

Handbook for trade Union Activists



Dattopant Thengadi Foundation

Unorganised sector in India: Legal, social & economic issues and challenges

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Foreword

It is a moment of great pride to introduce this handbook, carefully crafted by Dattopant Thengadi Foundation. This publication is aimed to introduce trade union workers to the laws of the land and reflects the core values and vision of our revered founder, Dattopant Thengadi Ji. In the handbook we have attempted to introduce the tools that union activists in different sectors can and should use to address the challenges that workers face not only at the surface level but at the roots, where problems arise. Thengadi Ji often used to say ‘the boils and pimples that appear hitherto on the skin are not the real problem but symptoms. The actual problem is the contamination of blood and unless that is decontaminated, boils and pimples will keep appearing one after the other’.

More than just a guide for trade union activists, this handbook embodies the principles of service, cultural integrity, and national development that Thengadi Ji advocated for. While trade unions are often only associated with labor rights and negotiations, this work broadens that view by positioning trade union activism as a catalyst for societal progress, economic self-reliance, and cultural unity.

The handbook provides a comprehensive resource, detailing the roles, responsibilities, and skills essential for effective trade union activism. It emphasizes the importance of educating workers and fostering collective responsibility, while aligning these efforts with the larger goal of national growth and harmony.

The Dattopant Thengadi Foundation is committed to combining intellectual depth with practical action. This handbook is a step towards empowering activists to excel in their responsibilities and to contribute significantly to strengthening the social and economic fabric of our nation.

I commend Vivek Kumar for putting up the great effort in compiling this handbook. I am confident that it will inspire trade union activists to embrace their role as agents of positive change and to uphold the ideals that guide the Bharatiya Mazdoor Sangh and the foundation.



Virjesh Upadhyay
Director General
Dattopant Thengadi Foundation

***This handbook has been compiled with the hope to shed a purposeful light on the existing and ongoing framework of the legislations related to the labour domain (including various schemes, their stakeholders, laws and prominent practices concerning it based on sectorization of trade union work in BMS). Along with these, this document tried to define ‘trade union activist’ in the contemporary realm of labour in India. Although the author has done his best to dig the details from the relevant government documents, he takes full responsibility for any inadvertent data or theoretical interpretations and warmly invites suggestions for refinement and improvement.**

Introduction:

Trade Union movement in India is a richly coloured people's movement that has played an integral role in India's freedom struggle and its development thereon. It has been observed across the globe that the workers' movement has lost both traction and force overtime which is a bad sign for the balance in the world of work. The fact is with the ever so rapidly changing world of work and jugglery of laws and rules, the trade union movement, so strong and resilient, seems to have lost track of these changes giving an edge to the capitalist ecosystem. In light of the same the Dattopant Thengadi Foundation decided to prepare this handbook to hand to the activists a quick reference guide to the rules and regulation governing the sector.

Who is a trade union activist?

A trade union activist is a member of a labor union who plays an active role in advocating for workers' rights and pushing for improvements in working conditions, wages, and benefits within a specific workplace or industry. These activists are often deeply involved in union activities, such as organizing workers, leading or participating in protests, negotiating with management, and educating fellow workers about their rights. But the foundation of BMS was rooted in ideas beyond this general understanding of trade unionism/trade union activism.

BMS Founder Dattopant Thengadi Ji's concept of trade union activism was a blend of worker empowerment, cultural integrity, and economic nationalism. He saw trade unionists as *karyakartas* (dedicated workers) who strive for the holistic development of workers and act as agents of positive social change, not merely as agitators for economic demands.

In essence, Thengadi defined trade unionism as a mission of national service—an approach that emphasizes harmony, self-reliance, and spiritual growth alongside economic justice.

