

**GOVERNMENT OF WEST BENGAL
LABOUR DEPARTMENT
L. W. BRANCH**

**No. Labr. / 257 / (LC-LW)
LW / 5M – 112 / 16**

Kolkata, the 3rd April, 2017

NOTIFICATION

SAMAJIK SURAKSHA YOJANA 2017 (SSY-2017)

PREAMBLE

The Government of West Bengal has launched a number of Social Security Schemes for the workers of the unorganised sector aimed at providing these workers with a degree of income security when faced with the contingencies of old age, survivorship, incapacity, disability, bringing up children, gender disparity, curative or preventive medical care and empowerment. The Schemes are:-

- a) State Assisted Scheme of Provident Fund for Unorganized Workers, (SASPFUW)
- b) West Bengal Unorganised Sector Workers' Health Security Scheme, (WBUSWHSS)
- c) Social Security Scheme for Construction Workers, (BOCWA)
- d) West Bengal Transport Workers Social Security Scheme, (WBTWSSS)
- e) West Bengal Bidi Workers' Welfare Scheme, (WBBWWS)

However it is seen that the benefits and the scale of benefits varied considerably in all these schemes. This leads to overlap and inconsistencies regarding eligibility and benefits. The process to register and avail benefits under these schemes was also getting difficult for the beneficiaries who are mostly illiterate or their literacy level is too low to comprehend such diversities.

A need was thus felt to integrate and converge common benefits of all the above schemes into a single and more comprehensive scheme to provide uniform benefits to each and every unorganised worker registered herein for the ease of better understanding, monitoring and effective implementation.

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Accordingly, Governor is pleased to introduce a new and consolidated social security scheme for the unorganised workers namely, **SAMAJIK SURAKSHA YOJANA, 2017**.

2.0 SHORT TITLE, EXTENT, APPLICATION AND COMMENCEMENT:

- (a) The Scheme may be called **SAMAJIK SURAKSHA YOJANA, 2017 (herein referred to as Yojana)**.
- (b) It extends to the whole of West Bengal.
- (c) It will cover every eligible unorganised worker as per the approved list of unorganised industries and self-employed occupations notified by this Department from time to time and will also include construction workers and transport workers who are registered by the **West Bengal Building & Other Construction Workers Welfare Board and West Bengal State Social Security Board respectively**.
- (d) It will be effective from **1st April 2017**.

3.0 IMPLEMENTING AGENCY:

The scheme will be administered and implemented by the West Bengal Unorganised Sector Workers' Welfare Board constituted under sub-section (1) of Section 4 of the West Bengal Unorganised Sector Workers Welfare Act, 2007.

4.0 DEFINITION:

In this scheme unless the context otherwise requires,

- (a) 'Act' means the West Bengal Unorganised Sector Workers Welfare Act, 2007.
- (b) 'Beneficiary' means all wage employed & self-employed unorganised workers between the age of 18 years and 60 years in the:
 - (i) (a) 46 unorganized industries,
 - (b) 15 self-employed occupations, and
 - (ii) Construction workers means Building Workers as defined under **Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and also include Workers engaged in Brick Kiln, Stone Breaking and Stone Crushing**.
 - (iii) Transport workers as defined under **West Bengal Transport Workers' Social Security Scheme, 2010**, and registered therein

and also may include any other group of workers as may be notified in the Official Gazette by the Government from time to time.

