

SSN NWG Meeting – July 29, 2009

Meeting Minutes

Discussants

1. Ambrish Rai, Lok Sangharsh Morcha
2. Anup Kumar Srivastava, PWESCR
3. Deepika, UPGMS
4. Pinki Jain, UPGMS
5. Priti Darooka, PWESCR
6. Rakshya Kar, Pragatisila Shramik Manch
7. Ranjan Kumar, NIDAN
8. Sanjay Pratap Singh, Vigyan Foundation
9. Satyam S. Pandey, NIWCYD
10. Shashi B. Pandit, AIKMM
11. Vinay Kumar, NFDLRM
12. Ashok Chowdhury, NFFPFW
13. R S Tiwari, CEC
14. J John, CEC
15. Pallavi Mansingh, CEC
16. Sarita Bhoi, CEC

1. Introduction and Context

The meeting started with J John recalling the decisions of NWG meeting in Mumbai. He recalled the following discussions: whether the SSN needs to demand amendments in the present legislation or demand a new legislation and need to be decided in this meeting; approach MPs and Minister and submit a memorandum; have action before District collectorate and submit a memorandum and have a week of action in September and a letter writing campaign.

He also suggested that the Chief justice of the Supreme Court of India has taken a position against the bill as reported by the media and this should be leveraged. He also shared suggestions by Ranjan – invite Meira Kumar and possibly Rahul Gandhi for the national consultation; mobilize people from Bihar and Orissa and also put pressure from all quarters. Further, John suggested that this meeting needs to finalise and submit memorandum to the Ministry of Labour and critique of the bill (attachment 1) could be the beginning point. The Delhi meeting in the evening is intended to broaden the alliance.

2. Important issues/concerns raised during discussion

2.1. Important to work on a strategy for the campaign

- Evaluating the campaign is important. It is important to look at issues such as lack of political clout, visibility etc. So discussion on strategies is important. This should be taken up in the convention.
- There is a need to strengthen the campaign team
- An important strategy would be to reach out to the grassroots
- We need to reach out to people and visibility will come
- Social security campaign needs to move out from middle class and reach to the grassroots
- Campaign has to be flexible and include groups from rural areas etc – they should take up social security even as part of their agenda – this will keep it a living campaign

2.2. National Convention – what should it address

- Strategy for the National convention needs to be worked out. There is a need to understand why and how should the convention be organised
- There is a need to look at how to build comprehensive social security campaign through a national convention and then strategise around it. A core team needs to be build to work on this
- Identifying thematic areas – groups is important
- It is important to look at how to make people own it up
- It was also suggested that the National working group – should be the preparatory committee for the consultation

2.3. Unorganised Workers Social Security Act, 2008

USSWA 2008 what could be the campaign's approach and Strategy

- There needs to be a clarity on comprehensive legislation for social security for Unorganised workers – how are we proceeding and whether we are demanding amendments or asking that the bill be changed
- Bill has nothing new besides identification. So we need it to be changed.

3. Critique of the Act – inputs for Memorandum

Following were the discussion/inputs for the memorandum. This discussion was based on the draft version of the critique of the UWSSA 2008 circulated during the meeting. The memorandum submitted to the Ministry of Labour is attached (attachment 2).

- UWSSA is legitimizing wrong things
- Definition itself: Workers are unorganised if under 10. if over 10 then organized this is the reverse of NSSO etc.
- Workmen's compensation act, maternity benefit act has no **ceiling** of 10 numbers.
- Excludes unpaid women's work - In Phillipines the social security is given for unpaid women workers – and also for phillipino women workers going cross border
- Livelihood system dependents are excluded
- Cross border migrants are included
- The act does not capture internal migrants
- They have not defined social security – what are they ensuring – how will it be monitored
- There is no provision for social security definition – in chapter 2 – like any other act
- Social security as a right not a benefit or privilege
- Does not confer justiciable social security
- Does not include unemployment and livelihood loss
- Life and disability cover does not include health – accidental injuries other than workplace as that also leads to loss of earning

