CHAPTER VIII

CONCLUSION AND SUGGESTIONS
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Children are supremely Nations important asset. Their nurture is nations responsibility and programmes concerning their welfare should have a prominent place in the national plan for the development of human resources. Children are the future hope of the country or society. Their protection, care and nursing should therefore, be the concern not only of their parents but also of society and the state. The children's charter provides "for every child a community which recognises and plans for his needs, protects him against physical dangers, moral hazards and diseases, provides him with safe and wholesome places for play and recreation and makes provisions for his cultural and social needs". It further provides "for every child protection against labour that obstructs growth either physical or mental, that limits education, deprives children of the right of comradeship of play and of joy". In addition it states that "there should be a district, country or a community organization for health, education and welfare; this should include full time public welfare services for the relief, aid and guidance of children in social need". Our constitution also protects children against any form of discrimination under the category of fundamental rights. But irony is that these future hopes i.e., the tender aged children are
employed and exploited for mere survival. They are exploited and maltreated at a time when they have to be trained in schools and looked after very comfortably.

Child labour is a curse. It is neither a new phenomena nor special to India. It is an age old and global problem. It has existed in all the ages with varying degrees and magnitude. In earlier times children were engaged in works in families, doing agricultural jobs and domestic chores. They were either required to help their parents in domestic work, grazing Cattle and farming or earning for their parents in the labour market. With the advent of modern industrialism there came a tendency among the employers to have great profits at low costs. Hence resulting in the child employment in large numbers in factories which still is a continuing process inspite of certain legislative laws regarding their age, hours of work etc.

Child labour, in recent past, has evoked deep concern among all especially after proclaiming the year 1979 as the International year of the child by United Nations General Assembly. Due to child labour laws there has been a great change in the nature of employment of children. Earlier children were engaged in all factories but now the incidence of child labour is much in unorganised sector. This is due to the prohibition put by the legislative enactments on their
employment in organised sector. The factories were converted in small units which do not come under the purview of legislations.

Carpet industry is one of the sectors where child labour is present in bulk. With the introduction of factories Act, 1948, which regulated working conditions and prohibited child employment in factories, resulted in a radical reorganisation of production and work in the carpet industry. Work that was previously carried out in factories was subsequently subcontracted to small firms and cottage based production units that were excluded from the scope of labour legislations. This resulted in the proliferation of small family enterprises and the continued illegal employment of child labour in this industry. Children engaged in this industry are being exploited ruthlessly with no one to bother. The present study presents a detailed analysis of the problems faced by children in the Carpet weaving industry of Kashmir. The sample study conducted brings forth the causes of child labour among other things and the problems they face in work places. Major findings of the study are concluded as under.

Mostly the children working in Carpet Industry are from Muslim Community and in the age group of 6-12 years. The incidence of child labour is much higher in rural areas.
These children are forced by a number of factors to enter the labour force.

CAUSES OF CHILD LABOUR

The causes and factors which force the children to take to Carpet weaving in Kashmir are reproduced as under

1. Low Family Income

Poverty and low family income of the child workers is one of the major factors which forces the children to take to Carpet weaving. Mostly child workers belong to low socio-economic section of the society. The sampled children reported that they are sent to work by their parents in order to earn and supplement the family income. It was found that 68.67 of the respondents were having a monthly family income of less than Rs.1000/- which is not sufficient to meet the expenses. So they were compelled to work so that they can earn and add to the family income.

2. Illiteracy of parents

Another major reason for the presence of child labour is found to be the illiteracy of parents. Majority of the parents of respondents were illiterate and were not aware of the fair and foul of the work. The parents are satisfied that their children are earning something and helping the family. During the study it was observed that parents of only 21 per
cent of the sampled child workers are literate and of the rest 79 per cent are illiterate.

3. Traditional Occupation

Another reason of child labour is found to be a feeling that the craft should be transferred from one generation to another in the family. It is an age old tradition in some families that they engage their own children in the occupation so that the craft secrets are not lost. But now this tradition is loosing its importance. 47 per cent of the respondents had taken the job due to this reason as their fathers were also working in the same craft and the rest 53 per cent were fresh to the occupation.

