Chapter I
INTRODUCTION

Out of a host of serious problems India faces at the threshold of the 21st century, the problem of child labour in general and the problems of children working in the informal sector in particular, is quite thought-provoking. Child labour is one of the most important issues currently confronting the world. Despite growing awareness and concern for the problem, trends indicate that the number of children involved in child labour in certain sectors or in terms of geographical areas is increasing. In order to address the problem of child labour, it is imperative that child labour is clearly defined and the whole concept is understood.

Before defining child labour, it is necessary to know, who is a child? A child, according to Article 24 of the constitution of India and the child labour (Prohibition and Regulation) Act of 1986, is a person below the age of 14 years. The commonly accepted definition of a child in India is a person between 0 and 14 years of age.

Maria De La Luz Silva defines a "child" as "some one who needs adult protection for physical, psychological and intellectual development until able to become independently integrated into the adult world".

WORK

Work is a process intrinsic to life at all levels. Any process aimed at bridging the gap between needs originating in an organism and resources in the organism's environment satisfying those needs may be termed "Work". Therefore, work is a natural process. Work insures survival and to cease to work is to cease to live. It is a critical process to human existence and thus has serious implications to the development of self-image, self-esteem and identity. It is a crucial ingredient of social relations, self-discovery, self-expression and self-realization. Work has a central role to play in one's lives as individuals and members

2 The right to be a child, UNICEF House, New Delhi, 1994, p.5.
of society. It is not only a source of goods and services which are essential for human survival, but also satisfies the important human needs of status and function which give a person a sense of self-worth and enables him to relate meaningfully to others.

DEFINITION OF WORK

The definition of work would obviously differ from culture to culture and perhaps even from person to person. The Census of India defines work "as participation in any economically productive activity. Such participation may be physical or mental in nature. Work involves not only active work but also effective supervision and direction of work". Fox and Herse-Biber have described it as any activity or expenditure of energy that produces services and products of value to other people. Richard Hall states that, "work is the effort or activity of an individual performed for the purpose of providing goods and services of value to others. It is also considered to be worthwhile for the individual to be so involved". Both these definitions limit the concept of work to productive economic activity only. While there is no doubt that these two definitions do cover a wide range, there are several activities which are not strictly economic, yet may be perceived as work. A more appropriate definition of work could, therefore, be as follows:

Work is purposeful activity involving the time and effort of a person generally performed to meet the expectations, specifications, requirements or needs of others or one's own, usually to obtain an exchange value, a recognition or personal satisfaction and perceived by the person concerned as work.

LABOUR

When children are engaged in the production process, not primarily to meet their physiological and psychological needs, but to meet the profit - motivated needs of the employer, the process they are engaged in may be called "labour".


DEFINITION OF LABOUR

Labour in the broad sense of the term may be defined as 'any hand or brain work'. Labour, according to Prof. S.E. Thomas⁸, "consists of all human effort of body or mind, which is undertaken in expectation of reward". In the view of Prof. Jevons⁹, labour is any exertion of mind and body undertaken partly or wholly with a view to do some good, other than the pleasure derived directly from the work.

DIFFERENTIATING WORK AND LABOUR

Differentiating work and labour is determined by the particular social context, the quality of the various interactions and dynamics present in the production process. Both labour and work are born out of the ubiquitous human need to survive and much of the ambiguity that exists centres around this commonality. Those elements that make labour and work apparently synonymous are:

i. Both work and labour are organised human responses to design ways of securing resources and satisfying human needs for sustenance.

ii. These processes involve an exchange between human beings and the "natural" world.

iii. Both work and labour require human effort - an exercise of body and mind.

The distinction between work and labour is to be found in a critical overview of the climate in which these processes operate and the quality of the relationships in operation. Historically, socio-political, scientific and technological developments have led to a radical transformation of work into labour.¹⁰ However, the yardstick should be that child work should be in the best interests of the child as the line differentiating child work and child labour is a thin one.

CHILD WORK AND CHILD LABOUR

It has been observed that not all work is harmful to children. Some work activities, provides practical knowledge and skills, and reinforce self-esteem among children. The

---


⁹ Ibid.

A distinction made between activities that are harmless or sometimes even beneficial, and work that is exploitative is useful as it makes it possible to set priorities in the battle against child labour.

A large portion of children, in particular the girls, make significant contributions to household maintenance including collecting fuel and water, child care, and even helping in agricultural activities. Yet another group of children may be encouraged to learn family arts and crafts as well as skills. When the adult roles are learnt slowly and smoothly in childhood, under the protection and supervision of parents or guardians the work is considered as a part of their socialisation process. But when the work is imposed upon the child against his/her wishes at the cost of learning and play, which are necessary for the full development of his/her personality it becomes exploitative in nature and can be considered as labour. This work includes the participation of these children in the production of economic goods and services, including unpaid family work as well as work for pay or profit.\footnote{Sukumar David. Op.cit, p.8}

**CONCEPT AND DEFINITION**

The term "child labour" is variously used as "employed child" or "working child". It signifies employment of children in gainful occupations with a view to add to the household income. Moreover, children spend much of their time in household maintenance activities. In the definition of 'child labour', according to 1971 and 1981 census of India, "the stress was on the concept of main activity (ie) on the economically productive pursuits in which worker engaged himself or herself for most part of the time. As for seasonal work such as agriculture and ancillary pursuits, the main activity of a person was defined with reference to his or her work during the year preceding the enumeration. Further, if a person participated in economically productive work, not as a main activity or for most part of the year, he/she is not treated as worker but as marginal worker".

The use of the concept "exploitation" for identifying child labour creates practical problems because 'exploitation' as a concept cannot be given a precise objective meaning. This lies in the eyes of the investigator. The investigator can only identify the extreme limits of work done by children. Thus, child labour is a part of child work which implies that all child labour can be termed as child work but not the other way round.
For the purpose of the study, children who are not in school, but are engaged in work have been divided into the following categories:

i) **Child labour**: It refers to those children who are doing paid work in workshops, establishments and in service sector such as domestic workers.

ii) **Street children**: It refers to children working in road-side and streets as rag-pickers. They are always found on the pavement, dhabas etc.

iii) **Working Children**: It refers to those children who work as part of family labour and house-hold based work such as flower tying and selling etc.

