Chapter-I

INTRODUCTION

Labour at all times, has been recognized as a separate factor of production. In economy, every work whether it is manual or mental which is done for monetary purpose is called ‘labour’. Various differences are found in the opinion with regard to the importance of labour as to, what is productive or unproductive but it can be said that no production can be done without the dedicated and efficient labour force. However, labour is manifestly different from other factors of production and has got certain characteristics which arise a lot of problems in all countries.\(^1\) In different countries different problems are found because of different ecological problems and human nature. So, both physical and mental work considered as labour which is inseparable and perishable commodity.

The quantity and quality of labour are both a cause and consequences of economic development. If it is called the backbone of nation it would not be taken as exaggeration. Since the time immemorial, labour works as a mean of production without the consideration of various systems working in different countries and modes of productions. Most of time, labour is considered as a source of production but no one try to look into another part which signifies it as a major segment of population and beneficiary of the fruits of development.\(^2\) These benefits and fruits are given to them as the measures of labour welfare and social security by the factory owners and government during their employment.

SOCIAL SECURITY

Social security in a welfare state like India has assumed great important in recent years. Social security is now spreading all over the world. To provide social democracy, social security is very necessary because without security, democracy can never be enjoyed. Social security measures provide a kind of protection and stability in midst the stress and strain of modern life. Social Security is one of the fundamental human rights as provided in the Universal Declaration of human rights adopted by General Assembly of United Nation on 10 December, 1948. It lays down “Every one
has the right to a standard of living, adequate for the health and well being of himself and his family, including food, clothing, housing, medical care and necessary social services and the right to security in event of unemployment, sickness, disability, widowhood, in circumstances beyond his control.”

A welfare state always works for the help, benefits and welfare of its human beings. Modern welfare states have comprehensive welfare schemes to take care of its citizens from “Womb to Tomb.” Social security is one of the important pillars of the welfare state on which the whole structure of it rests. In a few countries, from its modest beginning in early decades of present century, social security has now become a fact of life for million of people throughout universe. The economic and social policies of all the developing and developed countries are influenced by it presently so every kind of economy is now not far away form the social security of labour class.

**Concept and Meaning**

Social security is a dynamic concept and dynamism cannot be defined using rigid limits. The concept of social security is based on ideals of human dignity and social justice. The basic philosophy of social security is that a citizen who has contributed to his country’s welfare should be given protection against certain hazards of the life to which he is exposed to either in his working life or consequence of it. Social security is a way to ensure a person against various problems and mishappenings of the life.

Social justice is not a narrow or one sided approach or concerned about small details and rules and is not limited to industrial adjunction alone, it is very comprehensive in its domain. Socio-economic equality is its basic aim and it works to remove every king of disparities working in society. With the concept analysis of social justice it can be said that there is a close relationship between social justice and social security. According to Leo Wildmann there is no lasting peace without social security.

The essential purpose of social security is to ensure ‘freedom from want’ by collective or community provisions for those people who because of misfortune, are temporarily or permanently without sufficient resources for their subsistence and
health service. An individual can not come out from miseries and problems with the best use of his skill or even with the help of relatives and friends. A young worker with his wife and children may be totally and permanently disabled by an accident or contingencies long before he could be expected to have saved enough to provide for his maintenance that of his dependents. Many low paid labourers have no source to save enough money for mishappenings. So state has to play a vital role for the general well being and social security of its citizens.\(^7\) Social Security means a help it may be financial or medical given to a worker by his employers or government or jointly at the time of his/her want, need, sickness, accident, invalidity, old age and unemployment. Neither it is mercy nor alm but it is the right of a person.

The social security has been mentioned in early Vadic Hymns which wishes every one to be happy, free from ill health, enjoy a bright future and suffer no sorrows.\(^8\) It does not work in a similar form throughout the world but it varies from country to country and time to time. Social security schemes are affected by the economic growth of concerned country. In every country, now it has become a vital part of national programmes and policy which strikes on the roots of various problems for the well being of those persons who become incapable earning their livelihood. It works to develop the idea of welfare state.\(^9\) Social security is an integral part of labour welfare.

**Social Security Defined**

Various organizations and intellectuals define social security according to their views and ideas and include distinct components in it.

I.L.O. defines social security as “The security that the society furnishes through appropriate organization against certain risks to which its members are exposed. These risks are essentially contingencies against which the individual of small means cannot effectively provide by his own ability of foresight alone or even in private combination with his fellow. It is characteristic of those contingencies that they imperil the ability of the working man to support himself and his dependents in health and decency.”\(^10\)

In the words of National Labour Commission, “Social security envisage that the members of a community shall be protected by collective action against social
risks, causing undue hardship and privation to individuals whose private resource can seldom be adequate to meet them.”

Friedlander defines social security as “A programme of protection provided by society against contingencies of modern life like sickness, unemployment, old age, dependency, industrial accident and invalidism against which the individual cannot be expected to protect himself and his family by his own ability or foresight.”

According to Weber and Cohen, “Social security is a controversial and dynamic subject with various facets- philosophical, theoretical, humanitarian, financial, administrative, social, economic, statistical, actuarial, medical and legal.”

W.A. Robson defines social security comprehensively “Social security is a way of ensuring freedom from want or poverty which is one of the formidable obstacles in the way to progress. Social security implies insurance against those misfortunes to which an individual remains exposed even when the condition of society as a whole improves. It does not include the various measures for improving the condition of society- full employment, minimum wages, factory laws, public health, housing, education and so forth.”

Maurice Stack says that, “Each country must create, consume and build up the intellectual, moral and physical vigour of its active generation prepare the way for its future generations, and support the generation that has been discharged form productive life. This is social security; a genuine and rationale economy of human resources and values.”

According to Lord William Boveridge, “The term social security is used to denote the security of an income to take place of the earning when they are interrupted by unemployment, sickness or accident to provide for retirement through age, to provide against loss of support by the death of another person, and to meet exceptional expenditure, such as those connected with birth, death and marriage.”

Lord Boveridge is very comprehensive about the social security in his definition and seems to attack on five giants viz. want, disease, ignorance, squalor and idleness. To understand the severity of these five contingencies explanation is necessary as follows:
(a) **Want**

A worker during and after job always faces strictness of want and to satisfy such wants sufficient money is required by him. His family sometimes entirely depends on him and he has to fulfil all their desires so sufficient income must be given to him in return of his services to achieve all basic needs of life.

(b) **Disease**

Disease is such a thing to which no one can run away, everyone can be infected by it and it plagues the workers more. Modern industries use complicated machinery without the safety measures and dangerous liquors are also brought in services which sometime prove harmful for the workers. So proper preventive measures must be adopted.

(c) **Ignorance**

Ignorance can be harmful for the workers because lack of awareness and knowledge can create a lot of problems for them. Ill-informed workers are surrounded by darkness and misunderstandings about health, welfare, social security, strength of union etc. Ignorance can be removed through education, training about work, vocational guidance programmes.

(d) **Squalor**

Squalor, pollution, insanitation are the cause of various diseases and health related problems to workers and to general public nearby industrial areas. It means all those evils which come through unplanned growth of industries and cities, bad housing, dumping of waste material in rivers and destruction of forests prove harmful for industrial workers. Thus remedial measures against squalor means planned industrial growth and revolution in housing.\(^{18}\)

(e) **Idleness**

Employment is very much necessary for every worker to maintain the necessities. The work must be provided to all who are willing to do work, because empty mind can never think positively and constructively. So employment must be ensured to every hand.\(^{19}\)

The above five gains placed many hurdles in the way of socio-economic
progress. Effective laws, legislations and programmes should be formulated to attack them.

From the above definitions, it is clear that social security may include measures such as income maintenance, medical relief and several other contingencies and risks but some intellectuals stress on one aspect and others on another but it is very vast concept which is very difficult to be bound in a single definition completely, it is a multidimensional approach.

**Main Constituents of Social Security**

Social security is provided through various methods to its beneficiaries, different countries adopt different constituents or methods for it but in practice, there are three or four main constituents of social security, viz.  

(i) Social Insurance  
(ii) Social Assistance  
(iii) Public Services  
(iv) Allied Services

**Social Insurance**

Social insurance is one of the devices to prevent individual from falling into deep poverty and contingencies. It helps a person at the time of uncertainties and misfortune.

The I.L.O. defines ‘Social Insurance’ as a scheme that provides benefits for persons of small earning granted as of right in amounts which includes in it combine contribution of insured person as well as employer and state. It is a group idea which helps a needy. In this insurance workers have to contribute a little but major portion is paid by employer or state and in return of a little contribution, a worker will get every kind of help in emergency. Social insurance scheme try to maintain a minimum standard of living to the beneficiaries. For industrial workers this insurance is totally compulsory due to the hazardous working conditions. Social insurance is social in nature because of collective efforts but contrary to it, commercial insurance is profit oriented which provides as much help as much contribution has been made.

