

CONSTITUTIONAL DIMENSIONS OF SOCIAL SECURITY IN INDIA: AN ANALYTICAL STUDY

by

Virender Negi

Professor

UILS, Panjab University, Chandigarh

&

Monika Negi

Professor

UILS, PUSSGRC, Hoshiarpur

&

Prachi Sharma

Research Scholar

Department of Laws

Panjab University Chandigarh.



Abstract

Because it fosters political stability, economic prosperity, and faith in the intrinsic dignity and worth of the common man, social security in every civilization serves the interests of all other countries. Prior to India's independence in 1947, residents were already eligible for a variety of benefits. Social Security is based on the principles of modesty and fairness. Said another way, the idea behind social security is that a person who has benefited from or is expected to contribute to his country's prosperity should be safeguarded against certain perils. Investigating how the idea of social security has developed through time is the focus of this study. This article looks at the incorporation of social security provisions into legislation, notably labor law, by analysing judicial declarations made by different Indian courts and the changes that have followed from them.

Keywords: Social Security, Labour Law, Fundamental Rights, Social Security Schemes.

Introduction

“Public assistance is a sacred duty. Society owes subsistence to unfortunate citizens by procuring them work or by ensuring to those who are unable to work, the means of existence.”

-(Preamble to French Constitution of 1793)

Everybody has the entitlement to a good standard of living, which often comprises clothes, shelter, healthcare, and other important social services. Individuals also have a right to security in the wake of unemployment, disease, infirmity, separation or divorce, old age, or any inability to support themselves owing to circumstances above their disposal. The rights to special support and attention for motherhood and childhood are acknowledged. All kids should have the same social welfare regardless of whether they were born in a marriage or not (Article 25, Universal Declaration of Human Rights, UN, 1948)

The Universal Declaration of Human Rights (UDHR) and the Global Pledge on Economic, Social, and Cultural Privileges in particular provide such a strong foundation on one side of the argument for state-sponsored pensions (ICESCR). Additionally, it is a crucial part of international labour standards because it was created by ILO members to support and implement the human right to social security (which is explained in Section 2). In the occurrence of numerous life-cycle hazards, this includes the requirement for healthcare and financial stability. While economic safety has occasionally been seen as counterproductive to economic growth and dynamism, a much larger body of research suggests that social welfare and long-term economic growth and prosperity are positively correlated.

Social security is one of the most under-realized socio - economic rights, with around 4 billion people (or 55% of the world's population) without access, despite the fact that it is frequently associated with economic and social rights because it comprises financial payments by the state.¹

Since the aftermath of International War I, it has become abundantly evident that world peace can only be sustained if it is founded on social fairness. The most recent constitutions include declarations of economic and social principles that emphasize, among many other things, the

¹International Labour Organisation, World Social Protection Report 2017–19: Universal social protection to achieve the Sustainable Development Goals (Geneva International Labour Organization, 2017), xxix

role of the state to endeavour for social security and to provide income, education, and decent working conditions for its subjects.²

Due to its identity as a welfare state, India has taken on the duties of providing its inhabitants with a range of Social Security and Social Assistance benefits. The Indian Constitution's Directive Principles of the State Policy provide the basis of India's Social Security regulations. In India's guiding document, the Constitution, social security is seen as an integral part of basic protections. In order to ensure that all components of society run smoothly, the government must work to improve people's lives by maintaining and enforcing a social hierarchy based on equality in all areas of society.

The Indian Constitution mandates that the government, within the limits of its resources, make adequate arrangements to protect citizens' access to jobs and schools as well as their entitlement to public assistance in the case of unemployment, retirement, sickness, or disability.

In addition, the Indian Constitution mandates that the State establish provisions for maternity leave and reasonable and humane working conditions. It demands that the State make improving public health one of its top priorities while also raising the standard of living and nutrition of its citizens. The duties imposed on the State in the aforementioned provisions to make up Social Security.

