

UNORGANISED WORKERS: SOCIAL SECURITY AND FUTURE JOB CHALLENGES

Gourav

Research scholar dept of law kurukshetra university, (Kurukshetra)
Gamil gouravshriwal1994@gmail.com

Dr. Mahabir Singh

Professor, Dept of law Kurukshetra University, (Kurukshetra)

Abstract

Social security being a broad phrase, this article aims to clarify the definition as applied to unorganised workers under statute, as well as the statutory requirements & court rulings concerning it. Unquestionably, resolving the concerns and problems of the unorganised workers due to the future threats to the labour market is the most pressing challenges at present. The paper dwells primarily on the passage of the Unorganised Workers Social Security Act, 2008¹, and discusses the Act for failing to adequately address the objective for which it was enacted. The article concludes by emphasizing the necessity of social security as well as pointing out how labour laws should be implemented for the betterment of workers in considering the evolving character of the future of job opportunities as a result of the driving forces arising from advances in technology and the ever-evolving dynamics of globalisation.

1) INTRODUCTION

In India, the unorganised sector employs more than ninety percent of the entire workforce. As a result, the unorganised sector plays a critical role in the Indian economy and deserves special attention, given that unorganised workers in India face major challenges ranging from job insecurity to hazardous working conditions. Because social security is a broad phrase, this article attempts to explain its meaning when employed while referring to statutory reference to unorganised workers, as well as the constitutional requirements and judicial rulings concerning it. Undoubtedly, resolving the concerns and challenges of the unorganised sector with the backdrop of future threats to the labour system is the most pressing concern right now.

In India, the unorganised sector employs a greater proportion of the workforce than the organised sector. This sector is distinguished by the inability to explore basic interests as a result of economic, societal, or seasonal job constraints. They are also not entitled to employment benefits & social security provided to the organised sector under various laws. The social security programs in India usually does not include the unorganised sector workers, straight-away affecting the unorganized labour force, with little to no change in competencies, productivity, pay, working conditions, or any better welfare measures for this segment. Under such conditions, India's ambition of becoming

an economically advanced nation will remain an illusion.

Lakhs of jobs are predicted to be affected as a result of the automation of physical work, which is revolutionising labor-intensive industries globally. Raising production efficiency demands the removal of extraneous inputs, if present: professions that do not need high skill sets are most prone to obsolescence. It is critical to recognise that the unorganized industry will struggle to remain viable in such a paradigm, and even if it does, it would result a larger rift between persons engaged in organized and unorganized sectors.²

2) THE CONCEPT OF AN UNORGANIZED SECTOR

The concept of the informal or unorganised sector gained international attention in the early 1970s when the International Labour Organisation emphasised a development strategy focused on economic growth as well as employment by means of its World Employment Missions.³ These initiatives primarily highlighted and concentrated on the development plans based on a nation's economic progress, taking employment conditions into account as a means of achieving the objective of economic improvement.⁴ Keith Hart, a British economist, used the term informal sector⁵ in 1971 to draw attention to the misery of the rural labour in the urban context & how they were forced to work in an unorganised setup for want of basic expertise.⁶ Since then, the informal sector & its conditions have remained an important and unavoidable topic of debate in the field of labour regulations.⁷

3) ISSUE RELATED TO THE UNORGANISED SECTOR

a) Issues with the Workforce

Ninety percent of all workers are employed in the unorganised sector.⁸ There is little knowledge about long labour hours restrictions, occupational dangers, and employer exploitation. The places where people live are located near to the workplace, & there is little sense of occupational safety.

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² Future of unemployment and the informal sector of India, *available at*: <https://www.orfonline.org/expert-speak/future-of-unemployment-and-the-informal-sector-of-india-63190//>, (last visited on October 12 2023).

³ *Unorganised sector: problems of facilities, wages and job security*, *available at*: <https://blog.ipleaders.in/unorganised-sector-problems-facilities-wages-job-security/>, (last visited on October 2 2023).

⁴ R.S. Tiwari, *Informal Sector Workers: Problems and Prospects*, (Anmol Publications Pvt Ltd, New Delhi, 2005).