- Provisions of the Maternity benefit Act should not be diluted in the act
- Benefits of the Act should be extended
- Schemes – change frequently in every budget and are short term - ICICI Lombard - textile ministry running the handloom weavers scheme - uptill 2012; Artisans scheme – also till 2012
- Planning commission has done this – two types of schemes – social security rights for some workers and social welfare schemes for unorganized workers.
- Housing is important – but may not be a part of this
- Social security should be fully administered by the central government
- Develop tool – frequently asked questions
- Privatization of insurance schemes cannot be there
- Social security is not universalized – only for BPL workers – 90 % are outside it
- Benefits coming from the schemes are very less and inadequate
- Representation of dalit adivasi women in boards – but not clear how
- Boards are not defined
- There is no nodal ministry for the Act – different ministries for different schemes – parliamentary standing committee noted this very strongly - that there is no administrative mechanism for the implementation of the Act
- Fund provision is not there – parliamentary standing committee has noted that how there is no benefit from this act
- Monitoring should not be only in administration – it should be an impact monitoring
- Implementation of the act is not clear
- This is only a set of welfare measures put together – not an act
- Adequacy and accessibility – how do we determine how much social security
- Social security can be linked to the GDP

4. Discussion on Social Security Campaign – Goals and Strategies

4.1 Campaign Goal could be to ensure social security as a right for unorganised workers in India

4.2 Campaign Objectives could be:

1. To develop social security into a political agenda
2. To mobilise working masses to demand social security
3. To mobilise like minded organisations and masses in support of the demand for social security
4. To clearly define the content of right to social security

4.3 Campaign Strategy could be:

1. Critical analysis of the 2008 Act by identifying gaps and inadequacies
2. Evolve recommendations

3. Use SS Act a means to facilitate collective bargaining between working people and the state
4. Engage in dialogue and discussion with diverse groups and facilitate meaningful interaction

4.4 Structure of the Campaign

- Should remain flexible
- Reach out to the working masses and have the roots with the working masses

5. Discussions/Decisions on the National Convention

5.1 Goal for the Convention

1. To broadbase the campaign by involving working masses
2. To expose the gaps in the present Act and to propose alternatives to the present Act
3. Demand for comprehensive legislation ensuring social security as a right
4. To come out with an Plan of Action and Declaration

5.2 Possible Participants for the National Convention

There could be about 600 delegates including delegates from different parts of the country. There could also be a strong mobilization from Bihar, Jharkhand, Chatisgarh and West Bengal. There delegates could roughly be understood as – 70% workers, 30% supporters.

5.3 Preparation of documents

Preparations for the national consultation would also include preparing documents for the national consultation.

5.4 Possible structure of the national convention

There could be an Inaugural Session followed by technical session; concluding session and a rally

As many new Delhi based organizations were to attend working group meeting to become the part of social security campaign it was decided to be in the ISI from 4 PM onwards.

Extended working group meeting in ISI at 4 PM

The meeting in ISI was attended by following representatives.

1. Dr. Alok Vyas, CECOEDECON
2. Jitendra Singh, AITUC
3. K. Vinaya Kumar, NFDLRM
4. Loknath Bhindai, Migrant Nepalese Association India
5. Mitra Ghimire, Migrant Nepalese Association India
6. Om Prakash Pal, ACORN India workers Union (AIWU)
7. Pankaj Singh, Hazards Centre
8. Ranjan Kumar, NIDAN
9. Sanjay Pratap Singh Vigyan Foundation, Lucknow
10. Satyam .S. Pandey, NIWCYD Nagrik Adhikar Manch
11. Sharad Joshi, CECOEDECON
12. Shashi B. Pandit, AIKMM
13. Subhash Bhatnagar, NCC- USW

14. Tabassum Parveen, UNIDOC
15. Vivekanand Pandey Vimal, CECOEDCON
16. Sarita Bhoi, CEC
17. R S Tiwari, CEC

The meeting started with self introduction of the participants. After the introduction of participants RS Tiwari gave a brief of activities of the campaign and contextualized the statutory framework offered by the government, before the participants. The government passed the Unorganised Workers Social Security Act, 2008 just for the sake of votes in the general election but in fact denied the comprehensive social security to unorganized workers.

Vinay of Dalit Land Rights Movement stated that the existing act deny the social security rights to unorganized workers and only those who are BPL workers will get some benefits for medical care or old age but that will be too meager. For other 90 per cent unorganized workers it would be contributory through insurance, For insurance based social security law is not required. Ranjan of Nidan Patna emphasized the need of expansion of net work of SSN and the need of strong alliance in Delhi.

Sharad Joshi of CECOEDCON stated that he would strengthen the movement of SSN in Rajsthan and many more organizations would join.

Subhash Bhatnagar of NCCUSW said that he would work for strengthening the campaign and new organizations would be joining SSN.

Participants were informed of the proposed National Convention in November 2009 in Patna to organize a big regrouping and making an expanded alliance of SSN.

All were unanimous in taking up the movement of securing social security rights of unorganized workers through intensive and extensive campaign involving workers organizations, CSOs and peoples movements etc. to influence the government policy.

The meeting ended with a vote of thanks to the chair.