

# Gender and Economic Policy Discussion Forum

## ‘Engendering Social Protection for Informal Economy Workers’<sup>1</sup>

FORUM V | 6 November 2012

BRIEFING NOTE 5

### HIGHLIGHTS / KEY POINTS

- A high determination and commitment within the political system is essential to ensure adequate integration of gender and national policies on social protection.
- It is recommended that India's health expenditure increases from the current 1.2% of the GDP to about 2.5% of the GDP.
- There is a need for formulating simple social protection schemes and undemanding procedures making them easily accessible by the target group.
- There is an urgent need to understand and appreciate the fact that 1/3rd of our nation's population is migrant population and an additional 5% migrates every year. However, our social protection schemes do not recognize migrants or their rights.
- Use of advanced technology is recommended for improved quality of social protection programmes, faster delivery, and better monitoring and evaluation of the schemes.
- Social protection schemes need to be decentralized to take advantage of local strengths and knowledge and cater to local needs.
- Recognition of women's dual responsibility in production and reproduction by providing support services such as child care centers for children of working women.
- Extended opportunities of employment for the informal sector particularly for women. This could be done through skill training programmes for alternative employment.
- Convergence of related schemes is critical for better delivery of programmes and to decrease the scope of corruption in implementation of the schemes. Also to create awareness among staff and citizens about the schemes (benefits, eligibility criteria and procedures) and take advantages of complementarities (particularly in delivery of schemes where there are multiple systems and multiple windows for multiple schemes or for various components of the same scheme).

### Introduction

Social protection is defined as, "a set of public measures that a society provides for its members to protect them against economic and social distress caused by the absence or a substantial reduction of income from work as a result of various contingencies (sickness, maternity, employment injury, unemployment, invalidity, old age or death of the breadwinner), the provision of healthcare and the provision of benefits for families with children."<sup>2</sup> These measures refer to both statutory and non-statutory measures,

usually taken in a life cycle perspective, which cover both contingent and chronic needs.<sup>3</sup> The full range of social protection interventions mainly includes protective, preventive, and promotive measures.<sup>4</sup> Protective measures is the provision of social assistance programmes meant for supporting individuals and families during their sudden periods of crisis by provision of income and access to required services. Preventive measures refer to social insurance aimed at averting deprivation, for example, old age pension and maternity benefits will fall in this category. And promotive measures aim to



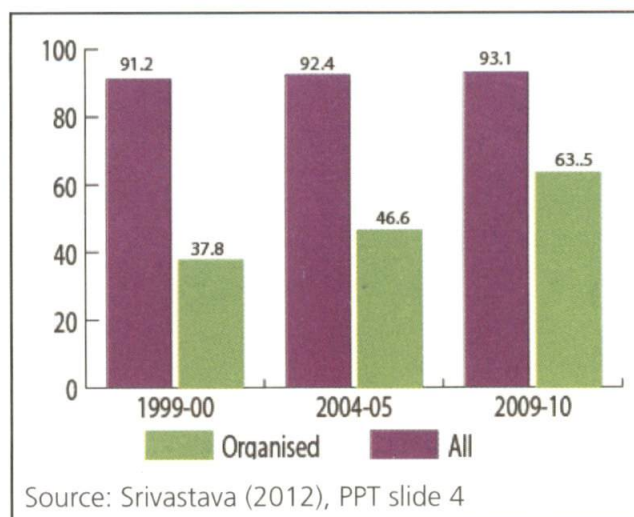
improve capabilities and availability of opportunities, real income and consumption, and enhancing overall conditions of life.

The categorization of target group for social protection measures could be workers and non-workers, however, attention is increasingly being paid in literature and policy to social protection measures for the deprived or the most vulnerable.<sup>5</sup> The overwhelming majority of workers in India belong to the informal sector, "of the working population of 317 million, over 290 million, i.e., over 92 percent are in the unorganised sector."<sup>6</sup> This sector is characterized with low wages, insecurity of work and income, and poor or sometimes hazardous work conditions, making this sector most relevant to social protection measures. Women workers in India are largely concentrated in the informal sector, and compared to men, their working conditions based on prejudicial notions are often more damaging and detrimental. Making women the most deprived and vulnerable workers in the Indian economy.

