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FOR INFORMAL WORKERS
CASE FOR A NEEDS-BASED APPROACH**

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June, 2022



Institute of Development Studies, Jaipur, Rajasthan (India)

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Rethinking Social Security Provision for Informal Workers Case for A Needs-based Approach¹

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Abstract

In an era of globalisation, privatisation and liberalisation, employment across the globe has become precarious and insecure. Plight of those seeking employment in the informal sector is miserable. With limited, uncertain and insecure earnings, the informal sector workers get exposed to a set of vulnerabilities. Due to their limited wherewithal, their lives remain much insecure at times of contingency. As they lack access to institutional social security mechanism, there has been a pressing need for devising a sound social security system that may provide a workable solution to their needs at times of emergency. In this context, this study has a two-fold objective. First, it discusses the notion of social security from a developing world perspective and secondly, it proposes a needs-based approach to social security with substantiation.

JEL Classification: Informal Sector, Informal Workers, Social Security, Contingent Security.

Introduction

Access to social security by shielding against adversities like unemployment, illness, injury and other life-threatening events such as famines besides providing opportunities to enhance one's capabilities and livelihood options, can ensure better returns. It is increasingly recognised that a life secured against various contingencies, apart from improving the levels of economic growth contributes towards meaningful human lives by relieving people from their vulnerabilities. Due to its contribution towards the enrichment of human lives, scholars have linked the concept of security with the notion of social justice and human rights.²

¹ This study emerges as a follow up of detailed research on vulnerable livelihoods of informal sector workers done under the ICSSR-sponsored study on 'Livelihood Insecurity in India's Urban Informal Sector: A Study of Manufacturing Segment across Selected Industrial Clusters'. The author is thankful to the ICSSR for giving this opportunity. Suggestions provided by various informal sector workers during primary survey are deeply acknowledged. However, I am solely responsible for the errors, if any.

² For example, Dunne and Wheeler's (2004) critical approach to security emphasises the fundamental indivisibility of security and human rights. Also see, Kannan and Pillai (2007).

Moreover, the significance of security has been recognised at the international level and most often, it remained the central focus of various international conventions and declarations.³

Such concerns for security in both the developed and the developing world have emerged because “the reality of poverty, vulnerability and social insecurity is all pervasive irrespective of the income levels of countries. The difference is only one of degree and not of essence” (Kannan, 2004: 1-6). No matter whether these are developed, developing or transition economies, there exist several critical areas of insecurity to be addressed. The developing economies, for example, are suffering from unemployment, under-employment, unmet basic needs and high old age vulnerability whereas issues of open unemployment, inadequate old age pensions and absolute poverty are major problems for the economies in transition. One cannot term even the developed world without any problems as these economies are facing an increase in aged population, child poverty, open unemployment and problems related to migrant population.

A major reason for the emergence of these problems is related to the nature of modern development process. In fact, it has become difficult for a large set of the population to satisfy even their basic needs due to changing contours of the development process.⁴ Along with this, the introduction of flexibility in labour markets during globalisation has endangered the livelihoods of a majority of workers. The International Labour Organisation in its report *Economic Security for a Better World* have raised concern about emerging economic insecurity by pointing out, “there is a greater perception of risk, a greater incidence of people exposed to a wide range of risk, and a reduced capacity to cope with and to recover from the adverse consequences in part because of the cumulative nature of “winning” and “losing” in a market society, in part because of the whittling away of informal support network (familial or other) and of formal state network of support in case of need” (ILO, 2004: 3-5).

Though experience of insecurity is common for entire population, it is mainly the working class, which are more vulnerable to changes in the global economy. Scholars have pointed out factors like foreign trade, foreign direct investment, price fluctuations, flexibilization of labour market, changes in government expenditure and lack or inadequate coverage of social security as key factors for economic insecurity of working class.⁵ Though the onslaught of economic insecurity during globalisation is jeopardising the lives of workers in both the developed and the developing nations, these are the workers from the developing world for whom it has become much hard to manage with these emerging insecurities. There does prevail a kind of dualism in

³ Article 25 of the Universal Declaration of Human Rights adopted by the United Nations on December 10, 1948 reads, “Everyone has the right to a standard of living adequate for health and well-being of himself and of his family including food, clothing, housing and medical care and necessary social services and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control” (United Nations, 1948); Australian Labour Party, 1998 in its election campaign promised to end insecurity and had ‘Security and Opportunity’ as its slogan.

⁴ The nature of development in modern times has been towards exposing a large set of people to greater risks and adversities. The acceleration of computer based technological change, for example, has displaced a vast majority of the workforce. Such technological revolution, in the face of inadequate employment opportunities in developing countries, has forced these displaced workers either to join the ranks of unemployed or to find their livelihoods in the unorganised sector, which itself contains the elements of insecurity.