The wide variation in the number of children reported to be working in different countries according to governments and different groups is related to the force with which one defines the concept. Some of the definitions on child labour are as follows:

The Encyclopaedia of social sciences defines child labour as: "When the business of wage earning or of participation in self or family support conflicts directly or indirectly with the business of growth and education, the result is child labour. The function of work in childhood is primarily developmental and not economic".

Homer Folks defines 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".\(^{12}\)

According to Operations Research Group (ORG), "A working child is that child who was enumerated during the survey as a child falling within the 5-15 age bracket and who is at remunerative work may be paid or unpaid, within or outside the family".

Child labour includes children prematurely leading adult lives, working long hours for low wages under conditions damaging to their health and to their physical and mental development, sometimes separated from their families, frequently deprived of meaningful education and training opportunities that could open up for them a better future.\(^{13}\)

In some societies, age may not be a sufficient basis for defining "childhood". The fulfillment of certain social rites and traditional obligations may be an important requirement in defining "adult" and "child" status. In still others, the integration of children

\(^{12}\) Pati, R.N. *Rehabilitation of Child Labourers in India*, Ashish Publishing House, New Delhi, 1989, p.44.

into socio-economic life may begin so early and the transition from childhood to adulthood may be so smooth and gradual, that it may be virtually impossible to identify clearly the different life phases. It can be recognized that, they are dealing with a concept which could mean different things depending on the context.

The lack of attention given to the problem of child labour in the past is the perceived difficulty of distinguishing between positive and negative child work. There are cultural, economic and educational reasons to support the widely held view that work can be positive for children. Through work children can gain increasing status as family members and citizens. They can learn the skills of their parents and neighbours. Work can therefore build their confidence and self-esteem, and can be a painless and gradual initiation into adult life. In practice, many children work from an early age of 6 or 7, often on a family farm. Work can clearly be a positive influence on child development. Inspite of all these positive aspects, child labour is often seen as negative because, the problem is that when the conditions of work change, the picture changes dramatically. Work turns into exploitation when children:

- Work when they are too young: Many children start factory work at 6 or 7 years for eg, in the carpet industry.
- Work too long hours: In some cases 12 - 16 hours a day.
- Work for very minimal returns : as low as Rs.120 for a 60 hour week or no pay, as in agriculture.
- Work in hazardous conditions : in mines, quarries, plantations, sweat shops or even on the streets.
- Work under slave-like arrangements : there are an estimated 20 million child bonded labourers in South Asia.

THE CONCEPT OF CHILD IN RELATION TO LABOUR

The concept of child labour begins with the working child himself / herself who is often deprived of his childhood opportunities for all round personality development. The conflict between economic pursuits and those of growth and education give rise to the problem of child labour.


Child labour refers to both as an economic practice as well as a social evil. In the economic sense, employment of children in gainful occupation add to the income of the family and in the social aspect it takes into account the damages to which children are exposed, which means the denial of opportunities for development. Technological progress widens the gap between family's ability to educate and the requirements of the productive system.

Since the terms "Child" and "Labour" has been interpreted in various ways, the following definition has been adopted for the study.

The child is any person below the age of 14 years. Child labour is that form of work a child is engaged in, which is hazardous and harmful to the growth and development of the child. A child employed for others or self-employed contributing to family enterprise, domestic work, cultivation or who work as apprentices acquiring skills on the job would also be considered as child labour.

CHILDREN WORKING ON THE STREET

These children are different from the other categories of urban child labour because of the different dimensions of their problems and their perceptions of life, (ie) lack of basic facilities of life, hazardous working conditions, nature of the world in which they live, unprotected and exploitative work they perform, psychological strain they undergo, their deprivation of parental love and affection, and above all, their negative attitude towards their own life and the society in which they live. The term "Street Children" was coined sometime in the 1980's as a definite term, to identify children who have chosen to spend most of their time on the streets in various occupations.

UNICEF suggested that the term "Street children" refer to children who work on the streets of urban areas, without reference to the time they spend there or to reason for being there. There are no statistical estimates of the total population of street children. But UNICEF has put the global figure as 30 million.


Award Digest, Journal of Labour Legislation, Vol.XX, No.7-12.
The term "Street children" not only denotes a place of congregation, but also a certain set of working and living conditions. The very fact that they are in the street means that, most of them face some common but difficult situations. The vast majority of children are in the street to make a living for their families or themselves. The return may be paltry and may be in kind rather than in cash, but to these children the street is above all a work place. They spend large amount of time in the street, chiefly because of the low returns on their labour. Most of them make their way in the informal sector as petty hawkers, shoe-shine boys, rag-pickers and sometimes petty pick-pockets and even drug pedlars. By nature of their work and life, they are normally on their own, largely unprotected by adults. All street children are necessarily working children, though not all working children are street children.

While discussing the labour situation, a distinction has been made about those children 'on the streets' and those 'of the streets'. "Children on the streets" are seen as "marketable" children, engaging in work to supplement family income or as part of family labour. This refers to those children who maintain regular contact with their family, but spend a majority of their time working on the streets. "Children of the street" refers to those who actually live and work on the streets. Children who have left their homes and have no family contacts are forced to work to support themselves. Work for them symbolizes their autonomy and independence. They control the income they earn. Lack of opportunities for saving leads to children spending almost all their earned money on food, snacks and movies thus depicting an integral aspect of street culture. While the former represents 'forced labour', the latter stems out of a necessity. Living in a "street culture" influenced by deviant behaviour of anti-social elements pose a threat to the emotional and mental well-being of street children. Longing for the warmth of a family who abandoned them or whom they have known, hungry for the love of a mother, these children may grow up with a warped sense of reality.

There are several forms of child labour throughout India. Children are found in the urban and rural labour force in what is called the "informal sector". The terms, 'unorganised sector' and 'informal sector' have been used synonymously in the study.