**Social Assistance**

Social assistance is a device of social security to provide every kind of help to
a person at the time of earning loss. It depends on certain conditions and legalities between worker and the state. This assistance is purely a matter of government and beneficiary has not to pay for it. Social assistance is provided until need remains continue. For this help a person needs not to give any service in return but means test is necessary, a person has to prove himself capable for this benefit.

In many countries this is the successor of the former poor law system transformed to accord with current social attitude. This system is non-contributory so public revenue funds are being utilized for it.23

**Public Services**

Public services are also an important type of social security constituents. It provides both cash and medical benefits. It covers the programmes such as National Health Services, Old Age Pensions, Pension for Invalidism, Survivor’s Pension to Widow or Orphan etc.

**Allied Services**

Social insurance and Social assistance are two main constituents of social security but allied services include some other schemes of social security, such as mutual benefits schemes in which labourers contribute, the employer’s financed schemes which are made by employers to help the workers and employers’ employees’ financed schemes which are built collectively for the workers’ welfare.

**Need of Social Security**

In modern century whenever society is becoming industrialized and workers are migrating from agriculture to industries, the burden is increasing on industrialists of their security. There was a time when after migration they had relations with relatives and they did help to them at the event of contingencies but now due to the busyness of modern society and work pressure, workers become disconnected with rural areas and have no sources and saving of protection. Social security is very much necessary for them.

Every society today faces a situation which has never been known before. The imbalance industrial development and unexpected growth of population have created a lot of problems and complications. Contingencies of industrial as well as general life are also increasing day by day. Individualism is affecting the people badly. Hence, to
protect the individual and society from uncertainties of future social security has been adopted by every country as an indispensable national programme. Any measure of social security strikes at the roots of poverty and exploitation. Its ultimate goal is to provide social as well as economic justice to all. Social security works as a factor to fulfil the concept of welfare state which provides security to the members of society against unprecedented want, hazards, accident, contingencies of further life. Financial resources of developing countries are not so enhanced therefore its population, mainly working class, has to live in deep deprivation so the need of social security in such countries can hardly be avoided especially for working class.

Social security is also needed to reduce or minimize the uneven distribution of income assets and wealth. The insufficiency of wages to maintain the large families is a major cause of poverty. In such a low income large poor families are not able to get an appropriate living standard and health facilities. Apart to such families, there are also some families who have sufficient income but due to the debt of exceptional expenses like marriage, hospitalization, medical expenses, serious injuries or accidents, are not capable to maintain expenditures and fall in poverty. In such circumstances people needed subsidized services or cash benefits or medical facilities to come out of such situations. Every employer or industrialist want to increase the production of factory and it can be possible if the workers of his factory will be happy and satisfied so to make them facilitate and secure, inside as well as outside the establishment, welfare and social security activities are necessary.

In India, it is well known that workers get low wages so whenever they meet any problem or calamities and seasonal unemployment they with their families indulge in child labour, beggary and even in prostitution which are social evils so to stop such activities government should formulate some rule-regulations, legislations for the financial help of workers. The concept of welfare economy also forced government to give all kind of help to every human being so that they can survive respectfully and easily in society after mishappining, retirement and old age.

**Historical Perspective**

Social security is as old as human itself. Even in primitive community the particles of social security were found. In ancient time, kings also helped the poor and disabled of his state. There was a time when human needs were limited, society was
not so developed and families were joint there was no need of formal social security schemes. People always did the help of each other and crèches, guilds, religious institutes, charitable institutions always provide required help to the needy persons. Some voluntary organizations were also working but all these efforts were voluntary in nature not compulsory.

Since the Industrial revolution upto 1880, three approaches, namely saving plans, private insurance and employer’s liability plans were established in Europe to safeguard the interests of workers. Government was acting under the so-called poor laws. But all such measure were not sufficient and due to the rapid industrialization, risks were increasing for worker’s life. So a formal social security system was needed.

Social security originated in Germany when in 1881, Emperor William I urged upon the Reichstag to adopt social insurance scheme. Further, Bismark was also a great supporter of social insurance in Germany.

Great Britain introduced in 1908, a non-contributory old age pension scheme for the persons reached the age of 70, then in 1911, a unemployment insurance scheme was adopted but it was U.S.A. who adopted the first comprehensive legislation in this respect the ‘Social Security Act, 1935’. Another important Social Security Act was passed in 1936 in New Zealand which provided through this Act a compulsory social insurance scheme and soon other countries of world followed the social security schemes to save their citizens from hazards and contingencies of life.

The Second World War became a big reason for the expansion of this scheme because after Second World War there was scarcities of commodities and people were feeling helpless and they need some help. In 1942, Beveridge Report played vital role in reorganization of social security schemes.

**Progress of Labour Welfare and Social Security Legislations in India**

Labour welfare and social security measures and legislations are influenced by humanitarian principles in India. In the starting era of industrialization (before independence) there was no welfare and social security measure introduced by industrialist and no proper legislations have been made to ensure welfare and social security by government. Workers were not aware and no efforts had been made to provide facilities at their work place but after independence Indian government took
keen interest to provide social security to workers so the historical development of labour welfare and social security in India can be divided into two phases:

(i) Pre-Independence Period
(ii) Post-Independence Period

**Pre-Independence Period**

In India large scale factories were started since 1850, but at that time industrial development was not so fast, it was very slow and it was mainly confined to the textile industry.

It was the period when the labour enactments were initiated for ‘regulating the relationship’ rather than ‘protection of labour’ from exploitation. In the movement of labour class first unrest come before in 1877 at Empress Mill Nagpur which was regarding the improvement of wages that was below the satisfaction. At that time, workers were not organized. But after the Empress Mill unrest, workers fight for their rights till the Factories Act, 1881 was not passed. The first trade union organization was formed in year 1890 by Narayan Maghajee Lokhande, named as the "Bombay Mill Hand’s Association" it was not so strong but it was a start of organized movement in India. In 1885, British Government passed the Fatal Accident Act. This Act was an important Social Security Act, which required the employers to pay compensation to his employees if it was proved in court that the accident was not occurred due to the employees’ negligence. In 1920, International Labour Organization (I.L.O.) played an important role in social security of labour by organising a convention. The First World War created a kind of unrest among the workers so to please them British Government passed Workmen’s Compensation Act, 1923 and Maternity Benefit Act. The main objective of these Acts was to ensure the social security for male as well as female workers. Then in 1929, Royal Commission was appointed in chairmanship of J.H. Whitley to survey about the working conditions of labour class and the Commission put the stress on comprehensive social security scheme. Then government tried to introduce the sickness insurance in India so they designed a contributory health insurance scheme in 1937 but there was no provision for medical benefit in the scheme. Many committees were appointed to give suggestions on sickness benefits, medical benefits, health provisions and after a long process a ground was made for Employees’ State Insurance Act, which was formally
passed after independence. It was a complete plan for the health insurance of workers.

**Post-Independence Period**

After independence, industrial growth started increasing rapidly and working class became more aware about welfare and social security measures. Welfare measures for the upliftment of labour class were intensified. The ESI Act, 1948 marked the beginning of the era of social insurance of labour in India and I.L.O. helped up to a very large extent.30

After enacting the ESI Act, in the same year government made certain modifications in already existing Factory Act and passed the ‘Factory Act, 1948’ to ensure safety, health, proper working hours, conditions of work at workplace etc. The Minimum Wages Act was also passed in 1948, this Act was to stop the exploitation of the workers by paying low wages. Whenever government was considering the social security of workers one more important legislation was passed named the Employees’ Provident Fund and Miscellaneous Provisions Acts, 1952. This Act was mainly for the retirement benefit and also provided refundable and non-refundable advances to the workers during Job. In the series of Social Security Acts, the Maternity Benefit Act was introduced in 1961, in the favour of working women which provides them help during pregnancy. The Payment of Gratuity Act, 1972 was also a social security legislation which is for financial help after retirement. In addition to these Acts, some other social security and labour welfare Acts were passed during the ‘Five Years Plans’ that were for the workers of plantation, mines and various hazardous jobs.

**CONSTITUTIONAL PROVISIONS FOR LABOUR CLASS**

The Constitution of a country embodies its legal framework,31 establishes its high institutions and lays down the rules which regulate functioning of the government and its agencies.32 Constitution formulates structure of various organizations of state and declares the limitations, powers, privileges and jurisdiction of them. In a federal state it defines the relationship of centre and state and lays down a demarcation between their powers.33 It is in fact a group of principles, rules, regulations and laws which drives a country. Fundamental rights, fundamental duties, equality, justice are provided to the citizens of the country through it. Sovereignty, socialism, secularism, fundamental rights and duties, federalism, directive principles
of state policy are the basic principles of our Constitution. In our Constitution part IV deals with the ‘Directive Principles of State Policy’ which bears 16 articles from 36 to 51.

