An evaluation of the socio-economic conditions of child labour in
Motor transport workshops in Tripura

Ratan Majumder
Associate Professor, Tripura Government Law College, Agartala, Tripura (India)

ARTICLE DETAILS
Article History
Received: 11 May 2017
Accepted: 20 May 2017
Published Online: 25 May 2017

Keywords
Child Labour, Motor Transport Workers, School Dropouts

ABSTRACT
In Tripura the number of motor vehicles has been increasing rapidly, from 58,581 in the year 2001 to 94,472 lakhs in the year 2015. Accordingly the number of motor transport workshops is also increasing very rapidly. As a corollary, number of motor transport workers is also increasing in proportion to the number of workshops. But unfortunately, children below the age of 14 years of age constitute a sizeable number of the labour force. These children come from poor families; not only that, most of them are school dropouts. These workshops provide employment to many people; including boys below the age of 14 years. They eke out a living and add to the income of their families. The Motor Transport Workers Act, 1961 and The Apprentices Act, 1961 prohibit the engagements of children below the age of 14 years in such workshops. A field survey has been conducted in the motor workshops of Agartala, Tripura; it has revealed a pathetic picture. In the eye of law, such engagement is illegal; but considering the socio-economic conditions of these families, such engagement is not immoral. It has a positive side also. It prevents unemployment. It checks crime rate. The children gain considerable occupational specialization and adaptability to the realities of life. Some of them become technicians, drivers and owners of vehicles in the course of time. Majority of the respondents were not willing to work, some of them are interested to go back to schools, but financial problems and motivation by the parents force them to work. There is a need to enhance the educational facilities of children and employment opportunities for adults.

INTRODUCTION
The Indian Automobile Industry is a large automobile producer in the world; it is flourishing. It is also the second largest two wheeler manufacturer country in the world. India is also the fifth largest commercial vehicle manufacturer. The Indian automobile industry is becoming a budding hub for exporting sports utility vehicles (SUVs) to Europe, Southeast Asia and South Africa. The growing middle class population, prosperous rural India, the scarcity of reliable public transport and fuel economy are the leading causes for the rise of two wheelers on Indian roads.

BACKGROUND OF THE STUDY AREA
The state of Tripura has a long history. It is a landlocked hilly state in the northeastern part of India, surrounded by Bangladesh from three sides. The state is situated between 22.56 and 24.32 North Latitude and 91.09 and 92.20 East longitude. Its maximum stretch measures about 183.5 km from north to south and 112.7 km from east to west with an area of 10,491.69 km². It is the third smallest state of the country. The state is covered by hills and dales, deep and green valleys which have added to the beauty of its landscape. In 1949 the kingdom was merged with India.

DEMOGRAPHY
Tripura is the second most populous state in the Northeast, following Assam. According to the census of 2011, Tripura has a total population of 36,73,917, with a density of 350 persons per square kilometer, and ranking 21st in India. Tripura ranks 14th in the human development index and 24th in the poverty index in India according to the sources of 2011. The literacy rate of Tripura is 87.75 % higher than the national rate of 74.04%. In the 2011 Census of India, the Bangalees constitute about 65% and the greater Tripuri populations constitute 31.8 % of Tripura’s population. Tribal population is made of 19 different tribes and Tripuris are the largest ethnic group in the state.

Population indicators of North eastern states

<table>
<thead>
<tr>
<th>State</th>
<th>Population</th>
<th>Population density per Sq.km.</th>
<th>Decadal growth rate</th>
<th>Literacy</th>
<th>Sex ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arunachal Pradesh</td>
<td>1,382,611</td>
<td>17</td>
<td>25.92%</td>
<td>66.95%</td>
<td>920</td>
</tr>
<tr>
<td>Assam</td>
<td>31,169272</td>
<td>397</td>
<td>16.93%</td>
<td>73.18%</td>
<td>954</td>
</tr>
<tr>
<td>Manipur</td>
<td>2,721,756</td>
<td>122</td>
<td>18.65%</td>
<td>79.85%</td>
<td>987</td>
</tr>
</tbody>
</table>
ADMINISTRATIVE SET UP

The tiny state of Tripura was treated as one district for several decades. In the year 1972 the state was divided into three districts. Again, in 1995, it was divided into four districts for administrative conveniences. On 21st January 2012, Tripura has been divided into as many as eight districts, 23 Sub-divisions and 45 Blocks. It has an autonomous district council, as its headquarters at Khumulwng, 26 kilometer away from the capital. Tripura Legislative Assembly had passed the Tripura Tribal Areas Autonomous District Council (TTAADC) Bill on 3rd March 1979. The total area of the TTAADC is about 7,132.56 sq. kms. That means 68.10 per cent of land has been brought under the control of the TTAADC.

