CHAPTER I

INTRODUCTION

Childhood is a universal experience, marked by common needs and development. Childhood is not meant to work or earn. It is earmarked for growth, development, learning, acquiring skills, inculcation of values, fun and play. It is this childhood that is neglected for millions of children in India. The stark reality of every day existence belies the aspirations for a wholesome childhood. Children have to work hard to support themselves and their families. When they should be in the school or at play, the young workers are locked in drudgery.

In India, children from the low-income group enter the labour market at an early age and in significant numbers, as part of their families subsistence strategies. This is a phenomenon which has not only been observed in India but in many other poor countries or poorer sections of rich countries. In India as elsewhere, the poorer the family, the shorter the span of childhood\(^1\). In fact, in many

developing countries, childhood is a luxury the poor can ill-afford. They have to forego their childhood. They have to shoulder household responsibilities at an early age that causes a setback to the child’s over-all development.

The phenomenon of child labour is not new to our age and has existed in one form or another since very early times. The extent and nature of their work influenced mainly by the structure of the economy and the level and pace of the development. However, the notion that child labour is a social problem, a phenomenon hindering the harmonious physical and mental development of the child is a relatively recent development. This interpretation of child labour, and the accompanying idea that the child should be protected against it, came to the fore when paid child labour (that is, the systematic exploitation of children by employers outside the child’s family) became common.

Child labour has attracted the attention of different social, national and international organisations, social scientists, activist groups and governments.

The United Nations General Assembly adopted on 21st December, 1976, the

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3Elias Mendelievich, Children at Work (ILO, Geneva) 1979, p. 3.
Resolution 31/169 proclaiming the year 1979 as the International Year of the Child. This not only helped in highlighting the issue but also resulted in a marked increase in research on various aspects of child labour. It became a matter of deep concern to find out ways and means which may put an end to the employment and exploitation of children who are forced to join the labour stream. Nevertheless, child labour is still a seriously neglected area of labour studies, at least in comparison to the magnitude and extent of the problem. This is not an impending crisis; it was there yesterday, it is here today and will, in all probability, continue tomorrow.

Child labour is regarded as a symptom of large and deep gap in the overall economic and social development of a country. Most of the children who start working at an early age are forced to be doomed for their entire lives by joining the force of unskilled labour. Labour in the case of the child especially, is harmful because the energy that should have been expended on the nurturing of his latent powers is consumed for purposes of bare survival. It becomes a total evil when the lion's share of the value generated by it is appropriated by

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someone else and the child is left with a fraction that cannot meet comfortably even his survival needs. Child labour involves the use of labour at its point of low productivity, hence it is an inefficient utilisation of labour power. The WORLD LABOUR REPORT mentions that all child labour could be considered forced labour since children are rarely in a position to give free 'consent', most aspects of their lives are determined for them by adults.

Although infancy and childhood occupy only a small fraction of the life-span, they are the most crucial years in determining and influencing the course of adult life. ‘Since the early years are meant to equip oneself with knowledge, techniques and skills for one’s different adult roles in the society, having to take up a job at a young age to earn a living, is bound to affect the very process of growing up. It is as if the adult roles are thrust much too early on those not yet fully prepared for them.’ Rigours of childhood employment result in a permanently weakened and damaged labour force. Child labour is economically

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7International Labour Office, WORLD LABOUR REPORT (ILO, Geneva) 1993, p. 17.


India has the dubious distinction of having the largest child labour force in the world. Millions of children across the country are missing out on the carefree joys of childhood as the adult jobs are thrust on them too early. These children grow up unacquainted with the joys of childhood. It is shocking that more than four decades have elapsed since India achieved Independence and contrary to all proclamations in the Indian Constitution, child labour is still a harsh reality. Nothing could be a sadder commentary on the state of our society than the fact that child labour has been accepted as a harsh, but necessary reality of society by policy makers and law enforcers. It continues to be a constituent of the work-force engaged in both the organised and unorganised sectors of the economy. The problem remains a persistent and ubiquitous one.

It is worth mentioning that child labour exists in India where there is rampant adult unemployment also. This fact was admitted by the labour Minister Mr. P.A. Sangma also, while speaking in the Parliament about the formulation
of a national policy on child labour. The Minister observed that while adults remain unemployed in India, children find easy work opportunity because employers get off by paying them meagre wages. The entrance of children into the labour market reduces the volume of employment for the adult and lowers the bargaining power of adult workers. In a national seminar on child labour in New Delhi, it was pointed out that if all the children below 18 years of age were eliminated from the labour force in India, at least 15 million to 20 million unemployed adults would find jobs at standard wages. Though it is difficult to ascertain the exact volume of adult employment generated but there is no doubt that existence of child labour does have a negative impact on the level of adult employment and their wage rate. This in turn forces parents under economic compulsion to send their children to work and augment family’s income. This way the vicious circle continues. Thus the phenomenon of child labour as pointed out by Indira Hirway, is both a consequence of, as well as

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10 'Bill Banning Child Labour Passed', *The Hindustan Times*, November 6, 1986.

11 Mosafir Singh, et. al., *op. cit.*, p. 11.


a cause. Children are thus employed not just because their families are poor but also because employers prefer the cheap and docile work-force that children provide as opposed to aware adult workers, even where they are available. Despite government’s efforts, the number of child labour in India continues to be on the rise. According to global labour force estimates of the ILO, every fifth child in the age group 10-14 years was part of the country’s labour force. The 1981 census had put the figure of child labour at 13.5 million that is 7.6 percent of the total child population (5-14 years). An estimate done in 1983 by the NSS indicated that the figure rose to 17.4 million, while a survey conducted by the Operational Research Group, Baroda, in 1985 had put the figure at a staggering 44.5 million. However, these are only estimates and the actual numbers may still be much large. The common characteristics of most of the child labour all over India is their concentration in unskilled and simple routine works, which offer little or no opportunity for innovation or scope of transfer to other more remunerative jobs and thereby betterment. The hapless working child continues to be exploited, still dreaming of a better future.