Directive Principles group is a mirror through which the estimate of the expectations of the people of India can be seen. These principles have been added in Constitution to create a kind of democratic sense and ground for freedom and justice and to provide assurity of future welfare. Directive Principles dealt with welfare of people, removal of inequalities in income, status, facilities and opportunities, proper distribution of material resources, social security of workers, humane conditions at work, promote cottage industries and to increase worker’s participation is management. Most of the provisions for working class have been introduced in ‘Directive Principles’ and such provisions provide protection and security against exploitation to the labour class. Whenever state government passes law and prepares policy to direct any department or organization it have to keep in mind Directive Principles. These principles are a kind of obligation on the shoulders of state. But these principles are not enforceable in court of law and no citizen can compel its government to provide to them these principles. Through Directive Principles government tries to ensure social and economic justice and equality to all.

Article 23, 24

Both Article 23 and 24 are against exploitation. Article 23 prohibit traffic and begar in human beings and similar forms of forced labour. According to Article 24 no child below the age of 14 years shall be worked in any factory or mine or any other hazardous occupation. This article says that children below the age of 14 years should be given compulsory education so that they can become useful and responsible citizens in future. Negligence of this article is punishable. Under clause (1) of Article 23 “traffic” includes the slavery and prostitution system whereas “begar” means to insist any one to work involuntarily by without payment. However, under clause (2) of this article some important exception is made in favour of state which may impose some compulsory service for public purposes i.e. national defence, removal of illiteracy etc. According to law traffic and begar are punishable offence.
Article 38

This article declares “The state shall 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 the national life.”

This article ensures the citizens that not only in the political field but also in social-economic fields they would get protection which is symbol of a progressive society.\(^3\)

Article 39

Article 39 contains 6 clauses. It explains that the state shall in particular, direct its polity towards securing-

(a) that the citizens men and women equally have the right to adequate means of livelihood;

(b) that the ownership and control of the material resources of the community are so distributed as best as to subserve that common good;

(c) that the operation of the economic system does not result in the concentration of wealth and means of productions to common detriment;

(d) that there is equal pay for equal work for both men and women;

(e) that the health and strength of workers, men and women and the tender age of children are not abused and the citizens are not forced by economic necessity to enter avocation unsuited to their age;

(f) that the children and youth are protected against exploitation and against moral and material abandonment (under Constitutional Act, 1976, 42nd Amendment w.e.f. Jan 3, 1997). This article provides equality to the citizens of the country.

Article 39 A

This article mainly inserted to enjoin the state to provide ‘free legal aid’, to the poor and to take other steps to ensure equal justice to all which is offered by Preamble of Constitution
Article 41

Article 41 directs that the state shall within the limits of its economic capacity and development, make effective provisions for securing the right to work, to education and to public assistance in cases of unemployment, old-age, sickness, disablement and in other cases of undeserved wants.

This article is specially formulated to provide social security to working class at the time contingencies fall. State is not yet fully successful to achieve this objective but, is trying to ensure the social security through various legislations. Employment opportunities for all are also in process to come true.

Article 42

This article directs state to make provisions for securing justice and humane conditions of work and maternity relief. So it makes state liable for the proper working conditions for labour at the work place. Government has formulated factories laws, labour legislations to ensure the safety of workers. Maternity Act provides the relief to female workers during pregnancy.

Article 43

The state shall endeavour to secure, by suitable legislation or economic organization or any other way, to all workers, agricultural, industrial or otherwise the following rights.36

(a) Right to work;
(b) Right to a living wage; and
(c) Right to such condition of work as would ensure a decent standard of life and full employment of leisure and social and cultural opportunities. So the objective of this article is to provide employment to every willing hand so that he can enjoy a decent living standard.

There is also another part of this article which directs the state to endeavour to promote cottage industries on an individual or co-operative basis in rural areas. This part is inserted for the development of rural areas.

Article 43 A

According to constitutional amendment 42 under Constitutional Act, 1976
(w.e.f. 1977) a new article 43A has been added in Constitution which is as-

The state shall take steps by suitable legislation or in any other way, to secure the participation of workers in the management or undertakings, establishments or other organizations engaged in any industry. This article is introduced to increase the workers’ participation in management of industries so that the benefit of their experiences can be get for better work and to make them feel vital part of the organization.

Chapter I of Indian Constitution: Distribution of Legislative Powers

India is a federal country so both union and the state have the right to constitute legislations and part XI of first chapter explains the legislative relations of centre and state.

The union is not a league of states, united in a loose relationship, nor is the states the agencies of the union, driving powers form it. Both union and states are created by Constitution both derive their respective authority form the Constitution. The one is not subordinate to other in its own field, the authority of one is coordinate with that of other.37

Three lists are embodied in schedule VII of Indian Constitution.

1. **Union List**

   This list consists 98 items and is longest of three. The items mentioned in this list have national importance and parliament has exclusive power of legislation with regards all items of this list. All the important matters take place in the union list.

2. **State List**

   The selection of the subjects for this list is made on the basis of local interest and it envisages the possibility of diversity of treatment with respect to different items in different states of union.38

   This lists bears 62 items and state legislatures has exclusive powers to make law on the items lay in this list another to this list state has also power to constitute legislation mentioned in concurrent list.
3. **Concurrent List**

The 52 items enumerated in this list and both parliament of India and state legislatures have right to constitute legislation on the subjects vested in this list.

**Subjects of the Lists**

Part XXII, schedule VII explains the subjects and items vested in all three lists. The subjects that are related to industries, labour welfare, social security, dispute and other interest of labour in all the three lists are as follow.

(i) **Union List**

- item – 13 Participation in international conference, association and other bodies and implementing of decisions made thereat.

- item – 28 Port quarantine, including hospitals, connected there with; seaman’s and marine hospitals.

- item – 47 Insurance.

- item – 52 Industries, the control of which by union is declared by parliament by law to be expedient in the public interest.

- item – 61 Industrial disputes concerning union employees.

- item – 65 Union agencies and institutions for-

  (a) Professional, vocational or technical training, including of police officers; or

  (b) The promotion of special studies or research; or

  (c) Scientific or technical assistance in the investigation or detection of crime.

- item – 94 Enquires, surveys and statistics for the purpose of any of the matters in this list.

(ii) **State List**

- item – 9 Relief of the disabled and unemployable.

- item – 24 Industries subject to the provision of list I.
(iii) **Concurrent List**

item–20 Economic and social planning.

item–21 Commercial and industrial monopolies, combines and trusts.

item–22 Trade union, industrial and labour disputes.

item–23 Social security and social insurance, employment and unemployment.

item–24 Welfare of labour including conditions of work, provident funds, employers liability, workmen’s compensation, invalidity and old age pension and maternity benefits.

item–25 Vocational and technical training of labour.

item–36 Inquires and static for the purpose of any of the matters specified in list II or list III.

The matters related to labour is jointly handled by centre and state governments. Union and all the territories establish machinery at their own level to administer and implement the various laws and legislations. At central level Labour & Employment Ministry look into the related matters while the Labour Departments at state level play vital role in labour affairs. Some autonomous bodies also work to handle all the respective matters.

**Labour Policy of India**

Labour policy basically is a group of various programmes enactments and schemes which is designed for the welfare, protection, social security and safety of workers. Without a proper labour policy it becomes difficult to handle all labour matters and ensure workers a healthy work environment.

The labour policy broadly covers the treatment of labour under Constitutional, Legislative, Administrative Acts, rules, practices, percepts laid down in the five year plans and so on. 

The main objectives of the labour policy are as follow:

(i) Protection and promotion of interest of the workers.

(ii) Rationalization of existing labour laws according to the needs of the
future and labour market and enactment of umbrella legislation for the unorganized workers.

(iii) Proper implementation of Rastriya Swasthya Bima Yojna (RSBY) which is a health insurance scheme for below poverty line (BPL) families.

(iv) To address all the emerging requirements in the area of research and training related to working class.

Vision

(i) Exercise the recommendations of Second National Labour Commission.

(ii) To bring the unorganized workers under the various legislations to protect them and proper implementation of ‘Unorganized Social Security Act, 2008’.

(iii) Elimination of child labour from hazardous jobs and stop exploitation of them.

(iv) To ensure nationally acceptable and internationally competitive standards of health, safety and welfare of workers.

(v) Spread the reach of social security to organized sector workers as well as international workers through distinct enactments.

(vi) Monitoring the implementation of Minimum Wages Act, 1948 in the central and state sphere to provide workers living and fair wages.

(vii) To empower the social factors with capacities to meet the challenges of change.

(viii) Disseminate the information on labour matters.

Ministry of Labour and Employment is working hard to achieve the above mentioned objectives through various enactments and their proper enforcement.

