

## SOCIO-LEGAL STATUS OF UNORGANIZED TRIBAL WOMEN LABOURERS: AN EMPIRICAL STUDY IN ROURKELA CITY OF ODISHA

*Manoj Kumar Sadual<sup>1</sup> & Girish Ranjan Sahoo<sup>2</sup>*

<sup>1</sup>Associate Professor, Department of Law, Utkal University, Bhubaneswar, Odisha, India

<sup>2</sup>Ph.D. Research Scholar, Department of Law, Utkal University, Bhubaneswar, Odisha, India

Received: 22 May 2021

Accepted: 26 May 2021

Published: 31 May 2021

### ABSTRACT

India has always been a traditional country and there exists stereotyping of gender roles in every corner and area of the nation. Role of the women in India has always remained confined to household and limited to domestic affairs. However, an astonishing fact is that female workers form the largest segment of India's unorganized workforce. Majority of women work in unorganized sectors for low wages due to low level of skills, illiteracy, ignorance, surplus labour and even after dedicating loads of hard work for the family women in India continue to face high level of exploitation both at home and in the work front. The present study is an attempt to analyze the problems faced by the casual workers and whether any welfare measures have been adopted by their employer and the government. Along with these, this study also tries to find out the income and expenditure pattern of the unorganized tribal women laborers working in Rourkela City. This will help us understand their savings pattern as well as idea about their Socio-legal status. Labour welfare refers to compensation provided in cash or kind to the workers for their betterment or any Socio-legal policy taken for the betterment of the laborers. We know that they contribute to the infrastructural development of the country, which plays a very important role for the economic development. However, these women laborers are maltreated every now and then either by their employers or their male family members, according to various reports that daily appear in the news front. The plight of these women is real and this research aims to dig further into this area of study and make an attempt to bring affront the regular atrocities faced by these women who are also made of flesh and bone and deserve to be treated as dignified human beings according to the Charter of Human Rights, UN.

**KEYWORDS:** *Unorganized Sector, Casual Labour, Women Empowerment, Human Rights*

### INTRODUCTION

With the ever increasing population of our country today Indian population stands at about 1.38 crores and the heavy population pressure is one of the main reasons for huge unemployment prevalent in the country which triggers poverty, malnutrition, crime, social delinquency, misery and various other problems that the Indian society is facing today. The employment sector basically is divided into organised and unorganised sector, also known as the formal and informal sector respectively. The enterprise falls in the informal sector category if less than 10 workers are employed in it. Most of the people practicing self-employment in India employ workers which are less than 10 in number and these enterprises like small shops, grocery stores, small garages, other small-scale enterprises fall in the unorganised sector category. And astonishing fact about the unorganised sector is that majority of the workers in the unorganised sector are female. According to Ministry of labour India, about 94% of female workers are engaged in the unorganised sector out of which

20% of them are engaged in the urban centres. This informal sector is the dreaded sector which lacks the dignity of labour, Social security, healthy working environment, work ethics, regular wages and is laden with problems of atrocities on the labourers on daily terms. About 50% of the women engaged in informal sector are engaged in the sector because they need income at any cost not because they are willing to work and most of these women are the sole supporters of their family who belong to the rural areas and are mostly abandoned or tortured by their male counterparts and as a result are left alone to take care of their family i.e. their children.

Social economic status of a person could be judged on the basis of variety of parameters which include criteria is like income, standard of living, occupation, expenditure pattern, employment etc. of an individual. The social economic status of a person helps in determining the strata of society to which that individual belongs to and the dignity and respect the person receives in society in general. One of the major problems faced by the informal sector workers is the absence of regular wages from their employers and the lack of job security which they face which brings along the fear of getting terminated at any point in their drop circle. Unorganised women tribal labours can be distinguished on the basis of their employer-employee relationship and the wage payment method. One section of the unorganised women tribal labours not have any direct relationship with their principal employer that is they are not independent to grant any discounts or personal favours to their customers for example the woman working in shops as sales women or in big enterprises like Big Bazaar, Pantaloons etc. Whereas the self-employed or unorganised women tribal labours like the vegetable vendors or roadside vendors have the independency to fix their own prices and conduct sales on their own terms. These informal sector workers belong to that section of society who often do not even have any official documentation and and neither recognized under any employment regime, did not get protection under any government protection schemes or employment protection schemes, any gratuity or pension funds, any social security measures, any protection by the government, maternity leave etc. They mostly work on daily, hourly basis and on wages accordingly. The informal sector workers include handloom workers, workers in the leather factory, weavers, domestic helpers, roadside vendors, fruits and vegetable vendors, rickshaw pullers, tailors, agricultural workers etc.