### The Status of Social Protection for Informal Economy Workers in India

As can be seen from the chart 1 below, the informal sector in the country has also been expanding, engulfing more and more workers in its fold. Additionally, increasing flexibilisation and informalisation in employment and working conditions has affected both men and women, increasing risks and vulnerability.<sup>7</sup> "The NSS data from 1999-00, 2004-05 & 2009-10 employment surveys show that: (a) the percentage of informal workers among paid workers in the non-agricultural sector has steadily increased. (b) The percentage of such workers with access to social security has declined. (c) Informalisation has grown even in the organised sector, and even in the public sector and in public ltd. companies."<sup>8</sup>

Social protection measures are critical for informal workers, particularly for women workers, to protect them from contingencies and deprivation. Yet, there are only a few social protection measures in place for informal workers in India that hardly address the vast number of insecurities faced by them. Social protection measures that benefit the informal sector include, crèches for children of working women implemented by the Central Social Welfare Board, monetary assistance of Rs 300 under the National



Maternity Benefit Scheme to pregnant women for first two childbirths, in the situation of death of the breadwinner of the family a lump sum amount of Rs. 5000 is given to BPL families under the Family Benefit Scheme, and under National Old-age Pension Scheme men and women who are 65 years and above are paid a monthly pension. There are also welfare funds administered by central and state governments provided to particular segments of the informal sector. The fund is created by charging a cess on the produce of the sector, for example, for the centrally administered Bidi Workers Welfare fund, a cess of about Rs 0.50 is charged on 1000 bidis<sup>9</sup>. Similarly there are welfare funds for mine workers. Besides the central and state government social protection schemes and social security funds, social assistance is also offered by many voluntary organizations as well as co-operative societies.<sup>10</sup>

Despite the criticality of social protection measures for the informal economy workers, especially women, the social security coverage is actually low and declining. According to the NCEUS, only about 7% of the total workforce in India has any form of social security<sup>11</sup>. With increased flexibility, even among wage employees in non-agricultural establishments, social security coverage is declining. Furthermore, 'findings of the NCEUS on protective social coverage shows that, only 6 percent of unorganised workers are estimated as receiving protective social security through governmental or non-governmental interventions. Major areas of vulnerability identified as: i) illness requiring hospitalization, ii) untimely death of bread winner, iii) unemployment, iv) maternity episodes, v) retirement from work.'



'As a response to the growing need of social protection for informal economy workers, the government legislated an Unorganised Workers Social Security Act in December 2008 and appended 10 Schemes in a Schedule to the Act. It has provided for registration of workers, but no universal coverage or integrated implementation. It introduced/enlarged three schemes: i) All old age (above 65 yrs) BPL persons Covered under an extended pension scheme. ii) National Health Insurance Scheme (RSBY) for poor workers with hospitalisation cover and a premium of Rs 750 (presently covers 25 m families). iii) Life –cum-accident cover (AABY) for landless rural labourers (premium of Rs 200).'<sup>13</sup>

### Health Security

Health security entails low exposure to risk, and access to health care services, with the ability to pay for medical care and medicine.<sup>14</sup> Risks that informal workers face in general increase manifold in case of women informal workers. Women workers who have an overwhelming presence in the informal sector are exposed to different kinds of health risks contributed by the poor conditions of work, inadequate support during the time of pregnancy and childbirth, and additional pressures of household work resulting in fatigue and debilitation. Due to the low wages paid to them, women also have limited financial capacities to access medical services.

Furthermore it has been acknowledged that in India, illness is a leading cause of household financial crisis.<sup>15</sup> In response to these problems the government has recently taken two important initiatives to avert the crisis that households in the unorganized sector may face. First, the National Rural Health Mission (NRHM) introduced in 2006 aimed at strengthening the rural health infrastructure, provision of qualified personnel, and primary health services in the rural areas. Second, the Rashtriya Swasthya Bima Yojna (RSBY), initiated in 2008, a healthcare insurance package that covers up to Rs 30,000 for in-patient related expenses for families that hold below poverty line (BPL) cards. In a short period of time, the RSBY has been able to grow and extend health insurance in 26 states of the country, and has provided smart cards to 33 million families.<sup>16</sup> The reason behind RSBY's success in covering a large number of households belonging to the informal sector in such a short period of time has

been its apt design and implementation. 'Keeping in view the characteristics of a person belonging to BPL families, RSBY has been designed as a simple paperless and a cashless scheme. Moreover, RSBY does not exclude the migrant population and is easily accessible by them. Women have benefited more from RSBY as they outnumber men in using the card. It also covers specific needs of women such as maternity benefit.'<sup>17</sup> Under the Unorganised Workers Social Security Act, the aim is to provide RSBY coverage to all informal economy workers. But, as RSBY covers the cost of hospitalization only, the informal workers still have to invest a lot of time and money due to frequent out-patient treatments.

