KISLAY

(An organization for Integrated Development through community Participation)

Annual Report

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C-163, Bhagwati Vihar, Uttam Nagar, New Delhi-110059

Tele-91-9871076208

Email: kislaydelhi@gmail.com

Table of Contents

I. Background & Current Situation: 3

II. Organization - Approach, Strategies and Coverage
Approach & Key Strategies.....3

Current Geographical Areas of Operation in Delhi.....4

III. Major activities during the year

1. Developing enabling environment for ECM.....4
2. Awareness programs for the construction workers.....6
3. Awareness programs for the domestic workers.....7
4. Awareness programs for the unorganized sector workers.....9
5. Discussion on code on social security & welfare.....11
6. Implementation of minimum wages.....12
7. Activities 12

IV. Results of the activities.....14

V. Outreach: Number of direct beneficiaries/participants.....14

Background & current situation:

There are critical changes in workers lives with whom the organization is working. The changes can be observed from the faces while talking to the workers especially the women worker's confidence is seen to be believed. The confidence among the working class is nothing but representing their empowerment or power to fight against socio-economic exploitation or injustice. The level of information among the construction workers and domestic workers have increased because most of them are able to link the micro issues with macro one. Most of the workers who are continuously engaged in the collective community processes are also able to connect the present economic system with the existing social system of the society. Most of the community leaders are now able to understand the root cause of gender and economic discrimination in the society. The collective community processes have strengthened their capacity, confidence and mutual trust to work together.

The current environment is not supportive for the informal sector workers of the country. The informal sector workers are still neglected by the legislative and bureaucracy. The new labor codes claim that the informal sector workers have been included in these codes at par with the formal one. The informal sector workers don't have information about these codes and the benefits from these codes. The government is also not making publicity of these codes and its benefits to the working class population. The workers organizations and civil society organization were asked to submit their comments/suggestions after putting these codes on ministry websites. Several consultations were organized by the MOLE, V V Giri National Labor Institute, national labor organizations and networks of civil society organizations on these codes. The comments/suggestions were also submitted to the ministry on the proposed codes by several labor and civil society organizations. The ministry brought modified code on social security and welfare this year and again invited comments on it. On the basis of the above circumstances, the organization focused on the following issues for the current year program:

a. Developing enabling environment & support structure in communities to address the issues of early/child marriage & gender discrimination at home and at workplace.
b. Fair implementation of Delhi Building & other Construction Workers' welfare Rules'2002 & fighting corruption,
c. Enactment of legislation on social security & welfare for domestic workers of Delhi,
d. Constitution of Unorganized Worker's Social Security Welfare Board in Delhi &
e. Discussion & consultation on "code on social security & welfare" with the informal sector workers of the city.

II. Organization - Approach, Strategies and Coverage

A Non Profit Organization founded in 1991, Kislay aims to improve the situations of the marginalized and poor urban communities and to advocate their right to a life with dignity. The main objective of the organisation has been to support the marginalized urban poor and to inform, assist and empower them to deal with the situation by using different strategies. Most strategies focus on enabling the poor communities to collectively demand and access government services and the city's resources for a life with dignity.

With this approach, Kislay facilitates the formation of community based groups under the leadership of local community leaders in slums to take up the issues collectively and independently.

Key Strategies

Kislay's main strategy is to build capacities - leadership, systems and human resources - of its Community Based Organizations which involves;

- Enabling informal sector workers in organizing awareness campaigns for community mobilization against gender discrimination, child marriage, sexual harassment at work place & domestic violence and grass root advocacy campaigns for fair wage, healthy working condition, regulation of employment & other social security provisions through awareness and effective leaderships among workers.
- Promoting quality education, self-help groups and livelihoods
- Facilitating slum dwellers & especially unorganized sector workers & their organizations to develop interface with state departments/municipal corporations, department of women & child, Delhi Commission of Women/National Commission of Women, labor department for receiving several benefits to these workers.
- Networking and partnership with other NGOs and CBOs for building public opinion for city and national level policy advocacy for shelter and livelihoods security of the urban poor.