## REVIEW OF LITERATURE

Literature review is useful in providing a good understanding of works that is related to the subject to be studied. A literature review consists of surveys from different books, research articles, published and unpublished works related to the research area or theories relevant to the research topic. Literature review provides summary & critical evaluation of various works related to the area of research. Following are few reviews of existing literature related to this study as follows:

**Jabeen, Jain, Mishra & Gupta (2007)** The study aims to explore the influence of occupational stress and organizational climate on job satisfaction of managers and engineers working in Indian Oil Corporation Limited, Mathura, India. Data were collected from 158 employees of managers and engineers category with the help of Job Satisfaction scale, occupational stress and organizational climate scale. The occupational stress and organizational climate are independent variables whereas the job satisfaction is dependent variable. To find out the significance of difference between the means of both groups, 11 null hypotheses were formulated and for verification of the null hypotheses, the t-test was used.

**Bharat (2008)** conducted a study on Socio-legal status of the women domestic workers. This study was exploratory in nature and provided valuable insights into the working and living conditions of women domestic workers. There was no legal protection system. A two stage random sampling scheme was adopted in selecting the sample slums

and Index Women as the first and second stage study units respectively. Secondary data collected from the Urban Local Bodies provided the database for sampling framework. The first stage of sampling included selection of the urban slums in the selected townships. Thirty slums from each of the five townships were selected randomly for the study. The second stage of sampling dealt with selection of the individual women domestic workers. Ten women per slum were selected randomly. The findings of the study will be useful in providing inputs for improvement in the working and living condition of domestic workers.

**Alam (2012)** conducted a study on informal sector workers in Dhaka city of Bangladesh and stated that informal sector is a growing occupational sector for less skilled people. In his study he found that informal sector workers lack opportunity and facilities for a better life.

**Dileep (2012)** conducted a study on Inimitable Issues of Construction Workers: Case Study. Construction workers are available everywhere in all countries. The percentage of construction workers is more in developing countries like India as employment intensity is much higher in lower income countries than higher income ones. This study was conducted in 82 construction sites. Migrated construction workers faced some major problems like poor health condition, arduous working life, harassment, inadequate and unequal wage structure, long working hours, poor housing facilities, and atrocities on women workers, lack of safety measures and proper education for children of construction workers. The study stressed on the need to create awareness of all labour rights and recommended proper intervention programme as well as proper implementation of labour law for this sector

**Ansari and Raj (2014)** states that Beedi making industries are an age old and informal sector. It is the largest job platform for the woman empowerment in India. From this study it is clearly shown about the plight of woman Beedi works in the Bundelkhand region of Uttar Pradesh. According to the study approx 94% of workers are not satisfied with their current job profile due to low wage.

**Kapur and Sethy (2014)** conducted a study in the unorganized sector and stated that almost 90% of national labour force works in the unorganized workers. Also mentioned that as there is no legal protection of children which is the first responsibility of women workers, so unorganized sector also called as unprotected sector.

**Kalyani (2015)** the security needs of the unorganized sector such as Food, Nutrition, Health, Housing, Employment, Income, Life and accident, and old age remains a dream in India.

**Varma and Gupta (2015)** conducted a study in Himachal Pradesh about the various dimension of casual workers of tea farm. According to them, the study will be helpful in identifying remedial measure to improve the social status of workers so the unemployed youth can attracted to in tea industry.

**BPCL Kochi Refinery Limited.** It assesses how far welfare and financial factors motivate the employees in the company. The study also attempts to analyze the opinion of employees towards the working life in the company.

**Sharma (2017)**, analyzed about the problems of casual or unorganized workers that has been faced and measurement of welfare adopted by their employer and Govt. According to his study casual workers cannot get the opportunity of social security measure which freely opens for organized workers.

## OBJECTIVES OF THE STUDY

This study has the following objectives

- To study the socio-legal and overall demographic situation of the women tribal labourer in unorganized sector in the area under study.
- To analyze the employment, income and expenditure of the women tribal labourer in the area under study.
- To examine the health and sanitation facilities available to the unorganized women tribal labours in the area under study.