Roles and Responsibilities of a Trade Union Activist:

1. **Organizing and Mobilizing:** Trade union activists are often at the forefront of organizing efforts, rallying workers to join unions, participate in strikes, or take part in other collective actions. They work to engage and unite workers to build a strong collective voice.
2. **Advocacy and Negotiation:** Activists frequently serve as representatives in negotiations with management or employers, advocating for better wages, fair working conditions, and adequate benefits. They push for improvements on behalf of all union members.
3. **Educating Workers:** They educate workers about their rights, labor laws, and the benefits of union membership. This includes helping workers understand their contracts, grievance processes, and how to take action if rights are violated.
4. **Ensuring establishment of Social Justice:** Many union activists are also engaged in broader social justice causes, such as fighting against discrimination, supporting gender equality, or promoting fair treatment for all workers regardless of background.
5. **Legal Support and Representation of workers:** Trade union activists may assist workers in filing grievances, representing them in disciplinary hearings, or seeking legal recourse if their rights are violated. They work closely with union lawyers and other advocates to protect members.
6. **Economic and development Policy Advocacy:** Activists often lobby for legislation and policies that protect and advance workers' rights. This includes advocating for laws on minimum wage, health and safety, social security, job security and other worker protections.

And to do all of this for the sole purpose of national glory.

Traits of an Effective Trade Union Activist

Trade union activists have to be dedicated, empathetic, and resilient individuals who are committed to social justice and equality. They must be skilled in communication, negotiation, and conflict resolution, as these skills are essential for advocating effectively for workers and handling various workplace issues. Further they must also be knowledgeable to understand that

national interest is paramount and nation's development only can bring about peace and prosperity for all workers.

Organizing workers: A skill par excellence

Effective union organizing involves a thoughtful, step-by-step approach that centers on trust-building, educating workers, and mobilizing collective action. For workers to feel confident and motivated to join a union, organizers must start by building genuine connections with them. Many workers have fears about organizing due to potential pushback from employers, so creating a foundation of trust is essential. Organizers should look for natural leaders within the workplace—people who are respected and influential among their peers. These leaders play a critical role in the unionization process because they can act as ambassadors, voicing workers' concerns and advocating for the union from within. For this trust-building process to work, confidentiality is key; workers need to feel that they can speak openly without risking their jobs or facing negative consequences from management. By ensuring conversations are private and secure, organizers help create an environment where workers can discuss union issues freely.

A crucial step in organizing is understanding the specific workplace problems that workers face. Organizers need to have clear, ongoing conversations with workers to identify their most pressing concerns, which could range from low wages and poor working conditions to unfair treatment and a lack of job security. These issues are often the foundation on which the drive for unionization is built, as they show workers that they share common struggles that can be addressed collectively. By conducting informal surveys and small, private meetings, organizers can assess the initial interest in unionizing and gain a deeper understanding of the challenges that are most important to workers. This information is valuable for shaping the goals and focus of the unionization effort, ensuring it reflects the needs of the workforce.

Education plays a significant role in successful union organizing. Many workers are not fully aware of their rights or the advantages that union membership can offer. A major task for organizers is to provide straightforward, clear information about these rights, such as the legal protections around organizing and the right to a safe, fair workplace. When workers understand that they have a legal right to unionize, it builds their confidence in the process. Additionally,

sharing examples of successful unions—particularly in similar industries or nearby locations—can help demonstrate the positive impact that unions have had on workers’ wages, job security, and working conditions. Knowing about these success stories makes union membership feel like a practical solution to improve their own work environment, rather than an abstract idea.

A strong organizing campaign also depends on building a reliable organizing committee. This committee should be made up of respected and trustworthy workers from across different departments, shifts, and levels of seniority. Having a diverse committee ensures that workers from all areas of the workplace are represented, helping to address their specific concerns and build a unified voice. Organizers should provide committee members with training in communication, conflict resolution, and addressing worker questions, which empowers them to handle any issues that may arise during the organizing process. This committee can then play a crucial role in spreading the message of the union, answering questions, and addressing fears or doubts among workers, creating a broader base of support for unionization.