### AADHAAR- A Unique Identification Number

"Aadhaar" is the nationwide Unique Identification Project launched by the Unique Identification Authority of India (UIDAI). It aims to provide a unique identity to individuals based on their biometric and demographic information. 'One of the biggest barrier that individuals from the informal sector face in accessing government sponsored schemes and benefits, is in proving their identity. But with unique identity individuals from the informal sector will not have to prove their identity at every step to avail benefits under various social assistance and protection schemes such as old age pension schemes, or health insurance schemes, or even the accessing the public distribution system. Aadhaar will also make possible effective monitoring of various social welfare programmes and ensure proper implementation for the intended beneficiaries. Aadhaar assigns a unique number to individuals easily identifiable anywhere in India, as such it also solves the immense problem faced by migrant families to prove their identity in different states. Their migration to another state for employment will not be a hindrance in registering for benefits under a social protection scheme.'<sup>18</sup>

'Aadhaar enrolled approximately 250 million people in the country during its initial stage and it aims to enroll 1.2 billion people by the year 2014. Aadhaar has also enabled delivery of the national old age pension scheme, NREGA scholarships, and rations across 8 districts in the country. Aadhaar also has the capacity to empower women as only they can access benefits through their UI, and no other person can do it on their behalf. For example, now women



themselves withdraw money they are entitled to under NREGA as the bank account is linked to their unique number, earlier men would withdraw the money on behalf of women.<sup>19</sup>

## Key Issues and Challenges

India is realizing the importance of providing social protection to millions of informal economy workers to decrease their vulnerability, avert crisis, and prevent families from down sliding into destitution. By enacting the Unorganised Workers Social Security Act, the government has also shown its willingness and desire to take initiatives in this regard. Nonetheless, the main challenge has been designing simple and easily accessible social protection schemes for the target groups. Up till now there have been a lot of complaints from the field in connection to difficulties in accessing social protection schemes such as the old age pension schemes, schemes for the widows, or assistance in case of death of the bread winner of the family. These difficulties include for instance, the demand by the government offices to present a number of documents to prove their eligibility for the entitlement, a requirement that is immensely difficult for a poor and an illiterate person to fulfill.<sup>20</sup> Or the inconvenience of foregoing a day's wage to stand in long queues in front of the government offices, sometimes only to be informed that their application is incomplete. In other words, there is a long list of things to be done to access the nominal amount that the social assistance schemes provide, or as Anjan Bhaskar opined, "a list of why we will not give you your entitlement under the scheme."<sup>21</sup> There have been analysis and reports on what social protection measures are needed in the country, but the need of the hour is to move beyond and focus on how these should be implemented for a target group as complex and heterogeneous as the informal workers.<sup>22</sup>

It is pertinent to emphasize here the effective use of advanced technology in alleviating many of the problems related to cumbersome delivery of social protection schemes. Some of the limitations identified at the fifth GEPD forum in the conventional method of delivering social protection measures were, a) when it comes to covering a large number of people, the traditional paper based methods are very slow, b) Often the target group

is illiterate and find it difficult to understand the documentary requirements, c) traditional methods are time consuming for the beneficiaries and entails loss of time that could be utilized for earning daily wage, d) traditional methods are more susceptible to abuse and corruption, and monitoring and evaluation is more difficult. As demonstrated by the RSBY, use of advanced technology can provide innovative solutions for faster and effective implementation. Advanced technology also has immense potential in maintaining huge data base of beneficiaries as well as integration of social welfare schemes, as made evident by the Aadhaar project.

