CHAPTER - II

CONCEPT OF CHILD LABOUR

2.1 Meaning and Definition of Child Labour:

The term 'child labour' is variously used meaning 'Employed child' or 'working child'. It signifies employment of children in gainful occupations with a view to add in the household income. 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. They contribute substantially in family labour. Moreover, children spend much of their time in household maintenance activities, we therefore, needs a broader definition of work to include not only directly productive paid activities, but also unpaid family labour.

We may then define the child labour as that segment of child population which participates in paid and unpaid work. Here we shall refer to census definitions. It is well known that the census of India has modified the definition of workers and non-workers from one census to another in enumerating child and adult workers.

The phenomenon of child labour is a complex development issue worthy of investigation. The fact that vulnerable children are being exploited and forced into work, which is not fit for their age, is a human rights concern now. India and other developed and developing countries are really plagued by the problem of child employment in organized and unorganized sectors. Child labour is a human rights issue of immense sensitivity. Child labour is considered exploitative by the United Nations and International Labour
Organization. The article 32 of the UN speaks about child labour as follows – “States parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development”. To sum up, most countries of the world consider it highly inappropriate when a child below a certain age is put to work. People should be prohibited from hiring labour below a certain age. However, the minimum age at which a human can be put to work differs from country to country. In the US the child labour laws have set the minimum age to work in an organization without the parents consent at sixteen.¹

According to John R. Thomas child labour, or child labour, refers to the employment of children at regular and sustained labour. This practice is considered exploitative by many international organizations and is illegal in many countries. Child labour was utilized to varying extents through most of history, but entered public dispute with the advent of universal schooling, with changes in working conditions during the industrial revolution, and with the emergence of the concepts of workers’ and children’s rights.

In the word of Wikipedia (October 2009) “Child labour” is, generally speaking, work for children that harms them or exploits them in some way (physically, mentally, morally, or by blocking access to education).²

Bhalotra, S. (2008) is of the view that child labour is the employment of children under an age determined by law or custom. This practice is considered exploitative by many countries and international organizations. Child labour was utilized to varying extents through most of history, but
entered public dispute with the beginning of universal schooling, with changes in working conditions during industrialization, and with the emergence of the concepts of workers' and children's rights.³

However child labour derives children the opportunities for mental and physical development and consequently, their life chances are marked. Such a practice is obviously looked down upon by social thinkers and policy makers.

This being so, definitions of child labour in terms of age or with reference to occupation will not be adequate. It will be necessary to examine the social situation under which these children work.

The phenomena of child labour are therefore be defined as "An activity of earning or of supporting self or family, which directly comes into conflict with the opportunities for further mental and physical growth of the child". This definition is indicates two things: (1) the social structure is open to provide for children's physical and mental development and institutions are available to provide support, and (2) a child who is working to support itself or its family has to work and therefore the is not in a position to take advantage of society's institutions, which otherwise would have helped in his physical and mental development.

In order to make he concept of child labour more clear, is necessary to note the following points with regard to child labour:

Age:

More often than not child labour is defined in terms of age. Frequently, this minimum age differ form activity to activity and area to area.
For example in India different Acts have different minimum age for the purpose of defining child labour. In the international level also, there is an obsession for this age factor. I.L.O. has adopted at least two convention to prescribed the minimum age in various fields. We believe that there is a need to fix up the minimum age for all children which should be based on scientific considerations.

**Socio-economic background:**

Various reports, starting from Royal Commission on labour to Sanat Mehta Committee on child labour in India mention that poverty is the main cause of child labour. The phenomenon of child labour is thus related to poverty, slums, illiteracy backwardness etc. Looking to this facts several social workers have started running informal education classes for child labour and they genuinely believe that since illiteracy and child labour are related, the former is the cause and the latter is the result.

As parents income and child labour also show co-relationship, many experts consider abolition of parents as a pre - condition for abolition of child labour. This is no doubt a bold and welcome stand. But what is needed in linking of the phenomena of child labour with the development opportunities available for this class of children in society. If the Govt.. enables some people to rise above the poverty line, it is not going to help abolition of child labour.

The issue of child labour has been noticed as "a problem is need of solution" only after the industrial revolution, an urban industrial setting. Prior to the industrial revolution a child was helping his father in a family vocation, which established family or kinship tie in occupations. This was seen as virtue and child helping his father was considered virtuous, though poverty as well as
illiteracy existed them. After the Industrial revolution, however, children started working in factories outside family establishments as wage workers. They worked for others who enjoyed the fruits of their labour by collecting the surplus.

**Political Goals of a National Society:**

In a free society, child labour is allowed to be exploited in the name of tender age finger theory etc. Through some welfare measures are announced, this society does not ban child labour completely. In some societies however, children are not to be allowed to be exploited by private industrialists. In the country state treats all children as usual so far as the provision of development of opportunity is concerned. At a lower level of technological development of all children, but finally it does not exploit child labour to provide training in excellence to a few. It is not our intention here to advocate this or that political ideology. Our intention is only to indicate that the nature and extent of child labour in national society can not be understood reference to its political goals.\(^4\)

A generally valid definition of child labour is presently not available either in the national or international context. Any definitions turns upon the precise meaning we attach to two components of the term “child labour” i.e., “child” in terms of his chronological age and “labour” in terms of its nature quantum and income generation capacity. Child labour, however, can broadly be defined as the segment of child population which population which participate in work either paid or unpaid.

There are considerable variations in the definition of child depending upon the purpose. According to International Convention (Article) “A child means every human being below the age of 18 years unless, under the law
applicable to the child, majority is attained earlier”. In India, the definition of child varies with the purpose for instance, under different economic, socio-culture circumstance, the child is responded as commodity, as an insurance, as a source of labour and as a social burden. In the legal conception either alternative definitions of child ranging from child under seven years of age to 18 years have been just rated by the national law school of Indian university, Bangalore.