⁵ For the relation between trade and income insecurity in developing countries, see Bhagwati (1998); for the impact of foreign direct investment on labour demand, employment and wages, see Scheve and Slaughter (2002); in order to understand how countries and periods with high inflation display lower happiness, see Di Tella et al. (2001).

the labour market of developing countries as far as the level and kind of security enjoyed by the workers is concerned. Here, one segment being relatively organised is able to take advantage of strong trade unions and legislative support to protect it from different forms of insecurities, whereas the other segment, though being relatively large in size is unorganised and is not able to safeguard its interests primarily due to lack of significant legislative support. It suffers from various forms of insecurities. The experience of these insecurities for this segment of workers is not mutually exclusive in the sense that the impact of insecurity does not remain limited to itself alone, rather it triggers another insecurity, which, most often, acts and reacts with other aspects of human life and add on to insecurity. Such complex interplay of insecurities ruins not only the present well-being of workers but also puts at stake their future well-being. Given such circumstances, there arise the need, at least from a policy perspective, to devise measures by which we may protect the ability of these workers in the unorganised segment to make decisions based on a range of real choices about their lives in the event of emerging economic insecurities.

This paper has a two-fold objective. First, it discusses the notion of social security from a developing world perspective (in section I). Secondly, it proposes a needs-based approach to social security with substantiation (in section II). To conclude, the relative merit of needs-based social security scheme especially in situation when the incidence of vulnerability has become pervasive in the working lives of informal sector workers are discussed (in section III).

Section I

Understanding the Notion of Socio-economic Security: Developing World Perspective

Since the evolution of civilisation, though every society or tribe had devised ways to ensure the provision for certain basic needs and protection from various contingencies⁶, there took place a more formal and systematic development of social security in industrialised countries mainly due to rapidly increasing industrialisation and urbanisation during the last two centuries. The Europe during this period witnessed initiatives by various organisations of merchants or craftsmen to protect the economic security of their members. These initiatives were supplemented by the state with the 1834 Reform of the British Poor Laws when the relief for the poor was financed from a compulsory tax on the property-owners.⁷ After receiving stimulus from the state, the coverage of social security continued to widen over period of time⁸ and it attained a more formal character after enactment of the Social Security Act in 1935 under Roosevelt administration in United States. In fact, Roosevelt wished for ensuring '*security from cradle to the grave*'. Similarly, the visionary aim of '*freedom from fear and want*' proclaimed by United States and United Kingdom in the Atlantic Charter of 1941 got revolutionised with William Beveridge's Report (Otting, 1993).

⁶Hallen (1967: 31-39), for example, provide a brief description of various types of social securities available to the people of India in ancient times. It informs us about the existence of provisions against various contingencies like sickness, maternity, old age and unemployment even in the times of Manu, Kautilya and Shukracharya. It also points out the prevalence of certain institutions of the type of "Guilds" or "Sangh" which worked as social insurance institutions providing various benefits ranging from sickness to burial benefits.

⁷For a brief account of the evolution of social security, see Ghai (2002).

⁸Social insurance, for example, was introduced by Otto von Bismarck in Germany in 1889.

Following these developments in the industrialised nations, the International Labour Organisation (ILO), in 1952, also contributed towards the consolidation of social security through its Social Security (Minimum Standards) Convention (No. 102). This Convention marked the beginning of the new era on social security, as it was much different from the earlier pre-war Conventions. It distinguished and defined nine branches of social security covering all the standard contingencies faced by workers, viz. the need for medical care, incapacity for work due to sickness, unemployment, old age, employment injury, child maintenance, maternity, invalidity and death of the breadwinner⁹ (ibid: 165-168). It defined social security as the result achieved by a comprehensive and successful series of measures for protecting the public (or a large sector of it) from the economic distress that, in the absence of such measures, would be caused by the stoppage of earnings in sickness, unemployment or old age and after death; for making available to that same public medical care as needed; and for subsidising families bringing up young children (ILO, 1958: 11 as quoted in Prabhu, 2001: 3). This definition of social security received criticism as it was based on the belief that the people already enjoy a certain socially desirable minimum standard of living and consequently, social security should protect and prevent a fall in living standards (Dev et al., 2001: 12-13).