FIVE YEAR PLANS AND LABOUR

Every country whether it is developed or developing have to adopt some instruments of economic planning and India do the economic planning through Five
Year Plans constituted or drafted by Planning Commission. There was a time when every country adopted the policy of *Laissiz Faire* but soon after first world war the role of government in economic planning and its intervention in industrial field was accepted. The concept of ‘welfare state’ also came in existence which imposed the responsibility of all over development of citizens i.e. social, political and economic on government. For the sake of planned economic development of country, India established Planning Commission in 1950 in the chairmanship of Pt. Jawahar Lal Nehru. The first five year plan was started in 1st April 1951 and till now ten plans have been executed and eleventh is in progress.

**First Five Year Plan (1951-1956)**

First five year plan coincided with predetermined socio-economic objectives and goals. It has two objectives, a better standard of life for the people and social justice. This plan approached to the labour problems rested on two considerations namely the welfare of the working class and the country’s economic stability and progress and workers’ right to association. The basic need of the workers i.e. housing, clothing, education, recreational facilities, better health were addressed in this plan and workers were taken and considered as a source of economic progress of the country.

**Second Five Year Plan (1956-1961)**

The second five year plan stressed on the socialistic pattern of the society. It was said that a socialist society build-up not solely on monetary incentives but better services and facilities have to provide. It was assured that workers can play a crucial role to make such society. Labour-management relations were tried to regulate through establishment of Joint Management Councils (JMCs) on experimental basis. Meanwhile, workers’ education scheme was also implemented so that they could easily understand labour legislations and be blessed with them.

**Third Five Year Plan (1961-1966)**

It was a development oriented plan aimed at the economic dynamism. In the industrial field the main objectives were to develop basic industries, maximum utilization of available labour force and equality in opportunities. Following the previously adopted socialistic pattern, this plan pointed out that the fruit of progress
should be distributed in equitable manner. This plan advocated the statutory welfare measures so Maternity Benefit Act, 1961, Payment of Bonus Act, 1965, Iron-Ore Mines Labour Welfare Cess Act, 1961, were enacted during this plan. First National Labour Commission, 1967 was also suggested a lot of welfare schemes and provisions for workers during this plan. These recommendations affected the plan very deeply. In industrial area 11 per cent annual progress was decided but industrial progress was not satisfactory.

**Fourth Five Year Plan (1969-1974)**

It was to be started in 1966, but due to some unexpected reasons it was started three years later and during three years three one-year plans was constituted. Fourth plan had two objectives: (i) development with stability; and (ii) attainment of maximum self-reliance. This plan entrust the employers for the well-being of workers. A major change was made in Employees’ State Insurance Act, 1948 with the coverage of insured person’s family under the medical facilities. It was for the enhancement of social security benefits to the workers’ families. The Payment of Gratuity Act, 1972 and Employees’ Family Scheme were enacted during this plan. An amount of ₹ 31.11 crores was decided for labour welfare plans. This plan was not able to attain the decided progress and its performance was poor in economic arena.

**Fifth Five Year Plan (1974-1979)**

Fifth plan was abolished before the completion of its time period due to the implementation of some new experiments. This plan incorporated programmes for labour welfare and ₹ 57 crores were decided to invest on labour welfare and industrial safety. The plan also made stress on employment. To reduce the surviving inequality of income among men and women the Equal Remuneration Act, 1976 was passed during the time period of fifth plan. This plan achieved more success then fourth plan in industrial field.

**Sixth Five Year Plan (1980-1985)**

This plan had many objectives i.e. removal of poverty and unemployment, establishment of harmonious worker-employer relations, development of source of energy. In this plan, Planning Commission stressed on proper and effective implementation of labour laws and simultaneously the coverage area of various social
security legislations (ESI, family pension scheme) was extended. A sum of ₹ 161.90 crores which was triple of fifth plan was proposed for labour welfare in this plan.

**Seventh Five Year Plan (1985-1990)**

This plan laid emphasis on improvement in capacity utilization fulfilment of basic needs, and creation of complete employment conditions. An outlay of ₹ 333.72 crores was decided for the labour welfare but the actual expenditure was ₹ 485.14 crores. Some unemployment eradication programmes were pursued and stress was laid on generation of productive employment. In sixth plan rate of industrial production was 5.5 per cent per year but in seventh plan, it was decided 7 per cent which was much higher than prior plan. The plan was criticized by the experts because it was not able to carry out the decided goals.

**Eighth Five Year Plan (1992-1997)**

It had to started on 1991 but could not, so two one year plans (1990-91, 1991-92) were constituted. In eighth plan programmes concerning labour and labour welfare laid stress on skill development strengthening and modernization of workers education, promotion of self-employment, proper enforcement of labour laws especially for unorganized workers, promotion of healthy industrial relations and encouraging workers for participation in management. An outlay of ₹ 1315.39 crores was provided for labour and labour welfare in which centre shared ₹ 415 crores and rest was imposed on state governments. In the eighth plan the National Social Assistance Programme (NSAP) has been started to provide social security to poor in which old age pension, maternity benefit and family benefits specially for the girl children has been decided to provide. It has been mainly implemented as a programme for the poor under the 'Poverty Alleviation in Rural Areas.'

**Ninth Five Year Plan (1997-2002)**

It was focused on the growth with social justice and equality. The main objectives of the ninth plan were priority to agriculture and rural development, growth with stability in prices, ensure food and nutritional security for all physically or economically backwards, provide basic minimum services of safe drinking water and health care, reduction of growth rate of population, environmental reforms, empowerment of women and socially disadvantaged groups, encouragement of people
participation in various public institutions and strengthening the self reliance.\textsuperscript{40}

Labour welfare and social security was also a consideration area in this plan. Government was very much concerned about the review of labour laws, expands the area of social security, improvement in conditions of workers, elimination of child and bounded labour, modernization of employment exchange and job placement services and strengthening the vocational training for the skill development. Some steps were also taken to amend the Industrial Dispute Act, Payment of Wages Act, Contract Act and Workmen's Compensation Act. Second Labour Commission was also submitted its report in October, 2001 and it made a lot of recommendations for the labour welfare and social security. The Commission suggested an umbrella legislation for ensuring a minimum level of protection to workers in unorganized sector and also recommended that the existing labour laws should be more rationale working in organized sector.

The total outlay for the public sector was ₹ 8,59,200 crore in ninth plan in which ₹ 4,92,221 crore was laid on centre government rest ₹ 3,66,979 crore was on states. During this plan a lot of steps have been taken to improve the social security schemes. Efforts have been done to extend the coverage area of the Employees' State Insurance Act (ESI) towards the factory employing 5 persons instead of 20 persons. The various scattered schemes working for the social security of unorganized workers were tried to integrated. The plan was formulated for group insurance for poor labourers to save them uncertain hazards. The migrant workers who have to bear a lot of problems were also considered for social security measures.

**Tenth Five Year Plan (2003-2007)**

The Tenth Five Year Plan was an ambitious plan for the welfare and development of the labour force. Special emphasis was laid on elimination of child labour, prohibition of contract labour, abolition and rehabilitation of the bounded labourers, improvement in the labour welfare and social security measures and skill up-gradation. Need was felt to review the labour laws to make them more beneficial. Out of total number of workers only 47.1 per cent are wage employed and labour laws apply to those hired on a regular basis. However, only 10 per cent to 15 per cent workers come under the umbrella of social security system so during the tenth plan coverage area was purposed to increase. To create the concept of ‘shared risk’
between employers and labour market institutions a more innovative and vast social security system for workers was needed. The changes were purposed in the Industrial Dispute Act, 1947 and Contract Labour Act, 1947 to make them more flexible. Small Scale Industries (SSI) were given a lot of concessions in rule and regulations. A new scheme ‘Jan Shree Beema Yojna’ has been started in 2005-06 for social security and various training programmes were started for the officers of the enforcement machinery. States were given authority to amend the labour laws as per their requirement. To taken the burden of Industrial Tribunals, Courts Lok Adalats will be settled. The delivery of services of EPFO and ESIS will be improved with the help of IT. The total outlay of this plan was ₹15,25,639 crore and only 4.0 per cent was allocated to industrial sector. Schemes for the social security of unorganized sector workers may be launched soon. The expenditure of ₹2988.22 lakhs was decided for the labour welfare in the tenth plan. ‘Rajiv Gandhi Sharmik Kalyan Yojna’ was also introduced for insured persons to assists them at the time of unemployment in 2005. In this plan the major drawback was the lack of inclusive growth.

**Eleventh Five Year Plan (2007-2012)**

The Eleventh Five Year Plan was focused on faster and more inclusive growth. The main objectives of the plan were: 9 per cent growth rate, generation of 58 million new job opportunities, reduction of unemployment, hike in wage rate of unskilled workers, improvement in health facilities and etc. The total outlay of this plan was ₹36,44,718 crore and ₹1,53,600 crore were decided for industries and minerals.