India continues to be a significant exception to the global trend toward the removal of children from the labour force and the establishment of compulsory, universal primary education, which is the policy instrument by which the state effectively removes children from the labour force. The States stands as the ultimate guardian of children, protecting them against both parents and would-be-employers\textsuperscript{16}. Those who have to work during their childhood years have no chance of going to the school and of obtaining qualifications which might help them to escape from low-paid jobs and the vicious circle of poverty. The clause of compulsory and free education upto 14 years of age is enshrined in the Directive Principles of the Constitution of India. Till this is realised, the prevalence of child labour would continue to deprive these children one of the most valued essentials of life, i.e. education. In fact the right to education is the slowest area to develop and ultimately, perhaps the most important\textsuperscript{16}.

The prevalence of child labour harms the progress and prosperity of the nation. It has been rightly stated: ‘Starve a child of food, of affection, of education and you produce an adult who is stunted as an individual and holds back progress

\textsuperscript{16}Myron Weiner, \textit{The Child and the State in India} (Oxford University Press, New Delhi) 1994, p. 3.

towards development rather than accelerate it'. The high incidence of child labour in India is not only shocking from the moral point of view, but also represents a waste of vast human resources, which instead of being improved upon through education and training is utilised in a most unproductive and wasteful manner. It is a national wastage of potential human capital of a country and a sign of poor manpower planning.

1.1 CONCEPT OF CHILD LABOUR

The term ‘Working Child’ and ‘Child Labour’ are often used synonymously. However, all ‘Child Work’ does not necessarily refer to ‘Child Labour’. The former is quite descriptive and less precise in its meaning than the latter. Most of the children do work. After the age of six or seven they may help around the home running errands, or spending time helping their parents on the family farm. This can make a healthy contribution to their development; in rural areas in particular such work can prepare children for the tasks of adulthood and help pass traditionally acquired skills from one generation to the next. The


Government of India has also admitted: 'All forms of work by children cannot be considered deleterious. In fact work plays an important role in the development of child if it involves purpose, plan and freedom. The functions of work in childhood should be primarily developmental, and not economic; and children's work as a social good is the direct anti-thesis of child labour as a social evil'. Thus, all work is not bad for children, because some light work, properly structured and phased, is not child labour. Even in the wealthiest countries, children are encouraged to work for a few hours a week. The work, which does not detract children from other essential activities such as leisure, play and education, cannot really be referred to as child labour.

'Child labour' implies something different. It suggests something, which is hateful and exploitative: work that involves some degree of exploitation, i.e. physical, mental, economic and social, and therefore, impairs the health and development of children. It hampers the proper growth and over-all development of the child. It also deprives the child the joys of childhood.

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Some of the characteristics which might indicate exploitation are indicated below:

FROM WORK TO EXPLOITATION: SOME CHARACTERISTICS OF CHILD LABOUR

* Working too young - Children in developing countries often start factory work at the age of six or seven.
* Working long hours - in some cases 12 to 16 hours a day.
* Working under strain - physical, social or psychological, in mines, for example or sweet shops.
* Working on the streets - in unhealthy and dangerous conditions.
* For very little pay - as little as $ 3 for a 60 hour week.
* With little stimulation - dull repetitive tasks, which stunt the child’s social and psychological development.
* Taking too much responsibility - children often have charge of siblings only a year or two younger than themselves.
* Subject to intimidation - which inhibits self-confidence and self-esteem, as with slave labour and sexual exploitation.

The Encyclopaedia of Social Sciences defines child labour as: 'When the business of wage earning or participation in self or family support conflicts directly or indirectly with the business of growth and education, the result is child labour'. Homer Folks, the Chairman of the United States National Child Labour Committee, defined child labour as ‘....any work by children that interferes with their full physical development, their opportunities for a desirable minimum of education or their needed recreation’.

The International Labour Organisation provides the following definition: 'Child labour includes children permanently leading adult lives, working long hours for low wages under conditions damaging to their health and to their physical and mental developments, sometimes separated from their families, frequently deprived of meaningful educational and training opportunities that could open for them a better future'. The ILO standards fix the minimum age for admission to employment at 15 years and recommend with various provisions, that this be gradually raised to 16 years.

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23Quoted in Mahaveer Jain, *Problems and Programme Needs of Working Children in Urban India* (National Consultation Meeting on Urban Child, New Delhi) 6-8 April, 1992, p. 16.

The concept of child labour appears to be quite complex. Different definitions and interpretations have been offered by various studies. The problem of an universally accepted definition is all the more complicated as in India, child labour has been defined differently on different occasions, Acts, Industries, etc. Singh et.al., while examining the issue of working children stated that 'Child labour means a working child who is between 6 and 15 years of age, is not attending school during the day, is working under an employer or is learning some trade as an apprentice'\textsuperscript{26}. Another study has held the view that child labour includes all those aged 14 years or below who are engaged in some productive work, whether paid or not, within family or outside\textsuperscript{26}.

Rajani Kanta Das's\textsuperscript{27} definition of the term 'child labour' refers to an economic practice and attendant social evil. Child labour as an economic practice signifies employment in gainful occupations and a material contribution to the labour income of the family; only an age-line differentiates it from adult labour. Similar

\textsuperscript{26}K.K. Khatau, \textit{Working Children in India} (Operation Research Group, Baroda) 1983, p. 69.

\textsuperscript{27}Rajani Kanta Das, \textit{Child Labour in India} (International Labour Organisation) 1934, p. 6.
views have been expressed by V.V.Giri\textsuperscript{28}, who interpreted the term in two different ways: first, as an economic practice, and second as social evil. In terms of economics, it signifies employment of children in gainful occupations with a view to adding to the household’s income. Secondly, it is used in assessing the nature and the extent of the social evil. As a social evil, it implies:

(a) The dangers of the job to which children are exposed.

(b) The denial of opportunity for their development.

