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# **A DEEP DIVE INTO THE CHALLENGES OF URBAN AND RURAL WORKERS OF UNORGANISED SECTOR IN GAYA: A SYSTEMATIC REVIEW BASED ON EMPIRICAL DATA**

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## **ABSTRACT**

This study revolves around the work life of persons like construction workers, carpenters, street vendors, etc, who form the invisible foundation of our cities and villages. In Gaya, a city of Bihar, thousands of people work every day without any formal contract, social security benefits, or even the availability of pure drinking water or any safety equipment. These people depend on their daily wage, which is, in most cases, below the minimum wage determined by the concerned government. We have conducted an on-ground survey of more than 300 workers in which we listened to their stories and struggles to find work daily. Despite the implementation of social security schemes like Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) and E-Shram portal, which aim to provide employment and support but the reality is devastating. We came to know that the guarantee of 100 days of employment under the MGNREGA scheme is being manipulated by local representatives at the Panchayat level. Half of them are not even registered on the E-shram portal, and three-quarters are not part of MGNREGA.

**Keywords:** Unorganised Workers, Job Security, Minimum Wage, Self Employed.

## **ANOTHER SUMMARY**

### **Why was the study done?**

- ❖ To our knowledge there has been no evidence synthesis of quantitative data examining the conditions of workers in unorganized sector in the district of Gaya.
- ❖ To undertake study on working and living conditions of workers working in unorganized sector.
- ❖ To examine gap between the labor laws and its implementation on ground.
- ❖ To examine the scenario the launch of government schemes, its enrollment ratio and its implementation.

### **What did the researchers do and find?**

- ❖ we undertook an empirical study for quantitative synthesis of workers conditions working in unorganized sector in the district of Gaya, Bihar with a sample size of 310 workers.
- ❖ we searched articles related to the conditions of workers in unorganized sector in Semi-Urban areas as Gaya is a semi-urban area.
- ❖ Our quantitative synthesis clearly shows the traumatic working condition of workers in unorganized sector. Their struggles start with finding jobs and they are working without any job security.
- ❖ They are working in a harsh condition without any proper water and sanitation facilities; without any proper safety guidelines.
- ❖ Further this study shows that enrollment of workers in e-shram portal and in MNREGA scheme and its implementation.

## **INTRODUCTION**

The term unorganized sector refers to that sector of employment which operates outside the formal government regulations and controls. The workers generally work in informal sector, which includes construction workers, home-based workers, self-employed workers, workers in small and medium sized enterprises, and casual or temporary employment. The workers do not have any formal contract regarding their employment, job security, availability of social security benefits such as health care facilities, retirement benefits, disability benefits, survivor-benefits, insurance benefits etc. They generally work in unsafe and exploitative condition

without any safety gear, with low wages and no job security.<sup>1</sup>

As per the Economic Survey, 2021-22, total number of people working in the unorganised sector is around 43.99 crores during 2019-20.<sup>2</sup> As on 3<sup>rd</sup> March 2025, over 30.68 crore unorganised workers have already registered on e-Shram portal out of which 2,97,84,018 is from Bihar.<sup>3</sup> In which Gaya constitutes approximately 4.009% of total workforce of unorganised sector in Bihar.<sup>4</sup> Gaya is the second-largest contributor to the economy of Bihar, after Patna, has a significant number of unorganised worker including construction workers, home based workers, self-employed workers, casual and temporary employment. These workers are facing several kinds of challenges at their workplace, starting from their struggle from to find a job to getting minimum wages. They are working under a harsh condition without any safety gears such as helmets, jackets, masks and shoes. They are even struggling for the sanitation facilities and fresh water facilities. They do not have any formal contract of employment, job security and any social recognition. They are not availing any social security benefits like health care, insurance and pension. Through this research paper, we are dealing with these challenges in both qualitative as well as quantitative aspects. The quantitative synthesis demonstrates how these workers are taken away from their basic rights and the challenges faced by them meanwhile their work such as lack of job opportunity, inadequate wages, lack of enrolment in govt schemes, lack of availability of social security benefits related to old age pension and insurance. We have tried to analyse these aspects of workers challenges with state scenario, national scenario and at some places with international scenario.

## **METHODS**

### **Data extractions and quality assessment**

A Questionnaire consisting 12 questions was prepared. The sample selection of area for data collection was done on the basis of development, areas such as Tekari, Panchanpur Konch, Dariyapur, Dharmsala and urban areas of Gaya was selected. The Konch, Dariyapur and

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<sup>1</sup> Sahoo, A. (2023). *A study on the prospects and problems of unorganized sector in India*. *International Journal of Law, Management and Humanities*, 6, 2325–2335.

<sup>2</sup> Ministry of Labour and Employment. (2023, July 24). *Number of workers in unorganised sector* [Press release]. Press Information Bureau, Government of India. <https://pib.gov.in/PressReleasePage.aspx?PRID=1941274>

<sup>3</sup> Ministry of Labour and Employment. (2025, March 10). *13 schemes of central ministries integrated/mapped with e-Shram* [Press release]. Press Information Bureau, Government of India. <https://www.pib.gov.in/PressReleaseIframePage.aspx?PRID=2109828>

<sup>4</sup> Ministry of Labour and Employment. (2022, July 18). *E-Shram portal in Bihar: Lok Sabha Unstarred Question No. 10* [Parliamentary question and answer]. Government of India. <https://pqals.nic.in/> (If available, include the direct link to the document.).

