Part - D
Empirical Survey and Analysis Indicating Implementation of the Concept of Social Justice
CHAPTER IX
CONCEPT OF SOCIAL JUSTICE AND ITS IMPLEMENTATION WITH SPECIAL REFERENCE TO THE STATE OF PUNJAB : AN EMPIRICAL SURVEY

On the basis of theoretical analysis, the basic deficiencies, problems and hurdles in implementing the Constitutional and legal provisions regarding social justice in India have been identified and discussed in the preceding chapters. India is a socialist welfare republic and after specifically inserting the word 'Socialis:' in the Preamble of the Constitution of India, vide the Constitution (Forty-second Amendment) Act, 1976, it becomes imperative to verify and assess factually the amplitude of various inequalities and imbalances prevalent in Indian society, and to formulate and contrive strategies to remove them. This study was undertaken to highlight the deficiencies in the present legal and administrative framework, and to suggest ways and means to eradicate them as well as to improve the performance of the 'socialist' welfare state for the promotion of social justice.

UNIVERSE OF THE STUDY:

After going through the various aspects of the problem and the available literature on the subject, the researcher
realised that most of the work in the field of assessing the implementation of 'social justice' is to be done in the poor, down-trodden and less privileged strata of society. Social and economically backward sections of the Indian society need true justice from every aspect of human life.

To assess and calculate the extent of implementation of this Preambular objective of 'socialist state', the researcher decided to choose broadly four categories of these less privileged sections of society viz. labourers/workers Scheduled Castes, Scheduled Tribes and other backward classes, women and children. First category relating to labour class comprised of unorganised as well as organised labourers working in industries, factories, big or small workshops and other establishments and even daily wagers like rickshaw pullers, pheriwalas etc. Second category of target group was chosen on caste basis, but otherwise comprised mainly the poorest, under-nourished illfed, illiterate masses. Third category included women consisting of uneducated, educated, working as well as non-working women. Fourth category targeted school going, street children as well as employed children.

Due to scarcity of resources, paucity of time and limiting family circumstances, the universe of the study area wise was 707
limited to the State of Punjab, Chandigarh and adjoining areas of Chandigarh. In all, industrial establishments from mainly two districts of Punjab.¹ Industrial Area of Chandigarh and labour colonies, Sector-25 slum colony, Sector 12 Janta colony, Nayagaon, various government and private schools² and neighbouring areas have been taken for field study. Though the field of study is confined to Chandigarh and to the two districts of Punjab and adjoining areas of Chandigarh, yet it is designed to highlight the main deficiencies and drawbacks in the legal and administrative working, due to which the ideas of 'equality' and 'social justice' has remained a utopia, even after 50 years of independence. The empirical base for the study is a sample of around 400 respondents, out of which 208 are workers, 130 women, 100 children and 100 members of Scheduled Castes, Scheduled Tribes and Other Backward Classes.

After the delimitation of the universe, the next step was the sampling of the aggregate for data collection. The principal tools of data collection employed in this study were decided

1. Ludhiana was chosen as one of the districts as being industrially forward and Patiala as the second being industrially backward district of Punjab.
2. Government Schools of sector 11, 15, 18 and 25 Chandigarh and D.A.V. School, Sector 15, St. Kabir Public School, Shivalik Public School, Chandigarh etc.

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to be the interview schedule-cum-questionnaire. As any reliable data was not available, the 'quota sampling' technique was adopted. The interviewer was to interview minimum 100 respondents, and had considerable freedom in choosing the individual cases.

The respondents in some target groups were sub-divided into categories. The respondent of the target groups relating to women was divided into two categories working and non-working women. Similarly, the target group of children consisted of school going children, employed children or street children.

DATA COLLECTION:

After the sampling process, the next step was to decide the method of data collection. The principal tools of data collection employed in this study were decided to be the interviews schedule-cum-questionnaires. The subject being important, it was decided that instead of mailing structured questionnaires, the researcher herself would meet the respondents and interview them as it would enable her to also use observation

3. Four separate questionnaires were formulated for four different target groups viz. labour class, Scheduled Casts, Scheduled Tribes and other backward classes, women and children as given in Appendices as A-I, A-II, A-III, A-IV respectively.

technique which would help her to have a better grasp of the
difficult aspects of the problem. However, it was decided that
the interviews should not be wholly abstract but explanatory
ones. To maintain similarity and consistency in the interviews,
interviewer decided to have structured interviews. Thus a list
of questions or schedule was prepared for the interviews.
The formulation of the schedules or questionnaires proved to be a
difficult matter. Various stages had to gone through before the
questionnaires were finalised for administration in the field.
Among these the study of relevant and pertinent literature, a
systematic study of the problem, scrutiny of earlier studies
and discussion with knowledgeable persons, were the major
ones. These steps helped the researcher to understand and
perceive the basic issues and various aspects of the problems.
Consequently four separate interview schedules were prepared
for the four categories of the respondents. Schedule-A prepared
for Labour Class was administrated to labourers or workers
working in the industries, factories, workshops and other
establishments. They were questioned on their perception about
the major constraints that have hampered the growth,
development and justice to the worker class. They were also
questioned about their participation in management, their power
to bargain individually, jointly or collectively with the management for their basic needs. To assess their standard of living, some direct or indirect questions relating to basic amenities, number of children, education, wages (whether they conform to the statutory requirement of minimum wages or not) etc. were also asked. For unorganised workers, only a small portion of questionnaire relating to the statutory provision was not relevant. Otherwise, the schedule helped in highlighting their standard of living, income and various needs which they are unable to fulfil due to paucity of resources or ignorance.

Schedule B was administered to Scheduled Castes, Scheduled Tribes and other backward classes. This category included socially as well as economically poor people, chiefly on the basis of caste, but otherwise included poor, illiterate slum dwellers. Apart from focusing on the patterns and extent of poverty, it explored the reason for the failure of the administration to effectively implement the laws on the issue. This schedule drew attention towards the increasing dissatisfaction of this section of society, their poor living standards, unhygienic living conditions, lack of awareness and
education, ill-targeted reservation policy of government, aspects of untouchability, social humiliation etc.

Schedule - C was administered to women, both working and non-working. These two broad categories were made to differentiate between the approach of educated, financially independent women and uneducated dependent women towards women related issues like child marriage, dowry prohibition, choice or independence regarding marriage, employment job and work-place problems, exploitation and harassment, and implementation of all women related laws and effect thereto.

