



A STUDY ON CONSTITUTIONAL & LEGAL FRAMEWORK FOR PROTECTION OF LABOURS IN AN UNORGANIZED SECTORS IN TAMILNADU

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ABSTRACT

This study explores the legal and constitutional framework that protects the rights and interests of workers in Tamil Nadu, India's unorganized sectors. This study aims to clarify the changing situation of labor protection in Tamil Nadu's unorganized sectors by thoroughly examining pertinent constitutional provisions, state and federal labor legislation, court rulings, and policy efforts. The particular difficulties faced by employees in industries including small-scale manufacturing, construction, domestic work, and agriculture are given particular consideration. In order to address the socioeconomic vulnerabilities of workers in the unorganized sector, the study looks at important legislative measures such as welfare boards, social security programs, and minimum wage regulations. It also looks at how well legal aid initiatives, enforcement strategies, and awareness campaigns function to guarantee that labor laws are applied correctly and to give workers broader access to the legal system. With implications for policy formation and advocacy efforts aimed at improving the well-being of vulnerable workers, this study adds to the ongoing conversation on labor rights and social justice in Tamil Nadu's unorganized sectors by critically examining the current legal framework and pinpointing areas for improvement. Using the convenient sampling approach, the researcher has adhered to the empirical research. The research's sample size is 200. Google was used to collect data from within and around Egmore, Chennai.

Keywords: Unorganized Sector, Labor Rights, Social Security, Tamil Nadu, Legal Framework

INTRODUCTION

An area of the economy known as the "unorganized sector" is when economic activity is conducted by people or small businesses that are not subject to official regulations, institutional frameworks, or labor laws. Self-employed people, temporary employees, small business owners, and those with unofficial employment arrangements are usually included in this sector. The extensive

informal economy that coexists with the formal sector and is frequently characterized by irregular employment, low salaries, no social security benefits, and It became more well-known as governments and legislators realized how important it was to address the issues that workers in this industry faced and create regulations that would enhance their working conditions, standard of living, and general wellbeing. Since the Tamil Nadu Manual Workers' Social Security and Welfare Scheme was introduced in 1994, the legal and constitutional framework for protecting workers in the state's unorganized industries has undergone significant change. Together with other state-adopted central labor laws like the Minimum Wages Act and the Payment of Wages Act, this program seeks to give workers in sectors including domestic work, construction, and agriculture legal protections and social security measures. Notwithstanding these efforts, there are still obstacles in the way of providing unorganized sector workers with complete protection, which calls for ongoing measures to fortify enforcement mechanisms and raise awareness of workers' rights and entitlements. The Pradhan Mantri Shram Yogi Maan-Dhan (PMSYM) program, which offers a pension to unorganized sector workers, is one of the measures the government has put in place to safeguard these workers. Additionally, by providing guaranteed pension payouts, programs like the Atal Pension Yojana (APY) seek to guarantee social security for workers. For rural laborers, a number of social programs, like the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), offer job possibilities and financial assistance. By providing pertinent training and skills, the government has also started skill development initiatives like the Pradhan Mantri Kaushal Vikas Yojana (PMKVY) to increase the employability of workers in unorganized sectors. These programs are essential for giving unorganized sector workers nationwide financial stability, raising their standard of living, and improving their general well-being. Limited access to formalities is one of several concerns affecting unorganized laborers. Low bargaining power, unstable working circumstances, little social protection, and employment opportunities. Because of their informal status, these workers frequently suffer erratic revenue streams, lack job security, and are susceptible to exploitation.

OBJECTIVES

1. To determine if the current legal system sufficiently protects workers in the unorganized sector
2. To assess whether workers in the unorganized sector receive fair compensation and working conditions.
3. To examine the issues that unorganized workers face
4. To guarantee the efficient execution of government programs intended to safeguard worker rights in the unorganized sector.
5. To examine whether workers in the unorganized sector receive fair compensation and working conditions.

LITERATURE REVIEW

Antony Jesu Rajan FSA (1998) The survey found that a large number of legislation passed to safeguard the rights of female employees are only mentioned in texts and never put into practice. Another significant aspect that has a significant impact on women employees' mental health and their

right to work with dignity is sexual harassment at work. In the construction industry, maternity benefits are completely nonexistent, and pregnant employees continue to be unemployed simply because they are pregnant.