Child labour in a restricted sense signifies the employment of children in gainful occupations, which are dangerous to their health and deny them the opportunities of development, with the aim of earning a livelihood for themselves and for their families. Child labour can be conceived to include all children under the age of fourteen years who are engaged in some work or employment to earn a living. However, it must be noted that children do not always work for monetary gain. It is not unusual to find them as unpaid workers, particularly in household Industries where their contribution is substantial to the family labour. Therefore, in the context of rural agrarian societies, there is a need of a broader definition of work to include not only

\textsuperscript{28}V.V. Giri, \textit{Labour Problems in Indian Industry} (Asia Publishing House, Bombay) 1958, p. 360.
directly productive activities, but also household maintenance activities. Schildkrout has given a possible working definition of children’s work as ‘any activity done by children, which either contributes to protection, gives adults free time, facilitates the work of others, or substitutes for the employment of others’. Child labour according to the Committee on Child Labour, may be defined as that segment of the child population which participates in work either paid or unpaid. The Census, however, does not consider household chores and some other unpaid activities mostly done by young children as work.

In India, there is hardly any statutory provision, which defines the term ‘child labour’ in precise terms. There seems to be no consensus based definition. One of the objectives of the Child Labour (Prohibition and Regulation) Act, 1986, is to obtain uniformity in the definition of the ‘child’ in the related laws. There have been several legislative enactments in the past aimed at protecting children from hazardous and exploitative employment. The legislative definition of ‘child

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labour' is not uniform and it varies from Act to Act. This is evident from the following table:

<table>
<thead>
<tr>
<th>SL.NO.</th>
<th>ACT</th>
<th>MINIMUM AGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Children(Pledging of Labour)Act</td>
<td>15 years</td>
</tr>
<tr>
<td>2.</td>
<td>The Plantation Labour Act</td>
<td>12 years</td>
</tr>
<tr>
<td>3.</td>
<td>The Employment of Children Act</td>
<td>15 years</td>
</tr>
<tr>
<td>4.</td>
<td>The Apprentice Act</td>
<td>14 years</td>
</tr>
<tr>
<td>5.</td>
<td>The Beedi and Cigar Workers(Conditions of Employment)Act</td>
<td>14 years</td>
</tr>
<tr>
<td>6.</td>
<td>The Factories Act</td>
<td>14 years</td>
</tr>
<tr>
<td>7.</td>
<td>The Mines Act</td>
<td>16 years</td>
</tr>
<tr>
<td>8.</td>
<td>The Merchant Shipping Act</td>
<td>18 years</td>
</tr>
<tr>
<td>9.</td>
<td>The Motor Transport Workers Act</td>
<td>18 years</td>
</tr>
<tr>
<td>10.</td>
<td>Rule 5 of the Radiation Protection Rules Under the Atomic Energy Act</td>
<td>18 years</td>
</tr>
<tr>
<td>11.</td>
<td>The Shops and Establishments Act*</td>
<td>Varying State-wise between 12 to 15 years</td>
</tr>
</tbody>
</table>

* In Uttar Pradesh, the age of a child for employment in a shop or establishment is 12 years.
The above table depicts that there is no uniformity in the minimum age of employment. The precise age of what constitutes child labour, thus, has not been laid down anywhere because of variations in the age of child as given under different legislative enactments. The Child Labour (Prohibition and Regulation) Act, 1986, minimum age of employment as 14 years. Under this Act, employment of children is banned in specified occupations and processes for those who have not completed their fourteenth year. The Act also intends to regulate the conditions of work for children in employments where they are not prohibited from working. The list of specified hazardous occupations are mentioned in Appendix 1. In the absence of a clear definition of what comprises 'child labour' and conceptual differences and variations in the pattern of work, it becomes very difficult to make an estimate of child workers. This obstacle, as mentioned earlier, has been overcome in the Child Labour (Prohibition and Regulation) Act, 1986, which seeks to obtain uniformity in the definition of "child" in the related laws.

1.2 MAGNITUDE OF CHILD LABOUR

The employment of children in different activities is prevalent not only in India but is common in most of the developing countries. Participation of minor children in gainful economic activities, euphemistically termed as child labour
is an age old phenomenon in much of the world and it is reported that at present there are over 145 million child workers at a global level\textsuperscript{32}. It has also been observed that in most countries child labour is clandestine, and vested interests try their best to conceal it, which makes it very difficult to make an accurate estimate of the children employed.

India has the dubious distinction of having the highest concentration of child labour in the world, despite more than four decades of planned efforts. The lop-sided development process in the backdrop of an unevenly balanced socio-economic structure, has resulted in the marginalisation of the poor who are left with no option but to use child labour as a survival strategy\textsuperscript{33}. Child labour continues to be a constituent of our work force engaged in both the organised and the unorganised sectors of our economy, Constitutional provisions and other legal safeguards notwithstanding. There are more children in India than in 46 African countries put together\textsuperscript{34}. This staggering fact sums up the size of many problems concerning the betterment and welfare of children in this vast


\textsuperscript{33}S. Vijaygopalan, \textit{ibid}.

\textsuperscript{34}M. Balug, ‘Banning Child Labour in India’, \textit{The Times of India}, New Delhi, 11 December, 1986.
country. Involvement of child labour in different activities is quite common in most of the states in India. But the magnitude and the intensity varies among states.

The number of child labour in India is on the rise despite several prohibitory laws. The 1981 Census had put the figure of child labour at 13.5 million - 7.6 per cent of the total child population (5-14 years). An estimate done in 1983 indicated that the figure rose to 17.4 million, while a survey conducted by the Operational Research Group (ORG), Baroda, in 1985 had put the figure at a staggering 44.5 million. The magnitude of the problem of child labour appears to be quite alarming and calls for immediate action.

Estimates from non-governmental sources put the number much higher at 44 to 111 million. According to the Asian Labour Monitor, every third household in India has a working child, over 20 per cent of the GNP being contributed by child labour. The large differences in the estimates of child labour from government and non-government sources mainly lies in the criteria adopted for identification of child labour. The Census counts as workers only those children

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35 'Child labour in India on rise', *The Times of India*, April 24, 1989.

who are engaged in economically productive work. Since not all the work done by children is remunerated, the Census estimate appears to be unrealistic. Unlike the Census, the ORG estimate included all children engaged in work, whether paid or unpaid, at any time of the day within or outside the family.