Dharmshala is least developed while Tekari and Panchanpur is emerging town and Gaya being urban area creates dynamic data sample. The collection of data was based on the questionnaire which was filled through the interview of the random workmen in these areas. More than three hundred individuals participated in this survey. The non-quantifiable data were quantified by the use of Likert scale for ease in analysis. During survey the data was stored digitally which was extracted on Excel file. On the basis of collected data, Pie chart and bar graphs were prepared which helped in drawing the conclusion and presenting them in pictorial form.

#### **Qualitative assessment:**

- 1. Credibility:** Data was collected from random workmen and stored in digital form with time stamp of entry. The data was not accessible to any but the authorized surveyor. Most of the questions were MCQ and a few were based on scale. So, the chances of error are very low. Further, the participants were divided into four group, namely: Unskilled, Semi-Skilled, Skilled and other. Those individuals who do fall to first three category were put in the others.
- 2. Transferability:** The data was stored in digital form, the built in tool allow exportation of data without any error or variation during such transfer.
- 3. Authenticity:** The data is collected without prejudice to sample workmen purely based on their answer.
- 4. Probable error:** The surveyor may fail to understand certain answer of workmen, failure in applying Likert's scale properly, options may be inappropriate to include answer of certain work men.

#### **Literature review**

We have read 20 articles related to challenges of unorganized workers, in which we have taken references from 8 articles published within the timeline of 1<sup>st</sup> Jan.,2015 to 30<sup>th</sup> march, 2025 to understand the real picture about the condition of unorganized worker throughout India and Globe. we have reviewed the existing law that discussed about the Unorganized sector workers, for that we have referred some related Act like; Minimum Wages Act, 1948, the unorganized sector social security act, 2008. This way helps us to plot a narrative about those workers and motivate us to observe the actual situation prevails on ground level. We have reviewed several notifications published by Bihar Government and Central Government related to the said issue.

## **Interview**

Our team conducted the interview with variety of workers like construction workers, laborer, raj-mistris, carpenter, pottery, ice-cream vendor, manual scavenger and many more and collected insights regarding their working conditions, job security, safety at workplace, daily wages, enrollment in government schemes, and awareness regarding labor law. Further, we have taken interview of their employer and contractor and taken their views regarding the working culture and environment at workplace. We asked them regarding whether they are providing adequate safety gears to their employee or not. We discussed several problems of employee to them and tried to solve these problems.

## **Statutes and acts**

1. **The Unorganised Workers' Social Security Act, 2008:** The act provides for the social security and welfare of unorganised workers and for other matters connected therewith or incidental thereto.
2. **Minimum Wages Act, 1948:** This act sets the minimum wages that employers are required to pay to their employees. The act also provides for the establishment of committees to review and revise the minimum wages periodically.
3. **The National Rural Employment Guarantee Act, 2005 :** This Act aims to improve livelihood security for rural households across the country by guaranteeing at least 100 days of paid employment each financial year to every household with adult members willing to undertake skilled manual labour. It also covers related and connected matters.
4. **The payment of gratuity Act,1972:** An Act established to implement a scheme for the payment of gratuity to employees working in factories, mines, oilfields, plantations, ports, railway companies, shops, or other establishments, as well as to address related or incidental matters.

## **Government schemes**

1. **e-Shram:** The e-Shram portal is a centralized National Database of Unorganised Workers (NDUW) introduced by the Ministry of Labour & Employment, Government of India. Its main goal is to streamline the distribution of welfare benefits and social security schemes to workers in the unorganised sector across the nation. By registering

on the platform, unorganised workers receive identity cards that help them easily access a range of government programs, services, and benefits.<sup>5</sup>

### **Definitions**

- **Unorganised sector:** “unorganised sector” means an enterprise owned by individuals or self-employed workers and engaged in the production or sale of goods or providing service of any kind whatsoever, and where the enterprise employs workers, the number of such workers is less than ten.<sup>6</sup>
- **Unorganised worker:** unorganised worker means a home-based worker, self-employed worker or a wage worker in the unorganised sector and includes a worker in the organised sector who is not covered by any of the Acts mentioned in Schedule II to this Act.<sup>7</sup>
- **Employer** - It means a person or an association of persons, who has engaged or employed an unorganised worker either directly or otherwise for remuneration.<sup>8</sup>
- **Wages:** It means all remuneration, capable of being expressed in terms of money, which would, if the terms of the contract of employment, express or implied, were fulfilled, be payable to a person employed in respect of his employment or of work done in such employment, [and includes house rent allowance] but does not include
  - (i) the value of –
    - (a) any house- accommodation, supply of light, water, medical attendance, or
    - (b) any other amenity or any service excluded by general or special order of the appropriate Government;
  - (ii) any contribution paid by the employer to any Pension Fund or Provident Fund or under any scheme of social insurance;
  - (iii) any travelling allowance or the value of any traveling concession;
  - (iv) any sum paid to the person employed to defray special expenses entailed on him by the nature of his employment; or

<sup>5</sup>Ministry of Labour and Employment. (2025, April 15). *E-Shram portal: FAQs section*. Government of India. Retrieved April 15, 2025, from <https://eshram.gov.in/>.

