

Demarcating the Status of Worker's Rights Deviation in MSME Sector in Post Pandemic Period: A Study of North 24 Parganas District of West Bengal

Dr. Uttiya Basu¹, Maumita Kundu²

¹Assistant Professor, Department of Commerce, School of Business, Adamas University, West Bengal

²Assistant Professor, Department of Commerce, Malda College, West Bengal

Abstract

MSME plays a significant role in the economy of India. Employment generation, upliftment the industrialization process in backward areas & equitable distribution of national income are the point of significance of MSME units. In India, West Bengal has a big contribution in the country's industrialization process. North 24 Parganas district has the fourth highest registered MSME in West Bengal. In COVID 19 period MSME sector suffered most due to complete lockdown. Workers are not getting their daily payments & other statutory benefits. Workers' rights are not maintained properly. This paper explores the status of workers' rights protection in North 24 Parganas of West Bengal, India in post COVID 19 situations. An attempt has been made to identify the important factors which are responsible for any deviation of workers' rights. This research paper will also help for any further extensive study regarding workers' right protection on MSME units in West Bengal.

Keywords: COVID 19, Employment, Lockdown, MSME, Worker's rights.

1. INTRODUCTION

Micro, Small and Medium Enterprises (MSMEs) are one of the most important sectors in India in terms of employment generation, using of local resources, product exportability & low capital requirement. It also plays a big part in industrialization process of backward areas of the country. With its equal importance with large industries, the MSME units become an important pillar for achieving the national objective of economic growth & equitable distribution of national income in backward areas.

Recently, the MSME Act 2006 (MSME Notification number 1532, New Delhi, 1st June, 2020, Government of India) modifies the definition of MSME in India. Under the said Act, the total MSME sector is characterized into two parts, manufacturing and service. The units are identified based on their investment made by the owners as shown in Table 1.

Table 1: Composite Criteria for MSME in India: Investment in Plant & Machinery/equipment and Annual Turnover

Classifications	Micro	Small	Medium
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Manufacturing Enterprises and Enterprises rendering Services	Investment in Plant and Machinery or Equipment: Not more than Rs. 2.5 crore and Annual Turnover not more than Rs. 10 crores	Investment in Plant and Machinery or Equipment: Not more than Rs. 25 crore and Annual Turnover not more than Rs. 100 crores	Investment in Plant and Machinery or Equipment: Not more than Rs. 125 crore and Annual Turnover not more than Rs. 500 crores
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Source: Ministry of Micro, Small & Medium Enterprises <https://msme.gov.in/>

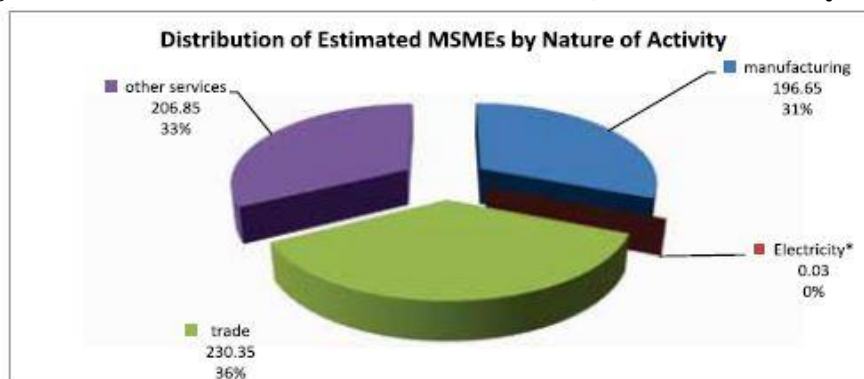
In India, we have around 6.3 crore MSMEs. The number of registered MSMEs increased to 18.5 percent year over year. It has reached to 25.13 lakh (2.5 million) units in 2020 from 21.21 lakh (2.1 million) units in 2019. The MSME sector contributes about 29 percent of the GDP in the country by contributing in its national and international trade. In Figure 1 & Figure 2 we can see the distribution of different categories (Manufacturing, Electricity, Trade & other services) of MSME along with their numbers & percentages of overall share in the country.