Schedule - D was for children aged mainly between 8 years to 18 years of age. The category was again subdivided into school-going children, unemployed or non-working or non-school-going children, i.e. street children and employed or working children. The effort has been made to keep the number of all these sub-categories of children equal and around the total number of 100. Apart from focusing on the problems of education, health, sanitation, growth and development of children, this schedule also helped to explore the reasons for the poor results of government run school, centres and other welfare schemes. The schedule also investigated the problems of child labour and pledging of child labour, children doing household
jobs and other menial work, non-working street children, their problems, mal-nourishment in children and its causes etc.

While approaching the respondents, the researcher was careful to choose a suitable time, so as to secure free and frank views of the persons chosen. Some of the workers were interviewed in factory premises and some were at their residential areas, so as to assess the standards of facilities provided to them at their work places and their living standards in their living areas. Similarly, other respondents viz. Scheduled Casts, Scheduled Tribes and other backward classes, women were preferably interviewed at their residences to have proper insight and observation into their problems. School going children were interviewed mainly in schools to analyse and scrutinise every thing in detail. The government run schools, private, public or recognised schools were visited by the researcher to assess the atmosphere and infrastructural facilities provided to the students. To ascertain the root cause of poor results of government schools as compared to private/public schools and poor performance of children, teachers, parents and children, all were interviewed separately and individually. Non-school going children who are neither employed i.e. street children were interviewed at random, where ever the researcher
came in contact with such child and tried to analyse the reasons for not attending school or not doing anything worthwhile. Employed children were mainly interviewed at their residential areas as employers were hesitant in disclosing anything regarding employees who were less than 18 years of age.

Therefore, it was ensured that all types of target groups, respondents were interviewed in a free atmosphere so that they could reply the questions without any hesitation and express their views and opinions without any pressure or fear.

Thus, the researcher believes that the information given and the conclusion presented in the study are reliable.

After the collection of the data, the same was studied, processed and scientifically presented with the help of statistical techniques.

**DIFFICULTIES IN DATA COLLECTION:**

During the course of the empirical study relating to various target groups segregated out of society to study the implementation of the concept of social justice, a number of problems were encountered and the researcher found it hard to tide over them. On account of these practical difficulties, the study could not be undertaken on the scale originally planned. Some of these difficulties are listed below:
Author's mobility was restricted mainly to Chandigarh its adjoining areas, nearby districts of Punjab due to limiting family circumstances and increased workload in the department.

Limited financial resources and paucity of time proved quite inhibitive. These factors also compelled the researcher to restrict her universe of study area-wise to Chandigarh and its adjoining areas, and certain areas of Punjab.

Another major problem which the researcher faced was in connection with the interviews of the first category of the respondents. Ignorant and illiterate workers were unable to understand the purpose of the research and were also scared and hesitant to tell anything before their employers. The owners or employers were also suspicious. Some of them did not even allow the researcher to enter the premises and threatened their workers with dire consequences in case they uttered even a single word against them. Some how, with the help of some Government or private officials, researcher visited some of the factories and interviewed workers both in the presence of employer and alone also.
also interviewed at their residential places so as to observe and analyse their multifaceted problems closely and to get true, and real information without any intervention or influence.

- While interviewing the second category of respondents, i.e. Scheduled Castes, Scheduled Tribes and other backward classes, their unhygienic living conditions, very narrow and congested approaching streets open gutters, odour emitting water ditches, filth-dung all around, were the major deterrent factors. The second factor which created problem for the researcher was to make them understand the purpose of questionnaire and to get their response. Majority of them were illiterate, unemployed, ignorant and non-cooperative. Researcher found it quiet difficult and time consuming to convince them to get their opinion. Some of them even demanded some concrete assurance before answering any question that effective steps would be taken towards their problems.

- During administering the Schedule - C to women, being a woman the researcher found few problems. Non working, illiterate ignorant women were shy and were not readily
agree to answer some of the questions, but after establishing confidence and faith with the help of frequent visits, the researcher could get the desired response. Similarly, with working women also, to establish faith and have effective communication was the major difficulty.

- In the fourth category of target group, the school going children (especially targeted 5-10th class students) were enthusiastic to give every kind of answer. Teachers and school authorities were also co-operative after understanding the purpose of research. But in case of employed children it was quite difficult the employer and get the young children interviewed. Therefore, employed children were tried to be interviewed either in the absence of their employer or at their residential places. Some children who were neither school going nor working anywhere due to their exceptionally hard circumstances were also interviewed at different places, where ever they could be located. But to ask them questions, to make them understand properly was quite difficult and laborious because of their poor understanding and casual attitude.

Therefore, it was a quiet demanding, time consuming and difficult task to interview such varied classes of society. In spite
of these difficulties, the researcher has been quite successful in getting important and valuable information for the present hypothesis.

ANALYSIS AND INTERPRETATION OF THE DATA

After the collection of the data, it was studied, processed and analysed. In the forthcoming parts of the chapter, an attempt has been made to present the collected data in a systematic manner. The responses collected from all the four categories of the sample have been analysed separately.

RESPONSES TO SCHEDULE-A:

This section of the chapter consists of the interpretation of the data about the first category of the respondents i.e. labour-class. In all, 208 workers were interviewed personally by the researcher from the different factories, industries of Ludhiana (the biggest industrial town of Punjab), Patiala, Rajpura, Chandigarh and its adjoining areas alongwith Municipal Corporation workers of Ludhiana. Out of total 208 workers surveyed, 136 workers (65%) were interviewed at their workplaces i.e. in the factory premises of M/s Bakemans Industries Ltd, Patiala; Adhunik Packages, Patiala; Hindustan lever, Rajpura; Mukt Pipes, Patiala; R.R.
Electroplaters, Industrial Area, Ludhiana etc. Remaining 72 workers (35%) were interviewed at their houses in labour colonies. M.C. workers colony etc. due to non-cooperative attitude of employers of factory owners especially in Ludhiana. In Ludhiana, the employers, who allowed researcher to interview workers in their factory areas were very reluctant and agreed after imposing many conditions and after a lot of persuasion. It was clearly evident from the attitude of employers and employees, condition of workplaces, their working hours and their living conditions etc. that they are hapless and helpless victims in need of assistance and protection.

