



WEBINAR

COVID19-SECOND WAVE: IMPORTANCE OF SOCIAL PROTECTION FOR INFORMAL SECTOR AND MIGRANT WORKERS

Date: May 1st 2021

Time 11:30 a.m. to 1:00 p.m.

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PANELISTS

1. Umi Daniel — Director, Migration and Education, Aide at Action International – South Asia
2. Prof. Babu Mathew—National Law School of India University
3. Prof. Ravi Srivastava— Professor Ravi Srivastava is currently Director, Centre for Employment Studies, Institute for Human Development, Delhi.
4. Dithi Bhattacharya—Centre for Worker’s Management

MODERATOR

Udit Misra, Deputy Associate Editor, The Indian Express

BACKGROUND NOTE:

The COVID 19 pandemic and its second wave is more unprecedented. It has once again erupted as a major public health crisis and the vulnerabilities are multifold this time due to the new strain of the virus. This is along with repeated and massive impact on informal and migrant workers. The Prime Minister’s nationwide address indicated that lockdown to be the last resort, however, the current situation is way too deplorable to manage by the administration at various levels. Nationwide lockdown during the first wave had already the deepest impact on India’s informal sector workers and migrants. Last year during this time we have seen thousands of migrants walking miles to return to their homes hurled out of their work places and the cities, which is once again the current scenario. Migrants who faced severe plights are a significant part of India’s informal and unorganized sector who are adversely impacted during the pandemic. As per the Ministry of Labour and Employment, total of 1.23 crore migrant workers returned to their home States during the Covid–19 lockdown during first wave. There are 5.2 percent informal workers in the organized sector which indicates both the level of outsourcing of production as well as the growing use of contractual labour (Murthy, 2019¹). Taking this into account, the proportion of informal workers in the total participating labour-force reaches around 93 percent (Economic Survey 2018-19), which is about 450 million workers².

¹ Murthy, SV Ramana. (2019). Measuring Informal Economy in India _ Indian Experience. *7th IMF Statistical Forum: Measuring the Informal Economy*

² <https://economictimes.indiatimes.com/news/economy/indicators/national-database-of-workers-in-informal-sector-in-the-works/articleshow/73394732.cms#:~:text=NEW%20DELHI%3A%20The%20government%20is,them%20universal%20social%20security%20coverage>. Accessed on 12 June, 2020.

The past few months have not seen any immediate support for India's informal workers. In response to the first wave of COVID19, on 12th May 2020, Prime Minister announced Rs. 20 lakh crore package for farmers, cottage industry, MSMEs, laborers, middle class etc., titled as the Atma Nirbhar Bharat Abhiyan. Of the total, very few had helped the poor migrant and informal workers. Rs 40,000 crore increase in allocations for MGNREGA was announced to provide a boost to rural employment. In addition, about 8 crore migrants are expected to benefit with 5 kgs. grains per person and 1 kg. chana per family / month for two months. Rs. 3,500 crore had been provisioned for this intervention and the entire cost will be

vulnerable to cope with crisis, improve economic productivity, invest in education and health among others.³ At its minimum, Oxfam believes that social protection should provide access to public health services and basic income security for all. Its Commitment to Reducing Inequality (CRI) Index ranked India 129 out of 158 countries on the status of unemployment and vulnerability of employment.

The Unorganised Workers Sector Social Security Act, 2008 (UNWSSA) is one of the major milestone which recognized the need for formal social protection measures for the informal sector workers. It has laid the grounds for the formulation of life and disability cover, health and maternity benefits, old age protection etc. under the central government and housing, provident fund, upgradation of skills etc. under the state government. Schemes as the Indira Gandhi National Old Age and Pensions Scheme (NOAPS) and National Family Benefit Scheme and the now PM-JAY falls under these schemes. They are mostly applicable to informal workers from BPL households. However, on hindsight, UNWSSA has failed to effectively extend its reach to the informal workers and has seen little progress in creating accessible and effective social security schemes for informal workers.⁴