The Planning Commission has made an allocation of ₹2210.02 crore to Ministry of Labour & Employment during the Eleventh Plan in which ₹10,379 lakhs are for the labour welfare. The proposals are made to open 10 new training institutions especially in rural areas to enhance the training capacity. During this plan a lot of legislative initiates have been taken in various legislations to make them flexible and beneficial such as in the Workmen’s Compensation Act the ‘Workmen’ word was replaced by the ‘Employees’ to make it gender neutral and compensation was also enhanced however, Employees' State Insurance Act was connected with IT project named Panchdeep and decided to enter in medical education. The another Social Security Acts were also amended during this plan. The limitation of Gratuity
was increased from ₹ 3 lakhs to ₹ 10 lakhs and the computerization plan was being implemented for Employees’ Provident Fund Organization (EPFO). Apart these Acts, some other changes have been made in Industrial Dispute Act and Plantation Act in Eleventh Plan. A new health insurance scheme was launched in April, 2008 for Below Poverty Line (BPL) families entitled ‘Rashtriya Swasthya Bima Yojna’ to ensure social security for them. In the context of the eleventh plan, a Steering Committee on labour and employment was constituted under the chairmanship of Prof. Bhalchandra Mungekar, member of Planning Commission. The Committee recommended a protective social security mechanism, comprehensive coverage of National Social Assistance Programme (NSAP), widen the coverage area of the ESI and EPF Acts, National Security Numbers schemes should be extended to all citizens in the country and also the Public Distribution System (PDS) which is an important social security measure should be extended to every needy person.

**RECOMMENDATIONS OF SECOND NATIONAL LABOUR COMMISSION ON SOCIAL SECURITY**

The National Labour Commission is appointed time to time to give its recommendations about labour. The first report of this Commission was submitted in 1967 and the second National Commission was appointed by the Government of India on October 15, 1999 under the Chairmanship of Ravindra Verma former Minister of Labour, Government of India. After 35 years of first Commission in June 2002, the second report has been presented.

The main recommendations of Labour Commission made about social security of working class is as follow:42

(i) It was recommended that the state should provide elementary and basic security to workers however, higher level left to individuals which can acquire through contributory participation. It will minimize the role of state and maximize the role of individuals.

(ii) To take in view the demographic diversities of India no single approach is adequate but a multi dimensional approach is needed for social security.

(iii) The Workmen’s Compensations Act should be converted in a social insurance scheme despite of employers’ liability.
(iv) A separate legislation should be constituted to the unorganized workers for maternity benefit.

(v) The Payment of Gratuity Act may be integrated with the Employees’ Provident Fund Act and converted into a social insurance scheme.

(vi) The Employees’ Provident Fund Organization (EPFO) should have its own mechanism for investment of its balances.

(vii) A Social Security Fund of India and similar of state may be set up.

(viii) There should be three kind of social security schemes (i) social insurance type; contributory, (ii) subsidized insurance type; partly contributory and (iii) social assistance type; wholly the responsibility of state.

(ix) The unification of administrative responsibility is necessary.

(x) Commission strongly recommended the constitution of a high powered ‘National Social Security Authority’ under the chairmanship of Prime Minister of India. It will make the national policy on social security and will co-ordinate the central and state level programmes.

(xi) Commission suggested to establish a distinguish department of social security within the Ministry of Labour to co-ordinate, monitor and review specific programmes of social security running by various ministries and states.

(xii) An appropriate national scheme for relief and rehabilitation of economically and socially distressed people should establish.

The second National Labour Commission made important recommendations about social security of working class and social security can be made more effective and strong through the implementation and practicing of such recommendations and suggestions.

IMPACT OF NEW INDUSTRIAL POLICY ON LABOUR WELFARE AND SOCIAL SECURITY

Indian economy was in a great crisis in 1991 when new government was constituted and like European countries India adopted the policy of liberalisation and globalisation to come out of bankruptcy and crisis. The objective of new economic
policy was to bring about rapid and sustainable improvement in the quality of the life of the people in India. At that time Indian economy was in worse condition, so for the sake of frequent growth in incomes and employment new economic policy was adopted. Through this policy Indian government adopted a structure of privatized, liberalized and globalized economy. Bring into service of this policy, use of machines was increased and the danger of safety was also enlarged and the unskilled worker were replaced by the skilled and a big fraction of labour force and unskilled workers become unemployed and sourceless. Private sector industries were profit oriented and they don’t care for labour laws and exploited the poor workers and tried to avoid the welfare and social security measures. Within the area of private industries union activities were also banned. So in most of cases workers could not claim any kind of compensation at the time of accident whereas provident fund, gratuity and pension schemes were also less applicable after retirement. Therefore, the new economic policy affected workers interest to great extent.

GLOBAL INSTITUTIONS FOR SOCIAL SECURITY

In addition to the national, state and local organizations some international bodies are also working to furnish the social security throughout the world.

International Labour Organization (I.L.O.)

I.L.O. was founded in 1919 for the promotion of social justice and improving the living conditions of workers all over the world. India is one of the founder members of it and presently it has 175 members. The tripartite character of ILO gives it unique feature and every member country of it, has also adopted the same feature. ILO assures the social Justice through (i) international standards; (ii) providing information; (iii) technical assistance and guidance; and (iv) cooperation with other organizations and it provides the impetus help needed by most of the countries. ILO is a comprehensive social security agency in the achievement of its announced objectives, which include “the protection of the workers against sickness, diseases and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury.” These objectives find a place among the specific measures proposed in the Preamble of the Constitution of the ILO. ILO plays vital role to spread social security measures throughout the world. It deliberates on the labour issues according to passage of the time and organizes various
conventions and creates several recommendations on social security. In 1942, ILO published a report on ‘Approaches to Social Security’ and further in 1944, I.L.O. again published a report entitled ‘Social Security: Principles and Problems Arising out of War’ in which scheme of social security had been suggested for the post-war reconstruction. Thus this organization is direly working in field of social security to increase it and to make it easily possible for every worker.

Further in 1962, ILO convention of social security (minimum standard) had divided social security into following nine components.46

(i) **Medical Care**

It should cover pregnancy, confinement and its consequence and any disease may led to morbid condition.

(ii) **Sickness Benefit**

This benefit should cover incapacity to work due to unwholesome condition resulting in a loss of earning.

(iii) **Unemployment Benefit**

Unemployment benefit will cover the loss of earning at that time period whenever a person is capable to do work but remain unemployed because of lack of suitable work.

(iv) **Old Age Benefit**

This benefit provides for the payment or certain amount of money depending upon one’s contribution before the retirement age.

(v) **Employment Injury Benefit**

Under this benefit every contingency arising out of employment and resulting in any incapacity and death are included.

(vi) **Family Benefit**

This benefit includes the responsibility of the children i.e. food, housing, clothing till the contingency ends.

(vii) **Maternity Benefit**

This benefit covers pregnancy, confinement and their consequences resulting in suspension of earnings.
(viii) **Invalidism Benefit**

The invalidism benefit, in the form of periodical payment should cover the needs of the workers who suffer form any disability arising out of sickness and who are unable to engage in any gainful activity.

(ix) **Survivor’s Benefit**

It covers the periodical payments made to a family follow the death of its breadwinner and should continue till the contingency ends.

These facilities suggested by ILO provide a strong and comprehensive social security system to workers and their families.

**Decent Work**

The concept of ‘Decent Work’ is being propagated by the ILO. It encompasses four strategic objectives.

I Promotion of Rights at Work (a fresh instrument to achieve goals)

II Employment (to reduce poverty and inequalities)

III Social Protection (expansion of social security schemes)

IV Social Dialogue (to examining way of strengthening the institutional capacity of ILO)

**International Social Security Association (ISSA)**

The ISSA is another global institution constituted for the social security of the workers. It was established in 1927 and it is a more specialized institution to ensure social security to workers. Its headquarter is situated in ILO office in Geneva. It is working to protect, promote and develop social security throughout the world.

**Functions**

Association mainly conducts the following activities.\(^{47}\)

(i) Organization of technical meetings and round table discussions and seminars.

(ii) Exchange of information and spread technical assistance among its members.
(iii) It conducts the research and investigation about social security.

(iv) Publications and distribution of documents on social security.

(v) Collaboration with other international organizations to enhance social security.

ISSA conducts seminars and meetings time to time in various countries. One of them was also conducted in New Delhi in December, 1978. Several subjects i.e. development of social security in Asia, problem in administration of social security, lack of information etc. have been discussed in this seminar.

Programmes Priorities

The current priorities of ISSA is focus on five areas-

- Administrative and operational efficiency;
- Social security reform processes;
- Extension of social security coverage;
- Sustainability challenges caused by demographic changes; and
- The promotion of dynamic social security at international level.

To implement the several activities of social security ISSA secretariat works with its Technical Commissions, Special Commissions and International Prevention Sections. The ISSA has organized four ‘Regional Social Security Forums’ which conducts various seminars to discuss the emerging problems of social security.

