

Social Protection Floor in India

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Social protection has assumed lot of importance in recent times, especially to emphasize social dimensions of globalization and prevent adverse fallout of recurrent global and domestic crises affecting large segment of our workforce belonging to the informal sector.

Provision of social protection is enshrined in Articles 38 (securing a social order for the promotion of welfare of the people), 39 (certain principles of policy), 41 (right to work, education and public assistance in certain cases), 42 (just and human conditions of work and maternity relief) and 43 (living wage etc.) of the Constitution of India as a part of the Directive Principles of State Policy. Important social security, poverty alleviation and social welfare measures are being implemented by various Ministries/Departments of Government of India, State Governments and Civil Society.

Social protection programmes in India can be broadly categorized as (i) improving living standards of the poor - programmatic framework, (ii) targeted social security programmes for the very poor, (iii) social security measures for unorganized/informal sector workers and (iv) social security measures for organized/formal sector workers, details of which are given below:

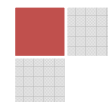
1. Improving Living Standards of the Poor - Programmatic Framework

Education

Sarva Shiksha Abhiyan (SSA: Education for All): The Right to Education (RTE) Act, enacted in 2009 and enforced from 1.4.2010, gave **a statutory base for providing education**. SSA, launched in 2001-02, addresses the educational needs of children in the age-group of 6-14 years by strengthening educational infrastructure in terms of opening of new schools, construction, renovation and expansion of school buildings and providing other amenities like text books etc. It covers about 194 million children in over 1.22 million habitations.

Health

National Rural Health Mission (NRHM): In order to provide health security, especially to women, children and the poor residing in rural areas, NRHM was launched in 2005. It adopts a synergistic approach covering vital determinants of health like nutrition, sanitation, hygiene and safe drinking water. Its major goal is to reduce infant and maternal mortality rate, prevention of communicable and non-communicable diseases etc. The programme has been instrumental in the decline in the infant mortality rate from 58 in 2005 to 50 in 2009 and increase in the institutional delivery from 10.84 million in 2005-06 to 16.21 million in 2009-10.



social protection floor



Janani Suraksha Yojana (JSY): JSY, launched on 12.4.2005, is a safe motherhood intervention under the NRHM. It is being implemented with the objective of reducing maternal and neo-natal mortality by promoting institutional delivery among poor pregnant women.

Housing

So far as access to essential services is concerned, under a Scheme called Indira Awas Yojana (IAY), financial assistance to the tune of Rs.45.000/- in plains and Rs.48.500/- in hilly terrain is provided to under-privileged section for construction/upgrading of dwelling units. Since inception, 22.3 million houses have been constructed under the scheme.

Drinking Water and Sanitation

The National Rural Drinking Water Programme (NRDWP) ensures supply of adequate water for drinking, cooking and other domestic needs on a sustainable basis in rural areas. Access to sanitation in rural areas is provided through Total Sanitation Campaign (TSC) which follows a community-led and people-centric approach with components like information, education and communication for demand generation for sanitation facilities, individual household latrines, community sanitary complexes, school sanitation and hygiene education (SSHE) etc.

Child Nutrition

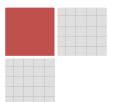
The Integrated Child Development Services (ICDS) is a nutrition and child development scheme launched in 1975 with the objective of improving the nutritional and health status of children in the age group of 0-6 years to reduce the incidence of mortality, morbidity and malnutrition and enhance the capability of mother to look after the health and nutritional needs of the children. The programme covers about 89.3 million children and pregnant/lactating mothers.

The Mid Day Meal (MDM) Scheme covers elementary education (up to 8th class) and aims at providing hot, cooked mid-day meal with the stipulated, nutritive and calorific value. About 120 million children are being covered.

Targeted Public Distribution System

A Targeted Public Distribution System (TPDS) is in place to provide subsidized food grains to the disadvantaged populace. It will also facilitate operationalization of the proposed National Food Security Act which will then provide statutory food security to the vulnerable.

