

Problems of Labour in Unorganized Sectors of Aligarh District of Western Uttar Pradesh

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Abstract

Since the dawn of 15th August 1947, when our nation woke up from the long slumber of slavery of Britishers, the labour class in both regulated and unregulated sector has been drastically changed. Labour is a major factor in the field of production and its role cannot be underestimated, but it is beyond doubt that there are many problems related with labours working in factories or in agricultural pursuits and the intensity or gravity of these issues have been rising with the economic advancements and changes in social thinking. These problems were not only confined to capitalistic society but also in controlled or socialistic society. Multifarious issues such as the problem of developing harmonious industrial relations, wage determination and their payment criteria, provision of social security to labours have been becoming a monster and they are in urgent need of attention by our politicians, nationalists and social reformers. In our country the informal sector has always occupied a very dominant position in labour market scenario. Its dominance can be understood by the fact that as per the latest estimation of a Sub-committee of the National Commission for Enterprises in the Unorganized Sector (NCEUS) in 2008, this sector contributes around half of the GDP and more than 90 % of the workforce is engaged in it. It is a fact that the maximum time of labour gets spent at the work place and they play a very vital role in building the national infrastructure. As the living and working condition of labours are not very favourable so they want support from both their employers as well as the government to fulfill their basic human needs, hopes and anxieties.

Keywords: Unregulated Industries, wages, human needs, welfare and upliftment, Indian Govt policies

Introduction:

The concept of labour exploitation is not new in India. Since ancient times it was in the form of bonded labour and even after 70 years of independence, with so many legislative measures, the condition is more or less the same. It is true that exploitation in the form of bonded labour is not available, but its face has changed and the magnitude of atrocities against these ill-fated persons is continuing. Earlier the bonded labour system which was found mostly among agricultural labourers has now extended itself to workers working in unregulated sectors such as stone quarries, brick kilns, bidi factories, glass factories and in detergent, carpet, gem stones and many other factories. They still occupy the lowest rung of the social ladder and their socio economic condition is very miserable and pitiable.

The problem of labours is not only confined to economic arena but its tentacles are impacting their social views also. Problems of wages, industrial peace, strikes and lockouts, industrial housing, health and efficiency of labourers and unemployment etc were confronting the nation as well as social reformers. In our constitution, there are some legislative measures to safeguard the interest of workers such as, Article 23 forbids forced labour; Article 24 forbids child labour (in factories, mines and other hazardous occupations) below the age of 14 years. The Article 43A inserted during 42nd amendment directs the state to ensure worker's participation in management of industries.

Labour law: The labour laws emerged when the employers tried to restrict the power of Worker's organisations and keep the labour costs low. The workers began demanding better conditions and the Right to Organise so as to improve their standard of living. Employer's costs increased due to workers demand. This led to a chaotic situation which required the intervention of the Government and the Govt. enacted many labour laws in the country. The history of labour law concerns the development of labour law as a way of regulating and improving the life of people at work. As England was the first country to industrialise, it was also the first to face the often appalling consequences of capitalist exploitation in a totally unregulated and laissez-faire economic framework. Over the course of the late 18th and to the early mid-19th century the foundation for modern labour law was slowly laid, as some of the more egregious aspects of working conditions were steadily ameliorated through legislation. This was largely achieved through the concerted pressure from social reformers, notably Anthony Ashley-Cooper, 7th Earl

of Shaftesbury, and others. In 1784, a serious outbreak of fever in cotton mills near Manchester drew widespread public opinion against the use of children in dangerous conditions. A local inquiry presided over by Dr. Thomas Percival, was instituted by the justices of the peace for Lancashire, and the resulting report recommended the limitation of children's working hours. In 1802, the first major piece of labour legislation was passed - the Health and Morals of Apprentices Act. This was the first, albeit modest, step towards the protection of labour. It targeted the deficiencies of the apprentice system, under which large numbers of pauper children were worked in cotton and woolen mills without education, for excessive hours, under awful conditions. The Act limited working hours to twelve a day and abolished the night work. It required the provision of a basic level of education for all apprentices, as well as adequate sleeping accommodation and clothing.

