CHILD LABOUR IN INDIA: INITIATIVES AND CHALLENGES

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ABSTRACT

"If we are to teach real peace in this world, and if we are to carry on a real war against war, we shall have to begin with the children." Mahatma Gandhi

The issue of child labour is a frontline concern in India, as early entry into labour market at formative stage of life does mean absconding from proper schooling leading to loss of future scope of better livelihood. Child labour is a complex problem basically rooted in poverty. And at the same time the nation bears the deadly consequences of this curse of the society. Children under fourteen comprise 3.6 per cent of the total labour force in India. Nearly eighty-five percent are engaged in the traditional agricultural sector, less than nine per cent in manufacturing, services and repairs and about 0.8 per cent are in factories.

A growing phenomenon is using children as domestic workers in urban areas. The conditions in which children work is completely unregulated and they are often made to work without food, and very low wages, resembling situations of slavery. There are cases of physical, sexual and emotional abuse of child domestic workers. The argument for domestic work is often that families have placed their children in these homes for care and employment. The elimination of child labour is a priority and is being implemented at the grass roots level in India. A large number of non-governmental and voluntary organizations are involved in this process along with national and international organizations.

In this paper we intend to give the scenario in which child labour gets increased and various challenges that have emerged due to this particular problem are also elaborated. The required efforts to overcome these problems are proposed. Finally we conclude that the proposed solution may be found worthy in overcoming the challenges that have emerged due to the child labour.

Keywords: Abuse, Child labour, Poverty, Society.

I. INTRODUCTION

CHILD LABOUR: MEANING

The Child labour (Prohibition and Regulation) Act1986 defines a child as any person who has not completed his fourteenth year of age. Part II of the act prohibits children from working in any occupation listed in Part A of the Schedule, which include among others, domestic work, dhabas & hotels, catering at railway establishments, construction work on the railway or anywhere near the tracks, plastics factories and automobile garages. The act also prohibits children from working in places where certain processes are being undertaken, as listed in Part B of the Schedule, which include among others, beedi making, tanning, soap manufacture, brick kilns and roof tiles units. These provisions do not apply to a workshop where the occupier is working with the help of his family or in a government recognized or aided school.

According to International labour Organization (ILO), the term 'child labour' is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development.

It refers to work that is mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by depriving them of \the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.child labour has been defined differently, and therefore, no universally accepted definition of child labour is available at present.

In India, the definition of child labour in terms of age; differed from year to year under different legislations. The Factories Act, 1948 prohibits children below the age of 14 years from working in any factory. The minimum age in the Mines Act, 1952 is 15 years. It is 12 years in the Plantations Labour Act, 1951.

Throughout the world child labour has been an area of lively debate for about a decade with much different view point on the issue. However for the economic historians, sociologists, and anthropologists, child labour is not merely a contemporary phenomenon. Development economists also argue that such withdrawal was facilitated by substantial improvement in the socio-economic condition of the people in the industrial economies. By this argument child labour represents a stage in the development process through which economies must pass. However in recent times there has been a renewed attack on child labour citing grounds of physical, moral and psychological trauma for the children and loss of childhood. Such arguments have been stimulated by recent debates on human rights, human capital formation and international labour standards. It is argued that child labour exists in developing countries because there are both demand for and supply of it. Faced with poverty, inequality, social norms, credit-land-labour market imperfections, high fertility and unpredictable employment scenario children are sent to work in most cases by their parents.

The supplementary income of children raises their nutritional standards, enables their siblings to continue education and enhance their skill and future prospect of employment. On the other hand producers demand child labour because of substantially lower wages paid to children. Therefore child labour exists. The incidence of child labour is accepted either as an undesired reality or as an unavoidable necessity. In spite of various stringent labour laws the problem of child labour put forward a serious challenge to the development process in the underdeveloped economies.

In 1987 the Government of India adopted the National Child Labour Policy.

II. LITERATURE REVIEW

Child Labour has been in the focus of Development economics from quite a long time (see ILO (2002). There has been substantive number of studies on Child Labour internationally. Theoretical and empirical studies on Child Labour seek answers to three basic questions:

- (a) What causes child labour?
- (b) What are the effects of child labour on human development; and,
- (c) How different policies affect magnitude and forms of child labour.

However, these three are interrelated among themselves up to a large extent. Most of the theoretical studies explain reasons behind existence of child labour, their impact on the economy, and how different policies are supposed to influence child-work decisions.

