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REVIEWER'S REPORT

Manuscript No.: IJAR-56753

Title: Challenges of Contractual Labour,

Recommendation:

- Accept as it is
- Accept after minor revision.....
- Accept after major revision
- Do not accept (*Reasons below*)

Rating	Excel.	Good	Fair	Poor
Originality		-		
Techn. Quality		-		
Clarity		-		
Significance		-		

Reviewer Name: Dr Abdul Haseeb Mir

Detailed Reviewer's Report

The article *“Challenges of Contractual Labour”* provides a grounded and empirically informed account of the structural and lived realities of contract labour in India, particularly through a case study of workers at the Tata Institute of Social Sciences (TISS), Mumbai. Drawing from the text, the challenges of contractual labour can be understood as multidimensional, encompassing economic insecurity, legal lacunae, administrative failures, and socio-psychological vulnerabilities.

A fundamental challenge is the issue of **wage inequality and economic precarity**. Contractual workers are often engaged in work that is identical, or even more demanding, than that of permanent employees, yet they receive significantly lower wages. This disparity creates a dual labour market within the same institution, reinforcing structural inequality. The article highlights that despite long years of service, workers experience negligible wage growth, making it difficult to sustain livelihoods, especially in urban settings where the cost of living is high. This condition reflects what scholars like Jan Breman and Guy Standing have described as the rise of a “precariat” class—workers who remain perpetually insecure despite being employed.

Closely linked to this is the **absence of job security and uncertain future prospects**. Contractual labour operates on fixed-term arrangements without any guaranteed pathway to permanent employment. Workers may serve for decades without regularization, as illustrated in the case

REVIEWER'S REPORT

study. This creates a persistent state of anxiety, often described in labour studies as “permanent temporariness.” The principle of “last hired, first fired” exacerbates this insecurity, making workers vulnerable to arbitrary dismissal . Such insecurity undermines not only economic stability but also the dignity of labour.

Another major challenge is the **lack of social security and welfare benefits**. Although Indian labour laws—such as the Contract Labour (Regulation and Abolition) Act, 1970—mandate provisions like minimum wages, health facilities, and provident funds, their implementation remains weak. The article provides compelling evidence of workers being deprived of provident fund benefits, medical facilities, and other social security measures. In some cases, even previously accumulated benefits are lost due to changes in contracting agencies. This indicates a systemic failure in regulatory enforcement and institutional accountability .

The **exploitative working conditions** faced by contractual labour further deepen their marginalization. Workers are subjected to long working hours, heavy workloads, and inadequate rest periods. The case study shows attendants working nine-hour shifts with minimal breaks while handling physically demanding tasks. Moreover, the absence of overtime pay despite additional work is a clear violation of labour norms. Such conditions not only exploit labour but also raise concerns regarding occupational health and safety.

A related issue is the **lack of basic amenities and humane working conditions**. Contractual workers often do not have access to essential facilities such as restrooms, changing rooms, or rest areas. The denial of such basic amenities reflects a broader neglect of worker dignity and welfare. From a human rights perspective, this violates the principle of decent work as advocated by the International Labour Organization (ILO), which emphasizes safe, dignified, and equitable working conditions.

The article also underscores the **institutional failure in implementing labour laws**, which remains one of the most critical challenges. Despite a comprehensive legal framework in India, enforcement mechanisms are weak, allowing employers and contractors to circumvent regulations. Scholars such as D.S. Saini and Rizvi have argued that labour laws in India often exist more in theory than in practice, a claim that is strongly corroborated by the findings of this study . This gap between law and practice results in systemic exploitation and undermines the credibility of labour governance.

REVIEWER'S REPORT

Another important dimension is the **fear and power asymmetry between workers and employers**. Contractual workers often refrain from voicing grievances due to fear of termination. This creates a culture of silence and compliance, where workers endure exploitation rather than risk losing their livelihood. The triangular employment relationship—where the worker is employed by a contractor but works for a principal employer—further complicates accountability and weakens the bargaining power of workers.

The challenge of **absence of collective representation and weak unionization** also emerges implicitly from the analysis. Contractual workers are less likely to be unionized compared to permanent employees, which limits their ability to negotiate better wages and working conditions. This fragmentation of the workforce weakens collective bargaining mechanisms and allows exploitative practices to persist unchecked.

Additionally, the **impact of neoliberal economic reforms**—particularly liberalization, privatization, and globalization (LPG)—forms a broader structural context for the rise of contractual labour. While these reforms have generated employment opportunities, they have also led to labour flexibilization, prioritizing cost efficiency over worker welfare. As the article notes, contractual labour became attractive to employers as a cost-cutting mechanism, but this came at the expense of labour rights and protections. This reflects a broader shift in labour regimes globally, where flexibility often translates into insecurity for workers.

The **gendered dimension of contractual labour** is another critical, though less explicitly developed, aspect. The case study focuses on female attendants, highlighting how women in contractual roles face compounded vulnerabilities due to both economic and social factors. Their responsibilities at home, coupled with low wages and lack of benefits, intensify their marginalization. Feminist scholars have long argued that informal and contractual labour disproportionately affects women, reinforcing gender inequalities in the labour market.

Finally, the article points to the **moral contradiction within institutions**, particularly in the case of TISS, which is known for its commitment to social justice. The persistence of exploitative labour practices within such institutions raises questions about the gap between institutional values and operational realities. This critique has broader implications, suggesting that the issue of contractual labour is not confined to private industry but extends to public and academic institutions as well.

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REVIEWER'S REPORT

In conclusion, the challenges of contractual labour are deeply embedded in structural, legal, and institutional frameworks. They include wage inequality, job insecurity, lack of social protection, exploitative working conditions, weak enforcement of labour laws, and power imbalances. The article effectively demonstrates that while contractual labour may contribute to economic efficiency, it often does so at the cost of worker dignity and rights. Addressing these challenges requires not only stronger legal enforcement but also a reorientation of institutional priorities towards inclusive and equitable labour practices.