Current Geographical Areas of Operation in Delhi:

Kislay is working in more than 50 slums areas of West, North West & South West Delhi. Kislay mainly works in the areas of Education, Sanitation, Livelihoods, Provision of basic services, Public Distribution System, Unorganized sector workers social security, Housing and Community Linkages & participation with state departments. It works currently in slum clusters & resettlement colonies and reaches out to more than 40,000 families, mainly migrant construction workers, domestic workers, rickshaw pullers, vendors & other casual workers families (mostly Dalit and OBCs) from Rajasthan, U.P, Bihar, West Bengal and M.P.

III. Description of the major activities during the year:

Developing enabling environment & support structure in communities to address the issues of early/child marriage & gender discrimination at home and at workplace:

The organization had great success in developing conducive environment in some of its operational areas with respect to choice & consent to the marriage. There were some marriages which happened beyond the traditional way of arranging the marriage in the caste based society. These marriages took place with the choice of the male & female and with the consent of their families. The social norms & existing marriage system became the obstacles for some time but the success was achieved for the

couples with their patience, logical arguments and parent's support. It was not easy for many members of the community to accept these marriages but we observed that the parents support played vital role in controlling the situation and also support from the members of the community collectives.

The main activities during the year are as follows:

- The organization facilitated the community members in developing collectives of parents & youth.
- There were more than 100 corner meetings organized to identify the social & gender based discrimination within the household & within the society.
- The organization facilitated local collectives to organize community events to understand the existing discriminatory practices in the society. There were four community feasts organized by the community members in four operational areas where the members prepared and shared the traditional food with each other without any discrimination.
- The organization facilitated local collectives to organize "women workers dignity day" in three communities with a purpose to give recognition & dignity to the invisible work of the women and their contribution in the family & society making.
- There were 06 training workshops conducted for the parents (18-40 years) of the communities on gender discrimination & ECM.
- There were 09 training workshops conducted for the adolescent & youth (14-25 years) of the communities on gender discrimination & ECM.
- The organization facilitated community women leaders in conducting 25 community workshops in communities on gender discrimination & ECM.
- There were three perspective building workshops for 185 parents/leaders conducted; two at Delhi and one at Rishikesh (residential) on organization building & sustainability.
- There were one TOT theatre development workshops conducted for 12 activists of the organization on female foeticide & domestic violence at Kolkata.
- There were four exposure programs conducted for the 220 women leaders of the communities to know about the city, historical places and places of political importance.
- There was one out of the city exposure program for the 60 women leaders of the communities; the women members visited Taj Mahal & Red fort in Agra.
- The women leaders visited Jaipur and participated in domestic workers consultation.
- There were two educational exposure programs for 110 youth.
- There were four legal workshops organized with the support from DALSA (Delhi Legal services Authority) with women on the issues of domestic violence, women's rights and Payment of wages act.
- There was an awareness walk organized in West district areas to educate about the women' rights and mobilizing people to join the local collectives.
- Three activists of Kislay participated in two theatre workshops organized by Nirantar on gender and sexuality.
- Three activists of Kislay participated in the workshops organized by Nirantar on gender and sexuality.
- A consultation of women workers was organized to strengthen the women's collectives in communities to work as support structures in the communities. Around 700 women members from communities participated in this consultation.

The following are the key **results** of the activities:

- The women leadership is being emerged in the communities during the process. The knowledge & self confidence of the women members have enhanced & most of them are becoming pro-active.
- An environment is being created in the identified communities around recognition of women work, respect in the communities and at home.
- The male counterparts of these identified communities are supporting women for participating in the workshops, training and exposures.
- The support structures in the communities are emerging to discuss the domestic violence and stopping it.
- Most of the parents are encouraging their wards (youth & adolescent) for participating in training workshops and exposure visits for more knowledge.