## METHODOLOGY

For this academic study both primary and secondary data has been used. Primary data has been collected using interview schedules by conducting field study by interviewing 35 local organized sector workers in the city of Rourkela. Secondary data has been collected from various journals, e-journals, books, review papers, websites and published sources. The method of sampling used for the concerned study is random sampling which falls under the category of probability sampling, since random tribal women labours were interviewed for the purpose of this study. After collection of data analysis has been done using statistical diagrams according to the objectives. The tool used for statistical analysis of the collected primary data is MS Excel. For the first objective tabular representation has been used along with accompanied diagrammatic illustration. For the second and third objectives tabular as well as diagrammatic representation has been used. For this study the area of Rourkela city has been chosen because most of the workers get the opportunity to work there. In the Rourkela town women can easily get their preferable work like construction of building, road construction, as house worker, tea stall waiter, etc are the various types of works that they can do in Rourkela town. For this study 35 respondents were taken as the sample. In order to study their socio-legal status the data has been collected using interview schedules by conducting field study.

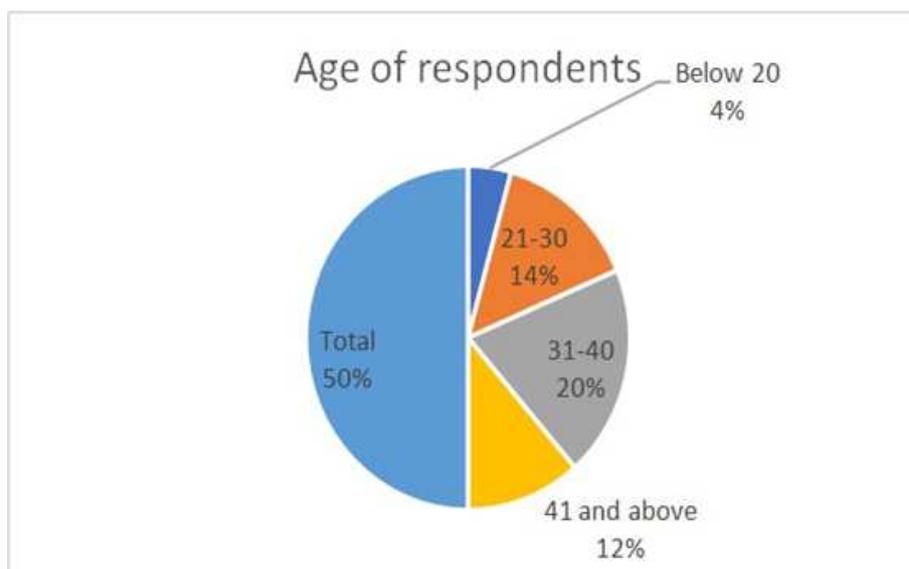
## DATA ANALYSIS

### Objective: 1

The following section shows the analysis of objective 1, i.e. analysis of the demography of the selected sample for study in the area under study.

**Table: 1 Age Distribution of the Respondents**

Age Group	No. of Respondents	Percentage
Below 20	3	8.57
21-30	10	28.57
31-40	14	40.00
41 and above	8	22.86
Total	35	100



Source: Primary Data

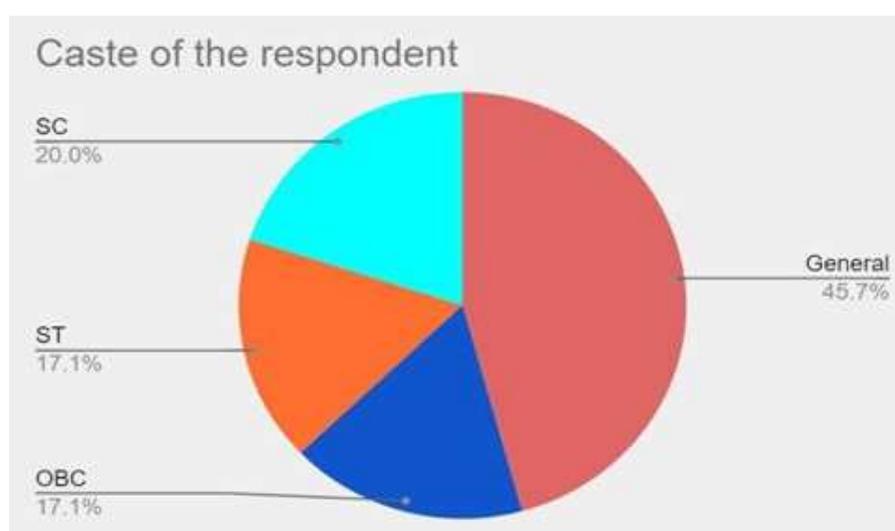
Figure 1: Age of Respondents

The above table and diagram represent the age of the respondents interviewed for the purpose of this academic study. Out of 35 respondents, 3 (8.57%) respondents belong to the age group of below 20 years, 10 (28.57%) respondents belong to the age group of 21-30 years, 14 (40%) belong to the age group of 31-40 years and 8 (22.86%) belong to the age group of 41 years and above.

