CHAPTER - III

MAGNITUDE OF THE PROBLEM, REASONS OF CHILD LABOUR AND IMPACT

MAGNITUDE OF THE PROBLEM:

The weak financial position of the families of children is one reason for child labour. The children of households, in which adult family members are unemployed or under employed, work as child labour because their parents cannot afford the cost of sending them to school. Some of the families are under discrimination based on many other factors and due to poverty and hence poverty is definitely one of the reasons, but it is not the sole and primary cause.

POVERTY AND BACKWARDNESS:

The experimental surveys by the ILO indicate that an estimated 120 million children between ages five to fourteen years work full time. The number increases to 250 million, out of these child labourers 61 percent are from Asia, 32 percent from Africa and 9 percent from Latin America. India has the dubious distinction of employing largest number of children in the world. It is observed according to 2001 census, estimates as 15 million children are working in various employments in the country. However certain NGOs estimated this figure as 100 million. The state of Andhra Pradesh has the highest
number of child labour in the country. According to 2001 census there are 32.72 lakhs of children employed in the state which is 14.7 percent of the total child labour in the country. Nearly 7 percent of the total children in the state are child labourers against the national average of 3.6 percent. It is 5.5 percent of the total labour force in the state against four percent of the national average of the 2.66 million child workers, 91.1 percent are working in rural areas and the rest 8.3 percent are in urban areas.

Data reveals that Mahboobnagar district with 7.5 percent of the total child labour in state stands first. This is followed by Gunter with 7.1 percent, Kurnool with 6.7 percent and Prakasam district has 5 percent of total workers. Out of these workers in Prakasam district 60 percent are female workers. Unfortunately, the state of Andhra Pradesh also accounts for largest numbers of girl child workers in the country with 16.8 percent of female child workers. Girls out number boys in the total child labour workers in the state with 51.5 percent as against 45 percent in India. In Andhra Pradesh the child labour is more in rural areas, because of the earning capacity of the families living in rural areas is less and also vary from time to time. Number of children is more than the earning adult members in the family.

Hence forced by the circumstances of poverty, the children will be going to work. It is also due to poverty, the money lenders play the role of converting children into bonded labour.
They lend money to the poverty stuck family and later the family could not repay the debt. Then the children of that family are forced to become child labour. The villages in the project area appear more like barracks for the workers of slate mines. The villages look abandoned and lifeless in day time because, all villagers go to work in mines. The agricultural activities are nil. In every region the people develop their own way of life to cope up with poverty. The way of life reflects in their attitude towards life. Work culture is mainly developed depending on locally available resources and employment avenues. In Markapur region, the slate industry is the major source of livelihood. Their mode of life reflects the slate work culture. In the slate work culture, the children are looked upon as a source of capital by parents of the poverty stuck family. Children from an early age are socialized to accept the code of conduct which virtually denies them the extended childhood, which is crucial for the development of a mature adult personality. Most of the parents are also child workers at their age. They know that satisfaction of children to work at an early age will have adverse effect on their future. However they agree that child labour is not a crime or inhuman but is a right and inevitable considering the poverty conditions in which they are placed.\textsuperscript{16}

\textsuperscript{16} Child labour in A.P. a study- Child labour policy and study center of government of A.P. Hyderabad-1999 (pp.4-10)
**UNEMPLOYMENT OF LOCAL PEOPLE AND EXPLOITATION:**

As long as poverty and underdevelopment exists, child labour will continue. It is high time that planners, researchers and social workers look upon child labour from socio-economic perspective rather than from the aesthetic and humanitarian perspective. For the poor people any work which gives them bread is “just” and right. Unless and until they see better avenues of employment and better wages and a life pattern which remains the necessity of sending children to work, platitudes serves no purpose.

