

SOCIAL SECURITY FOR UNORGANIZED LABOUR IN INDIA

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ABSTRACT

India, being a welfare State, has taken upon itself the responsibilities of extending various benefits of Social Security and Social Assistance to its citizens. The social security legislations in India derive their strength and spirit from the Directive Principles of the State Policy as contained in the Constitution of India. Although the Constitution of India is yet to recognize Social Security as a fundamental right it does require that the State should strive to promote the welfare of the people by securing and protecting, as effectively as it may, a social order in which justice social, economic and political shall inform all the institutions of national life. Specially, Article 41 of the Constitution requires that the State should within the limits of its economic capacity make effective provision for securing the right to work, to education and to public assistance in case of unemployment, old age, sickness and disablement. Article 42 requires that the State should make provision for securing just and humane conditions of work and for maternity relief. Article 47 requires that the State should raise the level of nutrition and the standard of living of its people and improvement of public health as among its primary duties.

INTRODUCTION

More than a third of the world population lives under extreme conditions of poverty and deprivation. These are typically people found in remote areas with difficult access to markets and institutions, not educated, with poor health, employed in jobs with little security and with inadequate access to productive assets. Such characteristics make the poor vulnerable to shocks caused by life cycle changes, economic reforms and other types of events such as illness or bad weather conditions. The vulnerability of the poor to socio-economic shocks can be reduced by policies that protect their livelihoods, increase their human capital and assist them in times of crises.

However, despite the need for social security policies, it is not immediately clear that developing countries are able to implement programmes of social security.

The introduction of social security programmes in developing countries is a difficult task given that capital and insurance markets are typically underdeveloped, budget restrictions are high and developing countries are usually characterized by traditional labour structures and

large levels of poverty, which would require social programmes to achieve a magnitude that few governments in developing countries are able or willing to implement. In addition, governments in those countries have, in general, less capacity to collect taxes, implement complex programmes of social protection or correct market failures, due to their low levels of income, education and infrastructure. Furthermore, political pressure against the implementation of social security policies is also often high in developing countries as such policies may imply some form of redistribution (Radian, 1980; Newbery and Stern, 1987).

These problems have led researchers and policy advisers to argue that poverty eradication and socio-economic security of the poor should rather be achieved through sustained economic growth that will raise the level of living of the whole population (Bruno, Ravallion and Squire, 1995; Dollar and Kraay, 2000). However, although economic growth is an important factor in the promotion of better standards of living, it is not empirically clear that economic growth present brings about social development and increased equality as pockets of poverty can persist due to the inability of some population groups to participate in the growth process (Gaiha and Kulkarni, 1998). Consequently, protection mechanisms against poverty, destitution and uncertainties are needed in order to guarantee the safeguard of vulnerable elements of the population against life contingencies and uncertainties. Although the type of social security programmes implemented in industrialised countries may not be economically or politically feasible in poorer economies, experiences of economies such as China, Costa Rica, Jamaica, Chile, Cuba, Sri Lanka and the south Indian state of Kerala have shown that extensive systems of socio-economic protection based on efficiently targeted policies, widespread public participation and careful integration of social and economic policies can perform a central role in the maintenance of living standards and the well-being of the most fragile groups in the population (Chenery et al., 1974; Drèze and Sen, 1991).

In these countries, the costs of implementing forms of social security have been quite small due to the public commitment involved in the social development strategies followed by these countries and the efficiency of its administration (Drèze and Sen, 1991). This suggests that the discussion on social security in developing countries should focus not on whether social programmes should be implemented, but rather on what types of policies should be implemented. This paper argues that adequate social security policies can be an important endogenous factor in the process of socio-political development and economic growth of developing economies.

Social Security is the protection which society provides for its members against the economic and social distress that otherwise would be caused by substantial reduction or ceasing of earnings resulting from sickness, maternity, employment injury, unemployment, invalidity, old age, and death; the provision of medical care; and the provision of subsidies for families and children. The strategies for providing social security include the preventive, mitigating, and coping aspects.

As far as social security measures are concerned, India has a long history of providing securities to all, inclusive of unemployed, aged, children, weaker sections and vulnerable groups. However, the social security system prevailed for the unorganized sector got run-down and that of the organized sector gained momentum. In the present context of globalization, the unorganized sector warrants greater and protection to safeguard themselves from the evils of globalization.

What is Social Security?