Nevertheless, this Convention as such played a key role towards the development of social security systems over a period of time in the industrialised countries. Though developing countries too, after attaining independence, have initiated attempts towards providing security against various adversities, there has not taken place any significant change in extent and coverage of social security in the developing world. Guhan (1994) argued that formal measures of social security implicit in the ILO Convention No. 102 experience a number of limitations in the developing world as far as the question of their availability, coverage, adequacy, regional-spread and financing is concerned. Moreover, in developing countries, the scope for these formal measures of social security gets further narrowed down due to various bottlenecks like under-developed credit and insurance markets, segmented labour markets, high proportion of self-employed, unstable and irregular wage employments, high occupational diversity, federal resource constraints and so on. Given such structural and economic bottlenecks towards the adoption of classical models of social security, the prevalence and persistence of adversity and deprivation in the developing world have urged the need to explore alternatives suitable for developing world. Not surprisingly, there has emerged a huge literature, around this idea.¹⁰

A central tenet of the literature is related to the notion that people in the developing world has already experienced deprivation and adversity of one kind or the other and unlike the developed nations, there exist certain segments of population which are deprived of even the basic needs like food, water, shelter etc. A large number of people are either unemployed or if employed, they are in such occupations where they suffer from irregularity of work, poor working

⁹ Along with this Convention, the ILO has adopted a number of Conventions relating to the aspects of maternity protection, employment injury benefits, old-age and survivors' benefits, medical care and sickness benefits, occupational safety and health, employment promotion and protection against unemployment and so on. For more information on ILO's Conventions (no. 187, till date), see <http://www.ilo.org/ilolex/english/convdisp1.htm>

¹⁰ Burgess and Stern (1991); Cichon and Gillian (1993); Guhan (1994); Dror and Jacquier (1999); Jötting, J (2000); Kannan (2002).

conditions, inadequate earnings and limited chances of upward mobility. Under such conditions, there is a greater need, along with protective modes, to strengthen the promotional modes of social security so that the life-styles of the poor and vulnerable segments of the population may be uplifted.

In the era of globalisation, though both the developed and developing countries experienced flexibilization of labour markets and the consequent emergence of various forms of precarious and insecure occupations (Heery and Salmon, 2000), it is in the latter type of countries, such nature of growth in this era have left people with much feelings of 'being vulnerable and poor'. Such a situation emerged basically due to either lack of sound security policies or narrow coverage of existing safety mechanisms or both. Under such circumstances, arguments have been made towards enlarging the concept and coverage of social security. Though from a general perspective, the effort made by Kannan (2004) in this direction is quite remarkable as it extends the conventional scope of social security to include two kinds, though closely related, of social security, viz., 'Basic Social Security' (BSS) and 'Contingent Social Security' (CSS). The BSS refers to that kind of security which is directly linked to the problem of deficiency of those having either no or negligible access and affordability to minimum resources required for a dignified life in society whereas the CSS aims at providing support, through social arrangements, against various contingencies in one's life. These contingencies may refer to adverse 'situations arising out of human life and work such as ill-health, injury and accidents, unemployment, maternity, old-age, death of an earning member and so on' (ibid: 11).

Also, it is worth mentioning that along with social security, the term 'socio-economic security' is in vogue.¹¹ It is claimed that the term 'socio-economic security' is much inclusive and broader than the conventional definition of 'social security'. Prabhu (2001) considered socio-economic security to include not only various contents of ILO's social security but also various measures to enhance social and economic capabilities of the people.

As discussed above, the provision of social security in developing countries, through various promotional and protective mechanisms, aims at enabling the economically and socially weaker sections of the population to enjoy certain minimum level of basic needs like food, clothing, health, education etc. Most often, the provision of these benefits is means tested. The state in India, for example, also provided for a (stipulated) minimum wage across different occupations as a protective mechanism. In recent times (in an era of globalisation), there took place a spurt in informalisation and casualisation of workforce in the developing world and consequently, the security-related needs of the workforce have become quite diverse and significant. Owing to this, there has arisen the need for such social security policy that should address issues of not only basic and contingent social security, but also various aspects related to workplace, mainly in the unorganised (informal) segments. Most of these workplace related aspects remained, till date, beyond the ambit of present-day social security policies. Recently, the ILO has initiated its

¹¹ See, for example, Prabhu (2001), Dasgupta (2002).

effort to examine the economic insecurity faced by workers in various workplace related aspects, but it does not specify any distinction about the dualistic nature of these economies.

Issues Concerning Socio-economic Security in the Developing World

The concept of socio-economic security assumes significance in the developing world mainly because of its merit in taking care of both work-related and contingency-related insecurities and vulnerabilities. There are several critical issues that need to be addressed while thinking about the domain, object and feasibility of socio-economic security in the developing world.

The first core issue is about the constituents of socio-economic security. As pointed out elsewhere, the concept of socio-economic security is both work-based and contingency-based and therefore its constituents also are related with these aspects. Following Guhan (1994), the constituents of socio-economic security should be such that they should prevent an increase in deprivation and should act towards promoting the chances for individual development. In developing countries where a large number of people are either unemployed or if employed, are engaged in self-employment or wage-based work activities, the protective element implicit in work-based socio-economic security should aim towards not only the protection from unemployment or under-employment but also should ensure the protection of already employed working populations from various kinds of exploitation and discrimination, prohibition of child labour of any kind, ensuring safe working conditions, and so on whereas the promotional element implicit in work-based socio-economic security should contribute to the enrichment of human capital through the provision of required skills and training to workers, ensuring easy access to administrative machinery for safeguarding workers' interests, development of sound legislative frameworks and so on. Regarding the second aspect viz. contingency-based socio-economic security, the protective element should provide support to the 'needy' ones in case of irregularity of employment, exposure to sickness, accidents, injury and maternity compulsions along with provision of support in case of old-age, death of breadwinner and various other similar contingencies whereas the promotional element should uplift the living standards of the needy through the provision of support in terms of food, clothing, shelter, education, health etc. at times of adversities.

