of unskilled work and shabby conditions. But Dharavi contributes to Mumbai's development as a city. A detailed article is available at http://www.karmayog.org/worldbank/worldbank_12293.htm which was accessed latest on 6/3/2010.

6 – There is a Slum Rehabilitation Authority (SRA) in Mumbai which is a government department. SRA works on the redevelopment project of Dharavi. The details are available at <http://www.sra.gov.in/>.

7 – A brief description on Dharavi is available at [http://www.dharavi.org/B. Introduction](http://www.dharavi.org/B_Introduction) . This gives an idea about the area, history and identity and also about the economy of Dharavi.

CHAPTER 3

8 – The detailed list sector-wise minimum wages in Maharashtra is available at <http://www.paycheck.in/main/officialminimumwages/maharashtra> .

9 – The history of Public Distribution System (PDS) in India is described by M. G. Devasahayam in his article PDS and India's food security which was published in the Business Line internet edition. This article is available at <http://www.hinduonnet.com/businessline/2001/08/13/stories/041303mg.htm> . This article analyses the PDS critically.

CHAPTER 4

10 – LEARN conducts residential training programmes and workshops on various issues like gender awareness, leadership skills, labour rights etc. This gives an opportunity for the target group to stay away from all the difficulties and concentrate more on the training. Such training programmes are organised as residential at a distant place purposely to avoid distractions as much as possible.

CHAPTER 5

11 – The Deputy Election Officer, Mumbai district is Mr. S. M. Bhagwat and there was an interaction by the union leaders with him at his office. In that, he signed a letter allowing permission to LEARN to file the election identity card application forms for its members, though they lack the mandatory documentary proofs.

12 - Papad is one of the Indian traditional food item that can be prepared ahead and served as needed. Papad is a thin crispy wafer like dish, that goes well with meals and snacks. The details about the ingredients and varieties of this product is available at <http://www.sunrise.in/papad-one.html> .

13 - Swine flu is an infection caused by a virus. It's named for a virus that pigs can get. People do not normally get swine flu, but human infections can and do happen. The virus is contagious and can spread from human to human. Symptoms of swine flu in people are similar to the symptoms of regular human flu and include fever, cough, sore throat, body aches, headache, chills and fatigue. The spread of the virus could be prevented by covering the nose and mouth with a tissue or cloth while coughing or sneezing. The used cloth/tissue has to be destroyed. The detailed information about this disease is available at <http://www.nlm.nih.gov/medlineplus/h1n1fluswineflu.html> which was accessed latest on 6/3/2010.

14 - The full text of the Act is available in the Maharashtra State Government website at <http://lj.maharashtra.gov.in/data/board/english/2009/02/17/20090217134446.pdf> Accessed on 10/3/2010.

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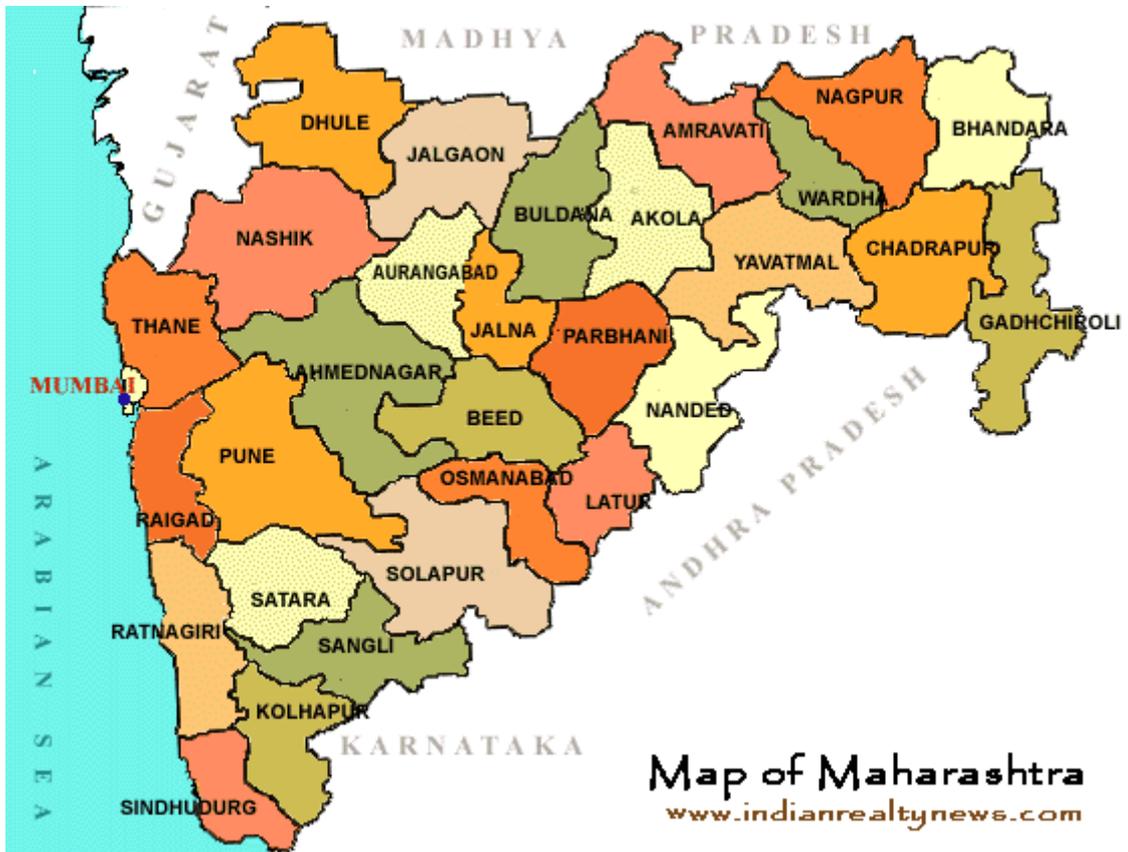
APPENDIX I