Figure 1: Estimated Number of MSMEs (Activity Wise)

Activity Category	Estimated Number of Enterprises (in lakh)			Share (%)
	Rural	Urban	Total	
(1)	(2)	(3)	(4)	(5)
Manufacturing	114.14	82.50	196.65	31
Electricity*	0.03	0.01	0.03	0
Trade	108.71	121.64	230.35	36
Other Services	102.00	104.85	206.85	33
All	324.88	309.00	633.88	100

Source: Annual Report, 2022-23, Ministry of Micro, Small and Medium Enterprises, Government of India

Figure 2: Distributions of Estimated MSMEs (Nature of Activity Wise)



Source: Annual Report, 2022-23, Ministry of Micro, Small and Medium Enterprises, Government of India

MSME sector has developed not only in rural or backward areas of the country; huge number MSME units are there in the urban area also. So, employment generation & dependent families on MSME are

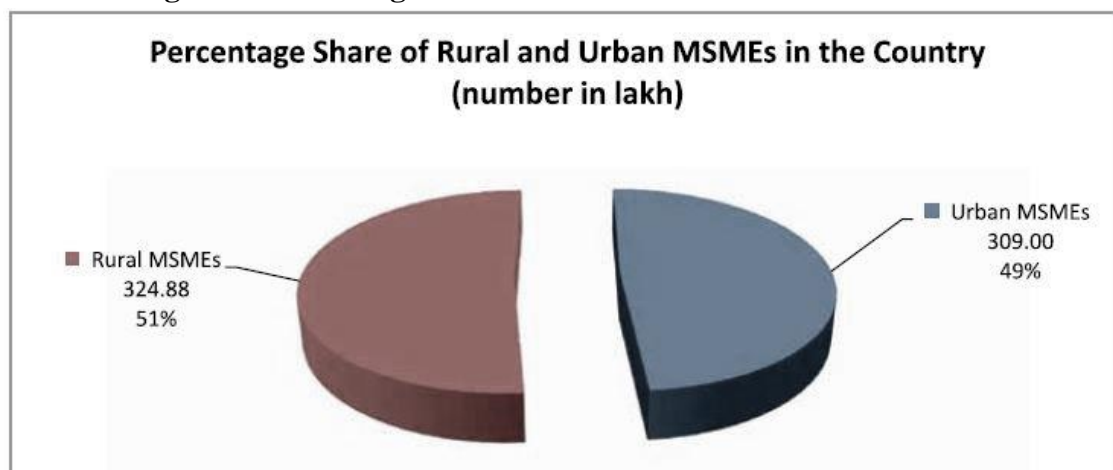
almost in same percentage in the country according to Figure 3 & Figure 4.

Figure 3: Distribution of MSME Enterprises in India (Rural and Urban area wise)

(Numbers in lakh)					
Sector	Micro	Small	Medium	Total	Share (%)
(1)	(2)	(3)	(4)	(5)	(6)
Rural	324.09	0.78	0.01	324.88	51
Urban	306.43	2.53	0.04	309.00	49
All	630.52	3.31	0.05	633.88	100

Source: Annual Report, 2022-23, Ministry of Micro, Small and Medium Enterprises, Government of India

Figure 4: Percentage share of rural and urban MSMEs in India



Source: Annual Report, 2022-23, Ministry of Micro, Small and Medium Enterprises, Government of India

MSME units are contributing in a large percentage in the Gross value Added (GVA) which has a significant part in the all-India GDP. As per the data available with Central Statistical Office (CSO), in Table 2 we can see the significant contribution of MSME sector in country's GVA & GDP.