Table 2: Distribution of Respondents According to their Caste

Caste	No. of Respondents	Percentage
ST	6	17.14
SC	7	20.00
GENERAL	16	45.71
OBC	6	17.14
Total	35	100

Source: Primary Data



Source: Primary Data

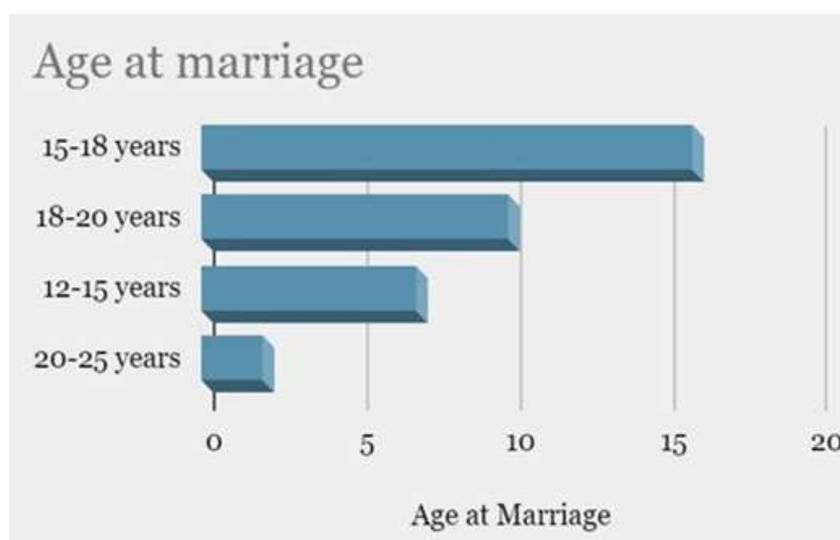
Figure 2: Caste of the Respondents.

The above table and diagram represent the caste of the respondents interviewed for the purpose of this academic study. Out of 35 respondents, 16 (45.71 %) respondents belong to General category, 7 (20%) respondents belong to Scheduled Castes (SC), 6 (17.14%) belong to Scheduled Tribes (ST) and 6 (17.14%) belong to Other Backward Class (OBC).

**Table 3: Age at Marriage**

Age Group	No. of Respondents	Percentage
12-15	7	20.00
15-18	16	45.71
18-20	10	28.57
20-25	2	5.71
Total	35	100

Source: Primary Data



Source: Primary Data

**Figure 3: Age of the Respondents at Marriage.**

The above table and diagram represent the age during marriage of the respondents interviewed for the purpose of this academic study. Out of 35 respondents, 7 (20%) respondents belonged to the age group of 12-15 years, 16 (45.71%) respondents belonged to the age group of 15-18 years, 10 (28.57%) belonged to the age group of 18-20 years and 2 (5.71%) belonged to the age group of 20-25 years.

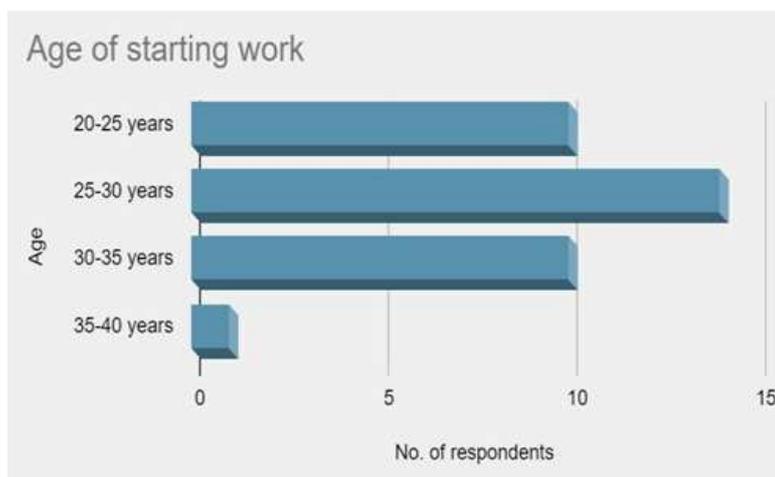
#### Objective: 2

The following section shows the analysis of objective 2, i.e., analysis of the employment, income and expenditure pattern of the respondents in the area under study.