⁵ Kanak Kanthi Bagchi and Nirupam Gobi, *Social Security for Unorganised Workers in India*, 22 (Madhav Books, New Delhi, 2012).

⁶ Kishore.C. Samal, *Growth of Informal Sector in India* (S.K. Book Agency, New Delhi, 2013).

⁷ Government of India, "Report by Second National Commission on Labour", 596-597 (Ministry of Labour and Employment, 2002).

⁸ Ministry of Labour and Employment, Government of India, *Annual Report 2017-18*, *available at*: https://labour.gov.in/sites/default/files/ANNUAL_REPORT_2017-18-ENGLISH.pdf, (last visited on October 21, 2023).

In addition, the idea of a labour union does not exist, and laws pertaining to health and safety is not being implemented.

b) Insecurity of job

Workers in the informal sector lack a permanent and secure occupation, hence they find themselves doing many different jobs at the same time. This clearly illustrates employment uncertainty while also failing to provide a salary sufficient for meeting one's essential requirements.

c) Being unable to earn minimum wage

Several research on unorganised workers have repeatedly shown and restated the evident observation that the unorganised sector's earnings and compensation levels are lower than the statutory minimum wage limit. Wages for unorganised workers in India are low due to the lack of trade unions, negotiating strength, and entrance obstacles into the official sector. Because there is no set contract and the work description is variable, the reach, scope, and applicability of the Minimum Wage Act⁹ are debatable. Workers are unable to effect substantial improvement in their current circumstances owing to the absence of collective bargaining power, and business entities take advantage of this fact by giving employees payments that are less than the bare minimum.

In the case of *Peoples Union for Democratic Rights*¹⁰ the Supreme Court held that even if financial compulsions may force a person to engage in a job which pays less than the statutory minimum pay, hiring workers at rates less than the statutory minimum rate is equal to forced labour, which is expressly outlawed by article 23 of the Indian Constitution.

As a result, the employer has an obligation to guarantee that employees receive the benefits to which they are lawfully entitled. Wages for the informal sector, which employs a sizable portion of the workers, should be determined & adhered to by the government, rather than being subject to the economic effects caused by the market.¹¹

d) Uncertain work hours

Another significant issue confronting the unorganised industry is the undetermined number of hours worked every day. Because many unorganised workers receive salaries on an hourly basis, they frequently work extra hours for which they are not compensated above minimum wage. Working hours that exceed labour regulations are widespread in India's unorganised economy. There is no predetermined working hour in the agriculture business since there are no standards that may act as recommendations for farm workers' conditions at work. Prolonged and tiresome working hours have a negative impact on workers' social & cultural life, subjecting them to

⁹ The Minimum Wages Act 1948 (Act 11 of 1948).

¹⁰ *Peoples Union for Democratic Rights v. Union of India*, AIR 1982 SC 1473

¹¹ Government of India, *Report of the Working Group on Social Security for the Twelfth Five Year Plan*, (2012-17)

different ailments at a young age. The Factories Act¹² and the Minimum Wage Act¹³ both mandate no adult worker to be employed for longer than forty-eight hours in a single week. Nevertheless, there has been frequent disregard for these working-hours restrictions.¹⁴

e) Safety and Health Hazards at Work

The indeterminate nature of the labour and the hours worked in an unorganised setting are the primary causes of occupational risks and health difficulties in this industry. A major issue that has to be addressed is a lack of nourishment. Insufficient nutrient intake as a result of low earnings and repeated exposure to challenging jobs in severe circumstances exacerbates health issues of this class of workers, culminating in life-threatening dangers. Certain industries especially the seafood processing sector, tobacco, & salt pan industries. have awful working conditions. Employees at tobacco processing facilities have expressed health difficulties, including respiratory problems caused by tobacco dust & body aches caused by inhalation owing to the unusual position that must be kept while performing their duties.¹⁵

f) Problems faced by Government

Along with generating jobs for the populace, the unorganised sector accounts for over fifty percent of the country's GDP. As a result, this group of workers needs to be effectively safeguarded, however the challenge is that the labour regulations applicable to organized sector cannot be applied here. Due to the dispersed character of the industry, the government confronts a significant issue in defining and identifying unorganised workers. The unorganised sector's labour is ignorant of the benefits provided to organised sector, and the employer does not want to be subjected to any kind of regulation while hiring workers in order to avoid legal liabilities.

