

# 2017

## Annual Report



### **NIRMANA**

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## FOREWORD

NIRMANA (pronounced *nirman*, meaning 'to create') is a non-profit NGO registered as a Society. For the last three decades, NIRMANA has been rooted in its ideology to ensure basic human rights of poor, working and unorganized labour. NIRMANA envisions an inclusive India where unorganised sector workers are empowered to achieve social security and dignified livelihoods. Over the years, NIRMANA has diversified its activities from advocating for systemic change, to building campaigns / movements and also addressing the last mile - creating access to livelihoods, direct services like enrolment, skilling, and placement and programme implementation. NIRMANA is among the few economic justice organisations in India that addresses the entire continuum of Advocacy-to-Access (A2A) for unorganised sector workers wherein the primary focus groups are construction workers and domestic workers.

It is a well-known fact that over 90 percent of India's working population is part of the unorganised sector. There is no doubt that unorganised sector is the backbone the Indian Economy but recently this workforce category and its output are not even recognised for inclusion in the GDP calculations and some other economic indicators etc. According to the National Commission for Enterprises in the Unorganised Sector (NCEUS) study, 94% of unorganised workers contribute over 60% of the GDP. Since the output of unorganised sector is so scattered and spread over a period of time, it is difficult to channelize a part of it to social security. Both Central and State governments, collect a substantial amount of revenue from the unorganised sector output. Therefore, it has been proposed at various levels that 3% of revenue of State and Central governments should be set apart for providing social security to the unorganised sector workers. There is a need to execute this proposal.

During 2017, NIRMANA further played a crucial role in strengthening the functioning of National Platform for Domestic Worker (NPDW). NPDW constituents reached a consensus on the proposal of legislation for providing Social Security and labour Welfare provisions through tripartite board model for all form of domestic workers. In addition to the Private Members Bill tabled in the Parliament, a petition has been accepted in the Petitions Committee of the Rajya Sabha.

## BACKGROUND

NIRMANA Society was started in 1988 and has been working since 29 years for the rights of Unorganised Sector Workers who comprise over 90% of the total workforce in India. After the long period of struggle, people movement and strong advocacy with the various stakeholders and govt, NIRMANA facilitated the passage of two landmark Act viz The Building and other Construction Workers Act, 1996 and The Building and other Construction Workers Cess Act 1996. The passage of these Acts resulted in benefits to over 37 crore construction workers who form over 50% from Unorganised Sector Workers. It also shaped and implemented Tripartite Board model that aligns the govt, civil society and Unorganised Sector Workers to open up access to social security

Even after the enactment of the 1996 Acts, construction workers did not get any benefit under the law as most states had not formed State Welfare Boards. In 2006, after an intervention through the PIL in Supreme Court, Construction Workers started getting most the benefits due to them under the law such as education incentives to children, medical, marriage, maternity and accident benefit, housing loan, old age Pension etc. For this, construction workers are required to undertake registration under State Construction Worker Welfare Board and also renew the registration in the form of an annual contribution to Board annually.

Presently with respect to rights of construction workers, NIRMANA is currently working on the following :-

- Facilitation for registration under Welfare Board
- Advocacy for the smooth disbursement of benefits to the workers
- Uniform implementation of Construction Workers Acts in all states and UTs.

In 1998, NIRMANA started working with Domestic Workers which is another section of Unorganised Sector Workers essential represented by women. Initially, NIRMANA started working with the migrant tribal girls who were working as in-house Domestic Work through cooperative society of NIRMALA NIKETAN. NIRMANA had promoted NIRMALA NIKETAN for advocacy related to Domestic Workers. NIRMALA NIKETAN provided shelter, boarding, health support, rescue, restoration, rehabilitation and also provided legal support, education, alternate livelihood for the returnees and potential migrants in source states and destination.