**Table 4**

Age Group	No. of Respondents	Percentage
20-25 years	10	28.57
25-30 years	14	40
30-35 years	10	28.57
35-40 years	01	2.86
Total	35	100

Source: Primary Data



Source: Primary Data

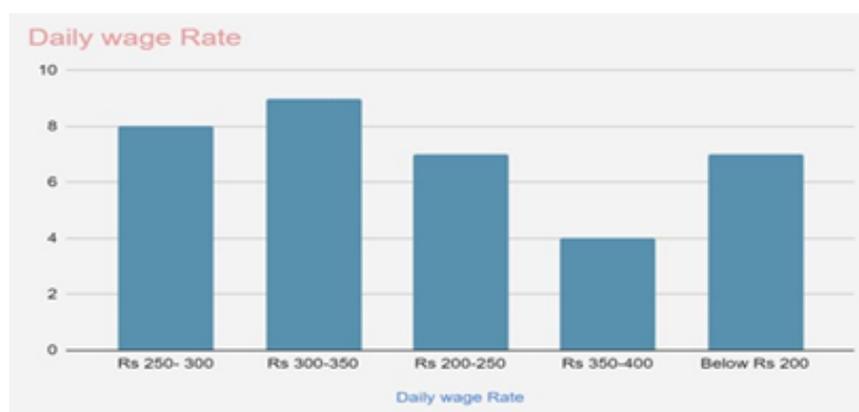
Figure 4: Age of Starting Work.

The above table and diagram represent the age of starting work of the respondents interviewed for the purpose of this academic study. Out of 35 respondents, 10 (28.57%) respondents belonged to the age group of 20-25 years, 14 (40%) respondents belonged to the age group of 25-30 years, 10 (28.57%) belonged to the age group of 30-35 years and 1 (2.86%) belonged to the age group of 35-40 year.

Table 5: Daily Wage Rate of the Respondents

Wage (in Rs.)	No. of Respondents	Percentage
Below 200	7	20
200-250	7	20
250-300	8	22.86
300-350	9	25.71
350-400	4	11.43
Total	35	100

Source: Primary Data



Source: Primary Data

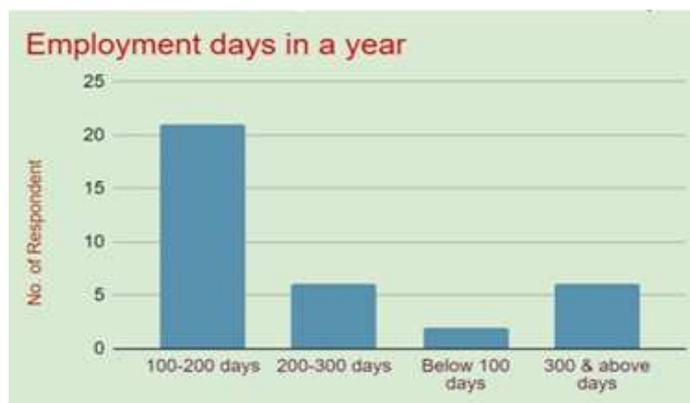
Figure 5: Daily Wage Rate of the Respondents.

The above table and diagram represents the distribution of respondents according to the daily wage received by them. Out of 35 respondents, 7 (20%) of respondents receive below ₹200 per day, 7 (20%) respondents receive ₹200-250 per day, 8 (22.86%) receive ₹250-300 per day, 9 (25.71%) respondents receive ₹300-350 per day and 4 (11.43%) respondents receive ₹ 350-400 per day.

**Table: 6 Days of Employment per Annum**

Days	No. of Respondents	Percentage
Below 100	2	5.71
100-200	21	60
200-300	6	17.14
300 and above	6	17.14
Total	35	100

Source: Primary Data



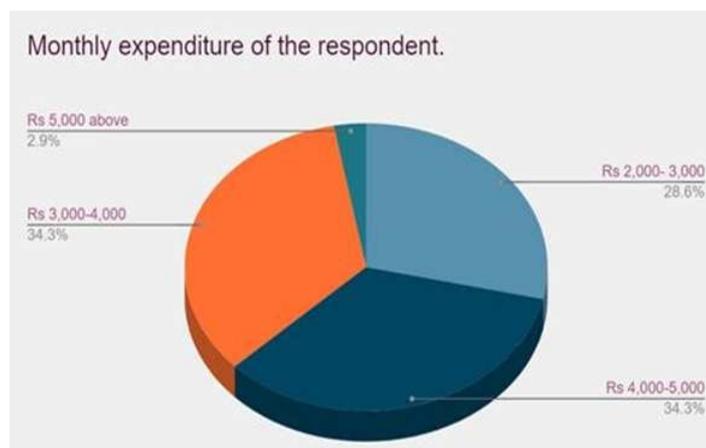
Source: Primary Data

**Figure 6: Days of Employment per Annum.**

The above table and diagram represent the number of days of employment of the respondents. Out of 35 respondents, 2 (5.71 %) respondents are employed for a period of below 100 days, 21 (60%) of respondents are employed for a period of 100-200 days, 6 (17.14%) respondents are employed for a period of 200-300 days and 6 (17.14%) respondents are employed for a period of 300 days and above in a year.

