REVIEW OF LITERATURE

NATURE OF CHILD LABOUR IN INDIA

With a deep desire to discover its great socio-cultural heritage, when a foreign tourist visits India, unfortunately he takes back home the memories of thousands of children he encounters with helpless expressions on their faces. Child labour continues to be a standing slur on our efforts to project India as a dynamic country on the move. As per the International Labour Organisation (ILO) reports, India suffers from the dubious distinction of having perhaps the largest child labour force in the world-some 16.5 million. Unofficial estimation gives a mind-boggling figure of 45 million of which around 20 per cent are in urban centres and the rest in rural areas. The high incidence of child labour in India along with some other developing countries has often attracted a lot of international attention-critical of course. Of late, an exploding interest has also been generated world wide on this heartening issue. In India it is reflected in the increasing emphasis of the bold initiatives of the trade unions and some employers’ organizations towards the progressive elimination of child labour\(^9\).

Background

The issue of child labour has acquired a great deal of prominence since April 1994 when, in the wake of the conclusion of the last

Uruguay round of negotiations, an agreement was signed at Marrakesh, to which India was a signatory. It had earlier attracted attention and concern, after July 1991, when India’s economic reforms were launched at the national level, ushering in a new era of liberalization, privatization and globalization in an attempt to integrate the national economy with the global economy. It is not as if the issue of child labour had not surfaced even earlier. It was very much a part of the social and national consciousness. But the issue acquired a new meaning and significance in the context of contemporary competitiveness where labour cost is one of the important contributory factors and child labour has certain connotations, mostly negative, in the context of labour cost and international trade. Apart from the ILO, which took a lead in this area since it’s inception, the issue of child labour is, very validly, being raised today in many international fora. International agencies and the UN system as a whole have pledged their support to eliminate child labour by signing a joint declaration at New Delhi in August 1998. Numerous declarations are being made and documents published, but as an issue, child labour is more complex and multifaceted than is apparent in them. It is necessary to view the various implications of the issue in a holistic perspective encompassing the history, economics, and society the constitutional and legal framework, policy postulates obtaining at the national and international level, and the adoption of possible strategies towards the total elimination of child labour.

A child is born. It is a soul with a being, a nature and capacity of its own, who must be helped to grow in to maturity, into a fullness of
physical and vital energy and the utmost breadth, depth and height of its emotional, intellectual and spiritual being. This is how Justice P.N. Bhagawati described the birth of a child, and the excitement and joy associated with that birth, in a judgment on international adoption of children in 1985. This perception is writ large in our ancient thought and culture. Tagore, in Sadhana (1979)\textsuperscript{10} said that “Civilization must be judged and prized not by the amount of power it has developed but by how much it has evolved and given expression to by its laws and institutions, the love of humanity”.

The day will come when nations will be judged not by their military or economic strength, nor by the splendor of their capital cities and public buildings but by the well being of their people; by the levels of health, nutrition and education; by the opportunities to earn a fair reward for their labour; by their ability to participate in the decisions that affect their lives; by the respect that is shown for their civil and political liberties; by the provision that is made for those who are vulnerable and at disadvantage and by the protection that is afforded to the growing minds and bodies of their children.

Every form of work, whether hazardous or not, entails some degree of stress. Hazardous work cripples the health, psyche, and personality of a child, while non-hazardous work cannote other forms of deprivation, such as denial of access to education and denial of the pleasurable activities associated with childhood. The fact remains, in

\textsuperscript{10}Tagore, in Sadhana \textit{“Introduction to the Progress of Nations”} Annual Publication of UNICEF in 1997
any event, that there should be a minimum age for entry into the workforce, whether it is for wages, or for a living, or otherwise. That age should be determined in physical, emotional, and psychological terms. Only when a person has the physical strength, the mental and emotional maturity of thinking and to act rationally and scientifically that he/she can cope with the stress that is imposed by the work in which he/she is engaged.

This was the basis on which minimum age of entry into employment convention No.138, was designed and adopted at the International Labour Conference in June 1973. The convention clearly spelt out that no child at a particular age, say fifteen, has to work, but instead required to attend school and receive an education. The age of entry to work would vary from country to country, state to state, and region to region. This is because geographical, topographical, climatological, and demographic conditions vary widely, and these have an impact on the growth and evolution of children. These variations notwithstanding, it is necessary to adopt a minimum age for entry to employment and work in order to protect those below this age from the adverse consequences of so doing.

This was evidently the rationale that weighed in the minds of the founding fathers of the Indian Constitution when they prohibited the employment of children in factories, mines, and every hazardous workplace. The spirit of the ILO Convention was also clearly and unambiguously enshrined in Article 45 of the Constitution which mandates that the state shall endeavour to provide free and
compulsory education for all children until they complete the age of fourteen.

There is a dichotomy between the provisions of Article 24 and Article 45 and though unintentional, it is necessary that this dichotomy be stated clearly and unambiguously. If the employment of children is prohibited in hazardous operations, does this imply that children are permitted to work in non-hazardous operations? If that is so, how does one reconcile, on the one hand, the fundamental right to receive free primary education at a particular age and, on the other the possibility of working at that age. If children between 6 and 14 years of age are expected to go to school, how can they, at the same time be permitted to work, even if the nature of their work is non-hazardous? Does it mean that education with work and earning with learning can be combined under non-hazardous conditions of work?

This is precisely what the Supreme Court of India has stated in its judgment in Civil Writ Application No.465 dated 10th December 1996. According to this judgement, paragraph No. 31 (10), children should be permitted to work for 4-6 hours a day in non-hazardous employment while receiving education for two hours a day. The Supreme Court judgment, however, rests on the existing law itself, which is a by-product of Article 24 of the Indian Constitution. The Child Labour (Prohibition and Regulation) Act, 1986 which repealed the Employment of Children Act, 1940, permits children to work in industries other than those specified in part (A) and (B) of the Act.
Education combined with work and earning with living is a myth. This is neither possible nor desirable.

Children are subjected to hard manual labour for long hours at a very early age. Such work often tends to be arduous drudgery, resulting in continuous fatigue which is further compounded by the acute malnutrition. In the process of exposure to seemingly innocuous work, children contact infection and become victims of occupational diseases. To illustrate: the working conditions of child garbage- and ragpickers increase the risk of disease and disability through exposure to lead and mercury, buckling of the back because they have to lift heavy sacks of rags, and the presence of parasites. Even children in agricultural work are exposed to and adversely affected by toxic chemicals, accidents from sharpened tools, and motorized equipments such as tractors. In the tripartite sectoral committee meeting on working conditions of agricultural workers held at Geneva from 23rd to 27th September 1996 it transpired that 15,000 children working in agriculture in Costa Rica later became impotent as a consequence of their exposure to toxic chemicals.

It is true that learning productive work could be exciting and enjoyable for persons at the proper age if the work environment were safe, clean, and congenial, and if all the requisite safety equipments were provided. ILO Convention No.138 prescribes fifteen as the minimum age of entry to employment, as it is at this stage that one is physically and mentally equipped to cope with the stress and strain, work imposes. This is the minimum age at which one is aware of the
nature of work, the impact of work on the psyche and personality, and of devices to protect oneself from the risks and hazards it entails.

The distinction between ‘hazardous’ and ‘non-hazardous’ work is in this sense more artificial than real, it is a distinction of degree and not of kind, and, therefore, needs to be discounted. What appears on the surface to be non-hazardous and innocuous may not in reality be so.

