

A CASE STUDY OF EFFECTIVENESS OF LABOUR LAWS IN HARYANA WITH SPECIAL REFERENCE TO SONEPAT DISTRICT

Ravinder Singh Malik*

Dr. Pooja Malhotra **

ABSTRACT

Labour are workers, or group of workers who are employed in a company or industry to do physical work or a particular kind of work who accept challenging role to meet her personal needs and become economically independent for becoming capable of contributing values in both family and social life. The importance of labour in economic activities is a universal phenomenon. Since independence both legislation and public opinion have done a lot to better the condition of the Brick Kiln Workers but unfortunately it was not responded appreciably despite labour laws. The present case study relates to the employed labour for making bricks in Brick Kiln Industries of District Sonapat. The entire work of this case study is mainly based on primary data and the secondary data is also used up to some extent. A separate questionnaire was prepared for the collection of data from the workers employed in Brick kiln Industries of District Sonapat. After the processing of the data, it is tabulated and analyses have been made. By assessing the profile of employed labour the conclusions are derived. Interesting thing is that, only 52% employed workers in Brick Kiln Industries were found awaked to some extent with regard to their rights and interest despite the labour protective laws. The unaware Brick Kiln Workers want to decrease the unawareness among them in future by the expansion of education.

*Research Scholar, Singhanian university, singhanian, Pacheri Bari, Jhunjhunu, Rajasthan

**Research Guide, H.O.D, GIMT, Kanipala, Kurukshetra

INTRODUCTION:

Labour are workers, or group of workers who are employed in a company or industry to do physical work or a particular kind of work who accept challenging role to meet her personal needs and become economically independent for becoming capable of contributing values in both family and social life. The importance of labour in economic activities is a universal phenomenon. Since independence both legislation and public opinion have done a lot to better the condition of the Brick Kiln Workers but unfortunately it was not responded appreciably despite labour laws. The present case study relates to the employed labour for making bricks in Brick Kiln Industries of District Sonapat in which the handmade method is used to make bricks i.e. “a soft mixture is forced through an extruder, cut into slugs and conveyed to work stations. The slugs are then individually picked up, rolled in sand and thrown into a pre-sanded wooden mold by the worker. Excess raw material is removed by a wire with endless belt. As the filed mold boxes continue on their journey, they are mechanically bumed on their ends to loosen the brick from the mold prior to dumping. The green brick is entered into kiln to require the range of its colour by firing. The process of making brick generally consists of the following steps: Gathering, Crushing, Grinding, Screening, Mixing the raw material, making the brick, Setting, Drying, Firing, Packaging and Inventorying the final product.” The favorable government policies for the development of Brick Kiln Workers are made to face challenges of digital era and the education among them is also spreaded to the fullest extent for the welfare of workers.

JUDICIAL APPROACH IN INDIA:

Judiciary always plays a very important role in growth and development of constitutional law. Besides the function of interpretation and application of the law, it can perform the educative function of bringing an awareness of the major problems with regard to Brick Kiln Workers, through various decisions from time to time. Further in *M.V. Sharma vs. Bharat Electricity Ltd.* AIR 1987 SC 1792, the Supreme Court laid down guidelines for the protection of worker’s health.

Labour legislation has much larger scope and deeper significance in national life than anything. The real progress of national labour depends upon several factors of legislation. Both the Central and State legislatures had authority to enact the legislation with regard to labour matters and their problems.

OBJECTIVES OF THE STUDY:

1. To study the profile of the labour employed in Brick Kiln Industries of Sonapat District.
2. Assessing the governmental labour policies and guaranteed Fundamental Rights and the Directive Principles of State Policy with a view to protect Brick Kiln Workers against exploitation.
3. Examining the conditions of Brick Kiln Workers to ensure a decent standard of life for Brick Kiln Workers.
4. Examining the labour problems to carry out the welfare of Brick Kiln Workers.
5. Assessing the implementation of existing laws to enforce the legal right of Brick Kiln Workers.
6. Assessing the abolition of bonded labour system with a view to preventing the economic and physical exploitation of the weaker sections of Brick Kiln Workers.
7. Examining of the working conditions regulating the children in employment under exploitative conditions.
8. Examining the service conditions of contract labour under various abuses.
9. Examining the certain benefits in the event of sickness, maternity and employment injury to workmen employed under Employees State Insurance.
10. Assessing the environmental protection and its activities under regulatory authorities for improvement.
11. Examining the equal remuneration to men and women workers for the prevention of discrimination on the ground of sex.
12. Assessing the basic provisions relating to the safety, health and welfare of Brick Kiln Workers.
13. Assessing the maintenance of industrial peace by way of settlement of disputes to ensure social justice and progress.
14. Assessing the provisions of maternity benefit available to women workers in employment for a period before and after child birth.
15. Examining timely payment of wages to workers employed to protect from arbitrary fines and unauthorized deductions.
16. Examining the maintenance of Trade Unions of employers as well as employees to reform their worsened conditions and economic interest of Brick Kiln Workers.
17. Assessing the awareness of protective laws among Brick Kiln Workers.