The pioneering work in this regard was by Basu and Van (1998). Other important studies include Lieten and Ben (2001), Grootaert and Kanbur (1995), Anker (2000), Bhalotra (2000), Basu(1999), Galli (2001), Jafarey and Lahiri (2002), Rammohan (2000), Rosati and Deb (2002) among others.

Empirical studies on Child Labour, apart from determining the trends/magnitude of child labour, also tests the validity of several theoretical postulates that have been forwarded regarding causes, impacts and policy sensitiveness of child labour. These include Ashagrie (1993), Grootaert and Patrinos (1999), Bhalotra and Heady (2003), Beegle et al. (2003a, 2003b), Goldin and Katz (2003), Edmonds (2004a, 2004b), Bourguignon et al. (2003), Weiner (1991), Rayallion and Wodon (2000), Addison et al (1997), Ray (2000a, 2000b).

Empirical Studies in Indian Context include those by Chaudhuri and Wilson (2000), Ray (2000c), Cigno and Rosati (2000), Burra (1995), Mishra (2000), Chandrashekkar (1997), Weiner (1991), Majumdar (2001), and Reddy (2000).

In most of these studies, the focus has been on children 'working' as wage earners, i.e. those who are in the labour market. However, this underestimates the contribution of the children, especially that of the girl-child, in the economy (and society) by not considering economic and non- economic domestic duties performed by children. These duties are by no means negligible as Nowhere Children (those neither in labour market nor in school) are considerably more in developing countries than the number of child workers.

III. OBJECTIVES

- 1. To reveal the reasons and consequences of child labour in India.
- 2. To find the effective measures to eradicate child labour from its roots

IV. RESEARCH METHODOLOGY

The study has been conducted mainly on the basis of literature survey and secondary information this is collected from the Census Surveys, Reports, newspapers, journals, articles, websites, etc.

v. DISCUSSIONS

1. CHILD LABOUR: HISTORY

The Child labour in India can be well understood by bifurcating it into three perspectives that is: ancient, medieval and modern.

a) CHILD LABOUR IN ANCIENT PERIOD

As regard child labour in ancient India, it can be said that it existed in the form of child slaves. Child slaves could be purchased or sold like commodities. To some extent, parents 'obligations were very often involved in working for the landlord on such low wages that it created conditions for the child to work in the farms for wages. They remained as bonded labour in the landlord's house along with the parents for repaying or minimizing the debt which their parents had taken from landlord. Children, however, helped their parents in

house-hold activities and family crafts. They learnt the skills by observing and participating in such activities. A predominantly rural society is inevitable characterized by small and marginal economic units.

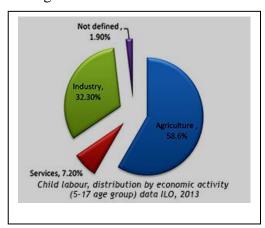
The economic status of the slaves, hired labourers and unskilled workers was worse. The same was the position of child when he was engaged in agricultural sector. It is revealed that child labour in ancient India was very common and could be witnessed in different occupations where they were engaged by the rich landlords to carryout activities directly or indirectly related to their agriculture sector.

b) CHILD LABOUR IN MEDIEVAL PERIOD

Child Labour in medieval period was no exception. Increasing pressure on land led to fragmentation of holdings. Growing families had to look beyond personal cultivation for subsistence. A class of landless labourers came into existence, often bonded to the large landowners. These labourers used their children to help in their economic activities. The rural artisan rarely worked alone. Occupations were determined largely on the basis of heredity, and children were introduced to their traditional craft at a young age. Child labour in medieval India remained in existence on a large scale and even the rulers encourage it with an intention to make only traffic in child slaves. The child labour was found in the form of child slavery and rulers did not endeavour to weed out this practice and hence the result was that child was always exploited for this selfish ends.

c) CHILD LABOUR IN MODERN ERA

Children have always been used in economic activities. In pro-capitalist and socialist states including India, children were employed in guild and in trade occupations. In these societies, their workplace was an extension of the home and work relationships were informal relationship. The child grew up and found work within the family where the child was not given hazardous and difficult task. Work was a central aspect of their socialization and training.



This conception, however, underwent a dynamic change with the advent of capitalism in the industrialization during the 18th century and child labour began to be designated as a social problem. The new economic forces unleashed by capitalism destroyed the family-based economy. A large number of labourers were displaced due to mechanisation of agriculture – the farmers were alienated from their home-based work place. They became wage-earning labourers. Extreme poverty created a situation in which the child had to be introduced in the labour market, lack of alternative employment for adults and lack of education for children reinforced this process.