Table 2: Share of Gross Value Added (GVA) of MSME in all India GDP

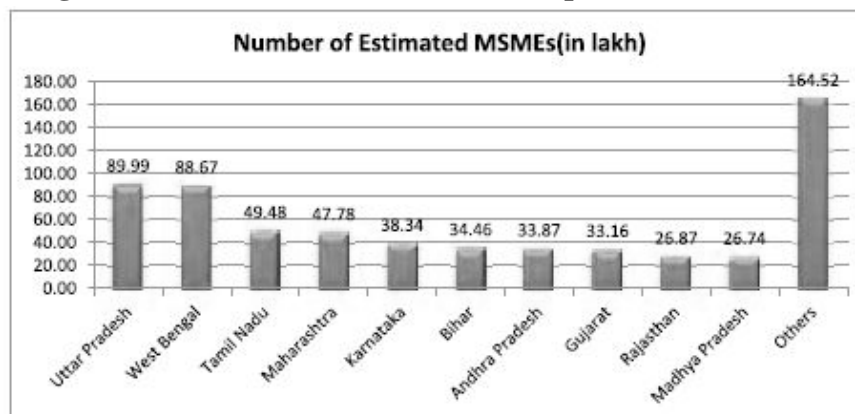
Figures in Rs. Crores Adjusted for FISIM in all India GDP						
Year	Total MSME GVA	Growth (%)	Total GVA	Share of MSME in GVA (in %)	All India GDP	Share of MSME in all India GDP (in %)
2018-19	3658196	-	11504279	31.80	12467959	29.34
2019-20	4059660	10.97	12574499	32.28	13771874	29.48
2020-21	4502129	10.90	13965200	32.24	15391669	29.25
2021-22	5086493	12.98	15513122	32.79	17098304	29.75
2022-23	5741765	12.88	17139962	33.50	18971237	30.27

Source: Central Statistics Office (CSO), Ministry of Statistics and Programme Implementation

The lockdown due to COVID 19 affected these firms of MSME sector in both demand & supply. Gems and jewelery, garments and apparel and even sea food products are mainly supplied by the MSME units are the top export commodities from India. But the sudden lockdown broke the entire supply chain system in the country. Though the vaccination process has started successfully in most of the states, but still if the situation goes worse again, many small scale MSME units will ceased to exist as it would be difficult for them to maintain the labour & machineries.

West Bengal holds the second position in the list of number of estimated MSME (88.67 lakhs) as well as in percentage (14 percent) of share in the number of MSME units in the country (Annual Report 2020-21, Ministry of MSME). From Figure 5 we can see the scenario of top ten states in India with number of estimated MSMEs.

Figure 5: Distribution of MSMEs in Top Ten States of India



Source: Annual Report 2022-23, Ministry of Micro, Small and Medium Enterprises

But from April, 2020 with COVID 19 situation in every corner of the world, India suffered most in her MSME sector. The sudden Government announcement of complete state lockdown forced MSME owners to halt their production due to shortage of manpower, almost zero supply of raw materials & lack of operating cash for daily expenses. Not only have that, the MSME owner faced an uphill task in case of loan payments, wage & salary disbursements & also regarding other statutory payments (Provident Fund, Bonus, Gratuity, Incentives & Overtime payments etc.) to workers. As a result, lay off without prior intimation to workers was an obvious scenario in the MSME units. In West Bengal, North 24 Parganas have the second largest MSME units (After Kolkata) & third largest number of registered employment (Directorate of MSME, Government of West Bengal). So, the COVID 19 situation on MSME sector played a massive role on the workers in North 24 Parganas also. Factors like job & payment security, regular disbursement of wages & salaries, statutory payments & benefits were hampered along with the maintenance of health & safety conditions, maternity benefits to the female workers & other statutory worker's rights had negative impacts.

MSME IN NORTH 24 PARGANAS, WEST BENGAL

West Bengal is the sixth largest state in India in terms of economic size. The Gross State Domestic Product (GSDP) of West Bengal is expected to reach Rupees 14.44 trillion (US\$ 206.64 billion) in 2020-21. The Average annual GSDP growth rate is about 12.62 percent between financial year 2015-16 and financial year 2020-21. West Bengal has the potential to become the principal state in upcoming future in terms of MSME productivity & employment generation in the country. Presently West Bengal is in second position

in India in respect of numbers of MSMEs (Annual Report of MSME, Government of India). With its synergistic approach, Government of West Bengal accelerates a better and more encouraging business environment for MSME sector to make the state develops as the MSME leader in the country in the years to come. West Bengal Small Industries Development Corporation (WBSIDC) was formed in 1961 along with different other statutory bodies by West Bengal State Government to provide support to the MSME sector. Infrastructural development, financial aids & subsidies, marketing facilities of products, ease of registration process, creation of industrial estates & parks etc. are the different facilities that are offered by these statutory bodies. Out of 23 Districts in the state, North 24 Parganas has the highest population as well second largest number of registered MSME units in the state. Industries like Printing, Book Binding, Cement Manufacturing, Oil Seed Milling, and General Electrical Works are the main clusters of MSME units in North 24 Parganas.