MAP OF INDIA



APPENDIX II

MAP OF MAHARASHTRA



APPENDIX III

DHARAVI SLUM AREA



APPENDIX IV

THE UNORGANIZED SECTOR WORKERS' SOCIAL SECURITY BILL, 2005

STATEMENT OF OBJECTS AND REASONS

The National Common Minimum Programme of the Government of India states that "The UPA Government is firmly committed to ensure the Welfare and well-being of all workers, particularly those in the Unorganized Sector who constitute 93% of our Workforce". Earlier, the Second National Commission on Labour submitted its report to the Government in June 2002, which inter-alia, contained elements of legislation to ensure a minimum level of protection to the Workers in the Unorganized Sector. This Bill draws upon these recommendations and has given statutory shape to National Common Minimum Programme's commitments.

THE UNORGANIZED SECTOR WORKERS' SOCIAL SECURITY ACT, 2005

To provide for social security and welfare of unorganized sector workers and to provide for other matters connected therewith or incidental thereto.

BE it enacted by Parliament in the fifty-fifth year of the Republic of India as follows:

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement

(a) This Act may be called "The Unorganized Sector Workers' Social Security Act, 2005"

(b) It extends to the whole of India.

(c) It shall come into force on the date of publication by Union Government in the Official Gazette.

2. Definitions

In this Act, unless the context otherwise requires: -

- (a) “National Social Security Authority for the Unorganized Sector” means an authority constituted by Union Government for the purpose of this Act under section 3(a).
- (b) “Directors” mean the persons appointed by Union Government under Section 8(a).
- (c) “Employer” means a company or a person, for whom any unorganized worker is working or association of employers or traders who engage unorganized workers.
- (d) “Existing Acts” means the Acts enacted by the Central and State Governments, which are for the time being in force.
- (e) “Facilitating agencies” means the agency notified by the Authority to run the worker’s facilitation centre under the section 9 of the Act.
- (f) “Family” in relation to that of a worker means and includes the spouse, minor legitimate and adopted children, unmarried daughters and dependent parents.
- (g) “Fund” means the Unorganized Sector Workers’ Welfare fund constituted under sub-section (a) of section 19 of the Act.
- (h) “Identity Card” means the identification document containing the unique identification social security number given to a worker on registration as a member under sub-section (a) of section 13 of the Act.
- (i) “Member” in relation to a welfare funds constituted under this Act means an unorganized worker registered as a member under sub section (a) of Section 13.
- (j) “Notification” means notification published in the official Gazette.
- (k) “Prescribed” means prescribed by rule or scheme made under the Act.
- (l) “Scheme” means a scheme made under the Act.
- (m) “Supervisory Board” means a board constituted under section 4.
- (n) “Unique identification Social Security Number” means the number given to a worker on registration as a member under sub-section (a) of Section 13 under the Act.
- .