The data on sectoral look in various occupation of child labour is taken from Census 2010.It is observed from the above table that child labour is more pronounced in urban areas with 15.55% in agriculture and 12.31% in manufacturing in rural areas. The minimum child labour with 1.71% in urban and 1.22% in rural in electric, gas and water is observed.

REASONS FOR INCREASE IN CHILD LABOUR

OCCUPATION	% RURAL	% URBAN
Agriculture	10.87	15.55
Livestock, forestry et al	2.24	15.29
Mining & Quarraying	2.99	9.81
Manufacturing	12.31	13.72
Electric, gas, water	1.22	1.71
Construction	8.78	11.24
Wholesale ॐ retail	7.44	9.00
Hotels & restaurants	9.57	11.74
Transport, storage	3.81	5.95
Business activities	5.96	11.41
Defence, Public admin- istration, social work, education, et al	3.67	4.68

The causes of child labour are many and varied. Thus, a variety of factors can be attributed for the employment of child labour. Easy availability of child labour without many obligations for employers.

Poverty – poverty is the single important reason for child labour. The poor parents in order to supplement their income allow the children to work even on unremunerative jobs. Abject poverty and unemployment forces the children to take up un-remunerative jobs. Thus, —economic compulsions weigh heavily on the consciousness of the poor parents and they would not mind colluding with their children's employers in violating the laws and putting their children under the risks of inhuman exploitation.

Parents want their children for themselves as early as possible, much better, if they become a source of income to the family. Since the child is put to adult role at an early age, he/she also marries early and breeds early, thereby increasing the liabilities of his/her family and also of the whole nation.

- a) Many employers prefer to engage children, because they are cheap. Moreover, children tend to be less troublesome, more disciplined and: highly adaptable.
- b) School drop-outs.
- c) Loss of an earning member of the family.
- d) Absence of any State sponsored scheme of family allowance in India.
- e) Non-existence of any general scheme of compulsory education up to a minimum age.
- f) Slow advance of protective labour legislation.
- g) The evasion of the existing laws for the protection of children.
- h) Death of parents.
- i) Habituated father or any adult male member of the family spending money on drinking etc.
- j) Sometimes social structure of the society becomes responsible for child labour. The social structure in our country is characterized by caste system. The members of low castes and down-trodden communities are supposed to be for the service of the upper castes. Thus, they are deprived of their aspirations.
- k) The problem of child labour in India is rooted in the exploitative socio-economic setup and poor and backward economy. Ignorance, lack of job opportunities and other socio-economic institutions perpetuate this evil. Mass awareness does not prevail in our society which is also an important cause of child labour.

2. CONSEQUENCES OF CHILD LABOUR

Child labour in general is a great social ill and a national waste, as the economic necessity for wage earning to support the family, deprives the child of an opportunity for education, play and recreation, stunts his physical growth, interferes with the normal development of child's personality and thwarts his preparation for responsibility. The hazards suffered by the child workers are of no one's concern.

A. HEALTH HAZARDS

- Tuberculosis and bronchitis
- Muscle atrophy
- Weakening and malformation of bones
- Eye diseases

- Stunted growth
- Finger Arthritis
- Damage to the finger nails
- Excessive fatigue and malnutrition effects, functioning of endocrine glands.

Causes of child labor	Number	Percentage
Inadequate family income	226	75.33
To assist the family to overcome the family financial problem	159	53.00
By own interest	83	27.67
Father's addiction	81	27.00
Death of one or both parents	78	26.00
Forced by parents	52	17.33
Broken family i.e., family where parents have been separated or divorced or left the house	53	17.67
To look after other siblings by earning something or for their education or to prevent their sibling to do job	34	11.33
Quarrels in the family	30	10.00
Chronic disease of parent	23	7.67
No reason	19	6.33
Took the job to avoid the school due to fear of repeated failure	18	6.00
n: Multiple responses		