The definition of child labour varied form one act to another depending upon the seriousness of the problems of children working in a particular employment.\(^5\)

The age criterion for defining child labour had been accepted by the prove of the Indian constitution and by the law makers. Thus according to Article 24 which is a fundamental right, “No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment”.\(^6\)

Article 45 which is a directive principles of state policy provides that “the state shall endeavour to provide within a period of ten years from the commencement of this constitution, for free and compulsory education for all children until they complete the age of fourteen years”.\(^7\)

**Legislative views**

The Precise age of what constitute child labour has not been laid down anywhere because of variations in the age of child as given under different legislative enactments.
Section 82 of the Indian Penal Code "Nothing is an offence which is done by a child under seven years of age".\(^8\)

Section 83 of the Indian Penal Code 1860, provides "Nothing is an offence which done by a child above 7 years and under 12 years, who has not attained sufficient consequence of his conduct on the relation."\(^9\)

Section 105 of Indian evidence Act 1872, lays down "when a person is accused of any offence, the burden of proving the existence of circumstances bringing the case within any of the general or special exception including that of childhood of the Indian Penal Code or any concerning law is upon him."\(^10\)

Under the Indian Majority act 1874 the age of majority has been fixed at 18 years.\(^11\)

Under the vaccination Act, 1880, children have been defined as person "who have not attained the age of 14 years in case of boys and 18 years in case of girls".\(^12\)

Under the Reformatory School Act 1887, "youth offender" means any person who has been convicted of any offence punishable with imprisonment for live or death or who at the time of such conviction, was under the age of 15 years.\(^13\) The Indian Merchant Shipping Act, XXI of 1923 prohibit Employment of child below the age of 14 years of age.\(^14\)

"The Child Marriage Restraint Act, 1929, (Sharda Act) defines child as a male below twenty one years and a female below eighteen years of age".\(^15\)

According to Employment of Children Act, 1938, "No child who has not completed his fifteen years shall be employed or recruited to work in any occupation". No child who has completed his fifteen years but has not
completed his seventeen years shall be employed or remitted to work in any occupation unless the period of work such child for any day are so fixed as to allow as interval almost for at least seven consecutive hours between 10 p.m. and 7 a.m.

According to the Children (Pledging Labour) Act, 1933 define the “child” a child who is under 15 years of age.\(^\text{16}\)

No child who has not completed his fourteen years shall be employed or remitted to work in any workshop within any of the processes set forth in the schedule is acquired on.\(^\text{17}\)

Under the Motor Vehicles Act, 1939, child has been defined as a person under the age of 18 years.\(^\text{18}\)

According to the Factories Act, 1948 prohibits employment of child below 14 years. A child who has completed 14 years or is an adolescent between 14 years shall not be required to allowed to work in a factory unless he possess a certificate of fitness form a certifying surgeon.\(^\text{19}\)

According to the U.P. Children Act 1951, “children” means a person under the age of 16 years.\(^\text{20}\)

As per the Plantation of Labour Act 1951, “child” means a person who has not completed his fifteen years. Section 24 of the Act lays down: “No child who has not completed his twelfth year shall be required or allowed to work in any plantation”.\(^\text{21}\)

According to the Mines Act, 1952 a child who has not completed his 15th years of age can not be even present in part of mine which is below the
A young person who is between 16 - 18 years is allowed to work provided he has a fitness certificate form a certified surgeon.22

According to the Young Persons Harmful Publication Act 1956 the young person as or a person under the age of 20 years.23

Under the suppression of Fimmoral Traffic in Women and Girls Act, 1956, “girl” means a female who has not completion the age of 21 years.24

According to the merchant shipping Act, 1958, a child who is below 15 years, can not be employed in a ship.25

According to the Orphanages and Charitable Homes (Supervision and Control Act) Act, 1960 “Child” means or boy or girl who has not completed the age of the eighteen years.26

As per the provisions of the Children Act 1960, “child” means a boy who has attained the age of 18 years.27

According to the Motor Transport Works Act, 1961, "child" means a person who has not completed his fifteen years, and shall not be allowed to work in any capacity. No adolescent who has completed his 15th years, but not 18th years shall be required or allowed to work unless he has medical fitness certificate.28

According to the U.P. Dookan Aur Vanijya Adhishthan Adhiniyam 1962, “child” means a person who has not completed his fourteenth year section 1, of the Act clearly says that no child shall be required or allowed to work in any shop or commercial establishment. except as an apprentice in such employment as may be notified by the state Govt. in the Gazzette.29
According to the shops and Commercial Establishment Acts passed by other states and Union territories, child has been defined as a person between 12 and 14 years. It is because of this variation in age of child in different lays but the children will have to be defined in the context of a vacation in which a child is employed.30

According to section 2(b) of the Bidi and Cigar Works (Conditions of Employment) Act, 1966, “child means a person who has not completed fourteenth year of age”. Section 24 of the Act provide “No child shall be required or allowed to work in any individual premises”.31

According to the Child Labour (Prohibition and Regulation) Act, 1986, the definition of ‘child’ means a person who has not completed his fourteenth years of age.32

**Encyclopaedic views:**

The Encyclopaedic of Social Science (1959) defines child labour as “when the business of wage earning or a participation in self or family support conflicts directly or indirectly with the business of growth and education the result is child labour”.33

According to the Encyclopaedic America the term child labour is more meaningfully defined by the United States Department of Labour as the Employment of boys and girl when they are too young to work for hire, or when they are employed at job unsuitable or unsafe for children of their ages or under conditions injurious to their welfare. It is any employment that robs children of their rightful heritage of the chance for healthful development.34
Child labour means the employment of children under a specified legal age\textsuperscript{35} and it is use of the children to work in factories or other places of employment.\textsuperscript{36}

International Labour Organisation (ILO) states, “child labour include children prematurely leading with lives, working long hours for low wages under conditions to their health and to their physical and mental development, seminars separated from their families, frequently deprived of meaningful education of training opportunities, that could open up from them a better future”\textsuperscript{37}

Homer Fold, the chairman of the United States National Child Labour committee, define “child labour” as ..... any work by children that interfere with their full physical development's their opportunities for a desirable minimum of education or their needed recreation.\textsuperscript{38}

The Employment of boys and girls when they are too found to work for hire, or when they are employed at jobs unsuitable or unsafe for children of their ages or under conditions injurious to the welfare. It is an employment that robs children of their rightful heritage of the chance for healthful development, full educational opportunities and necessary play time.\textsuperscript{39}

UNICEF believes that child labour is exploitative if it involves:

(a) Full time work at too early age;
(b) Too many hours spent working:
(c) Work that exert undue physical, social or psychological stress,
(d) Work and wise on the streets in bad conditions
(e) Inadequate pay;
(f) Too much responsibilities;

(g) Work that hamper access to education;

(h) Work that undermines children's dignity and sees esteem, sent as stony or bonded labour and sexual exploitation;

(i) Work that is detrimental to full social and psychological development.