**Table 7: Monthly Expenditure of the Respondents**

Expenditure (in Rs.)	No. of Respondents	Percentage
2,000-3,000	10	28.57
3,000-4,000	12	34.29
4,000-5,000	12	34.29
5,000 and above	1	2.86
Total	35	100



Source: Primary Data

**Figure 7: Monthly Expenditure of the Respondents.**

The above table and diagram represents the distribution of respondents according to their monthly expenditure. Out of 35 respondents, 10 (28.57 %) of respondents have a monthly expenditure of ₹ 2000-3000, 12 (34.29%) respondents have a monthly expenditure of ₹ 3000-4000, 12 (34.29%) respondents have a monthly expenditure of ₹ 4000-5000, 1 (2.89%) respondents have a monthly expenditure of ₹5000 and above.

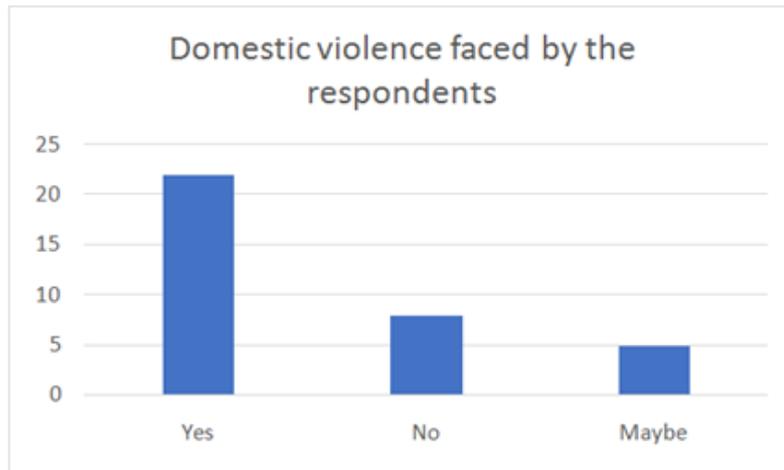
### Objective: 3

The following section analyses the objective 3, i.e., the social, health and sanitation conditions of the respondents in the area under study.

**Table 8: Have you Ever Faced Domestic Violence?**

Response	No. of Respondents	Percentage
Yes	22	62.86
No	8	22.86
May be	5	14.29
Total	35	100

Source: Primary Data



Source: Primary Data

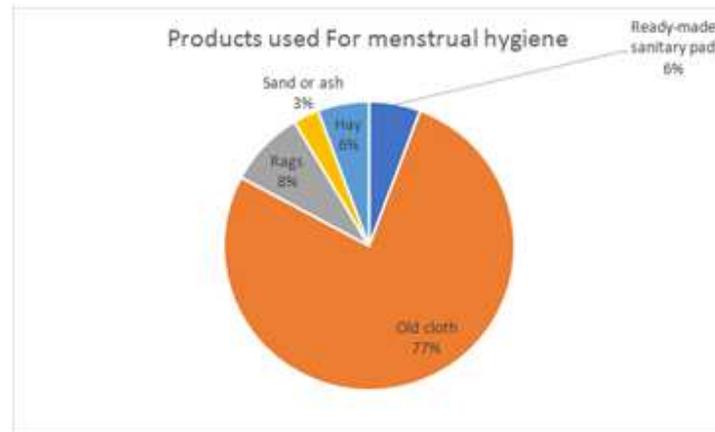
**Figure 8: Domestic Violence Faced by the Respondents.**

The above table and diagram represent the state of the women labour in their family. It represents whether the respondents have ever faced domestic violence in their lives. Out of 35 respondents, 22 (62.86%) respondents have said that they have faced domestic violence in their life, 8 (22.86%) respondents have said that they never faced domestic violence in their life and 5 (14.29%) respondents have said that they are not sure about whether they have faced domestic violence in their life by responding “maybe”.