Child labour is a complex phenomenon, deeply rooted in the economic and cultural characteristics of the society in which it exists. Though poverty is believed to be the main reason for child labour, however it cannot be said that poverty necessarily causes child labour. It is understood that in some poor regions the child labour is extensively practiced, while in other equally poor regions, it is not so. Kerala is a poor region but child labour is very, very less, compared to Andhra Pradesh. Evidences from Kerala also suggest that literacy and education have got a direct link with the incidence of child labour. The entire Kerala state has less than one percent of total children as against seven percent of the children in state of Andhra Pradesh. The statistics on literacy are very vital to understand the causes of child labour.
Even in the state of Orissa, the state literacy levels are high compared to the state of Andhra Pradesh and why it is even below the national average in the state is the crux of the issue. If poverty is the chief reason for illiteracy and child labour, the highest child labour should be else where like in Bihar, Uttara Pradesh and Orissa but not in Andhra Pradesh. It can therefore be inferred that low literacy and child labour are closely interlinked and there are reasons other than poverty which are very vital for causing the two. As per the V V. Giri National labour institute, Noida and M.V.Foundation, Secunderabad, we have the following data on child labour.

1. Andhra Pradesh has total child labour of 14.3 percent. Drop out rate from education is 71.68 percent and families which are below poverty line are 31.7 percent.

2. Bihar has total child labour of 8.1 percent. Drop out rate is 79.08 percent and families below poverty line is 40.8 percent.

3. Orissa has total child labour of 5.1 percent. Drop out rate is 64.86 percent and families below poverty line is 44.7 percent.

This shows that AP tops in total child labour but states like Bihar and Orissa tops in the poverty. Hence poverty cannot be said as sole cause of child labour. The family head being unemployed and the family has to shift due to seasonal migration to neighboring mandals
and districts, it necessitated for children to work instead of education.17

In slate mines, the children are mostly employed in removing broken pieces of slate (slate waste) and mud out of mines. This slate waste is not useful. Hence the mine owner do not want to invest or spend too much money on removal of this waste by using costly adult workers. Thus hundreds of children are employed and are paid extremely low wages.

Similarly the children are employed in factories to fix up nails and mud polishing at lowest wages. This is done in factories, because the factory owners say that slim and nimble fingers can grasp the tiny nails faster than that of adult workers. Further the children are not registered as workers. The records and attendance registers are also not maintained for them at factory or mine. There by the welfare benefits and facilities are not granted to children. Also the employers avoid the workers union problems if children are employed as they can not form unions. In these conditions, where children are looked upon as a source of capital both by parents as well as employers, banning of child labour and enforcement of laws has its own limitations. Strengthening of regional economy and removal of exploitation in

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employment in all seasons are the crucial to the problem of removal of child labour.  

**INCOME STRATEGIES AND ECONOMIC SELF INTEREST OF COMPANIES AND MINE OWNERS:**

As per the analysis of sample data it is seen that the household size is five to six and monthly income of parents is below Rs5000/-. Out of the sample survey of 300 child labour, 61.3 percent of fathers has monthly income less than Rs5000/-. 34.3 percent of fathers has monthly income in between Rs.5000 to Rs.8000. Majority of this low income households are in Konakanmitla mandal. (table 19 of sample data) The group which has income more than Rs10000/-p.m.consists of dominant BC and few Reddys and Vysyas. The Reddy caste people have a major share in land holdings in the villages of project area

Analyzing the information on income, (from the data collected by the author) it is found that 87.2 percent of the working children has monthly income less than Rs.3000/- at Markapur mandal. In Tarlupadu mandal, 84.4 percent has monthly income less than Rs.3000/- In Konakanmitla mandal, 97.8 percent has monthly income less than Rs.3000/-. In Donakonda mandal 91.2 percent has monthly income less than Rs.3000/-(table-19). The higher income group of child labour having monthly income more than Rs3000/-.

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18 NCLP-Rayavaram, Markapur- Sensitization program on child labour problem- office of the district collector, Prakasam district, Ongole.
belongs to Naidupally, Nikarampally, Vemulakota, Kottalapally, Nagireddypally, and other villages around Markapur.