Among the aspects a child development that can be endangered by work are:

(i) Physical development - including overall health, coordination, strength, vision and hearing;

(ii) Cognitive development - including literacy, numeracy and the acquisition of knowledge necessary to normal life;

(iii) Emotional development - including adequate self estenms, family attachment, feelings of love and acceptance;

(iv) Social and mental development - including a sense of groups identity, the ability to cooperative with others and the capacity to distinguish right from wrong.  

The word ‘child labour’ has been differently depend in various studies. According to the committee on child labour “Child labour however, can broadly be defined as that segment of child population in wither paid or unpaid”.

In this study of working children in Bombay Singh and other have held a view, “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 on employees or is leaving same trade as an apporven free.
In the study titled as working children as working children in urban Delhi conducted by the Indian Council of child welfare "every child below 14 year's who contributed to the family income or was gainfully employed including those marginally working as treated as a worker".\textsuperscript{43}

V.V. Girl is of the opinion the term "child labour" is commonly interpreted in two different ways: first as an economic practice and second as a social evil. In the first context it signifies employment of children in gainful occupations with a view to adding to the total income of the family. It is second sense that the term child labour is now more generally used. In assessing the nature and extent of social evil it is necessary to take into account the character of the jobs on which children are engaged, the damage to which they are exposed and the opportunities, and development of which they have been denied.\textsuperscript{44}

Kulshreshtha is of the view that, child labour in a restricted sense means the employment of child in gainful occupations which are dangerous to their health and deny them the opportunities of development. The term child labour not only applies to the children working in the industries but also to the children in all forms of non-industrial occupations which are injurious to their physical, mental, moral and social development.\textsuperscript{45}

A.K. Narayan of the view "child labour means the employment of children in gainful occupations (industrial as well as non-industrial occupations) which are injurious to their physical, mental, moral, and social development. Thus the term includes wage labour as well as self employed children working independently as well as in family enterprises".\textsuperscript{46}
The Gurupada Swamy committee of child labour, which was constituted in India, in 1979 also defines the term 'child labour'. The committee recognized that the destruction had to be made between child labour and exploitation of child labour in, though both are problems of child labour, the different order. It had underlined that in all action dealing with child labour this basic aspect would have to be taken note, i.e. "labour becomes an absolute evil in the case of child, when he is required to work beyond his physical capacity, when hours of employment interferes with the quantum, his wages are not commensurate with the quantum of works done, and when the occupation he is engaged endangers his health and safety" i.e. when he is exploited the most suitable and common definition of child labour is as follows:

"Child labour can be conceived to include children under the age of 15 years in work or employment with the aim of earning a livelihood for themselves or for their families".47

The term "child work" and "child labour" have been used interchangeable and synonymously, the child labour is not precisely defined anywhere in the world the child labour is usually defined as participation in gainful activity by children between the age of 5 to 14 years.48

B.G. Mainc is of the view that the person who is doing any work for wage and has not completed the age of 14th is called child labour".49

Ivy George is of the opinion that the "child labour is the employment of children and the extraction of their productivity for the economic gain or another, with deliberating ramifications on the psychological and physical development of the child".50
As Fuller Finay puts it, child labour derives children of a fair smart in life, in term of health, play education and suitable works under home and school auspices or supervision - if their rightful opportunities of living the life of childhood full happily, in any time of childhood.51

Child labour therefore, can be defined here as any work undertaken by children below 14 years in such works which are injurious to their wealth, and harmful to their proper development.

Islamic View Point:

The institution of family has got mercilessly bombard. The worst hit in the scenario is the child. They are stolen, sbused, beaten, burned, boilde and served. Even some time they receive the same kind of treatment from parents, relatives and guardians. Thus suffer and are made to suffer in all parts of the world. We may have an analysis of the Islamic view on child labour.

Islamic wants to develop a healthy social structure and a very co-operative, coherent and integrated society. To achieve such kind of society, it is necessary to educated and to take care of children.

Quran and Sunnah both encourage the importance of education and training the children. The first Ayat of the Quran reveals in this regard: ‘Iqra’ means “read”.

The Prophet (S.A.W.) has directed the people in very clear terms that they must take due care of children. He has pointed out that:

“Of all that father can give to his children the best is their good education and training”.

If the children goes to do labour for earning instead of learning, it is against the spirit of Islamic teaching in the light of the above discussion, we can say that Islam does not permit child labour. If emphasises on education and training. The historical development of child labour and its present position in India are discussed below.\textsuperscript{52}

**Types of Child Labour**

UNICEF has classified child work into three categories:

**Within the Family**

Children are engaged without pay in domestic household tasks, agricultural pastoral work, handicraft/cottage industries etc.

**Within the Family but outside the Home**

According to Mohsin Nadeem Children do agricultural/pastoral work which consists of (seasonal/full time) migrant labour, local agricultural work, domestic service, construction work and informal occupation e.g. recycling of waste-employed by others and self-employed.

