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Social Security Measures to be followed at Work Place in Organised & Unorganised Sector

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Abstract

Labour Laws of India mostly covered all the required necessities which are to be provided to the Labour's working in different industries and organization. Labour sectors follow the labour laws of the country, however even the organized sector ignoring the laws setup. Furthermore as labours' don't have the knowledge of provision of laws, which are favorable to them, that is taken as opportunity by the Employer against the Employee. Further Indian Labour laws are stick on only to some sector of organization. Even though after having several labour laws in India, majority are not noticed by unauthorized and unorganized sectors. Further there is a need of specific Mechanism to control the problems faced by the daily labours' who are working in unsafe place, where basic amenities are not provided, in some cases labour are treated as slaves and they are not getting any human dignity for their work. On other hand the employer always enjoy the fruits of the workmen without considering the grievance of them, which is considered as pathetic situation facing in many sectors. Further when employee are working at hazardous places, more safety measures should be taken by the employer and also as there are more risky factors, the wages should be living wages and also all the facilities like health insurance, children education, house accommodation shall be provided. If in any case death or permanent disablement caused to any of the employee at work place, reasonable compensation should be provided.

Keywords: Safety instructions, ignorance of the safety measures etc.

Introduction

Safety Measures to be followed

Especially the major problem facing even in the organized sector is safety. Even though having lot of laws regard to safety instruction, still they are lacking in the organization which are rich and well established. Every day we are listening about the incidents which take place because of ignorance the safety measures.

What changes to be need to prevent the accidents at work Place:

1. Frequently the organization should make visit by the expert of the specific machinery and the said person should check the working condition of the machinery.
2. If any deficiency is noticed then, the said expert should submit the report to the head of the organization for the compliance.
3. Every day before starting the Equipment or machinery, the employer should take measures to test it, whether it is in the proper working condition.
4. If the employee notice any discrepancies while using the machinery, they have to stop the work and bring the same to the notice of the head of the Organization.
5. If any unexpected incident took place at work place, immediate Rescue measures to be at door steps, to preclude further loss of men/women or material.

6. If human loss occurred at work place, approximate compensation to be awarded by the courts, by which the employer be enlightened to be alert of non-repetition of the same again in future.
7. The frequent visit of labor and industrial inspectors in the organization cause the fear to the employer regard to ignorance of the safety measures contemplated in labor laws.
8. Labor and industrial inspectors should suggest the safety measures as per new dimensions and equipment of the organization.
9. Organizations should conduct awareness regard the using of machinery which the employee doesn't have knowledge and prevent the employees in using or entering the premises which are notified as Dangerous Zones.
10. If the organization fails to comply the conditions mentioned in any of labour laws, the labour and industrial inspector shall impose compensation, to avoid future non-compliance.

Indian Labour Laws are ignored by some of the Organized Sector

Labor Laws of India mostly covered all the required necessities which are to be provided to the labourer's working

in different industries and organizations. Coming to Organized Sectors: majority of the Recognized and Organized sectors follow the labour laws of the country, however the Organized sector ignoring the laws setup. Furthermore as labour don't have the knowledge of provision of laws, which are favorable to them, that is taken as opportunity by the Employer against the Employee.

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The Problem Notified in Unorganized Sector are:

- a) **There will not be trade union or Association:** As the unorganized sectors are not registered their organization under TRADE UNION ACT 1926, hence there is remote scope of having trade unions to settle the disputes which arise between the employer and the employee, which specify the following ingredients.
- b) **Long Working Hours:** Long working hours beyond labour standards are common in India in the unorganized sector. There is no fixed working hours in the unorganized sectors, especially in agricultural sector because there are no laws which can act as a guideline for

farm workers' working conditions. Further in non-agricultural sectors like fireworks, brick factory, welding works, gaming, power stations, etc. the workers begin their work at 6 a.m., indeed the closing of work will till completion of their work. The Factories Act 1948, the minimum wage Act states that, no adult worker shall work for more than 48 hours a week. However the same is not taken into account by Un-Organized sectors, as they ignore said rules.