**Table: 9 Product used for Menstrual Hygiene**

Product	No. of Respondents	Percentage
Ready-made sanitary pad	2	5.71
Old cloth	27	77.14
Rags	3	8.57
Sand or ash	1	2.86
Hay	2	5.71
Total	35	100

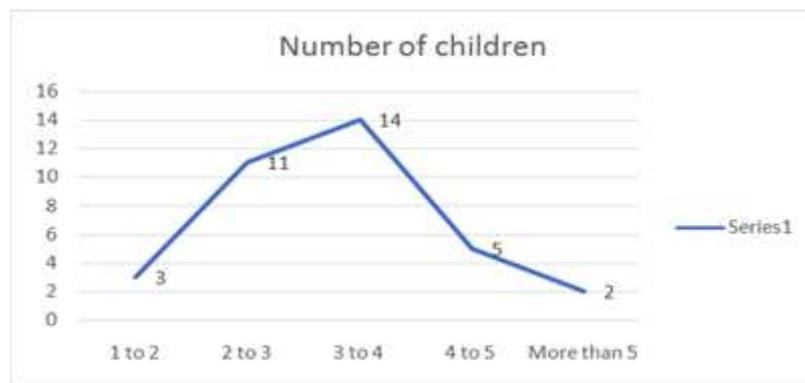
Source: Primary Data



Source: Primary Data

**Figure 9: Products used for Menstrual Hygiene by the Respondents.**

The above table and diagram represent the products used for menstrual hygiene by the casual women labour in the sample under study. Out of 35 respondents; 2 (5.71%), 27 (77.14%), 3 (8.57%), 1 (2.86%) and 2 (5.71%) use ready-made sanitary pads, old cloth, rags, sand or ash and hay for maintaining their menstrual hygiene respectively.



Source: Primary Data

**Figure 10: Number of Children of the Respondents.**

The above diagram shows the number of children of the respondents. As per the above data out of 35 respondents, 3,11,14,5, 2 respondents have 1-2, 2-3, 3-4, 4-5 and more than 5 children respectively.

## FINDINGS

As per the above information the following inferences can be drawn:

- The above information represents the distribution of respondents according to their age at marriage. It can be seen that maximum proportion of women 45.71% were married off at an age of 15-18 years. Moreover, the data hints that a total proportion of more than 60% women were married off at an age below 18 years, which is below the legal age of marriage of women in India. This represents the vulnerability of these women in the society and hints their socio-economic backwardness. Getting married at such a young age makes them vulnerable to several abuses and tortures at the hands of their in-laws or subsequent guardians. Most women were married before attaining majority, i.e. still being a minor and that seems to be an indicator for positive response of domestic abuses by these women. According to the above analysis more than 60% women have said that they have suffered

domestic violence during their life-time. Marriage of minor girls makes them susceptible to abuses as they do not have financial or educational foundation. It further violates their human rights and pushes them into the vicious cycle of poverty.

- Most of these women respondents come from large families which acts as a burden on them pushes them to undertake work. As these women are not very educated or in most cases even lack standard education they remain unskilled and have to undertake casual labour work. They are also subjected to various abuses at home and due to lack to financial stability they are forced to undertake work at an early age. The above data shows that about 70% of women started working below the age of 30 years and about 30% women had to take up casual labour work before attaining even 25 years of age.
- Majority of women earn a wage of ₹ 300-350 per day which is a good indicator. However, the majority is abysmally low and when considered holistically more than 60% of the respondents earn a daily wage of less than ₹300 which is far below the recommended minimum wage rate of ₹375 per day by Ministry of Labour, Government of India. The monthly expenditure incurred by these women is quite high as they need to provide for their children's education and also run the family. Most of the respondents (about 68%) incur a monthly expense of ₹3000-5000.
- Most of the respondents get 100-200 days of employment per year as about 60 % women respondents responded saying that. This is a positive indicator as majority of women are receiving at least 100 days of work per year which is at par with the national standards.
- An abysmal situation can we observed regarding the health and hygiene conditions of these women as most of them suffer from chronic illnesses such as diabetes, thyroid, high blood pressure etc. Moreover, majority of women about 40% have 3-4 children which could take a significant toll on a women's health. Furthermore, their methods of maintaining menstrual hygiene are very unscientific and harmful for health. It can be seen that about 77% of women use old cloths during their menstrual cycle which shows that they do not have access to the highly priced sanitary pads. Some women also use methods like hay, rags, sand or ash etc. which are extremely harmful and unscientific techniques for maintaining menstrual health.
- Majority of respondents, i.e. 71% are under a debt currently which represents that they have a financial burden upon them. They are already at lower strata of the society and such accumulation of debt indicates that they undergo tremendous financial stress.
- The health condition of the women represent a gloomy scenario as these women have said to be suffering from chronic illnesses as well as majority of them 22 women out of 35 said that they had a poor condition of health presently. These women are mostly young and such deteriorated health condition implies that they are under tremendous financial as well as family pressure and are subjected to severe problems.
- Majority of women do not have access to proper sanitation facilities which indicates that they are undergoing severe issues regarding health and hygiene conditions. 77% of the respondents said that they did not have access to proper sanitation facilities and that is a contributing factor towards their abysmal menstrual health and hygiene condition.