To have a well designed social protection scheme, the first step is to understand the characteristics of the groups to be covered, the socio-economic context, existence of complementary services, the stakeholders involved, etc. In other words, a thorough situational analysis of the intended beneficiary is required, and the findings need to be incorporated into the design of the scheme making it relevant for the target group. The RSBY for instance is a paperless and a cashless scheme keeping in view that the intended beneficiaries are poor and often illiterate. An added challenge is the recognition of all the barriers to women's advancement in the labour market and conscious mainstreaming of gender needs into all aspects of policy and programme design for social protection. Different gender-specific categories of risk (Luttrell and Moser, 2004)<sup>23</sup>, include:

- Health risks (e.g. infant mortality, disease);
- Life cycle risks<sup>24</sup> (e.g. childbearing, divorce, widowhood);
- Household economic risks (e.g. increased expenditure for social obligations such as marriage and funerals);
- Social risks (e.g. exclusion, domestic violence, crime).

Migration of informal workers poses another major consideration. Often branded as Bangladeshis,<sup>25</sup> and not enrolled in electoral rolls, migrant workers do not have a strong political voice. Politicians are therefore in a position to ignore their needs and lack the will to improve their conditions. Nonetheless,



Aadhaar with its universal unique identification number hopes to redress the problem of proving one's identity at every step, making it easier for migrant families to demand their entitlements. RSBY with its innovative design has been able to overcome this problem, the migrant families can use the RSBY smart cards issued to them wherever they migrate for work.

Furthermore, 'Corporatization and privatization presents a major threat for women informal workers such as the waste pickers. The reason for many women waste pickers to join this occupation is the flexibility that it offers and the absence of a commanding boss. But with privatization, both these factors, i.e. flexibility and the absence of commanding figure are lost, the work conditions remain the same, and male dominance also increases. Hence, corporatization may increase vulnerability for informal women workers.'<sup>26</sup>

Still another issue is the convergence of several similar or related schemes on social protection. There is no contesting on the fact that clearly demarcated schemes, which can be clubbed together, are more effective in benefitting the recipients and also discourages leakages and corruption. 'Yet this is not happening in reality, as the respective stakeholders involved do not want to hurt their interests by discontinuing the practice of running separate schemes. The challenge here is to demonstrate that the interests of stakeholders will not be harmed, and that the convergence will further facilitate the implementation of programmes.'<sup>27</sup> The UI number can also act as a connector or converger of various schemes by providing in one card the individual details of a person. Ironically, an important caveat, however, is possible duplication in the efforts of Aadhaar and RSBY, as both promise convergence in delivery of social welfare schemes through UI numbers and smart cards respectively.

## Implications for Policy Change

- **High political will for engendering social protection programmes:** A high determination and commitment within the political system is essential to ensure adequate integration of gender and national policies on social protection. Analysis and identification of gender specific sources of risks and vulnerability needs to be

conducted for designing appropriate schemes most effective in addressing these vulnerabilities.

- **Increase in public expenditure on health:** 'Public expenditure on health in India is currently about 1.2 % of GDP and nearly 71 % expenditure is private out of pocket. A high level expert group (HLEG) has recommended universal health coverage, strengthening of public health systems, by increasing health expenditure to about 2.5 % of GDP.'<sup>28</sup>
- **Need for simple social protection schemes:** While formulating the scheme, attention needs to be paid to designing simple and effective schemes. Presently, beneficiaries are discouraged by the complexities involved in accessing the schemes, but they have no choice but to undergo the hassle for collecting the nominal amount. Hence, the challenge is to develop schemes with simple mechanisms making them easy to access by the already troubled beneficiaries. RSBY, for example, has demonstrated that it takes a beneficiary only about 10 minutes to get his smart card which has his bio-metrics on the card.<sup>29</sup>
- **Use of advanced technology:** It is important to have innovative social protection schemes that can have a faster and better coverage of the beneficiaries. Advanced technologies can improve the quality of the schemes, performance of government agencies in the delivery of the programmes, bring in transparency in the processes and develop better monitoring and evaluation mechanisms. However, simply technology can never be sufficient for ensuring effective delivery of schemes. Ultimately, technology doesn't work on its own and the people operating the technology are humans. This is what has happened even with the RSBY, as several hospitals refuse to entertain patients with RSBY smart cards – they claim that the payment delays on the part of the government are too long, and they are left in uncertainty about their payment. Hence, despite having a wonderful card, poor are left without any access to healthcare in times of emergency. Therefore, a mechanism of constantly reviewing and reforming social protection programmes to make them simple yet effective is of utmost importance.
- **Decentralization of social protection schemes<sup>30</sup>:** Centralized systems have its limitations in addressing the heterogeneity of the informal sector. "Given the multiplicity of