The history of labour legislation in India can be traced back to the history of colonialism. In the beginning it was very difficult to get enough regular Indian workers to run British establishments and hence laws for chartering workers became necessary. This was obviously Labour legislation in order to protect the interest of British employers. The factories Act was first introduced in 1883 because of the pressure brought on the British Parliament by the textile moguls of Manchester and Lancashire. Thus we received the first stipulation of eight hours work, the abolition of child labour and Restriction of Women in night Employment and the introduction of "Overtime Wages" for work beyond eight hours. After Independence on 15 Aug 1947, the native government enacted many labour laws for the welfare of workers and these laws are placed in the concurrent list. There are approximately 144 Central and State laws, most or all of which seek compliance from industries.

The study of labour enables us to understand the problems and challenges pertaining to work places and some practical ideas for improving the workers life come out. In the process of production, labour occupies a primary position and the progress of any nation can be determined by the aggregate of all human physical and mental effort necessary for the creation of goods and services. The definition of unorganised sector can be understood as the part of work force that was not able to organise itself in pursuit of a common objective as it faced many constraints which can be categorised as mainly ignorance or illiteracy, casual employment and superiority of employer. In the government of India, the ministry of Labour and Employment has been vested

with the power and responsibility of safeguarding the interest of deprived and disadvantaged sections of society. The ministry is responsible for the creation of healthy work environment which will prove as a boon in enhancement of production and in addition it also focussed on the welfare and providing social security to the labour force both in organized and unorganized sectors, in tandem with the process of liberalization. At present, there are 44 labour related statutes enacted by the Central Government dealing with minimum wages, accidental and social security benefits, occupational safety and health, conditions of employment, disciplinary action, formation of trade unions, industrial relations, etc.

Literature Review:

The findings and view of different authors and researchers will be analysed by this chapter emphasizing on the socio economic condition of unorganised labour of Aligarh district.

Breman, J. (1999), “The study of industrial labour in post-colonial India—the informal sector: A concluding review”, Contributions to Indian Sociology.

Breman (1999) has given attributes that why less study has been done on this unorganized manufacturing sector. The reasons are: lack of knowledge regarding the lower level of the urban economy, lack of affinity with methods of research that could increase that knowledge.

Kulshreshta A.C., and Singh G., (2001) “Informal sector in India: its coverage and contributions”,

The above article has analysed that India’s manufacturing sector has a large unorganized component (comprised of units less than 10 employees using power and those units with 10 to 19 employees not using electric power) employing about 3/4th of the manufacturing workforce and contributing to 17% of the total National Domestic Product (NDP) of the unorganized non-agricultural sector.

Thomas J.J. (2002) A review of Indian manufacturing

The above article has explored that the unorganized manufacturing sector has a growth rate of 9.3% in the 1990’s which shows that it is a fast growing segment of India’s domestic economy.

Kalirajan K. and Bhide S. (2004), “The post-reform performance of the manufacturing sector in India”, Asian Economic Papers

This paper has explained that the two reasons for the rapid growth of unorganized manufacturing sectors are: urbanization and rural to urban migration. It was observed that in the post 1997-98

period, output in the organized sector has grown at a slower rate than in organized manufacturing. The reasons are the emergence of flexible production systems and substantial increase in outsourcing by the unorganized sector. There is a need to study the size, structure and performance of unorganized manufacturing sector in India.

Ahmad Ayaz (2012) “Poverty, Education and Child Labour in Aligarh”

The above study on poverty, education and child labour of Aligarh analysed that the basic factor behind child labour is poverty and it is found in almost every informal sector of economy. The small children who have their presence in schools are found working in workshops and small factories, dhabas and restaurants, on the streets as well as domestic servants. As they are being deprived of their basic right of education, therefore the world of prospects, possibilities and opportunities are totally closed for them and it is very much clear that their future is in utter darkness. This study has clearly shown that child labour is directly related to poverty and thus the school participation is very low. The reasons for this type of sorry figure in school participation are mainly highlighted as low parental motivation and low quality of education.