The next point that militates against the combination of education with work is the quality of education that can be provided within two hours. Education is meant for productive efficiency and the empowerment of the individual. Some empowerment is possible if there is a judicious and balanced combination of proficiency in the mother tongue, proficiency in arithmetic, and proficiency in physical and social sciences as well as general and social awareness. The acquisition of minimum levels of learning and proficiency in these depends upon a host of factors such as:

- Prevalence of a literate environment where literacy and education are valued and praised by the society as a whole;
- A warm and congenial environment in the school;
- Effective teacher training that is participative and communicative which can act as a tool of empowerment of the teacher;
Curriculum, course content and textual materials that are need-based and relevant, designed in a participative workshop, and their suitability certified before adoption.

Regretfully this is not the reality today. The educational system at all levels, in particular at the primary, upper primary, and elementary level, is fragmented, and largely non-functional. In India about six lakh villages and about 5.81 lakh schools are like this. In India people do not have a school for every village. Some schools are beyond a radius of two kilometres making it virtually impossible for mothers to send their children (particularly girl children) to school. Every school does not have a minimum of two teachers, and wherever they exist, the second teacher is not necessarily a woman largely on account of the low rate of female literacy, and hence the non-availability of qualified and trained women teachers. The teachers do not live in the village and often tend to run the school more by proxy. Teachers: absenteeism in the northern states (particularly in Bihar, Madya Pradesh, Uttar Pradesh, and Rajasthan) is very high. Teacher’s motivation and commitment to use education as a tool for integrated and holistic development of children is extremely low. This is partly because of their socio-economic background, partly on account of an environment characterized by a lack of probity, and transparency. While the curriculum and course content are largely irrelevant, the motivation of parents and children is at an all time low and the overall educational environment is dull, demotivating, and suffocating.
The major flaw in the present system of education is that it stifles creativity and originality. Professor Yash Pal, who was Chairman of the National Advisory Committee on Education appointed to look into the issue of the load of school satchels, submitted his well-known report ‘Learning without Burden’. He is of the view that the present system of education does not emphasize real learning but only memorization for successful performance in exams. There is no proper learning environment in the class conducive to encourage students to be inquisitive about the world around them, and motivate them to discover things for themselves. After nearly four decades since the constitutional directive was made, we are today caught in a web: unable to decide whether the earlier emphasis on expansion of the system should be replaced by qualitative development.

Bonded Child labour in Agriculture

Bonded labour is widely prevalent in the states of Rajasthan, Uttar Pradesh, Bihar, Orissa and Andhra Pradesh. Bonded child labour is an inter-generational phenomenon. The pattern that emerges is that usually a father or grand father has taken a loan. After serving for many years, when the man becomes too old to work, his master demands that the young son or sons be sent to replace the father and around the age of ten, the young child is introduced into the system of bondage. National labour Institute study on bonded labour showed that 10.3 and 8.7 per cent children below fifteen years were bonded in Andhra Pradesh Karnataka and Tamil Nadu respectively. Most of the

child bonded labourers in the rural areas are sons of bonded labourers. In most cases by having a male member of the family working as a bonded slave, the family becomes impoverished and for survival sends younger sons into bondage.

First, the boy has to tend cattle, and latter he has to perform the complicated agricultural operations. As long as he is young and strong, once mortgaged by his family to the landlord, he becomes the private property of the master, a thing with human flesh and blood that can be easily manipulated according to the whims of the landlord’s family.

In some states of India, like Andhra Pradesh, Orissa and Bihar, child bonded labour is widespread. According to a study done in Andhra Pradesh by the rural wing of the National Labour Institute, child bonded labour known widely as Jeeta Gadus or Jeeta (a term used to refer to bonded labourers mainly in South India) was widely prevalent in the villages of Sidipet, Medak and Gogipet Taluks (an administrative unit of the district). These children were tied to money lenders and local landlords. In some villages it was found that landlords were using primarily child labour.

There are regional variations in the profile of bonded labour in Andhra Pradesh. Twenty per cent of the bonded labourers in the state were under the age of fifteen years. In Orissa children below the age of fifteen years make up 20.5 per cent of the total bonded labourers and in Tamil Nadu 10.6 per cent of the bonded labourers belong to the
age group of eleven to fifteen years. It is only with respect to Gujarat, no bonded labourer younger than twenty years was identified.

Children become bonded even for the smallest things. In Bihar, a child in Ramkanda village borrowed ₹ 100 to buy clothes and was enslaved. A similar story is that of Ram lakhan who sold himself for Rs.10. That was eighteen years ago when he was hardly five years. His parents died and he had nothing to eat or wear. So he asked the village money-lender to lend him ₹.10. The orphaned boy was given the loan but on condition that the labour of his life belonged exclusively to the money lender till he paid his debt.

In a study of a Karnataka village, Sudha Rao found that the jeeta servants who belonged to the peasant, harijan and artisanal castes were all under fourteen years and invariably from families which had incurred debt.

A newspaper\(^{12}\) report documents how tribal children in Raipur District in the state of Madhya Pradesh are mortgaged to landlords at the age of seven years. For a sum of about ₹.200 given at the time of marriage, the young man becomes a full-fledged bonded labourer since he will never be able to repay that sum. In course of time, his children are also mortgaged and the story repeats itself. A more recent report pointed out that there were about 2000 child bonded labourers in Raipur District of Madhya Pradesh alone. It is a characteristic of feudal agrarian relations that families of agricultural labourers are

\(^{12}\)“Indian Express”, 11 April 1984; “MP Chronicle”, 1984 April 17
bonded to their masters for several generations. The bonded child labourer is bonded not because he is a child but because he is a member of a bonded family. Commonly a family taking a loan, at usurious rates of interest provides services to the landlord and his family in order to pay off the debt. The bonded family is hardly paid any wages but is given something in kind for its bare sustenance. When the father is old or dies, the young sons of the family step in to their father’s shoes and the cycle continues. One estimate states that nearly 7.5 million children below the age of fourteen years were in bondage.

The states\textsuperscript{13} of Andhra Pradesh, Bihar, Orissa, Rajasthan and Uttar Pradesh are all known for child labour. While there are different estimates of child bondage in India, the then Minister of state for Labour announced in 1980 in Parliament that a random sample survey in hundred villages in ten States estimated that the incidence of bonded labour was 22.4 lakhs and 66 per cent of the bonded labourers belonged to the scheduled castes and 18.3 to the scheduled tribes.

The Rural Poor and their Problems

The studies on poverty\textsuperscript{14} in India unequivocally point to the primacy of rural poverty in terms of its incidence and also its pervasive character. They are suggestive of the urgency of adopting poverty ameliorating programmes in rural areas.

\textsuperscript{13} “The Indian Worker”, 1980, Dec 29, p3

\textsuperscript{14} Dandekar .V.M and Rath. N, “Poverty in India” Indian School of Political Economy, Pune, 1990
A direct method of identifying the rural poor which is most commonly followed in recent times is to carry out a census survey of rural household incomes. Those households which report a per capita income at or below the poverty income are regarded as poor. As a matter of fact, the Integrated Rural Development Programme aims at assisting the rural poor in getting them higher income and employment levels. This method is, of course relatively dependable but it is quite elaborate, time-consuming and costly in terms of labour and money spent.

A less costly method in terms of time and money has been suggested in some academic circles. On the assumption that the rural poor are generally landless agricultural labourers, artisans and marginal and small cultivators, it is suggested that the village level worker (VLW) may list out all households belonging to these groups.

The Manual on Integrated Rural Development Programme states that “the persons whom we seek to assist are those sections in society without much influence, managerial ability or capability to bear risks”. Two points are implied in this statement. One is that those who lack managerial capability or capacity to bear risks constitute the poor. This means that whoever has poor skills would suffer poverty. The other point is more potent and involves some serious implications. It says that those who lack influence in the society would suffer from poverty and it actually takes us to the question of what makes a person influential in the society. Without much ado
about this, one may assume that the asset ownership, particularly land and the place in the caste hierarchy determine the degree of influence that a household could at any time exert. From this discussion the criteria for identifying the poor that emerge are:

a) Lack of skills or even the presence of traditional skills,

b) Assetlessness particularly land,

c) Even if there are any assets, the meagreness of such assets, and

d) Belonging to the lowest strata of the social structure of the society.