**Outside the Family**

Children are employed by others in bonded work, apprenticeship, skilled trades (carpet, embroidery, and brass/copper work), industrial unskilled occupations/mines, domestic work, commercial work in shops and restaurants, begging, prostitution and pornography.\textsuperscript{53}
Migrant Child labour

Child migrate from the rural area to the urban or from smaller to larger towns cities either with their families or alone. They migrate either for better employment opportunities or to escape from bondage.

Bonded Child labour

Children are pledged by their parent’s guardians to employers in lieu of debts or payment. The rates of interest on loans are so high that the amount to be rapid accumulates every year, making repayment almost impossible. The phenomenon of urban child labour includes street children.

2.2 Nature of the Child Labour

It has been the tradition from the very earliest times that children were to perform some work both in the home and in the field. In the olden days, the children of tenth age performed foil some work along with the adult, agricultural and industrial workers. In the medieval period children were put as trainees under their parents to learn their craft.54

In the pre-industrial agricultural society of India children work as helpers and lacunas in hereditarily determined family occupations under the benign supervision of adult family members. The work place was an extension of the home and work was characterized by personal informal relationships. The tasks and technology that work involved were simple and non-hazardous which the child could learn smoothly, almost on consciously, over the years through association and limitation.55

In the per industrial revolution period the phenomenon of child labour was prevalent all over the world though this problem was not as visible as it is
today because of low dispersion of child labour both within and between the economies. During the post-Industrial revolution period, child labour became a growing phenomena upto the first half of this century. In industrialised countries and it is still continuously growing in the developing countries.

However, the nature of the child labour are now largely different, though even today some of the post-characteristics of this problem are present, particularly in India. For example, in some of the state's the existence of 'feudal' mode of production in rural areas explain the origin and several other complex dimensions of the problem of child labour. During the past two decades, the Indian economy not undergone a structural change where the informal manufacturing sector in the urban centres is expanding very fast. The growth rate of population, particularly below the poverty line is also very high. The rural urban migration rate has increased visible, thereby giving rise to slums i.e. unauthorised settlements in the form of jhuggies and jhoupdies.56

The social scenario, however, changed radically with the advent of industrialization and urbanisation under the impact of the newly generated centrifugal and centripetal forces, there was an unbroken stream of the rural poor migrating to urban centres in search of livelihood. The child had to as an individual person either under an employer or independently. His work environment endangered his physical health and mental growth and led to his exploitation. The protection and welfare of these children therefore became an issue of promote social significance.57

Another sociological factor bearing on the problem of child labour was the emergence of welfare consciousness on a world scale. The industrial revolution in the west generated such vast demands for manpower that even
children had to be pressed into service. Contemporary writings reveals under what atrocious conditions. These children had to work in coal mines and textile mills. However, once the West had built up its affluence and the blameful effects of child labour become outrageously manifest, the state took appropriate measures to meet the evil. The welfare measures enunciated had a universal appeal to human conscience. In the more recent past they have been thoughtfully embodied in various resolutions of the ILO and other organs of the United Nations. Countries of the less developed world, after their emancipation from colonial domination, also accepted a number of these resolutions even though their social and economic infrastructure was still inadequate for fulfilling all the commitments. Free India has similarly embodied in its constitution many provisions establishing thereby the normative superiority of welfare considerations over the economic one and has endeavoured to weed out the antagonism between child labour and child development.58

Yet another factor highlighting the evil aspect of child labour is the recent advances in various sciences having a bearing on the child. Today, scientific knowledge has revolutionized our outlook on the care of child and his developmental imperatives. Diffusion on this knowledge has created a new awareness in the major institutions of society as to the relationship the child should have with has milieu, his need objects and his work.59

Children are incorporated into a range of different employment relations. They may be waged labourers in factories or mines or self-employed works engaged in steel trades. Some are outworkers and other seasonal migrant workers. May are involved in work as the final link in a long chain of subcontractors. Same views rent of their wage in kind and same are paid on a
piece rate basis. Many are unpaid and work for in the home or on the land the labour of children may or may not be productive, or it may release others for productive activity.  

Salazer is of the opinion, that by undertaking domestic chores and child care in the home, for instance, children free adults for waged labour.

Abdulla is of the view that child labour can facilitate adult migration to areas of high employment. It is true that work in agriculture is also characterized by certain hazardous specific to rural settings, with the introduction advanced forming practices, new technologies and chemicals. Several report document the high cost in terms of safety, health and even life associated with works in commercial and plantation agriculture. However, these problems multiplied several fold in industry. Work can heavy and instance in physical and psychological terms. It can be highly mechanised and extremely fast. It can be carried out in conditions of extreme heat, dust and noise.

**Nature of Child Work**

Children do the agriculture or other frame work to help their parents. In agriculture, children do work in capacity of helpers, during sowing, weeding, harvesting and thrashing operations and watching crops, etc. Often the children are employed for packing, pasting, labelling etc., in the factories. Other factories in which children are engaged are match factories tea estates, bidi manufacture, mica factories, wood and cork, furniture and fixture, printing, publishing and allied trades, leather and leather products, rubber and rubber products, machinery, transport equipment, lock factories and personal services, like laundries, dyine and cleaning. In match factories, children are put to work
at frame fitting, box filling and bundle rolling and at times work is carried home. Like the match factories, in plantations of tea and coffee, children are also employed at lighter work such as weeding, manuring, care of nurseries, harvesting, plucking and picking. The children are employed topic out coarse and stalks leaves of tea and spread over the green leaves in shadows. Similarly in bidi industries, children help the adults in cutting and cleaning the leaves, and when bidi are rolled children do the work of binding and closing the ends of bidis. Some children are also found to do the rolling work. In the cashewnut factories children are employed in peeling of nuts after they are roasted and shelled. In handloom and carpet-weaving, children help the weavers by doing the work in the middle of the loom while adult weavers work on the corners of the loom.  

A large number of children are employed in unorganised sector and they work as domestic servants, or as workers in hotels, restaurants, canteen, wayside shops, and establishments, or as hawkers, news paper sellers, coolies, shoeshine boys, vendors, or helpers in repair shops. The children are also taken with their parents in construction work. For leading, unloading and breaking of stones, etc. The children are also employed as artists. In circus also a sizeable number of the artists are children.