The International Labour Organization (ILO) defines social security as “the security that society affords via appropriate organization against certain hazards to which its members are continually exposed.” These are essentially possibilities that a person with limited resources cannot fully guard against on his or her own, let alone in private collaboration with others. As a result, the system of social security requires balancing logical designed injustice with a dash of kindness to offset nature's and commercial activity's glaring injustice.

ILO CONVENTIONS

There are nine different parts of social security, according to the 1952 ILO Convention on Social Security (Minimum Standard):

- **Medical care:** In addition to hospitalization, the importance of prenatal and postnatal care was highlighted.

²Kesavananda Bharati v. State of Kerala, (1973) 4 S.C.C. 479 (India).

- **Sickness Benefit:** This should encompass conception, maternity, and any aftereffects, as well as any sickness that could result in a dangerous condition. This should cover lost wages due to inability to work due to a morbid condition. This requires regular payments in accordance with the convention specification.
- **Unemployment Benefit:** When a person is qualified and available for work but is unable to find acceptable employment, this benefit should cover the loss of earnings during that time.
- **Old Age Benefit:** This benefit offers a pay out, the amount of which is determined by a person's ability to work prior to retirement.
- **Employment Injury Benefit:** This must address the following scenarios. arising from an illness or accident at work: A serious illness, the inability to work as a consequence of a serious illness, the loss of a breadwinner's income due to his or her untimely death, and the loss of a breadwinner's income due to his or her illness or death all leave families in need of financial help.
- **Family Benefit:** This must incorporate the costs of parenting children during an exigency.
- **Maternity Benefit:** This benefit should cover childbirth, labour, and any financial repercussions which may arise as a result of these occurrences. Medical treatment, including prenatal confinement, postnatal care, and hospitalization, where necessary, should be provided for.
- **Invalidism Benefit:** This comes in the type of recurring payments, must take care of the needs of disabled employees due to an illness or accident and are unable to work.
- **Survivors' Benefit:** It must include regular payments to a family after the death of the family's primary provider and should continue during the duration of the contingency.

CONSTITUTIONAL PROVISIONS

SOCIAL SECURITY IN REGARD TO THE PREAMBLE

The Preamble of the constitution of India states the following:

WE THE PEOPLE OF INDIA, having solemnly decided to establish India as an SOVEREIGN SOCIALIST SECULAR³ DEMOCRATIC REPUBLIC and to guarantee to all its citizens:

REPUBLIC and to secure to all its citizens:

³Words in italics inserted by the Constitution (42nd Amendment) Act, 1976 (w.e.f.3-1-1977). 9 Ibid

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and opportunity; And to promote among them all FRATERNITY

assuring the dignity of the individual and the unity and integrity⁴ of the nation.

The word Preamble refers to a prelude or opening speech. It addresses the core and principles of the Indian Constitution, as well as its goals and purposes.⁵

According to interpretation of law principles, the primary aim of a preamble is to elucidate key facts that must be comprehended before the Act's enactments may be grasped. In essence, it provides a recital of the state of the law that the proposed laws are intended to address, as well as the legislation's goal and guiding principles, as well as the wrongs or inconveniences it attempts to address.⁶ Therefore, the terms of the preamble cannot be used to reduce the enactment if the wording of the enacting sections is unambiguous.⁷

Its other stated goal is to ensure that all people are treated fairly in all areas of society. Although an exact definition of justice is elusive, it is often understood to be identical with fairness and equality. As a result, if we are to achieve social justice, we must ensure that no group in society is disadvantaged because of their race, ethnicity, gender, sexual orientation, religion, language, or national origin. Economic justice, like social justice, requires ending poverty and providing everyone with an equal opportunity to benefit from a nation's resources. Equal voting rights, candidacy for public office, and employment in elected positions are only some of the political liberties that are guaranteed by political justice.⁸

The Preamble aspires for a social structure in which the people are sovereign, the government is chosen by and answerable to the people, the rights of the people limit the authority of the government, and the people have many possibilities to grow as individuals. Even while the Preamble theoretically cannot be enforced in court, it is helpful in interpreting other parts of the Constitution and serves as a compass in cases when several parts of the Constitution are at odds.⁹

⁴Re Berubari Union, AIR 1960 SC 845 (856).