g) Inapplicability of social security initiatives

As previously noted, workers in the informal sector suffer much greater dangers at work than those in the organised sector, yet these workers are provided lesser security from social security measures than the latter. Natural disasters, such as floods and earthquakes, cause workers to lose their earning potential, while personal calamities, such as pregnancies and accidents, inflict economic impact on workers, exposing them to increased dangers. It is clear that presently there aren't any social security safeguards in place that guarantee risk coverage and a basic quality of life during such a crisis.

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¹² Factories Act 1948 (Act 63 of 1948).

¹³ The Minimum Wages Act 1948 (Act 11 of 1948).

¹⁴ Unorganised sector: problems of facilities, wages and job security, *available at* : <https://blog.ipleaders.in/unorganised-sector-problems-facilities-wages-job-security/>, (last visited on October 25 2023).

¹⁵ *Supra* note 14.

h) Insecurity caused by illness

Numerous research indicate that the main threat to informal workers is health-related. Informal workers are frequently exposed to health and safety hazards and emergencies, as evidenced by several studies. Every year, forty-eight percent of a household's expenditures are related to health stress activities, with rituals and marriage accounting for thirty percent. The vulnerability of low-income informal workers worsens when they have to cover their own medical expenses without receiving help or subsidies. Numerous studies have demonstrated that insufficient finance for medical care can occasionally result in subpar care, debt, or delayed payment. One of the main causes of the lack of healthcare was poverty.

4) SOCIAL SECURITY

Social security protection is listed as a basic human right under ILO agreements and United Nations treaties, and is broadly described as the framework of contribution-based health, pension, & unemployment insurance, in addition to tax-financed welfare programs.¹⁶ Social security is an ever-changing idea. The basic tenets of which varies according on the social, economic, and political systems in place in a particular region at any given period.

a) Objective of Social Security

The main objective of any social security measure is to assure individuals and families that their standard of living and quality of life will not be jeopardised by a social or economic incident; to provide medical care and income security against the repercussions of defined unforeseen circumstances; to support victims' physical and professional rehabilitation; to prevent or mitigate occupational ill health and mishaps; and to safeguard against joblessness by fostering the establishment of new jobs, maintaining them, and offering assistance with child upkeep.¹⁷

Depending on the kind of social security they fall under, the ILO has classified workers into two main categories. They are as follows: social insurance and social assistance. Social insurance supports a wide range of workers, whereas social assistance includes those with various impairments such as old age and illness.

5) Social Security for the Unorganized Sector

In India, the phrase social security is often used in its widest definition, encompassing all forms of preventative, promotional, & security measures. The word refers to social insurance, social aid, social protection, the social safety net, along with other related processes. There are several approaches for delivering social security to unorganised sector workers. These can be classed as

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¹⁶ Facts on Social Security, *available at*: https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_067588.pdf/, (last visited on October 28 2023).

¹⁷ Government of India: "11th Five Year Plan, Volume II", 98 (Oxford University Press, New Delhi, 2011),

follows:

- a) **Social Assistance Initiatives with Central Funding:** The Government sponsored social assistance initiatives including employment-oriented deprivation reduction projects and the National Social Assistance Programme (NSAP), which includes old-age pensions, family benefits & maternity benefits that focus on the social security requirements of persons living below the poverty line.¹⁸
- b) **Social insurance scheme:** Several initiatives implemented by the national and state governments for the support of the poorer segments are included in the social insurance schemes, which are administered by the life insurance corporation of India & the general insurance corporation of India. Schemes have been developed for various underprivileged populations as well as employees of stores and commercial establishments.
- c) **Social Support Provided by National & State Welfare Funds:** One of the strategies devised for giving social security to workers in the informal sector is welfare funds. The Indian government has established five welfare funds. Central funds are handled by the ministry of labour for beedi workers in addition to the workers of occupations who do not have any direct employer association and have been carried out without any government assistance. The welfare fund plan operates outside the context of exclusive employer & employee relationships in that finances are generated on a non-contributory manner and social services are provided without regard to individual worker contributions.
- d) **Public Initiatives:** Several public agencies and institutions also provide various types of social security benefits to certain categories of workforce. Out of these, the Self-employed Women's Association (SEWA) has made tremendous progress in boosting social security by developing cooperatives.¹⁹