(o) ‘Unorganized Sector Worker’ means a person who works for wages or income; directly or through any agency or contractor; or who works on his own or her own account or is self employed; in any place of work including his or her home, field or any public place; and who is not availing of benefits under the ESIC Act and the P.F Act, individual insurance and pension schemes of LIC, private insurance companies, or other benefits as decided by the Authority from time to time.

(p) “Workers’ Facilitation Centre” means Centre constituted under section 10 for registration of workers of unorganized sector implementing social security benefits.

CHAPTER II

NATIONAL SOCIAL SECURITY AUTHORITY FOR THE UNORGANIZED SECTOR, WORKERS’ FACILITATION CENTRES AND FACILITATING AGENCIES

3. Constitution of National Social Security Authority for the Unorganized Sector

(a) With effect from such date as the Union Government may notify, an Authority, to be called as National Social Security Authority for the Unorganized Sector (The Authority), shall be constituted for the purposes of this Act

(b) The Authority shall be a body corporate by the name aforesaid, having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose property, both movable and immovable, and to contract and shall by the said name sue or be sued.

(c) The Authority shall consist of a Supervisory Board and an Executive Office.

(d) The Authority shall formulate policy and undertake any and all activities to deliver the intent of this Act all over the nation in coordination with various State Governments, Welfare Boards and other agencies responsible for serving workers in the unorganized sector as required in order to ensure effective implementation of the Act.

4. Appointment of Supervisory Board

The Authority shall have a Supervisory Board to be appointed by the Union Government.

(a) The Union Government shall appoint a Chairperson of the Supervisory Board, who shall be the non-executive Chairperson of the Authority whose normal term shall be of three years.

(b) The Supervisory Board shall consist of at least fifty percent of members who are representatives of workers in the unorganized sector and at least one third women members in addition to professionals with background in areas of expertise such as finance, insurance, and systems-operations and representatives of Central and State Government

(c) The normal term of the Supervisory Board shall be three years.

5. Disqualification, removal and resignation of non-official members of Supervisory Board

(a) No person shall be chosen as or continue to be, a non-official member of the Supervisory Board, who-

(i) is or at any time has been adjudged insolvent; or

(ii) is found to be a lunatic or of unsound mind, or

(iii) is or has been convicted of any offence involving moral turpitude

(b) Any non-official member of the Supervisory Board may at any time resign, by writing under his hand, addressed to the Chairperson of the Supervisory Board and on acceptance of the resignation by the Chairperson. Such member shall cease to be member of the Supervisory Board.

6. Filling up of vacancies of Supervisory Board

In the event of a vacancy in the office of a non-official member on account of death, resignation, disqualification, removal or otherwise, the Supervisory Board shall forthwith communicate it to the Union Government and a person shall be nominated by the Union Government to fill the vacancy, who shall hold

the office for the residuary term of the member on account of whom the vacancy has occurred.

7. Executive Office of the Authority

(a) The Executive office of the Authority shall have a Managing Director, and two Executive Directors who will be appointed directly by the Union Government.

(b) The Union Government shall provide for the recurring and non-recurring expenditures to be incurred for the functioning of the Authority on recommendation of the Managing Director in consultation with the Supervisory Board.

8. Functions of the Directors and the Supervisory Board:

(a) The Directors appointed by the Union Government shall be responsible for framing policies, schemes, and procedures for the functioning of the Authority in consultation with the Supervisory Board.

(b) The Supervisory Board shall advise the Directors on matters of policy and receive quarterly reports from the Managing Director. The Chairman of the Supervisory Board shall send comments and reports regarding the functioning of the Authority and the Directors to the Union Government.

(c) In the event of a discord between the Directors and the Supervisory Board, the Union Government shall appoint a Special Committee to recommend resolution of the discord and take appropriate action upon considering the opinions of the Committee. The decision of the Union Government will be final in this regard.

9. The Functioning and the Structure of the Authority:

(a) The Directors will appoint "Facilitating Agencies" to conduct the activities of the Authority in the specifically designated geographical areas or a particular industry in a particular region. The Facilitating Agency will in turn set up, administer, and supervise Worker's Facilitation Centres, which will provide direct service to the worker members of the Facilitation Centre.

(b) The Facilitating Agency, for all practical purposes shall represent the Authority in the designated area, region, or industry and carry out all executive functions on behalf of the Authority under a specific contract with the Authority.

(c) The Facilitating Agency shall work wherever necessary with other Welfare Boards, and Departments of the Governments, State or Union or Panchayati Raj institutions in a manner that is prescribed by the Directors.