- c) **Health and Occupational Risks:** The main thing identified in an organized sector is health condition of workers, due to long working hours, there will be Low nutrition intake because of less wages, relentless physical labor raises unorganized workers ' health difficulties and presents risks to their lives. Lack of healthcare resources often forces poor workers to forget it or to become indebted. As far as home staff are concerned, most studies have reported health problems mainly related to respiratory problems due to tobacco dust and body ache by inhalation due to the peculiar position which needs to be preserved throughout the working period.
- d) **Working Conditions can be Called Horrible in Some Industries:** Such as the fish processing industry, the tobacco and the salt pan sector for employees in general, and women employees in particular. In tobacco processing units, employees will do all the jobs, including plucking, scrubbing, sorting and labelling, whilst they are surrounded by heaps of tobacco deemed to be unsafe. The nebula of small tobacco particles is located so deep that the workers cannot even see one another's faces. The owners of the factory do not look after the workers properly. They do not provide the basic things such as an apron, displays, closer-mouth, shoes, etc.
Salt pan workers, who constantly work in salty water, are also shown to suffer from skin disease. The reflection of light from the heap of salt causes severe eye problems. Agriculture workers suffer from certain specific health risks due to the widespread use of fertilizers, insecticides, pesticides and mechanization products. Applicators, mixers, loaders of pesticides are at risk of exposure to toxic substances. As there are no reports on farm-related incidents and injuries, the agricultural sector is unorganized.
Staff in unorganized industries, including fireworks and fireworks, leather and construction industries, etc., are therefore dangerous and endangered. Missing limbs and amputations often occur when staff use unguarded or insufficiently secured machinery. Workers in many industries of the unorganized sector also reported occupational disease and diseases.
- e) **No Security for Health Issues Resulting from Illness:** Many of the studies shown health risk to informal workers as the primary risk, because there noticed health safety risks and crises. Health stress activities dominated the outflows of 48% of a household annually, while rituals and marriages represent 30 per cent. Poor informal workers' vulnerability increases when they are fully paid without any subsidy or assistance for their medical care. A variety of studies have shown that the lack of funding for treatment sometimes leads to inadequate health care or debt or a bad payment. Poverty was a major factor in the absence of healthcare. As there no health insurance or ESI applicable to unorganized sectors, they cannot be treated properly for their diseases.

- f) **Lack of Opportunities on Old Age:** In unorganized sector, age is the main concern, when employee enter into old age, he lose his working opportunities, as employer always check for young in his work place. Agricultural workers and builders are afraid that in old age they cannot work. Insecurities will arise for the large proportion of old people who are expected to be present in the future due to various reasons such as adult workers' inability to support their family's needs, inadequate public health facilities and increased cost of private health facilities of older people, etc.
- g) **Lack of Knowledge Regard Demand of their Rights:** The workers don't have knowledge of their rights and legal status, they cannot demand about payment or working hours. The main barriers to self-organization are the long hours of work, the social alienation of refugees, the high rates of unemployment.
- h) **Failure in Providing Social Security Measures:** Many times, the workers cannot sustain economically, Because of living conditions, e.g. modernity, illness or age; personal disasters. Further regard to their personal problems such as widows or an accident; social or natural disasters such as unemployment, flood, fire drought, high unemployment or industry closure. In these danger periods, the worker needs assistance as social security to survive the crisis and resume work afterwards. To shield unorganized workers from contingent and poverty, social security policies are indispensable. For cases of crisis such as unemployment or health problems, no steps are being enforced to cover risks and ensure that living standards are maintained for unorganized workers from their economic crises.
- i) **Poverty is Main Cause:** Unorganized sector workers had a very greater rate of poverty than organized sectors. Regardless of low wages and precarious jobs in the unorganized market, employees cannot fulfil their basic needs and other social and cultural obligations. It is also the case that in different countries debts of the employee is a major cause of suicide. As the wage rates are very poor, poverty and economic problems fall into down rank.
- j) **No Security for Job:** Informal sector workers often do several jobs and the pursuit of several jobs by a person can be seen as an indication of insecurity in the workplace. One or two jobs can hardly generate enough income for survival. For example, farm labor jobs are irregular and unconfident. They are largely unemployed and hungry due to their availability of jobs only for about three months and the remainder of the nine months. Jobs are therefore available in agriculture for fewer days a year. In India's National Rural Workers Employment Assurance Law, Mahatma Gandhi 2005 aims to guarantee job security by ensuring a minimum of 100 days works in the country's backward districts, which can perform manually. Informal workers are still at risk of job loss, however, as nature and location are different.
- k) **Vulnerable Labour Groups:** The construction group of the First National Labor Commission, as well as the Second National Committee (2002), observed that in quarries, brick-kilns and large buildings a bondage system has been established and is extended by child labor from generation to generation. In addition to migrant workers, bonded workers and child labourer's are the most marginalized and abused groups. Bonded labor requires a partnership between debtor and