Using these criteria we may identify some very broad categories of the population who can be regarded as poor. The assetless i.e., those who do not have land, are the landless agricultural labourers who eke out a living only by selling their labour. To this category one may also add the tenants and the share-croppers. The justification for their inclusion flows from the fact that they are a class which is practically landless though they may be cultivating land on lease basis. The prospect of their being thrown out any time under the pretext of resumption of land for self cultivation always hangs on them as a Damocles sword.

The classes of workers\textsuperscript{15} who lack managerial capabilities and have only traditional skills are the rural artisans like the potters, weavers, smiths, barbers, oilers and the like. Those who have meagre resources are a class of cultivators who are known as the small and the

marginal farmers whose land-base is so small that it hardly gives them enough to meet their consumption requirements. And the classes of persons who constitute the lowest rung in the social hierarchy are the scheduled caste and scheduled tribe population which on account of their having remained backward for ages now could hardly exert any influence in the society. A pertinent point to note is that the persons belonging to these communities incidentally are also those who come either under the assetless category or under the category of the meagre asset owners.

To sum up, the sections of the community who could be regarded by and large as belonging to the poorer classes are the landless agricultural labourers and tenants, the meagre asset owners like the small and the marginal farmers and the traditional skill owners like the rural artisans. Incidentally, these are the broad economic sections which were regarded by the Sixth Plan document as constituting the poorer sections of the rural areas.

The sixth plan\textsuperscript{16} document says that the majority of the poor live in the rural areas and belong to the categories of landless labourers, small and marginal farmers, rural artisans including fishermen, and backward classes and backward tribes. These people have either no assets or assets with very low productivity, few relevant skills and no regular full time jobs or very low paid jobs.

Ignorance Among the Poor

An important socio-economic characteristic of the poor sections\(^{17}\) in a study of understanding the poverty problems in the rural areas is their low educational and cultural levels and also their low position in the social hierarchy. Much has been said and written about the social and cultural backwardness of some sections of the Indian society in the past, and also a number of persons have pleaded for rescuing these groups from the treatment meted out by the socially and culturally advanced including the bureaucrats and other functionaries in the government and semi-government organizations. Two things may be noted here; one is that the rural poor, by and large, belong to the sections which are culturally and socially backward and secondly, by virtue of their having been in the low rungs of the social hierarchy, they have for a long time suffered from a fear psychosis both about the advanced sections of the society and about the government machinery. This fear originates out of their ignorance about their own rights and privileges that are guaranteed by the Constitution and also on account of the long subjugation meted out to them by the elite and the upper classes.

The Government of India initiated an investigation\(^ {18} \) as early as 1905 in order to conduct the wage census in rural areas of various States. One of the main objectives of the enquiry was to through some light in the economic condition of the depressed classes of the people in the country.


\(^{18}\) Fundamental Statistics, “Government of India Census, 1905”
Salter (1918)\textsuperscript{19} has observed in Tanjavur District of Tamilnadu State that agriculture labourers were generally receiving some quantity of paddy on daily basis. In addition to that they also receive certain shares at harvest besides their customary prerequisites.

The first Agricultural Labour Enquiry (1950-51)\textsuperscript{20} was conducted in 800 villages covering a sample of 11,000 households covering the whole of India. The estimated number of agricultural labour households was 17.9 millions, the landless agricultural households was 50 per cent and the average size of the agricultural labour households was 4.30.

A study conducted in Krishna District of Andhra Pradesh (1986)\textsuperscript{21} relating to dimensions of poverty of agricultural labourers has brought some interesting findings. Out of the 100 households interviewed through stratified random sampling method, 85 per cent of the households are either income poor or asset poor. The study shows significant association between poverty and absence of female workers in the households.

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\textsuperscript{19} Gilbert Slater Ed, “\textit{Some South Indian Villages}”, Oxford University Press, Madras, 1918, pp. 8, 80, 209
\textsuperscript{20} Agricultural Labour in India in “\textit{First Agricultural Labour Enquiry Committee Report}”, Ministry of Labour and Employment, Government of India, 1950-51 Vol:1, p. 119
\textsuperscript{21} Pradeep Kumar Pattanayak “\textit{Payment of Daily wages labour in India}” p. 46
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According to Shakeel Ahmad khan and Krishna Nand yadav\textsuperscript{22} who studied Barn town which is one of the oldest sub divisional towns of the Bihar state. The age of the working children varies from occupation to occupation. The lowest age group from 6-15 years of child labour has been found in small hotels, tea shops etc. Data indicate that educational level of child workers is very low. Around 90 per cent of child workers are from the lower socio – economic strata. In fact child workers have no other alternatives except to work in order to feed and support their poor families.

Koteswara Rao\textsuperscript{23} says that child labour is basically the product of the peculiar socio-economic environment prevailing in poor countries. Of late the rich countries are not accepting commodities manufactured with child labour from poor countries. As most working children are in the unorganized sector, there is no realiable estimate of the number of child labour in India. The estimate vary from 44 million to 140 million. There is no doubt that India is housing the largest number of child labour. Also, child labour is concentrated in some states.

Lieften\textsuperscript{24} says that according to the census data of 1991, around 42 per cent of the child workers were engaged in farming, animal husbandry and fishing. Many of these activities were relatively light in

\textsuperscript{22}Shakeel Ahmad khan & Krishna Nand yadav, \textit{“Magnitude and Reasons of Child labour a case Study”} Sourthern Economist, 2000, Vol: 39, pp.5-8
\textsuperscript{24}Lieften G.K \textit{“ Child labour in India Disentangling Essence and solutions”}, Economic Political Weekly” 2002, Vol:37, pp. 5190-5192.
nature and most of the time they had limited working hours. The activities, apart from transplanting, weeding and crop collection, include grazing and bathing of cattle, catching fish, collection of grass and fruits, collection and carrying of firewood. In the 1990s, a little less than half the child labour in rural India was concentrated in four States: Andhra Pradesh, Karnataka, Maharashtra, Madhya Pradesh and Tamil Nadu.

The editor of the civil services chronicle\textsuperscript{25} observes that a recent survey by the International Labour Organisation showed 73 million children aged 10 to 14 years are engaged in various hazardous works. The survey, however, did not cover all countries – for example China and all industrialized nations were not included. Also not all categories of child workers were counted by the survey.

The estimates on the magnitude of child labour in India vary.

13.6 million – The 1981 Census
17.36 million – The Planning Commission, 1983
44 million – The Operation Research Group, Baroda, 1983

There are also some estimates which are based on the number of families living below the poverty line. The 1995 estimate shows the number of working children in India at 77 million. The estimate is based on the number of non-school going children and families living

\textsuperscript{25} Editors "Child Labour" Civil Services Chronicle, 2003, Vol: 13, No.11, pp. 23-26
in destitution. The 1981 Census of India divided child labour into nine Industrial division.


According to 1991 Census, the states where child worker population exceeded 1 million were Andhra Pradesh, Madhya Pradesh Maharashtra and Uttar Pradesh, while the ratio of working children to the total workers was highest in Andhra Pradesh followed by Karnataka, Madya Pradesh and Rajasthan. Several studies indicate that a majority of the working children are concentrated in the rural areas.

Sangameswaran\textsuperscript{26} in his study finds out that there are a little over 70,000 child labours in Tamilnadu according to a labour department survey, submitted to the State Human Rights Commission (SHRC). Boys constitute a higher figure of 36,704 than girls. The erstwhile composite Dharmapuri District has the highest number of 10,126 followed by Salem and Virudhunagar.