Effective outreach and communication are central to a successful union drive. Personal conversations are often the most effective way to educate workers about the benefits of unionization. By approaching workers individually, organizers can answer questions, clear up misunderstandings, and address specific concerns, which helps to build a strong personal connection. However, one-on-one conversations are not the only way to communicate; organizers should also use other channels, like flyers, newsletters, and digital platforms such as WhatsApp or Telegram, especially in larger workplaces where not everyone works the same hours. This multi-channel approach ensures that the message reaches as many workers as possible, making it easier to maintain consistent communication and engagement.

A significant challenge that organizers often face is employer opposition. Many employers are wary of unions and may respond by trying to discourage workers from joining, sometimes using tactics like spreading misinformation, increasing surveillance, or even threatening retaliation. By preparing workers for these tactics and educating them about their legal protections, organizers can help workers feel more secure. For instance, if workers understand that it is illegal for

employers to threaten or punish them for union activities, they may feel more confident in their right to organize. Access to legal resources or support from labor rights advocates can also provide reassurance, giving workers a clear understanding of their rights and protections under the law.

Organizers may also choose to engage workers in small collective actions as a way to build unity and momentum. These actions might start small, such as workers signing a petition or wearing symbols like pins or stickers that show their support for the union. Small actions like these help to build solidarity and increase workers' confidence in their ability to work together for change. As workers gain confidence and unity grows, organizers can consider organizing larger actions, like demonstrations or walkouts, if necessary. Visible actions within the workplace, like wearing union support symbols, send a powerful message to both employers and other workers, showing that there is strong support for the union and making the movement harder to ignore.

Once there is enough support for the union, the next step is often a formal union election. This is an important milestone, as a successful election allows the union to be officially recognized. As the election approaches, it's crucial to keep workers informed and ensure they understand the process, answering any last-minute questions and providing continued support to encourage them to participate. Winning an election or gaining union recognition is a major achievement, but it is just the beginning of the work that a union must do. To be effective in the long term, the union needs to maintain an engaged and active membership.

One way to ensure ongoing involvement is by establishing committees within the union focused on specific areas, such as health and safety, grievance handling, and educational outreach. These committees help the union stay responsive to workers' needs and build a structure that supports sustained engagement. By encouraging workers to attend regular meetings, participate in decision-making, and remain active, organizers can create a foundation for a strong, long-lasting union.

The first contract negotiation is a crucial phase in the unionization journey, as it sets the tone for the union's relationship with the employer. During this stage, it's important to involve workers

and keep them updated on the progress of negotiations. The issues that were most important during the organizing campaign—such as fair wages, job security, and improved conditions—should remain the primary focus in these talks. A successful first contract will not only secure immediate improvements for workers but also solidify the union's role as a powerful advocate for their rights. When workers see that the union is capable of making meaningful changes, it strengthens their belief in the union and increases the likelihood that they will remain involved and supportive.

The qualities that make an effective union organizer are critical to the success of these efforts. Union organizers need to be empathetic, resilient, and strategic, able to connect with workers and understand their struggles. Organizing is a challenging and often slow process that requires patience and determination, as well as an ability to adapt to different situations and handle various obstacles. Strong communication skills, conflict resolution abilities, and an understanding of labor rights are essential. Above all, effective organizers have a deep commitment to the idea that workers have the right to be treated fairly and to have a say in their working conditions.

Organizers also need to be prepared to face setbacks. Unionization campaigns often encounter challenges, whether from employer opposition, lack of initial worker interest, or complex legal hurdles. However, by building a strong foundation of trust, clearly communicating the benefits of union membership, and creating a support network within the workplace, organizers can increase their chances of success. Overcoming these challenges requires persistence and a genuine dedication to the cause, as well as a willingness to refine strategies and try new approaches as needed.

In summary, successful union organizing is an ongoing process that relies on establishing trust, educating workers about their rights and the benefits of a union, and building a strong support system that can sustain the union over time. By focusing on the unique needs of each workplace and adapting strategies to meet those needs, organizers can build a movement that not only brings immediate improvements to workers' lives but also lays the groundwork for lasting positive change. Through consistent communication, a focus on shared goals, and a commitment

to empowering workers, organizers can foster a powerful, united workforce that is prepared to advocate for its rights and make a meaningful impact in the workplace.