Child employment principally in agriculture and the unorganised sector is the problem of developing economies. Even the National Commission on Labour in it report mentioned: ‘Our evidence reveals that employment of children is almost non-existent in organised Industries. It persists in varying degrees in the unorganised sector such as small plantations, restaurants and hotels, cotton ginning and weaving, stone breaking, brick kiln, handicrafts and road building’ 37. This is the sector in which the child labour operates without being adequately represented in the official labour statistics including the Census 38. The under-estimation of child workforce among female children is much higher than male children.

The unorganised sector is mainly characterised by unregulated job conditions


and non-availability of the general welfare measures. Legal restrictions in the organised sector offer protection for the child, but in the unorganised sector of the economy, there is neither any prohibition of child employment nor any protection for the child. To comprehend the magnitude of the problem of child labour in different states of India, a region-wise analysis of the Census data is presented here.

Table 1.1 DISTRIBUTION OF CHILD LABOUR AND CHILD POPULATION (5-14 yrs.) IN INDIA - 1981

<table>
<thead>
<tr>
<th>States</th>
<th>Population ('000)</th>
<th>Distribution</th>
<th>Child Labour ('000)</th>
<th>Distribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andhra Pradesh</td>
<td>1,413,000</td>
<td>7.87</td>
<td>1,754</td>
<td>15.67</td>
</tr>
<tr>
<td>Assam</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Bihar</td>
<td>1,978,2</td>
<td>11.01</td>
<td>893</td>
<td>7.98</td>
</tr>
<tr>
<td>Gujarat</td>
<td>898,1</td>
<td>5.00</td>
<td>462</td>
<td>4.13</td>
</tr>
<tr>
<td>Haryana</td>
<td>368,4</td>
<td>2.05</td>
<td>142</td>
<td>1.27</td>
</tr>
<tr>
<td>Himachal Pradesh</td>
<td>114,3</td>
<td>0.64</td>
<td>60</td>
<td>0.54</td>
</tr>
<tr>
<td>Jammu &amp; Kashmir</td>
<td>167,7</td>
<td>0.93</td>
<td>109</td>
<td>0.97</td>
</tr>
<tr>
<td>Karnataka</td>
<td>1,006,2</td>
<td>5.60</td>
<td>966</td>
<td>8.63</td>
</tr>
<tr>
<td>Kerala</td>
<td>618,0</td>
<td>3.44</td>
<td>68</td>
<td>0.60</td>
</tr>
<tr>
<td>Madhya Pradesh</td>
<td>1,443,7</td>
<td>8.04</td>
<td>1,372</td>
<td>12.26</td>
</tr>
<tr>
<td>Maharashtra</td>
<td>1,660,6</td>
<td>9.25</td>
<td>1,263</td>
<td>11.29</td>
</tr>
<tr>
<td>Orissa</td>
<td>733,4</td>
<td>4.08</td>
<td>515</td>
<td>4.60</td>
</tr>
<tr>
<td>Punjab</td>
<td>420,0</td>
<td>2.34</td>
<td>179</td>
<td>1.60</td>
</tr>
<tr>
<td>Rajasthan</td>
<td>972,0</td>
<td>5.41</td>
<td>589</td>
<td>5.27</td>
</tr>
<tr>
<td>Tamil Nadu</td>
<td>1,155,5</td>
<td>6.43</td>
<td>871</td>
<td>7.78</td>
</tr>
<tr>
<td>Uttar Pradesh</td>
<td>3,128,0</td>
<td>17.42</td>
<td>1,246</td>
<td>11.30</td>
</tr>
<tr>
<td>West Bengal</td>
<td>1,486,2</td>
<td>8.28</td>
<td>523</td>
<td>4.68</td>
</tr>
<tr>
<td>India</td>
<td>17,959,7</td>
<td>100.00</td>
<td>11,168</td>
<td>100.00</td>
</tr>
</tbody>
</table>
The table 1.1 exhibits the state-wise distribution of child population and child labour in the major states of India in 1981. The total child workers (main workers) in the country were 11.2 million, and including the marginal workers, the total number of working children were 13.5 million. More than half of the total child labour in the country is concentrated in just four states, i.e. Andhra Pradesh, Madhya Pradesh, Uttar Pradesh and Maharashtra.

The percentage distribution of child labour in the country reveals that Andhra Pradesh has the highest proportion of child labour. This state accounts for 15.67 per cent of the total child labour in the country. Other states that account for more than 10 per cent of the total child labour are Madhya Pradesh (12.26), Maharashtra (11.29) and Uttar Pradesh (11.30). These four states together account for 50.52 per cent of the child labour in India. Other states which also have a high share (above 5 per cent) are - Karnataka (8.63), Bihar (7.98), Tamil Nadu (7.78) and Rajasthan (5.27). Lowest share of child labour among the major states is in Himachal Pradesh and Kerala that reported a share of 0.54 and 0.60 per cent respectively. It is also evident from the above table that in the states of Andhra Pradesh, Karnataka, Madhya Pradesh, Maharashtra and Tamil Nadu the proportion of child labour is higher than the proportion of child population. This reflects that the incidence of child labour is influenced not only by the population size but also by other socio-economic factors.
Table 1.2 INCIDENCE OF CHILD LABOUR IN INDIA - 1981