Out of the total number of workers surveyed, 57% workers were above the age of 30 years, whereas 43% workers were between the age group of 18-30 years, out of which 91% workers were male and 9% female workers. According to their caste differentiation, 51% were belonged to general category, 21% were Scheduled Castes and the remaining i.e. 28% were from other backward classes. In all, majority of workers (82%) were educated, working only as helpers (23.5%), operators (19%), welders (6%), pacers (5%), malis (4%) and peons, drivers, turners, painters, sweepers (42.5%) etc. i.e. as skilled, semiskilled or other unskilled workers. Majority of them was
mature and experienced enough to understand the meaning and purpose of queries put forth and answered satisfactorily and in detail. [See, Figure. A-I (i)-(ii)]

To provide decent standard of living, just and human conditions of work and maternity relief and to provide proper adequate living wages to workers are the directives to be implemented by the State in the fulfilment of Constitutional objectives of social justice in India.

As Punjab is the most prosperous State of India, the income graph and savings per month per person would certainly give some idea about the people's standard of living and quality of life in Punjab as well as about people in general throughout India. Therefore, questions regarding, facilities, amenities and modern gadgets possessed by the workers in their houses, were asked. Resultantly, after analysis it was found than 66% of the total workers earn less than Rs. 3000 per month, out of which more than 50% earn even less than Rs. 2000 per month. [See, figure A-II (i)]. Only 1% (3 workers) workers earn Rs. 5000 per month or slightly higher, than that where as 33% fall in the bracket of Rs. 3000-5000 earnings per month. Therefore, it is

5. Art. 47.
6. Art. 42.
7. Art. 43.
DATA ANALYSIS OF SCHEDULE-A TAKEN FROM LABOUR CLASS

Figure A-I(i)-EDUCATION AMONG LABOUR CLASS SURVEYED

Educated 82%

Figure A-I(ii)

Graduate 9%
Upto 5th 18%
Upto 8th 22%
Upto 10th 51%

Figure A-II(i) : MONTHLY INCOME (in Rs.)

5001 and above 1%
Upto 1000 1%
4001-5000 26%
3001-4000 7%
2001-3000 32%
1001-2000 30%
quite clear that more than two-third workers, put of the total numbers of workers surveyed earn not more that, Rs. 4000 monthly, only one third of them earn Rs. 4000 or above.

Minimum rates of wages prescribed by the Government of Punjab for unskilled workers as on 1.1.2001 is Rs. 2000.00 per month or Rs. 76.95 per day, and for semiskilled (upper) workers is Rs. 2215.65 per month or Rs. 85.25 per day and skilled (upper) Rs. 2455.65 per month or 94.45 per day. As majority of or workers surveyed i.e. 82% are either skilled or semiskilled it is evident that implementation of the statutory provisions incorporated in Minimum Wages Act, 1948 is only 66% even after more than 50 years of independence which is far from satisfactory.

After analysing and calculating workers earnings and their expenditure per month, conclusion was arrived that 65% workers are unable to save anything out of their monthly incomes. Only 35% of them can save upto the maximum amount of not more than Rs. 2000, out of which too 28% can only save merely around Rs. 1000 that too by exercising restraint on themselves

8. For further details see, Appendix A-V. (Notification of Government of Punjab)
and on their families. They utilise their savings either in repayment of some past debt incurred or in payment of instalments of some thing/gadget purchased on hire-purchase basis. But in all, they do not possess monetary or financial security for the rainy day in any form, due to which they feel insecure and hapless, even after doing hard job the whole day long and for the whole of their lives. [See, figures A-II (ii)-(iii)]

Inspite of the fact that they spend almost all their earnings, most of the workers (around 71%) own bicycle, very few of them (12%) possess scooters, mopeds (3.0%), whereas 14% of workers do not have any vehicle as conveyance. But majority of their households have fans (75%) and black and white televisions (47%). Some households even possess refrigerators (15%), cooler (10%) and heaters (1.5%). But for drinking water, only 54% have their own individual taps in their premises, 27% of workers have to fetch this basic requirement of life from community tap, all others have to get water either from handpump or tube well etc. [See, Figure. A-III (i)] Even after fifty years of independence, the State is unable to provide safe drinking water to majority of its population and these are the statistic of the most prosperous Indian State. Even for basic requirements of life like drinking water, food, shelter etc. people have to
Figure A-II(ii) - MONTHLY SAVINGS

Figure A-II(iii) - EXTENT OF SAVINGS (in Rs.)

Figure A-III(i)-STANDARD OF LIVING (PHYSICAL QUALITY OF LIFE: MODE OF TRANSPORT)
struggle. [See. Figures. A-III (ii)] These infrastructural facilities should be given top priority by the State for the proper upliftment of these poor sections of society.

With regard to education provided by the workers to their children (aged between 5-15 years), specific questions relating to their age, type of school and school fees etc. were asked. It was found that more boys are being sent to schools (85%) than girls (74%) out of which majority (Approx. 52% in case of boys and 67% in case of girls) is going to government schools, despite dissatisfaction regarding the performance of govt. schools, amongst workers. [See, Figures A-IV (i)-(iv)]

To study and analyse the workers employment conditions, [See, Figures A-V (i)-(iv)] whether they are in accordance with Constitutional and statutory provisions or not, questions were asked in detail, which were comprehensively framed keeping in view many labour welfare legislations in mind, such as, Payment of Wages Act, 1936; Payment of Bonus Act, 1965; Payment of Gratuity Act, 1972; Minimum Wages Act, 1948; Workmen's Compensation Act, 1923; Industrial Disputes Act, 1947; Factories Act, 1948; Employees' State Insurance Act, 1948; Equal Remuneration Act, 1976 etc.
Figure A-III(ii)-DRINKING WATER FACILITIES IN LABOUR COLONIES SURVEYED

- Individual Tap: 32%
- Tubewell: 1%
- Hand Pump: 3%
- Community Tap: 64%

Figure A-IV(i)-EDUCATION OF BOYS

- School Going Boys: 85%
- Non School Going Boys: 15%

Figure A-IV(ii): TYPE OF SCHOOL (BOYS)

- Private: 48%
- Government: 52%
Figure A-IV(iii) EDUCATION OF GIRLS

- Non School Going Girls: 26%
- School Going Girls: 74%

Figure A-IV(iv)-TYPE OF SCHOOL (GIRLS)

