

By Invitation

Organizing the Unorganized Workers : The Indian Scene

Ratna Sen

India has had a very large informal or unorganized sector which faces serious disadvantages compared to the small percentage working as organized workers. Economic liberalization aggravated this problem by creating far more jobs in the informal sector. This massive workforce lacks regularity in employment, social security benefits and faces low wages and poor working conditions. This paper finds that while organizations are not numerous, the process is five decades old. It also highlights that organizing has been a part of deliberate policy for many organizers. Special efforts have been made to organize women and address their unique problems. There are significant variations in the form, issues and problems related to organizing them.

Ratna Sen is Professor (Retd.), Indian Institute of Social Welfare & Business Management, Kolkata.
E-mail:ratnasen46@yahoo.com

Introduction

It has become obvious during the last two decades that globalization in India has created more jobs in the informal sector than in the organized sector, which has also been plagued by redundancies and job losses. The National Commission on Enterprises in the Unorganized Sector (NCEUS, 2009:5) stated that “the net growth of employment in the quinquennium (1999-00 to 2004-05) has been largely of an informal kind, implying that these workers are vulnerable in significant ways. This is true of both formal and informal sectors, which means that even the increase in employment in the formal sector is entirely that of informal employment . . .and informalization of the formal sector as far as employment is concerned”. Every state in India has seen marked decline in organized share of employment (Shyam Sundar, 2010:8). The trend in informalization has helped to transfer jobs from bargainable to non-bargainable categories and the need for union protection has therefore become more important today as things become more uncertain for most workers (Sen, 2002:210).

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However, unionization among the unorganized or informal workforce is relatively low and plagued by a number of problems such as lack of employment security, refusal of employers to recognize or bargain with informal sector unions, and so on. For instance, INTUC's unorganized sector membership was barely 1% of its total membership in 1980 (Davala, 1994: 8). Even the small number of unions emerging among the unorganized workers, have high mortality rates. The 'turnover' of unions is very high in the small scale sector – in one case only two units have been with the union throughout the last 10 years. Generally membership continues for 3-5 years of the life span of the unit (Vrijendra, 1997: 64). But this needs to be scrutinized to obtain the real picture. Things may not be as disheartening as apparent at first glance.

Organized & the Unorganized: Differences

Organized sector regular workers have relatively more job security, leave and medical benefits, retirement benefits and of course reasonable wages. Workers in the unorganized sector are obviously deprived not only of these, but work much longer hours for much lower wages, lose their jobs easily or get work intermittently, and have no cover for absences, illness or old age. CMIE found in 1980-81 that while organized sector

employees earned about Rs 11,000 per year, self-employed and casual workers earned respectively about Rs. 2500 and Rs. 3500 (Davala, 1994: 8). In the public sector, the wage differential between casual workers and permanent workers in the captive power plant of National Aluminium's Orissa plant at Angul in the early 1990s were in the ratio of 1:11 as observed by this author. The NCEUS found that the 'the growth rate of wages of almost all categories of workers (15 out of 16), including casual workers, which concerns the bottom layer, has declined during 1993/94–2004/05 characterized by economic reform compared to the previous decade of 1983-1993/94. This is clearly a case of generalized slow down in the growth of wages when the overall economy registered a higher growth in income during the second period compared to the first (NCEUS, 2009: Table 2.2). NCEUS found in 2004-05 that even among male casual workers, daily earnings in the informal sector were a meager Rs 51.3 as compared to Rs 73 in the formal sector. For casual females the rates were Rs 32.4 and Rs 47.4 respectively (NCEUS, 2009:Box 2.1). In either case, these average daily earnings of casual workers, work out to Rs 62 and Rs 40 for males and females, far less than that of regular workers in the formal sector at the time.