<table>
<thead>
<tr>
<th>States</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andhra Pradesh</td>
<td>6.58</td>
<td>10.30</td>
<td>7.75</td>
</tr>
<tr>
<td>Assam</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Bihar</td>
<td>3.82</td>
<td>7.10</td>
<td>4.31</td>
</tr>
<tr>
<td>Gujarat</td>
<td>3.51</td>
<td>7.72</td>
<td>4.21</td>
</tr>
<tr>
<td>Haryana</td>
<td>3.41</td>
<td>9.68</td>
<td>3.89</td>
</tr>
<tr>
<td>Himachal Pradesh</td>
<td>2.33</td>
<td>8.95</td>
<td>4.11</td>
</tr>
<tr>
<td>Jammu &amp; Kashmir</td>
<td>5.20</td>
<td>13.88</td>
<td>6.00</td>
</tr>
<tr>
<td>Karnataka</td>
<td>5.99</td>
<td>10.30</td>
<td>7.08</td>
</tr>
<tr>
<td>Kerala</td>
<td>0.67</td>
<td>2.01</td>
<td>0.99</td>
</tr>
<tr>
<td>Madhya Pradesh</td>
<td>5.70</td>
<td>9.76</td>
<td>6.85</td>
</tr>
<tr>
<td>Maharashtra</td>
<td>4.04</td>
<td>7.91</td>
<td>5.20</td>
</tr>
<tr>
<td>Orissa</td>
<td>5.36</td>
<td>9.13</td>
<td>5.97</td>
</tr>
<tr>
<td>Punjab</td>
<td>3.61</td>
<td>4.50</td>
<td>3.64</td>
</tr>
<tr>
<td>Rajasthan</td>
<td>4.48</td>
<td>12.47</td>
<td>5.65</td>
</tr>
<tr>
<td>Tamil Nadu</td>
<td>3.61</td>
<td>7.06</td>
<td>4.58</td>
</tr>
<tr>
<td>Uttar Pradesh</td>
<td>3.61</td>
<td>6.99</td>
<td>3.90</td>
</tr>
<tr>
<td>West Bengal</td>
<td>3.08</td>
<td>6.29</td>
<td>3.39</td>
</tr>
<tr>
<td>India</td>
<td>4.19</td>
<td>8.36</td>
<td>5.03</td>
</tr>
</tbody>
</table>

Table 1.2, shows the inter-state variations in the proportion of child workers to total workers under the main worker category according to the 1981 Census. As already mentioned, the main worker in the 1981 Census was defined as person whose main activity was participation in any economically productive work by his physical or mental activities and who had worked for six months (183 days) or more during the reference period. Since this definition reflect the concept the worker more meaningfully, the marginal workers are excluded from
the above analysis.

The all India average of child labour works out to 5.03 per cent. It is striking to note that the incidence of child labour in all the states and Union territories in 1981 was more in the case of girls as compared to the boys. The table depicts that the largest concentration of child labour in the country is in Andhra Pradesh, both for female as well as male child labour. Andhra Pradesh, which has the largest concentration of child labour in the country, also has the highest proportion of child workers in the total working population. In this state, 7.75 per cent of the total worker population comprised of child workers. This is followed by Karnataka, where 7.08 per cent of the workforce includes children below the age of 14 years. The other major states having a higher proportion of child labour in the total worker population than the national average of 5.03 per cent are Madhya Pradesh, Orissa, Rajasthan and Maharashtra. On the other hand, amongst all the states, Kerala the most literate state has got the lowest proportion of child labour in the workforce. In this state, child labour constitutes mere 0.99 per cent of the workforce.

The proportion of child labour to total workers further classified by sex reveals that proportion of child workers in workforce is higher for females than males in India. The female main workers comprised 8.36 per cent female child labour
as compared to 4.19 per cent male child labour among male workforce. Like in the case of females, there is lot of under-reporting in the case of the girl child labour also. Despite under-reporting in their case, the higher proportion of female child labour in the workforce is a sad reflection on the society's attitude towards the girl child. Daughters are treated as temporary members of the household. The sons are treated as an 'asset' and the daughter as a 'liability'. For the female child, induction into adult activities, both household work and other production related works come early. It also implies that millions of female children do not get the opportunity of even acquiring modicum of basic education. The lowest incidence of child labour among all the states in the country is reported in Kerala in the case of male as well as female child labour. In the case of male child workers, Andhra Pradesh (6.58 per cent) is followed by Meghalaya (6.31 per cent), Karnataka (5.99 per cent) and Madhya Pradesh (5.70 per cent). In the case of female child workers, Jammu and Kashmir (13.88 per cent) has the highest incidence of child labour. This state is followed by Rajasthan (12.47 per cent), Andhra Pradesh and Karnataka (10.30 per cent each).
Table 1.3  PERCENTAGE OF CHILD LABOUR AMONG THE CHILD POPULATION (5-14 years) 1981

<table>
<thead>
<tr>
<th>States</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
<th>Total*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andhra Pradesh</td>
<td>14.17</td>
<td>10.58</td>
<td>12.41</td>
<td>13.80</td>
</tr>
<tr>
<td>Assam</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Bihar</td>
<td>6.44</td>
<td>2.35</td>
<td>4.52</td>
<td>5.57</td>
</tr>
<tr>
<td>Gujarat</td>
<td>6.83</td>
<td>3.29</td>
<td>5.15</td>
<td>6.87</td>
</tr>
<tr>
<td>Haryana</td>
<td>5.85</td>
<td>1.59</td>
<td>3.87</td>
<td>4.93</td>
</tr>
<tr>
<td>Himachal Pradesh</td>
<td>4.29</td>
<td>6.31</td>
<td>5.28</td>
<td>9.79</td>
</tr>
<tr>
<td>Jammu &amp; Kashmir</td>
<td>9.94</td>
<td>2.84</td>
<td>6.50</td>
<td>15.40</td>
</tr>
<tr>
<td>Karnataka</td>
<td>12.09</td>
<td>7.10</td>
<td>9.60</td>
<td>11.25</td>
</tr>
<tr>
<td>Kerala</td>
<td>1.10</td>
<td>1.08</td>
<td>1.09</td>
<td>1.49</td>
</tr>
<tr>
<td>Madhya Pradesh</td>
<td>10.95</td>
<td>7.94</td>
<td>9.50</td>
<td>11.77</td>
</tr>
<tr>
<td>Maharashtra</td>
<td>8.08</td>
<td>7.12</td>
<td>7.61</td>
<td>9.38</td>
</tr>
<tr>
<td>Orissa</td>
<td>10.53</td>
<td>3.49</td>
<td>7.03</td>
<td>9.58</td>
</tr>
<tr>
<td>Punjab</td>
<td>7.65</td>
<td>0.41</td>
<td>4.27</td>
<td>5.16</td>
</tr>
<tr>
<td>Rajasthan</td>
<td>7.81</td>
<td>4.14</td>
<td>6.07</td>
<td>8.43</td>
</tr>
<tr>
<td>Tamil Nadu</td>
<td>8.41</td>
<td>6.64</td>
<td>7.54</td>
<td>8.44</td>
</tr>
<tr>
<td>Uttar Pradesh</td>
<td>6.28</td>
<td>1.37</td>
<td>4.04</td>
<td>4.59</td>
</tr>
<tr>
<td>West Bengal</td>
<td>5.64</td>
<td>1.31</td>
<td>3.52</td>
<td>4.07</td>
</tr>
<tr>
<td>India</td>
<td>7.95</td>
<td>4.37</td>
<td>6.23</td>
<td>7.60</td>
</tr>
</tbody>
</table>

* includes marginal workers also.