The following information is gathered from the survey conducted by the researcher (table-18) about the supplementary income earned by the children in-addition to the mine works. 25.2 percent of child labour, working in mines, will earn supplementary income by working in the transport works, loading and unloading at the railway station, motor works in work shops.

32.9 percent of child labour will earn supplementary income by working under civil and other contractors, welding shops. Also from the discussion on occupation of parents it is noticed that major supplementary income to the families is from rearing animals and working in fields. This condition is mainly at surrounding villages to the mining area such as Rayavaram, Naidupeet, Pedayachavaram, Darimadugu, Vemulapota, Pedanagulavaram, Ssurepalli, Thummalacheruvu, Kalajulvapedu villages where some grass fields are available. The land suitable to agriculture and crops is only four to five percent. (as per the department of agriculture). This is also in the hands of dominant caste such as Vaisya and Reddy. The lack of agricultural development is a major cause for not having alternative income and leading to child labour in all the fields. Also the self interest of the employer has made the local people’s indebtedness.
It is observed while going round the village most of the families are in debt to various employers who are the household factory owners, slate factory owners, mine owners, pit owners, labour leader who brings child labour or local trader. A common method followed by the employer in the area is to advance some money to the workers at the time of recruitment. This has made the workers unable to change his employer without clearing the debt he owned to the previous employer. This creates the situation of perpetual indebtedness and bonded labour conditions and force many mine and slate workers to accept low wages and ultimately force the children also to go for work. Besides economic compulsion, customs and traditions associated with rituals like wedding, force the low income level families to borrow money as indicated by the respondents during the survey. Under these compulsions, many of the families as noticed are dependent on the mine and pit owners or the factory owners for the money requirements.\textsuperscript{19}

It is noticed that the majority of the families depends on mine/pit owners for borrowing money. Lack of awareness among the villagers about the various central and state government programs is one major reason for taking loans with high interest rates and creating the child labour in this area. It is found that only very little families approach the banks for loans.

\textsuperscript{19} NCLP-Markapur, Combating child labour and problems at Markapur—NCLP paper—1997 (p-9) and data collected by the researcher during the survey of project area.
LOCAL CULTURE:

The dominant social category in slate factories/companies and slate mines are backward castes. The 95 percent of area selected as project area is red soil and remaining is block soil. The agricultural backwardness due to water scarcity has forced local people to make it customary to send their children to slate mine for work. Compared with boys, majority of the girls go for work in the age of less than ten years. This is because they do not prefer to send the girls for schooling. The dominant castes like vadderas, upparas and muthrasi families feel that the earth work as well as mining is their culture and family job. Hence they intend to send their children to this traditional work instead of schools. Even in rehabilitation programs they go for the advice of the mine owner, whether it is within the custom or tradition of their families. The political leaders and money lenders plays an important role in continuing the child labour. In some villages, it is found that families themselves take contract and work with their children. The families say that they have the contract slate culture. Though the parents know that slate work will effect the future of the children, they emphasizes the inevitable condition which necessitates. Children go to work and supplement the family income. Even though the parents wished their children to get education, the poverty condition forced them to work. They feel that every thing is compulsion and customary. Hence they are not sending the children to school. However the majority of the children has liking towards the slate
works. They also want to shift to better income job as they are not satisfied with present job. Information on nutrition and diet revealed that children rarely consume liquid food such as milk and milk products. The main food items include paddy and soragum. The hospital at Markapur is not functioning properly even though it is a one hundred bedded hospital.

**Literacy and Education:**

In entire area, the literacy level is very low. Additional primary schools are started by NCLP. Thirteen special schools with the total strength of 1000 children have been started. Under the NCLP residential school with capacity of 400 children and a residential school called as special school at Rayavaram with capacity of 600 children has been established. The special school at Rayavam has biggest difference than other schools of NCLP, as residential and not a day school, which has several advantages. The child is isolated from the home environment and is free from pressures from parents and family to earn.

As a means of elimination of child labour, it is definitely better than day school concept.