PROBLEM OF THE STUDY

In Tripura the number of motor vehicles (trucks, Buses, Cars, Jeep, Auto, Motor Bikes, etc.) has been increasing rapidly, from 58,581 in the year 2001 to 2, 94,472 in the year 2015. Accordingly, the numbers of motor transport workshops, garages and services stations are also increasing very rapidly. As a corollary, number of motor transport workers is also increasing in proportion to the number of workshops. But unfortunately, children below the age of 14 years of age constitute a sizeable number of the labour force in these workshops and road-side garages. These children come from poor families; not only that, most of them are school dropouts. These workshops provide engagement to many people; including boys below the age of 14 years. Parents and well-wishers of these children are very much interested to send them to the garages and workshops, because in future they can run their own garages with minimum investment. On the contrary the employers are also interested to engage these children because they are satisfied with tiffin allowances and a little salary.

<table>
<thead>
<tr>
<th>District</th>
<th>Population (2011)</th>
<th>Male (%)</th>
<th>Female (%)</th>
<th>literacy (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meghalaya</td>
<td>2,964,007</td>
<td>132</td>
<td>27.82%</td>
<td>75.48%</td>
</tr>
<tr>
<td>Mizoram</td>
<td>1,091,014</td>
<td>52</td>
<td>22.78%</td>
<td>91.58%</td>
</tr>
<tr>
<td>Nagaland</td>
<td>1,980,602</td>
<td>119</td>
<td>-0.47%</td>
<td>80.11%</td>
</tr>
<tr>
<td>Tripura</td>
<td>3,671,032</td>
<td>350</td>
<td>14.75%</td>
<td>87.75%</td>
</tr>
<tr>
<td>Sikkim</td>
<td>6,07,788</td>
<td>223</td>
<td>12.36%</td>
<td>68.81%</td>
</tr>
</tbody>
</table>

Source: The data on population, from the census of India, 2011 provisional figures.

<table>
<thead>
<tr>
<th>Year</th>
<th>Bus</th>
<th>Lorries</th>
<th>Jeep /Taxis</th>
<th>Three Wheelers</th>
<th>Two Wheelers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>90</td>
<td>155</td>
<td>260</td>
<td>160</td>
<td>1250</td>
</tr>
<tr>
<td>2000</td>
<td>1308</td>
<td>608</td>
<td>7879</td>
<td>373</td>
<td>3447</td>
</tr>
<tr>
<td>2004</td>
<td>1596</td>
<td>1224</td>
<td>12162</td>
<td>864</td>
<td>6768</td>
</tr>
<tr>
<td>2007</td>
<td>2152</td>
<td>6898</td>
<td>21298</td>
<td>9802</td>
<td>67989</td>
</tr>
<tr>
<td>2012</td>
<td>2318</td>
<td>2185</td>
<td>29569</td>
<td>20952</td>
<td>173908</td>
</tr>
<tr>
<td>2015</td>
<td>2420</td>
<td>10078</td>
<td>48618</td>
<td>35173</td>
<td>195280</td>
</tr>
</tbody>
</table>

**Category wise Vehicle Strength in Tripura, 08-JAN-2015**

<table>
<thead>
<tr>
<th>Category wise</th>
<th>JTC Office</th>
<th>DTO Udaipur</th>
<th>DTO Dharmanagar</th>
<th>DTO Kailashahar</th>
<th>DTO Ambassa</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two-Wheelers</td>
<td>126160</td>
<td>35320</td>
<td>15364</td>
<td>11733</td>
<td>6703</td>
<td>195280</td>
</tr>
<tr>
<td>Three Wheelers (Goods &amp; Passenger)</td>
<td>18437</td>
<td>6634</td>
<td>3342</td>
<td>4444</td>
<td>2316</td>
<td>35173</td>
</tr>
<tr>
<td>Jeep/Taxi/Van/LMV</td>
<td>32257</td>
<td>7027</td>
<td>3915</td>
<td>3412</td>
<td>2007</td>
<td>48618</td>
</tr>
<tr>
<td>Busses/Mini Busses</td>
<td>1946</td>
<td>269s</td>
<td>63</td>
<td>81</td>
<td>61</td>
<td>2420</td>
</tr>
<tr>
<td>Truck &amp; Lorries</td>
<td>7755</td>
<td>890</td>
<td>642</td>
<td>552</td>
<td>239</td>
<td>10078</td>
</tr>
<tr>
<td>Others</td>
<td>2079</td>
<td>302</td>
<td>187</td>
<td>221</td>
<td>114</td>
<td>2903</td>
</tr>
<tr>
<td>Total</td>
<td>188634</td>
<td>50442</td>
<td>23513</td>
<td>20443</td>
<td>11440</td>
<td>294472</td>
</tr>
</tbody>
</table>