sectors, different types of employment patterns, different socio-economic patterns in each state, the large number of different types of grass roots organizations and NGOs, there should be no attempt to try and impose standard patterns on social security systems.”<sup>31</sup> Decentralization helps in taking advantage of local strengths and knowledge in designing and delivery of the social protection scheme that caters to local needs. The agenda of covering the maximum number of informal workers with effective schemes is more possible through decentralization.

- **Transparency in the working of social protection schemes:** ‘There should be transparency in the working of these schemes and RTI should be used for the same, so that the deserving beneficiaries alone get the benefits of the schemes and no one can misuse the schemes.’<sup>32</sup> With increasing privatization of public services, it is important that the RTI be extended to cover such private agencies that are being paid by the government to provide public services. If the organisations themselves do not come under the RTI Act, at least the relevant public sector agency must not shy away from giving information related to the functioning of the private agency.
- **Recognition of women’s dual responsibility in production and reproduction<sup>33</sup>:** Compulsory provision of support services such as child care centers for children of working women will go a long way in enabling women to work without worry and in providing children with safe areas away from potential dangers at the work site. Such initiatives will promote the well-being of the child and reduce child labour. This type of integrated approach responds to the importance of recognizing women’s needs as workers as well as their needs as mothers.<sup>34</sup> This would also enable women to take up formal, full time occupations rather than restricting themselves to low-paying informal occupations which offer flexibility to adjust their timings between child care and work.
- **Extended opportunities of employment<sup>35</sup>:** Besides the general insecurities that the workers face relating to health and unforeseen contingencies, the informal sector workers face additional threats such as, seasonal nature of work and privatization and corporatization. Skills training programmes may be provided to women to enhance their employment opportunities. Scheme’s such as the NREG have played an important role in mitigating seasonal unemployment. Additionally, provision of public services through women’s cooperatives, such as that done in Pune where a women waste pickers’ cooperative provides door to door waste collection services to the city, could lead to creation of several sustainable livelihoods for women while empowering them and enabling their exit out of poverty and vulnerability.
- **Convergence of related or similar schemes:** Convergence of related schemes is critical for better delivery of programmes and to decrease the scope of corruption in implementation of the scheme. However the challenge is to bring the separate stakeholders of various schemes together against the common agenda of better implementation of schemes.
- **Recognizing migrants and their rights:** Poor people, who migrate from rural to urban areas have absolutely no rights when they arrive. Further, since access to any entitlement requires some proof of being a ‘local’ resident, the poor are denied all their entitlements in the absence of any documentation. While the rich are able to produce their tenancy or property ownership documents, the poor are unable to get these. Hence, they remain marginalized and struggle to obtain any proof of their identity or residence in urban areas. A social protection scheme which does not cater to informal migrant workers, or discriminates against migrants, would fail in its objective of providing support to the most vulnerable population – as most of the schemes currently do.
- **National minimum social security package:** ‘The National Advisory Council (NAC) working group (January 2012) has now revived a proposal for a national minimum social security package on the lines of the NCEUS. It envisages a Universal Minimum Social Security Package consisting of maternity benefits, health cover, life cover and pension for all workers, except those covered under formal social security schemes and income tax payers. The proposal has modified the Indira Gandhi Matritva Sahyog Yojana for maternity benefit. It is proposed that RSBY be later merged into the National Health entitlement Plan, and higher benefits to be assigned for life cover compared to the present Aam Aadmi Bima Yojna (AABY).’<sup>36</sup>

## Endnotes

<sup>1</sup>This was the topic of discussion during the fifth Gender and Economic Policy Discussion (GEPD) Forum, 06 Nov. 2012, co-organized by Heinrich Boll Stiftung, New Delhi and Institute of Social Studies Trust (ISST), New Delhi. Representatives from the civil society, academicians, and the government participated to analyze and present their ideas on engendering social protection policies in India. This paper presents the ideas and discussions that took place during the forum, and substantiates these ideas with some relevant data and research available. This paper is not meant to be a comprehensive and exhaustive presentation of the topic. It seeks to contribute to the body of research on the subject by presenting a mix of, academic, private and government experiences. This brief paper is mainly aimed to encourage further dialogue on the subject with a gender sensitive perspective.

