

CONSTRUCTION WORKER'S RIGHTS

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ABSTRACT

There are 28 million skilled and unskilled workers engaged in the Construction sectors in India. The sector is labour intensive and most of the labors and unskilled unorganized and tend to work under inhuman and pitfall condition and poor health and safety standards in the real estate industry in the government of India enacted. The building and after construction workers regulation of employment and condition of service act 1996 (herein after referred to as BOCW act).

KEYWORDS: Regulation, Labour, Pitfall Condition, Employment

The BOCW Act is a social welfare legislation that aims to benefit workers engaged in building & construction activities across the Country.

The preamble of the BOCW act explicates the said purpose. The Act regulates the Employment and condition of services of building and other construction worker and to provide for their safety, health and welfare. Construction and regeneration act is also known as the construction industry since it come into force on 1 may 1998 part of the local democracy. Economic development and construction act subs amends the construction.

The construction of India has conferred innumerable right on the protection of labour. Articles 14,19,21,23 and 24 form part of fundamental right guaranteed under article 38, 39A, 41, 42, 43, 43A, and 47 form part of the directive principles of stale policy under part 4th of the constitution.

The fact that constructing workers are not covered under the factories Act 1948 and are therefore entitled to welfare measures under the BOCW Act was part fourth in the case of Lanco Anpara power Ltd Vs State of UP & other State Oct 10th 2016.

Industrialization with the introduction of newly developed technology plays an important role for development of a country. Building construction is the basic of industries development. India it is one of the fastest growing industries with an annual growth of 10% it has wide range of activities with employment of a substantial number of workers. They are mainly working in formal/unorganized sector. In India about 340 million 92% workers are in unorganized sector and about half of then are in construction industry government of India and state government promulgated/framed Acts and Rules for

regulation of working condition and workers in the industry social welfare measure have also been included in some Acts specially the social security schemes framed by different government as per national Commission for Enterprises in the unorganized sector [NCEUS]. Workers are victim of adverse working environmental conditional and subjected to health hazards of the occupational origin. These workers are Poor and vulnerable. Their employment is totally temporary in nature. The socio-economic stresses are one of the major out comes of their occupation. Security measures are not being exploited by the contractors. There is no specified time limit/ frame at work for about 10 hours/day. Mostly they are migratory workers at times they are prone to injuries and accidents problems of construction workers

- Casual nature of employment
- Ignorance and illiteracy
- Low wages
- Lack of stability or durability
- Absence of social security
- Uncertain working hours
- Vulnerability to occupational diseases
- Serious injuries
- Lack of labour welfare activities
- No holidays
- Absenteeism
- Additional of females workers exploitation
- Problems of females workers exploitation
- Family problems
- Temporary work
- Poverty
- Negligence towards children
- Gender discrimination

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- Outside the reach of various laws
- Dirty environment
- Other problems

The review of literature is purloining to some of the important articles cited or reported in some valuable document for the last 30 year. There the emphasis is on the aspects of health, hazards, discusses, social security and psychosocial stress, social reforms have been taken in to considerations by several others. One of the important aspects is human behavior in the social system. Sociologists would agree that human behavior is shaped by social groups. "email Durkheim" states that occupation is an example of social fact. It influences the way we behave and way others behave to wards us. "Karl Marks" argued that everything that happens in society is caused by economic relationship.

A review of the occupational health and social securely of unorganized workers in the construction industry Indian journal of occupational and environmental medicine 15(1), 18(1), 2011 construction is one of the important industries employing a large number of people on its workforce. A wide range of activities are involved in it. Due to the advent of industrialization and recent developments this industry is taking a pivotal role for construction of Building, Roads, Bridges, and so forth. The workers engaged in this industry are however tis is not found in the small labors to safeguard the benefits and health of the labours various Act are promulgated by the government of India and rules are formed by the Government. The factories Act 1948 states that no adult workers shall be required or allowed to work in a factory for more than Eight hours per day or Forty hours a week the building and other construction and other construction workers. Regulation of employment and conditions of manufacturing and service industry laborers are from the tertiary section. Construction laborers belong to the service sector, representing the tertiary section considering the working area the company laborers are divided into two group the large group workers work in big companies or MNC companies. They make multi-storied building, shopping malls, and soon they are from the organized sector. The small group workers work in small sites of Building line house or flats. They are the unorganized workers for the benefits of the workers large companies follow Act and rules behave and the way others behave

lowered us. To achieve the objectives of the study are a fallow.

There are changes in employment, wages and other living conditions of the workers after migration whether the respondents diffused in their opinions on the severity of the problems faced in their working areas.

Migration of worker is enhancing the expenditure pattern of the migrants finance is the main reason for migration there is significant relation between the marital status of the respondents and the various dimension of working women checklist there is a significant correlation between the earning members in the respondent family

- it is hypnotized the workers of the unorganized sector in particular of construction workers in the study area are not folly aware of the exisiling schemes of social securely
- there are not excusive association being formed for the benefit of the workers excelling membership of the lard union
- the worker of the unorganized sector have not availed the benefit of exiling social security

Schemes to a large extent the construction workers right to carry on trade to earn the livelihood there is a adequate law and polices for maintaining the right constructing workers.

The right is not denied of such construction workers social and economic rerate reasonable restriction.

This study is based on secondary data in the regard various libraries were visited and some online journal reviewed the present study was undertaken to know the social economic status of construction workers and availing of the social security measures by this working ground.

The Conceptual Formwork

The conceptual framework of this proposal is to understand and unravel the legal status and other aspect of the life or construction workers social and economic education etc. the main theme is to enable then to purser their modest livelihood in a dignified way and without extractions.

There will be contacted a geographical location study t jclenlity the sample right and protection of the construction workers the study will be made on mapping of major informal and area Jaipur and Tonk district. This process will focus on numbers type of trade and registration

status of construction workers for understanding mobile and door to door. A comprehensive questionnaire will be prepared for personal interview with labour in construction ward wise estimated data will be collected at the local Zone area the sample will be drawn.

The sample will be drawn from the varies categories based on migration statue martial statues regional state distribution age gender and last back ground.

Main theme of including male female and child labour mainly for capturing the difference in nature and construction of work.

Relevance out comes and proposed outputs from the research

It is a topic of vital magnitude having multidimensional effect. As this topic is new and have wide scope of study and research and lots at advancement are expected in this field.

This research proposal tries to portray the working life of construction working workers.

A comprehensive study of this sort could throw up many important issues relating to construction workers. It could provide concrete data for furthering the cause of the construction workers and at the sometime provide issues which could form the basis of a national movement. The trade unions and other organizations working for the construction workers could use this research finding as the basis for making concrete positive proposals at the national level.

The working life of construction workers will be explained in terms of this sociological aspect. The study is exploratory in nature and their situations will be explained with the help of both quantitative and qualitative paradigms.

A comprehensive study of this topic relating to construction workers right, problems, personal social economic status. We will discuss about three categories workers (I) skilled worker (ii) semi skilled workers (III) unskilled workers.

We will gain to result for different types of workers social economic condition.

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