(d) The following may be appointed as the Facilitating Agencies by the Directors, or officers appointed by them for the purpose, after inviting proposals from organizations and institutions provided they agree to abide by terms of the contract determined by the Authority.

(i) Self Help Groups or their Associations

(ii) Post offices

(iii) All types of Co-operative societies

(iv) Micro-Finance Institutions

(v) Trade Unions

(vi) District Panchayat

(vii) Village Panchayat

(viii) Existing Welfare Boards

(ix) Urban local body

(x) Any other organization or agency dealing directly with unorganized workers as may be prescribed by the Authority.

10. Workers' Facilitation Centres

The Worker Facilitation Centres shall be set up by the Facilitating Agency and shall be operated under its control and supervision.

The core functions of the Centres shall be: -

(a) Registration of workers and giving them unique identification social security numbers and identity cards.

(b) Mobilization of workers to become members of the Scheme.

(c) Securing the contribution of members to the funds.

(d) Assuring delivery of benefits to the members.

In addition, the centres may undertake the following activities.

(e) Maintaining a database of members in such form as may be prescribed showing the details of employment of members registered with it.

(f) Skill upgradation training to increase the skill of workers.

(g) To maintain and provide information related to employment and marketing opportunities for the workers. To provide training and assisting workers to form themselves into cooperatives, unions, federations and into any other appropriate forms of organizations.

(h) To constitute employment exchanges for unorganized sector.

(i) To create public awareness about schemes available for workers.

(j) To collect statistics and information of workers engaged in the employments of the unorganized sector.

(k) Other activities as may be prescribed by the Authority.

The financing of the Workers Facilitation Centres shall be through implementation of appropriate schemes. The Workers Facilitation Centres may, with the approval of Facilitating Agencies charge user-fees for specific services that the Workers Facilitation Centres may offer to individual workers or groups or organizations of workers, or it may accept donations or grants for purposes of its objects.

11. Criteria for Appointing Facilitating agencies:

The following criteria shall be observed by the Authority during appointment of Facilitating agencies:

(a) Registration under an Act of the Union of India or any State Government

(b) Be in existence for more than three years

- (c) Be directly working with unorganized sector workers or their families
- (d) Produce audited accounts
- (e) Have a track record of effective implementation of welfare schemes
- (f) And any other criteria decided by the Authority.

12. Delegation of powers

The Authority may, by general or special order, delegate to any member of the board or any director or any other officer or employee of the Authority, such of its power and duties under this Act as it may deem necessary for the proper administration of this Act, or any scheme made there under.

CHAPTER III

REGISTRATION OF WORKERS AS MEMBERS

13. Registration of workers as members and for Unique Identification Social Security Number

(a) Every unorganized sector worker as defined in 2 (o) who has completed eighteen years of age shall on the payment of prescribed fee become eligible for registration as a member and for the purpose, get a Unique Identification Social Security Number and identity card under this Act. No worker shall be eligible for getting more than one social security number. Worker shall be registered as a member once and this registration shall be periodically renewed and updated as decided by the Authority.

(b) Registration of workers as members shall be done by Workers' Facilitation Centre following such procedures as may be prescribed.

14. Cessation as a member

(a) An unorganized sector worker who has been registered as a member for more than ten years under this Act shall not be required to pay any membership dues when he attains the age of sixty years excepting for old age benefit including pension. The social security number of a retired or deceased worker shall not be given to any new or other member.

(b) Notwithstanding anything contained in sub-section (a), if a person had been a member for at least three years continuously immediately before attaining the age of sixty years, he shall be eligible to get such benefits as may be specified under the concerned fund.

CHAPTER IV

SOCIAL SECURITY SCHEMES

15. Framing of Schemes

The Directors will formulate one or more schemes as may be considered necessary for the welfare, health, safety and social security of the unorganized worker or any class of workers in any employment of unorganized sector and seek advice of the Supervisory Board in formulating the same.

Provided that the Authority, while framing schemes under this sub-section, ensure that they are not in contravention of any of the provision of the existing Acts or schemes.

16. Disputes regarding application of schemes

If any question arises regarding the applicability of any scheme to any class or classes or workers in any employment of unorganized sector, the matter shall be referred by the Authority to the Union Government whose decision shall be final.