Tools for becoming a better organizer:

- 1. Develop Trust Through Genuine Relationships**
- 2. Identify and Empower Key persons**
- 3. Prioritize Worker-Centered Issues**
- 4. Educate Workers About Their Rights**
- 5. Use Personal Stories and Examples**
- 6. Create a Diverse and Inclusive Organizing Committee**
- 7. Maintain Consistent, Clear Communication**
- 8. Anticipate and Prepare for Employer Pushback**
- 9. Build Momentum Through Small, Visible Actions**
- 10. Educate Workers on the Union Election Process**
- 11. Stay Engaged After Union Recognition**
- 12. Focus on a Successful First Contract**
- 13. Foster a Culture of Empowerment and Solidarity**

Within BMS we have an additional responsibility of educating workers and growing in them a sense of profound nationalism and integral humanism. Hence the organizers from BMS must be well versed with these ideas and be well educated and capable of taking lectures/classes on these

issues along with the core issues of the trade union movement. If feasible some literature must always be ready for sharing with select individuals and groups.

Some key terms from the field:

1. Recruitment

The process of identifying, attracting, and selecting suitable candidates for a job within an organization.

2. Job

A set of specific tasks, responsibilities, or duties performed in exchange for monetary or other compensation.

3. Employment

A formal agreement where an individual provides services to an organization or employer in return for compensation, typically in the form of wages or a salary.

4. Salary

A fixed regular payment, typically expressed on a monthly or annual basis, made by an employer to an employee for their work, irrespective of hours worked.

5. Wage

Compensation paid to workers based on the number of hours worked, days spent, or units produced, often calculated on an hourly or daily basis.

6. Social Security

A government system providing financial assistance and services to individuals during unemployment, disability, old age, or other life challenges to ensure social welfare and stability.

7. Occupational Safety and Health (OSH)

A multidisciplinary field concerned with protecting the health, safety, and welfare of workers by preventing workplace hazards and ensuring a safe working environment.

8. Industrial Relations

The study and management of employer-employee relationships, including collective bargaining, conflict resolution, and adherence to labor laws.

9. Retirement

The phase of life when an individual permanently leaves the workforce, often due to age, typically supported by savings, pensions, or social security benefits.

10. Artificial Intelligence (AI)

The simulation of human intelligence processes by machines, especially computer systems, involving tasks like learning, reasoning, problem-solving, and language understanding.

11. Pensions

A financial plan or fund that provides regular payments to individuals, typically after retirement, as a form of income security.

While these are the basic tenets of unionization it is the organizers familiarity with laws, rules, schemes and general practices of the industry that enable her/him to resolve the issues of the working people. Hence it is necessary that all our activists are acquainted with all the laws and know which ones to refer to under what circumstances to get the best results in the favour of the workers and the organizers themselves if a situation arises as such.

A list of all central Labour Laws:

1. Apprentices Act, 1961
2. Bonded Labour System (Abolition) Act 1976
3. Building and Construction Workers (Regulation of employment and condition of Service) Act, 1996
4. Child Labour (Prohibition and Regulation) Act, 1986
5. Contract Labour (Regulation and Abolition) Act, 1970
6. Dock Workers (Regulation of Employment) Act, 1948
7. Employee's Compensation Act, 1923
8. Employee's Provident Funds and Miscellaneous Provisions Act, 1952
9. Employees State Insurance Act, 1948
10. Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959
11. Equal Remuneration Act, 1976
12. Factories Act, 1948
13. Indian Boilers Act, 1923
14. Industrial Disputes Act, 1947
15. Industrial Employment (Standing Orders) Act, 1946
16. Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979
17. Labour Laws (Simplification of Procedure for Furnishing Returns and
18. Maternity Benefit Act, 1961.
19. Mines Act, 1952
20. Minimum Wages Act, 1948
21. Payment of Bonus Act, 1965
22. Payment of Gratuity Act, 1972
23. Payment of Wages Act, 1936
24. Plantations Labour Act, 1951