Again in Markapur, unlike other projects, no monitory incentive in the shape of stipend is paid to children to study in the school, whether in the residential or day school. The government of India had included stipend as part of the special school pattern with the best
intension. But it has been found that in some places the parents, lured by the money, often take their children out of regular school and send them to work, such that they can admit them in special schools at a later date. Hence, the stipend is found to be counter productive. The existence of stipend in special schools might discourage the enrolment and retention in regular and formal schools. The special schools has good vocational training program. It has a good nutritious food and health checkup facilities.\(^{\text{20}}\)

**Prominent Causes Contributing to Child Labour:**

1) **Perceptions, Beliefs and attitudes:**

Parent perceptions and social attitudes have profound influence on the problem of child labour existence. Because of insufficient awareness of its consequences, child labour is deeply ingrained in local customs and habits that the parent and children themselves do not realize that it is an illegal and against the future of the children.

2) **Parental illiteracy:**

Literacy of the parents is one of the major contribution factors for the child labour. Parental literacy and more important, the literacy of mother has direct link to the incidence of child labour. What ever may be the poor condition of the family if the parents are educated, they

\(^{\text{20}}\) NCLP, Rayavaram, Markapur—Sensitization program on child labour problem- Office of the district collector, Prakasam district.
will tend to send their children to school and afford minimum education, so that the child can lead an enlightened life.

3) Family occupation and piece rate wages:

 Certain areas and certain families have a tradition of children following the parent’s foot steps. If the parents are engaged in hazardous occupation it is likely that children will be caught up in the same occupation. Family occupation pulls children in to the arts and crafts of the family. Certain families believe that if the Children are trained from early childhood in their own crafts, they will be able to stand on their own feet by the time they attain adult-hood. In industry and occupation, where payment is a piece rate basis, children are frequently called upon to help other members of the family.

4) Cultural Practices:

 Certain deep rooted social practices and customs are associated with the caste Hindus in Indian Society. The social fabric is developed in such a way that some employments are inherited as caste specific in India. Taking the state Andhra Pradesh as an example, a Brahmin family (a caste sect in Andhra Pradesh), however poor they may be, doesn’t wish to send their children to work as labour but send them for conducting and guiding ceremonies and celebrations which is their family tradition. Where as a family from back ward class, though not in absolute or not in any necessity of having earning of the children to sustain the family, send their children to work as a matter of routine.
It indicates that employment of children is also closely associated with the caste groups and the experience reveals that most of the child labourers are from backward classes, scheduled castes and scheduled tribes. If somebody feels that child labour in such families is due to poverty, it is a serious mistake of understanding the circumstances in which the families exist.

5) Gender Bias:

The distinction based on sex is highly prevalent in Indian society. The value for girl child is very low in certain families and parents feel that no useful purpose would be served, if the girl child is educated. Therefore they send boys to the school and fix up the girl child to household work and other works.

6) Family size:

Large families are another reason for child labour. The illiterate and ignorant parents who are caught in the vicious cycle of poverty, illiteracy, less income, low capacity to bring up the children, see every child as another earning member and prefer to put the child to work as soon as he / she can walk freely. The population explosion at macro level is therefore responsible for child labour.

7) Parental habits:

Parental habits aren’t far from the reasons for child labour. Several studies have revealed that bad habits of the parents, mostly of
the father of the children put the children to work. Alcoholism is one of the main reasons which push children into labour market. Injury of adult earning member in the family is often the root cause of child labour.

8) Demand factors:

The children are in demand due to following factors. They are docile and less troublesome, less aware of their rights, greater willingness to do repetitive, monotonous work, more trustworthy and innocent, so less likely to cheat, do not form unions or do not participate in trade union activities, they are less expensive. The family will insist on the employment of children also along with them, if the elders have to work.

9) Most children work because their families are poor and their labour is necessary for their survival. Discrimination on ground including gender, race or religion also plays its part in why some children work.

Children are often employed because when compared to adults they are more vulnerable, cheaper to hire and less likely to demand higher wages or better working conditions. Some employers falsely agree that children are particularly suited to certain types of work because of their small size fingers and nimble fingers.

