

**INTERNATIONAL JOURNAL OF LAW
MANAGEMENT & HUMANITIES**

[ISSN 2581-5369]

Volume 5 | Issue 2

2022

© 2022 *International Journal of Law Management & Humanities*

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com/>)

This article is brought to you for “free” and “open access” by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in the International Journal of Law Management & Humanities after due review.

In case of **any suggestion or complaint**, please contact Gyan@vidhiaagaz.com.

To submit your Manuscript for Publication at the **International Journal of Law Management & Humanities**, kindly email your Manuscript at submission@ijlmh.com.

Socio-Legal Study of Child Labour in Adilabad district of Telangana State: A study

AISHWARYA NALLAKURTHI¹

ABSTRACT

The present paper refers to analyze the socio-legal study of child labour in Adilabad district of Telangana State. Socio-economic characteristics and find out the problems of child labourers in Uttoor mandal of Adilabad district. The main objective of this study is to analyze the socio-legal characteristics of households and child labourers. "Child labour" is, generally speaking, work for children that harms them or exploits them in some way (physically, mentally, morally, or by blocking access to education). The survey was based on the child labour problems at their work, their education, awareness of labour laws and regulations and the causes for becoming as child worker. The method used for survey was interview method on random sampling in which each child worker was interviewed personally to get the related data. In the survey 798 child were taken as sample. Most (34.20%) of the respondents said the reason for not aware about the child labour laws and regulation because of 'lack of parents education'

Keywords: Child Labour, Socio-Legal Study, Socio-Economic, Uttoor, Adilabad, Telangana State.

I. INTRODUCTION

Child labour is a pervasive problem throughout the world, especially in the developing countries. It is especially prevalent in the rural areas where the enforcement of minimum age for schooling and work lacks. In India, child labour especially poses a challenge in front of the nation. The government has been taking pro-active steps to tackle this problem. However, considering the magnitude and extent of the problem and that it is essentially a socio-economic problem inextricably is linked to poverty and illiteracy; it requires efforts from all the sections from the society to make a dent in the problem. Mr. Vijay Kumar Dewan, a senior Supreme Court advocate took upon the task of giving insights on the complex topic pertaining to "Child Labour" by assimilating the international laws along with the national laws and various campaigns held for the resolution of the problem globally.

¹ Author is an Assistant Professor at Viswa Bharathi College of Law Hyderabad, India.

The Labour Department has been involved in elimination of child labour by enforcement of Child Labour laws like Child Labour (P&R) Act, 1986, A.P. Shops & Establishments Act, 1988, Beedi and Cigar Workers Act, Motor Transport Workers Act etc. Enforcement of Child Labour Laws has become stringent from 1996 following the direction of the Hon'ble Supreme Court in the case of M.C. Mehta vs. State of Tamilnadu and Others. The Hon'ble Supreme Court of India ordered a nation-wide survey of child labour and action including prosecution of employers violating the law and collection of Rs.20,000/- from such employers in respect of each child rescued from the employment of hazardous occupations towards Child Labour Rehabilitation-cum-Welfare Fund to be deposited in the name of the District Collector.

The Labour Department is conducting regular inspections with the coordination of other Departments i.e. Police, Revenue, Education and Women & Child Welfare Departments in the hazardous & nonhazardous occupations which are prohibited under Child Labour (P&R) Act, 1986.

II. WHAT IS CHILD LABOUR

Child labour is defined in ILO Conventions. It is work that children should not be doing because they are too young to work, or – if they are old enough to work – because it is dangerous or otherwise unsuitable for them. Not all work done by children should be classified as child labour that is to be targeted for elimination. Children's or adolescents' participation in work that does not affect their health and personal development or interfere with their education, is generally regarded as being something positive. Whether or not particular forms of “work” can be called “child labour” depends on the child's age, the type and hours of work performed and the conditions under which it is performed, as set out in the ILO Conventions.