25. Sales Promotion Employees (Conditions of Service) Act, 1976
26. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
27. THE CODE ON SOCIAL SECURITY, 2020
28. THE CODE ON WAGES, 2019
29. THE INDUSTRIAL RELATIONS CODE, 2020
30. THE OCCUPATIONAL SAFETY, HEALTH AND WORKING CONDITIONS CODE, 2020
31. Trade Unions Act, 1926
32. Weekly Holidays Act, 1942

A list of all state Labour Laws:

1. Bombay Industrial Relations Act, 1946
2. Bombay Labour Welfare Fund Act, 1953
3. Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act 1981
4. Maharashtra Recognition of Trade Union Act
5. Maharashtra Workmen's Minimum House Rent Allowance Act
6. Maharashtra Mathadi, Hamal and Other Manual Workers
7. Punjab Industrial Establishment (National and Festival Holidays and Casual and Sick Leave) Act
8. Punjab Labour Welfare Fund Act, 1965
9. Punjab Shops and Commercial Establishments Act, 1958
10. Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2017
11. Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act 1981
12. The West Bengal Workmen's House-Rent Allowance Act, 1974
13. U.P. Industrial Disputes Act, 1947

A look at laws that allow/guide/contain the trade union activities in the country:

In India, several laws guide trade unionism, providing a framework for the formation, rights, and regulation of trade unions. These laws establish the legal rights and responsibilities of unions and help safeguard workers' interests in the country. Here are the key laws relevant to trade unionism in India:

1. The Trade Unions Act, 1926

- The act is the cornerstone of trade unionism in India, and provides for the registration of trade unions and grants them certain legal rights and protections.
- It defines the rights, liabilities, and immunities of registered trade unions and allows them to engage in lawful activities, such as collective bargaining.
- The act also sets provisions for the funding and regulation of trade unions, giving them immunity from civil and criminal liabilities in certain cases, so long as the union's activities are in good faith and in perusal of the registered union's lawful objectives

2. The Industrial Disputes Act, 1947

- This law deals with the resolution of industrial disputes and provides for mechanisms such as conciliation, arbitration, and adjudication.
- It defines the rights of workers and trade unions in times of strikes, lockouts, and layoffs and establishes the conditions i.e. prior notice, approval of majority members, pendency of conciliation etc. under which these actions are lawful.

- The act also sets guidelines for the formation of works committees and grievance redressal procedures, encouraging peaceful dispute resolution between workers and employers.

3. The Central Civil Services - Recognition of Service Associations - 1993

- The **CCS RSA, 1993** provides a framework for the recognition of service associations (unions) representing central government employees, allowing them to negotiate on issues like wages, working conditions, and promotions.
- To gain recognition, associations must meet specific criteria, including a minimum membership requirement, a democratic structure, and no political affiliations, with the government overseeing the recognition process.
- Recognized associations have the right to represent employees in collective bargaining, dispute resolution, and policy discussions, but they must comply with regulations, including restrictions on activities like strikes.

4. The Industrial Relations Code, 2020

- This code consolidates and replaces multiple labor laws, including the Industrial Disputes Act, the Trade Unions Act, and the Industrial Employment (Standing Orders) Act.
- It provides guidelines for forming and registering trade unions, including defining rights and duties related to strikes and lockouts.
- The code introduces the concept of “negotiating unions” or “negotiating councils” to streamline collective bargaining and gives trade unions the authority to act as representatives for collective negotiations with employers.

5. The Occupational Safety, Health and Working Conditions Code, 2020

- This code addresses the health, safety, and working conditions of workers, with provisions that trade unions often advocate for.

- It requires employers to ensure safe working environments, which is a key concern of many unions, especially those representing labor-intensive industries.
- Trade unions can leverage this code to push for improved safety standards, health measures, and working conditions in various industries.