17. Social Security benefits and welfare measures

The Authority may notify the schemes as under, subject to sustainability of the Fund:

- (a) Medical Care or sickness benefit scheme
- (b) Employment injury benefit scheme
- (c) Maternity benefit scheme
- (d) Old age benefit including pension
- (e) Survivor's benefit scheme

- (f) Integrated Insurance Scheme
- (g) Schemes for Conservation of natural resources on which workers depend for livelihood,
- (h) Housing schemes
- (i) Educational schemes
- (j) Any other schemes to enhance the quality of life of the unorganized worker or her family.

18. (A) There shall be a floor level scheme to be funded by the Union Government directly or through cess or through contribution or through any other means.

(b) This floor level scheme shall include (i) health, life and permanent disability insurance; and maternity benefits without contribution from the member, and (ii) a contributory old age benefit scheme including pension.

(c) In case of industries where separate Welfare Boards have been created and/or a cess is being collected for welfare schemes of the workers, the Authority shall function in collaboration with the existing Welfare Boards in order to ensure that the workers registered at the Worker Facilitation Centre receive benefits of the schemes created by the Authority or those of the concerned Welfare Boards, whichever may be more beneficial to the worker.

CHAPTER V

WELFARE FUNDS

19. Constitution of Welfare Funds

(a) National Social Security Authority shall constitute one or more Welfare Funds consisting of following sources:

- (i) Levy and collection of cess, tax or fees as it may be specified from time to time by notification in the official gazette.
- (ii) Grants and loans made to the Authority by the Union or State government.
- (iii) All contribution made by the members and employers;

(iv) All sums received by the Authority from such other sources as may be decided by Union Government, including donations.

(v) Income generated by registration of member.

(vi) All other income as may specified from time to time

(b) The resources referred to in sub-section 19(a) shall be applied for meeting the;

(i) Expenses on objects and for purposes authorized by this Act.

(ii) Expenses of the concerned Authority and/or its agents in the discharge of its function;

(c) The Authority shall not, in any financial year, incur expenses towards salaries, allowances /and other remuneration to its members, officers and other employees and for meeting other administrative expenses exceeding a limited per cent of its total expenses during that financial year, the limit to be fixed by the Supervisory Board in consultation with the Directors

(d) All the contributions to the funds shall be exempted from the Income tax.

20. Grants and Loans by the Government

The union or state government may, after due appropriation made by parliament or state legislature, as the case may be, by law in this behalf, make to the Authority or its agents grants and loans of such sum of money, as the appropriate Government may consider fit for being utilized for the purposes of this Act.

21. Contribution to the fund/ schemes

(a) Contribution of workers:

The contributions to the funds shall consist of;

(i) Registration and renewal fees as decided by the Authority. .

(ii) Contribution towards schemes as decided by the Authority.

(iii) Any other contribution as decided by the Authority.

(b) Contribution of employers:

(i) The Union Government may levy a cess or an appropriate tax, or create an appropriate mechanism for collection of contribution from individual employers (or their contractors wherever applicable) or a class of employers or an industry as a whole in order to partly finance the schemes, programs and projects undertaken by the Authority.

(ii) The Union or State government may, on the recommendation of the Authority, levy and collect cess, tax or fees, on any goods produced or processed or manufactured or sold or on service rendered, for the purposes of this Act as it may specify from time to time by notification in the official gazette.

(iii) The Authority, may in specific circumstances levy a contribution on individual employers at a rate decided by it.

22. Effect of non-payment of contribution

(a) Workers' contribution:

When a worker has not paid his/her contribution for a continuous period of not less than one year, he/she shall cease to be eligible for future benefits. Provided that if the Workers' Facilitation Centres or an authority specified by it is satisfied that the non-payment of contribution was for a reasonable ground and that the worker may be allowed to deposit the contribution in arrears and, on such deposit being made, eligibility for future shall be restored.

(b) Employers' contribution:

An employer or an industry found not to be paying its contribution to the cess or an appropriate tax will be liable for action under the appropriate Act. In case an employer is found defaulting in individual contributions levied by the Authority, the appropriate action will be decided by the Authority in consultation with the Union Government.

23. Budget

The Authority shall prepare, in such form and at such time each financial year as may be prescribed, their budgets for the next financial year showing their

estimated receipts and expenditure. The authority shall forward to the Union Government the consolidated budget of itself and the funds constituted by it.

24. Annual Reports and Periodic Reports

(a) The Directors, Facilitating Agencies, and Workers' Facilitation Centres shall prepare, in such form and at such time each financial year as may be prescribed, their reports, giving an account of their activities during the applicable period. (b) The Authority shall submit its periodic reports, within one month of the end of the period to which they pertain, to the Union and the State governments and it shall be mandatory to make all such reports public.