The second issue is related to the question: who will be the beneficiaries of socio-economic security? The answer to this question is implicit in the definition of socio-economic security. A consideration of only the work-based component of socio-economic security leaves the impression that its scope is limited to workers and their families only – no matter whether they are either self-employed or wage workers but, at the same time, a look at the contingency-based element of socio-economic security leaves its scope open to all those who are in need due to their exposure to various adversities – no matter whether they are workers, elderly, widows, children and so on. In one sense, one may consider population as workers. The children, for example, are potential workers whereas elderly and widows are categorised as retired workers.

The third core issue of socio-economic security provision to the working class is the question of mobilising resources for financing it. Scholars like Burgess and Stern (1991) have opined that the state should come forward to ensure the provision of social security. The reasons for active state participation are varied and range from the questions of efficient allocation and distribution of resources in an economy, social welfare and various other political economy considerations. This aspect of financing social security solely through state exchequer has received criticism from various scholars during recent times. It is argued that the capacities of the state to provide such compensation got restricted due to the emergence of globalisation, liberalisation and privatisation at the large scale.¹² Moreover, in developed countries, there is on-going debate, pioneered by Feldstein and others¹³, about various aspects related to social security such as its type, targets, financing, etc.

In developing countries too, the fact of reduced financial capability of the state during globalisation stands as well but there is also the evidence revealing the wastage of public funds due to lack of planning and mis-management.¹⁴ Such incidence provides a ground to question: if there are funds with the government to waste, why does it not have any funds for the welfare of the masses? Given such incidence, it is quite possible for the state, in its capacity, to provide at least the minimum support for the cause of welfare and well-being of the needy populations. The state in Kerala itself provides a striking example of contributing, though partially, towards the establishment of the 'welfare boards' (Kannan, 2002). The funds of welfare boards are contribution-based with partial support from the state. Therefore, on the same line, various benefits to the working populations under the socio-economic security can be provided.

Section II

Rationale for a Needs-based Approach to Social Security

Though there has been a concern for strengthening social security mechanism in India even among the earlier governments, it has been the UPA government, which took this aspect seriously and thereby constituted a National Commission for Enterprises in the Unorganised Sector (NCEUS) to devise mechanisms for ameliorating the working lives of unorganised sector enterprises and workers. The NCEUS, after a thorough examination of various facets of unorganised enterprises and unorganised workers, has reached at the conclusion that the insecurities faced by unorganised workers are quite pervasive, which urge for a provision of some sort of protective cover to the workers. Though there has been a mild criticism from other commentators about the way the NCEUS has envisaged the provision of basic social security cover to the unorganised workers, there has been a unanimous consensus about its utmost need. The NCEUS, besides suggesting other policy measures for strengthening the operational dynamics of unorganised enterprises, has urged the state to facilitate the development of social security boards to provide a universal basic minimum social security cover to all the unorganised

¹² See, e.g., Rodrik (1997); Desai (1999) among others.

¹³ See, Feldstein (2005a, 2005b), Diamond and Orszag (2005).

¹⁴ Time and cost overruns of power projects in India is one such glaring example highlighting the misuse of public funds (for more details, see Pillai and Kannan (2001).

workers. The NCEUS suggested the provision of a basic monthly pension of Rs. 200 to all workers belonging to BPL families. It also made provisions for health benefits, maternity benefits, life and old age benefits for other unorganised workers. It envisaged the financing of such basic social security through a contributory system with worker, employer and the state as the key contributors in the sense that it urged the employer and state to contribute Rs. 1 a day each and the worker a maximum of Rs. 1 a day to the contributory fund. In cases, where it is difficult to identify employers, the NCEUS urged the state to come forward for making contributions.

It is noteworthy that the NCEUS' proposal for providing basic social security cover to unorganised sector workers is really commendable as it has shown the unorganised workers some hope of getting relief through the institutional mechanism. Nevertheless, there lies adequate scope for honing its proposal further by suggesting that sector-specific social security policies within the unorganised sector should be developed so as to attain more concrete outcomes. Such point holds significance due to the fact that India's unorganised sector per se is quite diverse and heterogeneous which makes the workers belonging to different sectors quite diverse in their exposure to insecurity and thereby their need for social security. We make such an attempt by considering the case of unorganised manufacturing sector workers by forwarding a needs-based approach to social security.