Informal sector is a manifestation of urban poverty and low levels of income of a majority of urban population. In Chennai, earlier estimates had indicated that the unorganised sector accounts for as much as 50% to 70% of employment. According to the

---

19 Pinto, G.J. Paper presented on UNICEF Programme - Approaches Advocated to respond to street children in India, 1996.

20 Asha Rane. Street Children - A challenge to the social work profession, Tata Institute of Social Sciences, Published by Sheilu Sreenivasan, Bombay, 1994, p.182.
economic census 1990, out of 63.8 million persons employed in the non-agricultural enterprises, 37.5 million persons approximately were in the informal sector. The small enterprises outside the organised sector have registered a high growth between 80 and 90\(^21\). It has also provided innumerable income earning opportunities in countries where industrial development has failed to generate much employment.\(^22\) The economic structure of the City has been undergoing transformation and in such context the question of what the size of informal sector today is, and what composition it has, have not been addressed very clearly.\(^21\)

There is no consensus of opinion of what is meant by the informal sector. It has been defined in terms of several parameters. The most simple one is to consider it to be that component of the economy which is not included in the formal or organised sector, in the sense, that it is not regulated by, or subject to, all specific rules and regulations that normally apply to units engaged in economic activities in the organised or formal sector. The most common parameter used to define the informal sector is the number of workers, generally less than a specified figure, which ranges between 5 and 25\(^24\).

The informal sector comprises mostly of small-scale units, largely of individuals, self-employed producers in urban areas. They are informal in the sense that, they are for the most part unregistered and unrecorded in official statistics/studies. They generally confine the employment to the members of their families. A few would hire workers. They use very little capital and a low level of technology and skills. Productivity is generally low. Incomes are irregular and employment is highly unstable. The informal sector has tended to respond rather than to lead. It has responded to the growth of incomes in agriculture and in urban activities, but has in turn added to the growth of consumer expenditure.

Informal sector includes not only traditional artisans, services and petty traders but also small units in manufacturing, construction, trade and commerce, transport and service sectors engaged in the production of goods and services (with sole proprietorship or engaging more persons) which operate on a very small-scale and have no formal business

\(^{21}\) The Hindu, 23 April, 1996, p.28.


organisation. Thus, the various elements of the definition of the informal sector indicate a broad spectrum of urban poor households which are heterogenous ranging from employment in small-scale industries to self-employment, skilled and unskilled, including street vendors and petty traders with low and irregular income.24

In India, the informal sector is multi-dimensional with urban and rural complexes of related occupations that overlap to some degree. In urban areas the informal sector embraces a variety of commercial, transportation, repair and productive activities. In rural areas, though traditional village crafts and household industries are important sources for informal sector work, commercial, transport and repair activities are not uncommon.

Keith Hart, who gave initial currency to the concept of informal sector distinguished formal from informal sectors income opportunities.25 In contrast to the formal sector the latter comprises of all non-wage sources of income, whether legitimate or illegitimate. This distinction is essentially based on wage earning and self-employment.26

Souza and Tokman stated that informal sector "comprises of all those engaged in domestic service, casual labour, the self-employed and employees of white collar, blue collar and family workers in enterprises with a total staff of not more than four persons".

Kenneth King defines informal sector as follows: "their informality derives from their being unrecognized in government employment statistics and operating in the main out of makeshift shelters on urban waste lands, road sides and forest fringes".

Harold Lubell commented that the informal sector constitutes the residual labour market of the last resort, in which persons enter as self-employed, low income producers of marginal goods and services for lack of any other means of earning a livelihood. It is also identified as a reservoir of traditional and modern skills, which can be made productive if effective demand is created for them.

Dipak Mazumdar describes informal sector as the "unprotected" sector. He observes that employment in the formal sector is protected by the actions of trade unions and governments, while the same is denied to the informal sector labour. Mazumdar has

brought out the distinction more sharply by arguing that entry into the informal labour market is unrestricted, whereas in the formal sector labour market it is restricted by artificially raised hiring standards, norms and procedures.

Focusing on the employment and development policies in an urban economy, informal sector is defined as one which "consists of small-scale units engaged in the production and distribution of goods and services with the primary objectives of generating employment and income to their participants not withstanding the constraints on capital-both physical and human".

The "Informal sector" is looked upon by many as a sort of sewer in the economy, collecting all the drop-outs, all those who failed to make good and thus act as an obstacle on economic progress in any programme for modernization. As a result of such an attitude, there is a tendency among statisticians and surveyors to overlook enumeration of labour force participation in this sector. Most surveys cover a major part of wage-earning employment and some self-employment in the larger and more organised firms, but neglect a range of wage-earners and self-employed persons, including many children in the informal sector. In fact, the unorganised nature of the sector makes it difficult to assess the nature of employment in this sector.

Factors responsible for employment of children in the Informal sector: There are certain factors which enable children to seek employment in the informal sector. These factors include:

i) absence of any statutory minimum age for employment
ii) easy entry and easy exit
iii) less competition among job seekers
iv) absence of any minimum requirement of education or training
v) easy nature of work
vi) provision of food, shelter and clothing in the city by the employer and
vii) absence of any minimum wage requirements.


These factors enable the child labour to enter the informal sector as and when they like. Broadly speaking, four types of children are found engaged in the informal sector. They are: children belonging to poor families undertaking jobs to supplement their parents income; children who have none to support them; children who are sent to urban areas by their parents in rural areas for earning a living and children who run away from their families.

Absence of a suitable protective and Regulative Labour Legislation

The emergence of urban informal sector as a major source of employment and income in the Third World countries in recent years is primarily a manifestation of increasing pressure of population growth juxtaposed against the inadequate growth of employment and income opportunities in rural areas and small urban centres on the one hand, and in the formal and government sectors of the urban economy on the other. Rising inflation rate and growing poverty further aggravate the situation and force a number of children to enter into the informal sector for a living. The number of children who enter in the informal sector in cities like Calcutta, New Delhi, Chennai, Mumbai, Kanpur, Bangalore, Ahmedabad, Patna have increased in the recent years. Although the central government and various State Governments are aware of the situation and the exploitation of the child labour in the informal sector, no significant effort has been made so far to adopt a comprehensive legislation regulating the employment conditions of child labour in the informal sector. Unless a comprehensive legislation or a legislation of composite nature dealing with wages, hours of work, health, safety, welfare facilities, leave and holiday, social security, retrenchment, dismissal and discharge is adopted, and a suitable enforcement machinery is created for this purpose, nothing tangible can be achieved.

Although it is not easy to have proper enforcement of any legislation in the informal sector, initiatives must be taken. Factors like scattered nature of undertakings, lack of records or proper information, absence of unionism, absence of formal employer-employee relationship, illiteracy and ignorance among children, inadequacy of the enforcement machinery, are some of the factors responsible for lack of a suitable labour legislation in the country dealing with child labour in the informal sector.32

There are five categories of children who could be brought within the ambit of child labour, even if such categories may not fall within the ambit of the definition of child labour (Prohibition and Regulation) Act 1986. They participate in various capacities throughout the informal sector such as33

1) Children who are self-employed.
2) Wage earners paid by the hour or for piece labour.
3) Apprentices employed in order that a skill will eventually be mastered
4) Children who assist an adult who is accountable to an employer
5) Children who co-produce with their family without any direct remuneration.