There are many forms of child labour worldwide. Children are engaged in agricultural labour, in mining, in manufacturing, in domestic service, types of construction, scavenging and begging on the streets. Others are trapped in forms of slavery in armed conflicts, forced labour and debt bondage (to pay off debts incurred by parents and grandparents) as well as in commercial sexual exploitation and illicit activities, such as drug trafficking and organized begging and in many other forms of labour. Many of these are “worst forms” of child labour as they are especially harmful, morally reprehensible, and they violate the child's freedom and human rights. Child labour tends to be concentrated in the informal sector of the economy. For some work, children receive no payment, only food and a place to sleep. Children in informal sector work receive no payment if they are injured or become ill, and can seek no protection if they suffer violence or are maltreated by their employer.

The decennial Census and the National Sample Survey are the two major official sources of data on child employment. Work has been defined in the Census 2001 as „participation in any economically productive activity with or without compensation, wages or profit. (Baland and Robinson, 2000). Such participation could be physical and/or mental in nature. Working children are counted as workers only if they contribute towards the national product based on economic accounting model. This definition of labour is narrow, as it is modeled in respect to monetary contribution to national product, so far as analysis of child labour is concerned. Child labour is not just an economic issue but an issue of human rights (Sharma, 2006).

III. ROLE OF LABOUR DEPARTMENT

(A) Identification of Child Labour

The Labour Department is conducting Rescue Operation of Child Labour during regular Special Drives and also on receiving information through any person including NGO. The Rescue Operation will be conducted by Assistant Labour Officers after determination of the age of Child Labour and nature of employment as per the provisions of Child Labour (P&R) Act 1986.

(B) Rescue and Release of Child Labour

The Rescue Team will bring the Child Labour to Transit Home. The information such as age of Child Labour, Photograph, details of employer and nature of employment etc will be collected before producing the Child Labour before CWC (Child Welfare Committee). The children will be admitted in NCLP/ Government Schools.

(C) Prosecution of Employer

Prosecution will be launched by the Labour Department against the Employer who violates Sec. 3 and 14 of the Child Labour (P&R) Act, 1986.

(D) Minimum Wages Claims

The Labour Department is conducting Minimum wages open courts to discourage Child Labour employment. Minimum Wages Claims will be disposed in open courts being conducted by Labour Department to pay difference of wage along with penalty against erring employers.

IV. ADILABAD DISTRICT

The district comprises an area of 4,153 square kilometres (1,603 sq mi).with a density of population of 170 persons per sq.km .There are 508 villages exist in Adilabad district. As per 2011 census, the total population of the district is 7,08,972. It accounts for 2.01 percent of the

total population of the state. The male population of the district is 3,56,407 and this forms 50.27% of the district and 2.02 percent of the state male population. Similarly the female population of the district is 3,52,565 and this form 49.73% of the district and 2.02 % of the state female population. As per the latest 2011 census, the rural population of the district is 541226 which constitutes 76.34% of the district population and 2.52% to total of state rural population. Similarly the urban population of the district spread in 1 town is 1,67,746 constituting 23.66% of the district population at 1.23% of the state urban population.

Utnoor is Mandal in Telangana state, Utnur Mandal population in 2022 is 81,235. According to 2011 census of India, Total Utnur population is 63,465 people are living in this Mandal, of which 32,358 are male and 31,107 are female. Population of Utnur in 2021 is 78,697 Literate people are 34,839 out of 20,458 are male and 14,381 are female. Total workers are 29,272 depends on multi skills out of which 15,791 are men and 13,481 are women. Total 11,042 Cultivators are depended on agriculture farming out of 6,504 are cultivated by men and 4,538 are women. 7,017 people works in agricultural land as a labour in Utnur, men are 2,963 and 4,054 are women.

V. REVIEW LITERATURE

Limaye, Sudeep & Pande, Milind (2013) in their study “A study of Child labour in India – Magnitude and challenges In INCON VIII conference at Pune” summaries the different meaning to the word child and also give a brief overview of the magnitude of the issue from an Indian perspective. An attempt has been made to study the government policy documents and list down the actions as proposed and implemented by Indian government in the 11 th 5 year plan which has just ended in 2012.

