

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 687 of 2016

Odisha State Legal Services Authority* *Petitioner

Ms. Mrinalini Padhi, Advocate

-versus-

State of Odisha and others* *Opposite Parties

Mr. Debakanta Mohanty

Additional Government Advocate

**CORAM:
THE CHIEF JUSTICE
JUSTICE G. SATAPATHY**

Order No.

**ORDER
21.03.2023**

08. 1. One of the issues pointed out in the note submitted by Ms. Mrinalini Padhi, learned counsel appearing for the Petitioner is that the registration of unorganized workers under the Unorganized Workers Social Security Act 9'Act') is at 3,20,090 which appears to be a very low figure. It is pointed out that the definition of 'Unorganized Worker' under the Act includes "a home-based worker, a self-employed worker or a wage worker in the unorganized sector" and not covered by any of the other labour welfare legislations, the number ought to be much higher.
2. It is further pointed out that during the pendency of the present petition, the Parliament has enacted a Code on Social Security, 2020 which is intended to replace many of the labour welfare legislations by consolidating them into one single 'Code'. It is submitted that this also requires to be examined.

3. The note also seeks the details from the Government regarding the distribution of 1.27crores Social Security Identity Cards (SSICs) and the disbursal of Rs.2.70crores to 270 beneficiaries.

4. What is not clear is the mode of registration of unorganized workers. If it is by way of 'self-declaration' then expectedly, the number is likely to be low. If the Act which is a social welfare legislation enacted specifically for unorganized workers has to be effective, then some concerted efforts will have to be made to increase the numbers registered by deploying persons specifically oriented to undertake that exercise by going into the field to meet the unorganized workers where they are presently deployed.

5. On the suggestion of learned counsel for the parties in the course of hearing, a direction is issued to the Chief Secretary, Government of Odisha to convene a meeting of the senior officials of the concerned departments involved in the implementation of the Act with the participation of Ms. Mrinalini Padhi, learned counsel appearing for the Petitioner, the Secretary of the Odisha State Legal Services Authority (OSLSA) and at least three civil society organizations based in Odisha working for and among unorganized labour. This meeting be convened in the next 30 days to work-out the modalities for increasing the coverage of the Act to a whole range of unorganized labour irrespective of gender, age and the State of origin, who may be working at any time during the year in the State of Odisha. The meeting of the Chief Secretary will address the above issues as well as oversee the working till date of the "Multi-Agency Monitoring Committee" at the district level headed by the Collector" as indicated in the affidavit of the Opposite Parties.

6. The outcome of the deliberations be recorded and the minutes be placed before this Court on the next date.

7. List on 6th July, 2023.

8. A copy of this order be sent to the Chief Secretary, Government of Odisha and the Secretary, OSLSA forthwith.

(Dr. S. Muralidhar)
Chief Justice

(G. Satapathy)
Judge

S. Behera