We faced the following challenges during implementation of the activities:

- There is time constraint for most of the women as they are occupied with household chores and outside work load. The community meetings and workshops are organized as per the convenience & availability of the time of the community women.
- Most of the women members are illiterate; it is difficult for them to remember the discussions, logics and analysis of the situation. We encourage the women to repeat the collective community practices which help them to remember and practice in day to day lives.
- There is also challenge from the most of the government department during interface with them. We help the community members in developing logically arguments, collective bargaining, and continuous dialogue with the concerned departments.
- The participation of women in short term or one day workshop is limited as most of them are mentally occupied with their daily chores. There is a time limitation also for the participants as they have to fulfill multiple responsibilities at home as well as at work place.
- Most of the participants are not open because of low awareness level and illiteracy. We need to develop alternative medium of communication on the issues among the community members.

Awareness & sensitization of construction workers for needful amendments & implementation of Delhi Building & other Construction Workers' welfare Rules'2002:

The construction workers of Delhi are facing numerous problems despite of a central legislation and state rules. The year 2017-18 is really worse for the construction workers with respect to its implementation in the state and accessing social security benefits by the construction workers. The Delhi Building & Other Construction Workers Welfare Board (DBOCWWB) has its own issues related to shortage of permanent manpower, absence of clarity of roles & responsibilities among the staffs, absence of a proper system to run the Board & absence of a monitoring system. The DBOCWWB has been facing these problems since long but still the registration & renewal of the construction workers and processing of the claim applications under various schemes have never been stopped by the Labor department.

We are organizing consultation with the construction workers, discussing the issues and collecting their suggestions. The construction workers are ready to face the challenges and we are planning to engage the government and the labor department with a positive dialogue.

In the mean time, we had suggested the following programs to improve the functioning of the Board:

a. Development of system of online registration, renewal & claim processing of applications of construction workers with the help of NIC, Government of India.
b. To recruit the permanent staffs for the Board work.
c. The system should be run by permanent Board staffs from district offices and it should be based on first in-first out principle and time bound.
d. The physical verification of the worker to be done at district windows with the help of webcam.
e. Having employment certificate from the employers as per the act to check the non construction workers.

Most of the Board members are agree on the above proposal but it is yet to be decided by the Board.

Awareness & sensitization of domestic workers for identity & dignity of work, minimum wages and social security:

The domestic workers of the country are waiting for a protective legislation since long to protect their worker's rights and demand a rightful share in the national economy. There is a long history of policy advocacy for the domestic worker's rights and entitlements. The government of India brought a draft policy on domestic workers in 2011 after ILO convention-189 which declared "Right to decent work" in 2011. There were again discussions and brain storming workshops followed by submitting comments to the Ministry of Labor & Employment (MOLE) on the draft policy. The government neither responded on the comments nor brought any instrument which can protect the domestic worker's wage, working condition and social security rights.

After a gap of almost six years, the MOLE came up with a new draft policy on domestic workers of the country. The office of Director General Labor Welfare (DGLW) called a national level meeting in the month of July'2017 to discuss the new draft policy. Several labor organizations and civil society organizations participated in this workshop and provided a number of suggestions and also demanded a comprehensive legislation on domestic workers instead of mere a policy. The DGLW office has prepared a summary of the draft suggestions and has put up the same on its website for public comments in the month of October'2017. There are total ten major areas identified by DGLW office for inclusion in the draft. These ten major areas almost cover all major segments with respect to workers rights and standard labor code but there are some areas which still need to be included. The domestic workers organizations and federation organized meetings and discussions to prepare comments on it so that the same were submitted to the MOLE by 15th of November'2017. Here, we can hope some good news for the domestic workers of the country but still we feel that the policy can't fill the gaps for achieving the workers' rights and entitlements in absence of a protective legislation.

National Platform for Domestic Workers (NPDW) with the help from National Law University, Delhi has prepared a draft bill called "The Domestic Workers (Regulation of work & Social security) Bill'2017" for placing it in the parliament as a private member bill. We approached Sh. Shankar Dutta, MP from Tripura and sent him the draft copy of the bill along with two documents;

a. Financial memorandum, and
b. Memorandum regarding delegated legislation.