Child work is also manifested, in many nefarious methods, namely bonded labour. The parents obtain loan and surrender their child as security.

**Child Labour in Agricultural Sector**

According to a recent ILO report about 80% child labourers in India are employed in the agriculture sector. The children are generally sold to the rich moneylenders to whom borrowed money cannot be returned.
In India, the employment of children in different hazardous occupations started after industrialization and urbanisation. Gradually, employers started accepting children as apprentices in a variety of trades. In India, children are found to be working in both organised and unorganised industries as mines, plantation, agriculture, transport centres, Bidi, cigarettes, canteen, dhabas, carpet weaving, match box industry and other small scale industries.

"The labour bureau's study showed that in small industries and cottage industries such as match manufacturing cashewnut processing, bidi making, carpet weaving lock making, glass bangle units employment of under-age children either uncertified or having age certificates, continued. The actual hours of work were found to be in excess of the prescribed working hours under different enactments. In cottage industries, children were required to work as long as adults, except where home work system was prevalent. The working condition for children in the bidi and glass industries continued to remain deplorable. However, a redeeming feature reported by a study was that children were assigned comparatively light work wherever employed in plantation factories and cottage and small scale industries". It was again pointed out that “the child labour is employed mostly in agriculture, plantations and shops and in small scale and unorganised sectors. The way child labour is used in the unorganised sector is still disturbing. In every case where the worker works with the master wherever the weaver has had a child of school going age to phial him, the child's education is on concern of his immediate supervisor or for the country and in bidi industry every where 'catch them young' seems to be the rule".
In Tamil Nadu most of the child workers are found to be working in small metal workshops, confectionery and tailoring shops, household industry, soap and powder company, leather and engineering work, tea stall, cycle shop, provision store, book-binding, betelnut shop, repairing shop, clinical laboratory and old spare parts shop.

As far as Varanasi is concerned, most of the child workers were engaged in Sari, Bidi, Transport, Cycle repair shops, hotels, tailoring shops, rickshaw pulling and working as Coolies and may of them do not get meals in the evening and pass their nights at bus stands or railway stations. However, statistics at the national level for child workers engaged in different occupations not available with accurate details.

**Children Employed at Glass Factories**

According to recent estimates almost 60,000 children are employed in the glass and bangle industry and are made to work under extreme conditions of excessive heat.

**Carpet Work in India**

In India, carpets are made with the traditional skill of the weavers which has been passed on from one generation to another. This traditional training and experience help in making beautiful and comfortable carpets without any difficulty. The loan and sharp fingers of the youth play an important role in quick finishing of the carpets.

In India, carpet making is still followed in the primitive way. Its making requires two horizontal beams which are carried by upright posts. The posts are fixed in required space because the needed width of carpet
corresponds to the space of the posts. The warp thread or chains by which the carpet is to be woven, is put round those two horizontal beams. The weavers-men, women and children sit side by side on the ordinary fixed seats, when they weaving, the warp starts to unwind from the upper beam. Gradually row by row carpet is finished. When one row is finish, two welt threads are put in. First thread is placed in the shed formed between the front and back halves of the chain. The second thread is put in an alternate shed which is formed by the weaver putting forward the back half of the chain temporarily in front of the front half.

In recent years, the machine has been introduced in carpet weaving but it could not succeed in terms of good finishing. The customers want different designs and colours in the carpet which is not possible to manufacture with the help of machines as it can manufacture only those of the particular colour and size. In handmade carpets, the needed different colours, designs and size can be introduced as and where desired by the weavers. The handmade carpet has always been found to be superior to the machine-made carpet in terms of quality.

As per the available evidence, carpet-making entered a prosperous era under the Mughals in India. The specimens of carpet of this have been kept in National gallery, Washington, Museum of Fine Arts, Boston and Metropolitan Museum which was established in 1600 A.D. All rugs kept in these museums have been made in different special colours and designs with animal figures. The carpet art drew a special attention among the other different arts and trade due to its peculiarity. The Iranian model of carpets during the period of Akbar and Jahangir are said to have been woven under the guidance of the Iranian
weavers. It is said that it was Akbar who took special interest in this art during this regime. Abul Fazl in his memories writes that Akbar “caused carpets to be made of wonderful variety and charming colours. He appointed experienced workmen who produced many masterpieces”. Similarly, carpets made during Shahjahan’s time are with some new designs, colours and different sizes. For durability and attractiveness, a good number of knots and silk have been used.

Carpet weaving in Kashmir in an age-old traditional occupation existing since the time immemorial. The weaver of this state have produced the finest of the carpets in the world. It is said that the carpet work was introduced in Kashmir by Sultan Zainul Abidin during the period of Maharaj Ranjit Singh. The carpet weaving work is prevalent in Punjab, Haryana, Bengal Assam, Bihar, Orissa and Southern States of Andra Pradesh and Karnataka with traditional design in eye-catching colours and sizes. In Uttar Pradesh, carpet work is very prominent and perhaps the oldest, with its rich tradition in Jhansi, Agra, Aligarh, Shahjahanpur, Bareilly, Moradabad, Almora, Varanasi, Mirzapur and Allahabad. The most important areas in Uttar Pradesh producing carpets are Mirzapur, Bhadohi Varanasi, Jaunpur and Banda. Raw wool is produced in Allahabad. Behraich, Behrampur, Gorakhpur, and Etawah district of the state. Other materials for it are procured from Panipat in Haryana and from Beawar, Kikri and Pali in Rajasthan. The contractors who receive orders from other countries supply raw material to the weavers to finish it within a stipulated time. In the loom the experienced weavers sit on the side with the child weavers in the middle of the loom.
Child Labour in Carpet weaving

The entry of the child worker in carpet weaving began when they were asked by their parents to work as a helpers and later on as apprentices to learn skills of the craft. In earlier days, the child workers were given light work in the family occupation of carpet weaving for limited hours only. This proved to be helpful for the family business without hindering their physical growth or learning. However, the efficient and flexible-lean fingers which have an important role in weaving carpets led the parents and employers to employ them in the occupation. Gradually other families specially from lower middle class attached by the earnings, started sending their children in carpet weaving which grew rapidly. To supplement their family income and to check prevailing unemployment, parents started employing their children. By and large, parents felt relieved of the economic burden of bringing up their children, especially the expenses on education, religious and social functions associated with upbringing.