The Department of Survey has sent the survey report to the SHRC suggesting to the state government in December 2002 that it conducts a census. The Labour Department has sent to the commission

\textsuperscript{26} Sangameswaran “Child labour Rampant in Dharmapuri”, The Hindu, 2004, Feb 21, p.12
a Sarva Siksha Abhiyan (SSA) household survey report identifying 70,344 labourers. The government said that as per the 1991 census there were 5,78,889 child labourers.

The latest survey of 2002 indicated that the child labour had considerably reduced due to systematic government efforts in the last 12 years. The government sent an action plan, which aimed at eliminating child labour in hazardous employment by 2005 and in non-hazardous employment by 2007. Among the steps suggested were special drives by the labour and factories department and awareness campaigns among employers.

Special Correspondent of the Hindu has said that a new website containing details of child labour in the state would be put up on June 12 the anti-child labour day. The web site ((www.tn child labour.tn.gov.in) relies on the child labour survey completed in March 2003 by the Sarva Siksha Abhiyan and the officials say that this would not be the last word on child labour.

The survey shows that there are 69,521 child labourers- 37,800 boys and 31,721 girls. As many as 16,184 children work in industries classified hazardous, the major occupations they are engaged in are, carrying head loads (14,365), sheep rearing (4,786), weaving (3,975), cattle grazing (3,387), beedi-making (1,984) and manufacture of matches (1,955). Dharmapuri district has the largest number of child labourers (10,125) followed by Virudhunagar (6,998), Cuddalore (95) and Perambalur(96) A majority of the child labourers are in rural areas (525,322) and belong to the 12-14 age group (45,393). There are 7,543 children aged between

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27 Special Correspondent “Government WEB SITE on Child Labour From, June 12”, The Hindu, 2004, June 10, p.4
five and nine. Another 16,571 are in the 9-12 age bracket. As many as 26,251 children hail from most backward classes. Children from scheduled castes (20,815), backward classes (18,659), scheduled tribes (2,169) and the remaining communities (1,627) account for the child labour force.

The Hindu Staff Reporter in this study reports that 5,000 children are working in 900 brick kilns in Nagercoil district. One lakh child labourers in the age group of 6 to 19 years are either directly or indirectly engaged in brick making and a total of 60,000 children are being directly engaged as laborers in kilns. Children thus engaged are paid Rs 30 per day, while adults get Rs. 50 per day as wages.

CACL report said that though many children have lost their lives while working in brick kilns in Thiruvalluvar and Chengalpat District, the Government has yet to take any efforts to check the menace.

The system of bonded and contract labours have made families, economically vulnerable. This field study report puts the total number of child labourers employed in various sectors in the state at a whooping 40 lakhs.

Vinayagamoorthy has observed that the majority of the rural child workers (84.29 per cent) are employed in cultivation and agricultural labour. Urban child labourers are distributed differently.

28 Staff Reporter “40 Lakh Child Labours in State Study” The Hindu, 2005, May 3, p.9
about 39.16 percent of them are involved in manufacturing, processing, servicing and repairs. Human Right Organizations tend to focus on manufacturing type of child labour because most of the children in this situation are bonded labourers. According to ILO Report 1992 the number of bonded labourers in India is close to one million.

Upalthus Selvaraj\(^{30}\) states that it is very difficult to give precise estimate of the overall magnitude of child labour in India on account of numerous limitations, such as predominance of the informal and unorganized nature of the labour market, multiplicity of concepts, method of estimation and sources of data. The most important fact is that the employers in the organized sector are quite hesitant to provide data on child labourers in order to avoid legal problems.

An ILO study (1996) shows that there are 246 million working children and eight per cent of than are working in hazardous and unsafe conditions. The number of children in the age of 5-14 in developing countries is estimated to be 250 millions, out of which 120 millions are working full time.

Social and Intellectual Myths and Reality

Sri Suhas Sharma and Devendra Mishra\textsuperscript{31} say that the conscience of the upper and middle class is not shaken, when they see children of 5 – 14 years working day and night in different activities ranging from agricultural to manufacturing and service sectors, losing out their childhood.

The child labour is a part and parcel of every individual’s personality and it is not separable from adulthood. The child labour is inevitable and irreplaceable. But such notion is blemished because many European countries have eliminated child labour. The child labour is essential for learning new skills and techniques and the childhood is the appropriate age for learning. But in reality, there is no fixed age for learning. The child labour cannot be eliminated till the income poverty is totally eliminated. But this at best, is a half-truth. For elimination of child labour, distribution and proper management of fund as well as good governance is more important than the total eradication of poverty in one go. Kerala is a suitable example in this regard. Inequality is given and inevitable, hence child labour is essential for social cohesion, harmony and equilibrium. But in reality, this is not true because inequality is more of a socio-economic and political creation than natural one.

CONSEQUENCES OF CHILD LABOUR

Elias Mendelievich\textsuperscript{32} emphasized that the principal cause of child labour is poverty, which drives even young children to seek job to supplement family’s income, and therefore they have to forgo education, recreation and even health.

Sarma\textsuperscript{33} states that due to the widespread poverty and ignorance prevailing in our country, children start working at an early age. Many a reason can be attributed to the growing number of child labour in India. Amongst others the main reasons are poverty, inequitable distribution of assets, insufficient legislative protection and absence of strong child labour union.

Shariff\textsuperscript{34} while examining child work and child schooling relations, argues that with increasing contraception in the rural areas, fertility has started declining and, in the absence of labour saving agricultural technology, fewer children would have to bear the greater burden of household and other work. This may lead to a decline in school enrolment and literacy levels in the coming years.

\textsuperscript{32} Elias Mendelievich, \textit{“Child Labour in Indian Industries"}, Indian Journal of Social Work, 1979, Vol:11, No. 3, p.34
\textsuperscript{33} Ibid p.29
\textsuperscript{34} Shariff \textit{“The family Economy in South India"}, Sage Publication, New Delhi, year 1991. p.24
Kiran mehra – Kerpelman\textsuperscript{35} in his study finds out that ILO investigation demonstrated that a lack of specialized survey methods meant an almost complete absence of quantitative information on child labour. The ILO Bureau of Statistics developed and carried out specially designed sample surveys in selected urban and rural areas of four countries in collaboration with the four national statistical organizations.

In India the most important determinants of child labour appeared to be poverty and illiteracy. The proportion of households with working children rose with the illiteracy level in the villages, particularly for 5-14 age group. In Indian urban slum areas surveyed the proportion of households with one working child was almost four times that in nonslum urban areas. Some children reported illtreatment by their employers and others and they were exposed to dangers in the work place. Around 5 per cent had to consult doctors as a result of injuries or fatigue due to the working conditions and almost all these were unaware of possible health hazards caused by their working conditions.

According to Jegadish Gandhi\textsuperscript{36} in Turkey, the prevalence of child labour is growing in parallel with an increase in the population. Traditionally, Turkish children help the parents in the work being


done in rural areas. Of the total number of persons employed in Turkey in 1994, one in 20 or about 4 million are between six and 14 years of age. Seventy two percent of these children work and also attend schools, while 28 percent work but do not attend school. Among these child labourers, about 26 percent work in the agricultural, industrial, trade and service sectors, while about 74 percent work in domestic labour.

Another problem concerning children in many families is to work to augment adult income. Some children do not attend school because of the need to earn income, according to data provided by the State Institute of Statistics.

Satyasundaram\textsuperscript{37} speaking at a recent conference on child labour in Africa has indicated the essential ingredients needed for the eradication of child labour. More than any other factor universal access to education solves the problem of child labour and ends illiteracy to a large extent. The financial means of the state are very limited and government has to set its priorities right. Free education and free health are made top priorities.