- Private: 33%
- Government: 67%

EMPLOYMENT CONDITIONS AMONGST WORKERS

Figure A-V(i)-WORKING HOURS

- 8-10 hours: 81%
- More than 12 hours: 2%
- 12 hours: 17%
Figure A-V(ii)-INTERVAL

No
6%

Yes
94%

Figure A-V(iii)- DURATION OF INTERVAL

>30 mins.
10%

<30 mins.
3%

30 mins.
87%

Figure A-V(iv)-DATE OF RECEIVING WAGES

7th
73%

After 10th
7%

Not Fixed
3%

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Regarding working hours of workers, 81% of workers work for 810 hours per day, 17% for 12 hours and 2% even work for more than 12 hours per day. According to the Factories Act, 1948, no adult worker is required or allowed to work in a factory for more than 48 hours per week and in case, a worker works more than 9 hours per day or 48 hours per week, he is entitled to overtime at the rate of twice his ordinary rate of wages. In all, 69% of workers admitted that sometime they do overtime, for which only 62% of them actually received extra payment. With regard to interval or rest during the working hours have been mentioned as at least half an hour. For interval or rest during the working hours the implementation of the Act is calculated around 94%, others 6% workers admitted that they do not enjoy any interval or rest or they refused to answer due to the fear of employer. But the duration of interval as specified i.e. of minimum 30 minutes is followed only in 87% the cases. According to the Payment of Wages Act, 1936 the time of payment of wages to every person employed in any railway factory, industrial or other establishment in which less than 1000 persons are employed has

10. Ibid., Section 59.
11. Ibid., Section 55.
been fixed as before the expiry of the Seventh day and in any other establishment, before the expiry of the tenth day after the last day of the wage period in respect of which the wages are payable. 12

As in most of the factories or the establishment surveyed by the researcher, maximum number of workers were less than 1000 (In Bakeman's Industrial Pvt. Ltd. Patiala - about 500 workers; Adhunik Packages, Patiala - 70 workers; Hindustan lever Rajpura - 424 workers; Mukt Pipes, Patiala - 123 workers; R.R. Electroplates, Ludhiana-15 workers; Jamini Sewing Machines, Ludhiana 500-700 workers; Phetix Ltd. Ludhiana 300-400 workers; Gobind Rubber Ltd, Unit I, Ludhiana-300 workers; Gobind Rubber Ltd. Unit IV, Ludhiana - 600-700 workers; Ralsar Tyre India Ltd., Ludhiana - 500 workers Aggrawal Steel Co. Ltd., Ludhiana - 20-22 workers; Hindustan Tyre, - 400 workers; B.K. Cycle Parts Ind., Ludhiana - 30 workers. Oswal Auto Parts, Ludhiana - 14 workers; Garg Spinning Ludhiana - 200 workers; Deepak Industries Pvt. Ltd., Ludhiana-300 workers; Jindal Cotax Ltd. Ludhiana - 700 workers; Metro Tyre Pvt. Ltd. - 200 workers; Raghav Company. Ludhiana - 100 workers; In Chandigarh, Hotel Mountview - 300 workers;
Obcroi Catering, Sector 19, 35 to 40 workers; Bharat Packaging Industries, Ram Darbar - 7 workers etc. except in Municipal Corporation, Ludhiana. Therefore, relevant data for payment of wages to majority of workers according to legislative provision is the seventh of every month.

Out of the figures available, 73% of the total number of workers receive their wages on seventh of every month, 17% on tenth and 10% even after tenth of every month (as in some cases the date has been fixed even after seventh or tenth of the month) out of which for 3% of workers, no fixed date has been specified by the employer and they even have to wait for months together to get their monthly salary i.e. wage period exceeds beyond one month which is against the provisions of the Payment of Wages Act, 1936.\textsuperscript{13}

Payment of Bonus\textsuperscript{14} or Gratuity\textsuperscript{15}, provisions regarding insurance\textsuperscript{16} and parity of payment between male and female workers\textsuperscript{17} are found to be implemented on an average rate of 72\% to 84\% viz. 72\% employees admitted receiving bonus, 84\%

\begin{itemize}
\item \textsuperscript{13} Ibid., Section 4.
\item \textsuperscript{14} Payment of Bonus Act, 1965, Sections 8, 10-12.
\item \textsuperscript{15} Payment of Gratuity Act, 1972, Sections 4, 7.
\item \textsuperscript{16} Employees' State Insurance Act, 1948, Section 38.
\item \textsuperscript{17} Equal Remuneration Act, 1976, Sections 4, 5.
\end{itemize}
knew and claimed about gratuity; 80% regarding provident fund; 73% regarding Employees' State Insurance and 75% admitted parity in payment of wages between women and men employees.

In cases of medical help, only 57% of the workers take the benefit from government sources such as, ESI dispensaries etc. and only 45% of workers ultimately claim medical reimbursement from their employer. This highlights the lack of awareness amongst workers regarding the facilities available to them under different legislations. Moreover, it can be concluded that in all, 16% to 28% of these labour welfare legislations are not implemented, reasons may be lack of awareness amongst workers or lack of will to implement on the part of employer.

Similarly, with regard to the provisions regarding health under Chapter III and welfare under Chapter V of the Factories Act, like provisions for drinking water, canteens, lighting, creches and rest rooms, first-aid, ventilators, toilets, dustbin, spittoons etc., implementation is very poor. Only 81% of the establishments care to provide for safe drinking water, with regarding to fresh air (ventilators) and lighting only 72% cares, for restrooms and first-aid 63%, canteens 61% and toilets, dustbins and spittoons etc. are provided only in 67% of the establishments. Moreover, only 66% workers claim to have been
given training to run the machines by the employer, others do not possess any training who are working on machines. Machines are also rarely checked unless they stop working. This means that approximately two-third of the total establishments or factories surveyed implement these socio-legal provisions relating to health and safety of workers. Reports regarding accidents are only submitted in 56% of the total cases and only 58% of the accident victims claim compensation. All these figures show then high headedness and callousness of the wealthy employers towards poor workers who spend a big part of their lives in these dark, gloomy congested, unhealthy areas of their workplaces. Even under Act. 42 of the Constitution of India, it has been made obligatory upon the State to make provisions for securing just and humane conditions of work. Therefore, State and Central government should take drastic steps for proper and effective implementation of these Statutory provisions and Constitutional directives, so as to make work place safer and pleasurable for workers. [See, Figures. A-VI (i)-(ii)]

