CHAPTER - VIII

FINDINGS AND SUGGESTIONS

INTRODUCTION

The term child labour is commonly interpreted in two different ways. First as an economic practice and second as a social evil. Article 24 of the Indian constitution defines child labour as an economic practice. According to this article, children below the age of 14 years are not to be employed in factories, mines or any other hazards occupation. According to this article, the work force working under the age 14 years in industrial or non-industrial occupation is known as 'child labour'. However it can be assumed that all children below the age of 5 years are too young to be engaged in any activity, even going to school. Therefore by subtracting the population aged 0-4 years from the population aged 0-14 years, one obtain population in the age group 5-14 years, which can be engaged in different activities as 'child labour'. The Operative Research Group (ORG) defines child labour as the one comprising "that child who is enumerated during the survey as a child within the 5 to 15 age bracket, and who is at remunerative work, may be paid or unpaid, and busy at any hour the day within or outside the family. Generally labour is defined as the one who offers work, manual or mental, for a price. Therefore, the labour, which is engaged without any price in return for its services, cannot be called labour in the economic sense of the term. But most of the child labour works without pay in family enterprises. The chairman of the United States National Child Labour Committee defines child labour as a social evil. He defines child labour as "any work by children that interferes with their full physical development, their opportunities for a
desirable minimum education or their needed recreation”. In the Indian case the definition of what constitutes a “worker” varies from census to census. The 1971 census defines a “worker” as a person whose main activity is participation in any economically productive work by physical and mental involvement. The definition includes children; those main activity has not been work, such as those working for only a few hours a day after school in any “economically productive activity”. Main workers are those who have worked for the major part of the year preceding the date of enumeration and whose main activity was either in cultivation or as agricultural labourers or in household industry or in any other work. Marginal workers are those who have done some work but cannot be classified as main workers.

While global discussion on the definition of child labour continue figures related to child labour in India from various sources show conclusively that child labour exists and remains a significant challenge, which needs to be addressed. Based on the definition of a worker as a person who is engaged in any economic activity, the census of 1991 and the 55th round (1999-2000) of the National Sample Survey Organization (NSSO) found that 5.4% and 4.1% of 5.14 years old children are “working” respectively. A comparable indicator from the Multiple Indicator Survey 2000 (MICS 2000) is the percentage of 5-14 year old children working for others, which is found to be 5.2 percent. However, the MICS 2000 collected various aspects of the working status of children, including those who work for others (for paid or unpaid and for how many hours), do household chores, (including number of hours per day) and do other economically productive work at home. Adopting a broader definition of child labour as “those who work for someone else, or engage in household chores for more than four hours a day, or do
economically productive work at home”, it is found that 14% of children aged 5-14 years are engaged in child labour. The extent of child labour varies among different population subgroups and states.

Regarding the education situation in India, there has been a significant increase in gross enrolment in primary schools, from 87.3 percent in 1991 to 95.7 percent in 2001. However, gender disparity remains. The gross enrollment ratio in 2001 is 104.9 percent for boys and 85.9 percent for girls (Department of Education, 2003). A number of factors have contributed to this rising enrollment including the introduction of mid-day meals, opening of alternate schools, active participation of Parent Teacher Associations (PTAs) and massive enrolment drives. According to MICS 2000, more than three fourth (77 percent) children in the age group of 5-14 years are currently attending school (74 percent rural and 86 percent urban), of which the percentage of boys (82 percent) is greater than girls (72 percent) It is difficult to give an accurate and precise estimate of child labour due to the predominance of informal and unorganized nature of the labour market. The problem of estimating the child labour force becomes all the more complicated and complex on account of multiplicity of concepts, modes of measurement, methods of research and sources of information for data collection.

However, recent experimental surveys by ILO Bureau of Statistics estimate that at least 120 million or more children between the ages of 5-14 years work full time in developing countries. This number rises to 250 million if secondary activities are also included. Of the total number of child labourers in the world, 61 per cent are found in Asia, 32 per cent in Africa and 7 per cent in Latin America (Massun, 1998). In 1980 almost 60 per cent of the child workers of Asia are in the countries of East Asia while South Asia's share was
about 30 per cent. But this situation changed in 1990 when globally child labour declined by 1.5 per cent in one decade.

India contributes to one-third of Asia’s child labour and one-fourth of the world’s working children. Out of every six working children of the world, one is from India (Subramanian, 2000). The percentage of child labour in 5-11 years of age group has been continuously declining since 1961. In 1961, it is 12.69 per cent of the total child population. The projected figures show child labour in 2001 in only 5.79 per cent of the child population falling in the age group of 5-11 years of age group in India.