National Academy for Training and Research in Social Security (NATRSS)

Training is an essential component for the effective and efficient service. It is necessary for the personnel to face the various emerging tasks of planning and development. Even the Estimate Committee also in its 78th report presented in Lok Sabha on April 25, 1989 had observed that “Training is a strong motivating force and the most important aspect of motivation in the perspective that the organization provides an opportunity or individual development.” The committee emphasized the momentous of training. The Employees’ Provident Fund Organization (EPFO) recognized the need of training and constituted the ‘National Academy for Training and Research in Social Security’.
This academy was constituted in 1990 in India to provide the training about social security to the countries of Asia-Pacific and Africa. The concept of this academy is that life long learning sustains individuals and organizational development and training plays vital role to enhance efficiency.

NATRSS has two-tier structure. The apex institute is situated in New Delhi which provides training to Group ‘A’ officers however, the second tier consists of Zonal Training Institutes which run the similar programmes at zonal level. Presently, four zonal institutes are working under the National Academy viz.

- **North Zone Training Institute**

  This institute covers the regions namely Haryana, Punjab, Himachal Pradesh, Union Territory Chandigarh, Uttar Pradesh, Delhi and Head Office. The office of this zone is situated in Faridabad.

- **South Zone Training Institute**

  The office of south zone is in Chennai covering regions namely Tamil Nadu and Pondicherry, Kerala, Karnataka and Andhra Pradesh.

- **East Zone Training Institute**

  East zone institute has its office in Calcutta which covers the geographical areas namely Bihar, West Bengal and Andaman Nicobar Islands and Orissa.

- **West Zone Training Institute**

  West zone institute at Ahmadabad covering Maharashtra and Goa, Gujarat, Madhya Pradesh and Rajasthan regions.

  Apart from above, a sub-zonal training institute has been set up at Shillong to impart training to the employees of North Eastern States. However, NATRSS is a national academy but it has international character because it also conducts International Training Programmes for the personnel of developing countries in the Asia-Pacific Region in consultation with International Social security Association (ISSA).

  The courses mounted by National Academy at New Delhi for Group ‘A’ officers are 50:
• Foundational Programmes;
• Refresher In-Service Programmes;
• Specialized Programmes;
  The courses provided by zonal institutes are:
• Induction Courses;
• Orientation/Refresher Courses

At present a director, who is an Additional Central Provident Fund Commissioner-rank officer in EPFO, heads the NATRSS. The Central Provident Fund Commissioner of EPFO is the ex-officio dean of the academy. This academy is continuously providing help in training, research and consultancy to the countries of Asia-Pacific and Africa.51

REVIEW OF LITERATURE

An attempt has been made to review the available literature.

Giri52 in his book discussed different aspects of labour. He focused on the trade union activities and factors affecting it. Further industrial relations and disputes settlement machinery have been explained. The elaboration of several labour legislations about safety, social security, welfare, hygiene is an integral part of book. Social security measures are described not only in the context of the India alone but also in other countries and I.L.O. is presented as a provider of social security. A comparative study of labour movement of different countries was also done by the author. The study is done a long time ago however, the contemporary conditions are changed.

Singh and Saran53 in their book highlighted the theoretical aspects of social security. They have discussed the methods of wage payment and wage policy for workers. Social security is correlated with development planning. The effect of labour welfare and social security measures on labour productivity and capital formation are explained. They have also discussed social security i.e. health insurance, medical facilities etc. But the study is very old and is based on secondary data.

Rai54 in his book conducted a comparative study of the two countries i.e. India and Britain about the social security measures. He took two legislations of India which are Workmen’s Compensation Act and Employees’ State Insurance Act and
studied them regarding industrial injuries and their outcomes, achievements and failures comparative to the same social security schemes working in Britain. An attempt has been made to know, in which country the social security system is better.

Rao pointed out workers’ problems of welfare, social services and industrial relations in his book. The pre-independence critical conditions of labourers have been discussed. At that time there was not suitable welfare measures, hygienic working environment and safety legislations but after independence government of India was much concerned about the welfare and social security of workers. A lot of enactments were passed for them and social security legislations were made better. But due to present labour situations requirement of working class have changed and now works should be done according to their needs.

Pachman studied the major aspects of the social security system in United States, its benefits, structure, its relationship to the retirement decision, methods of determining its costs and its financing. They also presented explicit or implicit recommendations for changing the system. These comprise an agenda for reform. The proposals were presented in three dimensions such as historical development and institutional settings of social security, the modest proposal to improve social security, a list of immediate changes in social security system to make it more beneficial. Such changes would stress adjustments in the minimum benefits and in the benefits paid to widows and survivors.

Bhattacharya examined a comparative analysis of the different phases of the social security measures in India and other developed countries. He discussed the problems of unemployment, health, housing and their solutions, child care and care of the old and weaker classes have dealt with in detail.

Mamoria summarized different aspects of labour in present study. Absenteeism problem and economic and social conditions of women and child labour have been intensively elaborated. The author realized that wage policy environment at work place, incentive schemes and social security measures affect the productivity to great extent, so they should be properly given or maintained. Recommendations of several committees and commissions about insurance and social security are mentioned in the book.
Saxena discussed various problems of Industrial labourers like migratory character, absenteeism and labourer’s turn over. He has highlighted the industrial policy of Government and development of trade union in India and England. Different labour welfare activities and social security legislations have been elaborated in a critical manner. He laid stress on the efficient machinery as a necessary part of social security. It has dealt with the problems and law is related to workers. But the study is not so effective in the present era because the problems of workers have been changed in fast changing world.

Srivastav illustrated social insurance in his book. He presented social help scheme in India since its beginning when it was provided by family, community or village. At that time, there was no formal structure of social help but after industrialisation social help become social insurance. Social insurance and social assistance help a person at the time of various hazards. Author explained different social security schemes in different developed and developing countries. These countries cover various contingencies and aspects under social security. Various Acts of social security so on Workmen’s Compensation Act, Maternity Benefit Act, Employees’ State Insurance Act, have been deliberately discussed. At last he recommended to expand the area of the Acts so that every worker can take benefit of the legislations. But he didn’t illustrate all the Acts of social security in his book.

Sinha and Sinha elaborated both labour legislations and industrial relations in general and not particular. Their study specially emphasized on the working of trade unions of Great Britain as well as of India. They also stressed the link between trade unions and the Government, their finances and leadership, Industrial relations, labour management, social security and labour welfare.

Srienivasan in his book observed social security for the workers of Kolor Gold Mine situated in Mysorre. He found the problem of absenteeism in workers, because the workers have to work in dangerous conditions. A number of accidents take place in this mine. Dispensary is also working over there to provide medical services but not up to the satisfaction level. To provide social security to workers Workmen’s Compensation Act, Payment of Gratuity Act, Provident Fund Act are also in practice but only for permanent workers. Author has given a lot of suggestions to improve the social security in this mine.
Agarwal stated that, a policy of comprehensive social security and labour welfare would keep up industrial morale and efficiency and an indispensible means to production and productivity. He explained the various social security schemes operating in India and the difference between the schemes in India and abroad.

Singh and Singhal described the origin and growth of social security, the idea and history of it in India, present position in India and the various social security schemes in India with depth.

Punekar and Deodhar illustrated labour welfare trade unionism and industrial relations in their book. Labour welfare is being discussed in its historical perspectives and conceptual framework in different countries. Social security and its constituents have been interpreted as integral part of labour welfare and as protective measures in hazardous job. Authors have been depicted the trade unions as the helper of the workers and their vital role in maintenance of employer-employee relations and in collective bargaining. Industrial relations are explained in their broad perspective. ILO plays important role to regulate the industrial relations throughout the world which has also been examined.

Weaver divided his study in four parts which describe the crisis of social security in United Nation America during the pre and post-great depression period. The author dealt with origin and evolution of various social security programmes in U.S.A. There was a time when U.S.A. government was in deep financial crisis and losing the political support. At that time the adequate finance was not available for the social security programmes. The book concludes with the thought that the reform must be taken in social security systems if USA needs a sustainable development.

Lingg attempted for the first time actual pogramme data on benefits of couples in which both spouses receive benefits as retired workers. It was found that average benefits for all couples who received a benefit only as the spouse were about 8 per cent higher than the amount usually reported from administrative records. It also examined the benefit levels and entitlement status of never-married, divorced and widowed female retired workers according to their marital status.

Bonder revealed an overview of the direct deposit programmes and the event that led transfer detailed data on the demographic characteristics of using these
programmes. He stated that in 1975 social security beneficiaries were given the option of having their monthly benefit payment sent directly to their banks through an electronic funds transfer system.

Kuchhal\textsuperscript{69} mentioned a balanced approach about the industrialisation and labour problems in public sector as well as in private. In public sector, there is a lack of adequate administrative structure and proper policymaking. Autonomy of management and loose parliamentary control are big problems. Private sector is also facing problems such as recognisation, governmental finance and dependency on public sector etc. Industrial policy, industrial economy and worker’s participation in management are the relevant issues of the book. But the book covers economic conditions instead of social problems of workers. It discusses labour welfare and labour legislations to a little extent.