Recently, the Code on Social Security which is applicable to both formal and informal workers and defines social security as ‘...the measures of protection afforded to employees, unorganised workers, gig workers and platform workers to ensure access to health care and to provide income security, particularly in cases of old age, unemployment, sickness, invalidity, work injury, maternity or loss of a breadwinner by means of rights conferred on them and schemes framed, under this Code’ provisions for the central and

Oxfam India acknowledges the announced packages however, strongly believe that the ongoing social security schemes should be streamlined to support the informal and migrant workers. Starting from immediate cash transfer to free health services to ensuring uninterrupted Public Distribution and linking with MGNREGA work (once the migrants return) are some of the ongoing schemes if well implemented can bring relief to informal and migrant workers.

Oxfam considers social protection to be a human right, the universal access to which would act as a potential tool to eradicate inequality, poverty and vulnerability. It helps especially the poor and the

Oxfam India is now initiating its work on informal sector and we are at a very initial scoping stage. We are developing our programme work in few urban locations in Bangalore, Delhi, Mumbai and Pune. This work is also linked to our Responsible Supply Chain work under which we are working with Assam Tea workers and informal and migrant workers in sugar value chain in Uttarpradesh and Maharashtra. Last year, we have also engaged with the draft rules of the Labour Codes (Code on Wages and Code on Social Protection) and have provided recommendation to Ministry of Labour and Employment based on civil society consultations.

The links below have the set of recommendations:

<https://www.oxfamindia.org/sites/default/files/2020-08/Wage%20Code%20Bill-%20Recommendations.pdf>

https://d1ns4ht6ytuzzo.cloudfront.net/oxfamdata/oxfamdatapublic/020-12/Comments%20on%20the%20Draft%20of%20the%20Code%20on%20Social%20Security%20%28Central%29%20Rules%2C%202020_Oxfam%20India_December%2026th%202020.pdf?2B...sD3UKahDel.6oizeQtiO5atJ2pu

³ <https://www.worldbank.org/en/topic/socialprotection/overview>

⁴ <https://www.cprindia.org/research/reports/social-security-informal-workers-india>

state government to frame schemes on matters relating to life and disability cover, health and maternity benefit, old age protection, provident fund, employment injury benefit, education etc.

The Centre for Policy Research identifies certain challenges with the current system of social security in India which acts as a hurdle in making social protection accessible to the informal workers:

1. The Code on social security has relaxed the accountability and monitoring mechanisms in provisioning of social security benefits by employers and mirrors the UNWSSA;
2. The Code no longer requires the district administration to ensure and facilitate registration of workers. Thus, no authority or institution can be held accountable for delayed registration;
3. There is no minimum social security benefit that a citizen is guaranteed;
4. The system for identifying beneficiaries and the administration setup is fragmented;
5. Exclusion error is a common occurrence;

Moreover, informal workers still have very limited protective measures specifically targeted towards them despite having the legal framework to do so. In the backdrop of the current crisis, where the livelihood of the informal workers has been hit the hardest, it is pertinent, now more than ever, to initiate conversations on rolling out protective social security measures for the informal workers. Moreover, ensuring easy access to good quality public health and education is the need of the hour.

ABOUT OXFAM INDIA

Oxfam India is a movement of people working to end discrimination and create a free and just society. We work to ensure that Adivasis, Dalits, Muslims, and women and girls have safe-violence free lives with freedom to speak their mind, equal opportunities to realize their rights, and a discrimination free future. We research to find lasting solutions to end rising inequalities and exclusion of marginalized communities from getting decent jobs, quality free education and healthcare. We campaign with the public to demand policy changes from governments for creating a just and inclusive country as envisioned in the Indian Constitution. We mobilize support to save, protect and rebuild lives of the poorest of poor affected by crisis and humanitarian disasters. By putting the rights of marginalized at the heart of everything we do, we work to create a discrimination free India where everyone lives a life of dignity, free from injustice and inequality. Over the last year, we have changed the lives of over one million people in our six focus states*. We are also part of the Oxfam global confederation with affiliates in 20 countries fighting together build a better world.

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