<sup>2</sup>ILO (2004), Srivastava, R (2012) PPT, slide no. 2

<sup>3</sup>Srivastava, R (2012) PPT, slide no. 2

<sup>4</sup>Guhan (1994), Devereux (2001), Jhabvala, R (1998)

<sup>5</sup>Dreze, J and Sen, A (1991), Jhabvala, R, (1998)

<sup>6</sup>Jhabvala, R (1998), p L-7

<sup>7</sup>Srivastava, R (2012), PPT slide no 3

<sup>8</sup>Ibid

<sup>9</sup>Jhabvala, R (1998), p L-9

<sup>10</sup>Sankaran T S (2006), p 127

<sup>11</sup>Srivastava, R, (2012) PPT slide no 7

<sup>12</sup>Ibid, PPT slide no 9

<sup>13</sup>Ibid, PPT slide no 11

<sup>14</sup>Unni J & Rani, U (2003), p 141

<sup>15</sup>Das, J & Leino, J (2011), Desai, S (2009), Selvaraj, S & Karan, A (2012)

<sup>16</sup>Data given by Mr. Anil Swarup at GEPD V

<sup>17</sup>Pointed out by Mr. Anil Swarup at GEPD V

<sup>18</sup>Noted by Mr. Rajesh Bansal at GEPD V

<sup>19</sup>Ibid

<sup>20</sup>Shared by Mr. Anjor Bhaskar, at the GEPD forum V

<sup>21</sup>Ibid

<sup>22</sup>Emphasized by Mr. Anil Swarup

<sup>23</sup>Cited in Thakur, S G (2009), 167

<sup>24</sup>Also mentioned by Mr. Ravi Srivastava at GEPD forum V

<sup>25</sup>Migrants are labeled as Bangladeshi in Pune, shared by Mr. Anjor Bhaskar, GEPD forum V

<sup>26</sup>Based on Anjor Bhaskar's presentation at GEPD forum V

<sup>27</sup>Shared by Mr. Anil Swarup, GEPD forum V

<sup>28</sup>Srivastava, R (2012), PPT slide no. 18

<sup>29</sup>Pointed out by Mr. Anil Swarup

<sup>30</sup>Emphasized by Mr. Anjor Bhaskar

<sup>31</sup>Jhabvala, R (1998), p L-11

<sup>32</sup>Point made by Mr. Anjor Bhaskar

<sup>33</sup>Srivastava, R (2012), PPT slide no. 19

<sup>34</sup>Thakur, S G (2009), p 176

<sup>35</sup>Point made by Mr. Anjor Bhaskar

<sup>36</sup>Srivastava, R (2012), PPT slide nos. 10, 12, 13

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## Speakers at the Forum

### Panel:

**Dr. Ravi Srivastava**, Professor of Economics in the Centre for the Study of Regional Development, School of Social Sciences, Jawaharlal Nehru University.

**Mr. Anil Swarup**, Director General, Labour Welfare and Additional Secretary, Ministry of Labour & Employment, Government of India

**Mr. Rajesh Bansal**, the Assistant Director General, UIDAI

**Mr. Anjor Bhaskar**, economist working on inclusive sustainable development, worked with Kagad Kach Patra Kashtakari Panchayat and SWACH, Pune and Kachra Kamgar Union in Delhi

## Gender and Economic Policy Discussion Forum

presented by

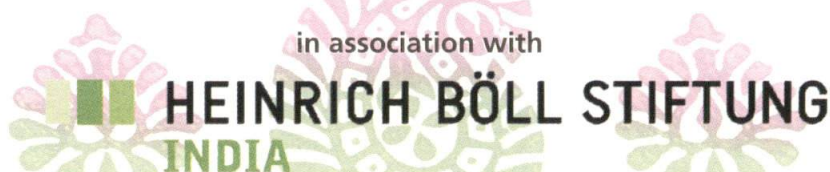


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