For many children school is not an option. Education can be expensive. Some parents feel that what their children learn is irrelevant to the realities of their every day lives and future. In many
cases school is not accessible and lesions are not taught in the language understandable to the children. Some times the poverty is the cause of child labour. Many working children do not have the opportunity to go to school.

They often grow up to be unskilled adults trapped in poorly paid jobs. Inturn they will look to their own children as a source of supplementary income to the families.21

**Effect of Child labour on childhood:**

Employment from early childhood affects the health and psyche of the children and consequently affects their future earnings. It increases the risk of contacting chronic occupational diseases. Evidence suggests that early involvement of children in hazardous jobs have drastic effect on productivity in future. Due to long association with certain repetitive, monotonous and hazardous jobs, the children become unsuitable to carry out any job by the time they attain the age of thirty five to forty years (middle age). Mostly the symptoms of muscular, chest abdominal pain, headache, dizziness, respiratory infections, and diarrhea and worm infections are found with child workers.

Impaired Physical growth:--As the children differ biologically from adults in their anatomical, physiological and psychological

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21 National Institute of rural Development: Elimination of child labour, resource material, workshop at NIRD, Rajendranagar, Hyderabad (pp.5-10).
characteristics, the impact of the occupational diseases on children pursuing the same jobs as adults will be devastating children undertaking heavy work, carrying heavy loads and maintaining awkward body positions for a long time, can develop deformation of the spinal column and some times of the pelvis because excessive stress may be placed on the bones before the epiphysis has fused-of and may result in skeletal damage or impaired growth. W.H.O reports indicate that working children suffer significant growth defects compared with children in schools. They grow up shorter and lighter and their body size continuous to be smaller even in adulthood.

Premature ageing and low self Esteem: The child labour suffers with psychological stress, symptoms of with-drawl and regression, premature ageing, depression and low self esteem. The girl child labour will face social rejection, psychological trauma and unwanted motherhood due to early marriages. Child marriages are common in mine workers. Even the girls are addicted for alcoholism.

Long range consequences: The moral, psychological intellectual and social development of these children is hampered because they are deprived of their basic rights to education, recreation, love, affection and protection. It is believed that repression of the normal impulses and desires may lead to aggression and violence in extreme situations.
Neurotic tendencies among working children have been reported due to cumulative fatigue, so also delinquency as a phase of adolescent instability is considered as a result of monotony at work.  

Child labour is violation of Human rights: Child labour in India is a socio-economic phenomenon arising essentially due of poverty and lack of development. Intensive measures are being undertaken to eliminate child labour in India. The right of children is one point, on which the National Human Rights Commission is focusing continuously ever since it was constituted by the act 1993. It is observed from the very beginning that despite there being major provisions in the constitution of India for survival, development and protection of children as well as laws to safeguard their interests, there is still a child labour existing in many areas.

Children, instead of being nurtured with home and care, are being forced to work to earn their livelihood and are deprived of their basic rights. Childhood is a time for playing, learning and enjoying a carefree life. It is not meant for shouldering the responsibility of earning a livelihood. But a sad and hard reality is that children are forced by circumstances and most often by their own parents to work and earn not only to sustain themselves but also the other family members. This tendency of family ruins the life of children by restricting their prospects.

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22 Ramdas S- Bonded Child labour and their Victimization an, overview- Working paper Sundarnar University, Tamil Nadu-1987 (P-6).
of education, proper development and growth and ultimately harming their prosperity and progress for all times to come.

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**CHILD LABOUR AND EDUCATION POLICY IN INDIA:**

According to government the number of working children are estimated at 18.17 million in 1990 and will be 20.15 million in year 2000 and will increase further. These are estimates and assumptions. However there are more estimates such as operation research group in a study sponsored by labour ministry reveal that about 44 million children in five to fourteen years age groups are in the labour force. The subsequent estimates put it as 114 million.