This decline is true both in male child labour and female child workers. The percentage of non-workers is on the increase. Non-workers are further divided into two categories—full time students and no-where children. It is encouraging to note that since 1961 the percentage of full time students has been increasing. In 1961, it is 3.35 percent and the projected figures for 2001 show that full time students are 56.92 percent of the child population.

A large number of children neither go to school nor do some work. These no-where children are 56.95 percent in 1961. This percentage has been declining. It comes down to 48.32 percent in 1991 while the projected figure for 2001 is 49.60 percent. Hence the trend analysis shows that in 2001 the child labour has declined in absolute and percentage in the year 2001 (Census, 2001).

Thus, why the child labour is supplied in the labour market is the main question to be investigated. A number of factors can give the answer of this question. They are generally classified into three parts: 1. Economic factors 2. Educational factors 3. Social factors.
There are many economic reasons responsible for the prevalence of child labour. Because child labour is essentially a problem of poor and destitute families, who have no option but to send the child for work in order to keep the wolf away from the door. Child labour is rooted in poverty, more so in India where nearly thirty percent of the world's poor live (Jayanthi, 2003). The income accruing from child labour may be a pittance but it plays a crucial role in saving the families from virtual starvation. A household sends its children to work in order to augment household income and to manage better the income risk they face. Child labour can be part of a strategy to minimize the risk of interruption of a household's income stream and hence to reduce the potential impact of joblessness by a family member, of a failed harvest etc. (Cain and Mozumdar, 1980). Another cause of child labour, which is as causative as poverty, is the inadequacy of social security measures for workers in the un-organized sector, especially in rural areas. One of the major reasons of child labour can be the present educational system. One can look at education from many points of view; and individual wants to develop personality, attitudes, social confidence, habits, learning skills, capacities etc. No doubt it is the principal means by which the group influences the individual to behave according to patterns, which are socially approved. But in the recent years there has been a great deal of controversy as to whether it is adequately meeting the needs of the country. Today there are many who question whether we are spending enough money on education in relation to our needs and resources, whether we are providing the right kind of education or whether we are maintaining adequate standards of quality. Common observation records that all the educated children are not well-placed and good citizens. And all the illiterate people are not badly placed and bad citizens. Education aimed at developing a man's personality, may turn out to be an
instrument of frustration, if it cannot help him to earn a living (Reserve Bank of India Bulletin, 1980). Studying and learning can open many doors, raise the child's hope for future, but can also be worse if they do not guarantee employment. On the other hand, if we observe the children engaged in income earning activities at home/family based enterprises it can be noticed that through almost unconscious observation, association and imitation, they learn the role they will be called upon to play as adults.

Broadly speaking, the extent and the nature of child labour are determined by the structure of the economy and the level and pace of development of a society. But, to some extent, the notion of child labour is also rooted in the traditions and attitudes of the society, where it is practiced. In a tradition-ridden society like India, there may be socio-cultural compulsions like a feudal pattern of values and attitudes towards children, migration and urbanization, premature freedom and child delinquency etc. Indian society continues to be predominantly agrarian in character and agriculture continues to be the main source of livelihood for a major section of our rural labour. During the peak sowing and harvesting seasons there is tremendous demand for labour. In order to earn the maximum possible income almost every rural labour household mobilizes the entire family force including children while during slack season children are promoted by parents to do light agricultural jobs (Ramachandram, 1991). The second main reason is population. The number of children employed is directly proportional to the progressive increase in population. Any increase in the population is likely to increase the supply of child labour in a poor country like India where majority of parents cannot afford to rear a child from their own resources. The third reason is when the poor families migrate to the cities in search of wage employment. Children of such
families increase the strength of child labour in urban centers. Child labour participation also depends upon parental attitude towards work and their perceptions about the economic value, cost and aspiration for children. Their own socio-economic background, in turn, shapes parental attitudes and perception. By and large, such parents had extremely poor socio-economic background. Consequently, they do not have high aspirations for their children and continue to stick to the traditional beliefs. Because of all these reasons it is worthwhile to analyze the extent to which all or some of these reasons are responsible for child labour.