Tauffiqu Ahamad, (2014) Household-based manufacturing and small-scale, minor industries are considered to be part of the unorganized sector of the economy. A sector that lacks stability in earnings or gains is considered disorganized. It is restricted to a small area and has limited productivity. Both investment and manpower are reduced. The unorganized sector of the Indian economy includes the handicrafts, artisan occupations, khadi, and village industries, including the matchbox, beedi, and agarbatti sectors, as well as the handloom sector.

Fasih (2014) This paper's goal is to draw attention to the social security programs and policies that India's unorganized labor class currently has access to. An effort has been made to focus on the ideas of unorganized labor and social security. Numerous laws, court rulings, and federal and state funding plans have all been examined in this context.

P. Sathya, (2016) According to a 2009–10 National Sample poll Organization (NSSO) poll, there were 46.5 crore people employed nationwide, with about 2.8 crore working in the organized sector and the rest 43.7 crore in the unorganized sector. Approximately 4.4 crore of these unorganized sector workers are involved in construction, while 24.6 crore are employed in agriculture.

Pradeep M. D (1953) This study looks at the types of jobs available in this unorganized sector, their contributions to the Indian economy, regulatory protections, and the difficulties experienced by unorganized workers. By guaranteeing the physical, financial, and intellectual well-being of unorganized workers, it attempts to make recommendations for ways to get past the challenges in the unorganized sector.

Sen, Ratna (2013) Although there aren't many groups, the process is fifty years old, according to this paper. It also emphasizes how many organizers have made organizing a conscious policy. In order to organize women and solve their particular issues, special efforts have been made. There are notable differences in their structure, difficulties, and organizing challenges.

Madhu Balaaji S (2018) his study has attempted to examine the issues faced by workers in the unorganized sector as well as the welfare policies implemented by the government and their employers. Anything done for the comfort and betterment of workers beyond the money they receive—which is not a requirement of the industry—is referred to as labor welfare.

Dr. Sujit (2021) According to the Ministry of Statistics & Program Implementation's National Sample Survey Organization's Periodic Labour Force Survey (PLFS), around 38 crore of the 47 crore workers in 2017–18 were employed in the unorganized sector. This means that over 80.85% of India's workforce is unorganized, with the vast majority of them being self-employed individuals who suffer significant gaps in decent work, such as limited access to social security, such as social insurance and assistance.

Dr. N. Rameshkumar (2023) An Indian economy's growth depends heavily on the unorganized sector. Approximately 93% of all workers in the nation are employed in the unorganized sector.

Employees in this industry are more susceptible to illness, have less opportunities for advancement, have no paid time off, and have less job security. The majority of them undoubtedly fall below the poverty line and are unable to meet their basic needs.

Dr. Subhasish Chatterjee, 2016) It is obvious that unorganized workers are not living up to the highest standards. It is undeniable that a large number of informal laborers are unable to meet their daily needs. When compared to men, the majority of female workers consistently suffer from poor earnings. There are several rules pertaining to worker security, but while they are regularly implemented in organized sectors, they are not systematically applied in unorganized industries.

Dr. Muna Kalyani (2015) The great majority of jobs in India are informal or disorganized, which defines the country's economy. According to a 2009–10 National Sample poll Organization (NSSO) poll, there were 46.5 crore people employed nationwide, with about 2.8 crore working in the organized sector and the rest 43.7 crore in the unorganized sector. Approximately 4.4 crore of these unorganized sector workers are involved in construction, 24.6 crore are employed in agriculture, and the remainder workers are employed in manufacturing and services.

Preeti Singh (2020) The issues facing India's unorganized labor force are the main topic of this essay. This report also discusses the steps the Indian government has done to enhance the working conditions and general well-being of unorganized laborers. To address the issues that employees in these businesses encounter, certain solutions have also been proposed.

Dr. Dinesh Kumar (2021) The socioeconomic status of unorganized lock industry workers in the Aligarh area of Western Uttar Pradesh has been the main focus of the current study. The goal of the study is to investigate a number of issues, including government laws that have a significant impact on the socioeconomic status of Aligarh's unregulated lock industry workers.