The table 1.3 depicts the proportion of the child labour among the children’s population aged 5-14 years in different states of the country as per the 1981 census. The All-India average of child labour in the child population is 6.23 per
cent, and for male and female child labour, it is 7.95 per cent and 4.37 per cent respectively. The above table includes main workers only. The main and marginal child workers taken together, the proportion of child labour to the child population increases marginally to 7.60 per cent. The low percentage of female child labour may be due to the fact that the female labour is mostly hidden is not properly captured in the census. Majority of the child labour in the country works at the countryside engaged in agriculture. Female child labour mainly works at home and the work done by them escapes the attention of the surveys. As a result, despite working they are generally not classified as ‘working’. It is clearly evident that the proportion of child labour in the child population shows wide variations at the state level.

Amongst all the states, Andhra Pradesh has the highest percentage of child labour (12.41 per cent) in the children population of the state. It is not surprising because Andhra Pradesh has the highest incidence of child labour in the country. This state is followed by Karnataka (9.60 per cent) and Madhya Pradesh (9.50 per cent). On the other hand, amongst all the states, Kerala had the lowest proportion of child labour in the child population of the state.

Andhra Pradesh also accounts for the highest percentage (14.17 per cent) of the male child labour in the male child population. Andhra Pradesh is followed
by Karnataka (12.09 per cent) and Madhya Pradesh (10.95 per cent). The lowest proportion of male child labour in the male child population in 1981 was also found in Kerala. In 1981, this state had only 1.10 per cent of the total male child population in the age-group 5-14 as child labour. The proportion of female child labour to the female child population in the states was also highest in Andhra Pradesh. The proportion of female child labour to female child population in this state was 10.58 per cent. On the other hand, the lowest proportion of female child labour to the total female child population of the state was found in Punjab and Kerala with 0.41 per cent and 1.08 per cent respectively.

The above table shows that the proportion of child labour to the child population in India is high, both in absolute and percentage terms. It is a sad reflection on the state affairs in the country where large numbers of children instead of attending school, have to work hard for a living. These are just estimates and the actual figures may still be much higher. The Census figures do not capture the actual picture of the child labour in the unorganised sector where a large section of children are employed.
1.3 LITERATURE SURVEY

Though predominance of child labour in many third world countries continues to be quite pronounced, the studies in this area, unfortunately are scanty and inadequate. The review of existing literature presented here provides a broad idea of the work done in this field and the spectrum of socio-economic variables that could be related to the widespread phenomenon of child labour. An attempt has been made to scan the major studies on child labour and its socio-economic determinants.

Many studies have linked fertility behaviour with the economic benefits and costs associated with having children. It is a very widely held belief in the developing countries, that the more children there are in a family, the more hands there are to help to increase the family income. In the available literature on the Demographic Transition Theory, fertility levels in poor and traditional societies are high because of, among other things, the economic contributions of children early in their childhood.\(^{39}\) It has been argued that the costs of rearing

children exerts a dominating influence on the fertility behaviour of couples in the
developed societies where the benefits to parents from their children are
considered to be negligible. While in the developing societies, benefits derived
from the children outweigh the costs. As a society becomes modernised and
of children to parents declines in importance\textsuperscript{40}. Studies on this aspect, i.e.
economic benefits from children and fertility, can be said to have occupied a
fairly central position in research over the past many years. The study by
Mamdani\textsuperscript{41} conducted in a village in the Ludhiana district of Punjab was
probably the first in to articulate the view that it 'pays' poor peasants to have
large families. This view however, was expressed earlier also by Ester Boserup\textsuperscript{42}
and Colin Clark\textsuperscript{43}, but for India, it was advanced for the very first time by
Mahmood Mamdani in 1972. In his view, only a small section of farmers with
large farms and who have mechanised farming would think of birth control
methods. Others according to him would continue to have as many children as

\textsuperscript{40}T.J. Espenshade, 'The Value and Cost of Children', \textit{Population Bulletin}

\textsuperscript{41}M. Mamdani, \textit{The Myth of Population Control} (Monthly Review Press,

\textsuperscript{42}Ester Boserup, \textit{The Conditions of Agricultural Growth: The Economics of
Agrarian Change Under Population Pressure} (Aldine Publishing Co.,
Chicago), 1965.

\textsuperscript{43}Colin Clark, \textit{Population Growth and Land Use} (St. Martin's Press, New
York), 1968.
possible - so long they have labour intensive farming or till they mechanise their agriculture. Mamadani states: ‘those who have few resources respond to adversity not by decreasing their family size but by increasing it’. Eva Mueller\textsuperscript{44} disagrees with Mamdani’s evidence which she says is mostly ‘anecdotal’, there is almost no attempt at quantification. Even if children are really required for farm work, it does not automatically follow that their net economic value is positive and high, unless what they consume is much less than what they produce. She examined the economic value of children in peasant agriculture by using the aggregate and life-cycle models. Mueller concludes that both the models agree in showing that children have a negative economic value in peasant agriculture. By the time they become parents themselves, children are conceived to consume more than what they contribute. Vlassoff referred Mamdani’s style as polemical, and the anecdotal nature of the data seriously detracts from the work as empirical or scientific\textsuperscript{45}.