There is a series of legislative acts for limiting or restricting child labour. To see the efficiency of laws, there is a need to distinguish between the case where the law is not properly implemented, and one in which the law is implemented but its net effect on society is not desirable. An important policy question facing us is whether legislative intervention is desirable. Does it promote welfare when properly implemented? Basu and Van 1999 in their study distinguish between three kinds of laws: Intra National, Super-National and Extra-National, Intra-National laws consists of the laws that a country enacts and implements in order to control child labour within the national boundary. Super-National interventions are those attempted through international organizations such as ILO, WTO and UNICEF, which by establishing conventions and encouraging and cajoling nations to ratify them, have tried to curb child labour. When some developed countries consider legislation and other actions in their own countries, they are labeled as Extra-National (Basu, 1999). An Intra-National intervention deserves to be discussed separately. In India article 24 of the constitution warns that children below the age of fourteen years should not be employed in a factory, mine or any other hazardous occupation. Article 35 (E) urges that the tender age of children ought not to be abused and argues against being given such work that is not suited
to their age, strength or sex for sheer economic need. Article 35(F) makes it mandatory for the states to try to provide free and compulsory education to all children below the age of fourteen years. The Child Labour Act, 1986 lays down punishment for one-year with or without a fine of Rs.2000/- for first offenders, the employers of children. But who is going to take the offenders to court? Would they be the children or their parents? In debating policy questions, in particular the use of compulsive measures, such as legal bans and compulsory education, it has to be kept in mind that for a child to work is not the worst thing that can happen. So when we stop child labour there must be reason to believe that this will not make the children worse off, for instance, by causing starvation or bodily harm (Basu 1999). Even if legal intervention in the child labour market is found to be undesirable, this does not mean the government should sit back and wait for natural economic growth to gradually remove children from the labour market. To sum up, bans are a powerful instrument but by no means unequivocally desirable. According to Basu and Van study, one has to be very careful about the empirical context before using any instrument. If there is multiple equilibrium, in the labour market, a ban is a benign policy intervention and worthwhile. But if the market has single equilibrium, which is likely to be the case for very poor countries, then a ban can worsen the condition of the labour households. Partial bans are especially likely to backfire and cause deterioration in labour conditions. Because of all these reasons, it is worthwhile to analyze all these conditions and suggest the alternatives, which can result in improvement in their condition. Keeping in view the above scenario, the present study entitled "Child Labour in The Informal Sector in the Urban Areas of Haryana" is undertaken with the following specific objectives.

- To examine the various dimension of the phenomenon of child labour with some historical background to get insight in to the causes, nature, magnitude and seriousness of the problem.
To assess as to how for the existing laws are adequate to eradicate child labour and to assess their viability in present context.

To discuss: (1) the various efforts made by the national and international agencies to eradicate the problem of child labour; and (2) to assess as to what extent they have been successful in eradiating this problem.

To analyze the socio-economic factors responsible for the prevalence of child labour in Haryana state of India with emphasis on the role of the existing education system in this direction.

To examine: (a) the self perceived satisfaction of the working children; and (b) the nature and type of association between working conditions and satisfaction level of the working children.

To suggest policy measures and alternatives which follow from the findings of the study to improve the welfare of the working children.

The study is conducted in Ambala City, Ambala Cantt and Yamuna Nagar of Haryana state as the researcher is familiar of these areas. The study is based on 300 working children working in the informal sectors such as construction, hawkering, servants at shops & houses, family business, motor marketing and factories. The data regarding socio-economic background, socio-economic factors responsible for child labour, working conditions and legislation regarding child labour was collected on a specially constructed pre-tested questionnaire through personal interview method. The data was then analyzed by applying various statistical techniques and presented in a tabular form for the study.
Considering the present situation of the problem of child labour, much more needs to be done in order to improve the condition of child labour. It is a complex socio-economic demographic phenomenon, which can be reduced and eliminated by multiplication of actions, both by the government and public, at social as well as individual levels. The salient findings of the study are as under:

**SALIENT FINDINGS OF THE STUDY**

1. The study revealed that 45 percent of the sampled child workers were in the age group of 10-12 years, 38.00 percent in the age group of 13-15 years, only 17.00 percent in 7-9 years of age joined the labour force. The minimum age at which they joined the labour force was 7 years. Thus, 10-12 years of age emerged as a model age of child labour. This is pitiable to note that the children had to work with tools in their hands at age when their hands should grip books and pens.

2. Parents in poor families also had an opinion that more hands mean more earnings. They thought that a child earns more than what the parents had to spend on their bringing up.

3. Educational conditions highlight that majority of working children had no school for their childhood. It was because of failure of the concept of free, compulsory elementary education to the children.

4. The working children did the work in order to get some better than worse jobs in factory and to work better for the family business.
5. Being poor in studies or having no interest in school was emerged as another important reason for not attending school.

6. The reason for not attending school was mainly related to the approach towards schooling and affordability of parents for schooling.

7. Few of them prefer the combination of work and study. Majority of them like no combination during work.

8. Business family can only propose an environment of studying. As the children belonging to the family may give better service to the family business after acquiring higher level of education.