Since it is difficult to define informal sector/unorganised sector as there are various components involved that go to make up this sector, a description of the categories of labour that falls under this sector is mentioned in the study. In Chennai City, this sector includes children in small-scale units, construction, rag-pickers, domestic and home-based workers and such other vulnerable sections of labour. What adds to their misery is that despite their gigantic numbers, they have been by-passed by protective legislation. The Indian constitution is eloquent on the recognition of dignity and worth of human life including the tender life of a child and the need for its protection. Provisions of Articles 21, 24, 39 and 41 bear ample testimony of this.

The employment of children has given rise to a number of social, psychological, economic and legal problems. But the study deals only with social and economic characteristics of child workers and their parents. Socio-economic study\(^3^4\) was arrived at by taking into account education, occupation, income, housing and working conditions of individuals/families. In this study the first three aspects are given more importance.

**SOCIAL AND ECONOMIC ASPECTS OF CHILD LABOUR**

Some of the social aspects of child labour are such that the emotional ties between children and their parents are disturbed. The problems of children are deep-rooted in the family and its socio-cultural environment which influence the parental attitude towards upbringing of their children. In many families the children lack protective caring. The way the parents bring up their children indicate the social value on children and their commitment towards the development of future generation. Social evils involved in the employment of children are wide-spread illiteracy resulting in lack of development of child's personality, which may continue even in his later life and other social disorganisation. As a result of such interactional distortion the children slip off from the family bondage and step into the world of disorganisation. The emotional, affectionate relationship between parent and child turns into commercial interaction. The economic factors influencing the practice of child labour are family income and assets, consumption and other expenditure,

\(^3^4\) Ramachandran, P. *Survey Research for social work A primer*. Institute for Community Organisation Research, Bombay, 1993.
savings etc. The low income and asset level naturally force all family members to work and child labour would be necessary if the family wanted to make both ends meet. Low wages of child labourer and low nutrition together result in malnutrition. and malnutrition combined with hard physical work leads to deterioration of the health of the child worker which ultimately shortens the life-span besides lowering efficiency. Inadequate wages also lead to social evils such as purse-snatching, pick-pocketing which ultimately results in tremendous wastage of talent.

India has probably the largest child labour force in the world and it is growing every day despite increasing concern at local, national and international levels. It is estimated that 100 million children are forced to work in organised and unorganised sectors. It is also estimated that 133 million children are not attending schools for various reasons. But every estimate of child labour falls far short of the reality owing to the number of procedures and other general limitations. However, in stark reality, all surveys and studies shows that the child labour is rampant where there is more number of illiterates. The existence of child labour in whatever form and magnitude should be a matter of concern to the parents, society and State.

Tamil Nadu State which constitute the South-Eastern extremity of Indian Peninsula has a population of 578, 889 million as per 1991 census. Statement showing State-Wise Distribution of Main and Marginal Child Workers according to 1991 census has been given in Appendix XIV and XV. The male, female ratio of the State is 974 females against 1000 males, and the ratio among children is 987 girls against 1000 boys. The population of children in the age group of 0-14 constitute 1.69 crores as per the 1991 census. This accounts for 34.77% of the total population. This is lower compared to all over India statistics where it is 39.7%. The proportion varies from 29.97% in Periyar district to 37.38% in North Arcot district, Chennai. Salem, Periyar, Nilgiris, Coimbatore, Tiruchirapalli and Tanjavur where the proportion of children is lower than the State average. In the State as a whole, child population is almost equally distributed between the three age groups of 0-4, 5-9 and 10-14.

The general literacy level in Tamilnadu is higher than the all-India average. The literate population (aged seven years and above) has increased from 54% in 1981 to 64% in 1991 in Tamilnadu as against all-India figures of 44% and 52% respectively. Out of this, in Tamilnadu during the same period, literacy rate for males increased from 68% to 70% and females from 40% to 52%. During 1991, male literacy at the all-India level stood at 64% and for females 39%. Though the literacy level is higher than the all India average, it is much

---

lower than the neighbouring Kerala State and the literate population in Chennai is 3.2 lakhs\textsuperscript{36}. During 1991, in Tamilnadu there were 9,75,055 (8,71,313 main workers and 1,03,742 marginal workers) working children below the age of 15 years. Working children formed about 5\% of the total work force in Tamilnadu. North Arcot, Salem, and Madurai account for a higher proportion of child workers in the State. The proportion is very low in Chennai, Nilgiris and Pudukottai districts. The rest of the districts have similar distribution ranging from about 7\% to 8\% of total working children in the State.

In Tamilnadu, 4 million children in the age group of 5-14 were recorded as neither in school nor in the work force. They form about 35\% of the total children in that age group. It may be assumed that most of the children are already in part of the informal sector without being reported in the official statistics. It is worth noting that the under estimate of the child workforce among female children is much higher than for male children. The above mentioned fact is further strengthened by the estimate\textsuperscript{37} which states that 1.6\% children in the age group of 5-9 and 20\% of the children in the age group of 10-14 years in Tamilnadu are working. This is much higher than the figures reported in the census data of 1981 which quotes that only 5.88\% of the children (0-14). It is also estimated that 3.1 million children (5-14) were out of school during 1991 and most of these children must have already been in the workforce. Appendix I shows the estimate of child population and children out of school. This is much higher compared to figures of 1981 on working children.

Chennai, one of the leading cities in India today from the trade and commercial point of view has an area of 172 sq.km and a population of 4.29 million\textsuperscript{38}. The total population of Chennai Metropolitan Area (CMA) including corporation was estimated to be 5.56 million\textsuperscript{39} in 1991. The major developments in the industrial field during the three decades have seen the establishment of a number of industries, both private and public. The central business area consists of George Town and its extension south Chennai into Anna Salai. This district has most of the wholesale trade, retail trade, banking and financial institutions. The Western and Southern parts of Chennai are predominantly residential although some medium and small-scale industries are located here\textsuperscript{40}. A glance of 354 years of Chennai have been given in (Appendix II).

\textsuperscript{36} Literacy Campaign: Mayor to cut ‘Arivoli Cake’, The Hindu, 1 January 1997, p.3.