Many authors have defined social security by many ways. For our understanding, we consider the social security as the continuous economic support to a human being for his or her social well being-at least in the evening years of his/her life. It is therefore necessary to link up traditional social security polices and economic policies in general. Getbigu for instance, defines social security for the developing countries as “any kind of collective measure or activities designed to ensure that members of the society meet their basic needs. As well as being protected from contingencies to enable them to maintain a standard of living consistent with social norms” Dreze and Sen distinguish two aspects of social security, which they define as the use of social means to prevent deprivation and vulnerability to deprivation. The focus of the social security is to enhance and protect people’s capabilities to be adequately nourished, to be comfortably clothed, to avoid escapable morbidity and preventable mortality.

The average experience of poorer populations understates the precarious nature of their existence, since a certain proportion of them undergo severe and often sudden dispossession, and the threat of such a thing changes in personal circumstance or from fluctuations in the social surroundings. Therefore, we may understand the social security as “the provision of benefits to households and individuals through public or collective arrangements to protect against low or declining standard of living arising from a number of basic risks and needs. For clearer understanding we may enlist the social security measures or programmes for income sustenance income maintenance end for medical as:

- Provident Funds/Gratuity.
- Oldage, survivor, widow and disability pension,
- Medical care of all sorts and
- Protection from all kinds of risks life and no life affecting the social existence of individual.

These programmes established the basis for modern forms of social security, defined by the International Labour Organisation (ILO) as “the protection which society provides for its members through a series of public measures against the economic and social distress that otherwise would be caused by the stoppage or substantial reduction of earnings resulting from sickness, maternity, employment injury, invalidity and death; the provision of medical care; and the provision of subsidies for families with children” (ILO, 1984).

On the other hand, the extent of poverty and vulnerability in developing countries reach far beyond the objectives of typical systems of social security implemented in richer countries. Due to these facts, recent research studies have argued that the notion of social security is too limited in face of the social and economic needs of developing countries and a more extensive notion of social protection should be used (Kabeer, 2002; Barrientos and Shepherd, 2003). Independently of the terminology used, the definition of social security/social protection in developing countries must address three fundamental issues.

Objectives of Social Security

Most social protection policies in developing countries will almost certainly be concerned with reducing vulnerability and unacceptable levels of deprivation. The extent of poverty and destitution in most developing countries would, however, make typical post-shock social security benefits of the type implemented in industrialized countries too costly to put into practice in poor economies.

The role of social security policies in developing countries must, consequently, be extended not only to that of a 'safety-net', but, more importantly, to 'prevention' against increases in deprivation and the 'promotion' of better chances of individual development (Guhan, 1994). In this sense, social protection policies would not only address negative outcomes of development but would also promote more equal opportunities amongst all population groups, thereby reducing the likelihood of negative outcomes.

The focus of social security policies in developing countries should thus be on the reduction and mitigation of structural forms of vulnerability and on the implementation of ways of coping with all types of risk (Norton, Conway and Foster, 2001; Kabeer, 2002) and be integrated within the overall development strategy of the country rather than implemented as individual programmes (Kabeer, 2002).

Trends in Unorganized Labour and their Characteristics in India

The term "Informal Economy" is a new one earlier "Informal Sector" or unorganized 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 labour cheap 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, popularized by the ILO in the 1970's, 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 popularized by Carolilve Moser and Alejandro porters in the late 1970's and 1980's. According to this school, the informal sector consists of micro – entrepreneurs who choose to operate informally to avoid the costs, time and effort of informal registration (Chen, 2004).

An important feature of labour market situation in India is the predominance of unorganized employment. The dominance is such that since early 80's and ever before that more than 90 percent of the total work force has been engaged in the unorganized sector to earn their income and livelihood. The analysis of trend and pattern of growth in employment shows that, over the years, formal employment growth has always been less that of total employment, indicating a faster growth of informal employment. Further a broad segment consisting of agriculture (both organized and unorganized) and organized non farm sector,

which currently absorbs nearly 70 percent of total workforce, is showing the signs of negative growth rate and it is being predicted that these sectors will cease to absorb more and more labour force (Bhalla & Hazell, 2003).