4. Defective Educational System And Bleak Employment Opportunities

Some parents as well as the child workers reported that the educational system is so defective that it is unable to fulfil the needs. There is no vocational training for children in the schools which can help them to take a job in future. The lack of teachers and other facilities in schools is also a major factor for the presence of child labour. Parents of some child workers reported that nowadays the schools generally remain closed due to hartals and curfew.
The unemployment of educated youth also detters the parents from sending their children to schools. They categorically state that there is no value and use of formal education as a large number of educated youth are unable to find any job. Now they are at a point when they can not work as labourers. So it is better to learn the craft in an early age so that they can earn something though a little wage. Besides the children gain proficiency in the craft. They know that they have to work today as well as tomorrow. It was further stated by some of the parents that due to prevailing situations in the valley when schools remain closed most of the time, children who had joined schools earlier also roam in the streets. So, it is better to put them to job so that they may not roam in streets and become vagabonds but can sit inside. They, on one hand learn the craft, earn something and at the other remain safe.

5. Cheapness of Child labour:

Children are preferred in the employment in Carpet Industry due to cheapness. This is the main cause of the prevalence of child labour in Carpet Industry. These are paid low wages for more work. An adult paid Rs.30-35 for a work for which a child worker is paid Rs.10-15 per day. It is further found that children being uncomplained are preferred as they are made to work for more hours and are inturn paid
very low wages. The children are also preferred because they have low bargaining powers and thus can be exploited to any extent. This ensures the employers a high profit margin and low investment.

These are the main reasons found responsible for the presence of child labour in Carpet Industry of Kashmir. Apart from these, there are certain other reasons also e.g. death of the parents and the absence of adult wage earner. 30.33 per cent of the sample were forced to work due to this reason. These children being the orphans have no one to look after the family. So they have to take to job, earn livelihood for themselves as well as for the family. Thus it becomes clear from the above discussion that the poverty is not the lone cause of child labour in the Carpet industry of Kashmir but it is accompanied by other factors as well.

WORKING CONDITIONS

The working conditions of these children are miserable beyond expectations. These young children are exploited and maltreated for minor interests. The working conditions in the carpet industry of Kashmir as observed during the study are discussed below:

1. Low Wages:

Child workers are paid nominal wages. The work they are allotted is the same as that of adults but the wages are just
half of those paid to adults. These wages are insufficient even to meet the basic needs. For the first six months they are treated as learners and are paid not a single penny even though they work. The height of exploitation is that they are not paid the wages as settled as the employers keep with them some money from the wages as caution money so that the child worker can not change the employer. If other employer offers high wages, the child worker is not allowed to join his work place. As a matter of fact they are made to work as bonded labourers. The parents of these children are also paid some loans and are kept under heavy debts which they often are unable to pay back. Such child workers are at the disposal of the employers and are exploited according to their own will and choice.

The child workers do not get the facility of leave. Whenever they are unable to join the work due to any problem or eventuality, the wages for that day are deducted. Irony is that, as was found, that if the work remained off due to employers personal engagements and problems, even then they do not get the wages. There is no facility of paid weekly holidays and important festival holiday. They are paid only for the work day and no free paid day is offered.
2. Long hours of Work:

There are no fixed hours of work in Carpet Industry. Employers are free to fix the working hours according to their own will and choice. As a matter of fact these child workers have to work for at least 10-11 hours a day at a stretch. Irony is that they are not allowed to go outside just to talk to any one. It was found that they have to adopt a squatting position for hours together without any support for the back. They are not provided any rest period except the lunch break. After lunch they have to report immediately to work otherwise they are scolded and even beaten.

The child workers are made to work overtime even during night. When the Carpet is about to complete or when it is to be completed in a stipulated time, they are forced to work during night for which they are paid nominally. Some respondents reported that they inspite of the working overtime do not get anything for that. In short children's freedom and childhood is ceased and brutally abused.

3. Bad Work Place:

The looms are mostly located in the dark and dingy places where there is no proper arrangement of light and ventilation. The air always remains full of dust and wool fluff and the children were found working in this environment where there is no arrangement of sanitation also. In other
words the work by these children is carried out in unhygienic and polluted atmosphere.

4. Health Hazards:

Working in ill-ventilated and unhygienic environment has serious repercussions on the health of children. Sitting continuously in this environment leads to physical and mental strain which can lead to physiological and psychological deformities of the child. Sitting crouched with stomach muscles pressed, their appetite suffers. They remain anemic and suffer from constant colds due to inhaling dust and wool fluff. Common ailments take long to heal because of low body vitality. Children mostly suffer with weak eyesight, pain in legs and back, cough, respiratory problems, lung infection which in turn gets developed into tuberculosis. Oftenly they get cuts in fingers and hands. But inspite of all this, mostly child workers were found uncomplaining— they seemed resigned to their fate.