6. The Payment of Bonus Act, 1965

- This act governs the payment of bonuses to employees and ensures that workers receive a share of the profits if the organization meets certain criteria.
- Trade unions use this act to negotiate annual bonuses and benefits, as well as monitor compliance on behalf of workers.

7. The Factories Act, 1948

- The Factories Act governs labor practices in factories, ensuring basic welfare, health, and safety standards.
- It is widely used by trade unions to advocate for better working hours, rest periods, and workplace safety conditions, particularly in manufacturing and industrial sectors.

8. The Contract Labour (Regulation and Abolition) Act, 1970

- This act regulates the employment of contract labor in establishments and aims to improve working conditions for contract workers.
- Unions advocate for its enforcement to prevent the exploitation of contract labor and push for their inclusion in welfare benefits similar to permanent employees.

Sectorization of Trade Union work in Bharatiya Mazdoor Sangh:

Understanding the work sectorally

1) Government sector: All employees working in the government sector. Some of these may be contract workers

Key rules of the sector:

- A. CCS Conduct Rules 1964
- B. Factories Act (manufacturing and services)
- C. CCS CCA Rules 1965
- D. Industrial disputes Act 1947
- E. CCS (Pension) Rules (Contains Pension, DCRG, CGEGIS, Leave Encashment and GPF) applicable to those joined before 31 December 2003 and
- F. National Pension Scheme tier I and tier II, DCRG, CGEGIS, Leave Encashment for those appointed on/after 01/01/2004
- G. Manual of Office Procedure
- H. AIS Manuals;
- I. AIS Performance Appraisal Report Rules 2007
- J. Payment of Gratuity Act 1972
- K. Workmen Compensation act, 1923; Grade Pay (Scale) and Pay Commission Reports

2) **Public sector:** All employees working in the public sector undertakings of central and state governments:

Guiding philosophies of public sector:

- A. Bombay Plan - 1944
- B. IPR - 1948
- C. IPR - 1956
- D. Industrial policy statement: 1969 & 1973
- E. IPR: 1980, 1985, 1986
- F. LPG: 1991

Key laws governing the sector:

- A. Factories Act 1948
- B. Industrial Disputes Act 1947
- C. Trade Union Act 1926
- D. CCS Pension Rules
- E. EPF
- F. EDLI scheme
- G. Gratuity Act
- H. Health and Safety Laws

Other rules that impact employee behavior in the Public sectors:

Conduct, Discipline and Appeal rules - company specific modelled on the lines of CCS- CCA which can be adopted if the need is felt. Further each PSU has its own rules.

The consolidated model conduct discipline and appeal rules - 2017

These rules shall apply to all employees except

- i) Those in casual employment or paid from contingencies;
- ii) Those governed by the standing orders under the Industrial Disputes Act, 1947

Human resource Policy of CPSEs

Leave Rules: Determined by firms

3) Private sector: It is the part of the national economy that is not under direct state control.

Rules that govern the privates sector:

- A. Companies Act 2013
- B. All National/State laws (Industrial Laws/rules) - when the threshold is reached/the employers agrees to follow
- C. Private firms tend to form their own SoPs and rules that govern working conditions but they can't override the national/state laws
- D. All Industrial laws apply subject to threshold
- E. Maternity Benefit Act
- F. Factories act and Industrial Disputes Act
- G. CSR & ESG
- H. Model Standing Order on Industrial Employment.
- I. EPS 95 scheme

Other General rules:

All larger firms have talent acquisition and human resource teams that decide who to hire, how much to pay and how to use those workers. A formal letter of employment indicating date of joining and benefits is a must.

Apart from economic fluctuations these teams take care of who works for the firm and who gets what and who is fired.

The concept of notice-period that both employer and employees need to put forth if they wish to fire/move.

The smaller firms are relatively free to hire and fire as rules don't apply to them even though societal norms do play a role

4) Unorganised sector:

Unorganised sector and trade unions in India: A brief Underst

The unorganized sector plays a crucial role in the Indian economy, contributing significantly to employment and economic activities. This sector is characterized by its informality, with enterprises and workers often operating outside the purview of formal regulations. Understanding the dynamics of the unorganized sector is essential for comprehending the complexities of India's economic landscape.