\textsuperscript{37} Survey conducted by National Sample Survey organisation, 1986.

\textsuperscript{38} Census of India, 1991.

\textsuperscript{39} Corporation of Madras Data Book, 1993-94.

\textsuperscript{40} "Workshop on Linkages in Urban Solid Waste Management, Discussion papers", Indian Institute of Science Campus, Bangalore, 1994, p.18-20.
Chennai is divided into 10 zones. The ten zones of the Corporation of Chennai have been given in (Appendix III). Each zone has a number of division which are grouped under 3 units each. There are 155 divisions\(^1\) totally and 2 major dumping grounds in the city. The Perungudi dumping ground is situated in the South and caters to 5 zones (VI to X) while the Kodungaiyur dumping ground is in the North and also caters to 5 zones (1 to V). The dumping grounds have electronic weigh bridges and are receiving 2000 to 2200 M tons of garbage per day. They are not sanitary land fills and are not fenced, neither do they have roads on the dumping ground to ease vehicle congestion. Many of the children residing in and around Ezhil Nagar area in North Chennai survive by working in Kodungaiyur dumping ground. Economic activities in respect of mining, forestry and cultivation are conspicuous by their absence in the city of Chennai.

India has a long history of giving legal protection to child labourers from exploitation at work through its various labour laws and there are specific provisions both in the Directive Principles of State policy and Articles on the Fundamental rights of the constitution of India\(^2\). But it is only in 1985 that the problem of child labour has entered the public consciousness with some persistence. The debate on this subject was initiated when Government announced its intention in 1985 to introduce fresh legislation to deal with the phenomenon of child labour. However, no concerted efforts were made at the national level to withdraw children from hazardous employment, except a Comprehensive National child Labour Policy, which provides a broad framework for tackling the issue of child labour through legislative action plan, general programmes and project - oriented action plans in areas prone to child labour. A Child Labour Technical Advisory Committee which was responsible to co-ordinate and intensify ongoing development programmes for income generation and employment in child labour concentration areas was constituted. Nevertheless, working children in the urban unorganised sector remain largely unseen and therefore overlooked by law, policy and developmental interventions.

To supplement the governmental initiatives at the national level, international donor agencies came forward to support two parallel programmes in 1992 (1) the Child Labour Action Support Programme (CLASP) and (2) International Programme on the Elimination of Child Labour (IPEC).

---

\(^{41}\) Chennai corporation Data Book, 1993-94, p.25-34.

These programmes are intended to build the capacity of government and non-governmental agencies and the human resource development of their functionaries. The International Labour Organisation implements these programmes under the overall guidance and supervision of National Level Steering Committees headed by the Union Labour Secretary. The Steering Committees have representatives of Government and non-governmental organisation. India is one of the first among countries to join the IPEC which is under implementation in several other countries. The long term objective of IPEC is to contribute towards abolition of child labour. The IPEC in India is the largest in the world and has led to action programmes benefitting about one lakh child labourers.

UNICEF acknowledges the need to seriously address child labour as a key component of the organization's policy to advocate the implementation of the convention on the Rights of the child and the achievement of goals for improving the conditions and well-being of children. UNICEF has been funding government and non-governmental organisations including National Resource Centre on Child Labour for elimination of child labour in India.

The working children constitute a heterogenous group in terms of their socio-economic background, age, skills, attitudes and approach to life, preferences and needs. All working children in Chennai are not totally illiterate. Some are semi-literate while few others are drop-outs and few have relapsed back into the world of illiteracy and have outlived their literacy skills. Some have reached upto class 4 or 5. Some of them are exceptionally bright and intelligent and in terms of such natural endowment may even be superior to the normal children. Some of them are good orators and have exceptional qualities. So, it is difficult to put all such children in the same pattern of education, regardless of variations in their skills and experiences. As a result of this, Tamilnadu Slum Clearance Board (TNSCB) have started a two year child labour project to deal with such wide variation of working children. Multiple strategies have been adopted by them for working children like transit schools, formal schools for children who are school drop-outs and who wish to continue their education.

This study concentrates on a special category of children, namely child workers in the Informal sector. Besides this, strategies adopted by the Government and non-governmental organisations like non-formal education, skill training, health care, rehabilitation measures, advocacy have been touched upon to an extent in this study.
NEED FOR THE STUDY

The problem of child labour has entered the public consciousness only during the recent years. Since then, an increasing number of individuals and organisations have been involved with making films, audio visuals, researching different areas where child labour is widely prevalent, writing in the press and holding seminars in an attempt to comprehend the problem.

But so far, no significant research work have been focussed on child labour in informal sector and various categories of work done by children in Chennai City. The present study is basically an attempt to fill up this gap. The study also concentrates on the peculiar categories of work done by children who are not covered by legislations. Further, media reports and UNICEF's statements on the probable eradication of child labour prompted the researcher to take up the study. This being the 50th Anniversary of UNICEF inspired the researcher to find out the role played by UNICEF in combating child labour.

While policy-makers were pre-occupied with Sivakasi, non-governmental organisations in the city were obsessed with street children. Very few NGOs worked for children at the hotels and still fewer worked for the little labourers at metal polishing industry. A whole section of children at the beach, house-holds, export, dhabas and in shops working as unskilled labourers continue to remain uncovered and unprotected in Chennai City. Against this background, it has been proposed to study the problems of children working in informal sector in Chennai, for today's children are tomorrow's citizens and children cannot wait because they have but one opportunity for growth and development and they have the right to childhood.

AIM OF THE STUDY

The aim of the present work is to study the child workers in the informal sector of Chennai City in regard to their occupation, income, education, social status, housing, their pre-work life, situational factors which forces them to take up work at a particular age, their present working conditions as well as their perception of the child labour. The main aim of the study is to focus on the Government and UNICEF's statements on the probable eradication of child labour and observe whether child labour can be eradicated within the stipulated time-limit and measures that can be adopted to ameliorate their conditions.
OBJECTIVES OF THE STUDY

The objectives of the study are as follows:

1. To study child labour in India and Tamilnadu in general, and Chennai City in particular.
2. To find out the various reasons for the emergence of child labourers in Chennai City.
3. To find out the different categories of work in which children are employed in the informal sector of Chennai City and their attitude towards work and education.
4. To study the socio-economic characteristics and family background of child workers in informal sector of Chennai City.
5. The role of International organisations (ie) ILO and UNICEF in combating child labour.
6. The role of Government and Non-governmental organisations in ameliorating the condition of child workers.