Legal frame work: The child labour (Prohibition and Regulation) Act 1986, itself talks more of regulation than prohibition of child labour. Child labour is prohibited only in certain sectors (Part A and part B of the schedule) laid down under the act which provides for regulation in certain other areas. At the same time there is a provision

which lays down that “nothing in this section shall apply to any workshop where in any process is carried on by the occupier with the aid of his family or to any school established by, or receiving assistance or recognition from government”. This becomes a loop hole in the formulation of act. Analysis of data indicate that the number of prosecutions launched under this act and convictions obtained would clearly indicate that this act, despite of all its intentions, has achieved very little (by NCLP, Markapur). Even under the best of circumstances, an act of this nature cannot be implemented unless there is a demand for it from the affected parties i.e. the child or their parents. In this case, where the government itself has proceeded on the assumption that child labour cannot be eliminated and that certain forms of child labour are inevitable, it is even less likely to serve any purpose Action plans to eliminate child labour.

The legislative apparatus by itself is unlikely to yield results as legal action is only the first step in a process. However, the crucial aspect is the subsequent step in this process which involves constructive rehabilitation of the child who is withdrawn from work. According to Government, this is provided by second and third parts of the National policy relating to general developed program for benefiting child labour. But the comments on this are like this. “Firstly the size of the total resources for general development programs remained the same and they have always been so meager that a small fraction out of those negligible resources could never be meaningful. Secondly no
specific allocations were earmarked. No proportion or percentages were prescribed no weight-age for child labour mandated.

Because of this fact the action projects which were meant to be the testing ground for the implementation of the act and policy, have so far failed to yield any sizable worthwhile results. But government of India, instead of altering its approach, has brought out a fresh plan which is nothing but an extension of the earlier action plan. The new scheme once again concentrates on areas of high incidence of child labour, in hazardous laws occupations and involves withdrawing children from work, provision of training, education and rehabilitation. The scheme, however, in no way answers the questions posed due to failure of the first action plan. This is due to consequence of the government’s preoccupation with only a part of the child labour force and its restricted definition of what constitutes child labour. Any comprehensive plan of action would have to cover entire range of working children without making artificial differentiation between those in hazardous occupations and in other works.\(^{24}\)

**Non-Formal Education (NFE):**

A related area which strongly influenced by the above consumptions regarding child labour is that of education. The new education policy which was to be closely coordinated with the child

labour policy incorporated a major effort to bring drop-outs and non-enrolled children into the education system through non-formal education (NFE). It was proposed as an alternative to the formal education stream as it was argued that improving the facilities of primary schools would do little to help the poor who dropped out, whereas the system of non-formal education was targeted to meet the needs of the working children. The NFE is supposed to have a flexible curriculum according to the needs of working children and youth. Classes are to be held at hours taking into account the children’s work schedule. Thus given the fact that the poor have to send their children to work, the NFE provides a convenient framework of education which does not interfere with the child’s work. In the context of article 32 what the NFE has done is that, in providing a solution to the problem of child labour interfering with the child’s education, it has provided a system of child education which does not interfere with child labour.

An alternative Strategy is educating children.

Despite sustained criticism of government policies from several quarters and their consistent failure to provide any solution to the problem of child labour there has been no effort on the part of the govt. to modify its approach or to change the policies. In fact policy makers have gone on a step further and announced a further plan to eliminate child labour by 2000 AD on the same line as the earlier action plans. As long as these assumptions are held valid, the policies and strategies
will continue to remain the same. It is only when they are abandoned and the problem is observed from different viewpoint, that of the parent and the child, that a new strategy will emerge. The starting point of any strategy dealing with the issue of child labour cannot lie with children engaged in hazardous occupation alone. While this section of children does constitute the most glaring example of the failure of our child labour and education policies, they too are only results of a larger phenomenon taking place in the country side. Illiteracy exists in families engaged in agricultural work and we can not afford to ignore this fact. Further, a significant proportion of even those children engaged in hazardous occupations in the urban areas belongs to families who have migrated from the rural areas. With a large number of working children available in the several areas, any attempt to deal with the problem of child labour only in specific industries and areas of concentration can at best yield marginal results.