Broadly, the social security literature has emphasised mainly on the provision of old age security and health benefits and in most cases, it considered workers as a homogeneous group having similar needs. Though one may attribute such perspective on social security to the minimalist role of the state, the utility of such an approach to social security for mitigating the hardships of working class remains somewhat limited as economic shocks experienced by worker households do not remain confined merely to health and old age; rather the worker households experience a variety of economic shocks in their routine lives. Amongst others, sudden exposure to unforeseen contingencies makes households vulnerable. Therefore, under such circumstances, the social security mechanism, as emphasised by Kannan (2007), must contain an element of contingent security. The contingent security transforms the general character of social security into the one that is largely based on households' needs. The 'Needs-based Approach to Social Security', being largely protective by its nature, is based on the premise that the social security mechanism should be in a position to provide economic support to the worker household as and when it feels the utmost need for such help.

Salient Features of Needs-based Approach to Social Security

The social security is known not only for its nature of contributions but also for eligibility conditions and the structure of benefits provided. The discussion of salient features of the needs-based approach to social security is largely based on an elaboration of various aspects that underlie each of the contribution rates, eligibility conditions and the benefit structure.

Contribution Rates

The proposed scheme is based on the contributory principle and in its endeavour, it considers the worker, employer and the state as active contributors to worker's contributory fund. It is noteworthy that it does not adhere to the principle of uniform contributions by the three players; rather its contribution structure is influenced by certain principles and thereby is based on the proportionate formula.

For contributions from workers, it follows the principle that a worker must make his contributions as per his ability to contribute to his contributory fund. Such a need for seeking contributions from the workers as per their ability to contribute has been desired in light of the fact that a large majority of the unorganised industry workers are poor. Under such situation, it could be difficult for a worker with high dependency burden to contribute to his contributory fund even if he/she is regularly employed.¹⁵ Therefore, it was urged that the proposed social security scheme must take care of worker's dependency burden. It must allow the workers to be a part of the program by asking them to contribute only at the rate of one percent of the per capita income of their family members. Moreover, the proposed scheme adheres to the notion that it should not burden the new incomers to contribute to their contributory fund as and when they join the labour market; rather it provides a sufficient time (of say, 5 years) to get them somewhat adjusted to labour market before starting making contributions to their contributory fund.

While seeking contributions from the employers, the scheme adheres to the principle of 'Reward as per Performance' as it finds quite unjust for not penalising the employers in proportion to worker's contribution to enterprise's growth and thereby employer's profitability. Such a contribution from employers seems to be quite rational as the worker makes her contribution and the employer must compensate the worker over and above her wage to facilitate offsetting the unlikely effects of working conditions under which the worker has contributed to enterprise's growth. Specifically, the scheme proposes that the employer should contribute at the rate of one percent of the wage received by the worker. The proposed scheme while seeking contributions from the employer also considers seriously the degree of hazardousness of the work activity performed by the worker. It opines that hazardous working conditions, by affecting adversely workers' health, burden workers with pre-mature retirement. These adverse working conditions also lessen worker's life expectancy. There is a social rationale for setting employer's contribution rate at a higher level. In this endeavour, it proposes *a priori* the construction of an 'Enterprise Hazardousness Index' (EHI) at a scale to the maximum of 10. If the work is not found to be hazardous, the employer is relieved from making contribution on this account. Otherwise, she has to make contributions of 0.10 percent of wage at every point reached by the EHI index. The employer, for example, is asked to contribute additionally 0.2 percent of wage if the value of calculated EHI index is 2 and 0.8 percent of wage, if the value is found to be 8 and so on.

¹⁵ It is noteworthy that a large segment of the unorganised workers work as either casuals or contractual – employment types with inherent characteristics of irregularity. Such workers, at the times of unemployment, may find it relatively burdensome to contribute regularly a uniform rate to their contributory fund.

Table 1: State's Contribution Rate under Proposed Social Security Scheme

Household Per Capita (Adult Equivalent) Income Slabs	State Contribution Rate	State Contribution (in Rs.)
Below 0.50 times State Poverty Line	1.50 times of Rs. 30 a month	45
Between 0.50 times and 1 times State Poverty Line	1.25 times of Rs. 30 a month	37.50
Between 1 and 1.50 times State Poverty Line	Rs. 30 a month	30
Between 1.50 and 2 times State Poverty Line	0.80 percent of Rs. 30 a month	24
Between 2 and 2.50 times State Poverty Line	0.50 percent of Rs. 30 a month	15
Above 2.50 times State Poverty Line	No Contribution	No Contribution

Note: This idea gets inspiration from Sengupta, Kannan and Raveendran (2008)