HYPOTHESIS

On the basis of earlier studies, personal observations, available reports and discussions with the staff of non-governmental organisations on child workers, certain hypothesis were framed. These hypothesis are as follows:

Child labour cannot be eradicated because:

1. Family environment is the main cause for child labour. (family environment refers to broken families, alcoholic parents, lack of parental care and other undesirable habits among family members).
2. Illiteracy and low educational level of parents are important factors for prevalence of child labour.
3. Poverty is one of the reason and not the only reason for the cause of child labour.
4. Most of the child labourers in Chennai City have poor interest in studies.
5. Most of the child labourers working in Chennai City are satisfied with their work.

REVIEW OF LITERATURE

Various studies on child labour have been conducted since 1979, either at the national level, regional level or Industry wise. The educational institutions, government and non-governmental organisations have undertaken projects on child labour. Looking at child labour as a multi-dimensional social problem which no single approach can catch-hold, various scholars, planners, researchers and technocrats have analysed the problem of child labour from various angles.
J.C. Kulshreshtra’s Child Labour in India reveals that large families, poverty, ignorance of parents, absence of family allowances and compulsory education are the root cause for the prevalence of child labour in India. Besides, inadequate legislation coupled with its inefficient enforcement are also responsible for the continuation of child labour. The study of Neera Burra’s Born to Work, concentrates on the working children of specific industries of glass making and diamond polishing. She describes the socio-economic conditions of the child labourers and hazardous processes involved in the work. George K.N. Child Labour in the city of Madras and a study by Joseph Gathia on Child Labour in the unorganised sector in India deals with child labour in general and concludes that poverty is the cause for child labour. B.K. Sharma and Vishwa Mittar’s Child labour and Urban Informal Sector highlights the significant role that the urban informal sector has come to play in providing employment to child labourers in a developing economy. The socio-economic structure and the contribution of child labour towards family income are some of the aspects analysed in the study.

Almost all the writers reviewed, mentioned poverty as the leading cause that drives children to labour. But there are no further queries regarding the cause of poverty or reason that cause poverty. Some government empirical studies of sample conditions in different industries and newspaper reports do throw some light on the problem of child labour, but the information is widely scattered. A Report by K.D. Gangrade provides basic information on the incidence and distribution of child labour in India and States that, it is not only the traditional attitudes, but certain factors like urbanisation, migration, lack of school or the reluctance of the parents to send their children to school have equally contributed for the increased child labour.


Joseph Gathia. Paper presented on "Child Labour in the unorganised sector in India".


Myron Weiner in his book *The child and the state in India* gives importance to education and states that child labour can be abolished through the introduction of compulsory primary education. Mendelievich's *children at work* states that the reason for employing children has been to supplement the family income, when it has not been sufficient to meet the requirements of the family; and secondly having more children is considered a great advantage, because every child means two extra hands to work, which means more income for the family. Chander and Devi's study assesses the role of family size in the phenomenon of child labour. It was learnt that the maximum number of children were found to be working that had a large family size. Viswanathan revealed that the highly exploited group is of the children employed in tea shops or dhabas, especially by the unregistered ones. They work for long hours hardly getting weekly off. For facilities like two square meals a day and a roof to sleep under, they are on their toes from morning till night. Naidu and Parasuraman reported that girls in domestic service are frustrated and are at risk of mental depression and sexual abuse. Further, it states that they have low educational aspiration and a very low occupational income. Rao found that most of the workers among children are employed in unorganised sector, since it is illegal to employ them in the organised sector. Sannon's study on rag-picking children revealed that, regarding the age-group of children working, majority of them were about 15 years of age. Jain in his survey states that, the girls who form 50 percent of the child labour force were mostly given low wages and no wages which ultimately do not lead to skill formation. The jobs that boys do are, however, closely related to apprenticeship training and skill formation.


A.N. Singh's\textsuperscript{57}, The child rag-pickers socio-economic perspectives and Intervention strategies is a multi-disciplinary investigation into various aspects of pressing socio-economic problems facing child rag-pickers in slum areas of Kurukshetra, Haryana. The study provides a comprehensive evaluation of children's participation at work in general and rag-picking in particular. A similar study of A.N. Singh's\textsuperscript{58} Child labour in India, socio-economic perspective reveals that economic conditions of majority of child workers families forced them to undertake carpet weaving. B.N. Shukla and Bimla Shukla's\textsuperscript{59}, Child labour in the Informal Sector, is a theoretical study which touches upon certain questions like the nature and composition of the child labour force, factors that bring them in to informal sector, their wages and conditions of employment and causes for the apathy on the part of the government for not undertaking any significant ameliorative steps. S. Murty\textsuperscript{60} probes into the causes and conditions of illegal child labour in unorganised sector and states that poverty is the most prevalent cause for child labour. K.Kanakaiah, A.Vinayak Reddy, K.Venkat Narayana\textsuperscript{61} in their paper on Child workers in Urban Informal Sector reveals that the child workers belonging to socially and economically deprived sections of the society and wide spread poverty and destitution seems to be the root cause for high incidence of child labour.

Different views were raised for (eg) whether "children working in dhabas or as domestic servants is hazardous or not?" A survey conducted by Usha Naidu\textsuperscript{62}, showed that working children were better off than non-working children in these two sectors. The reason being that the working children were given food on the premises. While this may be true,

\textsuperscript{57} Singh, A.N. The child rag-pickers socio-economic perspectives and Intervention strategies, Shipra Publications, Delhi, 1996.

\textsuperscript{58} Singh, A.N. Child labour in India Socio-Economic Perspectives, Shipra Publications, Delhi, 1990.


often children were given the left-overs from the plates of clients. But there is another side of the picture, the grim reality of which makes the child very vulnerable. Ganguly\(^6\) states that a large number of children working in dhabas and as domestic servants are vulnerable and fall prey to the anti-social elements of the urban jungle. A study of children employed as domestic servants by Geetha Monsingh\(^7\) states that poverty is the main reason for children taking up work at an early age. Mohd. Mustafa and Onkar Sharma's\(^8\) Child Labour in India, A Bitter Truth deals with the children working in domestic service, shoe-shining, auto repair workshop and collection of rags exemplifies that poverty is the main cause of child labour and that child labour can only be eradicated through long and short term policies.