\textsuperscript{37} Satyasundaram “Child labour is a Thing of the Past in Mauritius” Southern Economist, 1998, Vol: 37, No.5, p. 23.
Koteswara Rao\textsuperscript{38} says that Andhra Pradesh is having the largest of child labour-14.63 million in 1991. Child labour tends to interfere with normal family life and contributes to the breakdown of the social order. It needs to be noted that most children work under unfavourable conditions. The school environment in rural areas hardly attracts children particularly children of the vulnerable sections. The poor parents should be educated, particularly by the voluntary agencies, about the dangers of child labour. Incentives, like the midday meal should by offered to rural children who come to school regularly and the curriculum should take into account the specific needs of rural children.

Kalpana Arya\textsuperscript{39} has stated that the one main reason also for behaviour problems is emotional environment. This relates to such factors as parental attitudes, sibling neighbourhood, school and mass – media including movies, television, radio, and magazines.

Velayutham Saravanan\textsuperscript{40} has found out that the high prevalence of child labour is linked to poverty and to poor quality or availability


\textsuperscript{40} Velayutham Saravanan “Womens Employment and Reduction of Child labour and Beedi Workers in Rural Tamilnadu”. Economic and Political weekly, 2002, Vol:37, No.52, pp. 5205 - 5213.
of education. The parents are forced to borrow from the moneylenders at a higher rate of interest, which sucks out their income on a regular basis and are unable to send their children to school due to their poor economic conditions. Even if they put them in school, they can not sustain their education at higher levels. Since the parents expect school going children to assist or force them to work, they are detained in the same class and ultimately discontinue their studies.

Raj Kumar Sen and Asisdas Guptha\(^{41}\) observe that the problem of child labour has assumed special significance for two reasons. Firstly, there is an attempt to include social clause in the WTO agreement. Secondly, the concentration of child labour in India. India is the highest in the world map of child labour. They have found out that the size of the family, the community to which the child labourer belongs, literacy level and occupation of the parents and the level of family income are significantly correlated with the magnitude of the problem.

Child labourers are mostly working in industries rather than in agriculture owing to the seasonal nature of agriculture. Their recommendation is that the government should immediately restructure the pattern of education in the country to make it more

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need based and useful especially in a rural environment. They have developed a multivariate analysis to identify the effect of different factors on child labour. Their study shows that the problem of child labour is the outcome of a number of socio-economic factors and is not caused by poverty alone.

Education facilities the child labourers to go a long way to improve the situation. Ghanshyam Upadhyay has pointed out multi-dimensional problem of child labour with reference to the vegetable market of Bhavnagar in Gujarat. Size of the family pertaining to the Vaghari Community-engaged in this sector is one of the crucial determinants of the supply of child labour, that with the alleviation of poverty the problem of child labour will disappear.

According to Balamurugan 42 there are many causes of child labour. They are poverty, inadequate income of adult bread earner, unemployment, lack of family planning scheme, absence of compulsory education, illiteracy and ignorance of parents and other reasons. Concerted effort on the part of the government to eradicate poverty and to extend education, along with a true understanding of the situation by the people are essential to ensure better living conditions for the children.

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Satyasundaram\textsuperscript{43} has stated that in densely populated Third World countries like India, Law is of little help in solving the problems of rural people. It needs to be noted that the rural areas account for nearly 91 per cent of the total child labour. Of course, there are regional variations in the incidence of child labour.

According to him the school drop out rate has to be reduced by improving education system, and providing sustainable livelihoods to households who are below the poverty line and are thus vulnerable to child labour. The public distribution system (PDS) has to play an important role in providing food security to the families below the poverty line.

The Self-Help Group (SHG) managed food bank may help a family cross the poverty line. Each member of SHG makes an annual ‘deposit’ of 2kg of food grains into the food bank to be maintained by the SHG to begin its activities. Only the deposit entitles the family to withdraw up to 20 times the quantity deposited. The SHG members can take recourse to the food bank in times of need.

\textsuperscript{43} Satya sundaram “Aspects of Rural Work” Southern Economist, 2005, Vol:44, No.19, p.34
Rajendran\textsuperscript{44} observes that the child labour contributes 20 percent to the GNP and 8 percent to the total work force. But millions of children work under exploitative conditions. They are treated cruelly, provided little food and insufficient rest by their employers. This ILO study has also established that many child workers suffer from respiratory illness, skin disease and tuberculosis due to the exposure to chemicals, fumes and dust in work place. While no medical treatment is made available to these children by their rich employers, their poor parents are not in a position to offer enough immediate treatment. The ILO study makes it clear that large number of children are at risk because of early age at which they start working.

Vinayagamoorthy\textsuperscript{45} in a study in child labour in India shows that child labour is a source of income for poor families. A study conducted by ILO Bureau of Statistics found that children’s work was considered essential to maintaining the economic level of households, either in the form of work for wages, of help in household enterprises or of household chores in order to free adult household members for economic activities elsewhere.


Suman Pamecha\textsuperscript{46} says that the following are the factors for the generation of child labour:

1. **Unemployment:** According to latest data number of children in labour is equal to number of adult unemployed. Thus the presence of child labour adversely affects the unemployment of adult.

2. **Poverty:** The families from which the child labour emanates are generally poor.

3. **Illiteracy:** Illiteracy and child labour are of great concern not only to India but also to most of the developing countries.

4. **Population:** Population explosion is much higher in child labour dominated areas.

5. **Large sized family also adds to the problem of child labour**

6. **Cheap Labour and unorganized nature of the job:** Since child labour is not organized, its demand is higher.

7. **Migration, caste factor and globalization are other factors which may affect the child labour policy.**

\textsuperscript{46} Suman Pamcha \textit{“The problem of child labour to be handled with care”}, The Economic Challenger, 2005, Issue:28, No.7, p.55
The child when fully occupied in work is unable to have an opportunity for his physical and mental development. The work exerts negative influence on child’s personality and well being. The child is also deprived of any leisure, games, sports or cultural activities. The unstable and unhygienic surroundings in which children work for long hours, have adverse effect on their health and in case of the jobs accomplished in the streets, the child some times is exposed to social evils and crimes, such as drug trafficking and prostitution.

Prominent areas where children are mostly employed are agriculture, cattle tending, stone quarries, construction, carpet industry, glass and bangle industry, match making, lock industry, fire works, dhabas, tea-stalls and so on. All these industries come within the ambit of hazardous and harmful industries. Obviously these children are susceptible to diseases affecting the lungs, eyes, skin and other vital organs of the body. These children toil day in and day out with tools in their tiny hands which should hold books and toys.

It has been quite unfortunate that all statutory measures taken so far in order to protect health and to ensure safety to child labour have failed to produce the desired results due to ineffective implementation machinery and corruption on the part of inspecting staff. Political interference, apathy and indifferent attitude of the state to do due to which child labour continues to suffer tremendously in terms of health, safety as well as growth and development.
According to Shantha Sinha\textsuperscript{47} No one has bothered to tell the poor parents that the schools are for them and that the entire government machinery will support them in their endeavor to send their children to school as they mean it.

For generations, the poor have been told that it is their lot to labour. It is much easier for someone in the village to engage his child in work, even as bonded labourer than put him in school. The school system has no solution for the children who are willing to go to school for the first time at the age of more than five years say ten. The fact is that we have never tried to make it easy for the parents to send their children to school.