In this context informal employment, especially its nonfarm segment, is being assigned a dominant role in official committees meant for future additional employment generation for instance the special group on training then million employment opportunities per year over the Tenth Plan Period (2002 – 2007) set up by planning commission was of the view that exclusively for generating the desirable high level of employment in the country, one has to target the unorganized sector, including small and medium enterprises (GOI. 2002). Thus in view of its tremendous importance there is a need to focus efforts and attention to develop a comprehensive understanding about the problems, needs, issues, and changes that are taking place in this sector. It has been recognized by all sections of researchers and writers that the working and the labour conditions in the unorganized sector are deplorable and in fact, the unorganized sector is at a disadvantageous position deserving supportive policy measures. So it is necessary to improve the working conditions, productivity and wages of the workers in this sector so that the benefits of globalization may spread equally to the working masses who toil hard for the growth of the economy.

In India labour are employed in this sector across the country in divergent activities both in the rural and urban areas. Numerous definitions were put forward to explain the term informal sector. The labour employed in the urban informal sector are heterogeneous, consequently it is difficult to estimate the size and not many attempts were made in the past to estimate the size; i) The 1990 National Sample Survey's Economic Survey Report estimated that about 60.5 million workers were employed in about 21.7 million enterprises and a majority of these enterprises are located in the urban areas, ii) The 1991 Census report estimated the total labour force in India to be around 317 million, out of which the organized sector employed only 26.8 million while the informal sector employed 290.2 million.

As per the 2001 census, the total work force in our country is 402 million, of which 313 million are main workers and 89 million are marginal workers. Out of 313 million main workers 285 million is in the unorganized sector, accounting 91 percent (Economic Survey: 2005-06). The estimates provided by the National Sample Survey Organization also reveal the similar pattern. As per the NSSO estimates for the year 2004-05 India had population of 1093 million, with a workforce of about 385 million. Of these, about 7 per cent belong to organized and the rest 93 per cent of the workforce include those self employed and employed in unorganized sector (Ratnam CSV:2006, Economic Survey 2007-2008.)

The extent of workforce in the unorganized and organized sectors, and their changes overtime could be understood by the information provided by the ministry of labour and employment, director general of employment and trainee, Government of India and published in the economic surveys. Accordingly, the share of unorganized workforce was about 8 per cent by 1983, which declined to 7.54 per cent by 2004-05. The corresponding share of the unorganized workforce was about 92.07 per cent by 1983, which increased to 92.46 per cent by 2004-05.

Table 1. Trends in Employment in Organized and Unorganized sectors in India (In Millions)

Year	Organized	Unorganized	Total workforce
1983	24.01(7.93)	278.74(92.07)	302.75
1987-88	25.71(7.93)	298.58(92.07)	324.27
1993-94	27.37(7.31)	347.08(92.69)	374.45
1999-200	28.11(7.08)	368.89(92.91)	397.00
2005-06	26.46(7.54)	358.45(92.46)	384.91

Note: Figures in the brackets are percentages to the respective totals.

Source: Ministry of Labour and Employment, Director General of Employment and Trainee and Economics Survey (Various Years).

Y.K. Alagh the then Minister for planning stressed the need for developing a rationalized system of statistics in the unorganized sector for analyzing and considering policy decisions affecting the direction and pace of growth of the sector. In the past few years, the unorganized sector has been growing rapidly in terms of size, employment potential, export growth and income generation. Quantification of these data in the unorganized sector is important for rational policy formulation and decision making. Srivastava Director General, Central Statistical Organisation, opined that the unorganized sector had been encouraged deliberately especially in developing countries for its employment potential and income generation and the CSO is planning to go into the gamut of issues concerning the dissemination of information about the unorganized.

Studies on informal sector, particularly by T.B. Papola identified certain important characteristics of the sector. They are (1) Small size of operations (2) Informal structure and family ownership (3) Non-modern technology (4) Lack of access to government favours (5) Competitive and protected product market (6) Unprotected labour markets. The labour in informal sector are unorganized and usually referred as unorganized labour. The unorganized labour work pattern shows that they are either self-employed or work as casual wage labourers in primary, secondary or tertiary sector.

The shrinking of the organized sector, consequent to the adoption of market friendly economic policies in India has generated interest in the unorganized sector. Infact, a political movement to uplift this sector is likely to take shape in the near future. Ramaswamy a well known management consultant felt that the jobs are not being lost to automation, but have merely been pushed out of organized industry and into various occupations in unorganized sector, the organized labour had better collective bargaining capacity incomparison with unorganized sector, this sector is supported by political affiliations. The post liberalized era in India has seen shrinking of the organized sector through retrenchment, forced and voluntary retirements. In view of the situation, the Government at State and Central level have taken Serious view to protect and improve the economic and social conditions of the labour in the unorganized sector. Discussions were being held in the Parliament to regulate and protect each of these sectors through legislation. In this context, the present study attempts to examine the social security measures for the unorganized sectors in India.