Monga\textsuperscript{70} in his book discussed different labour legislations in Haryana state. He discussed three types of legislations:

(i) Industrial Relation;
(ii) Protective; and
(iii) Social Security

He conducted an empirical study so he selected some units and discussed about their organizational structure, wage policies, welfare measures and social security. As industrial relations, Industrial Dispute Act, 1947 and Employment Standing Orders Act, 1946, as protective legislation Factory Act, 1948, Payment of Wages Act, 1936 and as Social Security Employees’ State Insurance Act, 1948; Employees’ Provident Fund Act, 1952 have been elaborated. Author checked the implementation of the Acts in the selected units. He found the lack of awareness in proper implementation of the Acts and suggested to generate the awareness, widen the coverage area and increase the staff.

Sinha\textsuperscript{71} studied the concept of social security from the origin and traced the history of social security measures in India. He examined its objective, scope, administration, sources of finance, benefits with stress on its operational results. He also discussed the structure of Social Security Acts in India such as Employees’ State Insurance Act, 1948; Employees’ Provident Fund Act, 1952 and Maternity Benefit Act, 1961.
Bhatnagar illustrated the labour welfare and social security legislations in his book. He has examined the provisions of Employees’ State Insurance Act, 1948, its development, scope, benefits, effectiveness and the people's awareness about the scheme. He found that most of people are unaware about the scheme and its benefits. He specially stressed on integrated social security scheme and efficient adjudication machinery of social security. He has suggested that income criteria for coverage and medical benefits should be increased. This study moves specially around the ESI scheme and does not cover the other measures of social security.

Bhatnagar illustrated the Employees’ State Insurance (ESI) Act in his book which is a major scheme working for labourers social security. He highlighted the recommendations of various committees constituted for the ESI also with their administrative structure, fiscal autonomy, working procedure, control mechanism, monitoring authority. Inadequacy of drugs in hospitals of industries, different occupational diseases, industrial accidents, contributions as fund, favouritism in exemption, adjudication machinery and the ESI courts are other relevant issues being depicted in the book. Author discussed only the ESI scheme of social security in his present study, but the area of social security is very vast.

Ozawa revealed that the United States was not alone was trying to make its social security system financially viable and the Japan's Social Security Programme was also facing a potential crisis. Its financial difficulties were measured by the fact that it was the fastest growing proportion in the world.

Irick examined the sources and amounts of income available to newly retired workers by the level of their primarily insurance amount (PIA). He analysed that the newly retired workers with high PIA's were found to have the highest income when a spouses' income is taken into account, married retired workers at all PIA levels have higher total income than do the unmarried retirees. The differences between the income of married and unmarried retirees is the greatest for those with PIA's in the lowest quartile, where the median total income of the married retirees is roughly three times as high as that of the unmarried groups.

Srivastava described the social security legislations and labour laws in detail. The book presents conceptual framework of social security, its classification and historical evolution. Various social security legislations have also been discussed
such as Maternity Benefit Act, Provident Fund Act, Pension, Gratuity and so on. He examined the pre-independence social security legislations on fatal accidents, employer’s liability and their drawbacks have also been highlighted. The study is old and has deficient relevance because of drastic changes that have been taken place in present era.

**Gupta**\(^77\) in his book discussed the various aspects of social security comprehensively. First of all, he presented the conceptual framework of social security. Global agencies (ILO, ISSA) working for the ensurance of social security and also the issues affecting the social security throughout the world are being illustrated. He analysed various social benefits in India and their administrative machinery which works to implement the schemes effectively. Judicial trends of social security legislations have been comprehensively explained with the mention of various cases. Through the reference of the cases the validity of taken issues, is increased. Apartly, the effect of social services on labour management relations is shown. According to him progressive employers provide various welfare measures to employees to make them happy whereas, employees have both positive as well as negative attitude toward social security benefits. Various committees and commissions are organized to improve social security time to time all the recommendations of such institutes are being examined in this book. In the last, a lot of suggestions have been given to make social security system more effective for workers. But the study was conducted more than two decades ago and after it a lot of changes have been taken place with the implementation of new labour policy so the social security measures need to be discussed with the changing era.

**Pascall**\(^78\) study started that every foundation of social security policy and practice was a model of family life in which women were wageless and dependent and a model of work as paid employment carried out mainly by men, women's incomes, women's paid and unpaid work and women themselves marginalized in society.

**Sinha**\(^79\) had the view that social security to workers would ultimately accelerate the progress and prosperity with the breaking down of the joint family system, the need to provide greater social security, particularly in industrial and urban sectors had become the more urgent.
Guhan discussed the evolution of social security system in the industrial countries. The social security legislations for industrial workers suffered from several shortcomings which limit, or even thwart effective access of workers to various benefits.

Rawat considered the concept of labour welfare and social security in his book. Labour welfare programmes are being revealed in pre and post-independence context. Before independence these programmes were conducted to regulate the industrial relations rather then to protect employees. Housing problem of workers is highlighted. Author expressed the education, training and participation of workers’ as relevant factors to develop the industries. He commented that instead of having a lot of protection Acts and safeguards, the some section of the labourers are being exploited so the legislations should be explained comprehensively. But the study is old and it should be reconducted according to the change of the time.

Singh’s book deals with different aspects of labour welfare. He presented a review of provisions regarding labour welfare under several Acts and a critical estimate of labour laws. It contains the involvement of trade unions and voluntary organizations in labour welfare activities. He suggested some ideas to policy makers, planners and Government about labour welfare. But he didn’t discuss the different aspects of social security.

Varandani interpreted the concept of social security in depth. He examined statutory and non-statutory social security schemes. The book deals with different Social Security Acts such as Provident Fund, Gratuity Act and Dispute Act and various provisions and drawbacks of these Acts. The physical and economic exploitation of women and child workers in industries has been observed by the author. He did a comparative study of social security system in the developing countries. But on the whole the study is based on secondary data no new data has been collected to show the impact of the various Acts.

Kumar discussed the performance of Employees’ State Insurance Corporation during the period 1980-81 to 1987-88. The scope of the scheme in the terms of the number of employees and the number of the beneficiaries covered under this scheme had largely remained stagnant and decreased during the period.
Venkatachalam brought out some of the important features of the ESI Amendment Act of 1989. The amendment made in the Act and the proposed rules would bring a lot of hardships to the employees who are receiving substantially better benefits from their employers compared to the benefits offered under the ESI Act. This article pointed out that the working of the ESI Corporation and come up for a lot of criticism, as the medical facilities provided by the Corporation were found far from adequate due to poor management of the hospitals and dispensaries.

Ahmend et. al. explained the social security concept in a broader sense. They have tried to present a clear picture of social security in developing countries. First part of the book summarizes some strategic issues, forms of human deprivations, and the destination between protective and promotional objectives, public support in removing deprivation and past achievements and modern challenges of social security. The second part dwells upon the case studies of different countries. But the study has not fully concentrated on social security.

Chauhan gave a description of labour welfare administration in India. He presented the growth of labour force and governmental efforts for labour welfare. Different social security legislations being implemented in the factories are affecting the socio-economic conditions of workers and performance of labour welfare activities such as safety, working hours, drinking water, canteen, heath and medical facilities in public as well as private sector and author found them inadequate. He also made suggestions to improve the labour welfare system i.e. strengthened administration, adequate health facilities, etc.

Tyagi presented different aspects of working class in his present book and raised various issues i.e. wages, industrial disputes and trade unionism. Migratory character of workers is found a major reason of absenteeism in factories. Author judged the industrial disputes since beginning and tried to find its impact on Indian economy. Social security is being presented as essential measure of protection and instrument to be away from anxieties. He found lack of effectiveness in social security schemes and suggested that they should re-evaluate. A minor part of social security has been illustrated in book.

Goyal in her book tried to get a correlation between labour welfare measures and job satisfaction. She conducted her study in the Cotton Textile Mills of Punjab.
and selected three different sectors i.e. public, private and cooperative for research. Firstly, all the conceptual framework of labour welfare was discussed. The historical progress of cotton industries in India and further in Punjab was elaborated and labour welfare legislations were illustrated according to the perceptions of workers and through perception author found a positive relationship between labour welfare measures and job satisfaction. She suggested, in the end, to increase welfare facilities at work place to make workers satisfied and it would make a positive effect on production too.