On the academic side, Chitra Evelyn Emmanuel's\(^6\) Study on Child Labour in Madras City focuses on the employment of children in domestic labour, rag-collection, hotels and restaurants and cycle repair shops and states that the wages and other components paid to child labourers were inadequate and considerable improvement is necessary in the service conditions of the unorganised sector. A study conducted by Rebecca Thyagarajan\(^7\) and John Chelladurai Rajah\(^8\) on The Problems of Child Labour in Madras City reveals that poverty is the main cause of child labour and suggests that mid-day meal which is provided to school children be extended to child workers also. Another study by C.M.J. Bosco\(^9\) on Socio-Economic condition of Child Vendors at Marina reveals

that poverty is the main cause of child labour. R. Banumathi's\textsuperscript{70} study, \textit{Profile of Child Labour in Three Areas of Unorganised sector} was conducted to find out the effect of child labour on health, education, nutritional status and recreational activities of working children hindering their all round development in Madras City and Chengelpet district. Family situations like insufficient family income and parental addiction to drinks were the two main reasons for children joining labour force at an early age. Sivasankari's\textsuperscript{71} \textit{Health Hazards of Female Child Labour in the Unorganised Sector}, highlights the occupational health hazards faced by female children working in domestic units. UNICEF's\textsuperscript{72} \textit{The State of the World's Children} which focuses on child labour exclusively, deals with the convention on the rights of the child. It explains the profound shift in the world's thinking about children and their rights that has taken place in the past fifty years. It deals with the extent of the problem world-wide and includes a positive investigation of key actions to be taken to eliminate hazardous child labour, ranging from providing free and compulsory primary education to implementing and enforcing legislation, from empowering the poor to mobilizing society and adopting corporate codes of conduct.

Another study by the committee on child labour\textsuperscript{73} examined various dimensions of child labour in different occupations. The study revealed that child labour was more prevalent in rural areas than in urban areas. The participation of children in the labour force in the age group of 10-14 years was very high for males compared to females. Similarly, another study by central Social Research\textsuperscript{74} indicated that the majority of children employed in match units in Sivakasi were girls. Children working in unorganised sector in Sivakasi were the main bread winners in most of the families. Therefore, it is not feasible in a country like India to think on the lines of elimination of child work, keeping in view, the social and economic conditions and financial constraints involved there in, with regard to the working class in general and child labour in particular. Under the existing conditions, it could only be proposed to regulate the employment of children above a specified age.


\textsuperscript{73} Report of the Committee on child labour, Ministry of Labour, Government of India, New Delhi, 1979.

\textsuperscript{74} Central Social Research. Working conditions of children employed in unorganised sector - child labour in Sivakasi A study, Chennai, 1984.
A number of studies have been conducted in both rural and urban areas in different occupations. A few enquiry committees and commissions were set up by the state and Central governments. Economic books dealing with labour problems and a few articles in different journals based only on secondary data have been published. But the reports were often casual, sketchy and limited in scope which did not give a comprehensive and integrated picture of the problems. As there is an increasing tendency to view child labour as welfare approach rather than purely social and economic orientation, no study of this nature has so far been carried out in the informal sector of Chennai City.

METHODOLOGY

This is a descriptive cum analytic study. It portrays the problems and Socio-economic characteristics of children working in Chennai City. A survey based on a sample of 700 child workers was conducted in informal sectors of Chennai City. The informal sector in the study refers to children employed as wage earners in mechanic workshop, metal workshop, hotels, export units and in shops as unskilled labourers, domestic work, wooden-box making, sundal vendors and in prawn processing units, self-employed children as rag-pickers, plastic cup collectors, children employed in family occupation as flower tying and selling, children working in dumping yard, children picking up Iron and other metals from the Harbour that is saleable and children collecting hairs. During the survey, it was found that North Chennai had higher concentration of working children. It was mainly because of the job opportunities that were available to them. This was followed by the Central station area, where there is high incidence of child workers. Least number of working children were present in Zone VIII.

Both primary and secondary sources of information have been made use of in this study. Primary data for all categories of child workers were collected through personal interview using interview schedule. Besides, relevant data were also collected from published documents, policy-notes, reports and interviews with government officials and staff of non-governmental organisation. The secondary sources of data were collected from books, periodicals, journals and news papers.

Of the various methods of collecting data, direct personal interview method was found to be the most appropriate one in interviewing the government and non-governmental organization officials. As majority of the child labourers were illiterate and many of them were school drop-outs, interview method gave an opportunity to observe their individual attitude and behaviour.
Information about children employed in various categories were collected with the use of questionnaire. After reviewing related literature and bearing in mind the objective of the study, a schedule was framed to get relevant information. The schedule meant for child workers had questions related to their socio-economic background, age, education, income, reason for joining the work, age of joining, working conditions, health and hygiene, nutritional status, recreational activities, type of treatment received from employers, future aspirations of child labourers etc.

A pilot study was conducted in each category of occupation. The study was carried out to test the clarity and specificity of the prepared schedule. The pilot study revealed the need for slight modifications in the schedule and accordingly, the schedule was revised and finalized. The schedule was in English and they were translated into the regional language Tamil to facilitate the collection of data from the respondents. The children were contacted in their workspot personally and by means of interview schedule, the data were collected. Some working children were hesitating to answer the questions with a fear that they might be terminated from the job by their employers and those children were interviewed in their residence to get relevant data.

The collected data were compiled first with regard to the occupational variation. In order to find out the impact of certain personal characteristics such as age, hours of work, gender of working children, the data were again classified and tabulated. The data were subjected to Frequency Distribution, Chi-square Test and T-Test to find out the significant differences between observed and theoretically expected values. An attempt has been made to establish relationship between different variables. Bar and pie graph were also prepared to show the trends between different types of variables. The continuously measurable variables such as income, hours of work etc. has been grouped into various categories and the number of responses into each category has been counted and formed like a frequency distribution.

\[ \chi^2 = \sum_{i=0}^{n} \frac{(O_i - E_i)^2}{E_i} \]

Where \( O_i \) - are observed frequency

\( E_i \) - are expected frequencies

The \( E_i \) are calculated as

\[ E_i = \frac{\text{Row Total x Column Total}}{\text{Grand Total}} \]
Formula for T-test: \[ t = \frac{\bar{x} - \bar{y}}{S \sqrt{\frac{1}{n_1} + \frac{1}{n_2}}} \]

follows t distribution

with \( n_1 + n_2 - 2 \) degrees of freedom

\[ s = \frac{n_1 S_x^2 + n_2 S_y^2}{n_1 + n_2 - 2} \]