Defining the Informal Sector

As already discussed (Sen, 2012), the NCEUS indicates that the informal sector "consists of all unincorporated private enterprises owned by individuals or households engaged in the sale and pro-

duction of goods and services operated on a proprietary or partnership basis and with less than ten total workers". Unorganized workers include, "a home based worker, self employed worker, or a wage worker in the unorganized sector.....or those working in the unorganized sector or households, excluding regular workers with social security benefits provided by the employers, and the workers in the formal sector without any employment and social security benefits provided by the employers" (NCEUS, 2009: Sec 2.m). Thus, the informal economy consists of the informal sector and its workers plus the informal workers in the formal sector. This definition enlarges the scope of the unorganized sector considerably and hence proves more comprehensive than the NSSO definition of the 'Unorganized' as all those not being in public sector or government units, and not covered by the Annual Survey of Industries.

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This informal sector is huge by all counts. The NCEUS (2009: Table 2.7) estimated that in 2004-05, informal sector in India employed, in agriculture 219 million, in industry 66 million, and in services 101 million, totaling 386 million out of a workforce of 450 million. Between 1993-94 and 2004-05 the net growth of employment had been largely of an informal kind, and that informal employment in the formal sector (private and public) constituted more than 20 million in 1993-94, growing to 25 million by 1999-00. Hence the informal manpower would

add up to 406 million, growing to 411 million at the turn of the century. More recently, in a sample survey done by the Labor Bureau (Government of India, 2011-12: Table 3.2), for every 1000 households surveyed, 344 were found to be self-employed, 423 to be regular wage/salary earning, 152 casually employed and 81, otherwise. This indicates that nearly 50% were either self-employed or casual. The same survey also indicates that out of every 1000 persons, 20 were unemployed by usual principal status. It would therefore be necessary to look at unionization and other types of organizing this huge workforce.

Background

Post liberalization it became clear that the rate of job creation in formal organizations would not keep pace with the growth in labor supply, that informal employment (including self-employment) would keep growing and informal workers would increase in diversity (more women, more varied forms of work, more activities)(Sen, 1997: 333). In particular, eastern India had a larger proportion of informal workers in West Bengal, Bihar, Uttar Pradesh and Orissa accounting for about 50 % of informal enterprises employing 42 % of the all India labor (Chakraborti, 2002:114-15). While this provided trade unions with an opportunity to increase their relevance as a movement, there were major obstructions to organizing informal workers. However, the efforts at organizing have to be viewed in the proper context. Certain facts need to be stated here:

1. *Informalization of industry* in India did not begin post liberalization, but from the 1950s, though not in a big way. In surveys conducted by the Nagarik Mancha in West Bengal in 1952-53 and 1965-66, increasing informalization of the manufacturing sector was found from the 1950s, the number of workers per unit falling from 2.4 to 2.25, although value added per unit increased from Rs 1045 to Rs 1472 (Nagarik Mancha, 1991:11,19). The majority of units covered by the survey (157,511) had 1 to 4 workers and only 7613 had 5 or more. Value added per worker however was much higher in the larger units, at Rs 2246 as against Rs 715 in the smaller units. (Nagarik Mancha, 1991:20).

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In another study conducted in West Bengal for the decade 1980-90, it was found that in the context of stagnation and growing sickness in the engineering industry, there had been a proliferation of small and tiny units (Sen, 1992:152-53). At the same time several discrepancies and under-enumeration in the official data were found as compared to the census study made in a specific location. It was also found that in small units there was hardly any distinction between permanent, contract and casual workers but when it came to unionization,

only 9% of casual and 22 % of contract workers were unionized.

All over India, the relatively small number of large or medium factories, availability of surplus labor, lack of skills among the labor available, low productivity and necessity for rationalizing labor to improve productivity and the drive on the part of industry to induct better technology, were acknowledged in the Third Plan document (Sen, 2010:453). These were all consistent with informalization of production processes and the growing number of small units from the 60s and 70s. The oil price shocks of the 70s saw a much greater tendency towards informalization, both in the public and private sectors. While in the former the trend was towards recruitment of contract and casual workers and restrictions on recruitment into permanent cadres, in the latter, recourse was taken to outsourcing and subcontracting (Sen, 2010:29-30). These trends increased in the 80s during the period of 'creeping liberalization'.