Art. 43-A was added, vide the Constitution (Forty-second Amendment) Act, 1976 which provided for the active participation of workers [See, Figure A-VII (i)] in the
Figure A-VI (i) - REPORTS REGARDING ACCIDENT(S) OCCURRED DURING EMPLOYMENT

Yes 56%
No Report 44%

Figure A-VI(ii) - COMPENSATION CLAIM FOR ACCIDENT(S) OCCURRED DURING EMPLOYMENT

Yes 53%
No 42%

WORKERS' PARTICIPATION IN MANAGEMENT

Figure A-VII(i) - MEMBERS OF MANAGING COMMITTEE

Yes 20%
No 80%
management of undertakings, establishments or other organisations engaged in any industry as an obligation upon the State under Part IV of the Constitution of India. With the incorporation of this provision, it was envisaged that with the active role and participation of workers in industrial managements, they would share and control the power seats with management on equal basis, which would herald a new era of independence, equality and social justice. Their problems would be effectively dealt, more and more needs would be satisfied, so that they could lead a much better, fuller and complete life. 

Inspite of the fact that more than two decades have passed since this Amendment, only 75% workers are active and merely 20% of them are members of managing committee of their factory or industry i.e. effective participation at individual level is merely 20%. Therefore, whenever dispute arises, around 50% of workers (52%) join and collectively bargain with the management or employer, whereas 34% take the help of trade Unions, only 14% go individually to argue or stake their claim. [See, Figure.A-VII (ii)] .

According to large number of employees management/employer never pay heed to workers' voice. They are segregated lot, despite a large number of legislations have been enacted in
Figure A-VII(ii)-COLLECTIVE
BARGAINING BY WORKERS WITH
THE MANAGEMENT

- Individual
  - 15%
- Joint
  - 51%
- Trade Union
  - 34%
favour of them. More over, from the data analysis, it was founded that only 28% workers have ever filed any legal claim or case against the management employer. Others either suffer in silence or curse their destiny. Inspite of all this, majority of them (84%) said that they were 'satisfied' with the present position as they did not have any options or choices, but to earn their livelihood to survive.

RESPONSES TO SCHEDULE B:

This section of the chapter deals with the responses of the second category of the respondents who were administered Schedule B. This Schedule was administered to the lowest segment of the society, out of which 76% were Scheduled Castes or Scheduled Tribes and 24% were very poor and ignoring caste considerations they were interviewed by the researcher just to have some idea about their problems and perspective regarding life.

As Punjab is the State having high proportion of Scheduled Castes in India (Scheduled Tribes are negligible in number), to assess their standard of living and rate of growth or development since independence and to analyse their vows, it was thought appropriate that this segment of society should be interviewed directly and independently.
Out of the total number of persons interviewed, 58% were females and 42% males and in all only 58% were educated. Amongst educated persons, 35% were only primary passed, 35 were qualified upto middle standard, 27% were matriculates or higher secondary passed and 3% were even graduates or post graduates. [See, Figures. B-I (i)-(ii)].

It is clear that out of the total literates amongst this category, most of them (97%) rarely studied beyond matriculation. When asked by the researcher, they showed their inability to afford expenditure on studies even in government run schools, their hard circumstances (when we do not have lunch to eat, cannot make both ends meet, how can we think of sending our children to schools, therefore withdrawn due to compelling circumstances) and even their own illiteracy, ignorance to guide their wards properly.

On the employment scenario, the situation was also quite disma.. [See, Figure. B-II]. Out of the employed ones, majority of them were engaged in petty jobs such as, household work (38%), in shops (7%) or business establishments (2%), industrial work (18%), job as sweeper or peon (20%) or any other small work on daily wages (15%) etc., where there is no security of job or tenure. More than majority (82%) earns only upto Rs.2500/-
Figure B-I(i)-EDUCATION AMONG SCs, STs AND OBCs SURVEYED

- Uneducated 42%
- Educated 58%

Figure B-I(ii)

- Primary 35%
- Middle 35%
- Metric 19%
- Secondary 8%
- Graduation 3%

Figure B-II-MONTHLY INCOME (in Rs.)

- <500 7%
- 501-1500 47%
- 1501-2000 24%
- 2001-3000 4%
- 3001-5000 9%
per month, out of which also 40% of them earn only between Rs.
500-1000.

Due to poor financial conditions, this section of society
live in slums and in poor unhygienic conditions. Even after fifty
years of independence, the State is unable to implement the
Directives Principles mentioned under Part IV of the Constitution
of India concerning the provisions for securing a decent standard
of life, the right to work, to education, to public assistance in case
of employment, sickness, old age and disablement and in cases of
undeserved want etc. Life without all these basic and essential
requirements is meaningless.

Most of their school going children between the age
group of 5-15 years (75%) boys and (83%) girls go to the
government schools. In their households, most of them cook their
food on stove (53%), or chulah (23%), only few of them (28%)
have provision for Liquefied Petroleum Gas (L.P.G.) stoves. Basic
amenities like drinking water is only available to 47% household,
others have to fetch either from the community tap (39%) or from
hand pump or tank or well etc. (11.1%) But most of the
households have black and white television sets (70%) and fans
(75%); and even coolers 33%, refrigerators (22%), heaters (3%)
etc. Majority of them (75%) possesses bicycles, some have
mopeds (8%) and others commute by public transportation such as buses, trams, rickshaws etc. [See, Figure. B-III (i)-(ii)].