Patil, Yuvraj Dilip (2013) in his paper “Poverty and Child Labour in India: Socio-Legal Perspective.” Explores poverty in India can be defined as a situation when a certain section of people are unable to fulfill their basic needs. India has the world's largest number of poor people living in a single country. Extreme poverty, lack of opportunity for gainful employment and intermittency of income and low standards of living are the main reasons for the wide prevalence of child labour.

Kumar, Vinod (2014) paper "A Socio-legal Perspectives on Crimes Against Children in India." Discussed about the children are the supreme assets of the nation; hence in national policy child's care should occupy the most prominent place. Specific care needs to be taken that children grow up to become agile citizens, physically fit, mentally sound and alert and socially and morally healthy. But unfortunately, in spite of there being a number of resolutions and laws

both at national and global level, the condition of children is far from satisfactory. There is no separate classification of crimes against children. Generally, the offences committed against children or the crimes in which children are the victims are considered as crimes against children. Such offences are construed as crimes against children. The Indian Penal Code and the various protective and preventive 'Special and Local Laws' specifically mention the offences wherein children are victims. Crimes against children should be taken as crimes against humanity and protection of children from crimes is collective responsibility of the state, family and society.

Singh, Rupider (2019) in his paper "Child Labour in India." Discussed children in Indian society has always been a topic less vocal or discussed because of the past or the socio-cultural background of the country. Child labour is a work that children should not be doing because they are too adolescent or there are old adequate to work, because it is hazardous or unfortunate for them. Whether or not work performed by children is defined as child labour depends on the child's age, the hours and type of work and the condition in which the work is performed. Today in India, there are more than 11.24 million children who are spending their babyhood learning, carpet-weaving, beedi-rolling, family labour, agriculture and countless other occupations instead of going to schools.

VI. OBJECTIVES OF THE STUDY

The main objectives of this study are:

- To study the socio-economic background of working child labours in Uttoor mandal, Adilabad district of Telangana State.
- To identify various reasons which prompt children to work or take up employment;
- To find out the causes for becoming child workers;
- To find out the awareness of child labour laws and regulations.

VII. SCOPE & METHODOLOGY

Survey method of research has been adopted for the present study. Study is limited to 37 villages of Uttoor mandal of Adilabad district of Telangana State only and also the study limited to the who is working in different areas agriculture, hotels, brick industries, manufacturing sectors etc. The study covers the age group of 8-14 years. After collecting the data from the respondents, the data is analysed according to the objectives, data was recorded in data sheets and then fed into the computer, and later data was analyzed by using Micro Soft Excel Spread Sheets. However, percentages and other necessary calculations were done with

the help of calculator.

VIII. DATA ANALYSIS

By realizing the importance of gender, age and schooling of the child labour who are working in different types of industry. Table-1 shows the gender-wise distribution of child labour.

Table-1: Gender-wise distribution of child labour

Gender	Frequency	%
Male	529	66.29
Female	269	33.71
Total	798	100

The particulars of the gender-wise distribution of child labour presented in above table. The largest number of child labour (66.29%) are male respondents, and (33.71%) of them are female child labours.

Table-2: Age-wise distribution of child labour

Age	Male	Female	Total	%
8 Years	24	3	27	3.38
9 Years	49	5	54	6.77
10 Years	36	11	47	5.89
11 Years	75	10	85	10.65
12 Years	85	16	101	12.66
13 Years	94	89	183	22.93
14 & above Years	166	135	301	37.72
Total	529	269	798	100

It is evident from the Table-2 that the majority of the (37.72%) child labour are age above 14 years, (22.93%) of them are belongs to 13 years age, (12.66%) of them are belongs to 12 years age, (10.65%) of them are belongs to 11 years age, (5.89%) of the are belongs to 10 years age, (6.77%) of them at 9 years age, and (3.38%) of the child labour are only 8 years age.