NIRMANA through NIRMALA NIKETAN conducted meetings / training with the workers towards their rights and entitlement, raise their voice against harassment, demand collectively for the Rights of Social Security and regulate their working condition. It took lead role in the State and National level for the reorganization of Domestic Work as "WORK" and include them in the schedule of "Workers". Now, it has created a platform of other like-minded civil society organizations to demand a comprehensive Legislation for Social Security and Dignified Livelihoods of Domestic Workers. This ultimately result India to ratify ILO convention 189 on "Decent Work for Domestic Workers" to which she is a signatory.

Since last three years, NIRMANA through NIRMALA NIKETAN has been directly involved with the potential migrants and returnee domestic workers to secure their livelihood at their source. Initially, it provided more than 50 women / girls (potential and returnees) handloom weaving training and established handloom weaving center in Gumla District of Jharkhand. Now the weavers have good opportunity to earn cash income for their livelihood from the weaving center. Similarly, at destination, NIRMANA has trained 75 girls / women in tailoring as alternate livelihood as well as started a new initiative for capacity building of part-time domestic workers to transition as Home Managers.

## OUR VISION, MISSION AND VALUES

### VISION

An inclusive India where all Unorganised Sector Workers are empowered to achieve social security and dignified livelihoods.

### MISSION

NIRMANA will build an active eco-system for the Unorganised sector worker in India. It will:

- Empower unorganized sector workers to initiate and lead people's organization and movements for social security and dignified livelihoods.
- Collaborate with other networks, movements, organizations and initiatives for policy and systemic change.
- Promote advocacy, education and public awareness programmes for governments, employers and citizens to become allies of India's unorganized sector workers.

### VALUES

#### Inclusion

- Keeping unorganised sector workers at the core of all decisions and actions.
- Fostering unorganized sector workers to engage and exercise leadership in a movement that is their own.
- Facilitating inclusion, voice and participation of the team in NIRMANA's strategic and operational direction.

#### Commitment

- Through long term, sustained and immersive commitment to the unorganised worker sector.
- Going beyond legislation to universal policy implementation.
- Going beyond one sector of organized workers (construction workers) to other more marginalized groups (domestic workers & Home-based workers).

#### Dignity & Respect

- Practicing the believes and behaviors of dignity and respect towards all stake holders

**GEOGRAPHIC REACH**

#	Activity	Reach
1.	Advocacy for the Implementation of Building & Other Construction Workers Acts,1996	Pan-India (39 States/UTs)
2.	Directly involvement for the registration under the CW Acts and ensure to provide the benefits to the beneficiaries	Delhi and Jharkhand
3.	Advocacy for the enactment of Comprehensive Legislation for the Domestic Workers	Jharkhand, Odisha and West Bengal
4.	Rescue & Restoration of Domestic Workers	Jharkhand, Odisha (Source) and Delhi (Destination)
5.	Dignified Livelihoods	Jharkhand and Delhi

## KEY AREAS OF WORK

### Introduction

NIRMANA is an economic justice organisation that addresses the entire continuum of Advocacy-to-Access (A2A) for unorganised sector workers.

NIRMANA is most well-known for its strong advocacy. Over the years, however, NIRMANA has diversified its activities to build campaigns / movement and also addressed the last mile - the real business of creating access to livelihoods, direct services like enrolment, skilling and implementing programmes.

Accordingly, NIRMANA organises its work for unorganised sector workers to :-

- Enable Public Education and Policy Change
- Secure Dignified Livelihoods



NIRMANA's A2A Roadmap

**Public Education and Policy Change.** Various programmes under this vertical are as follows:-

- National Campaigns :
  - National Campaign Committee – Construction Labour (NCC-CL)
  - National Platform for Domestic Workers (NPDW)
- State-level Workshops and Seminars

### **Dignified Livelihoods**

- Skill Development and Placement of Domestic Workers at Delhi
- Handloom Weaving Centre at Jharkhand