<sup>6</sup> Government of India. (2008). *The Unorganised Workers' Social Security Act, 2008, No. 33 of 2008, §2(l)*. Government of India. <https://labour.gov.in/>

<sup>7</sup> Government of India. (2008). *The Unorganised Workers' Social Security Act, 2008, No. 33 of 2008, §2(m)*. Government of India. <https://www.indiacode.nic.in/>

<sup>8</sup> Government of India. (2008). *The Unorganised Workers' Social Security Act, 2008, No. 33 of 2008, §2(a)*. Government of India. <https://www.indiacode.nic.in/>

- (v) any gratuity payable on discharge<sup>9</sup>
- **semi-skilled occupation:** it means an occupation which in its performance requires the application of skill gained by the experience on job which is capable of being applied under the supervision or guidance of a skilled employee and includes supervision over the unskilled occupation<sup>10</sup>
  - **skilled occupation:** it means an occupation which involves skill and competence in its performance through experience on the job or through training as an apprentice in a technical or vocational institute and the performance of which calls for initiating and judgement<sup>11</sup>
  - **unskilled occupation:** It means an occupation which in its performance requires the application of simply the operating experience and involves no further skills; (w) all other words and expressions used herein in these rules and not defined shall have the meanings respectively assigned to them under the Code<sup>12</sup>

### **Inclusion criteria**

All the workers of unorganized sector such as construction workers, self employed workers, home based workers etc. in the said region is included in the survey. There are 310 eligible worker who passed the inclusion criteria.

### **Limitations**

There are several limitation to this survey. Firstly, Differences in study designs, populations, interventions, and outcome measures had made it difficult for us to combine results meaningfully. Although this topic was widely discussed by the scholars through their articles, but they are restricted to either rural or urban areas, there was very less number of articles related to semi-urban area like Gaya.

### **Results**

Our conversation with more than 300 unorganised workers across Gaya shows the harsh reality

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<sup>9</sup> Government of India. (1948). *The Minimum Wages Act, 1948, No. 11 of 1948, §2(h)*. Government of India. <https://www.indiacode.nic.in/>

<sup>10</sup> Ministry of Labour and Employment. (2019, November 1). *The preliminary draft rules under Section 67 of the Code on Wages, 2019-reg, §2(t)* [Notification]. Government of India. <https://www.indiacode.nic.in/>

<sup>11</sup> Ministry of Labour and Employment. (2019, November 1). *The preliminary draft rules under Section 67 of the Code on Wages, 2019-reg, §2(u)* [Notification]. Government of India. <https://www.indiacode.nic.in/>

<sup>12</sup> Ministry of Labour and Employment. (2019, November 1). *The preliminary draft rules under Section 67 of the Code on Wages, 2019-reg, §2(v)* [Notification]. Government of India. <https://www.indiacode.nic.in/>

and their struggles to find work daily. Those people were hopeless and compelled to work without any safety gear, or old age security, or protection against any injuries. We found that if any worker sustains any severe injury, then they become a burden on their family, as they are not protected under any schemes. Many of them haven't registered in the E-Shram portal due to a lack of awareness. It is a failure of the implementation mechanism who are responsible.

## QUANTITATIVE SYNTHESIS

We have taken 310 samples from the workers of unorganized sector in the district of Gaya, Bihar. The sample includes unskilled, semi-skilled and skilled workers from both urban and rural areas of Gaya district. Through this synthesis, we have tried to put forward the real picture regarding the conditions of these workers of unorganized sector. We have prepared an analysis based on these question asked from them through- out this survey. Lets discuss:

### **Question .1 whether they are getting Minimum wages or not? Or what is there minimum wages?**

As per International labour organization, Minimum wages is considered as the legally prescribed minimum amount of remuneration that an employer is bound to pay a worker for services within a specified period, which cannot be waived or reduced by collective agreement or individual agreement.