A question was asked to child labour about have attend ever school respondents of child labour responses are recorded and presented in Table-3

Table-3: Are you attended ever school

Opinion	Male	Female	Total	%
Yes	12	8	20	2.51
No	517	261	778	97.49
Total	529	279	798	100

It is reveals from the above table that the majority (97.49%) of the child labourers expressed their opinion that they are not attended school, only (2.51%) of them said 'yes' they are attended the school.

Table-4: If not, the reasons for not attending school

Reason	Male	Female	Total	%
Parents disinterest	76	51	127	16.32
Family domestic problems	75	24	99	12.72
Economic problems	57	24	81	10.41
No aware of school education	25	10	35	4.50
Disabled/illness	30	12	42	5.40
School is too far	32	21	53	6.81
Not interested in school	168	91	259	33.29
To work for pay/family business	54	28	82	10.54
Total	517	261	778	100.00

It is explains from the Table-4 that most (33.29%) of the child labourers said that they are not interested in school, (16.32%) of them said that Parents disinterest (12.72%) of them said that Family domestic problems, (10.54%) of them said that To work for pay/family business,

(10.41%) of them said that Economic problems, (6.81%) of them said that School is too far, (5.40%) of them said that Disabled/illness, and (4.50%) of them said that No aware of school education.

Table-5: Are you involved in bonded labour

Opinion on bonded labour	Male	Female	Total	%
Yes	4	2	6	0.75
No	525	267	792	99.25
Total	529	269	798	100

Table-5 shows the involvement of bonded labour of child labourers. The large (99.25%) number of child labourers said 'no' that they are not involved in bonded labour, and only (0.75%) of them said 'yes'.

Table-6: Who helped in finding work

Opinion	Male	Female	Total	%
Parents	153	119	272	34.09
Relatives	102	64	166	20.80
Friends	89	21	110	13.78
Brokers/Middlemen	164	48	212	26.57
Others	21	17	38	4.76
Total	529	269	798	100

It is evident from the Table-6 that majority of the (34.09%) child labourers expressed their opinion that their parents are helped in finding the work, (26.57%) of them said brokers/middlemen, (20.80%) of them said relatives are helped, (13.78%) of them said friends and (4.76%) of them said other like neighbours and advertisements are helped finding the work.

Table-7: What kind of work was involved in last 12 months

Type of work	Age							Total	%
	8 yrs	9 yrs	10 yrs	11 yrs	12 yrs	13 yrs	14 & above yrs		
Cultivators	2	4	6	5	7	8	15	47	5.89
Agri. labour	2	6	14	29	31	51	68	201	25.19
Domestic work	16	27	34	42	51	67	112	349	43.73
Construction	1	2	2	3	5	10	33	56	7.02
Industry	4	1	2	4	6	25	38	80	10.03
Transportation	2	1	2	2	1	30	27	65	8.15
Total	27	41	60	85	101	191	301	798	100

It is obvious from the Table-7 that most of the (43.73%) respondents of the child labour said that they are involved in domestic work, (25.19%) of them said that they are involved in agriculture work, (10.03%) of said that they are involved in industrial work, (8.15%) of them said transportation work, (7.02%) of the child labourers said that they are in construction work and (5.89%) of them said that they are involved in cultivators work in last 12 months.

Table-8:Reasons for stopped working in your present occupation

S.No.	Reasons	Male	Female	Total	%
1	Education/Joined school	64	47	111	13.91
2	Got better work opportunity	140	97	237	29.70
3	Family migrated	176	47	223	27.94
4	Unwell/Sick	98	55	153	19.17

5	Other reasons	51	23	74	9.27
	Total	529	269	798	100

Table-8 illustrates the reason for stopped working in your present occupation. The majority (29.70%) of the child labourers said that they got better work opportunity, (27.94%) of them said family migrated, (19.17%) of them said unwell/sick, (13.91%) of the said education/joined school, and (9.27%) of the said that they stopped because of some other reasons.