- (c) 'Board' means the West Bengal Unorganised Sector Workers Welfare Board constituted under sub - section (1) of Section 4 of the West Bengal Unorganised Sector Workers Welfare Act, 2007.
- (d) 'CEO' means the Chief Executive Officer of the Board;
- (e) 'Family' relating to a beneficiary shall be deemed to consist of the beneficiary, his / her spouse, son up to 21 years of age, unmarried daughter, widow daughter, if residing with the beneficiary, dependent parents, the widow and children of a deceased son.
- (f) 'Form' means a form appended to this Scheme;
- (g) 'Fund' means the West Bengal Unorganised Sector Workers' Welfare Fund constituted under the West Bengal Unorganised Sector Workers Welfare Act, 2007. However, in respect of Construction and Transport Workers, the benefits as provided to the registered construction workers or transport workers or their families will be paid out of cess collected under the provisions of the Building and other Construction Worker's Welfare Cess Act, 1996 read with Building and Other Construction Workers' Welfare Cess Rules, 1998 and West Bengal Motor Transport Workers Welfare Cess Act'2010 read with West Bengal Motor Transport Workers Welfare Cess Rules'2010 respectively.
- (h) Registering Authority means Inspectors under Labour Commissionerate or any other Officer authorised by the Labour Commissioner.
- (i) 'Rules' means the West Bengal Unorganised Sector Workers Welfare Rules, 2008;
- (j) Samajik Mukti Card means a special Smart Card (with 32 / 64 or more KB memory electronic chip) or Plastic Card or Paper Card issued by the West Bengal Unorganised Sector Workers Welfare Board for the identity of the registered workers.
- (k) Words and expressions used in this scheme and not defined shall have same meaning assigned to them in the Act and Rules.

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5.0 ELIGIBILITY CRITERIA:

In order to be eligible to apply for registration and getting benefits under the scheme a beneficiary should conform to the following criteria –

- (a) He / She must be a resident of West Bengal.
- (b) He / She should be between 18-60 years of age.
- (c) His / Her family income should not exceed Rs.6, 500/- per month.

6.0. CARD:

- (a) The existing Samajik Mukti Card (SMC), Registration number and Pass Book issued to unorganised workers will be deemed to be valid for the purpose of this scheme.
- (b) All new unorganised workers under this scheme will be issued SMC to avail benefits under this Yojana.
- (c) SMC would also be issued to all existing unorganised workers who are registered under the various schemes and who were not issued these cards earlier.
- (d) The SMC can be used by an unorganized worker at any of the Regional Labour Offices (R.L.O) at districts and subdivisions as well as in all Labour Welfare Facilitation Centres (L.W.F.C) in Blocks and Municipalities.

7.0 HOW TO APPLY:

- (a) Subject to fulfilment of the above mentioned eligibility criteria a willing unorganised worker shall apply in the prescribed form (**Form-I**) for registration under this scheme.
- (b) The registration can be done at the Block / Municipality / Municipal Corporation Office and also may be through special camps to be organised in each Block / Municipality / Municipal Corporation once in a month.

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8.0 BENEFITS UNDER THE SCHEME:

8.1 PROVIDENT FUND:

This is a form of income security fund into which the workers contribute a fixed sum from the earnings and the Government also contributes along with interest. The money in the fund is then paid to the worker on attaining age after which normally the worker is unable to continue to earn income. State Government introduced PF scheme for unorganised workers in the year 2001 and now it aims to cover all the unorganised workers under this Yojana.

- (a) Each eligible worker is to contribute a sum of Rs.25/- per month and the State Government gives a matching grant of Rs. 30/- against worker's contribution.
- (b) The State Government also bears the interest payable annually at the rate at which interest is allowed on deposit under the General Provident Fund by the Government from time to time.
- (c) On attainment of the age of 60 years, or discontinuance as a subscriber under the Scheme, or in the event of the account becoming inoperative due to death, the total cumulative amount along with interest will be refunded to the workers, or to his / her nominees.
- (d) The account of a subscriber will be automatically closed if he /she does not make any contribution continuously for three financial years **provided** that such account shall be revived by the Assistant Labour Commissioner (ALC) w.e.f. current financial year on an application made by the subscriber stating reasons for such non- payment and found to be sufficient by such ALC. No arrear contribution shall, however, be allowed.

8.2 HEALTH AND FAMILY WELFARE:

With the objective of providing health treatment and social justice to the unorganised worker the following benefits would be provided under this Yojana:-

- (a) (i) A beneficiary and/or family members are entitled to get **financial assistance upto Rs. 20, 000/-** only per annum for ailments covered under West Bengal Health Scheme, 2008 (WBHS'2008) requiring hospitalisation or outdoor treatment.