Social Security Measures for Unorganized Labour

India has a long tradition of social security and social assistance for the vulnerable sections of society. The institution of self sufficient village communities, the system of joint families and endowments for religious and charitable purposes. Caste based organizations also based significant role in providing support to the weaker sections in their respective castes. In the wake industrialization and modernization, which gave rise to urbanization, the traditional institutions declined in importance and lost their relevance.

Under the colonial regime, social security remained an issue grossed neglected by the government and society. The hardship of disadvantage and vulnerable sections of the populations, especially in the rural areas steadily grew. After the country achieved independence in 1947, the states showed some concern about social security however, it is the industrial workforce, which constitutes only 10% of the total, that achieved the attention of the government. The rural workforce and the rural poor have along remained neglected.

It is rightly true that when independent India's constitution was drafted, social security was specially included in the list III to schedule VII of the constitution and it was made as the concurrent responsibility of the central and state government. A number of directive principles of state policy relating to the aspects of social security were in corporate in the Indian constitution. The initiatives in the form of acts such as Workmen Compensation Act (1923), The Industrial Disputes Act (1947), The Employees State Insurance Act (1948), The Minimum Wages Act (1948), The Coal Mines Provident Funds and Miscellaneous Provisions Act (1948), The Employees Provident Fund and Miscellaneous Provisions Act (1952), The Assam Tea Plantations Provident Funds/Scheme Act (1955), The Maternity Benefit Act (1961), The Seamen's Provident Fund Act (1966), The Contract Labour Act (1970), The Payment of Gratuity Act (1972), The Building and Construction Workers Act (1996), etc reveal the attention given to the organized workers to attain different kinds of social security and welfare benefits. Needless to state that the benefits arising through these initiatives are meant for (a) employees of the Central and State Governments, local bodies, including universities and aided educational institutions, (b) Public Sector establishments, under both the Centre and States, including mines, railways, ports and docks, air corporations, banks, insurance companies, electricity Boards, road transport undertakings, manufacturing units, trading concerns, service industries, etc. (c) employees in organized private sector establishments in industries as in cotton textiles, jute, silk and art silk, cement engineering, chemical, electronics, transport, construction, services and so on. Through it has been argued that the above Acts are directly and indirectly applicable to the workers in the unorganized sector also, their contribution is negligible to the unorganized workers.

Although not much has been done in providing social security cover to the rural poor and the unorganized labour force, the country has made some beginning in that direction. Both the Central and State Governments have formulated certain specific schemes to support unorganized workers. The old age pension scheme was introduced in all states and union territories due to the increasing life expectancy the number as well as proportion of the aged in total population would as is the trends in other countries steadily increase. During the 8th plan the programme aimed at both developmental and humanitarian activities it is a community based and family base welfare facilities were developed with the assistance. In addition to this old age pension scheme introduced in Gujarat, Karnataka, Andhra Pradesh,

Kerala, Maharashtra and Tamil Nadu. Kerala was the first to introduce this programme in 1982, the scheme for agricultural workers aged 60 years and above, the amount of pension being Rs. 45 per month (enhanced to Rs. 60 in 1987). The government of Andhra Pradesh introduced a pension scheme for landless agricultural workers in 1984. Workers aged 60 years and above were made eligible for pension, which was fixed at Rs. 30 per month. The Government of Andhra Pradesh introduced a special programme (Arogya Sri) for the development of economically backward people pertaining to the provision of free medical services. The Old Age Pension (Destitute Agricultural) Scheme introduced by the Tamil Nadu government in August 1981 provided agricultural labourers aged 60 years and above pension at the rate of Rs 35 per month. The Government of Karnataka introduced the Asha Kiran Scheme in 1983 to provide relief against death or loss of limbs due to accident for agricultural workers and other labourers (such as fishermen, beedi workers, washer men, cobblers, masons, goldsmiths, drivers of animal-drawn vehicles and rickshaw-pullers) in the age group 16-65. The Government of Maharashtra introduced a pension scheme in 1980 to take care of and support the physically handicapped and economically weaker sections of society.

In 1986 the government of Kerala introduced a social security scheme for the benefit of artisans and skilled workers in the unorganized sector. The scheme was made applicable to a variety of workers such as tailors, barbers, carpenters, blacksmiths, goldsmiths, tree climbers, masons, potters and dhobis. The Maharashtra Government introduced the Employment Guarantee Scheme (EGS), which constitutes a modest attempt to ensure the right to work as enunciates in the Directive Principles of State Policy of the Constitution of India.