2. *Many of the central unions* adopted the policy to unionize unorganized workers formally long before Economic Liberalization. Several factors contributed to this policy. Among them were:
 - Decentralization of bargaining
 - Introduction of secret ballot provisions, eroding the membership of central unions in organized industry

- Greater employment insecurity leading workers to defy union dictates
- Less sympathy from state in union activities (Sen,1997:333)

As the numbers in the unorganized or informal sector increased, trade unions too turned their attention to them. For instance it was reported (Sundaram, 1997: 98-100) that The Dhobi Mahamandal (Mumbai) was set up in 1946, the HamalPanchayat (Coolies) (Pune) in 1955, the MathadiKamgar (head loaders) Union (Maharashtra) in 1963, the LakadiMazdoor Union (timber markets)(Mumbai) in 1966, the Mazdoor Congress (casual workers of small factories, salt pans, quarries, etc) in 1974, and the Mumbai Kamghar Union (workers of wholesale and retail markets/shops), in 1979. For women, there were the StreeHitkarini, 1968 for unorganized women in Lower Parel to Dadar, and the SunandaSahakarGrihaUdyog Society Ltd, 1967. The construction industry – with its high growth rate, exploitation and varied nature invited unionization in the 1960s (Sen,1997:338).

Discussing CITU's role in West Bengal, an observer wrote that the Kanpur party conference in 1983 emphasized the need for focusing on unorganized sector unionization. This was endorsed at the 4th state conference in West Bengal in 1986 and the CITU went about organizing employees of brick kilns, hosiery, bakery, shops,

railway hawkers, rickshaw pullers and van drivers, mutia mazdoors, tailors, railway contractors' labor, casual forest workers, rice mill workers, auto-rickshaw drivers, janpath (truck, lorries, vans) employees, security workers, municipal workers, regulated market employees, cooperative employees, cinema employees etc. (Chatterjee,1997: 306). Thereafter, the AITUC, and the INTUC have also followed suit.

Arun Kumar (1997: 289) reported activities of the HMS in other regions, which faced difficulties in trying to organize home based workers in Beedi, Zari, papad, bamboo products, kendu leaf collectors, cashew nuts industry workers because they were scattered. The other constraint was their inability to get union fees from such workers due to their meager income. HMS also focused (Arun Kumar,1997:293) on brick kilns, stone quarries and crushers, local private transport, contract and casual workers on loading and unloading work, anganwadi workers, leather tanning, small printing presses, construction and forest workers, travelling vendors, rickshaw pullers.

From the figures for actual registration of unions in West Bengal, it was found that among new unions registered between 1988 and 1993 more than 66 % were in the informal sector. Unions of unorganized workers within formal industry accounted for 5 – 10% of these unions. Many were affiliated. But many were not. More than half were in rural and non-met-

ropolitan areas (Sen, 1997:335). This steady emergence of unions in the informal sector, indicate that the unions were not just taking a few chances or supplementing their organized sector activities. Rather it was part of deliberate policy (Sen, 1997:334).

3. **Among the unorganized**, women had a larger significance, since they not only were more numerous in this sector, but because they also had to contend with a larger number of problems as women. 'In most sections of our nation the female working poor find themselves at the bottom of the three hierarchies of class, gender and ethnicity or caste' (Shalini,1997: 255).