North 24 Parganas is the fourth in the list in number of MSME in West Bengal (Registered under Udyog Aadhaar Memorandum) just after Bardhaman, South 24 Parganas and Kolkata. In Figure 6 we can see that North 24 Parganas contributing almost 11 percent of number of total numbers of MSME units in West Bengal. Out of 18216 registered units, it has 15788 units under Micro sector which is almost 87 percent.

Figure 6: Number of MSMEs in West Bengal (Registered under Udyog Aadhaar Memorandum)

Sl	District	Total	Micro	Small	Medium
1	ALIPURDUAR	6860	6737	112	11
2	BANKURA	3584	3320	256	8
3	BARDHAMAN	26321	25096	1172	53
4	BIRBHUM	14028	13791	225	12
5	COOCHBEHAR	5196	5060	132	4
6	DAKSHIN DINAJPUR	5326	5215	105	6
7	DARJEELING	2083	1705	369	9
8	EAST MEDINIPUR	4083	3586	479	18
9	HOOGHLY	5636	4927	656	53
10	HOWRAH	9746	7975	1692	79
11	JALPAIGURI	2119	1785	316	18
12	JHARGRAM	51	43	8	0
13	KALIMPONG	67	63	4	0
14	KOLKOTA	19120	14377	4463	280
15	MALDA	4444	4261	179	4
16	MURSHIDABAD	5505	4962	530	13
17	NORH 24- PRAGANAS	18216	15788	2365	63
18	NADIA	4482	4183	291	8
19	PASCHIM BARDHAMAN	623	448	163	12
20	PURULIA	1824	1690	132	2
21	SOUTH 24-PRAGANAS	20924	19788	1095	41
22	UTTAR DINAJPUR	1252	1108	134	10
23	WEST MEDINIPUR	4210	3891	302	17
Total :		1,65,700	1,49,799	15,180	721

Source: State Industrial Profile of West Bengal, 2023-24 <https://msmedikolkata.gov.in/>

The cluster development initiative by State Government to strengthen the institutional framework, technological up gradation to enhance the productivity and competitiveness among the MSME units in the same cluster playing a big role in increasing the number of units. In North 24 Parganas, nine clusters have been selected as Cluster Development Projects under the Directorate of MSME, West Bengal. In Table 3 we can see the name of the clusters along with their location, type of activity, number of units and number of employees.

Table 3: Number of Cluster Development Projects of North 24 Parganas under the Directorate of MSME, West Bengal

Sl No.	Name of District	Name of the Cluster with location	Activity / product of clusters	Number of Units	Number of Employees
1	North 24 Pargans	Leather Chappal,DighaDaspara,Barasat I	Leather	317	8208
2		Leather Shoe Chappal Mnaufacturing, Bamungachi	Leather	302	6215
3		Steel Furniture,Purba Barasat, Kalikapur, Barasat I Block	Steel	31	486
4		Furniture ,Kanchrapara and Halisahar	Steel products	203	4759
5		Bamboo products, Basirhat	Bamboo Products	111	3753
6		Bell Metal Utensils, Kashimpur	Brass & Bell Meta	63	1638
7		Earthen Pottery, Chaltaberia	Clay pottery / tiles	255	2915
8		Bari manufacturing , Naihati	Food processing	358	4571
9		Gauge and Bandage Cluster, Basirhat	Gauge & Bandage	266	22601
Total				1906	55146

Source: State Industrial Profile of West Bengal, 2023-24 and MSME Technology Facilitation Centre <https://msmedikolkata.gov.in/>

West Bengal State Government has classified different districts and municipalities for the application of Banglashree Incentive Scheme for MSME units into five zones. The classification has been made for developed & backwards areas in the state. Zone A denoted the most developed areas/districts/municipalities in the state and the rating goes down with B, C, D and E. To avail the scheme the MSME units need to register them in the portal where they have to mention their zone. In Table 4 we can see the classification.