⁵Bakshi, P.M. *'The Constitution of India'* -Delhi: Universal Law Publishing, 2002.

⁶ Re berubari Union, AIR 1960 SC 845 (856)

⁷Bhim Singhji v. Union of India, AIR,1981 SC 234 (PARA 39, 71).

⁸Coupland, R. *The Constitutional Problems in India* -London: Oxford University Press, 1945.

⁹Jain, M.P. *'Indian Constitutional Law'* Vol- 1, 2

FUNDAMENTAL RIGHTS AND SOCIAL SECURITY

Part III of the Indian Constitution, which includes Articles 12–35, is dedicated to protecting citizens' basic liberties. Benefits designed to encourage participation in Social Security are typically of the Social Assistance kind and are based on a family's financial situation. To ensure that underprivileged segments of the population have a minimum standard of living, state and federal governments work towards developing that are paid via general government income. These are threat mitigation measures. This ensures the following types of security:

- **Security of Food and Nutrition:** It is accomplished by guaranteeing food grain availability on a per capita basis, assuring access to food, strengthening the farm sector, implementing a targeted public distribution system, etc.
- **Protection of health:** It is accomplished through assuring the availability of medical services, upholding standards for drinking water and sanitation, and eradicating and controlling communicable diseases, early child and pregnant women vaccinations, health insurance, nursing facilities, and Insurance for the aged.
- **Safeguarding the security of women:** It is accomplished by empowering women, promoting women's literacy, outlawing the practice of paying women in dowry, and creating widow pension plans.
- **Educational security:** It is accomplished by making sure that schools are open, encouraging kids to go to school, declaring compulsory education up to a certain age, facilitating adult learning centres, or developing programs like Sakshara, running programs like midday meals, etc.
- **Security of health:** It is achieved by making sure that there is availability of healthcare facilities, sanitation and drinking water standards are maintained properly, eradicating and attempting to control contagious diseases, vaccinating children and pregnant women timely, offering health insurance, preserving old age homes and offering insurance for the aged.
- **Article 21 encompasses all of the liberties required for an average person to flourish in a decent society, such as the right to nutrition, clothes, shelter, healthcare, and education. The right to be protected from poverty and social exclusion, the right to**

adequate accommodation outlined in the European Convention on Human Rights and its Protocols as well as the Revised European Social Charter.¹⁰

In an effort to support the empowerment of people with disabilities, the Persons with Disabilities (Equal Opportunities, Protection of Rights, and Full Participation) Act of 1995 was created. Although this Act has garnered care and assistance, it is not adequate to enhance the living conditions for people with disabilities.¹¹

DIRECTIVE PRINCIPLE OF STATE POLICY AND SOCIAL SECURITY

The goal of the Prelude might be attained by following the numerous order criteria of state strategy mentioned in the introduction. IV of the Constitution, to a lesser extent. Part IV, Articles 36–51 of the Indian Constitution regulates systems related to harmonizing public approach norms. Furthermore, Section IV is considered to be of paramount importance in the operation of government.

It is the duty of the state, as stated in Article 38, to enhance social government help to persons by ensuring and preserving a social request in which social, monetary, and political decency support all legal foundations. The government should work to level the playing field in terms of wages and reduce the gaps in social standing, material resources, and access to opportunities between individuals and between social groups.

All the State should also educate its system toward guaranteeing to its residents, people fairly, the access to a decent source of endurance; the right of laborers, to great health and prosperity; to protect the vulnerable time of children from abuse; to guarantee a setting where people are not pressured by financial need to engage in activities that are inappropriate for their age and strength; and to provide sufficient opportunity and facilities.