Annapurna Scheme: 10 kg of food grains per person per month are supplied free of cost under the scheme, implemented since 2000-01, to indigent senior citizen of 65 years age and above who are eligible for old age pension but are not getting it.





Wage Floor

Apart from both the Central and State Governments fixing minimum rates of wages under the Minimum Wages Act, 1948 for various employments under their respective jurisdiction, the Central Government fixes the National Floor Level Minimum Wage (NFLMW) revising it from time to time. It presently stands at Rs.115/- per day w.e.f. 1.4.2011. Though non-statutory, the State Governments are advised to ensure that in none of their scheduled employments, the Minimum Wages are fixed at a level not less than NFLMW.

Self -employment and Wage- employment Schemes

Swarnajayanti Gram Swarozgar Yojana (SGSY): Under SGSY financial assistance is provided to members of Below Poverty Line (BPL) families for creating income generating assets through a mix of bank credit and subsidy.

Swarna Jayanti Shahari Rozgar Yojana (SJSPY) is an employment-oriented urban poverty alleviation scheme.

Prime Minister's Employment Generation Programme (PMEGP) aims at generating self-employment by providing credit linked subsidy for setting up of micro enterprises.

2. Targeted Social Security Programmes for the Very Poor

Employment Security

The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) aims at enhancing the livelihood security of people in rural areas by guaranteeing 100 days of wage employment in a financial year to a rural household. The Act covers 615 districts and has provided employment of about 2900 million person days in 2010-11. The Scheme also has the potential of upgrading infrastructure and increasing agricultural productivity thereby altering the geography of poverty, empowering women and preventing distress migration.

National Social Assistance Programme - Pensions

Indira Gandhi National Old Age Pension Scheme (IGNOAPS): Under IGNOAPS all citizens living below poverty line (BPL) and above the age of 65 years are provided pension of Rs. 200/- per month from the Central Government. In addition, State Governments provide old age pension ranging from Rs. 200/- to Rs. 1000/- per month.

Indira Gandhi National Widow Pension Scheme (IGNWPS): Under IGNWPS pension is given to the widows aged between 45 and 64 years of age of BPL households. The pension amount is Rs. 200/- per month per beneficiary paid by the Central Government. The State Government concerned is also expected to provide an equal amount to the person.





Indira Gandhi National Disability Pension Scheme (IGNDPS): Under IGNDPS a BPL person aged between 18-64 years of age and suffering from severe or multiple disabilities is given pension amounting to Rs. 200/- per month by the Central government and the State Government concerned is also expected to contribute an equal amount.

3. Social Security Measures for Unorganized/Informal Sector Workers

In order to ensure welfare of workers in the unorganized sector which, inter alia, include weavers, handloom workers, fishermen and fisherwomen, toddy (local brew) tappers, leather workers, plantation labour, beedi (local cigar) workers etc. the Unorganized Workers' Social Security Act, 2008 has been enacted which entails formulation of schemes to provide for life and disability cover, health & maternity benefits, old age protection and any other benefit as may be determined.

Health Insurance

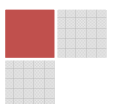
Rastriya Swasthya Bima Yojana (RSBY) is a health insurance scheme providing for smart card based cashless cover of Rs.30,000/- to a BPL family of 5 covering all pre-existing diseases, hospitalization expenses and transport cost. The benefits are portable by splitting the card value for migrant workers. Over 25 million smart cards have been issued and the coverage of the scheme is being expanded to construction, domestic, beedi, non-coal mine and MGNREGA workers, railway porters and street vendors.

Death and Disability Insurance

Aam Admi Bima Yojana (AABY): AABY provides for death and disability insurance cover to rural landless households amounting to Rs. 30,000/- in case of natural death, Rs. 75,000/- in case of accidental death and total permanent disability and Rs. 37,500/- in case of partial permanent disability. Under the scheme two children of the beneficiaries studying in 9th to 12th standards are given scholarships at the rate of Rs. 300/- per quarter per child.