6) SIGNIFICANCE OF SOCIAL SECURITY TO THE UNORGANIZED SECTOR

According to the International Labour Organisation, social security is the safety net that a society provides to people and their families in order to provide access to health care including economic stability, particularly in cases of old age, joblessness, disability, illness, work accident, pregnancy, or the death of the primary income earner.²⁰

The Universal Declaration of Human Rights states that every person has an entitlement to a living standard that is appropriate for their own and their family's well-being and health, including food, shelter, healthcare, and other required social services, in addition to the right to security as a result of

¹⁸ Government of India: "11th Five Year Plan, Volume II", 154 (Oxford University Press, New Delhi, 2011),

¹⁹ *Ibid* at 155.

²⁰ *Supra* note 16.

joblessness, illness, impairment, widowhood, agedness, or another absence of income due to factors out of his or her power.²¹

Thus, the same constitutes the fundamental principle of decent work, which combines ethics and economics to promote the idea of human dignity, which is an aspect of justice in and of itself, achieved through participatory democracy that envision social justice in addition to economic justice.

7) JUDICIAL INTERPRETATION OF CONSTITUTIONAL PROVISIONS OF SOCIAL SECURITY CONCEPT

The Constitution of India has several sections that depict India as a "Social Welfare State." According to the Constitution, labour is a topic that is included in the Concurrent List, which indicates that both the Central and State legislatures are allowed to pass laws pertaining to labour, with the caveat that the State legislature is prohibited from passing a law that contradicts any Central law.

- a) The Supreme Court ruled in the *Bandhua Mukti Morcha*²² case that, in accordance with the directive principle of the Indian Constitution, both the Central and State Governments are required to make sure the adherence of social welfare and labour laws passed by the Parliament in order to secure to the workers a life of dignity as a human being.
- b) The Supreme Court ruled in the *D. S. Nakara*²³ case that the primary goal of a welfare state is to eradicate disparities in income as well as living standards, and that socialism must provide a sufficient standard of living for all citizens, with a particular emphasis on security from birth to death.
- c) In the *National Campaign Committee*²⁴ case, the Supreme Court of India ordered the application of the Building & Other Construction Workers Act, 1996²⁵, along with the Building & Other Construction Workers Welfare Cess Act, 1996²⁶, pointing out that the provisions of the legislation were still not in effect in spite of the passage of a period of twelve years.

²¹ Universal Declaration of Human Rights, art. 25 (1)

²² *Bandhua Mukti Morcha v. Union of India*, AIR 1984 SC 802

²³ *D. S. Nakara v. Union of India*, (1983)1 SCC 305

²⁴ *National Campaign Committee for Central Legislation on Construction Labour v. Union of India and Ors.*, 2018 (3) Bom.CR 347.

²⁵ The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Act 27 of 1996).

²⁶ Building and Other Construction Workers Welfare Cess Act, 1996, (Act 28 OF 1996).

8) Unorganised Workers' Social Security Act²⁷

This Act, which went into effect on May 16, 2009, was approved by Parliament to safeguard & provide social security to the unorganised labour. The Second National Labour Commission's recommendations and proposals, as well as the Reports of the Lok Sabha's Petition Committee along with that of the Parliamentary Standing Committee on Labour, were critical in shaping this long-awaited Comprehensive Act.

9) Drawbacks of The Unorganised Workers' Social Security Act (UWSSA)

Even after more than fourteen years, the provisions of the Act remain virtually unimplemented. This is merely one more instance of a fragmented empowerment situation for unorganised workers, which has been a feature of Indian social programmes since independence. The significant aspect of the Act lies in its quest to give unorganised workers legal status by defining the term for the first time. The Act includes several programmes of assistance for workers, such as registration and the issuing of smart cards having unique identifying numbers. The UWSSA 2008 can be viewed as a cornerstone in elevating the working class's struggles by uniting unorganised workers under a single defined banner. However, the current Act falls short of the standard set by the NCEUS plan.²⁸ In its current form, the Act also falls short of guaranteeing workers' rights. The following are the legislation's shortcomings:

a) What Comprises Social Security is not clear.