\( n_1 \) = number of 'X' values

\( n_2 \) = number of 'Y' values

\[ S_x^2 = \frac{\sum x^2}{n_1} - \bar{X}^2 \quad \bar{X} = \frac{\sum X}{n_1} \]

\[ S_y^2 = \frac{\sum y^2}{n_2} - \bar{Y}^2 \quad \bar{Y} = \frac{\sum Y}{n_2} \]

SCOPE OF THE STUDY

The present study focuses on child workers under 14 years of age. It has covered various areas of information such as the socio-economic background, working conditions, educational and occupational status and nature of work. The study has been conducted in Chennai City of Tamil Nadu and there are also certain peculiar categories of work done by children in Chennai which have not been explored and the researcher is interested in exploring those categories of work and know more about their problems, living and working conditions and socio-economic characteristics.

Child labour of late has evoked deep concern among all who look at the future of the country with the present status of the child labour. Child labour assumes the character of a social problem in as much as it hinders, arrests or distorts the natural growth processes and prevents the child from attaining his full-blown manhood.

The scope of the study includes what precisely constitutes child labour and the factors or circumstances that impel or compel children to work in Chennai City. The specific areas in trade and occupations in which child labour is generally employed are also described in the study. Total abolition of child labour under Indian conditions may not be possible. Legislation alone cannot be a solution to the problem. The provisions in the constitution of India are adequate enough to deal with child labour and welfare of working children in organised sector. The role of mass media in educating public opinion on various
aspects of child labour needs study. As the study deals only with child labour problems and prospects of working children and their socio-economic characteristics in informal sector of Chennai City, the impact of work on their health aspect needs indepth study.

Research concerning child labour is increasingly concentrated on child labour intensive industries like match sticks, carpet weaving etc and has been focused on highlighting the exploitation of child workers. In several other areas even the number of working children is not known. Census, NSS and other sources of data suffer from several deficiencies that include the concept of work. One of the ways of overcoming these deficiencies is to examine the use of time by children in rural and urban areas and study how decisions regarding schooling and work of children are taken in a representative sample that should include wider geographical areas differing maximally in the incidence of child labour.

It cannot be denied that the problem of child labour has unlimited scope and it is vast like a sea and this work would be nothing but only few drops added in it. The problem of child labour has various sides viz. Legal, social, psychological as well as historical. But it would not be feasible to make an indepth study of all these aspects. Social and economic aspects highlighting the existing conditions of the child labour in various categories of employments have been discussed in order to bring-forth the nature and working conditions of child labour. In the study an effort has been made to highlight new areas of research so as to motivate future researchers to explore the much needed possibilities of improving the lot of child labour.

SIGNIFICANCE OF THE STUDY

It is clear from the data that child labourers are mainly found in workshops, shops and establishments, rag-picking, domestic servants and other peculiar categories of work. Child labourers are absent in industries for the types employing children are not established in Chennai City. This is in contrast to the situation that prevails in other districts or city where one or two industries are known for large scale employment of children. The study also shatters the myth that the working children found on the streets, hotels and other work spots in the city are migrants. This is the reason for the indifferent attitude of the policy-makers who merely want to give the impression that the working children are migrants and belong to the neighbouring states. Conversation with children has brought to light the truth that, they seek employment when they fail to perform better in studies. When they fail in studies, parents insist that they go to work and earn. Some parents are keen that their wards learn a skill while they earn. Hence, they work at an early age and feel that learning some skill is better. Most of the children employed in Chennai City have
joined the labour force on their own and they are interested and satisfied with their work. They do not remain in the work for a long time. If they get harsh treatment from the employer or are otherwise dis-satisfied with their work they quit that particular work and join another. Most of the children surveyed have already worked in a variety of jobs before they took up the present one. It is during the vacation that most of the children join the labour force, in order to keep themselves occupied. The parents also, send their children to work because they fear that by remaining at home and being idle they might indulge in anti-social activities. The children spend the money that they earn by watching movies and buying snacks etc. The lure for financial independence make them difficult to leave the job and in turn they become permanently drop-outs from school. The children working in Chennai City do not have any major health problems. The health problem mentioned in the study are due to mal-nutrition. The hazards that children face in Chennai, is not due to the nature of occupation as to the special vulnerability of the child workers. Occupations such as domestic labour, rag-pickers, children working in dhabas and street vending children fall prey to abusive and violent adults or are forced to engage in immoral or illegal activities. Poor nutrition coupled with the work they do lead the children into minor diseases like frequent stomach ache, fever etc.

LIMITATION OF THE STUDY

It would not be wise to claim that the present work is completely perfect. Since the units of the sample were widely scattered, the study has been based on a smaller size of sample, and only the socio-economic characteristics has been touched upon. A similar study on health aspect is needed. It is noteworthy that the employers and parents of child labourers were quite apprehensive of the interviews as they considered the researcher as a government official deputed for collecting information about abuse of child labour in their units. Moreover, as there is hardly any background information regarding the plight of child workers working in particular areas of Chennai City, information had to be literally "dug" out from the child workers. However, sincere effort has been made to present the actual facts. Children working in Chennai City alone have been surveyed. Chennai City in the study refers to the areas that falls within the limits of Chennai Corporation. The areas outside the city limits (ie) outskirts of Chennai City have not been surveyed. Moreover, there was no possibility to interview all the parents of the working children. Only non-working parents of the child labourers have been interviewed.
PLAN OF THE STUDY

The study is concerned with an enquiry into the following key areas which help in determining the nature, problems and prospects of child labour in informal sector of Chennai City and each of the key areas have been dealt with in separate chapters:

Chapter I  
The introduction which gives an account of the aim and objectives, hypothesis, methodology, brief review of literature, scope, significance and limitations of the study.

Chapter II  
deals with child labour in India, Tamilnadu in general and Chennai City in particular.

Chapter III  
Concentrates on socio-economic characteristics of children employed in Chennai City.

Chapter IV  
deals with the role of International organisations like ILO and UNICEF in combating child labour.

Chapter V  
deals with the role of the government and non-governmental organisations in ameliorating the conditions of child labourers and

Chapter VI  
forms the Conclusion with Suggestions.