Now-a-days, child workers working in carpet weaving are either seen in their own family where they are guided by their parents or other adult members of the family. They are also guided by relatives and known employers in the neighbourhood or in the adjoining villages. However, in the recent time, reports have appeared in the press that children from far-off places have been hired by the unscrupulous employers and are put to very hard job under trying working conditions. Parents visit these units to negotiate on matters of working conditions of their children whenever required. Sometimes after learning the skills, they start their own units of carpet weaving. They also employ child workers for the reasons argued earlier and this tradition of child labour is
continuing till today. Longer hours of work and unhygienic conditions result in poor health, accident and injury. These working children spend a good amount of their earnings for their own expenses. Since they work with illiterate and ignorant co-workers, they pickup many unhealthy habits like smoking, drinking gambling, etc. They do not learn social behaviour essential for good citizens. The work life affects their physical, mental and intellectual growth and development adversely.

**Domestic Work Services**

Domestic chorse like cleaning, washing clothes, child care, etc. Performed by children to some extent all societies. But in agrarian societies, in addition to the above mentioned takes, children help their parents undertaking highly time-intensive activities such as livestock, protecting crops from birds and animals, weeding, etc. Even though these tasks are non-monetary and non-domestic, they are significant in terms of economic value and functional for the family as they are a part of the family's subsistence activities. Domestic work tend to be sex-with girls largely out-numbering boys especially in the case of indoor activities.

In urban areas, children are engaged in domestic work as well as in domestic services. In addition to fulfilling their own home assignments they either assist their parents who work as domestic servants or they themselves work as domestic servants which is a form of wage labour. The two are different from one another in the sense that domestic work proves to be indirectly beneficial whereas domestic service fetches direct monetary benefits. The Indian tradition does not expect girls to go out of their houses. Marriage is considered to be the sole or principal purpose in life for the women and to this
end the girls need only to learn how to do domestic tasks. They are given earlier tasks which has an indirect benefit by enabling boys and mothers to work outside. Due to this discrimination girls suffer in the field of education for they neither work in informal sectors nor attend school. Although it is difficult to make a distinction between domestic and non-domestic work especially in the agrarian economies yet such a distinction helps in the measurement of deprivation among male and female child workers.  

Wage Labour: There are two types of wage labourers. In one sector, children work in family-wise and on the other hand individual-wise. The former refers to farming household industry, domestic services and traditional crafts. In the latter, people generally go to the urban areas. While the women goes, she does not go alone. She brings her daughter to whom she hands over the task of her master in future. Several other types of child labourers are seen in Indian economy. Some work on a piece-rate or time rate basis and others who work on a shave cropping or monthly wage basis. As the wage labourers, children work in the process of ploughing, sowing, etc. But the wage labour force is more visible in the unorganized industrial sector of the urban settings. They work in the automobile shops, godowns, match factories, beedi factories, restaurants and so no.

Bonded Child Labour: In the inter generational bondage system of India, children have to contribute a specified amount of work as part of a peasant family's feudal vent. In the second type of bondage, the indebted parents pledge their children for sake of their needs. The backward districts of Uttar Pradesh such as Etah, Jhansi, Mirzapur and Basti dominated by landlords and feudal values share the same level of bondage with districts which are associated with
the ‘Green Revolution’ like Muzaffarnagar, Meerut and Saharanpur. Rawabhata in Chittorgarh district of Rajasthan has become a favourable place for bonded labour.\(^7\)

Besides these two types of labour, children in India are in many marginal economic activities. These types of jobs may include setting of newspapers, looking-after cars, shoe-shinging, rag-picking, setting of sweets, etc. School going children often supplement some marginal economic jobs with school attendance.

After the presentation of the distribution of child labourers and their economic benefits for the industries it can be safely argued that in agricultural setting fertility decisions. May or may not be influenced by the economic contributions children make to the households through their labour. A manor difficulty in calculating this is that perceived benefits are judged by peasants not only in economic terms but also on social lines. This is not so in the case of urban settings. Here the need for the income of children to their households is absolutely immediate and is not governed by social or psychological factors. They work in the informal sector and in industries in order to fulfil their own as well as the basic needs of their families. In the process they also produce a surplus for their employers. But the employment of children in small scale industries and various other jobs in the unorganized sector leads to changes in the labour market structure. It increases unemployment among the adult labourers and perpetuates the extent of exploitation of the working children.\(^7\)

### 2.3 Causes of Child Labour

In the good olden days when the family was the unit of production and the agriculture was the mainstay of people children would assist their
parents by doing light tasks in agriculture, animal husbandry, household etc. With the passage of time industrialisation and technological revolution brought many problems in its wake and gave rise to a new class of wage earners. Thus children became subject to economic and social exploitation by employer's whose primary concern was maximisation of profits.

Nevertheless the fact remains that the children do work and for doing so they too man reasons. This chapter that follows is devoted to study of these causes and would seek to find out type of problems arising out of situation.

Child labour is a socio-economic problem. It is generally considered that low wages, illiteracy, ignorance, unemployment and social life all are the roots of child labour.72

It has been officially stated that child labour is no longer a medium of economic exploitation but is necessitated by economic necessity of the parents and in many cases that of the child himself.73

In India a large number of children were employed in factories, and other employment, still continues despite various provision are being made to restrict the evil practice. The reason for employment varies from culture to culture or from group to group in the same culture or society. The employment practice is affected by several factors such as education, economic standard of living, social condition and prevailing occupational traditions.