Bhangoo’s book presents industrial relations, welfare activities and trade unionism in Punjab. He chose some textile industries in Punjab to study and his study is based on primary data. First of all he took Kharar Textile Mill (KTM), for his study and the mill was working efficiently after its establishment for some years but after a few years due to heavy indebtedness government declared it sick unit and undertaken it. Author realized that after occupying, government is providing proper welfare facilities to workers. Next, he discussed about the Kolkapura Co-operative Spinning Mill Limited (K.C.S.M.), Bharat Commerce and Industries Limited (BCI), Jagatjit Cotton Textile Mill Limited (JCT) and he also evaluated the unions activities over there and welfare facilities provided by mills. He reviewed the study of other writers on the different aspects of industrial relations and explained the necessary working conditions for workers at work place such as illumination, ventilation, temperature, dust, cleanliness, and safety measures. Welfare amenities such as housing, canteen, drinking water, medical, and educational facilities have also been discussed. He has shown dissatisfaction among the workers about various facilities provided to them. Further book revealed the working of trade unions, participation of workers in unions, dispute in industries and the results of disputes i.e. works stoppage, breakdown, lockout and strikes. The study throw light on several welfare facilities but author left the social security which is a major part of labour welfare.

Singh discussed labour policy and labour administration in his book based on a study conducted particularly about the Haryana state. He has examined labour machinery in formulating and implementing the policies and its operational aspects. In Haryana, labour courts and tribunals are overburdened and are not able to perform their duties as needed. The level of worker’s awareness about legislations and their
benefits is very low as only a few workers are fully aware. Employee and employer relations are not found healthy and workers are facing problems like discrimination, lack of knowledge and training. In this book, social security has been discussed in brief.

Sarma\(^92\) in his book has discussed some of the Acts, regarding labourers. He has discussed the historical development, philosophy of labour welfare, factories inspections, welfare provisions, ESI Act, Maternity Benefit Act, the Payment of Gratuity Act, Workmen’s Compensation Act and so on. This study needs to be reconducted afresh according to the contemporary time

Agarwal\(^93\) highlighted the problems of working class in his book. Migratory character, payment of wages, profit sharing have been pointed out as general and the weakness of trade unions, industrial disputes, lack of welfare and social security measures as particular in India. Workers were not fully satisfied because of improper implementation of various legislations.

Mishra\(^94\) observed the industrial laws in detail. His book expresses the rapid industrialization and pre and post independence industries and their working. He discussed good and bad aspects of industrialization and also explained the industrial revolution and different Acts like ESI, Payment of Wages Act, Minimum Wages Act and Workmen’s Compensation Act in depth. No doubt, this book covers a number of industrial laws but it has not covered social security to the desired extent.

Kumar\(^95\) pointed out the labour welfare laws and social security Acts in his book. He explained different theories that work behind the social security i.e. policy theory, trusteeship theory and religious theory. The development of social security concept is being described from beginning, author put an overview on various social security laws enacted by government like Factory Act, Industrial Dispute Act, Employee’ Provident Fund, ESI, etc. He presented the perceptions of respondents about various Acts and conducted an empirical study which is more valuable.

Choudhary\(^96\) in his book analysed the Workmen’s Compensation Act comprehensively. He discussed all amendments and tried to give the latest and update knowledge about the Act. Employer’s liabilities for compensation, administration structure, methods of distribution of compensation, powers of state government,
medical examination of workers, appointment of representatives are the main aspects of the book. But he presented the Act as law instead of social security measure.

Singh\textsuperscript{97} in his book discussed the various labour laws such as regulative, protective, wage related, social security, contract labour, sexual harassment and industrial relations etc. comprehensively. In the introductory part, author has given a brief description of various labour legislations and the principles work behind them. Labour legislations have also been depicted in context of the Constitution. International Labour Organization (ILO), a apex body for labour matters is also being illustrated with its standards and recommendations and their impact is also shown on Indian labour. Further, he explained the distinct laws with their scope, objectives, administration and benefits or provisions. New trends in judicial system are being elaborated with the reference of several cases which increase the authenticity. Simultaneously, in the end, author also highlighted the labour laws existed in the China in context of its Constitution. Also the suggestions are made to improve the labour legislations.

Sinha\textsuperscript{98} in this book elaborated various segments related to labours. First of all, trade unions have been discussed with its every facet. It is defined deeply since its emergence. Not only in India but in Britain also the trade union movement is being depicted. In India with the establishment of AITUC in 1920 the organized trade union movement was started and flourishing till now. The author has further evaluated the industrial relations in India and gives an account of strikes and other forms of industrial disputes and the reasons working behind them. Several methods whether statutory or non-statutory have been illustrated, for disputes settlement. Diverse legislations such as protective, regulative, social security and welfare have also been interpreted in respect of their scope, benefits, objective, administrative machinery. He has also mentioned about the central and state labour administration and recommendations of Second National Commission on Labour.

Joshi\textsuperscript{99} in his study mainly highlighted the concept of labour welfare. First of all he defined the labour and labour welfare, then discussed the impact of globalization on labour and labour welfare which were not upto the expectation. Further, the evolution and development of labour welfare from colonial era to five year plans have been discussed. Labour welfare theories, legislative measures and role
of trade unions and NGOs in welfare are explained by the author. Government constitutes policy for the labour welfare which is a part of study. The book also revealed the social security of working class which is a mandatory part of labour welfare. Various social security legislations and measures are being interpreted in brief.

The literature reviewed clearly shows that no specific study has been conducted recently to examine the various facts of social security, therefore, the present study is expected to fill the gap.

SIGNIFICANCE OF STUDY

The purpose of the study is highly significant because the social security legislations have been studied a long time ago and now the problems of the labourers have changed due to rapid industrialization and fast changing world because of privatization, liberalization and globalization. So we needs to study about labourers in the present time context. This study is an attempt to explore the less explored area of social security measures. It will also be useful to researchers.

OBJECTIVES OF THE STUDY

The objectives of the study are:

- to discuss the social security legislations from historical point of view;
- to find the level of awareness about the labour welfare measures in general and social security legislations in particular among the workers of different establishments;
- to examine the implementation of social security legislations in selected factories;
- to know the workers’ views about the utility and impact of the social security measures;
- to explore the less explored areas of workers' social security;
- to evaluate the administrative efficiency and effectiveness in administration of social security legislations; and
- to suggest suitable measures for improving the implementation of social security in the different establishments.
HYPOTHESES

Following are the hypotheses formulated for the study:

1. It seems that the implementation of social security legislations has not got full success in achieving the goals.
2. It appears that the insufficient social security provisions in the existing legislations might not have helped the workers in improving their socio-economic conditions.
3. It is assumed that the control exercised by the administrative machinery over different factories is below expectations.
4. The standard of benefits provided under the service system may be below the level of satisfaction and needs of the beneficiaries due to under staffing and lack of attention towards the preventive measures.
5. A large number of employees/workers have remained uncovered due to low wage limits for their coverage.

RESEARCH METHODOLOGY

The present study will be conducted in the state of Haryana because researcher belongs to this state and is fully aware of the area, people and local language. Another reason for the selection of Haryana state is that so far no study has been conducted on this topic. According to the Statistical Abstract of Haryana 2004-2005, there are three factories with 1000 or more but less than 5000 workers in Yamunanagar. There are 6134 total workers in these three factories. As Yamunanagar is a prominent industrial town in Haryana, it has been selected for the present study. From these factories, about three hundred workers will be proportionately selected at random. The officials will also be selected to know their views.

**Primary Data:** The primary data will be collected through well-structured interview schedules to be administered to the workers and managements. Views of trade unions leaders will be collected. Discussion and observation methods will also be used.

**Secondary Data:** As regards secondary data, it will be collected from the published books, journals, magazines, statistical abstracts, records, annual reports of
various bodies, and files of the concerned industries/factories.

CHAPTERIZATION

The chapterization is as follows:

1. **Introduction**

The first chapter which is an introduction covers the meaning, concept and historical development of social security, constitutional provisions for labour class, labour in five year plans, global institutions for social security, labour policy, recommendations of the second National Labour Commission, impact of New Economic Policy on labour welfare and social security, review of literature, objectives, hypotheses, research methodology and tools of data collection.

2. **Administrative Set-Up for Social Security**

Second chapter on administrative set-up for social security has been devoted to examine administrative set-up of Union Ministry of Labour and Labour Department Haryana.

3. **Social Security Legislations and their Implementation**

Third chapter analysis social security legislations, and their implementation. It discusses background, objectives, provisions and benefits of social security legislations and the implementation machinery of these Acts.

4. **Impact of Social Security Legislations on the Selected Workers**

Fourth chapter examines the impact of social security legislations on selected workers. The data collected have been analysed and inferences drawn.

5. **Conclusions and Suggestions**

The last chapter deals with the main findings, conclusions and suggestions have been given for the better implementation of the social security legislations.

Social security is very old and even in the primitive community the elements of social security were found. It is vital for the workers and for all human beings. It have four constituents- social insurance, social assistance, allied services and public services. It is needed for all human beings because due to the emerging complexity of modern country, life of the people is becoming tough and hard. The life of the
working class is more difficult because of increasing industrialization. Constitutional provisions are also made by the government to regulate the labour legislations and through five year plans social security of workers has been enhanced. Not only national efforts are being made but international organizations are also working for the social security of labourers. In India, social security is making progress day-by-day and soon it will be ensured to every worker.
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