In the long run it is the rural areas and in particular the agricultural sector to which we have to ultimately turn. In other wards what is essentially required is to adopt article 32 of the convention on the Rights of the child in its true spirit and recognize the fact that any non school going child is an exploited child.\(^{25}\)

In artificially categorizing some children as “mere” child workers instead of “exploited” child workers, it is often forgotten that it takes very

\(^{25}\) M.V.Foundation, (Shantha Sinha, secretary)- Child labour and educational policy, Published by UNDP-2002. pp.3-4.
little to convert the former into the latter. Given this fact, any plan to deal with child labour has to deal with the ninety million non-school going children.

The government has consistently been referring to programs for providing education for all, raising budgetary allocations for education to six percent of GNP and elimination of child labour. What is required is a change in attitude in priorities rather than any radical change in the programs themselves. Many government policies are based on negative formulations, such as that parents are not willing to send the children to schools, complete elimination of child labour is not possible, the present school curriculum is not relevant and compulsory education is not possible. However the experience of M.V. Foundation (Hyderabad) shows that many poor parents are willing to send their children to school. Hence the first step to an alternative policy is to abandon the negative approach. Rather than trying to explain why children are sent to work instead of schools, one should try to understand why there are children being sent to schools, which without adequate infrastructure and just one teacher providing socially irrelevant education? Also it should be clearly understood that the poverty argument and the argument the child labour has a major role in the production process of an under developed economy is a purely static description of the position in the field.

Ultimately unless the government machinery and policy makers accept the fact that existence of child labour has much more to do with
the government's own inability to provide adequate infrastructure and to motivate parents through systematic extension work, than any desire on the part of parents to send their children to work, a solution to the problem cannot be found.

When it is accepted that there is a demand for education and parents, even poor parents, are willing to send their children to school, the onus of controlling child labour essentially shifts to the education policy and regulation through labour acts becomes less relevant. The education policy of the government is heavily weighted towards providing NFES which far from mitigating the problem of child labour actually condones it. The failure of the NFE program lies not in its faculty execution. In-fact, its greatest failure is in its assumption that working children cannot be withdrawn from work, and therefore, has to be given the benefit of education outside working hours.26

**The Formal Education System:**

The formal education system has often been described as being ill designated, not responsive to the needs of the working children, irrelevant in terms of converting children to socially productive elements and a poor alternative to children of families engaged in traditional crafts. It has been criticized as the ground of creating a mass of educated illiterates who are neither willing nor able to perform

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26 Rekha wazir-No to child labour, yes to education-MV.Foundation, Secunderabad-2004, p-11.
In terms of child labour, the formal education system has an advantage unmatched to other. Formal education especially in the first seven to ten years of school is meant to be of general nature, since children in the age group five to fourteen years are very rarely in position to pick up skills. This is why, vocational education and training additional crafts are quite irrelevant to this age group. In fact, master craftsmen themselves often ensure that their children are educated at least a minimum level before being put through training usually after the age of 14 years. A child coming from craftsmen’s family picks up the craft better because of the environment provided at home in terms of motivation and support than to training. However whether the child learns at house or in crafts school does not help the child in future.

Compulsory Education Law- The convention on the Rights of the child (CRC) by the UN general assembly provides that the child has the right to compulsory and free primary education. Legislation of this nature will compel the state to take action. The Bonded labour system abolition act 1976 (BLSA), for instance, has proved to be an extremely powerful weapon for institutions such as NGO to deal with the problem of bonded child labour, in the situation where state has not been prepared to take action. Hence this enables the state-end compels the
state to take action. A legislation to provide for compulsory education would be of immense significant and essential.27

WORST FORMS OF CHILD LABOUR:

The worst forms of child labour comprise all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage, including forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict. The worst forms of child labour are listed as below.

The use or procurement of children for prostitution, production of pornography or pornographic performances.