Source: tsu.trp.nic.in

**AIMS AND OBJECTIVES OF THE STUDY**

The main objectives of this study are:
1. To explore the situation of child labour in Tripura.
2. To understand the factors that motivate parents, guardians and children towards child labour force in Tripura.
3. To understand the perceptions of the parents, guardians and teachers about schooling and education of the child.
4. To explore the implementation of RTE and related Acts in Tripura.

**SIGNIFICANCE OF THE STUDY**

The study is very significant and relevant as it provides an insight into the status of the implementation of different legislations, rules and regulations related to the child labour in Tripura. It also creates an understanding and awareness among the owners of the workshops, child workers and peoples at large about different provisions of the Acts. This study was undertaken to identify the socio-economic factors responsible for child labor in automobile and engineering workshops in Tripura. This study is also an attempt to find out the awareness among the owners, workers and other peoples about the child labour laws. This study is planned to enquire the position of the children working below the 14 years of age in different motor transport workshop, garages and service stations in Tripura.

**LIMITATION OF THE STUDY**

Due to shortage of time extensive survey over the whole state was not possible. Present study covers very small area randomly selected in and around the capital city of Agartala.

**METHODS**

For this study, 50 respondent children under 18 years of age were randomly selected. A comprehensive questionnaire was designed to collect the required information. Most of the respondents have attained primary education. The data in this study have been collected through direct interview, personal observation and questionnaire method.

**REVIEW OF LITERATURE**

The *Workmen’s Compensation Act, 1923* provides for payment of compensation to workers in factories, workshops, and establishments in case of any accident, injuries and diseases.

The *Factories Act, 1948*, prohibits the employment of you young children in factories, motor transport undertaking, garages etc.
The Motor Transport Works Act, 1961: The Act prohibits the employment of children below the age of fifteen years in any motor transport undertakings.

The Apprentices Act, 1961: The Act regulates the programme of training of apprentices. The Act is obligatory to the employees of both public and private sector establishments. The Act prohibits the engagement of a minor under apprenticeship training in a designated trade.

The Air (Prevention and Control of Pollution) Act, 1981 prohibits the establishment of motor transport workshop, and garages in a residential area.

The Child Labour (Prohibition & Regulation) Act, 1986, aims at prohibiting engagement of children aged below 14 in certain hazardous occupations and processes, as well as regulating the conditions of services of such children engaged in non-hazardous occupations and processes. The penal provisions for engaging child labour in hazardous occupations and processes is quite rigorous.


U. Sharma, in her book, ‘Child Labour in India’ (2006) has made an attempt to explain the international, national and regional initiative to tackle the issue of child labour in a comprehensive manner.


**CONCEPT OF CHILD LABOUR**

International Labour Organization, (ILO) defined, child labour as work that deprives their childhood, their potential and their dignity, and that is harmful to their physical, moral and mental development. The World Bank argues that child work that does not involve an exploitative relationship should be distinguished from child labour. It further argues that, work done by children within the family may even contribute to the development of the child. Not all child labour is harmful. Many working children, who are within a stable and nurturing environment with their parents or under protection of a guardian, can benefit in terms of socialization and from informal education and training. It is increasingly being recognized that a large number of children are out of schools system largely because they are involved in household activities.

However, the Factories Act of 1948 states that any work undertaken by children that interferes their full physical development, their opportunities for desirable minimum of education or their need of recreation by a child below 14 years under either compulsion development or their desirable opportunities for a child voluntarily in an organized or unorganized minimum of education, can be termed as ‘child labour’ (The Factory Act 1948).

According to the Motor Transport Workers Act, 1961, motor transport worker” means a person who is employed in a motor transport undertaking directly or through an agency, whether for wages or not, to work in a professional capacity on a transport vehicle or to attend to duties in connection with the arrival, departure, loading or unloading of such transport vehicle and includes a driver, conductor, cleaner, station staff, line checking staff, etc.