The above bill was introduced in Parliament as a private member bill on 21st July'2017 by Honorable MP Sh. Sankar Datta.

The struggle for domestic workers rights and dignity is strengthening day by day by engaging several stakeholders in the discussion and taking their support to convince the government of India to bring a comprehensive legislation for the domestic workers of the country. We organized a day long consultation with the representatives of the national Labor organizations on the private member bill of domestic workers prepared by NPDW and submitted by Sh. Shankar Datta in Lok Sabha during monsoon session. Many representatives of national labor organizations were not aware of this development and after going through the draft there were few clarifications from the participants which were resolved by discussion. The representatives of national labor organizations agreed with the draft and extended support for it.

A consultation of domestic workers of Delhi was organized to discuss the status & progress of the domestic workers campaign in Delhi. The domestic workers from six districts of Delhi participated in this consultation. The leaders of the area committee expressed concerned over the following issues:

1. Increase in number of false cases of theft against domestic workers
2. Wage and weekly off issues
3. No response from Delhi government on the domestic worker's committee recommendations
4. Lack of enthusiasm among domestic workers for collective actions.

The above issues were discussed in length & width by the domestic workers leaders and they also provided suggestions to address the issues and strengthen the organization. The suggestions are as follows:

1. It was decided to write a letter to the district police heads on false theft cases and request them to work in a fair manner and obey the Supreme Court guide lines on search of the house and arrest. The local police are not following the guidelines and harassing the workers along with employers. It was also decided to counter such move of the police by the local members through creating awareness on human & legal rights to the domestic workers.
2. It was briefed to all participants that Delhi government has not taken any initiative on the recommendations of the committee constituted for enactment of domestic workers social security and welfare legislation at Delhi level. Neither the domestic workers have been included in the employment schedule of the state nor have the minimum wages been fixed for them. The

domestic workers enthusiasm is affected by this. It was decided to write a reminder letter to the Labor Minister as well as Chief Minister to implement the recommendation of the committee at the earliest.

3. The domestic workers leaders also decided to organize collective programs to pressurize the government for identity and social security rights.
4. The memorandum demanding immediate action on committee report was sent to LM & CM of Delhi government.

The domestic workers leaders of the organization met the Honorable Labor Minister of Delhi government several times and submitted the memorandum for inclusion of domestic work in employment schedule and fixation of minimum wages for them. The Labor minister assured them to talk to the labor department officials and fulfill the demands at the earliest.

The domestic workers leaders also met Labor Secretary cum Commissioner along with Additional Labor Commissioners of Delhi. These officials were not very much positive to fix the minimum wages for the domestic workers.

There were six legal awareness sessions on human rights, role of police, domestic violence and payment of wages were organized with Delhi Aid & Legal Services Authority in the communities for building the information level of the workers.

Awareness & sensitization of unorganized sector Workers for constitution of Social Security Welfare Board in Delhi:

We organized a consultation of leaders of informal sector workers collectives on constitution of UWSS Board in Delhi. The workers were not happy with the ignorance attitude of Delhi government. They were charging the senior officials of labor department for cheating the unorganized sector workers of Delhi. During May Day consultation at Mavlankar auditorium organized on 2nd May'2016, the additional commissioner of labor department told the workers that the rules of UWSS Act'2008 have been prepared, Board has been constituted and the registration of the workers will start from October'2016. But till date, nothing has been initiated by the government.

DM, North West district of Delhi addressing informal sector workers

It was decided that the organization should write a reminder letter to Labor minister and Chief Minister that the promise made by them are still unfulfilled. A memorandum from the organization was sent to LM & CM of Delhi government demanding immediate action on the issue.

An action week was observed from 14th to 21st January by the informal sector workers collectives in Delhi and two actions were organized by the collectives. These actions were organized at two districts of Delhi namely West & North West districts.