\textbf{ERADICATION OF CHILD LABOUR}

\textsuperscript{47} Ms. Shantha Sinha \textit{“The basic causes for not sending children to school”} 2008.
Robin Porter\textsuperscript{48} advocates to eliminate child labour in Hong Kong by following the ILO Minimum Age Convention adopted in 1973 by which the disappearance of all employment of children under 12 can be realized. He adds that secondary education should be expanded as rapidly as possible, while primary education should be made free and compulsory, meanwhile very poor families might be offered a cash inducement to send their children to school to compensate for the lost contribution to the family income.

Myron Weiner\textsuperscript{49} observes that the key to eliminating child labour lies in a firmly enforced policy compulsory schooling. Compulsory primary education is the policy instrument by which the state effectively removes children from the labour force. He is in no doubt that school attendance laws are more important, because they are easy to enforce, than child labour law.

Patel\textsuperscript{50} emphasized that strategy to progressively retain more and more children in schools for longer period would need action on (1) poverty alleviation programmes (2) creation of more avenues for productive employment (3) education of parents through functional literacy programmes about the role of education (4) establishment of working children’s hostels to take care of food and (5) education –

\textsuperscript{48} Porter; Robin, “Child Labour in Hong Kong and Related problems; a Brief Review”, International Labour Review, Year 1982.
\textsuperscript{49} Myron Weiner, “The Child Labour State in India” Oxford University press, New Delhi, Year 1991.
\textsuperscript{50} Patel. B.B and Raksha, “Child Labour in India”, Incidence and occupational Diversification across Social Strata; Published by Gandhi Labour Institute, Ahmedabad, year 1989.
cum – training and recreation programmes for children in major cities of India.

In her study Susheela Subramanya\textsuperscript{51} states that Government of India constituted on September 26, 1994 a National Authority for Elimination of Child Labour, pending creation of a statutory body for which a bill was intended to be introduced in Parliament. It is yet not known what policies and programmes this Authority has laid down as also if at all it has been functioning after it was set up. The court had also fixed two deadlines. One was June 10, 1997 by which the outcome of survey of the child labour was to be reported but the majority of the States have failed in the task. The second date is December 10, 1997 by which a detailed report on the status of implementation of all other directions is to be submitted.

John Doohan\textsuperscript{52} has stated that the newly independent, small island nation Mauritius has nearly stamped out child labour, as is evident to any visitor to the densely populated country. Mauritius’ emphasis on education is long – standing. As far back as 1968, even before independence, free primary education was given to all children between the ages of 5 and 11 although not all children could afford to


\textsuperscript{52} Johadoohan, “Child labour is a Thing of the Past on Mauritius” Southern Economist, 1998, Vol:37, No.5, pp. 23.
attend school. In 1976 when Mauritius was still relatively poor and underdeveloped, the government introduced free secondary education. In 1993, the government made primary education compulsory and began running vocational and technical training programmes for children aged 12-15 who had dropped out of primary school. Current plans foresee the introduction of a 9-year formal school system to cater for children aged 5-14.

Subrahmanya 53 Reports that the study about India is now among 174 ILO member States having adopted international convention for an immediate universal ban on the worst forms of child labour including child pornography. While the number of child workers has been coming down gradually the union government has now decided to continue the 76 national child labour projects during the ninth plan.

The union government recently enlarged the list of occupations and processes banning employment of children below 14 years to 13 and 14 respectively. The Supreme Court recently placed heavy responsibilities on the union and state governments for monitoring, supervision and co-ordination of all aspects pertaining to identification, release and rehabilitation of working children.

Acute poverty, illiteracy and unemployment have created conditions in which eliminating this problem faces a daunting task. Half the battle will be won when free and compulsory primary

education is enforced. The good news is that the government has decided to make this a fundamental right.

The main reason why child labour persists in several developing countries including India is that the parents look at it as a source of augmenting the family income.

In the State Labour Ministers Conference, unanimity was reached on the issue of mending the provision of the present law to bring about elimination of child labour. The court asked the centre and the States to provide compulsory education, vocational training and health facilities to all working children either by directing the industries to do so by themselves or in co-ordination with the State governments.

No wonder, child workers are particularly vulnerable to exploitation because less bargaining power. They have very little to say in choosing their occupation or dividing their working conditions. Presently the government is trying to improve their condition in a cloak and dagger style, while claiming that its only concern is the eradication of child labour.

Shantha Sinha\textsuperscript{54}, says that 18\textsuperscript{th} National Commission for Protection of Child Rights (NCPCR) has a role in creating public

\textsuperscript{54} ibid
awareness on the issue of violation of children’s right to food. It receives complaints regarding malnourishment of children and press the State government to act on them; hold public hearings on the issue and issue directives to the State to take quick action; support and monitor the Supreme Court’s directives to the States in ensuring that there is a universal coverage of all children under six years of age through the ICDS and recommend adequate infrastructure and facilities for Anganwadi workers, decentralization of delivery of service, provision of hot cooked meal and so on. NCPCR also proposes to conduct public hearings on the mid day meal for all school going children unto primary schools; and work towards a legal framework that assures that children have their right to food.

The union Government of India is in the process of finalizing the proposal to set up a National Commission for children which will be under an Act of Parliament\textsuperscript{55}. The objectives of the proposed commission would include proper enforcement of children’s rights and effective implementation of laws relating to children. For this purpose, a National Policy and Charter for Children, 2001 is being laid down to emphasise the government’s commitment towards children’s rights.

The Second World Summit for children held in New York in the middle of September, 2001 marked the end of the first decade of global efforts to improve the lot of children. The first summit held in 1990 led to the establishment of the Child Rights Convention (CRC)

to which India became a signatory in 1992. The CRC spells out the economic, social and cultural rights of children and each signatory country is now obligated to ensure that these rights are enforceable within its jurisdiction. Therefore, as part of the process, India is setting up a National Commission for Children (NCC) and working towards framing a National Policy and Charter for Children patterned on the National Human Rights Commission, the NCC will have six members drawn from the fields of education, child health, child care, child welfare and child rights, juvenile justice and child labour besides a child psychologist. Unfortunately, there has already been long delay in India’s efforts towards putting in place these measures.

Velayutham Saravanan\textsuperscript{56} states that the Tamil Nadu Government introduced the Madras Beedi Workers Act in 1958. Challenging this Act, the beedi manufacturers filed a writ petition in the Madras High Court. He finds that the empowerment of women beedi workers has not improved their socio-economic conditions. Yet they continued to depend only on the beedi work for their livelihood. The children are also being forced to engage in the beedi works. Even school-going children are unable to continue their studies further. Although the government has implemented several welfare measures for beedi workers, they have not reached even a marginal number of the intended beneficiaries. The lengthy procedures and formalities hinder them from availing the benefits.

The study found that on June 17, 1999 the member States of the ILO unanimously voted to adopt Convention 182 on the worst forms of child labour. Article 24 of the Indian constitution clearly states that “No child labour below the age of fourteen years shall be employed to work in any factory, mine or employed in any hazardous employment.” Article 39 (e) directly states a policy towards securing the health and strength of workers. The Indian Government implemented the Child Labour Act 1986. The government has announced the National Policy on Child Labour in August 1987. The key aspect of effective enforcement is lacking in government efforts.

The Special Correspondent of The Hindu has issued a news item that the Child Labour Elimination and Effective Rehabilitation Society (CHEERS) functioning under the National Child Labour Project (NCLP) organized a conference at the Ambikapuram Special School and called for concerted efforts from the entire community for putting an end to the child labour menace from the society by 2007. They admit that the parents remained illiterate owing to poverty and are forced to send their wards to their workplace. They now are satisfied that their children are able to go to school.

58 Special Correspondent, “Workshop Marks Child Labour Day” The Hindu, 2005, May 2, p.11
As per the views of Devendra Mishra\footnote{Devendra Mishra, \textit{“Eradication of Domestic Child Labour”} Yojana, May 2008, p.30.} the following measures are required for the elimination of domestic child labour:

1. Advocacy and awareness generation is the beginning of the process of elimination of domestic child labour. Since the domestic child labour is much in vogue in educated upper and middle class families, the families need to be sensitized about the ills of child labour.