- i) The Act fails to provide any clarification of a legally enforceable minimum standard of social security.
- ii) Furthermore, these current initiatives are for those living below the poverty line (BPL), and by grouping unorganised workers as BPL or non-BPL, the Act discriminates against those categorized as non-BPL.
- iii) The authority to oversee the Act's implementation is not delegated to any entity. The duty of the National Security Board established by the Act is confined to advising but not for implementing, monitoring, or enforcing social security.

b) Just a Compilation of Currently Functioning Schemes

A detailed study of the schemes reveals that it is just a consolidation of existing programmes applicable to those living below the poverty line (BPL). The Act lists ten current programmes in its schedule and states that future schemes connected to social security or benefit would be announced by the Central Government in due course. State governments have been granted the authority to come up with their own schemes for work-related injury settlements, skill

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²⁷ The Unorganised Workers' Social Security Act, 2008, (Act. 33 of 2008).

²⁸ Government of India, "Eleventh Five Year Plan (2007–2012) Social Sector Volume II", (Planning Commission, 2008).

enhancement, schooling, and burial expenditures, among other things. It needs to be emphasised that the government is under no obligation to extend any of the aforementioned benefits. Furthermore, the Act makes no mandate for the government to pass new programs in response to evolving circumstances, raising the issue of why a whole new Act is necessary given that all of these policies have previously been developed by the authorities & are currently in place.

c) Unspecified Resources and Theoretical Schemes

The Act is deficient in defining its objectives, intended recipients, a detailed strategy for carrying out the provisions that are in place, and ways to address issues that may arise during implementation. It is probable that the Act will have particular penalties for any infractions of its guidelines. However, it simply declares that everything would be done in accordance with the theoretical programs announced by the government. The Act does not provide a response to the question of how these imagined plans would be funded; in addition, the Act is ambiguous and opaque when it comes to identifying the feasible sources for funding.

d) Failure to Address Nonpayment & Persistent Salary Delays

Nonpayment of salaries and excessive delays are significantly more common than officials admit. No program or law can offer worker security unless it guarantees regular payment of salaries; the Act, has failed to do so. It was the minimum safeguard that the legislation was supposed to provide. The current system of expecting unpaid workers to approach the labour court against strong employers while they don't even have adequate funds to purchase their next meal is a parody of justice. It also doesn't include any penalties to prevent and stop practices such not paying wages, paying an employee lower than the legal minimum wage, paying employees differently, etc. The Act should have recognised that this specific sector, being weak & uninformed about their rights, is not able raise their voice to be heard. Additionally, it had to have underlined this fact and established specific legislation for wage protection in relation to worker issues, since a worker may only benefit from and be protected by other social security measures if their income has been guaranteed. Additionally, when it fails to guarantee the timely payment of legitimate salaries, a government has no authority to demand workers' contributions for social programs.

e) Grievance Redressal Mechanism

The Act has set up a naive framework for resolving grievances. The Act requires the government to include a grievance redressal system in every plan it enacts. The actual application of this in Maharashtra demonstrates that women who get social assistance via the impoverished individuals' social assistance schemes (Niradhar Yojana) encounter a variety of issues, including harassment at government departments, banking institutions, and post offices, as well as corruption and lengthy

wait times.²⁹ There isn't a formal forum in place to guarantee that these issues are taken seriously and addressed. They won't be taken seriously going forward until the government declares that, in these situations, it is protecting the rights of citizen-workers rather than giving favours by coming up with plans. The Act was intended to give worker conflicts a low-cost, quick, and accessible forum; nevertheless, this has only been partially attempted, which has proven counterproductive.³⁰

f) Inhumane Work Conditions

It is difficult to understand why the lengthy hours and harsh conditions of employment that these individuals endure were not given any consideration by our legislators. Even while it's possible to argue that an eight-hour workday would have remained on paper (as is the case with the majority of social justice laws in our nation), such restrictions need to have been a fundamental part of equitable principles. A legislation designed with workers in mind should enable them to fight for their rights because it gives them the power and support they need to demand that their rights be implemented.