B. ECONOMIC AND SOCIAL EVIL

- a) Child labour gives birth to numerous economic problems such as the use of labour at its lowest productivity implying thereby an inefficient utilization of labour power.
- b) The practice of employing children permits unfair competition with adult labour with the result that there may be an excessive unemployment of adult labour, low wages and less satisfactory working conditions.
- c) Child labour tends to interfere with normal family life and encourages the breakdown of the social order; child used to early economic independence starts an early sex life acquiring venereal diseases and addition to intoxicants. Generally, he/she also marries young and starts early procreation.
- d) The worst effect of child labour is that it interferes with their education and minimizes the chances for their vocational development. They neither acquire any skill nor do they receive any education thereby condemning them to a status of illiterate, oppressed and trampled worker for the rest of their lives.
- e) The effects of poor and unsafe working conditions on working children take the form of fatal accidents that result in deformities. The vulnerability of children is increased by them high incidence of malnutrition and under-nourishment and making them less resistant to debilitating diseases.
- f) Children in some work situations are exposed to physical and mental abuse. This involves long and often permanent separation from parents and isolation, sometimes amounting to virtual imprisonment and physical cruelty. Child participation in labour force activity reduces the potential for schooling and educational development. Given the low educational or skill content of many of the jobs in which working children are involved, the possibilities for acquiring remunerative or satisfying skills become still more remote, children, thus, find themselves locked in unskilled, low paying situations and permanently disadvantaged in the labour market.
- g) There are also other kinds of deprivations from which labourers suffer, including the absence of clear and written contractual reemits, the dearth of feeding programmes, health care facilities and other welfare services and the lack of insurance and social security. The regulation of employment of children by law covers only a fringe of

- these occupations and even where regulation has been sought, the enforcement is extremely half- hearted and tardy.
- h) Unless a systematic evaluation is made from time to time in respect of jobs in which children are employed and certain purposeful policy decisions are taken to meet the deficiencies, the existing situation is not likely to undergo any dimensional, qualitative or quantitative change.

CHILD LABOUR: INITIATIVES BY GOVERNMENT OF INDIA

- a. National Policy for Children 1974: It is the first policy document concerning the needs and rights of children. It recognized children to be a supremely important asset to the country. The goal of the policy is to take the next step in ensuring the constitutional provisions for children and the UN Declaration of Rights are implemented. It outlines services the state should provide for the complete development of a child, before and after birth and throughout a child's period of growth for their full physical, mental and social development.
- b. National Policy on Education, 1986: It was called for "special emphasis on the removal of disparities and to equalize educational opportunity," especially for Indian women, Scheduled Tribes (ST) and the Scheduled Caste (SC) communities. To achieve these, the policy called for expanding scholarships, adult education, recruiting more teachers from the SCs, incentives for poor families to send their children to school regularly, development of new institutions and providing housing and services. The NPE called for a "child-centred approach" in primary education, and launched "Operation Blackboard" to improve primary schools nationwide.
- c. National Policy on child Labour, 1987: It contains the action plan for tackling the problem of child labour. It envisaged a legislative action plan focusing and convergence of general development programmes for benefiting children wherever possible, and Project-based plan of action for launching of projects for the welfare of working children in areas of high concentration of child labour.
- d. **National Nutrition policy, 1993**: It was introduced to combat the problem of under nutrition. It aims to address this problem by utilizing direct (short term) and indirect (long term) interventions in the area of food production and distribution, health and family welfare, education, rural and urban development, woman and child development etc.
- e. **National Population Policy 2000:** The national population policy 2000 aims at improvement in the status of Indian children. It emphasized free and compulsory school education up to age 14, universal immunization of children against all vaccine preventable diseases, 100% registration of birth, death, marriage and pregnancy, substantial reduction in the infant mortality rate and maternal mortality ratio etc.
- f. National Health Policy 2002: The main objective of this policy is to achieve an acceptable standard of good health amongst the general population of the country. The approach is to increase access to the decentralized public health system by establishing new infrastructure in deficient areas, and by upgrading the infrastructure in the existing institutions. Overriding importance is given to

ensuring a more equitable access to health services across the social and geographical expanse of the country.