The motive behind minimum wages is to protect workers from unreasonable low pay. They protects workers from being underpaid and to make sure that every person who contributes to progress gets a fair share of its benefits. Minimum wages also ensure that workers can meet their basic needs and live with dignity. It helps to overcome poverty and reduction in inequalities. The core objective of minimum wages is to deal with low earnings, fighting poverty, namely in-work poverty and reducing economic inequalities.<sup>13</sup>

Minimum wages frameworks should be structured and defined in a manner to complement and strengthen social and working policies, particularly collective bargaining, which serves as a process for determining employment terms and working conditions.<sup>14</sup>

The Bihar government has ensured several times that the workers in the state gets minimum wages and in that regard it has notified minimum wages for unskilled , semi-skilled and skilled

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<sup>13</sup> Schemmel, C., & Picot, G. (2025). *Why we need minimum wages: Pay, recognition, and economic citizenship*. *American Political Science Review*, 119(6), 1258–1271

<sup>14</sup> International Labour Organization. (2025, January 9). *How is the minimum wage defined?* Retrieved January 9, 2025, from <https://www.ilo.org/topics/wages/minimum-wages/how-define-minimum-wage>

workers in both rural and urban areas through official notifications. As per the notification dated, 27<sup>th</sup> Nov, 2023, Bihar government has announced the minimum wages for following class of workers i.e. for unskilled workers, semi-skilled workers, skilled workers are Rs 362, Rs 374, Rs 464 per day.<sup>15</sup>

**अनुसूची-II**

क्र० सं०	कामागारों की कोटि	दिनांक-01.09.2022+01.10.2022 +01.04.2023 से निर्धारित न्यूनतम मजदूरी की दरें (रुपये में)	परिवर्तनशील महँगाई भत्ता की राशि जो कि दिनांक-01.10.2023 से प्रभावी होगी	01.10.2023 से लागू कुल मजदूरी की दरें। (स्तंभ 3+4)
1	2	3	4	5
1	अकुशल	335.00+7.00+13.00=355.00	7.00	362.00 प्रतिदिन
2	अर्द्धकुशल	346.00+7.00+14.00=367.00	7.00	374.00 प्रतिदिन
3	कुशल	429.00+9.00+17.00=455.00	9.00	464.00 प्रतिदिन
4	अतिकुशल	522.00+10.00+21.00=553.00	10.00	563.00 प्रतिदिन
5	पर्यवेक्षीय / लिपिकीय	9674.00+193.00+387.00=10254.00	193.00	10447.00 प्रतिमाह

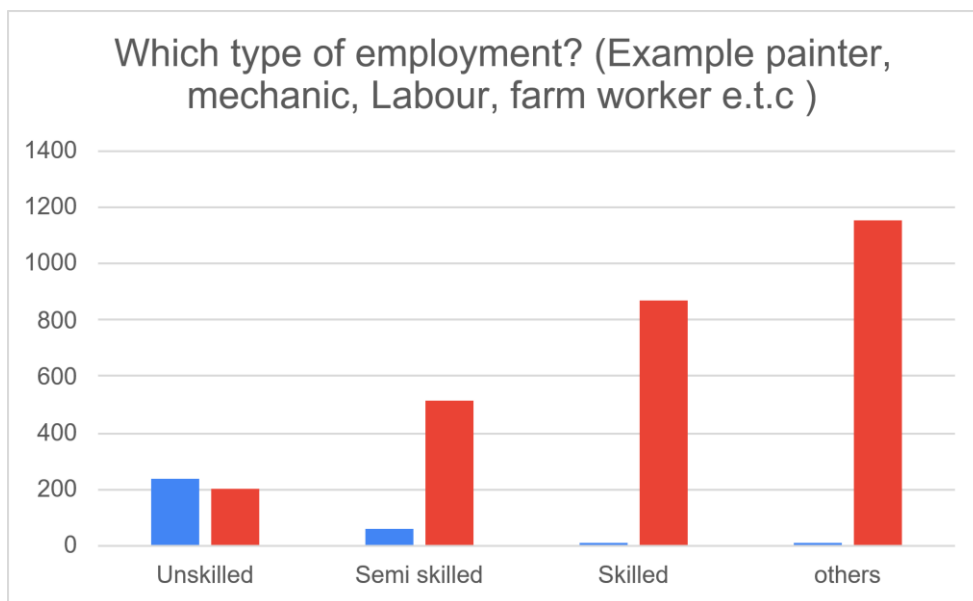
Picture: 1 (source: Bihar government)

As per our survey, the average wages of workers in unskilled category is Rs 200, which is less than the Minimum wages; for semi-skilled workers, it is Rs 514, which is more than the minimum wages; for the skilled workers, Rs 865 is the average wages which is more than the minimum wages as per the notification of Bihar government. (see chart-1)

Category of Participants	Number of Individual	AVERAGE CATEGORY WISE INCOME PER DAY(INR)
<b>Unskilled</b>	235	200.212766
<b>Semi skilled</b>	59	514.4067797
<b>Skilled</b>	10	865
<b>Others</b>	6	1150

Chart -1

<sup>15</sup> Labour Resource Department, Government of Bihar. (2015, March 28). Notification No. 1659-1660. Government of Bihar. <https://labour.bih.nic.in/>