g) Underutilised Panchayati Raj and other Institutions

The Act does not fully exploit two existing structures that, once put together, might have created a stronghold for the implementation. These are:

- i. *Workers' Facilitation Centers (WFC) and*
- ii. *Panchayati Raj Institutions*

It might be feasible that the Facilitation Centers was given permission to register a list of employees and maintain their data locally, rather than restricting its activities to clearing requests and raising public consciousness. To bring the advantages directly to the workers, the Facilitation Centers had to have been established at the level of each block and connected to gram-panchayats or municipalities. Primarily, it ought to have been assigned the responsibility of monitoring licenced labour contractors in the region, since this would have helped to reduce human trafficking & work exploitation by unregistered contractors.

In a same vein, the gram-panchayat ought to have been empowered to monitor the contractors who transport people to work elsewhere and the labourers who are brought in from the villages by contractors to work outside. The WFC could have been crucial in helping migrant or female workers who are being harassed, mistreated, or denied wages and have nowhere else to turn.

h) Unaddressed Concerns of Women Workers

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²⁹ A Critique of the Unorganised Workers' Social Security Act, *available at*: <https://www.epw.in/journal/2009/11/commentary/critique-unorganised-workers-social-security-act.html>, last visited on 22/10/2023

³⁰ Tessymol George & Dr. Vipin Chandran K P, "Status of Informal Employment and Problems of Informal Women Workers in India" 7 *International Journal of Advanced Multidisciplinary Research*, 17 (2020).

The government's current women's schemes only take into account the requirements of women who are mothers or widows. While the anguish of female workers in the work arena, as well as their necessities, deserve special treatment, which was greatly anticipated from this Act, remains unaddressed. The Act could have been a promising & guaranteed approach to secure answers to the difficulties encountered by female workers working in the unorganised sector, such as appropriate working conditions, workplace sexual harassment protection, and equitable and fair remuneration.³¹ It may have been accomplished by incorporating the proposals of the *Shramshakti Report* along with the Supreme Court directions established in the *Vishaka*³² case, which focused on the matter of workplace sexual harassment. The most remarkable aspect of the Social Security system in India is the almost complete lack of action taken to offer unemployment insurance to workers, a major cause of labour struggles and an overall feeling of uncertainty in the country as a whole.³³

10) INDIAN JOB MARKET SCENARIO IN NEAR FUTURE

Since the beginning of the industrial revolution in the eighteenth century, the debate about increasing digitization & its effects on job markets throughout the world has been continuous & gaining momentum. The digital revolution, sometimes known as the 3rd industrial revolution, witnessed the advent of computers, the wide-spread adoption of electronics, the rapid evolution from cellphones to smart-phones, & the inevitable creation and loss of employment because of it.³⁴ The vision of the 4th Industrial Revolution was announced at the Hanover trade show in 2013, with the main goal of introducing the concept of 'smart production facilities', which will incorporate the adoption of automated physical process. However, due to its groundbreaking and disruptive character, the 4th Industrial Revolution, in contrast to the 3rd, is sometimes regarded as an entirely different kind of revolution rather than just a continuation of the digital revolution. It comprises technology and trends such as robots, machine learning, cloud computing, artificial intelligence, virtual reality, Internet of Things (IoT), and so on, and is fundamentally changing the future of work and life.³⁵ There's no denying that a lot of jobs and working styles will change over time. Some will become outdated, while others will be invented to make life simpler for the working class. There is little question that this transition will have an impact on society as a whole

³¹ A Critique of the Unorganised Workers' Social Security Act, *available at*: <https://www.epw.in/journal/2009/11/commentary/critique-unorganised-workers-social-security-act.html>, (last visited on October 22, 2023).

³² *Vishaka v. State of Rajasthan*, AIR 1997 SC 3011

³³ Sundharam M. Paul, *Labour Problems and Social Welfare* (1st edn, 1948).