18. Assessing the role of media and courts against violative action.

DATA SOURCE & METHODOLOGY:

The present study relates to a case study of workers employed in Brick Kiln Industries of Sonapat District. The entire work of this case study is mainly based on primary data and the secondary data is also used up to some extent with the help of books, website and journals. To understand the response of Brick Kiln Workers and to collect the relevant information, researcher had selected 1000 Brick Kiln Workers out of 20,000 Brick Kiln Workers by using random sampling technique. Due care was taken that all levels of Brick Kiln Workers should get adequate representation. A separate questionnaire was prepared for the collection of data from the bricks kiln workers. The collected data with the help of these questionnaire is processed, tabulated and analysis have been made.

LIMITATIONS OF THE STUDY:

1. Only workers of Bricks Kiln Industries of Sonapat District are selected for the case study due to time constraint.
2. The selection of workers have been made at the visit from the available Bricks Kiln Workers, therefore, it may have some deviations.
3. Non availability of adequate published data may also limit the scope of present study to some extent.

SELECTION OF BRICK KILN INDUSTRIES OF SONEPAT DISTRICT:

For the purpose of this case study, Brick Kiln Industries of Sonapat District are considered because the conditions of the employed workers therein are not satisfactory despite labour legislations. The employed workers in Brick Kiln Industries are illiterate, ignorant, under-nourished, badly housed and socially backward. The housing, sanitation, education, hospitals welfare centre, rest shelters etc. are also not satisfactory. Most problems of employed workers therein related with their fundamental rights and for connected there with and the government is not interested to take immediate steps for these problems. No doubt, labour laws are not perfect on fundamental rights of Brick Kiln Workers to the fullest extent and there is no expedient, inexpensive and effective weapon in the hands of Bricks Kiln Workers to enforce their rights immediately. Instead of cribbing over the situation the researcher took it as an opportunity and decided to utilize his knowledge practically through establishing the present study on Brick Kiln Industries of Sonapat District.

The researcher observed that the area where he lives, a popular place for its various products of bricks which are manufactured by workers who employed in Brick Kiln Industries of

Sonepat District. This area is also dominated by the municipal corporation, various banks and the court.

The area taken in the present study is very important and no one took his attention on this area till today. Therefore, the area of present study is untouched and no approach could arrive at the present stream in any manner. The approach of present study is very important for the protection of Brick Kiln Workers which is untouched and no attention was taken upon it by any one since the labour legislation.

DISCUSSION AND ANALYSIS:

Profile of workers: The main object of any business is to produce and sell the goods and earn profit. To evaluate the total performance of a business, the researcher has to take and collect all required information through interview from its workers. The advancement of industry or business depends upon the satisfaction and smile of its workers which may make them self-reliant and independent, because the dependence blocks the vision and ideas of workers. The Table No.1.1 shows the profile of Brick Kiln Workers.

Profile of Brick Kiln workers

Workers Group		Workers Group	Numbers
Gender		Experience of Work	
Male	873	Below 2 Yr.	743
Female	127	2-5 Yrs.	190
		Above 5 Yr.	067
Age		Financial Position	
10-18Yrs.	189	Rich	015
18-25Yrs.	412	Medium	135
25-40Yrs.	372	Poor	850
Above 40Yrs	027		
Education		Nature of Employment	
Illiterate	692	Helper	772
Up to 10 th	297	Technical	063
H.S.C.	009	Clerical	077
Graduate	002	Supervisory	088
P.Graduate	000		
Marital Status		Residence	
Married	913	Rural	872
Unmarried	052	Urban	100
Widows	011	In Industry	028
Separated	024		

Nature of Work		Working Time	
Skilled	163	Full Time	767
Semi-Skilled	344	Part Time	146
Unskilled	493	In Shift	087
Service length		Nature of Job	
Below 2Yrs.	743	Regular	237
2-5Yrs.	190	Causal	122
Above 5Yrs.	067	Temporary	468
		Contract	077
		Surplus	096
Distance Travelled		Income level	
Up to 5 Kms.	893	0000-2000	149
5-10 Kms.	055	2000-4000	412
10-15 Kms.	032	4000-6000	372
Above 15 Kms.	020	Above 6000	067
Family Members		Recruitment	
Below 3 Members	783	Motivation	106
3-6 Members	108	Advertisement	325
6-12 Members	092	Friends	322
Above 12 Members	017	Others	247

CONCLUSION:

The purpose of study was to search the effectiveness of labour laws amongst Brick Kiln Workers of Sonapat District. The conclusion is based on survey and its analysis. The reports as based on survey shows that 52% employed workers in Brick Kiln Industries are found awares to some extent. While, the remaining have unawareness and illiteracy with regard to their rights and interest. Therefore, the need of present study arose to sort out the effectiveness of labour laws amongst Brick Kiln Workers. The result of report was based on survey which found satisfactory to some extent. The awareness amongst Brick Kiln Workers with regard to their rights and interest has increased to some extent after the implementation of labour laws.

SUGGESTIONS:

The Centre, State, Voluntary organizations' and labour welfare societies should come forward to remove the illiteracy, ignorance, weakness and backwardness from Brick Kiln Workers who are unaware of their rights and interest which are available to them under labour laws.

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