The Urban poor welfare schemes stressed out and worked as street vendors, domestic servants, small-time mechanics, ragpickers and scavengers and perform a host of other petty activities as well. Environmental Improvement of Urban Slums(EIUS) Scheme is applicable to notified slums in all urban areas and aims at providing and improving of basic amenities such drinking water supply, water drainage, community baths and latrines, lanes and pathways and street lighting. Urban Basic Services Scheme (UBSS) is aimed at child survival providing learning opportunities for women and children, community organization for the slum population. The self employed women's association (SEWA), Ahmadabad brought together poor self employed women in the unorganized/informal sector and striving to get them a fair deal in various economic activities.

Poverty Alleviation Programmes are considered necessary on the grounds to improve the development opportunities, strengthen the position of the poor by providing them assets and incomes which in long run help in bringing about structural changes in their favour. The earlier series of poverty alleviation programmes in India are Small Farmers Development Agency (SFDA), Marginal Farmers and Agricultural Labour, Integrated Rural Development Programmes (IRDP) which are implemented in the country for the development of marginal farmers, agricultural labourers and rural artisans at state level. This programme is monitored by state level coordination committee. Training of Rural Youth for Self – Employment (TRYSEM) aims at imparting technical and business skills to the rural youth of families below the poverty line. Development for Women and Child in Rural Areas (DWCRA) help to assist the women and children in rural areas through provision of financial sources.

Various employment oriented programmes like National Rural Employment Programme (NREP), Rural Landless Employment Guarantee Programmes(RLEGP), Jawahar Rozgar Yojana (JRY), Nehru Rozgar Yojana(NRY) implemented for the development of rural unemployed youth and landless labour. Creation of employment programmes for agricultural and home based workers are fulfilled by the above said programmes.

Strategies for Tenth Five Year Plan

The impact of globalization and economic integration, casualisation of labor had affected the workers more in the unorganized sector. It is time to organize the workers in the unorganized sector and provide them minimum social security that covers food security, health and medical facilities and pension, housing, benefits apart from accident and death in accordance with the availability of resources and minimum involvement of government. The long run strategy may be to bring all workers in the unorganized sector under social security cover and assure them a minimum level of social security benefits in a phased manner particularly the -

- Old age pension
- Life insurance
- Maternity Benefits
- Disability benefits (accident compensation) and
- Minimum health care and sickness benefits

The 10th Plan approach could adopt a two pronged strategy.

1. Extension of existing Acts/schemes and programmes to cater to the social security needs of the workers.
2. Introduction of new programmes on self finance and self sustaining basis by involving the local bodies and workers themselves.

Main Focus during the 10th Plan Would Be On

- The Cooperatives, Self Help Groups, Mutual Benefit Association set up, managed and financed by the occupational groups/workers themselves in the unorganized sectors would be encouraged to have voluntary health insurance and pension schemes.
- Identify the gaps, omissions, deficiencies in the existing social security arrangement and rectify the same.
- Encouragement to bottom up participatory approach.
- Identification of mechanism where employers have to contribute towards the social security programme of the workers.
- Alternative income generating activities with provision of credit arrangement for supply of raw materials etc.

- Convergence of schemes implemented by the various department of the central/state government
- Organization of awareness generation campaigns and dissemination of information to workers for the benefit of workers in the unorganized sector
- Improve efficiency of delivery mechanism of existing programmes to reach the workers in the unorganized sector.
- Emphasis to address educational, health and housing needs of the workers in the unorganised sector.
- Involvement of local institutions likes civic bodies/municipalities and Panchayati Raj Institutions for the implementation and monitoring of social security programmes.

CONCLUSION

In this paper, an attempt has been made to understand the concept of social security, objectives, initiatives, benefits towards the development of unorganized workers. It was argued that `India had a long tradition of social security and social assistance system directed particularly towards the more vulnerable sections of society. These informal arrangements of social security measures underwent steady and inevitable erosion. It was argued that even after independence, the State was concerned more with the problems of industrial and organized work force and neglected the rural and unorganized labour force on social security matters to a greater extent, till recent past. The social security initiatives of the Centre, State and NGO's indicated that the needs are much more than the supports provided and the efforts must be targeted and vast enough to cover the growing unorganized workers. In sum, the study calls for a Comprehensive, Universal and Integrated Social security System for the unorganized workers in India.

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