Objectives of the study:

1. To study the socio economic conditions of unregulated labours in unorganised sector.
2. To study the increasing number of child labour in unorganised sector.
3. To find out the level of worker’s job security in unorganized sector and creation of job opportunities in villages to stop rural migration to cities or towns.
4. Impact of Government policies on labourer’s life in terms of his improvement of living status.

Research Design:

The research design is a strategy or blueprint that plans the action to carry out through the research project data and it involves a series of rational decision making choices depending upon the various options available to the researcher.

For this topic, the research design will be used Explanatory and Exploratory method of research design.

Sources of Data:

Both Primary as well as Secondary data will be used. Primary data will be conducted from Questionnaire and Case Study. Secondary data will be conducted from books, research books, journals, e- journals, e- libraries, newspapers, magazines and Census survey Report.

Unregulated Industries in Aligarh District

In Aligarh district of Western Uttar Pradesh region, the small scale and cottage industries have played a vital role in providing employment opportunities to the many as well as in increasing the production opportunities. In terms of number these industries have always exceeded in comparison to Large Scale Industries and more than 50% labourers of the district are employed in these small scale and cottage industries. The investment of capital in these industries is also very less.

Table No - 1: Industries in Aligarh District

SL. No.	Head	Particular
01.	Registered Industrial Unit	9898
02.	Total Industrial Unit	12000
03.	Registered medium and large unit	22
04.	Estimated average no. of daily worker employed in small scale industries	5
05.	Employment in large and medium industries	350
06.	No. of industrial area	5
07.	Turnover of small scale industries (in Lacs)	250.00
08.	Turnover of medium and large scale industries (in Lacs)	1250.00

Source: District Industries Centre Aligarh

Strength And Condition of Industrial Labours:

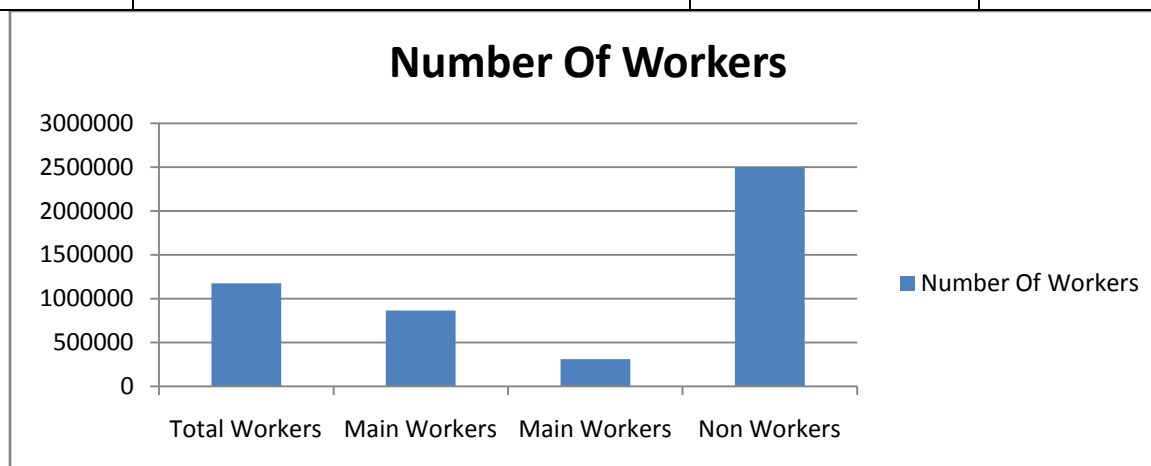
The economic set up of the district, broadly speaking is based on the small scale and cottage industries. The main small scale industries are lock industry, furniture, shoe making, electric fittings, knives and cutlery, Dari and carpets etc. More than 12 lakhs of labourers earn their livelihood from these industries. Besides industries based on agriculture, forests and cattle

Wealth is also being run on small scale and cottage bases. The corporate sector such as a large sugar mill also provides sizeable amount of employment to the labourers.