**FINDINGS**

The main works done in an automobile workshop, are mainly cleaning and polishing, loosening and tightening of nuts and bolts, oiling, fitting and fixing etc. The working conditions for the children in the workshops are not always moderate, friendly and gentle. Most of the children in the workshops are made to work for long hours for low wages. Most of the garages and workshops are situated near the public road and they have to work whole day in an unhygienic work environment. They are exposed to dirt, grease and toxic welding spark. Children working in these garages are vulnerable to verbal and physical abuse by employers, adult mechanics, customers and coworkers.

Not only these, working in the automobile garages and workshops involve numerous health hazards. During the course of work, children suffer injuries which are ignored due to lack of medical care. Working with toxic materials such as grease and coolants infect their wounds further. Cuts by sharp rusty metal increase the risk of Tetanus. Moreover, due to the absence of proper sanitation, personal hygiene or drinking water, children become susceptible to infectious disease like diarrhea, stomach pain, dysentery, etc. Mobile dermatitis and scabies are common among children working in automobile workshops and garages.

Children are working in the workshops in many risky conditions. Holidays are very rare. Few workshops, garages remain open on Sundays and children forced to work on that holiday also. There is no fixed time for the lunch time and leisure. Sometimes, servicing, repairing and cleaning works continue till evening with candle light. Some of the children used to take their bath in the evening, both winter and in rainy season.

It has been revealed from this study that most of the workshops and garages neither have trade license, nor clearance form pollution control board, these workshops and garages care little to obtain registration from Factories and Boilers Organisation or to the Municipal authority. Most of the garages are situated by the side of the public roads, in rented houses; few of them are running their business on the road. These unauthorized workshops and their businesses have been causing nuisance to public life in many ways: air pollution, noise pollution, consumption of electricity, prevention of easy movement of the public, traffic congestion, frequent accidents, and loss of government revenue.
For the purpose of this study a survey was conducted to collect the required information about the family background, nature of the work, education of the children below 18 years of age. The survey was conducted among the children working in different motor transport workshops and garages in and around the city of Agartala. In total 92 numbers of workshops/garages have been visited by the scholar himself and the information have been collected from 50 working children below 18 years of age. The responses given by the respondents revealed certain information about the working environment, family position and their awareness about the child labour laws. Out of these 50 children, 21 of them are below the 14 years of age and 29 of them are between 14-18 years of age.

Out of these 50 children, 23 belong to general category, 18 belong to scheduled castes community, 6 belong to other backward class community and 3 belong to scheduled tribe community.

**SOCIO ECONOMIC CONDITIONS OF THE RESPONDENTS**

The primary cause of these types of child labour is poverty. But poverty alone cannot explain the deeper cause; some of these families belong to the first or second generation of refugees. Some of these children come from broken families. Some of their fathers indulge in smoking, drinking, gambling etc; some of their fathers are rickshaw puller, vendors, and daily labourers. Some of their mothers are working as house maids, brick breakers, fire wood collectors, daily workers. A number of these families have been living in different slum areas and country side of Agartala. It has been alleged that, out of some considerations a few families are deprived of having BPL ration card, MGNREGA Job card, and different types of allowances and opportunities.

**ACADEMIC STATUS**

This survey has revealed certain information about the education of the children under this study. It has been found that most of the working children are school drop-outs, many of them have not at all attended any schools and some of them have been simultaneously earning while learning. Out of these
50 children, 2 of them have never attended any schools, 15 of them studied up to pre-primary level, 20 of them studied up to upper primary level and 13 of them have reached to secondary level. In other words they are intelligent and industrious enough to attend schools and utilizing their time beyond school hours for earning.

![Graph showing Education level of working children]

The present study revealed that child labour has an intergenerational aspect. The then-grandparents were employed when they were very young. Parents could not understand the importance of schooling. The entrance of children into work was dependent on age and the family’s socio-economic condition. Children having hereditary professional background have been found to grasp a particular work disastrously. The children widely vary in workmanship. Majority of the respondents were not willing to work, but financial problems and motivation by the parents forced them to work. There is a need to enhance educational facilities of children and employment opportunities for adults particularly in the rural areas.

SUGGESTIONS

Considering the magnitude of the problems, it seems that there is no immediate solution for all these diseases. A few remedial measures are being pointed out here for consideration.