The use or procurement of children for illicit activities, in particular for the production and trafficking of drugs. Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children and work in hazardous conditions.

On 17th June 1999, a global consensus was reached to tackle and eliminate the worst forms of child labour. A new international human rights instrument, the worst forms of child labour convention no 182, was adopted by the International labour Organization (ILO) in Geneva. The convention targets the practices as mentioned above. It calls for

27 M.V.Foundation, (Shantha Sinha, secretary)- Child labour and educational policy.- Published by UNDP-2002. pp.8-10.
immediate and effective measures to secure their prohibition and elimination as a matter of urgency.\textsuperscript{28}

**HAZARDOUS PROCESSES, OCCUPATIONS:**

The hazardous processes are given below.

Beedi making, carpet weaving, including predatory and incidental process thereof, cement manufacture, including bagging of cement, cloth printing, dyeing and weaving, including processes preparatory and incidental thereto, manufacture of matches, explosives and fireworks, mica–cutting and splitting, shellac manufacture, soap manufacture, tanning wool cleaning, building and construction industry, manufacture of slate and slate pencils, (including packing), manufacture of products from agate, manufacturing processes using toxic metals and substances such as lead, mercury, manganese, chromium, cadmium, benzene, pesticides and asbestos, hazardous processes as defined in Section 2 (c. b) and dangerous operations as notified in rules made under section 87 of the factories act, 1948, cashew and cashew nut de-scaling and processing, soldering processes in electronic industries, agarbathi manufacturing, automobile repair and maintenance, including processes incidental thereto namely welding, lathe work, dent – beating and painting, brick kilns and roof tiles units, cotton ginning and processing and production of hosiery goods, detergent manufacturing, fabrication

workshops (ferrous and non-ferrous), gem – cutting and polishing, handling of chromate and manganese ores, jute textile manufacture and coir – making, lime kilns and manufacture of lime, lock – making, manufacturing processes having exposure to lead, such as primary and secondary smelting, welding and cutting of lead – painted metal, constructions, welding of galvanized or zinc silicate, polyvinyl chloride, mixing (by hand) of crystal glass mass, sanding or scrapping of lead paint, burning of lead in workshops, lead mining, plumbing, cable making, wire patenting, lead casting, type founding in printing shops. and lead glass blowing, manufacture of cement pipes, cement products and other related work, manufacturing of glass, glassware including bangles, florescent tubes, bulbs and other similar glass products., manufacture of dyes and dye stuff, manufacturing or handling of pesticides and insecticides, manufacturing or processing and handling of corrosive and toxic substances, metal cleaning and photo engraving and soldering processes in electronic industry, manufacturing or burning coal and coal briquettes, manufacturing of sports goods involving exposure to synthetic materials, chemicals and leather making, molding and processing of fiberglass and plastic, oil expelling and refinery, paper –making, potteries and ceramic industry, polishing, molding, cutting, welding and manufacture of brass goods in all forms, processes in agriculture where tractors, threshing and harvesting machines are used and chaff – cutting, saw mill (all Processes), sericulture processes, skinning, dyeing and processes for
manufacturing of leather and leather products, stone – breaking and stone – crushing, tobacco- processing, including manufacturing of tobacco, tobacco paste and handling of tobacco in any form, tire-making, repairing, re- treading and graphite beneficiation, utensils making polishing and metal buffing zeri making (all processes).

Hazardous Occupations are given as follows. Transport of passengers, goods or mail by railway, burnt coal cinder picking, clearing of an ash pit or building operations in the railway premises, work in a catering establishment or a railway station, involving the movement of a vendor or any other employee of the establishment from one platform to another or into or out of a moving train, work relating to the construction of a railway station or any other work where such work is done in close proximity to or between the railway lines, work within the limits of any air-port, work relating to selling of crackers and fireworks in shops with temporary licenses, automobile workshops and garages, foundries, handling of toxic or inflammable substances or explosives, handloom and power loom Industry, mines (underground and under water) and collieries, plastic units and fiberglass workshops.29