Dhananjay Biswas (2020) The unorganized sector contributes significantly to GDP and creates a significant number of jobs in any country. This sector employs the majority of workers. In developing countries, women are more likely than males to work in the unorganized sector. With a sample size of thirty and convenient sampling, this study attempted to comprehend the socioeconomic situation of women employed in the unorganized sector performing domestic work in Yashoda Kunj Colony in the Meerut district of the state of Uttar Pradesh.

M.D., Pradeep (2017) The sole law passed specifically for unorganized sector workers is the Unorganized Workers Social Security Act of 2008. Thus, the article aims to concentrate on the various issues that India's unorganized laborers face. In order to advance the social security of India's unorganized workers, the Unorganized Workers Social Security Act of 2008 established several labor welfare programs, which are reviewed in this paper.

Himangini Sharma (2017) This study looks at the types of jobs available in this unorganized sector, their contributions to the Indian economy, regulatory protections, and the difficulties experienced by unorganized workers. By guaranteeing the physical, financial, and intellectual well-being of

unorganized workers, it attempts to make recommendations for ways to get past the challenges in the unorganized sector.

Saigiri (2018) The goal of this study is to examine the issues that unorganized laborers confront and the welfare policies that their employers and government have implemented. The majority of laborers' time is spent at work. We are aware of their contributions to the nation's infrastructure development, which is crucial for economic growth.

Niraj Maniar (2017) The unorganized sector contributes almost 50% of GDP, according to the most recent estimate from a Subcommittee of the National Commission for Enterprises in the Unorganized Sector (NCEUS) (NCEUS 2008). Analyzing the situation, pay scale, and issues faced by unorganized workers is the study's goal. The secondary data forms the foundation of the investigation. The issues facing India's unorganized sector workers, government policy initiatives, and recommendations for their betterment are all covered in this article.

Dr. Anuradha Binnuri (2022) Any mental or physical task done with the intention of receiving payment is referred to as labor. There are other names for the unorganized sector, including residual sector and informal sector. Another name for it is an unregulated sector. This suggests that unorganized laborers are exempt from any laws that the government has enacted. As a result, their legal status rarely covers their employment situation.

Rajrishi Ramaswamy (2022) The influence of the Codes on India's unorganized sector and information technology ("IT") industry, where the pink-slip trend is pervasive, is the sole subject of this article. It also examines the negative effects on its stakeholders of the Codes' inapplicability to the unorganized sector.

METHODOLOGY

The study is based on an empirical framework and includes a survey, content, analysis, and qualitative data. The findings were coded for analysis. The sample size for the current study, which used convenient sampling, is 200. Although the survey can be completed in Chennai, this study created a sample survey for well-known individuals using offline channels. Age, gender, occupation, place of residence, and educational background are the independent variables. These are the dependent variables: Workers in the unorganized sector are sufficiently protected by the current legal system. In the unorganized sector, workers or acquaintances have had trouble obtaining legal remedies for labor-related difficulties. Fair pay and working conditions are offered to workers in the unorganized sector. Issues that unorganized laborers encounter, On a 5-point rating system, where 1 represents "Strongly Dissatisfied" and 5 represents "Strongly Satisfied," score how satisfied you are with the legal protections offered to workers.

HYPOTHESIS:

The purpose of this research project is to evaluate the analysis of suicide and how it affects other family members. As mentioned above, a variety of dependent and independent variables have been employed using a suitable sampling technique.

H0: There is no meaningful correlation between the current legal system and workers' protection in the unorganized sector.

H1: There is substantial agreement that workers in the unorganized sector are sufficiently protected by the current legal system.

ANALYSIS OF DATA:

CHI SQUARE:

Case Processing Summary

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
Age * The current legal framework adequately protects laborers in the unorganized sector.	198	100.0%	0	0.0%	198	100.0%

Age * The current legal framework adequately protects laborers in the unorganized sector.

Crosstabulation

Count

	The current legal framework adequately protects laborers in the unorganized sector.					Total
	Strongly Agree	Agree	Neutral	Disagree	Strongly disagree	
AgeBelow 21 years	0	0	0	76	0	76
21-30 years	0	0	24	0	0	24
31-40 years	0	0	0	0	31	31
41-50 years	34	0	0	0	0	34
51-60 years	0	33	0	0	0	33
Total	34	33	24	76	31	198

a. The predicted count for 17 cells (68.0%) is less than 5. A count of at least.02 is anticipated.