## MAJOR ACTIVITIES AND ACHIEVEMENTS

### A. PUBLIC EDUCATION AND POLICY CHANGE

#### National Workshop / Meeting of National Platform of Domestic Workers (NPDW)

NIRMANA has organized a National Workshop along with the National Platform of Domestic Workers on 22<sup>nd</sup> June, 2017 followed by meetings on 23<sup>rd</sup> August, 2017 and 13<sup>th</sup> November, 2017 at Delhi. The aim was to bring various affiliated organisations and individuals to a common platform for collective efforts towards rights of Domestic Workers, to get clarity on the demand of ESI for Domestic Workers, to work out the cost for Social Security for domestic workers and developing a common strategy to confront employers wage fixing mechanism for Domestic workers. On 23<sup>rd</sup> Aug 2017, NPDW invited to all the Central Trade Unions to take their suggestions in the draft Bill and on 13<sup>th</sup> December, 2017, the platform prepared a document to send its comments to the Director General of Labour Welfare and Union Labour Secretary, GOI on National Policy of Domestic Workers.



The National Workshop and Meeting resulted in the following:-

- NIRMANA was able to incorporate the ideas of Civil Societies, Trade Unions as well as experts towards the root cause of domestic workers problems.
- Build-up a common understanding of different policies/ schemes and legislation which can be executed properly for the rights and welfare of Domestic workers.

#### National Meeting of Construction Workers

To strengthen the implementation of the existing social security schemes by the Construction Workers' Welfare Boards (BOCWWB) NIRMANA organised two National Workshop on 21st June, 2017 & 12th November, 2017. The objectives of these workshops were: (i) ensure proper implementation of Construction Workers Acts. (ii) To share the experiences and challenges in registration and disbursement of benefits; (iii) To come up with a draft road-map for future follow-up on the progress made in extension of social protection to the Construction Workers.

The workshop was attended by reps. of 11 States working in the cause of Construction Workers in their respective states. In the Workshop, NIRMANA circulated the compiled status of the implementation stage of Construction Acts, 1996 on response to Supreme Court order .

The workshop also discussed on the proposed labour code of Govt of India and how it violates the labour rights in general and Construction Workers in particular.

As a result of these efforts a common strategy and action plan was finalised to address the future challenges of proposed labour code and implementation of Construction Workers Acts on the basis of final Supreme Court order.

### State-level Workshop of Stakeholders at Bhubaneswar, Odisha

NIRMANA has organized one-day State level Workshop at Bhubaneswar, Odisha on 22<sup>nd</sup> August, 2017. The objective of this state level workshop of stake holders was to comprehend the complex issues involved and explore possibilities of passing a resolution by State Assembly for the demanding a comprehensive Central Legislation for domestic workers. The day-long workshop was attended by Mr Prafulla Samal, Cabinet Minister (W&CD), select MLAs of Odisha Assembly, representatives from the ILO, Central Trade Unions (CTUs) / Federations, the Academia, NGOs/ Civil Society members, as well as domestic workers.



In the Workshop, Mr. Prafulla Samal, hon'ble Minister (W&CD) of Odisha expressed his commitment in taking this issue forward in every possible way with the Odisha government. In addition, Mr Subrat Tarai, Hon'ble MLA of Odisha Assembly and Mr.Ravi Narayan Nayak, Hon'ble MLA of Odisha Assembly assured that they will give a representation on behalf of this workshop and also try to put forward a resolution in Odisha Assembly.

### State-level Workshop of Stakeholders at Ranchi, Jharkhand

NIRMANA has organised State level Workshop at Ranchi, Jharkhand on 11<sup>th</sup> October, 2017. In the Workshop, former Union Minister Mr. Subodh Kant Sahay and Shri Arup Kumar Chatterjee, MP assured for their support to influence other Assembly Members for the cause of Domestic Workers. The workshop was attended by Civil Society Organisations, Trade Unions, Academia, law enforcement agencies dealing with trafficking, media persons as well as domestic workers.



### State-level Workshop of Stakeholders at Kolkata, West Bengal

NIRMANA has organised State level Workshop at Kolkata, West Bengal on 24<sup>th</sup> October, 2017. In the Workshop, reps of Trade unions, Civil Society organisation, NGOs were participated who are working for the cause of Domestic Workers.