Around 300 informal sector workers assembled at District Magistrate office of West district, Rampura on 17th January to Submit memorandum to Prime Minister through District Magistrate demanding social security to informal sector workers of the country. A public meeting was organized at DM office and it was addressed by leaders of the organization and informal sector workers. The memorandum was submitted to ADM of the district as the DM was not available; ADM assured the workers that it will send the memorandum to the Honorable Prime Minister through proper official channel.

The next public meeting was organized at DM office of North West district at Kanjhawala. Around 350 informal sector workers assembled at DM office. A public meeting was organized which was addressed by the leaders of the community as well as workers representatives. The DM received memorandum and he assured the workers that he will send it to the Honorable Prime Minister office. We received official copy of the letter sent by DM, West Delhi to PM.

There was an idea to organize a dialogue between informal sector workers and middle class, media and academics of the city. The purpose was to have a fair picture of the working conditions and living conditions of the informal sector workers of the city. There were two **workers narratives** organized in Delhi. The representatives of domestic workers collective and construction workers collective participated in these narratives from our communities. Apart from these two trades, the hawker, bonded labor, rickshaw puller and home based workers also participated in these two narratives. The narratives were well attended by the middle class and media community. It was also covered by several news papers. The experiences of these narratives were useful in terms of realizing the reality of the informal sector workers of the city by the haves class.

Discussion & consultation on "code on social security & welfare" with the informal sector workers:

On 16th of March'2017, the GOI brought "labor code on social security and welfare" and asked all concerned to give comments on the code within one month from the date of publication. The ministry of labor informed in its notice that this code is the outcome of the 2nd Labor Commission report which suggested for the simplification, codification & amalgamation of the existing labor legislations of the country.

Consultation on draft Social Security code

Addressing informal sector workers on social security

Ministry of Labor & Employment (MOLE) & NLI organized two consultative meetings with national labor organizations, federations and civil society organizations on this code. They gave presentation and explained the participants that this code is for all workers and it will provide social security even to the unorganized sector workers who are presently left out.

It was decided to call for a meeting to discuss the code and give comments on it. Several organizations participated in the meeting and discussed the code. After a daylong consultation, the following were decided in the meeting:

a. That a detailed comments will be prepared chapter wise for sending to the ministry
b. The participants took the responsibility of preparing comments for each chapter & a dead line was also decided to submit
c. It was also decided to approach the ministry to extend the last submission date as it was on very short notice.

The joint comments have been compiled by the secretariat of Social Security Rights Campaign and after editing and putting it in order, the same was submitted to ministry on 15th May'2017.

Minimum wages in Delhi:

After notification of minimum wages by Delhi government on 3rd March'2017, the several employers' associations approached the court and filed objections for stay of the notified minimum wages in Delhi. But the additional chief Justice bench, Delhi high court during hearing of the case observed that the wage enhancement by Delhi government is not sufficient for survival of a worker in Delhi. The court questioned that how a worker can live with his family out of Rs. 13,350/pm. It is good news for workers & worker's organizations of Delhi that the notified minimum wages will be implemented in Delhi.

❖ **Activities:**

- Around 545 corner meetings were organized in 85 slums/resettlement colonies/labor chowks areas on organization building, educating on registration & renewal of construction workers, mobilization for awareness walks, regional consultations etc.
- Around 34 mass meetings were organized in 34 slums/resettlement colonies/labor chowks areas of Delhi on the issues of corruption in Labor department, registration/renewal of construction workers in DBOCWB and organization building.
- Organized 65 monthly meetings with Basti core teams on updating data, sharing of responsibilities by team members, organizing local collective programs on the issues of organization building & provisions of the social security & DBOCWW rules'2002.
- A meeting of the domestic workers leaders of NPDW was called on International domestic worker's day at Delhi to discuss the details of common programs to be organized in the month of August'2018.
- National Platform of Domestic Workers (NPDW) prepared a draft bill titled ""The Domestic Workers (Regulation of work & Social security) Bill'2017" on domestic workers and the same was placed in the parliament as a private member bill by Tripura MP Sh. Shankar Datta.
- International Women's Day was celebrated with the domestic workers of Delhi with a theme to develop the neo-consciousness of the women workers of the city.
- Four regional consultations were organized in four areas of Delhi namely; Kirti Nagar, Shiv Vihar, Nilothi and Prem Nagar. These consultations were organized on the issues of rampant corruption in district labor offices, need of informed organization and workers, collective programs to educate the workers about their rights and facing current challenges etc.
- Organized 12 monthly planning & review meetings with the activists of the organization for monitoring the activities, documenting lessons and future planning.
- Organized (5) five capacity building workshops with community leaders on perspective building with respect to social systems like gender, caste and economic system of the current society.