The benefits to be provided for:

(A) cost of clinical tests – full

(B) cost of medicine – full

(C) cost of hospitalization – full

(D) payment for loss of employment to the beneficiary @Rs.1,000/- for the 1st 5 days and additional amount of Rs.100/- per day for the remaining days, up to a maximum of Rs. 10,000/-.

(ii) Claim from a beneficiary and/or family members may be accepted for more than once in a year but total assistance shall be limited to Rs. 20000/- (Rupees Twenty thousand) only per annum.

(b) (i) A beneficiary and/or family members are entitled to get **financial assistance upto Rs. 60, 000/-** only per annum on account of any kind of surgery. Beneficiary undergoing surgery for self or for family members will be entitled for a maximum of benefit / claim of Rs. 60,000/- only. The benefits to be provided for:

(A) cost of clinical tests – full

(B) cost of medicine – full

(C) cost of hospitalization – full

(D) payment for loss of employment to the beneficiary @Rs.1,000/- for the 1st 5 days and additional amount of Rs.100/- per day for the remaining days, up to a maximum of Rs. 10,000/-.

(ii) Claim from a beneficiary and / or family members may be accepted for more than once in a year but total assistance shall be limited to Rs. 60000/- (Rupees Sixty Thousand) only per annum.

(c) A beneficiary, if hospitalised for 5 or more days due to an accident shall be assisted payment for loss of employment to the beneficiary @Rs.1,000/- for the 1st 5 days and additional amount of Rs.100/- per day for the remaining days, up to a maximum of Rs. 10,000/-. This claim will be admissible only to the beneficiary himself/herself.

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- (d) Claim for (a), (b) and (c) will be admissible for expenses at Government Hospitals if any or at empanelled hospitals and as per the package rates of WBHS' 2008 implemented by Finance Department.

8.3 DEATH AND DISABILITY:

The workers in the unorganised sector are exposed to the risk of untimely death due to disease or accident. This is pronounced in unorganised sectors because of lack of defined safety and deficiency in care. Untimely death, disability or even normal death of an earning member may leave the rest of the family members in perilous condition. To provide social security to the nominees of the beneficiaries under the Yojana, the following benefit would be provided:-

- (a) **Rs. 2,00,000/-** only in cases of death of the beneficiary arising out of an accident,
- (b) **Rs. 50,000/-** only in cases of normal death of the beneficiary,
- (c) **Rs. 50,000/-** in cases of minimum 40% disability of the beneficiary. The disability should be certified by a Government Hospital.
- (d) **Rs. 2,00,000/-** in cases of total and irrecoverable loss of both eyes or loss of use of both hands or feet or loss of sight of one eye and loss of use of hand or foot.
- (e) **Rs. 1,00,000/-** in cases of total and irrecoverable loss of sight of one eye or loss of use of one hand or foot.

8.4 EDUCATION:

Education is key to empowerment and better society where socio-economic justice prevail. However, lack of education due to poverty and economic stresses are not ruled out. Drop-outs at the secondary level is alarming and to address this issue it has been contemplated in this Yojana to provide financial assistance to the children of the beneficiaries in their pursuit of higher studies.

(a) Assistance for education will be provided in the following category as per scale given below:

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|--|-----------------|
| (i) Reading in Class XI | Rs. 4,000/- pa |
| (ii) Reading in Class XII | Rs. 5,000/- pa |
| (iii) Under training at ITI | Rs. 6,000/- pa |
| (iv) Reading in UG (Arts/Science/Commerce) | Rs. 6,000/- pa |
| (v) Reading in PG (Arts/Science/Commerce) | Rs. 10,000/- pa |

(vi) Reading at Polytechnic	Rs. 10,000/- pa
(vii) Medical / Engineering	Rs. 30,000/- pa

(b) Assistance for completion of UG education or equivalent Skill Development Studies @ Rs. 25000/- each for up to two daughters will be provided. This benefit will however be admissible if the daughter remains unmarried till completion of studies.