Conclusion: Since the null hypothesis is rejected based on the respondent's age distribution and a comparison with the current legal framework, which sufficiently safeguards workers in the unorganized sector, the predicted p value is less than .005, indicating an alternative hypothesis.

FIGURE:1

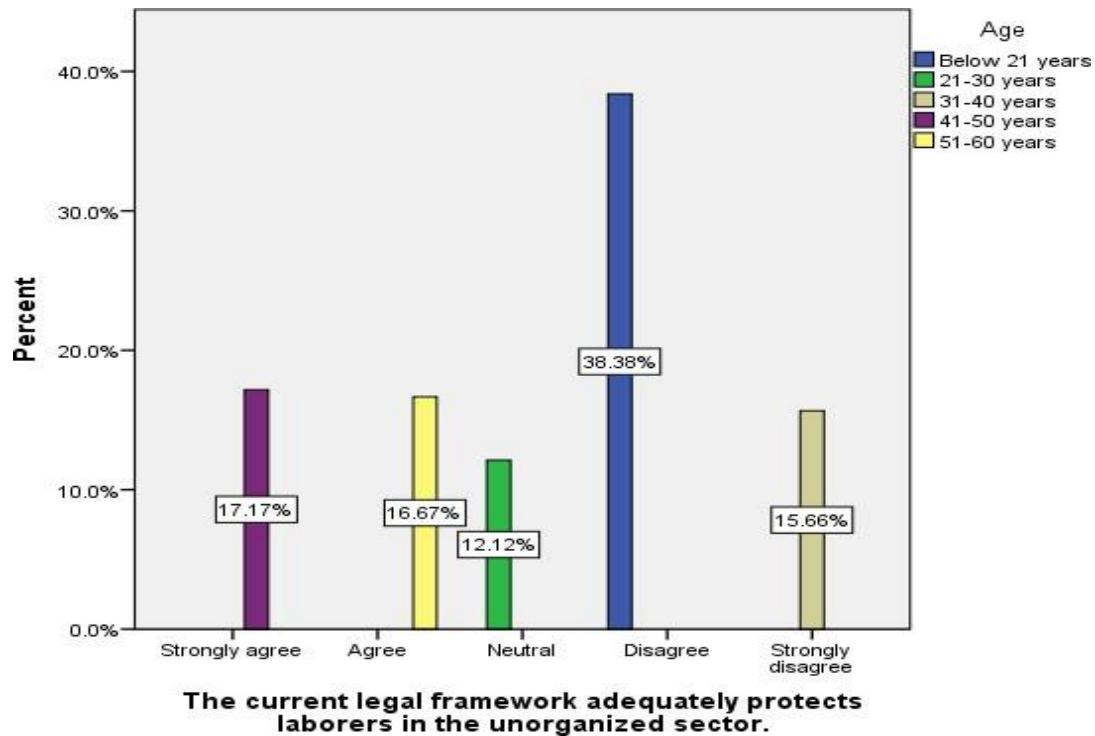


FIG:1 It shows the respondents' age distribution and their thoughts on whether the current legal system sufficiently safeguards workers in the unorganized industries.