The proposed scheme holds the state responsible for contributing to workers' contributory fund but while seeking contributions from the state, it does not urge the state to make a uniform contribution for all the workers; rather it holds that the state should prioritise the welfare of most needy workers over others, who are more capable of taking care of their basic needs. NCEUS has aptly proposed a uniform state contribution of Rs. 1 a day, i.e., Rs. 30 a month or Rs. 365 a year. Nevertheless, the State, on grounds of social justice, shall not adopt a uniform contribution rate for all the workers; rather it should adopt a discriminatory policy aimed at helping needy workers relatively more than other workers. We propose the state contribution rate to be determined by the slab under which the per capita income of worker's household members falls. As shown in Table 1, if the per capita income level falls far below the poverty line, the state's contribution rate should be Rs. 45 a month (1.5 times a minimum of Rs. 30). If this per capita income is somewhat nearer to the poverty line, the state contribution should be Rs. 37.5 a month (1.25 times Rs. 30). If the per capita income is above poverty line, but within the range of 1.50 times of the poverty line, the state's contribution may be Rs. 30 a month. Similarly, the magnitude of state contribution should fall progressively if the worker's family is sufficiently out of the poverty line, with no state contribution for the households much far away from the poverty line. In case of non-home-based self-employed workers not working on contract basis, where there is no (direct or indirect) employer, the state should double the contribution as per respective economic status of the worker household.

Eligibility Conditions

As mentioned above, the proposed social security scheme exempts a worker from making contributions to his contributory fund for initial five years of his entry into the labour market and it provides for old-age pension, health benefits, contingency benefits, funeral benefits and the survivor benefits, but subject to certain eligibility conditions. For example, a worker is eligible for old age pension either on completion of age 60 or before in case he/she is declared unfit for work on medical grounds. The old-age pension is also available to those workers who become disabled due to work-related injury or accident.¹⁶ Similarly, the worker is eligible to claim health

¹⁶ Here, the government and the respective employer should keep on contributing to the worker's contributory fund at the rate of 1 percent of his last wage.

security benefits only after ten years of his entry into the labour market and this health benefit is restricted only for the treatment of major ailments for which the hospitalisation is necessary. Like the health security, the worker is eligible to claim the benefit of contingency security only after ten years of his entry into the labour market and this contingency benefit is restricted to contingencies like child birth, marriage, funeral of other family members and ceremonies. The funeral benefits are confined to the families of only those workers which die before attaining the age of 60.

Benefit Structure

The old-age pension benefit contains two elements: one fixed and another variable. The fixed element is kept at Rs. 200 per month and the variable component is kept at 0.05 percent of the last cumulative contributory fund, subject to the subsequent revisions by the state social security boards.¹⁷ Similarly, a worker can claim this health security benefit once in five years till his retirement. Such a provision of getting health security benefits with an interval of five years is kept in light of the adverse health impacts of poor working conditions in unorganised enterprises. This claim for health benefit is restricted to the maximum of 50 percent of worker's contributory fund as on the date of the claim. The proposed scheme does not make any special provision for the treatment of minor ailments as such provision is already there in government hospitals either free or with minimum user charges. Moreover, the health benefit will be as per government rates i.e. it includes bedding, consultancy, diagnosis, medicine, surgery etc.

In case of industrial injury, all medical expenses and the wage income during the period of treatment will be borne by the employer and in case of death due to work-related injury, the employer shall compensate the family by paying half monthly salary of the deceased worker for the next ten months. The contingency benefit is limited to ten percent of the contribution fund as on the date of claim and the funeral benefit is kept at Rs. 1,000. It will be paid out of worker's contributory fund. Similarly, the survivor benefit entails worker's spouse a regular pension of Rs. 200 per month and in case, if the worker dies before attaining the age of 60 years, the survivor benefit of the old-age pension is Rs. 200 plus 0.05 percent of worker's last cumulative contributory fund.¹⁸

Functioning of Social Security Apparatus: Key Administrative Issues

An efficient operation of the social security apparatus pre-supposes the existence of an IT-enabled administrative system because it may facilitate the cross-checking and matching of specific information with ease. Registration is the first pre-requisite for an efficient functioning of the social security system. The labour (employment) bureau either should open its branches everywhere or it may collaborate with the post-offices - a way proposed by the NCEUS. Each

¹⁷ A proposal made by the NCEUS (2006).

¹⁸ In case of the death of the female worker, the survivor benefit entails worker's spouse for the old-age pension, if he seems to be equally responsible for taking care of kids and the household; otherwise, second preference should be given to the disabled child. Third preference should be given to the unmarried daughter and unmarried male child should be the fourth preference.

worker at the time of his entry into the labour market should get himself registered with the nearby registration office and this registration should provide the worker with a unique identity number (card). At the time of his registration, the worker should provide all the necessary information to the registration office. An example of the electronic format to be prepared by the registration office is given in Appendix. This information should be cross-checked through personal visits to worker's household by the staff of the registration office. Similarly, the employers also must get registered themselves with nearby registration office. They should also be given unique employer identity number. The employer should provide details about himself, his enterprise and the type of activity / industry to which he is going to employ the workers. This registration should be made mandatory and the employer should be subjected to legal action if he/she is found to be employing workers without getting registered himself with the employment bureau.