5. Maltreatment:

Child workers engaged in Carpet weaving are maltreated at the hands of both employers as well as senior workers. During the study majority of the sampled child workers complained of beating and scolding by the employer even for minor mistakes. They are made to do the menial types of jobs
which are unrelated to the skill. They are forced to work in
domestic chores, scrubbing the floor, cleaning the utensils,
fetching milk and other items. The senior workers also force
them to work for them. Bringing of tobacco, cigarettes and
other related items are the general jobs which these children
are made to work by senior workers. Only a few of the
respondents reported of sympathetic and good behaviour on the
part of employer and senior workers.

The child workers are the victims of exploitation at
the hands of both employers as well as senior workers. The
work load is also high and beyond the capacity which they are
enable to complete, but are forced to complete even if they
are tired.

6. Social Security And Medical Facilities

No social security measures are provided to the
families of working children. Social security schemes like
grant of welfare funds, bonus or any other financial
assistance is not provided to these children. Families of
these children have to depend on the earnings only and
noupliftment measure is taken either from Government or the
employers of these children.

Medical facilities are seldom available in the Carpet
Weaving units. No dispensary was found near the Carpet units.
Children do not get even first-aid at the time of any injury or accident. No medical compensation or leave is provided. Child workers when ever fell ill, purchase medicines from their own pocket and the employer does not pay for that. Irony is that the children are not provided paid medical leave for the days they remain ill and are not able to attend the work.

PERCEPTIONS AND ASPIRATIONS

During the study it was felt that children engaged in Carpet weaving have no interest in the job. Most of these child workers were working unwillingly as they were forced to do so. They are neither satisfied with their working conditions nor with their wages. The reasons mentioned are low wages for more work and the compulsions and restrictions during work. Majority of the child workers reported that they want to change their occupation but they are not in such position as they can do so only when their parents will permit them. In other words they are not free to choose their occupation. As a matter of fact they work there against their will and choice.

Aspirations of the child workers, as found during study, are high. They have a great desire for education as majority of the sampled child workers reported. They aspire a high standard of life after getting education. 70 per cent of
the sample aspired a high socio-economic status of life. Despite of high desires and aspirations, they can not fulfil them partly due to poverty and partly due to the vested interests of the employers. Only 30 per cent of the sample show low degree of aspirations. They liked to be in the standard which is not so high but still better than the present. Some reported to become Carpenters, some motor mechanics while a few wanted to continue the same occupation.

EFFECTS OF CHILD LABOUR

While work in childhood is a social good and a national gain, the conditions under which children have to seek employment just for their survival, is a social evil and a national loss. The employment of children in factories and establishments, where they are exploited in all possible ways at a time when they have to be trained in schools and looked after very comfortably, has a very demoralising effect on them and does incalculable harm to their future in that they never get the opportunity for formal vocational training and education and acquisition of skills which can help them in choosing a proper career when they grow into adults. Such employment in childhood out of sheer necessity in an environment of poverty and frustration damages the mental outlook of the children, who consequently turn out to be much less productive than what they would have been, had they been
able to get some kind of education and training in their childhood.

Child labour makes the children physically, psychologically and mentally ill. Long hours of work, late hours of night work, continuous sitting or use of single set of muscles, emphasis on the finer neuro-muscular coordinations with attendant nervous strain, indoor confinement in dusty and unhygienic atmosphere provide harmful conditions for the growing child peculiarly susceptible to certain deformities and diseases. Child labour not only disfavours general physical vigour and energy, it may aggravate defects and ailments.

The working children get a sense of inferiority as a result their mental growth retards. Children being the future hope when get ill and sick, the society suffers a great loss. As reported by majority of the child workers during study, the work in childhood for bare survival keeps them away from education and play, their freedom is arrested and they are not allowed to breath in a free atmosphere. As a matter of fact these children when kept in chains, can do nothing for future development effecting the overall development of the nation as well as of the country. When their physical and mental growth suffers, the nation on the whole loses a vast
potential of human resource. Child labour, thus represents premature expenditure rather than saving.