1. Working of the children in motor workshops and garages are hazardous; they are to work with tension and anxieties, every time there is a possibility of physical injuries, which may lead to permanent disablement. So, all the children below the 14 years of age should be rescued from the workshops and proper rehabilitation should be made.
2. Government officials, public representatives, police authorities, are aware about the children rights and legislation. But, they are seems to be insensitive to implement available policies, programs and guidelines for the safety and security of the children. Children are working by the side of the highways from early morning to till evening for their livelihood, depriving their fundamental rights, opportunities and dignities. But, nobody notice about the conditions of these children. No new precise legislation is required if the existing laws are effectively implemented.
4. The inspectors of Labour Department, Factories and Boilers Organisation, pollution Control Board and Municipal Corporation may visit suddenly and surprisingly to monitor the supervision of the conditions of working young children in workshops and garages. Survey for identification of the working children and school dropouts is also essential for eradication of the problem.
5. Shifting of the road side garages is most essential. Proper steps should be taken to shift these garages to non-residential areas. Road-side garages are vulnerable to the workers, any time accidents may occur in this place. It creates havoc to the common people. Movement of vehicles is obstructed for these garages. Above all, these road-side garages are polluting the locality in many ways.
6. All the motor transport workshops, engineering workshops, service stations and garages should registered compulsorily with relevant acts and legislations.
7. Implementation of free, relevant, quality and compulsory elementary education for all the children up to the age of 14 years as provided by the RTE Act is essential. The RTE Act, 2009 enacted by the Central Government under the management of the UPA-2, contains a noteworthy provision; it is known as ‘No Detention Policy’. This very policy has a disastrous impact upon the school administration of the entire country. Under the provisions of this policy, no student can be detained up to VIII standards, under no circumstances. So, the students and their guardians move carelessly, leisurely and defiantly; they have no anxiety for qualifying the school examinations and promotion. Another provision of the RTE Act, 2009 (Section 29 (h) is CCE (Comprehensive and Continuous Evaluation); this provision is hardly followed.
8. Education must be of good quality in terms of teachers, infrastructure and educational aids. In view of glaring deviation from moral rectitude on the part of a good number of teachers, a codification of professional ethics for schools teachers seems to be essential. The increasing rate of aberration looks so indecent that even common people feel the necessity of imposing some behavioural norms upon the conduct of teachers.

9. The government feels proud of making education free and compulsory. The Government has, step by step made school education free. In other words, students are no longer required to pay monthly tuition fees up to class XII in Tripura. Not only that, taking capitations has been made a punishable offence under section 13 (2) of the RTE Act, 2009. Ideally, it sounds very good. But, in reality, the students and their guardians are required to pay many times more for school education by way of private coaching. Surprisingly private coaching starts from pre-primary stage. For each subjects private tutor is engaged. Paradoxically some affluent guardians feel proud of engaging several teachers for each subject.

10. It is appalling to point out that though there has been a rather revolution in the construction of magnificent school buildings and sumptuous salary of the teachers, these school have been reduced to gaudy façade; The private schools provide personal attention on each student, competitive environment and good governance; so the students pay exorbitant tuition fees and rush to private schools. Consequentially many government schools have been suffering from shortage of students. A student find private coaching class a better place for effective learning; they remain absent from Government schools.

11. The Supreme Court of India in its judgment dated 10th December, 1996 in Writ Petition (Civil) Number 465/1986, has given certain directions:
   a) Survey for identification of working children.
   b) Withdrawal of children working in hazardous industries and ensuring their education.
   c) Contribution of Rs. 20,000 per child to be paid by the offending employers to welfare fund of the children.
   d) Employment to one adult member of the family of the concerned child.
   e) Financial assistance to the families of the children from welfare fund.
   f) Regulating hours of work for children working in non-hazardous occupations.

So, it is necessary to follow the above direction and guidelines given by the Honourable Supreme Court.

CONCLUSION
The ultimate objective of the child labour programmes should be conversion of working children into productive, responsible and participative members of the society. This needs spread of public awareness and simultaneous gearing up of the enforcement of the existing machineries to meet with the challenge. Introduction of new methods of monitoring and evaluation of different policies and projects will help to implement a programme in a specific, time bound, cost effective and result-oriented manner.

REFERENCES
[2]. Burra, N. Born to work: Child labour in India, Oxford University press, New Delhi,
[7]. Department of School Education and Literacy, MHRD, Government of India.
[15]. National University of Education Planning and Administration, Elementary Education in India Progress towards UEE, Report cards 2011-12[DISE, New Delhi, 2012.
[20]. UNICEF India, Report,
[21]. The Workmen’s Compensation Act, 1923
[22]. The Factories Act, 1948
[23]. The Apprentices Act, 1961
[24]. The Air (prevention and Control of Pollution) Act, 1981
[25]. The Child Labour (Prohibition and Regulation) Act, 1986