On the part of political parties, the responses to women's need for autonomy, took the shape of mass-based women's organizations such as the All-India Democratic Women's Association (AIDWA), All India Coordination Committee for Working Women (AICCCWW), Janwadi Mahila Sabha (JMS) etc. The political parties also started reorganizing their women's wings. According to one observer, "these organizations claim to be people's organizations with part of their membership at district and lower levels falling outside the party fold having close affiliation with the party at the national level. Taking a leaf out of the women's movement, these organizations have begun to address themselves to a variety of gender issues in working class neighborhoods, relating to rights

to housing, livelihood and basic amenities and host of struggles that women are subjected to on account of domestic violence, communal conflicts, and party politics." (Ramaswamy, 1997:179). For instance, Self Employed Women's Association (SEWA) grew out of the women's wing of TLA, sponsoring now, large numbers of industrial and service cooperatives of women in urban and rural areas (Bhatt, 1997: 214)

Variations

Unorganised workers comprise a large variety of occupations and employment arrangements.

Unorganised workers comprise a large variety of occupations and employment arrangements and can be categorised as follows (Sen, 2012:598):

1. Regular but non-permanent employees of formal sector such as large and medium sized public sector, government, private companies (including malls, hospitals, courts, educational institutes, cinemas etc) and include operational, technical, maintenance, security services and clerical employees.
2. Non-regular non-permanent employees of the same as well as of smaller establishments and factories such as trainees, probationers, *badlis* (substitute workers for absenting permanent workers), temporary fixed-term employees (FTE), casual, appren-

- tices, contract workers, agency employees etc.
3. Regular but non-permanent employees of informal sector manufacturing (e.g. sponge iron units, rice mills, bakeries, marine products, handicrafts) and service organizations (e.g. transport, cold storages), registered or unregistered domestic workers etc.
 4. Non-regular workers in agriculture & animal husbandry, seasonal workers in agro-based units (e.g. sugarcane), construction workers, workers of brick kilns, non-agricultural wage laborers, head loaders, beedi (country cigarettes) workers.
 5. Self-employed, regular workers such as own cultivators, skilled artisans, carpenters, shop owners, hawkers, etc.
 6. Self-employed but non-regular workers such as in repair work, small construction, manual transport, community services etc.

This variety is reflected in the many forms of organizing. In the first two categories, as well as a few in the other categories, organizing has spanned nearly five decades and has generally been in the form of unions. For instance, there are several examples like, Punjab Dihati Mazdoor Sabha, 1954, Bhartiya Khet Mazdoor Union, 1968, in Punjab and UP (initial cadres drawn from the left movement), Bhata Mazdoor Union, Punjab, Uttarkhand Bhumiheen Kisan Sangathan, Uttarakhand (Gill, 1997: 123-8), Orissa Kendu Patra Karmachari

Sangha, 1964 (recognized in 1985 by Forest Dept.) (Tripathy & Dash, 1997: 134), where the workers joined the union mainly for better earnings, and organizers and leaders joined primarily for political purpose. But they have also been organized – as cooperatives, through NGOs, as coordinated central forums, through social movements, or self-help groups. The variations in the remaining categories are as below:

As Cooperatives

- Working Women's Federation, Juhu Vividh Gruhipyogi Vastu Vikrete Cooperative Society (Sheth, 1997: 107). Maharashtra pioneered the formation of Forest Labor Cooperatives (FLCs) among the tribals in Thane district, not only to replace contractors but also for their social, economic and cultural uplift (Indira & Sujit Ghosh, 1994:94). Labor cooperatives were formed when Bailadilla iron ore mines in Chhattisgarh started declining in output in 1969 and they were given an option of moving to Dalli Rajhara mines as cooperatives. 7 were formed and were operating quite successfully in 1984-85 (Bhowmick, 1994:176). 80% of Bidi workers are in Maharashtra's agriculturally backward Bhandara district. Two major cooperatives in Bhandara and Nagpur were promoted by the state government after 7 bidi companies closed down in 1978-80 affecting over 16,000 workers, prompting the government to set up cooperatives on the model of the very successful Kerala Dinesh Bidi Workers'

Central Cooperative Society. The factors which contributed to the success of the Kerala unit were, the supporting role played by the leftist state government, the higher degree of trade union movement in Kerala and the commitment and determination of the officers deputed by the government (Prasad & Eswara Prasad, 1997: 91–3).