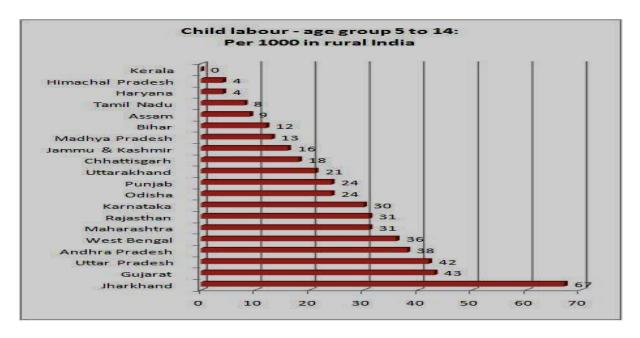
- g. National Charter for children (NCC), 2003 highlights the Constitutional provisions towards the cause of the children and the role of civil society, communities and families and their obligations in fulfilling children's basic needs. Well-being of special groups such as children of BPL families, street children, girl child, child-care programmes, and educational programmes for prevention from exploitation find special mention in the NCC. It secures for every child its inherent right to be a child and enjoy a healthy and happy childhood, to address the root causes that negate the healthy growth and development of children, and to awaken the conscience of the community in the wider societal context to protect children from all forms of abuse, while strengthening the family, society and the Nation. The Charter provides that the State and community shall undertake all possible measures to ensure and protect the survival, life and liberty of all children. For empowering adolescent, the Charter states that the State and community shall take all steps to provide the necessary education and skills to adolescent children so as to equip them to become economically productive citizens.
- h. **National Plan of Action for Children (NPA), 2005** was adopted by Government of India in the pursuit of well-being of children. NPA has a significant number of key areas of thrust out of which the one's relating to child protection are:
 - ➤ Complete abolition of female foeticide, female infanticide and child marriage and ensuring the survival, development and protection of the girl child,
 - ➤ Addressing and upholding the rights of children in difficult circumstances,
 - > Securing for all children legal and social protection from all kinds of abuse, exploitation and neglect.

The various Schemes / Programmes are implemented by different Central Ministries, following the guidance of the national policies. They are aiming to tackle the issues relating to the overall welfare of children work independently as well as hand in hand. The State/ UT Governments also execute numerous programmes from time to time for improving the lot of children. Important Schemes for Well- being of Children:

- 1) Integrated Child Development Service Scheme
- 2) Integrated Child Protection Scheme
- 3) National awards for child Welfare.
- 4) National Child Awards for Exceptional Achievements.
- 5) Rajiv Gandhi Manav Seva Awards for Service to Children.
- 6) Balika Samriddhi Yojna.
- 7) Nutrition Programme for Adolescent Girls
- 8) Early Childhood education for 3-6 age group children.
- 9) Welfare of working children in need of Care and Protection
- 10) Child line services
- 11) Rajiv Gandhi National Crèche Scheme for children of working mothers.
- 12) UJJAWALA: A Comprehensive Scheme for Prevention of trafficking and Resue, Rehabilitation and Re-integration of Victims of Trafficking and Commercial Sexual Exploitation
- 13) Sarva Shiksha Abhiyan
- 14) National Rural Health Mission
- 15) Rajiv Gandhi Scheme for empowerment of Adolescent Girls SABLA.

- 16) Dhana Lakshami Conditional Cash Transfer for Girl Child with insurance cover
- 17) National Commission for Protection of Child Rights

In spite of several focused initiatives addressing the various needs of children in India, it is very evident from the Statistics presented in the coming chapters that, a lot need to be done to improve their condition in all realms of child survival, child development and child protection. The gender inequality is also wide in these areas, calling for special attention on girl child.



- ➤ The States of Uttar Pradesh and Delhi together accounted for 47.6% kidnapping and abduction of children reported in the Country.
- ➤ The States of Madhya Pradesh, Uttar Pradesh and Maharashtra together accounted for 44.5% of the child rape cases reported in the Country in 2011.
- A total of 132 cases of foeticide were reported in 2011, of which the highest number registered from Madhya Pradesh, followed by Chhattisgarh and Punjab and these States together reported 56% of the total Foeticide registered in 2011 in the Country.
- An increase of 27% is observed in the Crime of Procreation of Minor Girls, ie.862 cases in 2011 compared to 679 cases in 2010. West Bengal has reported 298 such cases, indicating a share of 34.6% at national level followed by Bihar (183), Assam (142) and Andra Pradesh (106).
- ➤ Maharashtra accounted for 74% of the total 27 cases of 'buying of girls for prostitution' and West Bengal has accounted for 77% of the total 113 cases of 'selling of girls for prostitution'.
- A total of 113 cases under prohibition of Child Marriage Act 2006 were reported in the country out of which highest were reported in West Bengal (25), followed by Maharashtra(19), Andhra Pradesh(15), Gujarat(13) and Karnataka(12).during 2006-2011, the trend in human trafficking cases reported under the heads of 'Procuration of

Minor Girls, Importation of girls, Selling of girls for prostitution, Buying of girls for prostitution Immoral Traffic (Prev.)Act', shows an overall declining trend, with year to year variation. From nearly 5000 cases in 2006, it declined over the years, touching the lowest in 2009 (2848 cases) increased to 3422 cases in 2010, and 3517 cases in 2011.