Child labour is as much the cause as consequence of adult unemployment and underemployment. It at once supplements and depresses the family income. Child labour is not only the subsidy to industry but a direct inducement to the payment of low wages to adult workers. The entrance of children into the labour market reduces the volume of adult employment at one hand and lowers their bargaining power at the other.

Child labour has grave effects on the education of the children. Leaving school and going to work is a major step in child's life. It involves breaking away from childhood dependencies and is accompanied by diverse external and internal compulsions. The lure of earning subsistence wages keep a good number of children away from the portals of learning and reading. Child labour in general promotes the illiteracy in the society. In addition to non-enrollments, the increasing number of dropouts enhances the illiteracy rate. The field survey also depicts this fact that 30 per cent of the respondents were school drop outs.

Repression of normal impulses, desires and powers of children at work, tends them towards delinquency in their hours of freedom seeking to have a good time or to exalt
their submerged and humiliated selves. The argument that employment of children increases the earnings of the family and keeps children away from mischief is misleading. It glosses over the fact that child labour deprives children of educational opportunities, minimizes their chances for vocational training, stunts their physical growth, hampers their intellectual development and by forcing them into the army of unskilled labourers or blind alley jobs, condemns them to low wages all their lives. To conclude child labour is economically unsound, psychologically disastrous and physically as well as morally dangerous and harmful.

SUGGESTIONS

The problem of child labour is more an economic scourge than a social evil. It is a symptom of underdevelopment and exists in all the developing countries. Child labour is one of the unacceptable facets of a much broader socio-economic and cultural situation rooted in poverty, backwardness and retrograde attitudes typical of underdevelopment. To save the children from falling an easy prey to the mechanisation of the greedy and selfish employers, the state Government, social agencies and other voluntary organisations have a big role to play. To combat it and at the same time to attack the circumstances that give rise to it, it will be necessary to take a number of concrete
measures. Accordingly following suggestions are hereby put forth which should go a long way in providing relief to this unfortunate and deprived section of the society.

1. Family welfare schemes should be introduced for the betterment and upliftment of the families who engage their children to work. Some incentives must be provided as an alternative to supplement their family income so that they may not send their children to work. Grant of allowances to low income families can help them to meet their expenses and hence they will send their children to schools rather than to work.

2. The Government should encourage cooperatives of weaving families by giving them loans, helping them in procuring raw materials and marketing so that they get out of the clutches of the big manufactures. The benefit then would reach the poor weaver who will send his children to school instead of putting them out to work at an early age.

3. Every school going boy should be given stipend along with one free nutritional meal. The stipend will some what offset the loss in income and the free meal will ensure healthy growth of the child. Free books and stationary should be provided so that the child does not become the burden on parents.
4. Legislations regarding the complete ban on employment of children in hazardous occupations must be accompanied by legislation regarding the better working conditions in non-hazardous jobs. The protective legislation must lay down construction of well ventilated and well lighted worksheds with better sanitation facilities. The place where the children sit should be made wider so that even in a crouched position, they must be slightly more comfortable.

5. The minimum hours of work should be fixed. This will keep away the employers from taking extra and more work from the tender aged children. The night work should be banned and day work should not exceed 4 1/2 hours a day.

6. The exporters who get a cash incentive from the government for Carpet export, should create a fund for improving the educational, nutritional and health care of the working children.

7. Child labour laws must be effectively implemented by making the implementing staff more powerful. Further the labour inspectors and all other concerned authorities should realise their duties and liabilities and they must work honestly. The sincerity of the law implementing staff can help a great way in doing away the evil of child labour.
8. The child work denies child the opportunity of education. Due to economic compulsions, it is not possible to put these children to day-time schools. Therefore evening schools should be opened where children can get education after the work. Further the government, the social organisations and the community may be inspired to intensify their efforts to realise the constitutional goal of making education compulsory upto the age of 14 years. A counselling cell may be attached to the schools in the areas where the incidence of child labour is high, to guide parents and motivate them to send their children to schools.

9. Children's health suffers because of long hours of work in unhygienic and unhealthy conditions. These children need special attention because a frail child will remain a frail adult. He will not have the physical strength to do laborious work; to survive he will send his child to work and this cycle will go on. Thus special medical centres dealing with occupational illness must be set up near the work sites so that the working children get frequent medical checkups and immediate medical treatment in case of accident and illness.
10. The wages are of greater significance to workers and thus should be in accordance with their needs and requirements. The legislators while fixing the wages must see that children do not get lesser wages as compared to adult workers for the same kind and amount of work. In addition to fixation of minimum wages, a minimum amount of stipend for the learners should also be prescribed.