Child labour by and large, is a problem of poor and destitute families, where either parents cannot afford education of their children or have to depend on the earning of their children. Child labour being a medium of
economic exploitation but is also necessitated by economic necessity of the parents and in many cases that of child himself.\textsuperscript{74}

For the children of India, the 65th year of independence wherein an era making a phenomenal growth in child labour, inspite of constitutional provisions and social legislations the exploitation of child labour in India is still on the increase side. To begin with the Factories Act, 1881 and it is a several amendments and many such other Act like the children pleading of Labour Act 1933, the minimum Wages Act 1948. The Mine Act 1952, plantation labour Act 1951, etc. Handly provides many protection to the children by limiting their age, working hours, wages, safety in hazardous occupation on the country as cheap sources of labour, their exploitation continued violated.

Child labour by and large, is a problem of poor and destitute families, where either parents can not affords education of their children or have to depend on the earning of their children. Child labour besides being a medium of economic exploitation but is also necessitated by economic necessity of the parents and in many cases that of child himself.\textsuperscript{75}

India is one of the world's largest producer of child labourer today.

**Factors affecting the supply of child labour**

Child labour is a socio-economic phenomenon poverty, illiteracy unemployment, low wages, and ignorance of parents are the main causes for the rampant prevalence for this malady.\textsuperscript{76}

In India a large number of children were employed in factories and their employment still continues despite various provision are being made to restrict the evil practice. The reason for employment varies from culture to
culture or from group to group in the same culture or society. The employment practice is affected by several factors such as education, economic standard of living, social condition and prevailing occupational traditions. However, it is seen that child workers do accept jobs at the early age to supplement their family income or to get ready for adulthood and equip themselves for future avocation. They are trained in their family occupation and economic necessity are the major causes of child labour. There are some other causes of child labour, some of which are described below.

(i) Poverty:

The most important cause of child labour is widespread poverty. Poverty compels the parents to send their children to seek employment. Diseases and other contingencies may need extra money and the employment of children is resorted to as easily accessible method to fetch in that money. The head full of poverty stands as the principal cause which drags the poor and the innocent children into the vicious circle of child labour particularly in the rural areas.

The parents of the poverty ridden population are face with the bewildering question as to whether they should send their children to school to learn or to send them for the labour to increase the income of their starving families.

The vexed question on is whether poverty causes child labour or child labour is the cause of poverty. Several child labour experts opinion that the widespread poverty in India is the root cause of child labour.
The report ILO also indicates that this problem of child labour is not the problem by itself but it is the problem of the maintenance of child and the living wage of adult wage earner so that they should maintain their family at adequate standard.\textsuperscript{79}

In India, tradition of educational learning outside home was confined to the upper caste strata of society, the privileged closes. Children of the producing classes learn the necessary skills in the family. This is the more important factor of chronic poverty responsible for the prevalence and perpetuation of child labour, the child is compelled to shed sweat of his brow to keep the way of hunger and disease away form the door. These families can not sacrifice the smaller gains of the present for the longer gain of the future, as they do not have any surplus to sustain them in poverty and child labour thus always beset each other and tend to reinforce themselves in families and communities. Because of their poverty, parents cannot make any investment in their child, development they are also reluctant even to support them. They want their children to send for themselves as early as possible, much better, if they became a source of income to the family. In cases of parental in capitalism children became the sale bread winners.

The chronic poverty is the strongest factor for the prevalence and perpetuation of the child labour. Nearly half of the India's population subsist below the poverty line. Poverty and the child labour will always beset each other, and tend to reinforce each other in families communities.

The problem of child labour is inter-related to the problem of living wage of adult worker. This very is adequacy in wage of adult compells them to send their children to do some work in return of some compensation and
employer also takes the benefit of this weakness by providing work to their children on low ages.\textsuperscript{81}

This child labour, by and large, is a problem of poor and destitute families, where parents have to depend on the earnings of their children.

(i) Absence of scheme for Family Allowance:

Another cause of child labour which is as causative as poverty, is the absence of schemes for family allowances. In our country there is no such allowance, one can be given to the families so that people may have adequate standard any may not be faced to send their children to the labour market. Today, such type of allowance is given in a number of countries vice Australia, Newzealand, the United Kingdom, France and USSR. The amount which is paid to widows as compensation or pension is too insufficient to match the family without too help of their children's income.

(ii) Illiteracy and Ignorance of Parents:

In India, the lower socio-economic groups of population are illiterate. The only think about the present time which is their sole concern and worry. They never think of future. They are fully satisfied with they gain by the earning of children. It is ignored by them that their children may participate even in educational opportunities, but child labour deprives the children at all the educational opportunities and minimises their chances for vocational training. It also affects that health and they are concerted into labourers of low wages for all their lives.\textsuperscript{82}
The child labour is a cause for illiteracy. In areas where parents find more job opportunities for their children the incidence of dropouts in school is maximum.\textsuperscript{83}

Ministry of Labour, Govt. of India, has maintained tradition, poverty, lack of adequate awareness among parents for educating children illiteracy, large size of family, employment and lack of land as the cause of child labour.\textsuperscript{84}

Child labour is common extensively in the lower socio-economic groups because of the lack of appreciation on their part of the role that education plays an improving life and living condition of the people. Thus greed for money and gross ignorance on the part of parents’ is not sending their children to school is a sad commentary and condemnable. Addam predicted that "the child labourers today will be the pampers of tomorrow, they are the boys and girls who will grow up without either formal schooling or knowledge of trade; sooner or later, their youthful energies exhausted, they will became dull shiftless, driftless.\textsuperscript{85}

(iii) Absence of Provision for Compulsory Education:

Absence of provision for compulsory education is very important cause of child labour, the provision of compulsory education upto a prescribed case could compels the children to attend the school so that there may arise no question of entering the children in the employment.

Mostly children find no facility of school going facilities at various places so they try to seek raw job.
Absence of provision for compulsory education is main cause of child labour because mostly children are not well of to find educational facilities at various places due to lack of unsound economy as well as educational scheme of Govt. Most of children who start school drop out of those who enter first grade, only four out of ten complete four years of school.