To analyse the change in social outlook of higher strata of society towards these downtrodden poor people, specific structured questions were asked, so as to study deeply the problem of untouchability, lack of interaction and commingling in other segments of the society. From the total number of persons interviewed, only 70% admitted open free interaction between the society i.e. they are invited on social, religious or public functions by other sections (upper sections of society having better financial status or of higher caste), where they go and interact with them freely, whereas others (30%) responded that they are neither invited nor go anywhere in higher society, higher in financial position or of better caste as compared to them. According to them, it is neither required nor feasible that both or all the stratas of society should freely interact with each other. Some differences are ingrained and inherent, which are not possible or desirable to be ignored or removed. Otherwise, the evil of untouchability was not found to be practised anywhere by anyone and everyone said that it is not prevalent now in our society. [See, Figure. B-IV].
Figure B-III(i)-STANDARD OF LIVING (PHYSICAL QUALITY OF LIFE: DRINKING WATER FACILITIES)

- Hand Pump/Tubewell: 13%
- Individual Tap: 47%
- Community Tap: 40%

Figure B-III(ii)-STANDARD OF LIVING (PHYSICAL QUALITY OF LIFE: MODE OF TRANSPORT)

- Bicycle: 85%
- Moped: 8%
- Public Transport: 7%

Figure B-IV-EXTENT OF INTERACTION BETWEEN SCs, STs AND OBCs AND OTHERS IN THE SOCIETY

- No: 30%
- Yes: 70%
For the upliftment and welfare of these downtrodden and poor people, reservation policy was introduced by the Constitution makers after independence. The purpose of this policy was to help the poor people who for centuries together were languishing due to the caste system, by providing them with all basic facilities and requirements for the initial years, unless and until, they are ready to compete with others who are well placed and financially well-off segments of society. This policy of protective or positive discrimination, helped the deserving segment of society by providing them equality of consideration, opportunity or treatment, by fixing seats or quotas in admission to schools or colleges, in employment, and even in elections. All these steps were taken through Constitutional provisions or by enacting statues, for the betterment of these poor sections of society and for a free, harmonious and balanced society based on justice and equality.

During interviews, specific questions regarding the government’s reservation policy were asked to all the respondents to assess their awareness and benefits achieved due to this policy. To the sheer surprise of the researcher, only 58% of the respondents were having some knowledge regarding reservation policy, out of which 97% were aware of reservation only in
education, 76% were having some idea of reservation policy of government in public employment and only 46%-65% regarding, reservation of seats in elections of Panchayats, municipalities, Central and State legislatures etc. [See, figures. B-V (i)-(iv)]

All these persons who were interviewed belonged to the lowest strata of society and deserved the benefit of these welfare policies of the government. But if they are not even aware of, how can they draw any benefit of such policies or schemes of government. Therefore, firstly awareness has to be generated amongst this vulnerable lot of society. They have to be educated, only then we can think of any policy or welfare scheme percolating the lowest strata of society. From the data analysis, this was also concluded that only 32% of the total respondents have availed of the benefits of the reservation policy. Regarding getting actual help scholarships in form of money, books, uniform or eatables etc., only few answered affirmatively, others were not even aware of any such kind of efforts made the government. [See, Figure. B-VI (i)-(ii)].

In the slum areas and the colonies, where researcher interviewed these respondents, in and around their dwelling units, situation was pathetic. There was stagnant water in the open ditches, filth and garbage heaps all around, dark, small kutcha
Figure B-V(i)-AWARENESS REGARDING RESERVATION POLICY AMONG SCs, STs AND OBCs SURVEYED

Figure B-V(ii)-AWARENESS REGARDING EDUCATION

Figure B-V(iii)-AWARENESS REGARDING PUBLIC EMPLOYMENT
houses, naked children roaming without slippers or shoes, stinking smell, all this shook the conscience of the researcher. When she asked categorically about any governmental or non-governmental agency working on any project like health and sanitation improvement, literacy, family-planning, employment or environment protection etc., only few people (14%) replied affirmatively in favour of government and other non-governmental organisation, that something has been done by these agencies in the field of health and sanitation, literacy development and environment protection. Some governmental plans mainly in the area of employment generation were there with in the knowledge of few persons.

The response to the last item on this Schedule asking for information about or suggestion on the issue of their upliftment generally came in form of suggestions. All the respondents mentioned that the present administrative and legal set up, judicial involvement and activities of non-governmental organisations and persons had failed to achieve any remarkable success in the upliftment of this section of society. The reservation policy could not achieve much even after more than fifty years of independence. Illiteracy and ignorance of poor people, wrong policies and administrative loopholes, inefficiency and
malpractices and manifold increase in population, are the main reasons which hampered concrete, visible development and upliftment of their strata of society.

Only 22% of the respondents interviewed admitted that they felt at par with other sections of society and they considered themselves in the national main stream, others (78%) are not concerned with anything else as they are unable even to make their both ends meet. For them, no policy, no plan is there, they are at standstill. Since their childhood there is no improvement in their lives as earlier their parents used to struggle for basic requirements of life, now they are jostling to survive. For all their plight, majority of them cursed their own illiteracy (69.1%), ignorance (47%) and lack of avenues thereof (74%). Inadequacy of hard work, lethargy, ineffectiveness and fatalistic attitude towards life were also admitted as the reasons for their persistent backwardness by the 45% of the respondents. Others (31%) pleaded their lack of capacity or potential due to inadequacy of resources from the very beginning i.e. since childhood. According to them, they are from deprived class of society and can never compete with others, who are well placed and due to this inherent discrimination, there cannot be any competition with unequals.

[See, Figures-B VII (i)-(vi)]
Figure B-VII(i) - NATIONAL MAIN STREAM

Yes 22%
No 78%

Figure B-VII(ii) - ILLITERACY

No 31%
Yes 69%

Figure B-VII(iii) - IGNORANCE

No 53%
Yes 47%

REASONS FOR NON-SATISFACTION
RESPONSES TO SCHEDULE C:

This Schedule C was administered to women from all stratas of society, both educated and uneducated to analyse the status and condition of women in Indian society.

Out of the total 130 women interviewed, 73% women were young and less than 30 years of age. Most of them (69%) were from general category, only 26% belonged to Scheduled Castes or Scheduled Tribes and 5% were from other backward classes. Moreover, researcher interviewed mostly married (90%) or widowed (6%) women, so as to analyse and scrutinise their problems with their in-laws regarding dowry etc. to assess the implementation of the Dowry Prohibition Act 1961. Similarly, to ascertain the effects of financial independence of working (employed) women on their socio-economic status, majority of women interviewed were employed at various places ranging from petty household jobs (8%), helpers or assistants in industries (26%), teachers and other job holders (22%) including daily wagers etc. (24%).