1. Defining the Unorganized Sector:

The unorganized sector, also known as the informal sector, encompasses a diverse range of economic activities and occupations. It includes enterprises and workers that are not registered or regulated by the government, and often operate on a small scale. This sector is marked by the absence of formal records, limited job security, and a lack of adherence to labor laws.

2. Features of the Unorganized Sector:

Informality: One of the defining features of the unorganized sector is its informal nature. Many businesses and workers in this sector operate without formal registration, making it challenging for regulatory bodies to monitor and enforce compliance with labor laws and regulations.

Small Scale: Enterprises in the unorganized sector are typically small-scale operations. These businesses are often family-owned or operated by self-employed individuals, contributing to the decentralized and diverse nature of the sector.

Low Wages: Workers in the unorganized sector often face challenges related to low wages. Compared to their counterparts in the organized sector, they may receive lower remuneration and lack access to formal employment benefits such as provident fund contributions, health insurance, and paid leave.

Limited Social Security: Workers in the unorganized sector generally have limited or no access to social security benefits. The absence of formal mechanisms for pensions, gratuity, and healthcare places these workers in a vulnerable position, particularly in times of economic uncertainty.

Varied Occupations: The unorganized sector spans a wide range of occupations. It includes street vendors, small farmers, construction workers, domestic help, and many others. This diversity reflects the heterogeneous nature of informal economic activities in India.

Vulnerability: Workers in the unorganized sector are more susceptible to economic fluctuations. Due to the absence of a formal safety net, they often face challenges in finding alternative employment during economic downturns.

3. Importance of the Unorganized Sector:

While the unorganized sector presents challenges, it also plays a crucial role in India's economy. Several factors contribute to its significance:

Employment Generation: The unorganized sector is a major contributor to employment generation in India. Its decentralized and diverse nature provides livelihood opportunities for a substantial portion of the population, particularly in rural areas.

Entrepreneurship Opportunities: Many small-scale entrepreneurs operate in the unorganized sector. These individuals, often engaged in micro and small enterprises, contribute to economic activities at the grassroots level and drive local development.

Inclusive Growth: The unorganized sector fosters inclusivity by providing opportunities for those who may not have access to formal employment. It serves as a source of income for marginalized and economically disadvantaged communities.

4. Challenges Faced by the Unorganized Sector:

Despite its significance, the unorganized sector faces several challenges that hinder its growth and development:

Lack of Formalization: The informality of the unorganized sector makes it challenging to implement formal regulations. The absence of proper registration and compliance mechanisms leads to a lack of accountability among businesses and workers.

Limited Access to Finance: Small-scale enterprises in the unorganized sector often struggle to access formal financial services. This limitation impedes their ability to expand, invest in technology, and improve productivity.

Social Security Concerns: The absence of social security benefits, such as pensions and healthcare, leaves workers in the unorganized sector vulnerable. In times of illness or old age, they may face significant hardships due to the lack of a safety net.

Exploitation and Inequality: Workers in the unorganized sector may face exploitation, including long working hours, unsafe working conditions, and insufficient wages. The lack of formalized structures often leads to disparities in income and living standards.

Schemes for workers in the sector:

India has introduced various schemes aimed at improving the welfare, social security, and working conditions of unorganized sector workers, who often face challenges due to lack of formal employment benefits. Here's a list of some major schemes:

1. Pradhan Mantri Shram Yogi Maan-dhan (PM-SYM)

A voluntary and contributory pension scheme that provides a fixed monthly pension to unorganized workers after the age of 60. Workers between the ages of 18 and 40 are eligible, and contributions are matched by the government.

2. Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY)

A life insurance scheme that offers a death benefit of INR 2 lakh for the policyholder's family. Workers aged 18-50 in the unorganized sector can avail of this scheme at a minimal premium.