The Government has set up Welfare Funds for providing welfare measures to the beedi, non-coal mine and cine workers. The Funds are used for providing financial assistance for children's education, recreation, medical and health facilities, construction of houses etc. Similar facilities exist for construction workers. Some Indian States like Kerala and Tamil Nadu have constituted welfare funds for specific categories of workers in the unorganized sector.

Handloom Weavers' Comprehensive Welfare Scheme: The scheme benefits the weaver, his wife and two children. Ancillary handloom workers like those engaged in warping, winding, dyeing, printing, finishing, sizing, jhala making, jacquard cutting etc. are also eligible. The scheme covers all pre-existing as well as new diseases. The annual limit per family is Rs. 15,000/- out of which OPD cover is Rs. 7,500/-.





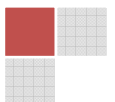
Handicraft Artisans' Comprehensive Welfare Scheme: It has two components, namely, (i) Rajiv Gandhi Shilpi Swasthya Bima Yojana and (ii) Bima Yojana for Handicrafts Artisans. The scheme covers the artisan's family of four comprising self and any three members of family and provides for annual health package amounting to Rs. 15,000/- including Rs. 7,500/- for OPD. An insurance cover of Rs. 0.1 million is also available for the personal accident, death, and disability of the insure artisan's.

National Scheme for Welfare of Fishermen and Training & Extension: the scheme provides for group accident insurance for active fishermen, development of model fisherman villages, saving cum relief and training cum extension facilities etc.

4. Social Protection Measures for Organized/Formal Sector Workers

The organized sector workers are being provided social protection through operation of various Acts like:

- The Payment of Gratuity Act, 1927: It provides for compulsory payment of gratuity to employees in various establishments. The Act has been amended to cover teachers in educational institutions and enhance ceiling on amount of gratuity from Rs. 0.35 million to Rs. 1.0 million.
- The Employees' Compensation Act, 1923: The Act imposes an obligation upon the employers to pay compensation to workers for accidents arising out of and in the course of employment. The Act has been amended by changing its title from the Workmen's Compensation Act to the present one to make it gender- neutral and enhance the rates of compensation.
- The Maternity Benefit Act, 1961: The Act promotes women's welfare by providing for paid maternity leave etc. The Act was amended to enhance the rate of medical bonus from Rs. 250/- to Rs. 1,000/- , while empowering the government to enhance it further within every three years subject to a maximum of Rs. 20,000/-.
- The Plantation Labour Act, 1951: It deals with welfare facilities to be provided to plantation workers and has been amended recently to provide safety and occupational health care.
- The Employees' State Insurance Act, 1948: It provides for health care and cash benefit payments in the case of sickness, maternity and employment injury. The Act has been amended to improve the quality of service under the scheme and also enable ESI infrastructures to be used to provide health care to workers in the unorganized sector.
- The Employees Provident Fund and Miscellaneous Provisions Act, 1952: The Act provides for instituting provident funds, pension fund and deposit link insurance fund for employees working in factories and other establishments.



social protection floor



The Employees State Insurance Corporation (ESIC) is a statutory body to administer the Employees State Insurance scheme. Similarly, the Employees Provident Fund Organization (EPFO) implements three schemes, namely: Employees' Provident Fund Scheme 1952, Employees' Deposit Linked Insurance Scheme, 1976 and Employees' Pension Scheme, 1995. The delivery mechanism of both the organizations is being improved by use of information technology.

A scheme, namely Rajiv Gandhi Shramik Kalyan Yojana to provide social safety net to insured workers rendered unemployed through retrenchment, layoff, closure and partial disability is being implemented by ESIC by way of providing about half of the wages and medical benefits for a period of one year.