In all 52% women interviewed were literate, out of which 76% women either primary, middle passed or were only matriculates only 24% were either graduates or post graduates.
But their income graph showed a gloomy picture, 87% women workers were below the income group of Rs. 2000 per month, whereas only 13% employed women earn Rs. 4000 or above. [See, Figure C-II]

Due to their poor financial position, their standard of living was also quite low. Most of the women were to cook food on kerosene stoves (52%), only 26% were having L.P.G. (Liquefied Petroleum Gas) stoves, others (22%) have to use chulai or firewood etc. to cook food. Therefore despite the fact, that majority of the women surveyed were from general category, literate and working, they were unable to afford very basic facilities for a modern civilised life, even after more than 50 years of Indian independence.

According to analysis, in our male chauvinistic society, most of the male members (78%) took all the important decisions regarding family matters, inspite of the fact that women were also literate and financially independent. Majority of the financial or money matters were also (78%) decided by the male members.

To analyse the financial independence of both working and non-working women, different set of questions were framed. Out of the total number of women interviewed, only 74% of
DATA ANALYSIS OF SCHEDULE-C TAKEN FROM WOMEN

Figure. C-I(i)-EDUCATION AMONGST WOMEN SURVEYED

Figure. C-I(ii)

M.A. & ors.

Upto 5th

47%

Figure. C-II-MONTHLY INCOME (in Rs.)

<2000

13%

1001-2000

87%
women used to receive money for their personal needs i.e. they have full freedom for their own personal expenses, whereas others replied that they had to plead and justify their requirements to get money from their husbands or fathers. No one was getting any fixed amount to meet their personal basic requirements except one. After analysis, it was found that the employed women (75%) enjoyed better freedom than their unemployed counterparts. In all 81%, women spent as much as they want on themselves or on their families etc. without any interference. But 62% women admitted that they gave their salaries to their husbands or fathers, out of which only 37% women part with their salaries voluntarily. Therefore, it can be concluded that employed women do have better financial independence despite some interference or restrictions over them by their husbands or fathers. But given a choice and barring their first priority of family and kids not all are interested in parting with their earnings wilfully. [See, Figure C-III].

Second set of questions were related to marriage, legal age for a valid marriage and knowledge about legislative provisions, dowry related problems, maltreatment and thrashing, [See, Figures C-IV (i)-(ii)] bearing of children etc. [See, Figures C-V (i)-(iii)], and therefore were asked mainly to married women. 754
Figure. C-III: FINANCIAL INDEPENDENCE OF WOMEN SURVEYED

Figure. C-IV(i): DOWRY DEMAND

Figure. C-IV(ii): TORTURE AND THRASHING
Figure. C-V(i)-REST AFTER CHILD BIRTH

Figure. C-V(ii)-SUFFICIENT FOOD AFTER CHILD BIRTH

Figure. C-V(iii)-LEAVE AFTER CHILD BIRTH
In all, it was found that awareness regarding minimum age of marriage (for girl -18 years, for boy 21 years) was around 71%-79%. Others were ignorant about this factor and gave incorrect reply with regard to the correct age as stipulated by law. Most of the marriages (58-70%) were found to be in compliance with these legal provisions regarding age of marriage. But in majority of the cases (54%), no consent or wish of women was ever asked by her parents or guardians.

With regard to the dowry related problems, specific questions were asked in structured and unstructured form. In response to these questions, 69% of women responded that demand for dowry had increased with the increase in materialism and ostentatious living in the society. Now, everyone is interested in extravaganza and therefore, spend lavishly on marriages and functions etc. even if it is beyond his/her means. But direct demand (8%) or discussions (33%) regarding dowry is not in vogue after the recent Amendments of 1986 in the Dowry Prohibition Act, 1961. Simultaneously, attitudinal changes are not visible according to the opinion of 31% women interviewed. This proves that psychic of Indian society is changing, but very slowly, which might also be counter affected by the lust and

impact of consumerism and materialism of the present decade.

Harassment for bringing insufficient dowry was denied being suffered by the majority of women (69%) surveyed. But otherwise beating for other matrimonial feuds was found to be very common as 74% of the total married women surveyed admitted having been thrashed by their husbands for some time or the other, under the influence of liquor (8%) or for any other mutual disagreement etc. In reaction to this matrimonial torture, approximately 75% women suffered in silence. Only 2-5% women went for help to their parents or friends. From these factual statistics, the conclusion is amply clear that in Indian women old sanskaras and beliefs are so strongly ingrained that they have to trace a long path to attain self-confidence and self-reliance to carve a niche for herself. Only financial independence is not enough, unless these women are not capable to stand firm and confident.

The last segment of questionnaire was administered to the married and employed women. Most of the married couples (63%) replied that they took joint decisions not to have more children. Around 46% women received 31-40 days or more rest after child-birth, whereas others either do not took rest or took rest only for few days ranging form 10-30 days. Due to poor
financial conditions of majority of the households, only 70% of women could receive sufficient food, milk and medicines after childbirth. In Maternity Benefits Act, 1961,\textsuperscript{19} there is the provision for prohibition on employment of or work by women in any establishment for the six weeks immediately following day of her delivery or miscarriage etc. Out of the total number of women interviewed, only 23% could get leave after childbirth for days ranging between 4 weeks to 12 weeks.

The unstructured questions relating reservation policy for women were responded well in form of suggestions. Most of the women interviewed (72%) were not conversant with the idea of reservation for women. When described by the researcher the possible or probable options to them, 91% agreed that there should be reservation for women in public employment, as according to them financial independence is essential for women; 41% desired reservation in admission to schools, colleges or universities so that more and more girls would be educated; whereas 37% demanded reservation in seats to fight various elections to have political independence. Similarly many women (22%) also demanded a separate quota of seats available for

\textsuperscript{19} The Maternity Benefit Act, 1961, Section 4.
women in trains, buses trams etc. [See, Figures C-VI (i)-(v)].

Work place exploitation and harassment has been held to be violative of the very basic Fundamental Right to life under Art. 21 of the Constitution of India. To analyse, the extent of work place harassment and exploitation, women were asked questions regarding atmosphere of work place, nature and character of their employer. 35% women workers admitted exploitation or harassment of varied degree and extent at different times, which they suffered silently without disclosing or reporting anyone (except one who reported to higher authorities, but nobody took any action against the erring official). [See, Figure C-VII]

But according to the majority of women surveyed female exposure on television magazines through various advertisements or programmes and even holding beauty contests is not in anyway perpetrating any wrong against women, so they should not be banned (42%) and must continue (58%).