2. As Ramamurthy Committee (1993) (appointed by the Government Of India) had pointed out, there could be focus on early childhood care and pre-school childcare through crèches and Anganvadis/Balwadi. ICDS projects should be strengthened and streamlined.

3. Quality and mode of education provided at primary and middle school levels is distractive and non-inclusive. The education system should be made child-centered, problem posing, flexible and full of co-curricular activities so that children are liberated and consceintised.
Shantha Sinha⁶⁰ has successfully implemented this mode of mainstreaming through a “bridge course” for the rescued child labourers in Andhra Pradesh

- Rescued child labour also have a sense of freedom from family and hence they should be engaged more in innovative project works in schools/alternative centres.

- There is need for the enhancement of adult wages so that the children of such wage earners are not compelled to work for additional income.

- There should be genuine commitment on the part of labour enforcement machinery on the one hand, and political will, on the other hand, to the spirit of Indian Constitution which provides under Directive Principles that children should not be forced to work hard which is against their tender age.

- It is significant that land reforms should be seriously implemented in backward States to prevent migration of landless families thereby preventing generation of child labour including domestic child labour.

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• Article 24 of Indian Constitution, should be amended and for children, all type work should be declared hazardous.

The following suggestions offered by Suman Pamecha\cite{pamecha}, the following suggestions may be useful for eradicating child labour. And effective programmes should be made to improve the economic conditions of the poor families. Increasing the income of parents by implementing various developmental schemes is a pragmatic step.

\begin{itemize}
  \item Adult literacy programme for men and women should be launched on a wide scale and effectively to spread the awareness that the immediate gains of child labour are very small, whereas the future damages are very large both at micro and macro levels of the society.
  \item Free, compulsory and universal elementary education should be provided for the development of children.
  \item Non-governmental organizations must be galvanized into action to create the awareness about the significance and need of sending children to school.
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\cite{pamecha} Suman Pamecha, \textit{``Child Labour''} The Economic Challenger, 2005, Issue: 28, No.7, p. 58
\end{flushright}
Minimum wage legislation, provision of social services for affected families and enforcement of child labour laws can also play an important role in the elimination of child labour.

The need of the hour is to provide vocational education right from the primary stage so that the poor students “earn” and “learn” at the same time.

Strategies for income generation and empowerment of women can be the most relevant instruments to compact child labour. Health and poverty alleviation programmes should also be considered.

Clubs, libraries and reading rooms fully equipped with necessary materials which suit the taste of the local children should be established by voluntary social welfare organizations. These may be supported by the State and Central Social Welfare Boards.

The National Children Board/State Children Boards should associate themselves with the problems of child labourers more closely and should take necessary steps immediately to improve the lot of child workers by checking their exploitation and improving their working conditions.

The evils of child labour should be widely published through media in order to spread awareness among people and to motivate them to gradually eliminate it.
Swathi Sahay,\textsuperscript{62} says that legal provisions for child labour in International Labour Organisation (ILO) has been playing a major role in the process of gradual elimination of child labour and to protect them from industrial exploitation. The Indian Constitution also provides for the development of the children, ie, Article 45 mandates that the State shall endeavor to provide free and compulsory education for all children until they complete 14 years of age. Article 23 enjoys the prohibition of traffic in human being and forced labour. Article 24 favours the prohibition of employment of children in factories. Factories Act 1949, prohibits employment of young children.

The Minimum Wages Act 1948 has the objective of fixing, reviewing, revising and enforcing the minimum wages relating to scheduled employments. Child Labour Act prohibits employment of children(under 14 years of age)in 13 occupations and 57 processes. It also lays down the penalties for the employment of children with respect of working hours, number of holidays, health and safety in work place.

The other important Acts that provide protection for children are:

1. Mines Act 1952
2. Beedi and Cigar Workers Act 1951

\textsuperscript{62} Swathi Sahay, \textit{“Child Labour in India”} Civil services Chronicle, February 2005, pp. 8-9.
The Dinamalar Editor\textsuperscript{63} observes that education policy and present strategy of Government of India has introduced a scheme to provide free and compulsory education to the children up to the age of 14 years. Under this scheme, free boarding and lodging have been provided for destitute children. The aim of the scheme is to attain 75 per cent for the students studying in the middle schools. As per the recent survey, released in the year 2006, the percentage of the children studying in the middle schools is 52.26. The target will be 32 lakhs of students.

Kailash Satyarthi\textsuperscript{64} has observed that the steps taken by the international institutions towards the eradication of poverty and child labour in poverty alleviation now deal with under the umbrella of Millennium Development Goals. This work is officially facilitated by the World Bank and UN Development Programme (UNDP). The World Bank also leads the Education for All Fast Track, facilitating additional resource mobilization to fill financing gaps for developing countries.

There is the overall Education for All (EFA) goal with UNESCO. UNICEF is also undertaking major initiatives to bring girl children into school. International Labour Organization (ILO), is involved in putting an end to the worst form of child labour through its Convention 182. However, coordination and

\textsuperscript{63} Editor “\textit{Government of India Education Policy and present Strategy}”

Dinamalar Education, news column dt 13.4.2009

\textsuperscript{64} ibid
integration among the three processes are very rare. In relation to multinational and bilateral aid, the developing countries are supposed to implement Poverty Reduction Strategy Papers (PRSPs) and country plans. In the implementation of Education of All (EFA) each country is supposed to make concrete and time bound national action to achieve the goals by 2015. But poverty reduction programmes in most countries do not have strong linkage with EFA.

The State government\textsuperscript{65} is on course to achieve eradication of child labour in hazardous occupations by 2005 and in non-hazardous occupations by 2007. Ramanathapuram, Cuddalore and Sivaganga districts have sent reports to the government, saying they are child labour-free. It will make a formal announcement only after an independent assessment. In fact, Ramanathapuram sent its report much ahead of the deadline. The Labour department, after fieldlevel evaluations, fixed deadlines for all districts to attain the child labour-free status. The time limit for Cuddalore, Perambalur, Madurai, Sivaganga and the Nilgiris, where the number identified child labourers is less than 200, was March 2004. Villupuram, Thanjavur and Tiruvarur, which have 200-500 child labourers, should aim to be child labour-free by September 2004.

\textsuperscript{65} www.tnchildlabour
A December 2004 deadline was fixed for Pudukottai, Kanyakumari, Nagapattinam and Ramanathapuram, where there are 700-1000 child labourers. In the other 17 districts, child labour in hazardous occupations should be eradicated by March 2005 and in non-hazardous occupations by March 2007, utilising the special projects sanctioned for them. The March 2004 deadline could not be met by Perambalur, Madurai and the Nilgiris. Perambalur and the Nilgiris sought time till year-end. The district administration in Kanyakumari has expressed confidence that it will be able to achieve the target by August — four months ahead of schedule. In Kanyakumari, there are 822 working children, accounting for 1.17 per cent of the total child labourers in the State.

The study of Satpathy, Sekar and Karan\textsuperscript{66} that are mainly based on the Labour Force Survey (LFS) data of the National sample Survey Organisation (NSSO) and supplemented by workers data from the Decennial Population Census showed, in rural India, children often work as an essential part of a farm household or assist parents in ancillary tasks either along with their schooling or

\textsuperscript{66} Anoop K. Satpathy, Helen R.Sekar, Anup K.Karan “Rehabilitation of Child Labour in India” 2011, V.V.Giri National Labour Institute, Noida.
without it. Child labour is defined in this report as “children in the age group of 5-14 engaged in economic activity whether as paid or unpaid.