- Organized (15) fifteen issue based workshops with the identified volunteers of the construction & domestic workers collectives on Labor rights (The BOCW act'1996, Minimum wages act'1948, The Equal remunerationact'1976, Payment of wages act'1936 and UWSS act'2008) and human rights (right to city) to develop their understanding in order to build community collectives.
- A total of six (6) community walks organized in the communities to educate the construction workers around their rights & entitlements and four (4) community walks were organized to motivate the domestic workers to participate in the collective processes.
- The memorandums addressed to Prime Minister of India demanding immediate implementation of UWSS act'2008 were submitted to District Magistrate of West & North West districts of Delhi. Around 650 informal sector workers participated in these actions.
- Around 60 mass meetings/community meetings were organized to strengthen the collective of domestic workers for addressing the issues related to wage, working condition, weekly and annual leaves and social security provisions for the domestic workers.
- Organized four meetings with Honorable Labor Minister of Delhi and demanded inclusion of domestic work in the state employment schedule, fixation of minimum wages for the domestic workers and enactment of a legislation for the regulation of employment and social security for the domestic workers.
- Organized two community collective programs called "Mahila Kamgar Samman Samaroh" honoring women workers of the community. This program was jointly organized by men & women workers of the community highlighting the contribution of women workers in making the home and society.

Exposure of community leaders

Results of the activities:

- 5 capacity building training programs were conducted for around 300 construction & domestic workers leaders on perspective building with respect to worker's rights and existing labor laws.
- 15 issue based training programs were conducted for around 800 volunteers of construction & domestic workers collectives on current labor situation & challenges emerging out of it.
- Around 1820 construction workers participated in four consultations organized on the issues of corruption and implementation of the act.
- Five "Mahila Kamgar Samman Samaroh" were organized for honoring the women workers of the communities by men & women members of the collectives.
- International Women's Day program organized on 8th March'2018 by domestic workers leadership of the collective.
- Three collective cultural programs (Samuhik Bhoj) were organized by the communities for community cooperation and mutual faith.
- A total of 490 claim applications were filed with DBOCWWB for securing social security benefits and 229 applications got sanctioned. A total sum of Rs. 83, 30,828.00 was sanctioned to the construction workers.
- Around 7100 scholarship applications of secondary schools students were filed with the Board and around 5800 applications got sanctioned.

Worker Narrative at India Habitat Center

Leadership training for domestic workers

Outreach:

❖ **Number of direct beneficiaries/participants**:

- Around 35,000 constructions, domestic & other informal sector workers participated in several activities and received information on rights and entitlements through corner meetings, mass meetings & other community programs.
- Around 22,000 workers participated during the meetings organized for registration of construction workers in DBOCWB for social security benefits**.**
- Around 4200 domestic workers participated in mass meetings organized for awareness building & collective identity**.**

- Around 4000 informal sector workers consulted for participation in memorandum submitting program at DM offices on the issues of constitution of unorganized Workers Social Security Board.
- Around 3000 men & women workers participated in five “Mahila Kamgar Samman Samaroh”.
- Around 700 women workers participated in International Women’s Day program organized by domestic workers groups.
- Around 1600 men & women participated in collective community cultural program & joined in collective feast.

Pad Yatra (community walk) for awareness

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