(c) Each facilitating agency will generate its periodic reports as prescribed by the Authority and it shall be mandatory to make these reports public.

25. Accounts and audit

(a) The Authority, Facilitating Agency and Workers' Facilitation Centre shall maintain proper accounts and other relevant records and prepare annual statements of accounts in such form as may be prescribed.

(b) The accounts of each facilitation centre shall be audited separately and the audit of the facilitating agency shall include audit reports of all the facilitating centres it is responsible for in addition to its own accounts pertaining to the activities associated with the Authority.

(c) The Authority shall furnish to the Union Governments, before such date as may be prescribed, the audited copy of the consolidated account of itself and the Funds together with the auditor's report.

26. Investment of the funds

All moneys belonging to the Funds shall be deposited in a Scheduled Bank or any Government securities, or as may be approved by the Supervisory Board.

27. Existing Welfare Board and Fund

(a) The Authority shall recognize the fact that various Welfare Boards and such other agencies are in existence for a number of industries, and that there are cess

and such other provisions for funding the activities for social security and other services for workers in certain industries and certain states. The Authority may, in consultation with appropriate governments responsible for these Welfare Boards, consider appointing such Welfare Boards as Facilitating Agencies for those particular industries within the limits of the rules and regulations created by the Authority.

(b) The appropriate governments responsible for the concerned welfare boards, may, with the approval of the Authority, choose to merge or bring under the supervision, direction, and control of the Authority any existing schemes and Welfare Boards and funds that are consistent with the aims and objects of the Authority.

CHAPTER VI

FRAMING OF RULES, DELEGATION OF POWER, EXEMPTIONS, ETC.

28. Power to make Rules

(a) The Authority may, make rules to carry out the provisions of this Act.

(b) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely-

(i) Form of register of members to be maintained.

(ii) Rates of registration payable by the members to the Fund.

(iii) Forms of accounts and other relevant records to be maintained by the Authority and Fund.

(iv) Form for preparation of the annual reports of the concerned Board and Fund and stipulation of dates for submission of the same to the Union government.

(v) Form for preparation of annual budgets.

(vi) Procedure and power to audit the expenditure incurred by and review the functioning of Workers' Facilitation Centre and Facilitating Agency.

(vii) Any other matter, including disqualification of facilitating agencies and centres for non-performance, which has to be, or may be, prescribed by rules under this Act.

29. Exemptions

(a) The Union government may, in consultation with the Authority, by notification and subject to such condition and for such period as may be specified in the notification, exempt from the operation of all or any of the provisions of this Act or any schemes made there under, all or any class or classes of workers, in any establishment or part of any establishment if in the opinion of the Union government, all the workers or such class or classes of workers, are in enjoyment of benefits which are on the whole not less favourable to such workers than the benefits provided by or under this Act or any scheme framed there under.

(b) The Union government may by notification, at any time, cancel the exemption granted under sub-section (a), if it feels that the conditions mentioned therein, are not satisfied, after recording reasons and after providing an opportunity of being heard to such establishment.

30. Rights and privileges under other more beneficial laws not affected Nothing contained in this Act shall affect the operation of any corresponding law, contract, custom, usage, award, settlement or agreement, regulating the employment and conditions of service of the workers and providing for welfare measures or schemes which are more beneficial to the workers than those provided for them by or under this Act.

31. Power to remove difficulties

(a) If any difficulty arises in giving effect to the provisions of this Act, the Union Government may, by order published in the official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty; Provided that no such order shall be made after the expiry of two years from the date of commencement of this Act.

(b) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

32. Members of Boards and Officers to be Public Servants

Every Member of the Supervisory Board, the Directors and every officer appointed under this Act shall be deemed to be a public servant within the meaning of Section 21 of the Indian Penal Code (45 of 1860).

33. Protection for action taken in good faith

No suit, prosecution or other legal proceeding lie against Union Government or any Member of the Board or the directors or any officer appointed under this Act for anything, which is in good faith done or intended to be done under this Act or any scheme or rule made there under.

34. Bar on civil courts

No civil court shall have jurisdiction in respect of any matter to which any provision of this Act applies and no injunction shall be granted by any civil court in respect of anything, which is done or intended to be done by or under this Act.

Source:-

http://www.wiego.org/informal_economy_law/india/content/iei_social_security_bill_2005.pdf Accessed on 9/3/2010.

APPENDIX V



Women displaying the banner of the union LMKS