## CONCLUSIONS

From the above analysis we may conclude that in rural areas the unorganized sector is larger as compare to urban areas. In this sector the participation of tribal women workers or labourers are larger than male workers. In working place the unorganized tribal women laborers are faces grave problems, such as insecurity, wage discrimination, absence of medical and accidental care, lack of continuity etc. this is due to their seasonal intermittent nature of work, low level irregular patterns of earning and employment, absence of employer-employee relationship and weak administrative structure. Self awareness and educations are said to be magic wands which will work as a fuel of revaluation for informal women laborers. To ensure problems in working place for women laborers, Government has launched some programme such as Mahila Shakti Kendra, Beti Bachao Beti Padhao Yojana, Working Women Hostel, Support to Training and Employment Programme for Women (STEP), Sukanya Samridhi Yojana, NGOs for welfare of Child and Women Labour etc. these are some steps which are launched by Govt. of India to ensure availability of safe, convenient accommodation for working family, also improve the efficiency of welfare services for the girl child etc. Since tribal women workers lack in skill, skill development programs should be provided to them to enhance their skill level. Tribal Women workers should be educated and make them aware about their rights and legislative provisions. It is very much essential to create awareness among tribal women workers about the institutional support available to them to protect their rights. A comprehensive law is needed to protect the rights of tribal women workers. Any kind of exploitation including sexual harassment of tribal women workers is to be prevented and stringent action needs to be taken against the wrongdoer. Mass media should be used to communicate the social message relating to women equality. Necessary amendments are required to be made in labour laws. There should be proper regulation of unorganized sector industries, which ensure job security, healthy work environment and at least minimum wages, maternity and child care benefits.

## REFERENCES

1. Alam N. (2012) *A Socio-legal study of informal seen workers of Dhaka city, Bangladesh e journal of Sociology*, 9,PP.101-108
2. Anju, K.J. & George,S. (2015) *A study on job satisfaction Of employees in BPCL- Kochi refinery limited, Ambalamugal. Researcg gate publications.*
3. Ansari, M.S. & Raj,A (2014), *Socio-legal status of woman Beedi workers in Bundelkhand region of Uttar Pradesh : An empirical analysis, UTMS journal of economics*, 6(1),PP. 53-66 Bharat J. (2008) *Report on Socio-economic Status of The Women Domestic Workers, Ministry of WCD*, pp.11-13.
4. Dileep, K.M. (2012) *Inimitable Issues of Construction Workers: Case Study, British Journal of Economics, Finance and Management Sciences*,7(2), pp42-43.
5. Jain, K.K, Jabeen.F, Mishra .V & Gupta .N (2007) *Job satisfaction as related to organizational climate and occupational stress: A case study of Indian oil, International review of business research paper*,3(5),PP.193-208.
6. Kapur, S. & Sethy ,P.K. (2014), *Working and living conditions of workers in unorganized sector-A review of literature, Online interdisciplinary international interdisciplinary researchjournal*,6(2),pp.197-204

8. Kalyani, M. (2015). *Unorganised Workers: A Core Strength of Indian Labour Force: An Analysis*. *International Journal*, pp.44
9. Satpathy, I, Patnaik .M.C.B and Tripathy .N (2017) *working and living conditions of workers in organized and unorganized sector , international research journal of human resources and social science ,4(9)*.
10. Sharma,H (2017) *The analysis of problems unorganized labour- A review , ICIRSTM-17,pp.143-149*
11. Toseafa,H. (2018) *A study on health and safety practice of Tema oil Refinery (TOR) in Ghana, Pardubice 2018.Dissertationthesis.PP.1-34*
12. Varma,P & Gupta,S (2015) *factors affecting socio economic status of tea farm workers of tea industry in Himachal Pradesh. Himachal journal of Agricultural Research, 41(1),pp.36-41*
13. Lewis W.A. (1954), *Economic Development with Unlimited Supply of Labour, The Manchester School of Economic and Social Studies, Vol.22, No.4.*
14. ILO definition on informal sector.
15. Sethuraman S.V. (1976), *The Urban Informal Sector: Concepts, Measurement and Policy, The Internal Economic Review, Vol.19, No.3.*
16. JeemolUnni,(2001),*Gender and Informality in Labour Market in South Asia, Economic and Political Weekly, June30. ILO (2003) Report on Women in Labour Market.*
17. Harold Lubell (1978), *Urban Development and Employment, Prospects for Calcutta, IJLE, Vol.37, No.2*