In the workshop Mr.Dulal & Mr.T.Bhattacharya Hon'ble MLAs of Kolkata, West Bengal had assured to take the issue on the table of West Bengal Assembly and Dr.Sanghamitra, Hon'ble MP also assured for her support.

As a result of these state level workshop of stakeholders, NIRMANA was able to build-up a State level platform including Civil Society Organisation, Independent Unions and Central Trade Unions, Academia etc. It helped to develop a common understanding among the different stakeholders on domestic workers cause and a common strategy to reach the objectives.

### Advocacy & Lobbying with Ministers and Parliamentarians

NIRMANA team along with National Platform for Domestic Workers (NPDW -Delhi Unit) had met and sensitized 42 MPs of Lok Sabha & Rajya Sabha through door-to-door campaign during the Budget Session of Parliament (Mar-Apr, 2017). Subsequently, during the Monsoon Session of Parliament, the team met 24 MPs of Lok Sabha & Rajya Sabha to take their signature on the Petition and submit the same to the Petition Committee. The objectives of the meeting was to seek their support to introduce the draft bill of NPDW in the Parliament. This resulted in the following achievements:

- a. Introduced the Domestic Workers (DW) Bill, 2017 as Private Members Bill in Rajya Sabha by Shri Oscar Fernandes, Hon'ble Member of Rajya Sabha on 27 Apr 2017 and again introduced DW Bill, 2017 by Shri Sankar Prasad Datta, Hon'ble member of Lok Sabha on 21 Jul, 2017 in Lok Sabha of Parliament.
- b. The team received signature of six MPs of Lok Sabha (1 x BJD, 1 x AIDMK, 2 x BJP and 2 x CPI) and covering letter from one MP of JD(U) Rajya Sabha for the Petition prepared by NPDW.
- c. The petition of NPDW submitted by Shri Jitendra Choudhury, Member of Petition Committee, Lok Sabha has been admitted. Similarly, our Petition had been submitted by Shri CP Narayanan, MP of Rajya Sabha to the Petition Committee of Rajya Sabha and this too has been admitted in the Petition Committee of Rajya Sabha.

### Meeting with DGLW and Union Labour Secretary, GoI

The Chief Functionary, NIRMANA along with the network partners of NPDW met with Director General of Labour Welfare (DGLW) on 27 Jan, 2017 and Ms. Satyavathi, Union Labour Secretary on 2 Feb, 2017 for assuring their support for the demand of comprehensive legislation for Domestic Workers. In the meeting, the team gave them the copy of the draft bill prepared by NPDW and explained to them as to how legislation is more important than policy to serve the issue of Domestic Workers.

As a result both of the officials assured to put our points before the Union Labour Minister and arrange a meeting with the Union Labour Minister, GOI.

### Meeting with Labour Minister, Govt of Delhi

In the occasion of International Domestic Workers day, NIRMANA team along with the reps of six organisations and more than 60 Domestic workers met with Shri Gopal Rai, Hon'ble Labour Minister, Govt of Delhi on 16<sup>th</sup> June, 2017. The group gave a memorandum to the minister for inclusion of Domestic Workers in Minimum Wages schedule and notify the Minimum Wage for Domestic Workers in Delhi. In the memorandum, the team requested him to enactment of State legislation for the cause of Domestic workers.

As a result of this interaction, confidence was developed among the Domestic Workers after meeting with Labour Minister. Labour Minister also assured to take action on above Memorandum submitted by the team.

### Meeting with the Chairman of Central Advisory Committee

NIRMANA had attended the meeting with the Reps of Building & Other Construction Workers Welfare Board in the month of October, 2017. The objectives of the meeting was to inform of the various aspects of the implementation of Construction Workers Acts. In the meeting, it was found that although inadequate Cess was being collected though the State BOCW Welfare Boards under the Cess Act but none of them are willing to share about amount of interest they are getting from the Cess money.