The achievements are really remarkable of setting up of small scale units and artisans oriented centers. In the same way, the progress in loan disbursement programme and other scheme has also been very much promising. With the passage of time and rapid growth of industrialization in Aligarh district and the adjoining areas, other industries such as Painting and Publishing industry is also blossoming mainly due to larger number of schools, colleges and the existence of the Aligarh Muslim University.

Table No - 2: Labour Statistics in Aligarh District

SL. No.	Workers & Non Workers	No.	Percentage
01.	Total workers (Main and marginal)	1174361	31.97 %
02.	Main Workers	865799	23.57 %
03.	Marginal Workers	308562	8.40 %
04.	Non Workers	2499528	68.03 %



Aligarh which is one of the industrial town of Western Uttar Pradesh is spread over an area of about 40 Sq kms and is divided into two distinct parts i.e old city and the civil lines. In a contrasting scenario, the houses of old city are covered with mostly polluting industries and the new city is developed around Aligarh Muslim University and many government houses. Certain pockets are dominated by Muslim majority and some areas are dominated by Hindus. It is very interesting to note that most of the artisans are Muslims and brassware exporters are Hindus.

Table No -3 : Category of workers in Aligarh District

SL. No.	Type of workers	No.	Percentage
01.	Cultivators	281501	23.97 %
02.	Agricultural labours	267197	22.75 %
03.	Workers in household industry	78566	6.69 %
04.	Other works	547097	46.59 %

Source: District Census Handbook Of Aligarh District Census: 2011

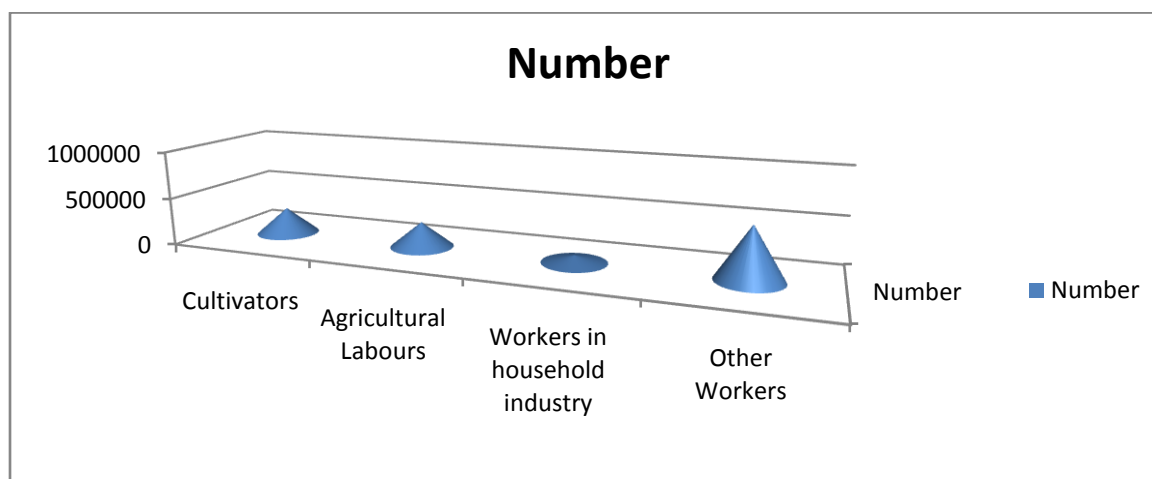
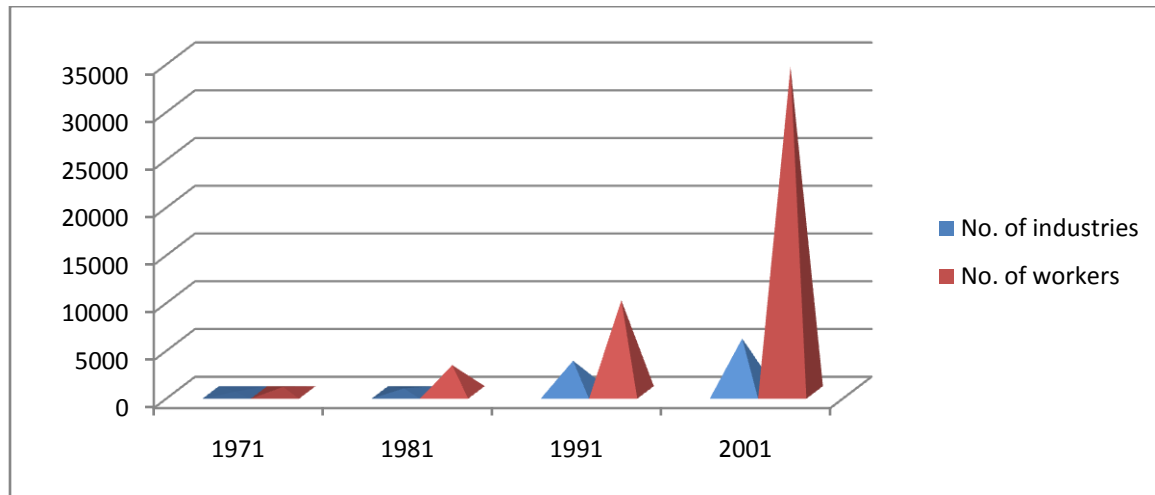