Caldwell\textsuperscript{46}, has explained the transition of societies from high to low fertility in term of the inter-generational flow of wealth (money, goods, services, guarantees, etc.). If the net lifetime flow from the younger to the older generation (usually children to parents), then fertility would remain high; however, if the direction of the flow reversed, then fertility would decline. On the basis of the African experience, he has argued that the inter-generational flow of wealth has been unidirectional - from the younger to the older generation in all traditional societies. The decline of fertility in West European countries occurred mainly because of the decline in the labour inputs in household production and an increase in costs of rearing children - both direct and indirect. This changed the inter-generational flow of wealth from upwards to downwards, that is from parents to children rather than from children to parents as it used to be. Mead Cain\textsuperscript{47}, in his study in Char Gopalpur village of Bangladesh, also concluded that having a large number of children is an economically rational proposition, because of their significant economic contribution to the family.


A study conducted in the villages of Java and Nepal by Benjamin White and Robert Creighton Peet under the guidance of Moni Nag\(^48\), depict that the work input of children in these villages is quite substantial. Like Cain's study in Bangladesh, this study also concludes that children probably have a net positive economic value to their parents apart from old age security that they provide them. This in turn influences their reproductive behaviour.

Numerous studies have analysed the phenomenon of child labour by taking the fertility into account. These studies found a positive correlation between the economic contribution of children and fertility and child labour. Kasarda's study based on international cross-sectional data, depicted that in the countries in which the rates of economic activity of children are low, the birth rates are significantly lower than elsewhere\(^49\). Ashok Mitra, also mentioned that a large family is considered to be an asset by a vast majority of the households in India, mainly when -

(a) the net outflow of wealth from children to parents over a lifetime would be greater than the net inflow of wealth from parents to children over


lifetime; and

(b) the net economic benefit to parents from children before the latter attain adulthood would possibly be greater than the perceived costs to parents of these children on account of upbringing and education\textsuperscript{50}. The relationship between children's contribution and fertility has also been examined by Dandekar\textsuperscript{51}, Leibenstein\textsuperscript{52}, Hull\textsuperscript{53}, Lindert\textsuperscript{54}, Bulatao and Arnold\textsuperscript{55}, Tilakratane\textsuperscript{56}, De Tray\textsuperscript{57}, Makhija\textsuperscript{58}, Schultz\textsuperscript{59}, De Vanzo\textsuperscript{60},

\textsuperscript{50}Ashok Mitra, 'Issues in India's Population Policy', \textit{Demography India}, 5, 1 & 2, 1976, pp. 6-7.

\textsuperscript{51}K. Dandekar, 'Child Labour: Do Parents Count it as an Economic Contribution', in K. Srinivasan, et.al., \textit{op.cit.}, 1989, pp. 211-220.


Harman\textsuperscript{61} and McIntosh\textsuperscript{62}. Other significant studies in this field, include, a study carried out by Nadkarni\textsuperscript{63} in six villages of Marathwada region in Maharashtra and another study conducted in West Bengal by Bhattacharyya and Brown\textsuperscript{64} taking into account cottage Industry (costume jewellery).

\textsuperscript{58}I. Makhija, ‘High Yielding Varieties of Wheat and Rice, Schooling and Fertility: Rural India’, \textit{Agricultural Economics Workshop, Paper No. 15}, (Department of Economics, University of Chicago, Chicago) 1980.


\textsuperscript{60}J. De Vanzo, \textit{The Determinants of Family Formation in Chile 1960: An Econometric Study of Female Labour Participation, Marriage and Fertility Decisions} (Santa Monica, Round Cooperation) 1972.


A study by Mishra and Pande\textsuperscript{65} on child labour in the glass Industry of Firozabad, based on a survey of 500 households, revealed that families found security in number by disregarding the small family norm. The household supply their child labour for wages for maximising the present income, as the future income involves high opportunity cost and investment of time and income in the schooling of their children.

Vlassoff’s\textsuperscript{66} study in a village in Western Maharashtra reports findings which contradicts the findings of the studies which depict a close association between child labour and fertility. He concludes that the sensitivity of children’s maintenance costs was more than perception of their utility. His findings cast doubt upon the supposed connection between utilities of children and large family size ideals, among rural and traditionally organised societies. The Karnataka study conducted by Kanbargi and Kulkarni\textsuperscript{67} considered by many as the most exhaustive study, based on a large sample of 45 villages spread over


10 districts of the State. Their study too, found a weak correlation between child labour and fertility. Nangia's\textsuperscript{68} analysis based on 1971 Census data at the State level, also did not reveal any significant relationship between the two. Vemuri's\textsuperscript{69} multivariate analysis too did not reveal any significant relationship between child labour and fertility.

Several studies have attempted to analyse the impact of education on child labour. Most of the studies observed that education has a negative influence on child labour, in India as well as in the other countries. A report on the child labour prepared by the Institute of Psychological and Educational Research\textsuperscript{70} found that due to failure of appreciating the importance and usefulness of education, there is prevalence of child labour, particularly in rural areas. Mehta\textsuperscript{71} and Nangia\textsuperscript{72} too, in their respective studies found a similar relationship between


\textsuperscript{71}S.S. Mehta, 'Why Child Labour', paper presented in International Seminar on Child Labour (Gandhi Labour Institute, Ahmedabad) 4-7 December, 1987.

\textsuperscript{72}Praveen Nangia, \textit{op.cit.}
child work-force and literacy rate.

A study by Sudhir Kumar\textsuperscript{73} for the fourteen major states of India found that child work participation rate is higher where literacy ratio is lower. Negative correlation between child labour and literacy ratio ($r = -0.537$; significant at 5 per cent level of significance) were observed. Again positive correlations between child labour proportion and dropout ratio at primary school ($r = 0.537$, significant at 5 per cent level), and child labour proportion and dropout ratio at middle school ($r = 0.617$, significant at 2 per cent level of significance) indicates that states with higher dropouts at primary and middle school levels have larger proportions of child labourers. Reddy and Narayana\textsuperscript{74} brought out a different aspect: lack of faith in the present education. They observed that most of the parents make a definite choice between education and job. The parents feel that even if a child goes to school there is no guarantee of a job at the end of it. Kanbargi and Kulkarni's\textsuperscript{75} study on Karnataka found that school attendance is


\textsuperscript{75}R. Kanbargi and P.M. Kulkarni, \textit{op.cit.}
influenced negatively by the demand for labour. Whereas, another study by schooling rate of the children than on the child work-participation rate. He also noted that with the proximity of school, there was higher schooling among children and lower work-participation rate than the village where schooling facilities were less.