9. Children who have not crossed 9 years of age may be studying. After this, their eligibility for attending school may have gone out or they might be involved in such working conditions that they do not find books in their hands, which are full of tools and implements.

10. Majority of them wanted to get education in place of doing work in their childhood and few did not wanted to study, this might be due to the family environment being adverse for study.

11. Lack of better educational provisions was one of the major causes of child labour.

12. Poor were forced by circumstances to attend free government or local authority schools of poor quality.

13. Good education, instead of being available to all children, or at least to all the able children from every stratum of society, was available only to a small minority which usually selected not on
the basis of talent but on the basis of talent but on the basis of its capacity to pay the fees.

14. Poverty, illiteracy and child labour have a significant correlation with each other and are integrated in the vicious cycle of life.

15. Improved economic conditions would automatically remove child labour by improving the literacy rate.

16. None was reported to be performing his duty in formal offices. This shows that the workplaces for working children are not environment friendly.

17. Except in family businesses, working children had to work beyond their capacity and stamina. That is a black mark on the society, which is said to be democratic and developing one.

18. Majority of them worked as permanent workers on a regular basis. This may be due to the skill-based work in this informal sector, which needs regular work by skilled persons.

19. Most of them gave all earnings to their parents. This showed that they had to work for others and under compelling conditions.

20. It could be inferred that the working conditions of the working children in the different informal sectors were poor. They have no benefit of holidays, sick leave, social securities and transport. Their wages are also very low. But they are satisfied only in the context that they were getting skills, which may help them to start their independent work in future.
Suggestions:

1. **Increment in income of parents**: The income of the parents should be enough to maintain minimum standard of living, enabling them to provide education to their children. This can be done by giving them assured employment.

2. **Eradication of poverty**: Poverty emerged as the major reason for child labour. The government should take remedial measures to eradicate poverty. Special efforts should be made especially for the population below poverty line.

3. **Improvement in educational system**: Illiteracy has become one of the major reasons for child labour. The concept of free education needs to be reviewed in its real sense so that children may get free education in terms of free of each and every cost involved in getting education. This cost includes fees, books, stationery, transportation, uniform, meals, etc. The quality of education may also be improved. Vocationalization should be a part of the education in order to provide technical skills to the children so that they may get better jobs after acquiring the minimum required educational level. This is also necessary to balance the cost of education of a child and the returns from child labour.

4. **Social Campaign**: There should be social campaigns against child labour, encouraging the parents to send their children to school. The non-government organizations may perform a significant role in this direction. These campaigns may include awareness camps, seminars, and workshops with the help of local governing bodies. Gender bias in education by the parents
may be one of agendas of the social campaign. Political leaders should become the model in this regard.

5. **Law Enforcement:** The already prevailing laws against child labour need effective implementation. For this purpose the enforcement forces should made more active, vigilant and operational. This may be done by reorganizing its structure and enacting more anti-child labour effective laws.

**Suggestions for future studies**

On the basis of the present study, suggestions can be made regarding future studies.

1. The findings of the present study make it evident that there are several practical complication in the process of estimation of child labour, so city based empirical analysis of the extent of child labour is needed.

2. Primary investigation for estimating the ‘invisible’ child labour is needed for complete and accurate data on child labour.

3. Conceptual and methodological limitation in data collection have created a category of children who are neither at school nor at work, termed as ‘no where children’. A close scrutiny reveals that those deprived children are often engaged in forms of productive work that are not counted as economic activity by formal data collection efforts or in the society’s stigmatized forms of occupations and tend to go unreported.

4. In order to shape a secured and healthy future for our nation Inter state comparative studies on extent and nature of child labour.
5. In addition, for tackling child labour in the agricultural sector and its allied activities, suitable land reforms are necessary so that the families of working children are able to sustain themselves.

6. In a new climate of openness, many countries are undertaking comprehensive surveys to investigate child labour. National Government in association with international organizations adopt various approaches to assess the nature and extent of child labour. Other related agencies like Non-Governmental Organizations (NGOs), also contribute in collecting data about child labour through a range of studies. So it very important to evaluate the role different NGOs towards eradication of child labour.

7. The government spends significantly on the education of children on the hand and also increases a large amount of expenditure on the implementation of anti-child labour policies. Even then existence of child labour is three. So it very important to evaluate the role of the government machinery in eradication of child labour.

8. In most countries there are laws that place restrictions on child labour, thus it is natural for the guardians and employers to hide the information of ‘illegal’ work. So primary data based studies on the opinions of parents and children regarding different aspects of child labour.

9. Majority of working children belonged to the unorganized sector. Most unorganized sectors are private sectors. So it is very important to find out role of private sector in encouraging the child labour.