Table 4: Area wise classification for Banglashree Scheme, Government of West Bengal

Zones	Areas/Districts/Municipalities
A	Kolkata Municipal Corporation Area, All municipal areas of North 24 Parganas, All municipal areas of North 24 Parganas, All municipal and corporation areas of Howrah district
B	Hooghly district, North 24 Parganas (excluding municipal and Sundarban), South 24 Parganas (excluding municipal and Sundarban), Howrah district (excluding

	corporation and municipalities), Siliguri Municipal Corporation, Municipal areas of Paschim Medinipur, Purba Medinipur, Purba Bardhaman, Paschim Bardhaman, Nadia district
C	Purba Bardhaman Districts, Paschim Bardhaman (excluding municipality areas and municipal corporation), Purba Medinipur (excluding municipality areas and municipal corporation), Nadia district (excluding municipality areas and municipal corporation), Malda, Jalpaiguri, Murshidabad, Darjeeling (excluding Siliguri Municipal Corporation), Alipurduar and Kalimpong
D	Districts of Birbhum, Purulia, Bankura, Uttar Dinajpur, Dakshin Dinajpur, Sundarban areas of South and North 24 Parganas and Jhargram
E	Cooch Behar district

Source: Department of Micro, Small and Medium Enterprises and Textiles (West Bengal, India), July 24, 2020, Banglashree for Micro, Small and Medium Enterprises, (Number – 1543/MSMET-180-11(11)/1/2020, *The Kolkata Gazette, Government of West Bengal*

Eligible MSME units will be entitled for reimbursement of their contribution towards ESI (Employees State Insurance) and EPF (Employees Provident Fund) for a particular time period depending on their recruitment process of their employees. In Table 5 we can see the eligibility criteria and reimbursement rules for MSME units under Banglashree Scheme in West Bengal.

Table 5: Workforce Welfare Assistance for MSME units in West Bengal

An eligible MSME enterprise located in three specific Zones (B, C, D, E) will be reimbursed with 100 percent in first year and 75 percent in second year for their contribution towards ESI (Employees State Insurance) and EPF (Employees Provident Fund), if at least 50 percent of the employees in the organisation recruited from Employment Bank of the state. The periodical assistances will be as follows:	
For Zone - B	5 Years
For Zone - C	7 Years
For Zone – D, E	9 Years

Source: Department of Micro, Small and Medium Enterprises and Textiles (West Bengal, India), July 24, 2020, Banglashree for Micro, Small and Medium Enterprises, (Number – 1543/MSMET-180-11(11)/1/2020, *The Kolkata Gazette, Government of West Bengal*

So, we can say that with the Banglashree initiative, West Bengal State Government taken a huge step to minimise few statutory burdens in a long term for MSME units. The backward or less developed districts have more time for assistances.

WORKER'S PROTECTION IN MMSME SECTORS IN WEST BENGAL

As most of the MSME units are under informal sector in the country, there are few areas which need to be looking after by the Central & State Government. In any industry, worker's protection plays a substantial role because it not only helps to escalation the productivity & efficiency of the workers but also it reduces the risks of accidents, injuries & misutilization of human resources. The workers will feel safe and secure with the working condition. According to the Factories Act, 1948, under Chapter III, there are few significant areas which are under "Health" category for the workers. The points are as follows:

- Cleanliness
- Disposal of wastes and effluents
- Ventilation and temperature.
- Dust and fume
- Artificial humidification
- Overcrowding
- Lighting
- Availability of Drinking water
- Sufficient & separate latrine and urinal accommodation for male and female workers
- Sufficient number of spittoons in the workplace

According to the Factories Act 1948, under Chapter IV, there are few important areas which are under “Safety” category for the workers. The points are as follows:

- Fencing of machinery
- Employment of young persons on dangerous machines
- Availability of Striking gear and devices for cutting off power
- Maintaining of proper space for Self-acting machines.
- Prohibition of employment of women and children near cotton-openers
- Proper construction, sound material & strength for Lifting machines, chains, ropes and lifting tackles
- Precautions against dangerous fumes, gases, fires etc.

Not only the above Health & safety factors but also few statutory factors along with basic wage system should be maintained according to Employees’ Provident Funds and Miscellaneous Provisions Act, 1952, Gratuity Act, 1972, Bonus Act, 1965, Minimum Wages Act, 1965, Maternity Benefit Act, 1961 etc.