RESPONSES TO SCHEDULE D:

In this section, an attempt has been made to illustrate and explain the actual conditions of children in India. To analyse the lives of children of every strata of society, this Schedule D was administered to school going children, employed children as
Figure. C-VI(i)-AWARENESS REGARDING RESERVATION POLICY

Figure. C-VI(ii)-SUGGESTIONS REGARDING RESERVATION (PUBLIC EMPLOYMENT)

Figure. C-VI(iii)-SUGGESTIONS REGARDING RESERVATION (ADMINISTRATION)
Figure C-VI(iv)-SUGGESTIONS REGARDING RESERVATION (ELECTIONS)

Yes 37%
No 63%

Figure C-VI(v)-SUGGESTIONS REGARDING RESERVATION (SPECIAL QUOTA FOR WOMEN)

Yes 23%
No 77%

Figure C-VII - WORKPLACE HARASSMENT

Yes 35%
No 65%
well as those children who are poor, unemployed and do not even go to school. In all 45% school going children (from government as well as public or private schools); 25% employed children (employed in various places viz. industries, small shops, business establishments etc.) and 30% street children (non-working and non-school going) were interviewed in detail to study their lives closely.

As children are future of every nation. It has been said that in the fate and lives of today's children lies nation's future. They are the foundation of our country. Country can only prosper if its children are well educated, bright and hard-working.

Majority of the children interviewed were between the age group of 13-18 years (63%), so that they could understand the questionnaire, its purpose and implications. 37% of the children were interviewed between the age group of 8-12 years of age to analyse their mental and health conditions. In all 76% boys and 24% girls were interviewed, out of which 33% belonged to general category, 38% were from Scheduled Castes or Scheduled Tribes and 29% were from other backward classes.

According to Indian Council of Medical Research Recommended Dietary Allowance (RDA), which is the correct level of all essential nutrients a child needs to fulfil on daily basis.
includes milk or milk products (2-3 servings); eggs, dry fruits, 
nuts or poultry (2-3 servings); fruits (2-4 servings); bread, roti, 
cereal, rice and pulses (6-11 servings) and fats, oils and sugar 
(small quantity).

In Indian food, our daily intake of an average man 
consists of rice or chapatis, vegetables, pulses, milk or milk 
products, eggs or meat, fruits etc. Pulses are the main sources of 
proteins in our daily diet. In vegetarian diet, this is the main 
source of proteins which are body building nutrients required for 
proper growth. Milk and milk products such as curd, cheese etc. 
and fruits are rich sources of vitamins, calcium, iron and 
phosphorus which help in keeping us healthy, energetic and 
disease free. Therefore, an ideal balanced diet containing all 
essential nutrients is must for healthy human body and mind.

From the data available, it is clear that in all, only 77% 
children have their three times meals regularly, others (19%) 
either have twice or even once (4%). Only 37% children take 
milk or milk products and that too not regularly/daily as a part of 
their daily food intake. [See, Figures. D-I(i)-(iii)]

Similarly pulses (93%), vegetables (89%) and chapatis 
(97%) or rice (83%) are included in their meals one time per day.
DATA ANALYSIS OF SCHEDULE-D DISTRIBUTED AMONGST CHILDREN

Figure D-I(i)-BALANCED DIET

Yes 77%

No 23%

Figure D-I(ii)-MILK INTAKE

Yes 37%

No 63%

Figure D-I(iii)-FRUITS INTAKE

No 52%

Yes 48%
Fruits are not available to majority of the children (52%) and most of the children do not take non-vegetarian diet (70%).

Due to improper diet habits and mal-nourishment, many children were found to be anaemic (13%) or suffering from skin (2%) or eyes (4%) diseases. Compulsory vaccinations were only found to have been administered to 25% of the total children. [See, Figures D-II (i)-(ii)].

One segment of this Scheduled D was administered to the school going children of different classes, such as 44% students (9th & 10th); 26% (6th & 8th); 30% (5th) and majority of them (89%) were from different Government schools and wanted to continue with their studies (98%). Most of the students (58%) said that they used to study after school also and had some aspirations and goals in their lives (91%). Only few students (13%) were employed somewhere after school hours, either in factories (84%) shops (8%) or in household works (8%). They admitted that they have to do work after school hours due to their poverty and bad circumstances and majority of them were doing on their own, not under any force or compulsion of anyone. But when they were asked about their work, working conditions and earning, the situation seemed to be too grim. [See, Figure D-III (i)]. Majority of them (76%) acknowledged that their working
Figure D-II(i)-DISEASES

- Eyes: 21%
- Skin: 11%
- Anaemia: 68%

Figure D-II(ii)-VACCINATIONS

- Yes: 25%
- No: 75%

Figure D-III(i)-WORKING CONDITIONS

- Unsafe: 24%
- Safe: 76%
conditions are satisfactory and safe, but some (24%) complained of poor working conditions and unkind attitude of employer towards them. More than 92% children work for more than 4-8 hours or even more than that per day, only 8% children work for less than 4 hours per day. Majority of employers are strict towards children and even deduct wages (76%) for their absence from duty for wrong doing. [See, Figures D-III (ii)-(iii)].

Even after doing hard work the whole day long, majority of the children (84%) could not get more than Rs.1500. Many children (64%) even shared their apprehensions regarding dangers in their work, but they were unable to leave these odd jobs due to their compulsions and necessities. Society and government should do something to ameliorate the conditions of our children, so as their childhood is not ruined in these petty jobs. They should be helped to grow in healthy atmosphere by providing them proper nourishment and education.

The last segment of this Schedule which was administered to street children, who had never been to school (80%) or had left (20%); due to their compelling circumstances (50%) or due to their own disinterestedness to continue with the studies (50%). [See, Figure. D-IV]. These children, they roam about here and there the whole day long without doing anything or just helping
their parents in their works. Their mental and physical growth according to their age is quite low due to mal-nutrition, poverty, improper management and training. Government should do something to help and educate these children by chalking out some policy especially targeting this vulnerable group of society. Even under Arts. 39(f) and 44 of the Constitution of India, there are provisions specifically directing the State to provide for opportunities and facilities for children for their healthy development free of exploitation, and moral and material abandonment and for free and compulsory education for all children until they complete the age of fourteen years.