As NGOs

- Namerta (1994:36) describes the experience of Manasa, a NGO in Karnataka formed for landless labor and poor farmers in 1977. It used the strategy of formation, formalization and withdrawal. The structure of the organizations was village level (Central Sangha Unit and district level clusters with representation from CSUs). There is also the example of Kranti another NGO, which started working in Anantapur district of AP in 1970 with the rural poor. This had the strategy of struggles for justice through implementation of government schemes, laws and resolution of social problems. By 1993, Kranti had spread to 2800 villages in 6 districts (Namerta, 1994: 44).
- Another NGO, Annapurna Mahila Mandal was established in 1975 by Prema Purao and other ex-textile mill workers who lost their jobs after the Maternity Benefit Act was passed (Sundaram, 1997: 101). Institute of Social Education and Development [ISED] was set up in Madras in 1987, as a voluntary organization to promote the campaign for enactment

of Employment Guarantee Act (Loganathan, 1997:152)

As Coordinated Central Forums/ Campaign Committees

- A National Campaign Committee for Construction Labor was set up in 1985, which submitted a draft bill, for the Construction Workers (Regulation of Employment and Conditions of Service) 1986 (Davala, 1994:72). Late in 1993, Sewa, Sarva Shramik Sangha, National Fish workers' Forum, National Federation of Construction Labor, KhadKshetra Mazdoor Sanghatan, Domestic Maids Union and Forest and Agricultural Workers' Union formed a small Core Group to exchange information on unprotected labor and this led later in 1995-96 to the formation of National Centre for Labor (NCL) (Davala, 1994: x). One observer felt that the Government should recognize it and invite it to participate in the Indian Labor Conference (Dutt, 1997:14)

As Self Help Groups

Development of Women and Children in Rural Areas (DWCRA) was conceived to empower and alleviate problems of women and children. By March 1996 1,44,369 women's groups were formed all over the country. Diamond and Gem Corporation of India (DGCI) floated a scheme in Jehanabad of Bihar where DWCRA groups were provided with a loan of Rs 20,000 to cover the cost of a cutting and polishing machine and women were paid on a piece rate basis at par

with men for the American diamonds, earning about Rs 1500 – Rs 2000 per month (Prasad, 1997: 271) .

Variations in Issues

The rich variety in organizations was probably necessitated by the diversity in requirements. Different categories and groups of informal workers had different concerns, priorities and demands. For instance, for the first category of informal workers working in the formal sector, the main issue would be job security, regularity of employment, some social security benefits and so on. For workers in small and tiny establishments, main problems would relate to wages, working hours and working conditions. For self-employed women selling goods in urban areas, requirement of space and rights of selling in market areas would be of paramount importance. In fact this issue became one of the first and key issues for SEWA.

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HMS, in organizing contract and casual workers, focused on issues related to minimum wages, regularization of contract labor, provident fund and access to government welfare schemes, medical care etc. (Arun Kumar, 1997:293).

The associations of small scale fisheries in the traditional sector have membership among the self-employed, not against any employer but to safeguard

their interests, obtain concessions and protect fishery resources through government action (Vijayan, 1994:127). In 1979, four of these district unions got amalgamated into the Kerala Independent Fishworkers' Federation (ibid: 132). Kerala Fishermen's Union, prior to launching resistance to trawler fishing in their preserves, established in 1989 a union research cell which led to the setting up of a government commission on actual effects of trawling on traditional fish catches (Sen, 1990:25).

Examples of varying issues are: road space for hawkers and negotiations with local goons and police; fare for rickshaw pullers; hours of work and retrenchment for small manufacturing establishments; weight carried and rate per load for head loaders etc. (Chatterjee, 1997:309). In many unions, workers accepted outside leaders as they were better bargainers (Tripathy & Dash, 1997: 136). Rights to association or unionization also feature among some groups of workers.