Graph-1

## Q.2 whether the workers have e-shram card or not?

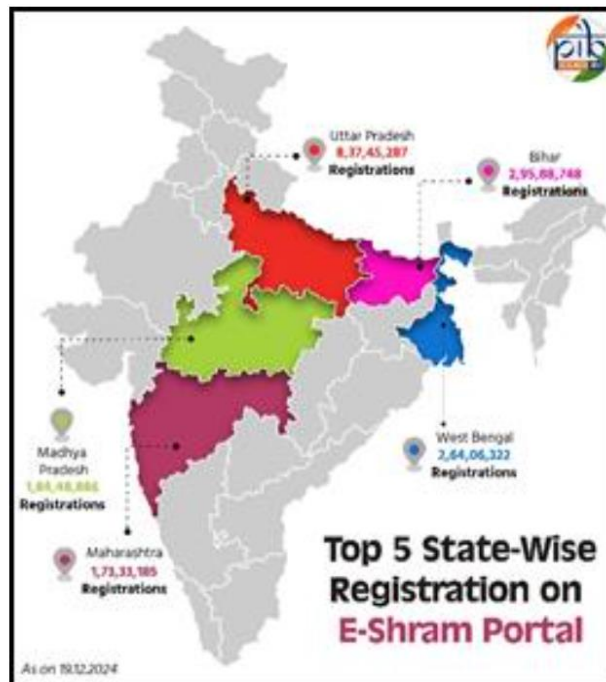
The e-SHRAM initiative represents a significant step toward establishing a centralized, Aadhaar-authenticated database of workers employed within India's unorganised sector. It is the first nationwide registry of its kind, aimed at systematically recording approximately 38 crore unorganised labourers<sup>16</sup>. This category encompasses, inter alia, construction workers, migrant labourers, gig and platform workers, street vendors, domestic employees, agricultural labourers, milk producers, fishermen, truck operators, and other similarly situated workers. The object of this measure is to ensure their formal recognition within the legal and policy framework of the State.<sup>17</sup> As per economic survey, 2021-22, there 43.99 crore workers in unorganized sector and still counting, but, the registered number of workers is about 30 crores, which means a lot of workers has not registered yet<sup>18</sup>. Bihar is among the top five states which have highest number of workers enrolled in e-shram portal<sup>19</sup>, but there is a long way to go which is shown in our survey as well.

<sup>16</sup> Ministry of Labour and Employment. (2021, December 31). *Over 16 crore unorganised workers register on e-SHRAM portal: Uttar Pradesh tops with over five crore registrations* [Press release]. Press Information Bureau, Government of India. <https://pib.gov.in/PressReleasePage.aspx?PRID=1786699>

<sup>17</sup> Viswam, M. D. (2025, January). *e-SHRAM Portal for Registration of Unorganized Labourers of India*. e-Shram – Informatics.

<sup>18</sup> Ministry of Labour and Employment. (2023, July 24). *Number of workers in unorganised sector* [Press release]. Press Information Bureau, Government of India. <https://pib.gov.in/PressReleasePage.aspx?PRID=1941274>

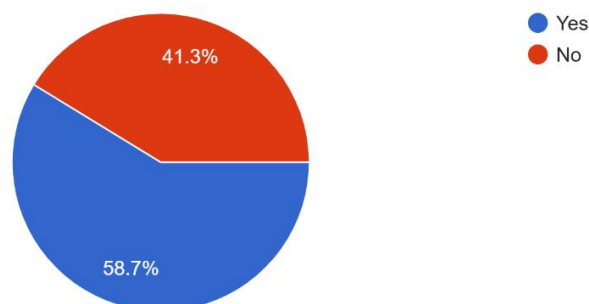
<sup>19</sup> Ministry of Labour and Employment. (2024, December 19). *E-Shram portal: World's largest database of unorganised workers – From registration to recognition, a revolutionary journey* [Press release]. Press Information Bureau, Government of India. <https://pib.gov.in/PressReleasePage.aspx?PRID=1993456>



Picture-2(source:PIB)

As per our survey, 58.7% i.e 182 out of 310 workers are registered under e-shram portal, Which is a huge concern for those 41.3% workers in this sector. The situation is very drastic for the workers of unorganised sector in Gaya, most of the workers are enrolled with e-shram card and those who are enrolled in it are unaware about there rights and just meeting the numbers.

Do you have shram card?  
 310 responses



Pie-chart-1

**Q.3 Do you have social security benefits related to old age such as pension, insurance, and health care?**

India is home to one-fifth of the world's population, including one-third of the global poor and a significant portion of elderly individuals. The definition of old age varies across societies and

is not universally fixed. Advances in medical science and improvements in social conditions have led to a significant rise in the elderly population, as life expectancy has increased. Old age is now often seen as a natural stage of life, characterized by unique features. However, it is also commonly viewed as a period of decline, where physical, mental, and social abilities may diminish, and the capacity for active contribution to society tends to decrease.<sup>20</sup> The role of state and the employer is pivotal in ensuring a healthy life for these old age people. They must have old age pension, insurance related to health and accident, and a proper well-acquainted health care facilities. But, in reality the picture is different most of the old age people are not enrolled in any of the pension schemes and they don't have adequate health facilities. The survey is conducted to check the preparation of workers for their old age and the results are visible.