Child labour and non schooling of children have a significant linkage to the poorer sections of population. Many children are forced to stay at home because their parents cannot afford the prescribed minimal of uniform, books and stationary etc. schooling of children is achieved by them also because it is not only touches their products but deprives them of the income that accrues from child labour stagnation and wastage, comparatively low in lower classes but high in higher grades, lead poor children to drop out of school system. A child is willingly sent to school between the ages 6 and 9 because at this stage, he is more a nuisance than an assistance at home. But as he crosses this age limit. The position is reversed. The child now can work at home or earn something outside. This is especially true and girls who have to assist the over worked mothers at home.

(iv) Large Family

Large families with comparatively less income cannot have the happy notions in their mind. As a result, they cannot give sheltered childhood to their children. If a family is limited and well planned there will no question of sending their children to the labour market and the children can carefully educated. But impoverished and illiterate parents think just contrary to this. They think if good has given you life, he will give you eat, side by side they
think that three or four children are better than one. For them extra children mean extra income. But they forget.

   It mean that any one qualified and intelligent son is better than hundred illiterate foolish. Sons, as millions of stem's cannot remove gloom which can only be removed by one moone thus, if one has one child or two children, he can provide all facilities to their children which are necessary for their mental, physical and social growth.

   In a developing country that India where resources are less than the minimum requirement of people, tremendous population growth is responsible for poverty. Especially in the rural illiterate and transnational areas where families have not been planned, children are not given proper care, love affection and guidance for their development and growth in society. They are forced to join the labour force even at the tender age.(/)

(v) Child labour is a cheap commodity

   Mostly employer's think that a lot of work can be done by the children in their establishment and this labour of children is very heap labour in comparison to that of men. In fact it ensures them more margin of profit and less investments. But some time enhanced demand of labour increases the demand of children i.e. in agricultural harvesting season when adult workers are not available to cope with the demand.

   In this country children of very young age do domestic work because these children are very cheap. The middle class families which have lower income especially keep little boys and girls on domestic servants from 8 to 14
age group which is the age of earning and paying. They get little percent money and food from their monies.

Jermo Devais is of the view that besides the compulsion of poverty within the family, is the stimulus of the manufactures who deserves to secure cheap labour and more profit. Child labour exists not because children are more able workers but because they can be had for less money children are employed by small concern and large corporation.\(^{87}\)

The labour is the means of good profit. The children can be put on status even demanding jobs, without much difficulty, children are more active or agick and feels worn-out feels tired in certain tasks. They are also better candidates for tasks of a helper in a grocers, shoop or an auto-garage. The employers find children more amendable to discipline and control. They can be coaxed, adominished, pulled up and punished for default without jeopardising relation child labour is also chiaopen to employ as they may do almost the same amount of work as an adult but they castles in terms of wages and maintenance. Child worker are a greater source of profit for they generate a larger surplus value for the employer. The adoptive abilities of children much superior to those of adults. They can be socialised to the employer according to his taste or demands of the situation. All this explain why children are liked more for jobs such as those of domestic servants and restaurants workers.

**Low Wages :**

Besides, to the employer child labour is profitable as wages of children are small, their complaints few and they accomplish in some industries and occupations as much as an adult. The employers, therefore, d not hesitate in
exploiting the children in their own interest without any consideration for their needs for healthy growth and development. Neera Burra writes “Evidence indicates that the child’s wage is a third to half that of adults for the same output, with the child working for as many, if not more, hours than the adults”.

Social, Cultural and Traditional:

Besides, poverty, other factors which need serious attention are mainly social, cultural and traditional. They are equally responsible for the plight of children in India. Child labour in India mostly comes from Lower caste Muslims and SC/STS. The intensity of poverty is higher in these sections of society, but their social setup also induces the families to send their children to work place. Traditionally, children of the upper caste families begin their lives in school according to their culture share as children of lower cast start their lives in work according to their family culture. According to UNICEF the dominant cultural group might not wish its own children to do hazardous work, but it would not be so concerned if young people from racial, ethnic or economic minorities do it. The UNICEF report states, “In India, the view has been that some people are born to rule and to work with their minds while others, the vast majority, are born to work with their bodies”.

There are families in lower social strata which may not be below the poverty line, but instead of sending their children to school send them to earn skill at different workshops like scooter/motor repairs, cycle repair works, hair cutting shop, tractor/engine repair works, carpet weaving, brassware, tailoring shop etc. This is because of lack of quality and relevant education to the poor may also be taken as one of the major causative factors. We find that in most of
the schools in rural and tribal areas the enrollment remains few and dropout rates high. This thing is directly related to the issue of child labour. Last, but not least, Indian legislation seeks only to regulate child labour but does not consider it entirely unacceptable being violative of children rights.

**Dowry System Abetting Child Labour:**

Does the dowry system spoil the happiness of unmarried young girls and boys too.

Yes, if the plight of a number of children, who were forced to work in various hazardous and non-hazardous industries country wide because their parents barrowed huge amount for arranging dowry for their sisters marriage, is any indication.

Dowry system is still a major problem in the country, spoiling the life of many young girls. Even after taking several steps to abolish the evil practice, dowry deaths continue to occur and its implications are much wider.

Atrocities against the girl child, female foeticides, female infanticides, child labour and suicide by young brides are some of the results of this practice.

While the government had launched several projects for the rehabilitation of child labourers of the evil practice of dowry continued to remain neglected.

**Ineffective Legislation:**

The Central Government as well as state government have passed a number of legislations concerning about the child labour and welfare measures or schemes to remove the child workers from dangers occupations in India, but
not enforced in proper or regular way and not taken stern steps against child labour as to what are the reasons of the child labour in India and what measure are required to remove this evil. The labour inspectors machinery concerning the child labour do no follow the provision of the acts and welfare legislative measure in the favour of child labour. Even labour Inspector, other concerning officers themselves are cause of child labour because they take some as gratification bribery from the owner, occupiers, employers of hazardous employments.
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