3. Pradhan Mantri Suraksha Bima Yojana (PMSBY)

An accident insurance scheme offering a cover of INR 2 lakh in case of accidental death or disability. It's available to all unorganized workers aged 18-70 at a nominal annual premium.

4. Atal Pension Yojana (APY)

This scheme aims to provide social security to unorganized workers by ensuring a guaranteed pension. Workers aged 18-40 contribute a small amount each month, and, upon reaching 60, receive a pension based on their contributions.

5. Ayushman Bharat - Pradhan Mantri Jan Arogya Yojana (PM-JAY)

A health insurance scheme that provides cashless health coverage up to INR 5 lakh per family per year for secondary and tertiary hospitalization. It is especially beneficial for unorganized workers who often lack access to healthcare.

6. Building and Other Construction Workers (BOCW) Welfare Scheme

A set of welfare schemes aimed at construction workers, covering benefits like maternity assistance, accident relief, skill development, and pension.

7. National Social Assistance Programme (NSAP)

Provides financial assistance to elderly, widows, and disabled persons from low-income households. It includes components such as the Indira Gandhi National Old Age Pension Scheme and the Indira Gandhi National Widow Pension Scheme.

8. E-Shram Portal

A national database for unorganized workers, which facilitates access to social security schemes by enabling workers to register and receive a unique identification number. This helps streamline benefits and access to future welfare schemes.

9. Aam Aadmi Bima Yojana (AABY)

Provides insurance to rural landless households, including unorganized workers, covering accidental death, natural death, and partial or permanent disability.

10. MGNREGA (Mahatma Gandhi National Rural Employment Guarantee Act)

Guarantees 100 days of paid work per year to rural households, primarily benefiting unorganized and rural laborers. It aims to improve livelihood security through employment.

11. Rashtriya Swasthya Bima Yojana (RSBY)

Health insurance scheme for below-poverty-line families in the unorganized sector, offering hospitalization coverage. (It is now largely replaced by PM-JAY but still active in some regions.)

12. State Welfare Schemes

Many Indian states have specific welfare schemes for unorganized workers, such as Kerala's Welfare Board for Unorganized Workers, Tamil Nadu Construction Workers Welfare Board, and Rajasthan Social Security Board.

These schemes collectively aim to enhance the financial security, health, and well-being of unorganized sector workers in India, although awareness and accessibility remain key challenges for widespread uptake.

5) Social Security Sector:

Not an Industrial Sector but a new conceptualisation in the trade union movement:

Laws in Force:

- A. EPFO (1952)
- B. ESIC
- C. EDLI
- D. DCRG
- E. OPS, NPS, EPS 95, UPS
- F. Sectoral boards of different sectors - BoCW, Mathadi, Beedi etc.
- G. Unorganised workers SSA - 2008
- H. Social Security Code
- I. Different schemes for different groups of people - Medical, food security, unemployment etc.
- J. Pensions for old age and widow
- K. Social Security through Society - The social fabric of society - NGOs and Individuals**

BMS's conception of social security:

Rooted in the Bharatiya Conception of 4 stages of life: VIZ: Brahamcharya, Grihastha, Vanprastha & Sanyasa. Currently retirement is nothing short of disruption in the life of an individual and the moment one retires, it seems they have reached the end of their work-life and there is nothing more for them to do in the society while the fact is they are storehouse of knowledge and experience and can contribute positively towards the society and towards their own lives. This is the notion of *Vanprastha* in the Indian Thought - the stage where the individual

strives to give back to the society.

Also it seems that for some reasons the notion of social security has been reduced to economic measures while the fact is an individual needs to be emotionally secure, socially accepted and needs to feel a sense of belonging which can't be ensured by government schemes but only through social involvement with community.

Hence BMS's notion of the sector can be summed up as:

The sector must raise the rightful demands, but without being oblivious of the overall circumstances of the society and give back to society in different ways possible:

Being a social resource - A local knowledge and experience hub

- **A group of socially responsible retirees coming together to help society and add meaning to their own daily lives**
- **We are here to change society not just raise demands and it must remain intact post retirement as well.**