Table No - 4 : Development of Small Scale Industry in Aligarh District

Year	No. Of Industries	No. of Workers
1971	95	585
1981	439	2851
1991	3316	9641
2001	5650	34132

Source: Compiled from Industrial Directory, DIC Aligarh (2008)



Issues and Challenges for Unorganized Labour It is a bitter fact that in our country, even after so many welfare measures, the working environment is not satisfactory and they always live in frustration with low motivation level. Human beings are organic by nature and their behavior is guided by the food taken by him and working environment in which he is working. The issues and challenges faced by unorganised labour are appended below:

- (01.) Absence of social security.
- (02.) Insufficiency of legislative measures pertaining to labour laws.
- (03.) Non guarantee of minimum wages.
- (04.) Exploitation of labour and lack of job security.
- (05.) Menace of child labour.
- (06.) Issue of harassment of women labour at their working place.
- (07.) Issue of low literacy among them.
- (08.) Poor health status and vulnerability to diseases.

Problem of Child labour in Aligarh: In Aligarh, there is nothing more ubiquitous than child labour. From hemming *salwars* at tailor shops, running tea stalls by the roadside and repairing vehicles at automobile centres, children are employed everywhere. However, while the labour department has decided to start a drive to tackle the widespread menace, its officials admit that while some areas will be easy to "clean-up", others may require more than the routine government machinery to get the job done. Labour enforcement officer RL Patel told **TOI** that carrying out raids in areas like GT Road and Ramghat Road is like a routine exercise, but things get complicated when they penetrate into places like Upar Kot and Shah Jamal.

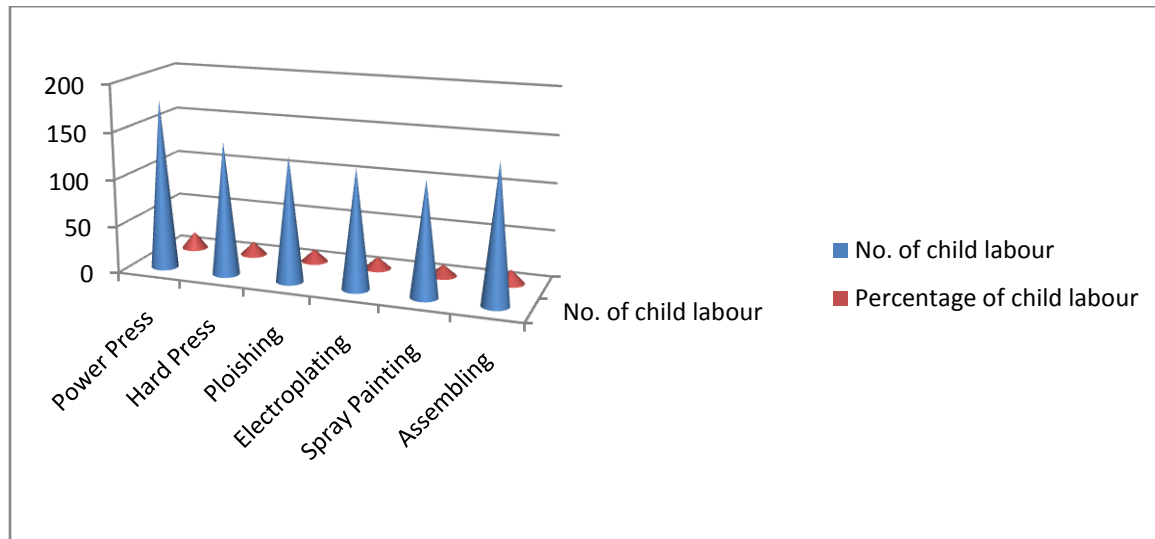
"These are the areas where locks and lock parts are manufactured by families. These households are generally outsourced the job by a bigger industry player. Here, children are also involved in nickel polishing. In the past, whenever our team or task force has ventured into these areas, they have faced massive resistance from the locals. Most of the families here are large, poor and uneducated. It is a socio-economic problem," he said.

