

31 Jan 2019

WORKING PEOPLES' CHARTER

To

**Shri. Santosh
Kumar Gangwar**

**Hon'ble Minister for
Labour and Employment**

Government of India
Shram Shakti Bhawan
New Delhi 110 001

Sir,

The Working Peoples' Charter (WPC) acknowledges that the NDA government has recognized the need to provide a comprehensive social security cover to all unorganized workers and has initiated a number of schemes. The Second Labour Commission [2002] constituted during NDA I, had also categorically recognized the need for a universal social security system implemented through single window system.

We would like to reiterate that social security is a right and its provision must be justiciable. We urge the government to make adequate financial provision in the forthcoming budget to finance a universal [with exclusion criteria] non-contributory individual worker based 'social security scheme' for all informal workers, including unpaid women workers, who do not have social security cover. *The campaign holds the view that contributory social security schemes (based on workers' contribution, or contribution by states) should be treated as add-ons and should not form the core of the social security programme.*

The campaign demands that the universal social security schemes should have the following minimum features:

1. **Old Age protection.** All old aged persons (men and women), widows and physically/challenged persons, not under a formal social security cover, should be provided with a pension which is at the level of half of the national minimum wage. The age of eligibility for pension must be revised to 50 years for women and 55 years for men in the informal sector. Within this, special relaxation must be made for the particularly vulnerable workers in various occupations and social groups.
2. **Health & Maternity.** The universal health package should be made available through the public health system and should cover OPD and Diagnostics. Women must be unconditionally entitled to a maternity benefit for nine months (3 months before delivery and 6 months after

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- delivery) at an amount not less than half the minimum wage.
3. **Life and Disability cover:** Workers must be provided an insurance of Rs 100,000 for death by natural causes and Rs 200,000 for death or permanent disabilities due to accidents. This should be along the lines of the provisions of the Construction Workers Welfare Board.
 4. **Housing:**
 - 4.1. Codify Right to Housing as a Constitutional and Statutory Right, along the lines of Right to Food and Right to Education, viz. "Right to Housing" Article 21B of the Constitution; Right to Housing Act, 2019
 - 4.2. In-situ Re-development rule Relocation exception; burden of proving non-feasibility of in-situ rehabilitation shall be upon the authorities.
 - 4.3. 70% land for EWS housing shall be earmarked for workers' housing in upcoming housing colonies/projects, to avoid ghettoization of the informal sector workers (Note: This reservation is for 80% of India's population which constitutes informal working class. (*100 main 70 hum mazdoor, kyon jayen Dilli se door*))
 - 4.4. Urban Land Ceiling, with ceiling limits inversely proportional to population density and property rates. This be brought to effect either by regulations or progressive prohibitive taxation.
 - 4.5. Idea of worker housing should be explored while allocating land to workers on the principles of headload workers in Pune, bidi workers in Solapur, and mill workers in Mumbai.
 5. **Living Wage:**
 - 5.1. Minimum Wage at par with pay commissions for 4th grade government employees.

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- 5.2. Minimum wage be calculated on the basis of Supreme Court judgement in Raptakos Brett case, in line with 15th Indian Labour Conference, 1957.

Further, the government should take the following steps for the implementation of the social security programmes:

6. Ensure, within six months, that all informal workers are provided with ID cards for social security which should be solely based on self-declaration. Such registrations should not use biometric identification systems. Also, this must be independent of all existing identification cards, such as Aadhar and U-WIN. The union budget must bear complete fiscal responsibility for this process.
7. A single Ministry should be created which would be responsible for the provision and implementation of social security. All necessary funds for the programmes should be transferred to the Unorganized Workers Social Security Fund.
8. Amendments should be made to the Unorganized Workers Social Security Act (UWSSA) 2008 to make the provision of universal social security schemes rights based and with universal coverage. Portability must be ensured. Nonetheless the UWSSA 2008 act should be implemented in its full spirit.
9. The creation of the National and State Social Security Boards should be mandatory under the Act and should be done within six months. The Boards should be given the necessary powers and should not be only.

Sincerely,

Chandan Kumar, Nirmal Gorana

On Behalf of the Secretariat

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