One may be very much tempted to say how the proposed scheme will take care of the fact that the unorganised workers, at any single point of time, work for a number of employers. In order to take care of it, the scheme proposes the issuing of small receipt booklets by the registration office (at the time of registration itself or later) to the workers. An example of the type of receipts contained in that booklet is given in appendix. The worker at the time of receiving wage should get it signed by the employer and any malpractice by the employer should be subject to a legal action against him. In case of multiple employers, the worker can get as many receipts signed by the employers. He can approach the nearby registration office as per his convenience for getting these receipts recorded in his employment record. The registration office at the same time should notify the employer for making the due payments to worker's contributory fund subject to a minimum time of say 15 days. Such practice of issuing receipts also has a merit over the NCEUS' proposal of asking employer for contributing Rs. 1 a day in the sense that under the NCEUS scheme, it is very easy for the employer to default by saying that the worker has not worked for him. But, if the same employer is asked to contribute 1 percent of the daily/monthly wage that she has paid to the worker, she cannot default because at the time of making wage payments, the employer has to sign a slip issued by the labour bureau to the workers. If he is not signing, the worker can very easily report the malpractice to the registration office which may take required legal action against the employer.

Above all the administration issues involved in the efficient functioning of the proposed social security scheme, there lies the need for making the unorganised workers aware of its potential benefits and for this, media can play a larger role. The contributions made by media in spheres of family planning, polio eradication, education etc. have been quite remarkable. Similarly, it should be encouraged to play a significant role in making the workers aware of the potential benefits of registration with employment bureau. The workers should also be educated for not getting employed with an employer having no registered number. Also, it must provide some incentives to the workers for revealing the adoption of any malpractices by their employers.

Section III

Relative Merit of Needs-based Social Security Scheme

The proposed social security scheme may be termed as the unique one as it makes provisions for coping with a large range of economic shocks jeopardising the lives of working masses. It shows the possibility of protecting unorganised workers from a number of adversities often experienced by their daily lives. A merit of this social security scheme is that it considers workers as the active stakeholders interested in ensuring the welfare. It, while doing so, takes proper care of not burdening the worker much as it has given due consideration to his household economic cost. At the same time, it does not let the employer free from obligations; rather it has asked the employer to contribute in commensuration to the enterprise's growth. It has also aptly penalised the employer for indulging the worker into some activity as per the degree of hazardousness involved. Moreover, it has brought forward the notions of social justice while seeking contributions from the state as it has asked the state to ignore those workers who can take care of themselves; rather it has emphasised on the need for providing more state support to the poor households.

The provision of a relaxation of five years to an entrant is another noteworthy feature of this scheme as it provides adequate time to a new entrant to settle down in the labour market. Also, its provision of contingent security reveals another merit of the scheme. Surprisingly, the contingencies are the most recurring events responsible for pulling down the living standards of worker households. Therefore, by taking care of this aspect, the proposed scheme makes a major contribution in protecting the life styles of worker households. Its provision of old age pension being based on fixed and variable formula represents another feature of the scheme as it involves the incentives for a worker to strengthen his contributory fund over the period.

On administrative side, such a scheme can check implicit malpractices of employers. Moreover, it relaxes policy makers to draw a distinction between a universal provision or means-tested provision of social security benefits. Such confusion has prevailed over the years as no scheme has devised a cost-effective way for means-testing, which, under the threat of imposing high monitoring cost, has always provided a way for somewhat universal provision of any social security benefit. Such a practice, in one way or the other, has permitted a large part of funds to flow to non-deserving individuals who don't need support. But, our proposed social security scheme provides a way to include only the needy workers into social security scheme and to exclude them when they don't meet desired criterion of deserving social security benefits. The scheme does so by considering income earned by household during a certain period of time.¹⁹ Such means-testing is based on the premise that there is high positive correlation between household income level and its possession of valuable assets like land, jewellery etc. Such an assumption seems to be realistic in the context of informal sector because only those workers

¹⁹ It considers not only simple unweighted average household income but it by according due recognition to variations in household size, advocates for the adoption of 'Adult-Equivalent Household Per Capita Income'.

who lack any valuable productive asset are bound to be indulged into low paying casual occupations, otherwise asset base will always provide a boost to worker to opt for highly rewarding and better occupations.

Summing-Up

By focussing on social security as a means to mitigate hardships of informal sector workers, this paper has introduced 'needs-based approach' to social security. It envisages that such a proposal is rooted into the principles of social justice and human rights. It follows a systematic approach by discussing instrumental role of social security in mitigating the hardships of workers households. It then elaborates on emerging discourse on social security in developed world mainly to assess its relevance for developing world where the provision of social security to people is a big challenge. Subsequently, a detailed discussion on nature, pattern and on-going efforts to strengthen social policy in Indian context upholds the significance of focussed action for speedier attainment of desired welfare outcomes, which provides a way forward to think upon needs-based approach to social security for informal sector workers. We find that this scheme is feasible in operational terms and it provides a large range of benefits to worker families with minimum contributions made as per their economic capacity. Further discussion on proposed social security scheme hints at its uniqueness.