Labour deputy commissioner Jabeen Ayesha said that resistance shown by locals in different areas is quite distinct. "This is a common thing in all our operations. For instance, we don't face anything close to what we face in Shah Jamal and Upar Kot. These socio-economic problems cannot be single-handedly dealt with the government machinery. There is a dire need to involve social workers, intellectuals and community leaders. In addition, awareness has to be speeded among the residents about the importance of education, health and hygiene.

One of the labour department officers, who has been part of several raids, said that the size of a family or the number of children also determines the reaction of the people of a locality. "If a family has a single child, it will not put him/her into child labour. But if there are many children, at least a couple of kids will be pushed into the family trade," he said. After a child is rescued from a shop, restaurant or a lock making unit, he/she is taken for a medical test and later handed over to parents or guardians. In case of children who do not have families, the administration sends them to child line centres. Following this, an inquiry is conducted against the employer and necessary action is taken.

Table No – 5 : Children in various types of worker in Aligarh Lock industry

Type of work	No. of child labour	Percentage of child labour
Power press	180	18 %
Hard Press	141	14.1 %
Polishing	132	13.2 %
Electroplating	126	12.6 %
Spray Painting	121	12.1 %
Assembling	145	14.5 %
Spray Painting	155	15.5 %



Suggestion and Findings: The first national commission on labour (FNCL) under the Chairmanship of Justice P.B. Gajendragadkar who submitted his report in 1969 suggested few measures in the direction of labour welfare and their upliftment. But due to our ineffective implementation of policies, we are still lagging far behind. So, the need of the hour is to review the suggestions forwarded by FNCL, which are appended below:

- (i) First hand detailed survey from time to time to understand the problems of the different categories of unorganised labour.
- (ii) Legislative protection for the unorganised/ unprotected labour by the state.
- (iii) Simplification of legislative and administrative procedures applicable to small establishments.
- (iv) Expediting education and Organisation in the field of unorganised labour.
- (v) As there is no alternative to the existing implementation machinery, what exists should be reinforced, and the inspection system should be strengthened.
- (vi) Steps for the protection of workers against the middlemen and development of self help through co-operatives. Co-Operatives should pay adequate wages and bonus, and give employment opportunities to the underemployed and the unemployed among them.

Conclusion

In our country the unorganised sector occupies around half of the GDP and the unorganised workers cover almost 90% of the national labour force. This sector is characterized by seasonal employment (in agricultural sector), contractual work, no social security and welfare legislations, no rights and minimum wages. Lack of skill and education, new openings in organized sector, deficient work quality, and unawareness of legal rights draws the labour into the available vortex of the unorganised sector. In this field, they face many difficulties like poor health conditions, harassment at work, substandard working life, inadequate and unequal wages, poor housing facilities, long working hours, lack of safety measures, atrocities on women workers and no proper education of worker's children. Labour is not only a factor of production but it has human aspect also with some feelings and enthusiasm of his own. He wants an economic security, prestige and an opportunity for self-advance. Therefore, the intervention of both central and state government in order to improve the working and living conditions of these labour is very much required at the legal as well as the policy level.

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