In West Bengal, along with wage fixation policies there are different areas where workers are unable to get what they deserve statutorily. Too much political interference, inefficient collective bargaining of trade unions, lack of Government monitoring on MSME sector are the few issues through which workers did suffer in the past. The COVID 19 situation added more pain on them as the MSME owners have minimum production & sales over last one year, they are not able to look after those statutory matters regarding workers protection.

2. REVIEW OF LITERATURE

The first strand of the literature review focuses on the problems of the MSME units in West Bengal, which plays a big role for worker’s right deviation during COVID 19 period. In their research (Pravakar & Ashwini, 2020) mentioned that due to COVID 19 situation the MSME sectors in India are going to look a deterioration of 2.1 percent under base scenario & in case of worst scenario it could be 5.7 percent. The figures are too alarming for the economy. According to (Ghosh, 2020) the MSME who are dealing with trade and other services activities, a decline in GVA could be in the range of 1.4 percent to 4.5 percent. In this adverse situation, to improve the role of MSME sector as one of the significant suppliers not only in industrial manufacturing sector, but also in economic growth and employment in the country, both central & state government have already taken a number of initiatives to make them financially stronger & independent. But, most of the owners of MSME units in the country are not conscious about the different schemes & facilities offered to them. To improve the socio-economic development process in the country,

the MSME sectors should come frontward to take these facilities cum incentive schemes & redistribute them among their workers/labourers. (Hawaldar & Ullal, 2019) stated another reason of poor workers protection in the MSME sector is the low-level bargaining & negotiation process. As an obvious result, deterioration in the bargaining causes poor labour management in MSME sector.

Very few strong labour-oriented bargaining took place in the last ten years over wage determination & other statutory issues related with worker's right & protection. Proper policies & regulations should be instigated in the country concerning fair wage determination & collective bargaining process. (Punj *et al.* 2021) said in their research work that the MSME sector can contribute almost 25 percent of the GDP at the end of the financial year 2022. With a contribution of more than 40 percent in exports & employment of 111 million people MSME sector is playing a big role to make India self-sufficient. But COVID 19 situation hampered the plans. Infrastructural development, technical enhancement, human capital development, financial access & intervention on demand & supply side (to improve the supply chain mechanism) are needed with immediate effect to improve the situation of MSME units in the country. Looking into another aspect with role of migration regarding lockdown (Kapparashetty, 2020) said that in India, MSME plays a big role in the industrial manufacturing sector. But due to lockdown, 30 to 70 percent of workers have migrated back to their hometown due to job uncertainties & loss of income. It will be a tough job to return them back in the business. Staff turnover is expected to be negative in a big margin in MSME sector due to this reason. (Basu, U., & Banerjee, K., 2023) also stated that MSME sector in Kolkata & adjacent districts were badly affected in COVID 19 regarding the basic payment & other statutory benefits.

In the second strand of the literature review focuses on different possible relief measure and policies which can be adopted by the Central or State Government to help the MSME units in to get rid of the situation. (Salkia & Dey, 2020) said that the main challenges faced by MSME sectors in COVID 19 situation are: Collapsing demand and access to liquidity, accessing inputs and managing stocks and machineries, managing the work environment, uncertain policies & disrupted supply chain system. Along with that the problem triangle of health crisis, economic shock due to lockdown & worldwide economic downturn made the life grey for MSME owners in India. A robust financial policy, financial relief measures & strong legal framework regarding controlling & monitoring MSME units from both Central & State Government can only help them to retrieve the situation. (Rathore, 2020) made a survey on MSME units across eight states of India and found that only 45 percent of the total workers can be retained by the employers in the COVID 19 situation. The smaller units have able to hold lower proportion of their employees than average & bigger size firms. It was also surveyed that 53 percent of payment from customers to be delayed by at least a quarter for those MSME units. It was suggested that assistance in wage payment and relief in payments for ESI Premium can improve the situation for the sector. (Sarkar, 2020) pointed out that to improve the situation Federation of Indian Chambers of Commerce & Industry (FICCI) has suggested that interest-free and collateral-free loans are given to MSME companies (turnover of less than Rs. 500 crores) by the Government for a period of up to one year depending on the sector to support them to cover fixed costs, wages/salaries and other operational expenses. This loan can be distributed with pre-conditions that businesses will remain to be active and there would be no layoffs of workers and after one year it will be converted into a grant if all the conditions are met.