At the meeting, the reps of Trade Unions working for the cause of Construction workers issue met with the Chairperson of Central Advisory committee and submitted their Memorandum. As a result NIRMANA able to call the important stakeholders of South India and organised them to demand the CW Acts in South India in a proper way

### Networking & Collaboration with Organizations / Federations

This year NIRMANA attended many networking meetings in Delhi with different networks to build consensus among them for the support of Domestic Workers as follows :-

- a. Attended meeting with Jagori on 3<sup>rd</sup> April, 2017.
- b. Attended the Meeting on National policy on 11<sup>th</sup> July, 2017 organised by ILO.
- c. Attended two days workshop on safe cities on 17<sup>th</sup> and 18<sup>th</sup> Aug, 2017 at Ranchi.
- d. The team of NIRMANA along with Domestic Workers attended the dharna to get justice for minor girl (Sabrina) at Gurgaon.

As a result, following was accomplished:-

- a. Build-up of consensus among the network partners on the importance of the enactment of Comprehensive legislation for Domestic Workers.
- b. All the Central Trade Unions and Federations rejected the National Policy of Labour Ministry, Govt of India in the meeting of ILO on 11<sup>th</sup> July, 2017 and demanded a comprehensive central legislation instead.

### Celebration of My Fair Home Campaign

ILO Convention C189 is a powerful tool to make change in the lives of domestic workers. NIRMANA continued educating, organizing and mobilizing domestic workers throughout the two weeks of June from 1st June, to 15th June, 2017 on the occasion of International Domestic Workers day through the MY FAIR HOME CAMPAIGN for the implementation of the C189.

NIRMANA also organized meetings with the stake holders of Domestic Workers such as: - Part-time Domestic Workers, in-house Domestic Workers and Residential Welfare Association. The team circulated the leaflets among the employers of Domestic workers to seek their support for the decent work of Domestic Workers.





This event resulted in awareness among different stakeholders on the issues of Domestic Workers as well as few employers who assured to support the cause as well as appreciated our work that we are working for the marginalised sector.

### Celebration of International Women Day

This year NIRMANA organised meeting with Domestic Workers and Women Construction Workers on 8<sup>th</sup> March, 2017 at their office. The focus of the meeting was discuss on the economic, social and legal needs of women and to adopt a participatory approach in its implementation. The Meeting was attended by more than 60 DW / CW who discussed few important clauses on Anti-Sexual Harassment of Women at Workplace. As a result the workers got idea about the benefits of the Act and planned to reach more and more women towards awareness on the act.

### Community Meeting with Construction Workers

NIRMANA's approach towards supporting people living in poverty is to become conscious of their rights, to organise themselves to claim their rights and to hold duty bearers to account. NIRMANA had organised awareness campaign among Construction Workers through the Basti meetings and meeting at labour chowk on the various schemes of Construction Workers Acts, on the different the procedures and eligibility to get the benefits also organised meeting on 9<sup>th</sup> August, 2017



The objective of the meeting was to create awareness among the workers regarding the (i) different schemes of Delhi Building & Other Construction Workers Welfare Board according to the new amendment of Delhi Welfare Board, (ii) The difficulties in the registration and renewal of Construction Worker in the Welfare Board (iii) Problems of disbursement of different benefits (iv) The corruption of Labour Department. In the meeting approx. 200 members of different Bastis attended and the reps of few unions also attended the meeting.

As result, a common understandings developed among the workers and the members were agreed to come together to give their memorandum to the respective officers of Delhi Welfare Board. They also met honourable Labour Minister who assured his support for the proper implementation of Delhi Welfare Board.

## Community Meeting with Domestic Workers

NIRMANA organised community meeting with the part-time Domestic Workers who are residing in the jhuggis and resettlement colonies of North-West Delhi. The objectives of the meeting was to sensitise them on the basic rights as well as to dissemination of information on different Govt schemes of State and Central so that they can get the benefits according to the procedure.

As a long term approach, NIRMANA has aimed to develop the collectives of part-time and full-time Domestic Workers for their identity and entitlement as well as demand for the comprehensive legislation for them.

As a result NIRMANA has reached more than 500 Domestic Workers in 12 Basties and regularly connected with them. NIRMANA also got more information from ground level and identified their problems and immediate needs .