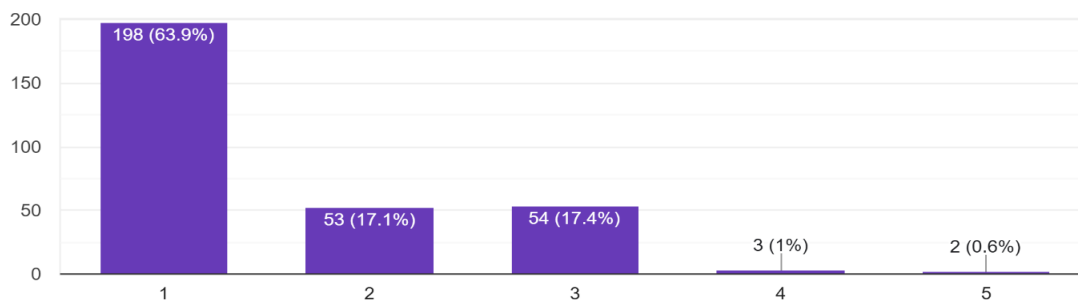
Picture-3(source: Jharkhand govt.)

Out of 310 workers, only 0.6% i.e 2 persons has adequate social security benefits related to old age such as pension. Only 1% worker are generally availing the adequate old age benefits. As per data, 17.4% workers have moderate facilities related to old age benefits and 17.1% have very inadequate facilities. Apart from that the most shocking aspect of the survey is that about 63.9% workers do not have any old age benefits.

<sup>20</sup> Sultana, P. (2018). *Elderly and old age pensions in India*. *International Journal of Applied Social Sciences*, 5(10), 2293–2301.

What are security available for old age? Based on scale of 1 to 5.

310 responses



Graph-2

#### Q.4 whether they are enrolled in MGNREGA?

MGNREGA is currently India's largest funded rural development programme. 34 of the 36 states and union territories, as well as 691 of the 712 districts, which contain 6,918 blocks and 262,432 Gram Panchayats, the lowest tier of the Indian Local Government system, are currently operating under the MGNREGA programme<sup>21</sup>. As on 19<sup>th</sup> April,2025, 11.68 crore workers are enrolled in MGNREGA as active worker across India. The number of active workers in Bihar is 88,06,427.<sup>22</sup>

S.No.	State/UT	Active Workers	Total Workers	%
1	ANDAMAN AND NICOBAR	9,058	57,563	15.74
2	ANDHRA PRADESH	92,55,630	1,25,80,981	73.57
3	ARUNACHAL PRADESH	3,43,971	4,70,964	73.04
4	ASSAM	47,85,887	1,07,38,197	44.57
5	BIHAR	88,06,427	2,56,89,102	34.28
6	CHHATTISGARH	59,40,187	79,78,934	74.45
7	DN HAVELI AND DD	11,673	42,275	27.61
8	GOA	5,954	51,387	11.59
9	GUJARAT	23,29,805	97,94,181	23.79
10	HARYANA	7,49,918	25,06,302	29.92
11	HIMACHAL PRADESH	13,45,483	28,74,733	46.80

Picture-4(source:Ministry of rural development)

Household having adult members desirous of seeking unskilled wage employment in MGNREGA may apply for registration<sup>23</sup>, and get enrolled in the scheme. But, inspite of ful-

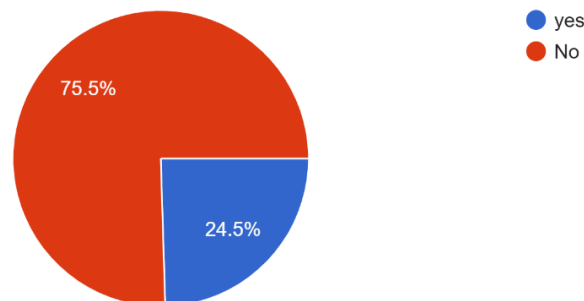
<sup>21</sup> Suraj, S., Bafna, H., Smrithi, I. R. B., & Sha, V. (2023). *Study on MGNREGA*. *IRE Journals*, 6(8), 336–341.\*

<sup>22</sup>Ministry of Rural Development. (2025, April 19). *MGNREGA portal: Main page*. Government of India. Retrieved April 19, 2025, from <https://nrega.nic.in/>.

<sup>23</sup>Ministry of Information and Broadcasting. (2021, November 29). *FAQs on Mahatma Gandhi National Rural*

filling all the criteria, several workers are not enrolled in the said scheme. According to our survey, 75.5% workers in this region is not enrolled in MGNREGA scheme.

Are you enrolled for Manrega?  
310 responses



Pie-chart-2

And those 24.5% worker who are enrolled in the scheme are in reality not getting the benefits of the scheme. The mandate of the MGNREGA is to provide at least 100 days of guaranteed wage employment in a financial year to every rural household whose adult members volunteer to do unskilled manual work<sup>24</sup>,but, in reality the picture is different enrolled active workers are not getting the benefits.

#### Q.6 Do they have adequate safety gears?

The Directive Principles of state policy provide for securing the health and strength of employees, men and women<sup>25</sup>; that the tender age of children are not abused<sup>26</sup>; that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength<sup>27</sup>; just and humane conditions of work and maternity relief are provided<sup>28</sup>. It is the responsibility of state and employer to provide adequate safety gears for the workers. Different industries have their own different standards related to safety measures for instance, safety gears for

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*Development Programme, 2005* [Press release]. Press Information Bureau, Government of India. <https://pib.gov.in/>.