The state shall, within the limits of its financial capacity and development, make appropriate arrangements for the protection of the rights to work and education and the provision of public assistance in the event of unemployment, advanced age, illness, or disability, as guaranteed by Article 41 of the Constitution.¹²

¹⁰Abromovitz, M. *The Elements of Social Capability*, in Koo, B. H and D. H. Perkins (eds.) *Social Capability and Long-Term Economic Growth* (New York, St. Martin's Press 1995).

¹¹Dreze, J and Sen A.K (1991), *Public Action for Social Security Foundation and Strategy* Oxford University Press, New Delhi

¹²Pylee M.V. 'Constitutional Amendments in India' -Delhi: Universal Law publications, 2003

According to Article 41 (2), when interpreted in the context of the socio-economic justice theory¹³, job security is a component of the right to work. According to Article 42, the State must establish policies to guarantee fair and compassionate working conditions and maternity leave.¹⁴

The State is under obligation under Article 43 to provide Social Security to the nation's residents. All the aforementioned tactics are used in India. We can divide the social security programs offered in India into preventative, promotional, and protective programs for the debate.¹⁵

Article 47 states that improving the public's health, nutrition, and living circumstances is a major priority for the state. The obligations of the State outlined in those Articles are what make up social security.

The Constitution's Directive Principles of State Policy serve as the basis and inspiration for the country's social security legislation. To comply with this, companies must either foot the bill for employees' Social Security benefits in full or find a way to share the cost with them. Although employees are entitled to certain protections, it is mostly the employers' responsibility to ensure compliance

UNION STATE AND CONCURRENT LIST AND SOCIAL SECURITY

The relationship between the Association and the States is addressed in Part XI of the Indian Constitution. Timetable VII of the Constitution establishes the boundaries of power between the federal government and state legislatures, and Article 246 refines those boundaries. List I contains the Association Directory, whereas List II has the State Endlessly list III the Simultaneous Rundown. The Association Council is the body with ultimate say over implementing rules related to the items listed in Rundown I.

These apply all throughout the United States. Regulation of the items listed in Rundown II can only be mandated by state councils. The relevant state's geological authority only extends to certain materials. Both the Parliament and the State Councils have the competence to establish

¹³Dialy casual labour employment under P and T deportment v. Union of India (1988) 1 SCC 122 (para9).

¹⁴D.D. Basu J. 'The Constitution of India,' Vol 1 & 2.

¹⁵Seervi, H.M. 'Constitutional Law of India' Vol. I & II, III-Bombay: 22Basu, Durga Das, 'Commentary on the Constitution of India

rules pertaining to Rundown III. In the event of a disagreement, the Association Council will have more clout than the State Governing body.

Specifically, State List Item No. 9 and Concurrent List Item Nos. 20, 23, and 24 address economic and social planning, as well as retirement and disability benefits for the elderly.

Specifically, item 24 of list III of sections VII of the Indian Constitution addresses Labour Welfare, which includes things like working conditions, provident funds, obligation for workmen's compensation, disability and old age pensions, and maternity benefits. In addition, Article 41 of the Principles of State Policy Directive emphasizes the need of social security for the elderly.¹⁶

Labour and welfare-related problems fall under List III, the Concurrent List, under Article 246 of the Indian Constitution. Under Central List, there are exceptional labour and safety issues in mines and oil sectors, as well as workplace conflicts involving unionized workers. There are 200 state labour laws and 47 federal labour laws combined. The Industrial Disputes Act (1947), the Contract Labour (Regulation and Abolition) Act (1970), and the Trade Union Act are the three primary laws at issue (1926).

SOCIAL SECURITY SCHEMES IN INDIA

For Old Age People

- **Pradhan Mantri Vaya Vandana Scheme:** It was launched in 2017 and that's designed to help adults over 60. The Life Insurance Corporation of India carries it out.
- **Rashtriya Vayoshri Yojana:** The program offers a senior citizen who is living in poverty physical aids and assisted-living tools. This program is centrally financed.
- **Indira Gandhi National Old Age Pension Scheme:** This program is for seniors over 60 who are living in poverty. As a component of the National Social Assistance Program, it is put into practice (NSAP).
- **Integrated Program for Older Persons:** The plan aims to make senior persons' life better. The government has been carrying out the plan since 1992. The program offers senior citizens a variety of amenities, including food, housing, medical treatment, etc. The government accomplishes this through giving money to a number of NGOs and institutions that operate shelters and nursing facilities for elderly persons in need, among other things.