11. Antipoverty schemes and programmes must be launched at large. These programmes will be a success only if there is a check on population growth. Population growth gives rise to poverty which in turn gives birth to child labour. Therefore, to do away the child labour, it is necessary to control the population growth. It is also necessary to provide adults with employment and minimum living conditions. The provisions of schemes that generate and enhance employment and income among adult workers is a necessary condition for the eradication of child labour.

12. Trade unions should be taken into confidence which can prove to be of greater help in this regard. Trade unions should themselves come forward and taken up the cause of child labour and gradually work towards the
abolition of this practice. They must realise that every child worker can be replaced by an adult worker and this will lead to increase in adult employment.

13. The persons and organisations (Non-governmental) already active and socially responsible individuals and entities should be contacted at first hand in order to seek their cooperation in combating the evil. Further it will be in the fitness of things if the child labour activitists organise themselves to ensure the welfare of child workers. The office bearers of such unions must be drawn from social reformers, doctors, legal experts, religious luminaries and the human rights advocates. Only such unions can earn better working conditions for the working children and protect them from the abuse of human rights by their employers.

14. Any programme of eradication of child labour must begin by conscientising the people about the rights of children. Dissimination of information on hazards faced by the working children and their exploitation may provoke quick reaction but what is needed is the awareness of children's plight in the large context of his right to childhood, growth and future.
Consciousness should be created in the minds of politicians, parents, labour contractors and employers about this abhorrent practice and the government should be persuaded to take suitable legal actions.

The conventions and recommendations are concentrated mainly in the minimum age for employment and conditions of work for child labour. However there is no instrument regarding social security for child labour. A child goes or is sent to work either because he or she has no one to look after him/her, or because his/her parents are not able to look after the child. In these circumstances, the only consequence of abolition of child labour without providing an alternative means of livelihood and education would be starvation and death. While the "declaration of the rights of the child" requires that the child be protected against all forms of neglect, cruelty and exploitation, the measures adopted by International labour organization, if strictly enforced without complementary measures are only likely to subject the child to greater neglect, cruelty and exploitation. It seems therefore necessary that before abolishing child labour the state should consider the need to provide an alternative means of livelihood to the children.

The phenomenon of child labour is so complex and deeply rooted in the socio-economic fabric of the society that it
may not be wise to rely on one single approach to dealing with it. The cause of the persistence of child labour include poverty and unemployment, the vested interests of employers, the inadequate educational system and a lack of awareness among parents and society in general about the implications of child labour for health and development. To treat poverty as the only cause of child labour would therefore be an oversimplification of the situation. There are several instances where families are not below the poverty line and still send their children to work. In other cases the contribution of children to family income is marginal, yet children are forced to work and are thereby deprived of education and good health. There are also cases of parents who are convinced that there is no use of sending their children to school on the ground that their employment prospects are not promising. They would prefer their children to learn a skill rather than receive an education.

The vast and complex nature of child labour problem implies the need for a multipronged approach, encompasses not only legislation and enforcement but also action in such areas as incomes and employment, formal and non-formal education, welfare and advocacy of children's rights. The recent evolution of public policy is a good step but it should go beyond the general level. It can be effective only
if it is accompanied by direct practical action focussed on child labour in specific industries, areas or occupations characterised by a high incidence of child workers or by extreme forms of exploitation and abusive practices.

The efforts of government can only be a success when collaborated with efforts of the non-governmental organizations. The non-governmental organizations can be effective in advocacy, organizing communities and implementing small projects. Government can focus on the establishment of a conducive legislative and policy climate, the provisions of universal compulsory education, increasing the access of poor households to employment and income and ensuring strict adherence to certain minimum labour standards such as the prohibition of work in hazardous occupations or activities and work before the completion of primary school education.

The child labour legislation is not an end in itself. It is only one of the means to attain a larger objective of abolition of child labour and the protection of working children. Labour legislation must be accompanied by a wide range of measures encompassing employment and income-generation and reforms and expansion in education if the problem of child labour is to be dealt-with fully. It is
indeed shocking that while billions of dollars are being
thrown for sophisticated arms, ammunitions, nuclear power
competitions, massive space explorations, a large percentage
of children in the developing world is still half-starved,
Clotheless and in perpetual plight, struggling for the bare
subsistence.