According to G.Karunanithi India aim at cent per cent enrolment in primary schools by implanting compulsory education. Tamil Nadu also introduced a Bill viz., The Tamil Nadu Compulsory Education Bill which compels the parents to send their children to schools, has been waiting for the clearance of President since 1994. Therefore, still the compulsory education is not within the reach of a sizable section of children in Tamil Nadu as well as across India. The compulsory primary education is the most suitable solution to eliminate child labour from India. It is concluded that a well equipped school in terms of adequate teaching faculty and infrastructural facilities, would increase enrolment and retention rate to a great extent. Consequently, the illiteracy would disappear followed by the elimination of child labour. Its elimination would necessarily result in the employment of adults in a large scale and also increase of their wage level to a notable extent.

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Elias Mendelievich\textsuperscript{68} emphasized that the principal cause of child labour is poverty, which drives even young children to seek job to supplement family’s income, and therefore they have to forgo education, recreation and even health.

Sarma\textsuperscript{69} States that due to the widespread poverty and ignorance prevailing in our country, children start working at an early age. Many a reason can be attributed to the growing number of child labour in India. Amongst others, the main reasons are poverty, inequitable distribution of assets, insufficient legislative protection and absence of strong child labour union.

Patnam\textsuperscript{70} study on the children’s perception revealed that more than 95 percent do not mind working as it brings part time earnings and only 69 per cent disliked their jobs.

Lieten\textsuperscript{71} says that the western studies have exaggerated the problem of the child labour in India. According to him, “the working child in fact is very much a rural phenomenon, in self-

\begin{footnotesize}
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\item[]\textsuperscript{68} Elias Mendelievich, \textit{“Child Labour in Indian Industries”}, Indian Journal of Social work, October 1979, Vol.XI, No 3, p 24
\item[]\textsuperscript{69} Sarma 1979 ibid
\item[]\textsuperscript{71} Lieten G.K \textit{“Children, Work and Education-I General Parameters”}, Economic and Political weekly, June 2000, Vol. XXXV, No: 24,
\end{itemize}
\end{footnotesize}
employment on the family farm or joining the family workforce unit during the crop seasons as agricultural labourers”. Which studies referred to include all these children who are engaged in any type of work within or outside the family, at any time of the day. One tends to agree with Leiten regarding the exaggeration of child labour problem by the Western studies and media. However, if we consider education as the right of the child one can view those who are outside the school as child workers. Some of them may become full-time child labourers if measures are not taken.

Guha\textsuperscript{72} in his theoretical framework analysis examined the substitution effect (between child labour and education) and the income effect arising from the income of the adults in the household. He advocated that in order to remove child labour, the income of the family will have to reach a threshold level that will encourage child education instead of child labour. He added that the exogenous factors that enhance the utility of child labour must be eliminated.

Vidyasager found that children below 15 years of age form 5 per cent of the total workforce in Tamil Nadu. Thus, according to his study there are an estimated 1.1 million working children in the age group 5 to 15 years of age. Comparing the 1991 to 1981 census it becomes evident that the actual number of working children has increased from 1975055 in 1981 to 1106344 in 1991 (11.9). This indicates that the problem of child labour is on the increase though the proportion of child workers to adult workers has remained constant at 5 per cent (1991 census data) studies also indicate that the working conditions of child workers are becoming more and more exploitative over the years.

Sanghamitra Buddha Priya said that no country has successfully ended child labour without first making education compulsory. As long as children are free not to attend school, they will enter the labour force. Japan introduced compulsory primary school education in 1972 when it was still a poor country. By 1990, 98 per cent of the 6-13 age group attend school. In 1949,

73 Vidyasagar R. “Trapped childhood: A Pioneering effort to end child labour", June 30, Frontline.
only one fourth of the children were in primary school, by 1982, 93 per cent with 70 per cent completing the sixth grade. In each of these countries, the governments believed, education was a duty, not merely a right. They insisted that children attend school, become literate, and stay out of full-time labour force until they become older”. Though these countries differed from one another politically and culturally their governments acted when most of the population lived in poverty because they were committed to universal primary school education. In the west too countries made education compulsory before the Industrial Revolution.

Saratha Balagobalan\textsuperscript{75} said that the new draft bill on free and compulsory education justifies the parallel system of schooling by juxtaposing the moral urgency of schooling as ‘opportunity’ versus unbridled toil of the child labourer. The two-tier system of schools contradicts its own high minded endeavour of having schooling serve as a means to end child labour. Schooling becomes compulsory for fear of drawing penalty, while later attention to ensuring quality education.

Chandra\textsuperscript{76} viewed that the 1971 census of India shows that in TamilNadu children below 15 years of age constitute 37.7 per cent of the population. Out of the total number of working children in TamilNadu, 488809 were boys and 224496 were girls. According to 1981 census, out of the total population of child workers in India 7.2 per cent are in Tamil Nadu.

Walkins\textsuperscript{77}, writes in the period of general unemployment in the U.S.A 1921-1922, the secretary of labour stated that one and a half million more jobs for adults would be available to relieve the unemployment situation, if child labour in the united states were eliminated.

Daleyoder\textsuperscript{78} has highlighted in this book that in the U.S.A States where there is report of poorest school attendance there exist largest proportions of employed children.

Aggarwal \textsuperscript{79} said that even after a decade of economic reforms and a relatively faster growth of the economy, India was home to 9.33

\textsuperscript{76} Chandra R. \textit{“Child Labour in Tamil Nadu”} Bulletin in Madras Development Seminar Series, 1995, Vil. XII, No : 12, pp 667,668.

\textsuperscript{77} Walkins, G.S. \textit{“Introduction to the Study of Labour Problems”}, 1922, Thomas Y Crowell Company, illionis, p 38.

million child labourers of the age group 5-14 in 1999-2000, which constitutes 4.12 per cent of the child population. A majority, around 90 per cent (8.15 million), is in rural areas (with a percentage of 4.66. in rural areas and 2.27 in urban areas), and male child labour constitutes 4.98 million (5.33 per cent) of total child labour. The age composition reveals that more than 93 per cent of the child labour belongs to the 10-14 age group.

Emerson and Andre Portela Souza\textsuperscript{80} this study investigated the effect of starting to work as a child labourer on an individual adult earnings in order to better understand the consequences of child labour. They found that child labour is associated with lower adult earnings, partly due to the trade – off associated with educational attainment and partly due to the effect over and above the impact on educational attainment. That negative net effect appears to reverse around 12-14 years old. While those ages may seem too young for positive work experience effects, it is useful to keep in mind two relevant details. First, a large proportion of the individuals who started


to work early in life did so while continuing with their education. Second, during the time those individuals were children, access to physical capital and technology was probably quite limited, and school quality may have been low, thereby hampering the return to educational investments. That suggests that perhaps it is not enough just to get children in to school. It may also be equally or more important to curtail their work activities. Understanding the processes that drive those results is, therefore, an important area of future research in order to better inform policy makers.

Ravinder Rena's research on child labour concluded that it is a special economic and social issue that needs global attention for the development of the child to reduce the intensity of child labour. These efforts can open the door to achieve the second MDG: reduction of poverty. Intervention at all levels of the society is necessary for the alleviation of child problems. Since this problem is multidimensional, collective action of the governmental and Non-Governmental Organizations (with people’s support) accomplishes more to curb the prevalence of child labour. There should be strong partnership between government, local communities and the private sector.

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Government involvement in gradual reduction of child labour can be accomplished through publicist supporting this goal. Since child labour became a challenge for the accomplishment of MDGs by 2015, hence, the governments, non-governmental organizations and other related international organization should undertaken an inspection process of the exploited child labour and facilitate the objective in the achievement of Millennium Development Goals within the given frame.