- ➤ In 2011, 69% of cases of human trafficking are cases booked under Immoral Traffic (Prevention) Act 1956, though there is a decline of 2.6% in 2011 compared to 2010. Andra Pradesh accounted for 20.4% and Tamilnadu accounted for 17.2% cases of cases under this category, in 2011.
- An increase of 122.2% has been observed in cases of 'importation of girls' during 2010-11, and 56% of these cases reported in 2011 are from Madhya Pradesh.
- ➤ The increasing trend in incidence of Juvenile Crimes (under IPC) is a matter of grave concern, though the percentage of juvenile crimes to total crimes is around 1% during 2001 to 2011.

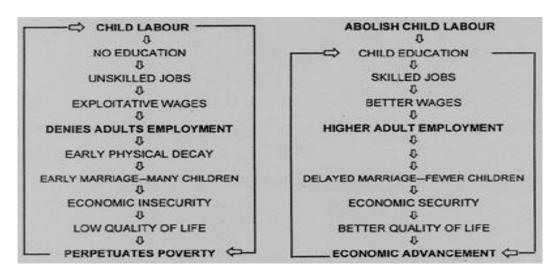
3. CHILD LABOUR: SUGGESTIONS FOR IMPROVEMENT

First of all the major responsibility is for we the people to live in the society. It starts in your home. Never make any servant do work underage. Give some financial help to the street boys. Unite people who want to help them. Make welfare groups. Give children education and give them shelter and food. If we all work from our own place as far as we can, then it is possible to have a result. Never put any child to hard and heavy work in an industry. Boycott the people who are doing this and raise your voice against them. Make them know the law of crime like child labour. Raise awareness to the people. Come forward and take your own responsibility and make your own judgments.

Secondly, governments can play a huge role. First of all they can make the proper law against child labour and enforce them strictly against people who are putting the children to heavy work. Governments also should assure shelter, food, education and all basic needs for children. A child should be as free as he is in heaven. Remember, children are also a tool for criminal to their crime. Governments of a country should be aware and take necessary steps for that.

Lastly, we are living in an era of globalization. The various international organizations can take steps to raise awareness to the people to stop child labour. They can help children financially by giving them free education at education for all programme and putting pressure on the government to enforce the law to provide necessary elements for the welfare of children. The combination of the above bodies will make it easy to eradicate children's ill health.

Children are the sign of innocence and purity. Your heart should melt in tears when you see them sleeping in the street with a hungry belly if you are a real human. We the youth raise our voice. Make this world a better place for the upcoming generation.



VI. CONCLUSION

It is evident that incidence of Child Labour is decreasing in India over the recent past. However, still 40 million children are out of school of which 6 million are working outside home. Major problem is the presence of a large mass of *Nowhere Children*, who are neither working nor going to school.

If we look at the plausible determining factors, poverty emerges to be a necessary but not a sufficient condition for thriving of child labour. While poverty is instrumental in keeping the children out of school, it does not necessarily drive them into the labour market. It is only the presence of other complementary factors like lack of educational infrastructure that appears to play a much more crucial role in pushing children to work. The physical component of educational infrastructure is no doubt important in this respect but the humane factor is emerging to be more important.

Educational infrastructure is also observed to play a very important role in this regard and therefore spatial expansion of educational infrastructure with more emphasis on elementary education would be very useful in eradicating child labour. An emerging idea regarding educational infrastructure is that at the aggregate level we have to some extent overcome the stage where there was acute shortage of physical infrastructure viz. lack of school buildings etc. It is believed that now the bottleneck arises mainly in terms of the human component, namely availability of teachers. The main task therefore is to ensure that the schools are adequately staffed and teachers have ample time to take care of individual students.

This will also make learning enjoyable and attract & retain young children in schools. The nature of working of the schools also needs to be revamped as informal institutions started under different schemes of Sarva Shikhsa Mission (SSM) are often found to be highly effective in bringing out of school children under the umbrella of education. It is quite interesting that proportion of children attending educational institutes in subsidiary status is increasing over time and can be attributed to SSM. Perhaps the non-conventional schooling hours and informal system of teaching have suited them whereby they can attend classes even after finishing their assigned duties. Such an approach will fulfil the promise of right to education of children without compromising on their broader right to (earn and) live.

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