³⁴ *What is the Fourth Industrial Revolution?* *available at* : <https://www.weforum.org/agenda/2016/01/what-is-the-fourth-industrial-revolution>, (last visited on October 26, 2023)..

³⁵ Pavel Kohout, impacts of digitization on employment and social security of employees, *available at* : https://www.Digitalization%20of%20LM/1_IMPACTS_OF_DIGITALIZATION_2017.pdf, (last visited on October 30, 2023).

as well as job prospects.³⁶ The exceptional speed and spread of technology advancement is the key reason why long-term employment and labour outlook remain unclear.

Generally speaking, as digitalization permeates the market, different working practises seem to change and are progressively replaced by technological innovations that reduce personnel costs and time. This transformation necessitates the acquisition of new skills in order to complete the jobs, which means that the existing workforce must be taught to this extent or are substituted by individuals who are already equipped with the relevant skill set.

Since the majority of the workforce in India is employed in the unorganised sector and does low-skilled or unskilled work that pays a meagre wage, the influence looks a bit unclear within the country. Small businesses, wage earners, and independent contractors make up the unorganised sector; they obviously lack the resources and know-how to facilitate the adoption of cutting-edge technology.³⁷

Several well-known corporations, like Amazon, Flipkart, Uber, Ola, and others, employ network-based apps that may be accessed by smartphones or tablets. This has thrown the traditional method of recruiting and employing workers, as well as the way businesses operate, into disarray. Advanced automation, including the usage of Artificial Intelligence (AI) as well as robotics, is already causing employment disruptions throughout the world.

The contrast between automation's potential and acceptability must be carefully evaluated in the case of India, though, since many firms lack the basic infrastructure necessary to implement this kind of automation, making them receptive to future automation but not immediate adoption. Jobs needing low-medium competencies that are regular and rules-driven may be the first to become technically automated, but their acceptance will rely on a variety of socioeconomic factors such as the relative cost as well as availability of qualified workers. As a result, the growing tide of technologically advanced automation might just impact some industries and business processes, rather than causing total job displacement.³⁸

Nevertheless, given the potential for automation in many professions, including cashiers, travel professionals, and others, the Indian labour market holds great promise for the future of automation in the workforce. However, such employment is a handful in India. Due to the fact that these are the positions that the majority of unorganised sector workers aspire to, this automation of employment is more likely to hurt the unorganised sector than the organised sector. Because educated and skilled workers in the unorganised sector depend on employment to escape hardship,

³⁶ International Labour Organization "Emerging technologies and the future of work in India 2018", *Tandem Research and publication* (June 2018)

³⁷ Jonathan Woetzel, Anu Madgavkar, and Shishir Gupta, *India's Labour Market: A New Emphasis on Gainful Employment* (McKinsey & Company, June 2017).

³⁸ Jacques Bughin, James Manyika & Jonathan Woetzel, *Jobs lost, jobs gained: workforce transitions in a time of automation*, (McKinsey & Company, Dec 2017).

this kind of automation could pose a serious challenge, especially given the general structure of the Indian labour market, by limiting the mobility of low-skilled workers relative to positions that pay more and require higher skill levels. Thus, government programmes on skill development, as well as the public and private education sectors, must be reformed.

Another critical aspect of the labour market's digitalization is the deployment of automation as a result of digitalization. While reports indicate that manufacturing operations in the organised sector have the greatest potential for automation, a recent study found that sixty-nine percent³⁹ of these tasks are prone to automation, raising concerns about the future of manufacturing workers. However, the proportional cost of technology advancement to labour, as well as other social & economic shifting conflicts of interest, will influence the adoption of automation.

According to recent trends, manufacturing sectors that require significant capital investments are more probable to adapt to the 4th industrial revolution's changes in addition embrace sophisticated automation & robotics. The auto sector, which is said to buy sixty percent of the industrial robotics equipment delivered in India, is exhibiting the similar shift. Because there are so many repetitive jobs in this industry that cannot be avoided, robots have taken over routine tasks like welding, painting, and other tasks in various industrial units, decreasing the need for manual labour. This trend is expected to continue on a large scale. Though the change is already underway in the manufacturing sector, namely the automotive industry, this sector has been contributing the most to increased hiring rates over the last decade, which will be influenced in the future by the widespread implementation of automated technologies and sophisticated robotic machines.