<sup>24</sup> Ministry of Information and Broadcasting. (2021, November 29). *FAQs on Mahatma Gandhi National Rural Development Programme, 2005* [Press release]. Press Information Bureau, Government of India. <https://pib.gov.in/>

<sup>25</sup> Government of India. (1950). *Constitution of India*, art. 39, cl. (e). Government of India. <https://www.indiacode.nic.in/>

<sup>26</sup> Government of India. (1950). *Constitution of India*, art. 39, cl. (f). Government of India. <https://www.indiacode.nic.in/>

<sup>27</sup> Government of India. (1950). *Constitution of India*, art. 41. Government of India. <https://www.indiacode.nic.in/>

<sup>28</sup> Government of India. (1950). *Constitution of India*, art. 42. Government of India. <https://www.indiacode.nic.in/>

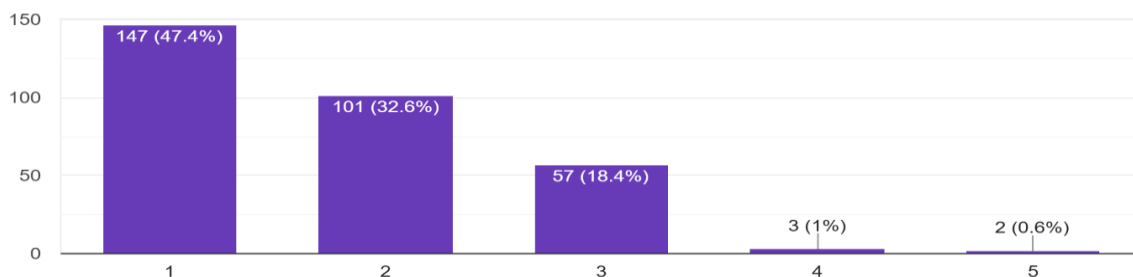
construction workers typically include personal protective equipment (PPE) like hard hats, safety glasses, gloves, and safety shoes.



Picture-5(Source:GOI)

Our finding measures the availability of safety standards in unorganized sector throughout the region. only 0.6% workers have fully adequate and adequate safety gears at their workplace. Only 1% workers have adequate safety gears which are upto mark, but certain gears are not available for them at the workplace and 18.4% workers have safety gears but they are not adequate for all or just there is to avoid legal repercussion. The survey shows 32.6% workers are working with totally inadequate safety gears. And the most shocking part of the research is 47.4% workers are working without any safety gears and prone to accidents and threat of life. Likert scale to assess the adequacy of safety gear : [ 1 – Not available at all || 2 – Available but very inadequate || 3 – Adequately available but not up-to mark || 4 –Sufficiently available and up-to mark but certain gears not available || 5 – Fully adequate and appropriate]

Do they have adequate safety gears? Based on scale of 1 to 5  
310 responses



Graph-3

## DISCUSSION

In India, working conditions of unorganised workers are often dreadful. Many of such workers experience low motivation and frequent frustration. As we know, human beings are naturally organic systems rather than mechanical ones. They convert energy sources like food and water into actions and behaviour. Their behaviour is shaped by the interaction between their biological characteristics and the environment they operate in.<sup>29</sup>

**1. No Social Security:** Social security is built on a simple but powerful idea: it's the government's duty to look after its people when life throws unexpected challenges their way. At its heart, it's about society coming together to support those who are struggling—especially when they can't manage on their own. It's deeply rooted in values like human dignity and social justice, and it's an important part of ethical governance.<sup>30</sup>

The International Labour Organization (ILO) describes social security as the safety net that helps protect people from financial and social stress caused by things like illness, pregnancy, workplace accidents, unemployment, disability, old age, or the loss of a loved one.<sup>31</sup>

Above view put a narrow view of avoiding individual responsibility but to align with reality its not mare duty of state to ensure the social security but it the duty of society as whole to act in consonance with the view to enable socially distress worker to evolve and enjoy a meaningful life. The workers of unorganised sector in this surveyed region is not getting appropriate social security and this is not due to absence of protection schemes but failure of their implementation and conservative activity of individual acting in employer capacity, further the survey finds that the pocket size of employer of unorganised is small due to which even generous employer fail to satisfy the required standard of social security.

**2. No Compensation Program:** The use of hazardous machinery, increased manufacturing activities, manual Workers, exposure to toxic chemicals, coal and lime dust, and crude materials used in chemical production has resulted in numerous tragic deaths among unorganized workers. These workers often face far worse working conditions than those in the organized sector. In spite of working in such a tragic situation, these- worker are not getting

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<sup>29</sup> Patra, S. (2022–2023). *An analysis of the unorganised sector workers and their rights*. *Indian Journal of Law and Legal Research*, 4(5–6), 5–6. ISSN 2582-8878.

<sup>30</sup> Parmar, Z. S. (2022). *Social security for the unorganised sector in India*. *IJFANS International Journal of Food and Nutritional Sciences*, 11(6), 1682–1694.