## Other Important Events

Like every year, NIRMANA organized Meetings and Seminars of Unorganized Sector Workers, Leaders of Construction Workers and Domestic Workers on following dates:-26th January 2017, 2nd October 2017, 19th October 2017, & 22nd December 2017 at Delhi.

- The objectives of the meeting was to establish a meaningful, cohesive community voice to reflect strategically on the implementation of Building & Other Construction Workers Acts, 1996 and avail all the benefits of schemes in smoothly.
- To identify and respond to issues towards accessibility of benefits through a participatory way. To provide insights into the workings of local issues.
- To inspire workers to become ambassadors of community leadership among their peers.
- To create a strong and diverse base of future leaders for the community.
- To explore skill-upgradation training of Women Construction Workers.

## B. DIGNIFIED LIVELIHOOD

### Handloom Weaving Centres at Jharkhand

NIRMANA has organized weekly meetings with weavers (Returnees and potential Domestic Workers) in the Raidih and Kondra villages of Gumla, Jharkhand. NIRMANA also organized meetings at other location such as Manjhatoli, Nawagarh, and Patratoli panchayats. The objectives of the meeting were to explore new alternate livelihood opportunities as well as to make aware to the villagers on the problems of tribal girls working in Metro cities. 30 new weavers have also joined as trainees. As a result, NIRMANA reached more than 500 villagers at the a/m villages and prepared proper sustainable plan for the weaving unit & healthy route for safe migration.

### Women Construction Worker Training at Jharkhand

NIRMANA also identified new alternate livelihood promotion activity in other Gram Panchayat of Raidih Block. In collaboration with Mahila Housing Trust (MHT); mason and plumbing training has been arranged for 25 females of Kondra Panchayat and One day training programme was undertaken by the Jharkhand NIRMANA staff from Sewa Bharat Ranchi team on registration of Construction Workers.

## Skill-upgradation programme of Domestic Workers in Delhi

NIRMANA started an in-house programme 'HUMARA PEHLA KADAM'. Through this programme, it is facilitating the training for Domestic Workers i.e. General Housekeeping, Old Age Care (non-clinical), Child care, Tailoring, Beautician etc and providing placement. During the initial training, ten domestic workers had joined. The aim of this programme was to transition part-time domestic workers working in multiple homes into a full time domestic worker who work at one house-hold for the full day. Such trained full time Domestic Workers are getting dignified livelihood as 'Home Managers'.



## Study Visit to Livelihood Programs of Other Organizations

During the year, NIRMANA team visited various organizations to study the implementation of livelihood programmes as tabulated below :-

#	Organisation	Location	State	Dates
1.	Aajeevika Bureau	Udaipur	Rajasthan	3 - 4 Oct 2017
2.	Saath	Ahmedabad	Gujarat	5 - 6 Oct 2017
3.	Action North-East Trust (ANT)	Rowmari, Chirang Distt	Assam	25-26 Oct 2017
4.	Udyogini	Bondho, Jharkhand	Jharkhand	28-29 Nov 2017

Learnings from the visit were as follows:-

- Organized for ensuring accountability at all levels.
- Quality Documentation.
- Standard Accounting Procedures.
- Transparency of income and expenditure with workers.
- Linkage with Markets & Business Development.
- Managerial Support at Grass-roots.

## C. MISCELLANEOUS ACTIVITIES

### Celebration of KARMA

NIRMANA celebrated tribal festival "KARMA" with the collaboration of other like-minded organisation on 17 September, 2017 at St. Xavier School, Raj Niwas Marg, Delhi. The objective of the celebration was to invite all the stakeholders of domestic workers and also bring together all in-house domestic worker from Jharkhand.



### Participation in NDTV Programme "Maid in India"

The key leaders of Domestic Workers collectives (reps of Nirmala Niketan) of NIRMANA participated in the programme of NDTV to give their testimony about their workplace conditions and issues. 8 members of NIRMALA NIKETAN (promoted by NIRMANA) participated in the programme.