¹⁶1 <http://ilcindia.org/gov-policy.pdf>. visited on 20.06.2009

- **Senior Citizen's Welfare Fund:** According to the National Policy on Older Persons, the Senior Citizens' Welfare Fund (SCWF) was established by the Finance Act of 2015 to be used for such programs to promote senior citizens' welfare.

For Women

- **Swadhar Greh scheme:** The program focuses on giving those women who are in need access to basic amenities including food, clothing, housing, and medical care. The Ministry of Women and Child Development runs the initiative.
- **Janani Suraksha Yojna:** The Act seeks to encourage pregnant, low-income women to deliver in a hospital. It comprises of financial support for deposit-delivery delivery services.
- **Maternity Benefit Act'1961:** The law preserves working women's jobs throughout pregnancies and grants them the right to maternity leave, which is a fully compensated break from work.

For Organised Sector Workers

- **Employees Provident Fund Organisation (EPFO):** Its mission since its founding in 1952 has been to administer the workers' provident fund system for the benefit of the salaried class. It gives workers peace of mind about their financial futures, both during and after employment.
- **Employees State Insurance Scheme (ESI):** It is a social security program that aids workers in times of medical emergency. The program offers a variety of benefits, including medical benefits, disability benefits, maternity benefits, unemployment benefits, etc.

For Unorganized Sector Workers

- **The Contract Labour (Regulation and Abolition) Act of 1970:** It aims to safeguard workers from all forms of exploitation at work by establishing better working conditions for them.
- **Unorganised Workers Social Security Act 2008:** The Act was enacted to improve the lives of informal sector employees by providing them with access to social security. The Act is to be implemented by the Ministry of Labour and Employment.
- **Aam Aadmi Bima Yojana:** This government-sponsored social security program was created to safeguard the rights of thousands of people employed in unorganized industry

occupational groupings. When an insured person passes away naturally or due to an accident, becomes disabled, etc., the plan pays payments to the insurer.

- **Rashtriya Swasthya Bima Yojana:** This program was introduced to address the unorganized workers' urgent medical needs. It is intended for employees who are not wealthy. It is a kind of health insurance program for employees in the unorganized sector.
- **Atal Pension Yojana:** Introduced in 2015, this program is aimed towards unorganized workers including nannies, drivers, gardeners, etc. It enables these workers to set money aside for retirement. The Pension Fund Regulatory and Development Authority is in charge of managing it (PFRDA).

Life Insurance Corporation of India:

It was founded in 1956 and works to address the diverse life insurance needs of the community while educating India's economically and socially disadvantaged strata about the value of life insurance protection. It plays a significant role in India's implementation of numerous social security programs.

JUDICIAL PROVISIONS

*“Liberty is the lifeline of every human being. Life without liberty is ‘lasting’ but not ‘living’. Liberty is considered one of the most precious and cherished possessions of a human being.”*¹⁷

The term life¹⁸ has been defined quite liberally by the Supreme Court. The Court frequently quotes Field, J., who stated in *Munn v. Illinois*¹⁹ that something more is implied than simple animal existence by the term life as used here. The prohibition against life's deprivation encompasses all the limbs and powers by which it is enjoyed. Additionally, the article prohibits amputation of an arm or a leg as a form of bodily mutilation.²⁰

In the same way, Bhagwati, J., stated in *Francis Coralie v. Delhi*²¹ “We consider that the right to life would typically involve the right to live with human dignity and everything that would go with it, notably bare necessities of life including adequate nutrition, apparel, and shelter

¹⁷ Ashok Kumar v. Union of India, (1991) 3 S.C.C. 498, 502, para. 1 (India)

¹⁸ INDIAN CONST. art 21

¹⁹ 94 U.S. 13 (1877)

²⁰ Ibid.