3. RESEARCH OBJECTIVE

This study was conducted with an objective to understand the status of workers' rights during the COVID-

19 stricken time when the struggle for survival of the business is suppressing the workers welfare provisions in India. This study aimed at identifying the pattern of workers' rights deviation in a district of West Bengal. The workers for this study were from the MSME sector of North 24 Parganas District.

4. RESEARCH METHODOLOGY

In order to achieve the above-mentioned objectives, the present study carried out in-depth literature review to identify various factors relating to workers' rights of MSME in India during pandemic. A total of five variables were identified on workers right i.e. Regular disbursement of Wages & Salaries, Job & Payment Security, and Maintenance of Health & Safety Conditions in the Job Area, Regular disbursement of Incentives, Other statutory payments & benefits. To validate the construct identified, the present study constructed a structured questionnaire to make a survey on workers belonging to the district of 24 North Parganas, West Bengal. The questionnaire was designed on Five Point Likert Scale (Please see Appendix 1). The questionnaire was distributed among the workers during the period of December 2024 to February 2025. Initially the structured questionnaire was drafted in English and then later translated in Bengali language with the experts' consultations as workers are more familiar with it. Both men and women workers working actively in MSME organisations of North 24 Parganas, West Bengal, before and during pandemic were the primary target samples. Within this three-month period, a total of 220 responses were received and later screened for any error or incomplete responses. Finally, 214 responses were considered for analysis in the current research. Table 6 exhibits the demographic profile of the MSME workers.

Table 6: Demographic profile of respondents

Age	Men	Women
18-25 Years	19	10
26-35 Years	23	13
36-45 Years	31	33
46-55 Years	43	24
More than 55 Years	11	7
Total	127	87

Source: Author's own compilation

4.1 DATA ANALYSIS

SPSS version 21.0 was utilized for data analysis for descriptive research. This investigation is exploratory and is therefore conducted in limited volumes. Descriptive statistics are crucial in exploratory research because they offer insights into study issues and at the same time lay the foundation for subsequent research. Software such as SPSS provides a full variety of data information that is difficult to generate by manual performance.

5. CONCLUSIONS

This research was intended to find out the status of workers' rights in the MSME units of North 24 Parganas, West Bengal in the post COVID 19 situation. After reviewing various literatures and Government reports and journals, few variables have been identified and a questionnaire has been designed on that. A total of five variables were identified on workers right i.e. Regular disbursement of Wages & Salaries, Job & Payment Security, and Maintenance of Health & Safety Conditions in the Job

Area, Regular disbursement of Incentives, Other statutory payments & benefits. After reviewing their answers in five-point Likert Scale, the definite deviation of workers right in the sample that has been studied is observed. Based on the descriptive statistics, it can be stated that the MSME units of North 24 Parganas District of West Bengal indicates deviation from the workers' right protection. However, a further statistical estimation is required to establish a causal relationship between COVID-19 and its impact on the maintenance of the workers' rights in the said district. There are few areas which can be improved with financial aids and subsidies from the Government. West Bengal State Government already took few schemes like "Karma Sathi Prakalpa", Technology Facilitation Centre for MSME, West Bengal MSME Venture Capital Fund, "Banglashree", West Bengal Incentive Scheme, 2013 (For development & financial assist to the MSME units in backward areas of the state). Along with that wage support mechanism, measures to defer utility and social security payment mechanism for small and medium units, Work Force Welfare Assistance with State Employment Bank (West Bengal) will also improve the situation for MSME owners. Strict Government policies with district-wise and cluster monitoring system will help the regulatory body to detect them.

6. LIMITATION OF THE STUDY AND FUTURE RESEARCH SCOPE

The research is limited only to 214 respondents of North 24 Parganas district, West Bengal. Due to COVID 19 situation it was difficult to collect the responds from workers. The study is limited with only one district of West Bengal. More investigation on more workers covered with multiple districts of West Bengal can bring a more extensive picture of workers' right status in the state. It can add more variables which can have some more implications for the interpretation of results. The impact of this paper can be viewed as primary step of finding the problems and areas of concern for workers' right protection activities. Given with such limitation this paper aims for further extensive study and discussions on MSME units and workers' right protection.

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