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Appendix

EMPLOYER'S ID CARD													
<input style="width: 90%;" type="text"/>	<table style="width: 100%;"> <tr> <td style="width: 40%;">Name & Address</td> <td style="width: 20%;"><input style="width: 90%;" type="text"/> DY/MM/YEAR</td> <td style="width: 40%;">Date of Registration</td> </tr> <tr> <td></td> <td><input style="width: 90%;" type="text"/></td> <td>IDENTITY NO.</td> </tr> </table>	Name & Address	<input style="width: 90%;" type="text"/> DY/MM/YEAR	Date of Registration		<input style="width: 90%;" type="text"/>	IDENTITY NO.						
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INDUSTRY PARTICULARS													
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REGISTRATION TYPE													
<input type="checkbox"/>	Permanent												
<input type="checkbox"/>	Casual												

Note: Identity No. should be a unique one

NON-HOME-BASED SELF-EMPLOYED WORKER'S ID CARD							
<input style="width: 90%;" type="text"/>	<table style="width: 100%;"> <tr> <td style="width: 40%;">Name & Address</td> <td style="width: 20%;"><input style="width: 90%;" type="text"/> DY/MM/YEAR</td> <td style="width: 40%;">Date of Registration</td> </tr> <tr> <td></td> <td><input style="width: 90%;" type="text"/></td> <td>IDENTITY NO.</td> </tr> </table>	Name & Address	<input style="width: 90%;" type="text"/> DY/MM/YEAR	Date of Registration		<input style="width: 90%;" type="text"/>	IDENTITY NO.
Name & Address	<input style="width: 90%;" type="text"/> DY/MM/YEAR	Date of Registration					
	<input style="width: 90%;" type="text"/>	IDENTITY NO.					
<input style="width: 90%;" type="text"/>	NIC 5 Code	Work on Contract Basis* <input type="checkbox"/> Yes <input type="checkbox"/> No					
<input style="width: 90%;" type="text"/>	Monthly Earning[@] (in Rs.)	Other Earners' ID					
HOUSEHOLD INFORMATION		1					
<input type="checkbox"/> No. of Hh. Members	<input type="checkbox"/> No. of Earners in Hh.	2					
<input type="checkbox"/> No. of Adults	<input type="checkbox"/> Hh. Income ^{\$}	3					
<input type="checkbox"/> No. of Children	<input type="checkbox"/> Hh. Income/Person ^{\$\$}	4					
		5					

Note: Identity No. should be a unique one; * implies that if the worker is working on contract basis as well, he/she should be issued work slips as well; @ implies that the worker should be subject to some legal action if found be over-reporting his/her monthly earning; \$ and \$\$ are to be calculated on monthly basis; \$ implies that the total household income should be estimated by aggregating income of all earners in the household; \$\$ implies that the Hh. Income is 'Adult Equivalent' per capita.

HOME-BASED / WAGE WORKER'S ID CARD

<input type="text" value="DY/MM/YEAR"/>	Date of Registration	<input type="text" value="DY/MM/YEAR"/>	Date of Employment
<input type="text"/>	Worker's Identity No.	<input type="text"/>	Employer's Identity No.
<input type="text"/>	Wage Amount* (in Rs.)	Other Earners' ID	
HOUSEHOLD INFORMATION			
<input type="text"/>	No. of Hh. Members	<input type="text"/>	No. of Earners in Hh.
<input type="text"/>	No. of Adults	<input type="text"/>	Hh. Income ^{\$}
<input type="text"/>	No. of Children	<input type="text"/>	Hh. Income/Person ^{\$\$}
		1	<input type="text"/>
		2	<input type="text"/>
		3	<input type="text"/>
		4	<input type="text"/>
		5	<input type="text"/>

Note: Identity No. should be a unique one; * implies that the wage amount should be as mentioned in the work slip; \$ and \$\$ are to be calculated on monthly basis; \$ implies that the total household income should be estimated by aggregating income of all earners in the household; \$\$ implies that the Hh. Income is 'Adult Equivalent' per capita.

WORK SLIP MODEL

	<input type="text" value="DD/MM/YEAR"/>	Date of Employment
<input type="text"/>	Worker's Identity No.	<input type="text"/>
		Employer's Identity No.
<input type="text"/>	No. of Hours Worked ^{\$}	<input type="text"/>
		Total Wage Received (in Rs.)
Employer's Signature/-		

Note: \$ implies that the number of hours workers must be reported only for wageworkers and not for home-based / non-home-based workers.

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