²¹ AIR 1981 SC 746, 753

over one's head and facilities for reading, writing, and expressing oneself in different forms, freely moving about, and mixing and intermingling with fellow human beings,” the statement interprets.

The Supreme Court articulated the heart of social security in clear terms. The preamble to India's constitution states that the role of the court is to promote social justice. In light of the Supreme Court's clarification, it is clear that the idea of social security incorporates a number of factors that are essential to the full and happy growth of every individual citizen. Justice, in its fullest definition, includes social justice. The concept of social justice belongs to the larger Justice family. Those in society who are marginalized, destitute, or otherwise unable to rise above their circumstances on their own merit might find relief via the progressive instrument of social justice.²²

The objective of India's founding fathers was to establish the country on a solid basis of socioeconomic fairness, which was unavailable to millions of Indians. The Directive Principles of State Policy of the Indian Constitution encompasses a provision for social security. Courts initially did lack the proper understanding of the primary nature, meaning, object, and role behind the Directive Principles relating to Social Security.²³

The Supreme Court subsequently stated in the case of *Mohd. Hanif Qureshi v. State of Bihar*²⁴ that “A harmonious interpretation must be placed up on the Constitution, and so construed that the state should assuredly enact the directive principles, but it must do so in such a manner as to not detract or supersede fundamental rights.”

In *People's Union for Democratic Rights and Others v. Union of India*²⁵, Justice P.N. Bhagwati stated that the time has come for the courts to represent the nation's underprivileged and struggling masses. They must lose their reputation as defenders of the status quo and the existing order.

In its later ruling in the matter of *Sanjit Roy v. State of Rajasthan*²⁶, This principle was maintained by the Supreme Court. Helpless labor cannot be denied the protections of labor law,

²²Air India Statutory Corporation v. United Labour Union, A.I.R. 1997 S.C 645 (India)

²³State of Madras v. Champakam Dorajan, A.I.R. 1951 S.C. 226 (India)

²⁴ A.I.R 1958 S.C. 731 (India)

²⁵(1982) 3 SCC 235

²⁶AIR 1982 SC1943..

and it was highlighted once again that the state cannot be permitted to take advantage of the vulnerable people it affects.

In a significant ruling on bonded labour, *Bandhua Mukti Morcha v. Union of India*²⁷, the Supreme Court expanded its protective sphere to cover issues like identification, release, and rehabilitation. It was decided that the government should welcome actions brought by public interest lawsuits that claim the presence of bonded labour because they may give the government the chance to investigate the existence of the system and to take the necessary action to end it.

According to Article 23 of the Constitution, which forbids forced labour in any form, the government is required to fulfill this commitment. The system of bonded labour was eliminated by Article 23, but regrettably no significant attempt was made to put this Article into practice. It was not until 1976 that Parliament approved the Bonded Labour System (Abolition) Act, which sought to prohibit the practice of indentured servitude in order to protect the most vulnerable members of society from being exploited for their labor.

The Supreme Court declared in *People's Union for Democratic Rights v. Union of India*²⁸ that Article 24 is enforceable against everyone and that due to its mandatory prohibition, no one may engage a child under the age of 14 in a dangerous occupation. The Supreme Court reiterated the aforementioned position in *Salal Hydro Project v. State of Jammu & Kashmir*²⁹, ruling that because construction work is dangerous, children under the age of 14 cannot be employed there in accordance with Article 24 of the Constitution.

Equal pay for equal work was a game-changer with the Supreme Court's ruling in *People's Union for Democratic Rights v. Union of India*. Article 14 of the Constitution, which is embodied in the Equal Remuneration Act of 1976, has a strong egalitarian objective that has been upheld by the Supreme Court in favour of equal pay for equal labor.