Studying child labour in the carpet industries of Varanasi, Singh\textsuperscript{78} observed that 83.8 per cent fathers of child workers were illiterate. The study by Mishra and Pande\textsuperscript{77} revealed low literacy among the head of the households interviewed. Out of the 500 interviewed, as many as 64 per cent were illiterate. Likewise many studies have depicted that most of the guardians of child workers are illiterate which has a direct bearing on the prevalence of child labour.

Many studies have found economic compulsions as the most important factor that compels a child to work. The National Commission of Labour\textsuperscript{78} pointed out that the employment of children is indeed more of an economic problem than anything else. The Commission also observed that an artisan cannot afford to

\textsuperscript{78}A.N. Singh, \textit{Child Labour in India - Socio-Economic Perspectives} (Shipra Publication, Delhi) 1990.

\textsuperscript{77}G.P. Mishra and P.N. Pande, \textit{op.cit.}

educate his wards even if education is free. For him an uneducated child is an asset; the desire to educate the ward becomes a double liability because of loss of earnings if the child did not work and expenditure on education, howsoever small. A similar view was also expressed by Prof. (Smt.) N.Acharji. Xavier Labour Relation Institute, Jamshedpur, in the following words: ‘………. But for all poor families the question posed is immediate supplementary income and to use the children as sources rather than postpone this prospect to an uncertain date, when he will pass his matric and may or may not get a job in an economy when millions are unemployed. Thus, psychologically the path of least resistance is adopted by them’.

The pilot study conducted by the Madras School of Social Work in Madurai, Coimbatore and Madras found that about three fourth of the child workers joined work to supplement their family income and 23 per cent due to the death of their parents. NIPPCD study conducted in Bombay revealed that among the working children 59.2 per cent joined work due to their economic

78 Prof. Acharji, ‘Child Labour in India’ read in Seminar organised by NIPCCD in November, 1975.


81 Musafir Singh, et.al., op. cit.
compulsions. A study conducted in Kashmir\textsuperscript{82} on carpet weavers found that as many as 97 per cent of children joined carpet weaving due to poverty. Nangia\textsuperscript{83} too, in his study of child labour in Delhi, mentions that majority of parents quoted poverty to be the main reason.

A study conducted by CSR\textsuperscript{84} on the working conditions of children employed in the unorganised sector in Sivakasi, found that the children were the main bread winners in most families there. Most of the children were under compulsion to work due to poverty. A majority (95 per cent) of them took up jobs in match units because of the poor financial conditions of their families. highlighted that chronic poverty is the sole motivating factor for the prevalence and perpetuation of child labour\textsuperscript{85}. A correlation analysis, taking into account fourteen major states of India based on the secondary data, revealed positive correlations between child labour ratio (male) and rural poverty ratio ($r = 0.305$).


\textsuperscript{85}Report of the Committee on Child Labour (Gurupadaswamy Committee), Ministry of Labour, Government of India, December, 1979, p. 9.
and child labour ratio (female) and poverty ratio \((r = 0.41)\)\(^{86}\). This suggests that poverty is one of the major reasons that forces children to work for gains. Economic compulsions weigh so heavily on the conscience of poor parents that they do not mind colluding with the child's employer in violating the law and putting the child under risks of inhuman exploitations. A study by the Bombay regional centre of the ICSSR on urban child labour, as quoted by Dr. S.C. Jain, Head of the Department of Rural Studies, South Gujarat University, revealed that 88 per cent of the children came to work due to poverty, three per cent due to neglect of poverty, five per cent due to sudden death of parents and four per cent due to parent's compulsions\(^{87}\).

Mehta\(^{88}\) found a highly significant positive correlation \((r = 0.78)\) between the percentage of child workers to total workers and the percentage of population below poverty line in different states of India in 1981. Rosenzweig and Evenson's\(^{89}\) analysis based on 1961 Census data of rural India (189 districts),

\(^{86}\) Sudhir Kumar, *op.cit.*, p. 66.


\(^{88}\) S.S. Mehta, *op.cit.*

found a significant positive relationship between wage rates of children and the birth rates.

A study of the working children in Bombay by Musafir Singh et.al.\(^{90}\) found that out of 287 respondents (parents), the majority (170, i.e. 69.2 per cent) mentioned economic compulsions as the major factor. As many as 74 (25.8 per cent) mentioned that the child was idle and doing nothing. Another study on the working children in Hissar by Sharma\(^{91}\), revealed that a majority of child workers joined the labour force due to acute poverty in their family; death and chronic illness of the earning members. There was no other alternative but work by the children.

An analysis of children work-pattern by Devaki Jain and Malini Chand\(^{92}\) in the states of West Bengal and Rajasthan, revealed a higher work participation rate for male children coming from lower land classes in West Bengal. With increased landholding, a progressively decreasing trend is noticed.

\(^{90}\) Musafir Singh, et.al., *op.cit.*


\(^{92}\) Devaki Jain and Malini Chand, *op.cit.*
A. N. Singh’s study on carpet units of 19 villages of Sewapuri Development Block of Varanasi district, clearly exhibits that the prevalence of child labour is due to economic reasons. Out of 100 respondents, as high as 83 respondents indicated that economic compulsion was the main reason to put their children to work for wages. According to a investigative report in the media, it is estimated that nearly 23 per cent of all the family income in India is contributed by children. In a study, it has been reported that the manufacturers in the glass works of Firozabad accept that the Industry cannot run without child labour and doing away with them would mean a loss of twenty five per cent.

Thus, numerous studies have analysed the phenomenon of child labour in relation to family’s fertility behaviour, impact of education, economic value of children and attempted to measure the economic contribution of children. In the light of the above arguments, it would be worthwhile to explore the determinants of child labour in the present analysis.

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93 A.N. Singh, *op.cit.*

94 'Child Labour', *The Economic Times*, March 31, 1981