Problems of Organizing

Organizing workers in the informal sector is not easy and the many problems faced by organizers, account to some extent for the small number of workers organized in this sector. For instance, many unionists have confessed that the first

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obstacle they face in attempting to unionize workers of small enterprises is the fear of the workers themselves. One unionist admitted that he had seen workers run away as soon as he approached them, fearing that they would lose their jobs if they were even seen talking to a unionist. Even if the fear factor is contended with, the lack of identifiable owner/employer, or the fact that many are self-employed make organizing difficult (Chatterjee, 1997:309). For instance, one researcher (Ghosh, 2002: 92) describing her study of small footwear manufacturers in a few pockets of Kolkata found two types of entrepreneurs among the small units – own account manufacturers and dependent type (sub-contracted by large manufacturers). The first sold their products to anybody freely, particularly wholesalers, but the second type were tied to specific large manufacturing houses. It was the latter which had an employer–employee relationship, whereas the first type were often themselves workers, helped by a few wage earners and family members. Obviously, for the former, getting good prices would be a paramount concern, while for the latter workers could be unionized as employees for negotiating with employers.

The changes among these units, studied over a decade (1989 & 1999) were:

- The number of second type (sub-contracted) had increased from 7% to 31%
- There were no changes in the production techniques in either type

- Inputs were better in both types
- Some entrepreneurs had become owners of machines which provided technical help on piece rate basis to small manufacturers and thus were actually self-employed
- Use of family labor in the own-account units was on the decline
- Participation of female labor had increased considerably to 9%, and not as family labor

These changes would make it more difficult to organize the own account entrepreneurs.

Contrasting organizing workers in small versus large units, one observer writes about the employers of small units – “he perceives the formation of the union as a betrayal by workers of his trust in them; and of the favors done to them, by the owner by providing them with a job” (Vrijendra, 1997:63). Other problems of organizing relate to *scattered workforce, ignorant workers, non-cooperation by authority, difficulty in communication with members, financial crisis, etc* (Tripathy & Dash, 1997:137).

The problems related to organizing the unorganized workers can thus be summarized to include:

- Locating workers spread over a wide area
- Existence of differences between workers in terms/wages etc
- Job insecurity

- Employer resistance to changing conditions/wages
- Ability of employers to close shop and relocate
- Small size of enterprises and difficulty of physical consolidation
- Difficulties of communicating with members
- Different approaches for women workers
- Long gestation periods for organizing
- Meagerness of results
- Need for government support (Sen,1997:341)

Overall Goals of Organizing

The ILO 1993 guidelines on Structural Adjustment [SA] include: “ensuring that SA programs are consistent with the provisions of basic ILO standards, particularly the human rights conventions, as well as other ILO standards that have special relevance to particular SA interventions” (VenkataRatnam et al, 1999:88). Since a major fallout of SA in India has been a burgeoning of the unorganized sector, the requirement would be to ensure minimum basic standards of the ILO among this

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huge unorganized workforce. While the onus of assurance is on the government, it is the organizations among the workforce that can help government reach out to this very divergent workforce.

In 1998 the International Labor Conference adopted a declaration on basic workers’ rights, meant as a non-protective alternative to the inclusion of a social clause into the WTO treaty (Betz & Sen, 2002:163). But again basic workers’ rights have to be taken down to the grassroots. It is the organizations among the unorganized that can make their client/member groups aware of their rights, aware of legal provisions and ensure implementation by government officials. India does not lack in labor laws for both the organized and unorganized sections of the workforce. But there are millions of workers who are deprived of many of the most basic provisions of law.

The Indian experience shows that considerable effort for a considerable period of time has been going on in the difficult tasks of organizing the unorganized. A variety of new organizations, including unions have been emerging among the unorganized. Even more heartening is the fact that collective bargaining is making inroads into the unorganized or informal sector, such as brick kilns, beedi manufacture and construction. These have been discussed earlier in detail (Sen, 2012: 605-06).

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