(c) The above benefits would not be payable to those students who are eligible to get benefits under the 'Swami Vivekananda Merit-cum- Means Scholarship Scheme' .

(d) The above assistance can only be claimed by those students who are studying in recognised education institutions of State Government, Central Government or any institution created by statute of the State or Central Government.

(e) The students who will be covered under this Yojana cannot also avail any other scholarship / scheme of the Government.

8.5 TRAINING IN SAFETY AND SKILL DEVELOPMENT:

Uncertainty in the unorganised sectors necessitates need for diversification of activities and the search for alternative employment and self-employment ventures. The beneficiary and/or their family members will be provided training in various trades & vocations so as to enable them to switch to alternate economic activity mainly towards self-employment.

(a) This training shall be outcome based and would be provided through the Paschim Banga Society for Skill development (PBSSD) and shall follow the cost and other common norms that have been finalised for Skill Development interventions in the State by the Government.

(b) Fund for meeting the Skill Development costs shall be borne from the Construction Workers Cess for Skill Development of Construction Workers and their family members, from the Transport Cess for Skill Development of Transport Workers and their family members and from the State Budget of Labour Department for Skill Development of Workers listed under notified unorganised industries and self-employed occupation and their family members. Suitable Grant-in -Aid /fund will be made available to PBSSD by the appropriate authorities of the Labour Department.

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9.0 MAINTENANCE OF ACCOUNTS AND AUDIT:

- (a) The State Government shall bear all expenditures for administration of the Yojana including the cost of various forms, stationeries, service charges to the Banks, cost of publicity of the Yojana and cost of organizing various programmes etc. for the purposes of the Yojana.
- (b) All grants received from the State Government or from the Central Government or deposits from the beneficiary under the Yojana shall be deposited to the Fund.
- (c) The Board shall maintain separate accounts for the purposes of the Yojana and get the said accounts audited by such Auditor and in such manner as may be decided by the Board.
- (d) Annual report regarding performance of this Yojana along with an audited report of accounts shall be sent to the State Government.

10.0 PREPARATION OF BUDGET:

The CEO of the Board shall with due approval of the Board send an annual budget for a financial year in connection with implementation of the Yojana to the State Government at least four months before the commencement of a financial year.

11.0 POWER TO AMEND SCHEME:

The State Government may by notification alter any of the provisions of the Yojana and also add new provision(s) to the Yojana, if necessary.

12.0 ISSUANCE OF GUIDELINES:

Detailed guidelines and modus-operandi of this Yojana are being issued separately.

13.0 EXISTING SCHEMES:

- (a) The following existing schemes, namely,
 - (i) State Assisted Scheme of Provident Fund for Unorganized Workers, (SASPFUW) and
 - (ii) West Bengal Unorganised Sector Workers' Health Security Scheme, (WBUSWHSS)
 - (iii) West Bengal Bidi Workers' Welfare Scheme, (WBBWWS)

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are hereby repealed in full and a separate Notification is being issued separately.

(b) The following Schemes:-

(i) Social Security Scheme for Construction Workers, (BOCWA)

(ii) West Bengal Transport Workers Social Security Scheme, (WBTWSSS)

are accordingly being modified and the benefits included in this Yojana will be deleted from these schemes. The other benefits will continue. The revised schemes are being issued separately.

14.0 INTERPRETATION:

If any question arises relating to the interpretation of this Scheme, it shall be referred to the Government of West Bengal in the Labour Department whose decision thereon shall be final.

This Notification is issued with the concurrence of the Finance Department, Government of West Bengal vide its UO No. Group L/2016-2017/0105 dated 21.03.2017.

By order of the Governor,

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GOPAL KRISHNA

Additional Chief Secretary to the
Government of West Bengal

ORDER

Ordered that a copy of this notification be communicated to all Departments and the Labour Commissioner, West Bengal.

Ordered also that the Notification be published in the Kolkata Gazette, Extraordinary, for general information.

By order of the Governor,

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GOPAL KRISHNA

Additional Chief Secretary to the
Government of West Bengal