Automation will happen more slowly in the labor-intensive, high-expertise Textile, leather, and paper production industries. However, certain processes in such sectors, such as textile, are seeing automation in regular occupations, replacing twenty workers with two. The government's anticipated goal of creating ten lakhs employments in the textile industry is likely to fall short as a result of such automation.⁴⁰

11) CONCLUSION

As can be seen, the unorganised sector plays an important role in the Indian economy and is a key source of urban employment. Uncertainty and low salaries at the grassroots level, as well as uncertainties about the future of work, are affecting this sector of employment. A variety of social security laws have been enacted to put the Constitution's objective of appropriate livelihood

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³⁹ World Development Report 2016, digital dividends, *available at*:

<https://documents1.worldbank.org/curated/en/896971468194972881/pdf/102725-PUB-Replacement-PUBLIC.pdf>, (last visited on October 21, 2023).

⁴⁰ Robots are no hazard but beneficial, say auto industry experts, *available at*

<https://auto.economictimes.indiatimes.com/news/industry/robots-are-no-hazard-but-beneficialsay-auto-industry-experts/48008181>, (last visited on October 17, 2023).

security, i.e. freedom from exploitation, into action for the working class. However, in reality, only employees in the organised sector and their families are entitled for social security benefits, and as a result, these policies are not adequately benefiting the eligible population, which is unjustified.⁴¹

The world's economy is on the verge of the 4th industrial revolution, & the concept of the future of employment will have an impact on Indian labour markets in next 10-15 years; however, compared to previous revolutions, this era of change is detrimental rather than substitutive. The innovations of robots and digitised inventions pose a danger to the present industrial setup since formerly un-automatable jobs are now being automated. In this context, this article examined the influence of a revolution of this sort on the current labour market structure as well as the changes that will occur in the future. Following analysis, it is possible to determine that routine occupations performed by the people constitute those that will be mechanised by machines. These professions are typically performed by people who are less educated and want to earn a living beyond the minimum wage threshold. Arranging substitutes for such personnel will result in social security issues, in addition to socioeconomic inequality; rather, the government must develop appropriate measures in the future in order to reduce the consequences of such replacement. Educating and instilling new abilities in the soon-to-be-replaced workforce will enable them to survive. While developing policies and regulations, the government must evaluate the influence of such digitization on India's economic structure.

Moreover, the UWSS Act is commendable for its attempt to provide social security for unorganised workers; however, the legislation has fully adopted the commissions' just one suggestion, which calls for worker registration and the issuance identification cards in the format of smart cards containing a unique social security number. The advancement of humankind necessitates that everyone has access to a certain degree of security. Furthermore, it is the State's obligation to protect its inhabitants from numerous situations such as unemployment, sickness, injury stemming from employment, maternity benefits, and so on. As a result, the basic goal of any labour policy must be to safeguard the broadest possible class of workers from discrimination.

With the goal to improve the efficiency of the workforce, the legislature must endeavor to reduce the existing disadvantages by appropriate modification while also seeking to fulfil the need for humane treatment, welfare, contentment, and security. In a similar vein, social security needs to provide the general public with access to clean water, sanitary conditions, healthcare, and educational opportunities. In addition, it ought to be required to provide adequate salaries in order to provide workers with a life of dignity. Numerous budgetary arrangements in the Union budget to be executed through multiple initiatives for the poor & vulnerable must be carried out in totality. Robust social security systems & regulations will allow us to alleviate the pressures as well as major worries that will arise as a result of the volatile character of the future of employment.

⁴¹, Government of India, "Report on Social Security for unorganized workers" (National Commission for Enterprises in the Unorganized Sector, 2006)

The Indian economy is currently faced with the challenge of guaranteeing the long-term sustainability of an ever-increasing worker force while also supporting a rapid pace of economic development through the use of capital-intensive technologies in manufacturing. Failure to act on both these fronts can have disastrous consequences; if the working population is not upskilled and young people are not given the requisite skills, economic disparity will develop and the working class with low financial standing may become impoverished.