Table-9: Awareness about various child labour laws and regulations

S.No.	Opinion	Male	Female	Total	%
1	Yes	17	9	26	3.26
2	No	512	260	772	96.74
	Total	529	277	798	100

Table-9 shows the awareness of labour laws and regulations, in this regard, most (96.74%) of the child labourers said 'no' they are aware only (3.26%) of them said 'yes'.

Table-10: If no, what is the reasons not aware

S.No.	Reasons	Male	Female	Total	%
1	Lack of parents education	178	86	264	34.20
2	Not interested	102	32	134	17.36
3	No information	73	31	104	13.47
4	No knowledge	135	77	212	27.46
5	Others	37	21	58	7.51
	Total	525	247	772	100

It is explains from the Table-10 that most (34.20%) of the respondents said 'lack of parents education', (27.46%) 'no knowledge' about labour laws and regulations, (17.36%) of them said 'no interested', (13.36%) 'no information', (7.51%) of them said 'other' reasons.

IX. MAJOR FINDINGS OF THE STUDY

1. The largest number of child labour (66.29%) are male respondents, and (33.71%) of them are female child labours.
2. Majority of the (37.72%) child labour are age above 14 years, (22.93%) of them are belongs to 13 years age, (12.66%) of them are belongs to 12 years age, (10.65%) of them are belongs to 11 years age, (5.89%) of the are belongs to 10 years age, (6.77%) of them at 9 years age, and (3.38%) of the child labour are only 8 years age.
3. Majority (97.49%) of the child labourers expressed their opinion that they are not attended school.
4. Most (33.29%) of the child labourers said that they are not interested in school.
5. Majority of the (34.09%) child labourers expressed their opinion that their parents are helped in finding the work.
6. Most of the (43.73%) respondents of the child labour said that they are involved in domestic work, (25.19%) of them said that they are involved in agriculture work, (10.03%) of said that they are involved in industrial work.
7. The majority (29.70%) of the child labourers said that they got better work opportunity, (27.94%) of them said family migrated, (19.17%) of them said unwell/sick, (13.91%) of the said education/joined school, and (9.27%) of the said that they stopped because of some other reasons.
8. Most (34.20%) of the respondents said the reason for not aware about the child labour laws and regulation are 'lack of parents education', (27.46%) 'no knowledge' about labour laws and regulations, (17.36%) of them said 'no interested', (13.36%) 'no information', (7.51%) of them said 'other' reasons.

X. CONCLUSION

Utnoor mandal is very backward area of Adilabad district of Telangana state. The issues of child labour is very much prevalent in the Utnoor mandal, especially a large number of child labourers are found to be employed in the different areas of Utnoor. Economic compulsion of the family is a major economic factor influencing child labour. By sending children to work does not mean that the family would be able to do away with poverty but on the contrary child labour perpetuates the problem of poverty and unemployment and even mars the opportunity of a better livelihood for the child in the future. Elimination of child labour is difficult due to the prevalence of poverty in the families. The families which are poor and already suffering from chronic economic crisis would suffer even more if any attempt is made to eliminate child

labour. The overall findings of the present study indicate that the child labourers working in the different sector of Adilabad district have a poor socio-economic profile.

XI. REFERENCES

1. Limaye, Sudeep & Pande, Milind (2013). A study of Child labour in India – Magnitude and challenges In INCON VIII conference at Pune, ASM's International E-Journal of Ongoing Research in Management and IT, 1-12
2. Patil, Yuvraj Dilip (2013). Poverty and Child Labour in India: Socio-Legal Perspective (February 17, 2013). Available at SSRN: <https://ssrn.com/abstract=2220055>
3. Kumar, Vinod (2014). "A Socio-legal Perspectives on Crimes Against Children in India, *DLR*, 6(1), 2014
4. Singh, Rupider (2019). Child Labour in India. *International Journal of Research and Analytical Reviews*, 6(1), 2019
5. Das, R..K.. (2006) The Problem of Child Labour In India, Sharma “Child Labour In India”, Mittal Publications: New Delhi
6. Bajpai , Asha. (2003). Child rights in India: Law, Policy, and Practice. New Delhi: Oxford University Press.