In *Ram Bahadur Thakur (P) Ltd. v. Chief Inspector Plantations*³⁰, the court had to decide whether or not half-day employment could be counted toward the 160-day period that would qualify a woman employee for maternity benefits. With the Explanation to Section 5(2) of the Maternity Benefit Act in mind, it was agreed that a woman's layoff period should also be

²⁷1984 AIR 802, 1984 SCR (2) 67

²⁸ (1982) 3 SCC 235

²⁹1984 (1) SCALE 680

³⁰(1989) ILLJ 20 Ker

considered when evaluating eligibility. It is unreasonable to assume that a female worker was on the payroll throughout the layoff period. Therefore, it is not possible to condition the maternity benefit on working for 160 days.

WAY FORWARD

The State is responsible for guaranteeing citizens a minimum level of social security, and it must do so in accordance with the Constitution and other legally obligatory international agreements. It has fallen short of these promises, however, in several ways. The Indian Constitution recognizes and protects government-backed retirement as a fundamental basic freedom, and it includes provisions for its implementation and necessity as part of the stated strategy's Order Standards. Financial, monetary, and political decency should permeate all aspects of public life, and the state should work to establish and maintain this social control for the benefit of its citizens. As stated in Article 41 of the Constitution, the state must, within its financial means, provide adequate arrangements for the protection of the right to labor, training, and government aid in the case of unemployment, old age, disease, or disability. According to Article 42, the government must provide safe and equitable working conditions, such as paid leave for new mothers to care for their young. The State's obligations outlined in the previous Articles constitute Social Security and must be strictly enforced.

Regarding the constitutional responsibility of the state to realize the social-welfare objectives contained in the Constitution, the following recommendations merit consideration:

- **Emphasis on Agricultural Development:** Agriculture employs approximately 58% of the Indian population; thus, the government must significantly boost public investment on agriculture, both in terms of GDP and overall expenditure. More resources should be allocated to agricultural research, such as the manufacture of higher-quality seeds.
- **Priority Investment on Health and Education:** “In healthcare, over 46% of children in India are famished³¹; fewer than 15% of the population has any type of healthcare coverage³²; and approximately 66% of the poorest children in India receive no or limited healthcare.³³ In education, the enrolment for secondary level in India is approximately 52%, which is significantly lower than that of countries such as Vietnam

³¹ Brinda Jagirdar, 'High Food Price, A Crisis on Our Plate' Businessline

³² R Ramakumar, 'In Farmer's Name' (2011) 28(6) Frontline

³³ C Narasimha Rao, Globalisation, Justice, and Development (Serials Publication, New Delhi 2007), pg 280.

(72%), and Sri Lanka (83%)³⁴; the enrolment for higher education in India is only 21.2%³⁵; Recognizing that better healthcare and education facilities will lead to better professionals, priority should be given immediately to improving these areas, both in terms of increasing expenditure and increasing the efficiency with which money is used.

- **Corporate Environmental Responsibility:** When destruction to the environment occurs, the poor are adversely impacted as they lack the means to mitigate the effects of pollution as like purifying water. It must be ensured by the government that there is no environmental damage made in the future by the industries and plants of business organizations, and that any loss is paid for.
- **Poverty and Inequality Eradication:** The duty of the state must focus on eradicating poverty as well as inequity among various segments of society. The poverty rate may be down, but income inequality is growing at an alarming rate. The state has an obligation to guarantee that globalization's benefits are shared fairly among all citizens and that workers get a fair share of corporations' financial windfalls.

Despite efforts by the government at all levels to provide social security to its inhabitants, the condition in India remains dire. In India, a range of laws and regulations dealing with social security are already in place, however they only touch a small percentage of the population. Thus, there is a requirement for collaboration among many stakeholders to ensure appropriate program implementation, the construction of delivery mechanism, the distribution of knowledge, and the eradication of malpractice.

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³⁴ Ibid, Rao, pg 281."

³⁵ BBC News, 'Coke Paints the Himalayas Red' (August 15, 2002)

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