<sup>31</sup> International Labour Organization. (n.d.). *Facts on social security*. International Labour Organization. Retrieved 4<sup>th</sup> April, 2025, from <https://www.ilo.org/>

adequate compensation in case of their accidents and deaths.

The sample we acted on shows that the workers were either employed on daily basis or in small unit industry having no registration and no proper working condition as prescribed by government. In case of any accident due to tool or machinery failure render the worker jobless and without any compensation because law fails to establish the responsibility either due to technicality and loop holes in legal system or due to small pocket of employer and higher legal cost, basically the nature of employment is such that it is scattered and the only momentary relation between employee and employer exist. Neither party bother about others existence once work is done, so employer avoid all the responsibility.

**3.Job insecurity:** The unorganized sector suffers fundamental limitations including the temporary nature of employment. Most occupations are temporary, according to the research group of the second Labour Commission's sample survey of economic activities. It's possible to make just enough money from one or two jobs to get by. In addition, certain job types are seasonal while others are irregular. Agricultural laborers, for example, have sporadic and uncertain employment since jobs are available to them for just around three months out of the year; the other nine months are spent primarily without work and starving.<sup>32</sup>

In small industries for instance in Panchanpur, the ice-crème unit was working without proper certificate and registration but was providing job to around 10 persons every day. But they were susceptible to job loss as there is legal framework but is dysfunctional to protect such worker.

Through our survey, we also found that the situation of Gaya is somehow like entire India and even more worst, there is no job security for unorganised sector.

**4.Low pay and no negotiating leverage:** Most of the time, minimum wages apply to workers who are employed in formal or structured industries. "The Minimum Wages Act, 1948," another labour regulation, is the response to the query, "What is about the security of fundamental necessities of labour?" This law is statutory but not legally enforceable. Forced labour is when wages are paid below the minimum wage rate. To fix minimum wages that at least meet a family's needs for food, shelter, clothes, education, medical care, and entertainment, wage boards are established to examine the industry's ability to pay<sup>33</sup>.

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<sup>32</sup> Kumar, N. (2024). *A study on labourers and their problems in unorganised sector in India*. *Indian Journal of Integral Research in Law*, 4(2), 320–339.

<sup>33</sup> Government of India. (1948). *The Minimum Wages Act, 1948, No. 11 of 1948, §3*. Government of India. <https://www.indiacode.nic.in/>

The situation is very drastic for the workers of unorganised sector in Gaya as well, most of the workers are not getting the minimum wages prescribed by Bihar govt. and those who are getting it they are just meeting the numbers.

The reason behind the failure of minimum wage is excess supply of unskilled labour in market who in fear of loosing job accept to work on very low wage. Since our sample consist of data from villages, small town and town area, it show high availability of low skill or no skill worker which is great reason for low wages. Further contractor also perform of middle man who snatch certain part of earning of worker.

### **CONCLUSION**

Every street we walk on, every wall we lean against, every corner shop we visit, none of it stands without the hands of workers who are rarely seen, never celebrated. They are masons, vendors, tailors, and cleaners. They are the quiet engines of our daily life, and yet they work without contracts, without safety gear, without certainty that tomorrow will bring food to their table. This study isn't just about gathering numbers. It is about sitting with people, hearing their stories, and feeling the weight they carry. One man told us how he lifts bricks in the scorching sun, barefoot, earning just ₹300 a day, less than what's legally owed to him. A young woman who stitches blouses from home said she had heard of "pension" but didn't know if people like her could ever get it. A teenager proudly showed us his MGNREGA card, which he had enrolled for a couple of months ago, but never got work.

These aren't isolated stories. They are the reality for thousands in Gaya's unorganised sector. Almost half work without even basic safety equipment. And while schemes like e-Shram and MGNREGA exist to support them, many don't even know they're eligible. Others have tried to enrol but never saw a single benefit. The cruellest part is that the laws are there, the schemes are in place, but they rarely touch the lives they were meant to uplift. Because the implementation is weak. Awareness is missing, and somewhere along the way, the system stopped seeing these workers as people.

But they are people. They are fathers, mothers, daughters, and dreamers. They don't ask for favours. They want fairness provided under the Constitution of India. They want safety gear that will protect them in the event of any accident. They want wages that match their sweat. They want to age with dignity, not fear. Is that too much to ask? Our research also shows that the Indian judiciary has tried, time and again, to remind the country of its duty. In landmark

cases, courts have stood by these workers, saying clearly that rights are not for the privileged few; they are for all, but justice can't live in courtrooms alone. It has to walk the streets. It has to show up on construction sites and in policy meetings and in every home where a worker folds their hands and says, "We are here too." The story of Gaya is not just about one district, it's a mirror to our entire nation. If we want to call ourselves just, if we want true progress, then we must bring the margins to the centre. We must listen to those who have built this country with their bare hands. This study is a call, not for sympathy, but for responsibility. Let's stop treating these workers as invisible. Let's see them, hear them, and most importantly, stand with them.

