

Issues Pertaining To The Indian Labour Market.

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Abstract

Labour issues posed a significant threat to society. Employers focused mainly on maintaining machines and improving technology, completely ignoring the workers who operated them, as they were easy to replace. The workers' socio-economic status was much lower than that of their employers. In response, workers began to form their own groups to combat exploitation by industrialists. The Government recognized the seriousness of the situation and could not just stand by, as workers made up a large part of society. However, neither the Government nor the courts paid much attention to these issues, as they prioritized non-interference and the freedom of contract.

Keywords: Labour Problems, Menace to the Society, Employers, Organisation

Introduction

Labour issues posed a significant threat to society and required attention, not only to eliminate them but at least to alleviate their impact from the outset. Employers focused primarily on the upkeep of machinery and the enhancement of technical expertise, largely disregarding the human workforce that operated these machines, as workers were perceived as easily replaceable and readily available. The workforce was characterized by widespread illiteracy and poverty, rendering them largely unaware of their rights. The socio-economic standing of workers was markedly inferior to that of their employers, which hindered their ability to negotiate employment terms freely. Consequently, employers exploited the vulnerable situation of workers, imposing their own conditions regarding wages, working hours, and leave policies. Workers had little choice but to acquiesce to these terms, as employment was their only means of subsistence. The government and judicial systems largely overlooked these issues, adhering to a policy of non-interference and upholding the principle of freedom of contract. Over time, the situation deteriorated to such an extent that it adversely impacted society, prompting the government to take remedial action. Eventually, various philanthropic organizations, such as the Servants of India Society and the Social Service League, along with industrial social workers, began to advocate for the resolution of these pressing issues. They managed to rally public support for their perspective. Workers began to create their own groups to combat exploitation by industrialists. Initially, their efforts were not very effective due to

their limited bargaining power and lack of resources to support themselves without wages. Some employers recognized the seriousness of the issue and the need to address these problems, as they impacted production. They believed that investing in worker welfare was a good strategy, as satisfied workers would be more productive and efficient. The government eventually recognized the seriousness of the issue and could not just watch, as workers make up a significant part of society. It became necessary for the government to step in and resolve conflicts for the sake of the national economy and the well-being of everyone. If a major industry faces problems, it can disrupt the entire system. Regular breakdowns in any part of the economy can lead to hardship for the community. Therefore, preventing industrial conflict is crucial in national policy, and the state must address the issues that cause such disputes. After gaining independence, the national government focused on improving labor conditions in industries, as a country's success relies on the growth of its industries.

No industry can thrive without peace and cooperation between labor and capital. To improve cooperation, workers who contribute to production should receive their fair share of profits from increased output. Thus, we need to design our economic policies to recognize the worker's rightful status by providing fair working conditions and a proper share in production. This approach promotes social justice and security for workers. The Constitution of India guarantees social justice, which involves achieving socio-economic goals. Labor laws play a crucial role in driving socio-economic advancement. No other area of law has such a significant impact on social change and action. This is where industrial law stands out from other legal fields and requires a unique legal framework to fully understand and develop it.

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Labour Regulations for Workers in the Informal Sector in India.

The informal and unorganised sector of the economy plays a crucial role in the overall development and economic landscape of a nation, particularly regarding its contributions to GDP and employment levels. Workers within this sector are essential to its expansion, necessitating the protection of their rights and entitlements. This need is especially pronounced in developing economies such as India. The Indian Constitution incorporates several provisions aimed at addressing various labor and social security challenges faced by workers, particularly those in the unorganised and informal sectors. These provisions are primarily found in the Preamble, Chapter III, which outlines Fundamental Rights, and Chapter IV, which discusses the Directive Principles of State Policy. Additionally, numerous labor laws have been enacted by both central and state legislatures in India to safeguard the interests of these workers. These laws encompass a range of issues, including wages, employment relationships, working conditions, labor welfare initiatives, and social security. The subsequent sections will present a comprehensive overview of the key features of the labor legislation relevant to the informal sector in India.

India's Job and Work Situation.

The provision of quality employment is essential for fostering economic and social development. Beyond its immediate benefits for enhancing individual well-being, employment serves as a focal point for various social goals, including poverty alleviation, productivity enhancement, and social unity. Policies aimed at promoting quality employment encompass a range of initiatives, from skill acquisition to the empowerment of women. As the creation of quality jobs is increasingly recognized as crucial for sustaining robust economic growth, the importance of employment in public policy has gained renewed focus in recent years. In light of this context, it is vital to implement effective policy measures that establish the necessary conditions for generating quality employment, thereby facilitating faster and more equitable economic development. The development of such policies should be grounded in a thorough analysis of the evolving labor and employment landscape at the national level, with attention to various income and social groups. This paper offers an analysis of the current trends and characteristics of India's labor market.

Prevention of Children's Entry into Employment at Tender Age

In India, children participate in a variety of activities, including domestic chores, family-run enterprises, and agricultural or wage labor. It is essential to

differentiate between child labor and activities that are part of a natural socialization process, where children engage in limited work alongside other childhood pursuits. When work becomes excessive, it can hinder children's social and educational development, leading to significant stress and posing a threat to their healthy growth and future opportunities. In this context, 'child work' can be seen as exploitative and harmful. Specifically, any work that infringes upon children's rights to education, play, leisure, and overall development—whether mental, physical, spiritual, or psychological—constitutes child labor. Despite the distinction between child labor and child work, the prevalence of working children remains alarmingly high, making child labor a critical issue in India. While this provides a general framework for understanding child labor, definitions may vary based on specific contexts. The Encyclopaedia of Social Sciences defines child labor as a situation where the necessity of earning wages or contributing to family support interferes with a child's growth and education. The International Labour Organization (ILO) describes child labor as involving children who are forced to assume adult responsibilities, working long hours for minimal pay in conditions detrimental to their health and development, often separated from their families and lacking access to meaningful educational opportunities that could lead to a better future.

Health Insecurities and Protection of Workers in Informal Employment

Globalization has boosted the economy and created new jobs, but most of these jobs are informal and low-quality, with low productivity. According to the NSSO, 92% of workers are in informal roles. In 2011-12, out of 472 million workers, around 392 million (83%) were in the unorganized sector, which includes small private businesses with fewer than 10 employees. Even in the organized sector, which has 80 million workers, 46 million (58%) are in informal jobs. Self-employment is the largest category, making up 52.2% of total employment. Research shows that after liberalization, as Indian industries grew with international trade, there were changes in labor market health security. Although labor laws haven't changed, workers' bargaining power has weakened due to less strict enforcement, more contract labor, a shift in workforce dynamics (with more casual and female workers), and a decline in trade unions. These labor market changes have impacted many workers in industrial jobs, leading to greater insecurity and vulnerability in the informal economy.

Conclusion

Each time a job seeker submits an application; there is a possibility of not securing the position. However,

this risk is not evenly distributed among all job seekers; some individuals may have a greater likelihood of overcoming the barriers to employment, while others may face more challenges. A critical inquiry revolves around the factors that influence this risk. Specifically, does the level of risk vary significantly among job seekers from different demographics, such as gender, religion, or caste? The common understanding of "unfair access" for a group to a specific "resource" is characterized by a disparity between its representation in the general population and its presence within that resource. Nevertheless, when multiple groups are involved, the pertinent question becomes how to consolidate these disparities into a singular measure of access inequality. Ideally, this measure should adhere to the "Pigou-Dalton condition," which, in the context of this study, implies that an increase in the number of disadvantaged individuals, balanced by an equivalent decrease in the number of advantaged individuals, would lead to a reduction in access inequality.

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