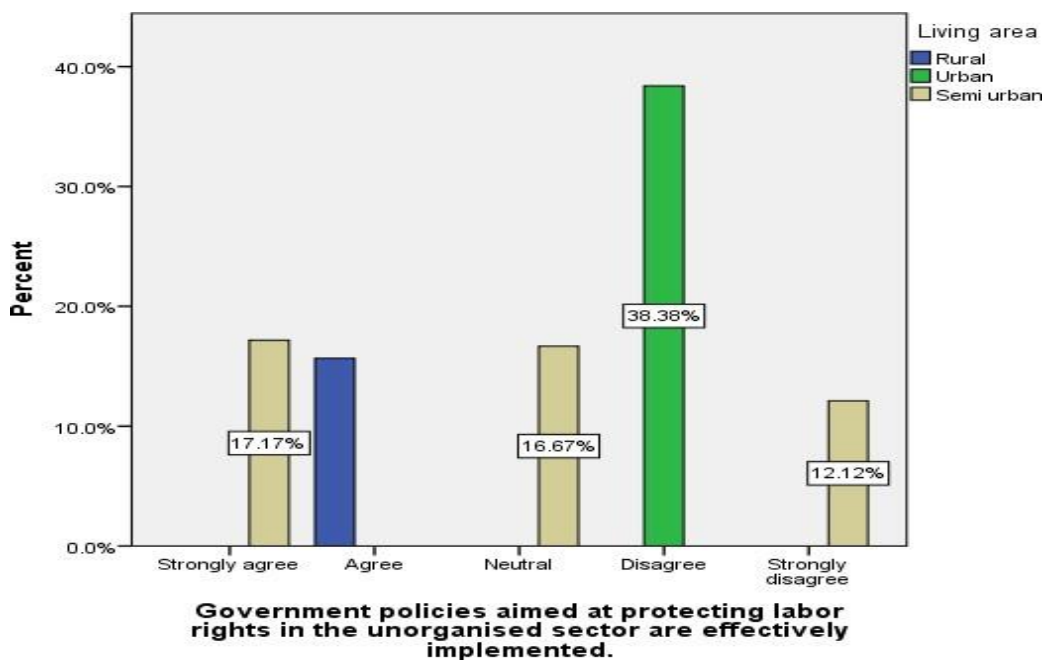


FIG:2 It shows the respondents' age distribution and their thoughts on whether the current legal system sufficiently safeguards workers in the unorganized industries.

DISCUSSION

Fig: 1 It indicates the respondents' ages. People under the age of 21 may have a more utopian view of legal safeguards since they have less first-hand experience in the workforce. Because of their exposure to social discourse or educational materials that emphasize labor rights issues, they can believe that the current legal framework is insufficient. Additionally, because of young movements that promote social justice, they may be more sympathetic to the predicament of laborers. **Fig:2** It depicts the respondents' living space. City Because they live close to cities where these problems are more obvious, respondents may have differing opinions on the efficacy of government initiatives to safeguard workers in the unorganized sector. They might have personally witnessed cases of exploitation, lax labor law enforcement, and a dearth of government supervision in urban businesses. Their skepticism about the application of these policies may also be influenced by their exposure to media coverage and labor rights campaign initiatives.

SUGGESTION

An all-encompassing strategy is necessary to improve the lot of workers in Tamil Nadu's unorganized sectors. This entails stepping up labor rights awareness campaigns, making sure that safety regulations and minimum wage laws are strictly enforced, increasing access to formal financial services and healthcare benefits, putting in place skill development programs to improve employability, and encouraging cooperation between the government, businesses, unions, and civil society to implement policies effectively. The welfare and standard of living of employees in the unorganized sector can be greatly enhanced by tackling these issues collectively.

CONCLUSION

To sum up, this study clarifies the legal and constitutional framework that oversees worker protection in Tamil Nadu's unorganized sectors. Several important conclusions are drawn from a thorough analysis of pertinent laws, regulations, and institutional procedures. First off, although the Indian Constitution offers a fundamental basis for labor rights, there are still many gaps that need to be filled to guarantee full protection for employees in unofficial employment arrangements. Second, in order to address the particular difficulties faced by workers in the unorganized sector, the state government has passed a number of labor regulations and put social security programs into place. However, strong enforcement mechanisms are necessary for these steps to be effective, and they are still difficult to implement because of administrative capability and budget limitations. Additionally, in order to guarantee that workers have meaningful access to justice, efforts must be made to educate them on their rights and entitlements. The needs of disadvantaged workers must be given top priority going forward, government agencies and stakeholders must coordinate better, and changes that support social justice and decent employment must be implemented. Tamil Nadu may move closer to a more just and inclusive society where each worker's rights and dignity are respected by tackling these problems.

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Cite this Article

Dr. G. MYTHILI, "A STUDY ON CONSTITUTIONAL & LEGAL FRAMEWORK FOR PROTECTION OF LABOURS IN AN UNORGANIZED SECTORS IN TAMILNADU", International Journal of Scientific Research in Modern Science and Technology (IJSRMST), ISSN: 2583-7605 (Online), Volume 4, Issue3, pp. 47-56, March 2025.

Journal URL: <https://ijrmst.com/>

DOI: <https://doi.org/10.59828/ijrmst.v4i3.311>.



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