creditor. The creditor provides the workers with a loan and bonds it until the debt is reimbursed. Debt repayment is structured in such a way that the servant will not repay the service of his employer in his lifetime. It is this feature that distinguishes unpaid forced labor from bonded labor. Not just the mortgage, but also the terms and conditions in a related partnership. The terms of the debt shall be calculated and interpreted unilaterally by the master of the lender. This is a case of exploitation and it is illegal detention not to allow contract workers to move.

- l) **Insecurity from Natural Disasters:** Many natural disasters such as floods, drought, famine, earthquakes and so on have devastating effects on the informal sectors. Also, to wipe out the informal sector's productive base, natural disasters can affect the limited domestic assets of the private sector.

For most informal sector workers, working and living conditions are inseparable. Poor infrastructure and lack of basic facilities contribute to poor conditions of employment. Better infrastructure and better basic services for informal workers can lead to improvements in working conditions. Organizing informal workers will help to address issues relying on their working conditions, as they can take initiatives in self-help and link employees to the institutional structure providing services.

To order to strengthen incentives for labor law enforcement to the informal industry, steps should be taken to increase awareness of the fluid nature of workplace relations and to amend workers' laws following informal sector circumstances.

The Covid Pandemic Affected Largely the Unorganized Sector as Homeless

The unexpected incident which shaken the whole world is Covid-19 Pandemic, due to which majority became homeless, and they lost their employment overnight, especially the unorganized sector in the country was affected by Corona much. These are people who either work on a contract basis or daily wage. Those people affected unconditionally of their survival, majority lost their lives due to starvation. First time in the country, common man and the government came to know how many people are working in unorganized sector.

Conclusion

This work mainly concentrates on impact of globalization on social security of Indian labour, viz, how it affects the rights of labour as envisaged in the Constitution of India and under other laws enacted for ensuring protection and welfare. This analysis includes the efficacy of present legislative frame work and the way forward for securing right of workmen to social security in the changed economic scenario., an attempt has been made to understand the concept of social security, objectives, initiatives, benefits towards the development of workers. It was argued that 'India had a long tradition of social security and social assistance system directed particularly towards the more vulnerable sections of society. These informal arrangements of social security measures underwent steady and inevitable erosion. It was argued that even after independence, the State was concerned more with the problems of industrial and organized work force and neglected the rural and unorganized labor force on social security matters to a greater extent, till recent past. The social security initiatives of the Centre, State and NGOs indicated that the needs are much more than the supports provided and

the efforts must be targeted and vast enough to cover the growing unorganized workers. In sum, the study calls for a Comprehensive, Universal and Integrated Social Security System for unorganized workers in India.

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