Chapter

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Introduction
CHAPTER I

Introduction

Children are the citizen of future era. They are assets of nation. The future of the nation depends on the proper caring and rearing of the children. If there is no proper growth of the children of today, the future of the country is dark. It is the obligation of every generation to bring up children who will be citizens of tomorrow, who will hold country’s banner high and maintain the prestige of the nation. If the child goes wrong for want of proper attention, training and guidance, it will indeed be a deficiency of the society and of the government. Hence, every society ought to devote full attention to ensure that children are properly cared for and brought up in a proper atmosphere where they could receive adequate training, education and guidance and in order that they may attain rightful place in society when they grow up. For the development of child in to full blown human being it is essential to create an exciting and stimulating environment that would gently help unfold infinite potential of child (both male and female), kindle his/her creative spark, nurture his/her worth and prepare for a world of challenges by ensuring a foundation of intellectual power and strong moral values. Love and affection, tolerance, brotherhood, humanism, the courage to bear life contingencies and to take up cudgels on behalf of under privileged must be the hall marks of our children.

The impact of modernization, industrialization and globalization, there has been a qualitative change in the structure and function of the institution i.e. family. The care and protection showered on him/her traditionally, has suffered erosion because of new constraints, and consequently, abuse and exploitation has become common. The plight of child has been further aggravated by the academic and entrenched poverty accumulated over centuries. UNICEF (2005) has long argued that the “children are often hardest hit by poverty. Since the best start in life-especially in the first few years, is critical to the physical, intellectual and emotional development of every individual, poverty in early
childhood can prove to be a life long handicap". Further, children living in poverty experience deprivation of the material, spiritual and emotional resources needed to survive, develop and thrive, leaving them unable to enjoy their rights, achieve their full potential or participate as full and equal members of society.

The foundation of the personality of a man is laid in the formative years of life. Childhood is a period of rapid growth and development and it is independent on the interaction of many factors, which operates both internally and externally. Any deficiency during this period may cause irreparable damage to the future development of the child and no amount of subsequent attention may really make up for this loss. Therefore, if no initiative is taken to protect the larger interest of children in this world, then probably the world as a whole has to pay a heavy price for it in future. Unless, this problem is tackled, the large mass of children will continue to suffer from exploitation and degradation. A 1995 report by the government appointed commission on Labour Standards and International Trade stated that child labour has been increasing at the rate of four percent a year in India.

The child labour continues to be the tragedy of our times. Child labour is an abuse which is universally condemned, but at the same time it is universally practiced. It is prevalent across the world, is essentially a third world phenomenon. In most developing countries today, children are not found in large firms, but work in small manufacturing enterprises as cheap ‘sweated’ labour often not for direct wage but for a ‘supplementary wage’ which goes to the parent worker. They are unorganized, with few dependents, no rights, a need for income, and vulnerable by their very nature, and also most readily exploited of all labour groups. Their low cost gives to the employer a potential

2. Ibid.
competitive advantage, both in domestic and export market. Although, it is through work that most children are exploited, the child labour does not feature very prominently on the priority list of governmental and non-governmental agencies. In fact, it was only during the International Year of the Child (IYC, 1979) that international attention became fully focused on the problem of child labour. Prior to IYC, child labour was considered a subject of national action and, through the International Labour Organization (ILO) international standards were attempted to be set and maintained.  

The problem of child labour came to be lime light when the World Trade Organization (WTO) protested against the child labour employment in the third world countries. BBC, through its telecasting a feature on child labour employment in carpet weaving caught the attention of the world. Senator Tom Harkin had introduced Child Deterrence Bill in American Senate on August 5, 1992 asking for a ban on importing goods produced by child labour. He also urged the U.S. President “to seek an agreement with other government to secure an international ban on trade in the products of child labour”. These days another campaign is to sell carpet without child labour is being co-ordinated in Germany by the Economic Workshop, a Church based centre in Heidelberg in south Germany. The marked difference is that Harkin’s Bill (now Act) prescribes outright rejection of products based on child labour and ‘Rugmark’ approach attempts towards achieving a mean between market compulsions and social obligations.

Child labour has suffered most brutal and unprecedented exploitation in western world in the early phase of industrialization. Today, it is almost non-

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existent in the developed countries of the world. However, it still persists in alarming proportions in the developing countries. In India, the problem by and large has lost its poignancy in the organized and public sector employment, but has assumed alarming proportion in the unorganized and unregulated sectors.\footnote{Sanon, S.C (1998) “Working Children: A Sociological Analysis”, APH, New Delhi, p-3.}

However; silk industry is one of such sectors where the employment of child labour is found in a large number. Silk industry of Azamgarh is largely concentrated in Mubarakpur town of the district. Silk industry here is essentially a cottage industry, where fabrics are woven on handloom only. The single weaver is the commonest unit working in the home on loom. There are small workshops having two or more looms whose owners employ weavers, give them dyed thread and pay on piece-rate basis. In household industry, the productions of silk fabrics are carried on with the help of all members of the family including children, both boys and girls. In the process of weaving, there is a master weaver at the loom assisted by a child called ‘\textit{doria}’ or helper. Apart from this, children are involved in other process of production as well depending upon age and experience. In the family units, girl children work in their own houses. They have to work long hours from morning to evening to earn more; there is no fix hour of work and rest intervals. No time for recreation and play, they are exposed to various types of health hazards which affect their physical and mental development. Beside, they are over burdened with domestic work like cooking, cleaning, washing, fetching water and fuel and looking after young siblings etc; and in the process they are being denied educational opportunities. Moreover, the work of girl children are regarded as invisible, unaccounted, unappreciated and under valued. Hence, they suffer exploitation in their own houses.

The employment of working children particularly in the unorganized industries has attracted attention of many commissions and committees e.g.

Despite several reflections of concern towards child labour in the country, a large number of children (both male and female) work under deplorable conditions. Their present is cruel and future is bleak. It is because of its impact on children, parents and families; it has been recognized as social evil. The commitments of Indian Constitution for the welfare of children are reflected in the chapters on the Fundamental Rights and the Directive Principles of State Policy. After independence, many constitutional provisions and legislative enactments have been made and suitably amended from time to time for prohibiting and regulating child labour. Articles 23, 24, 39 (e) and (f) and 45 are very explicit about protecting and safeguarding the interest of child. In pursuance to these constitutional mandate, the Government of India has adopted National Policy for Children, 1974 which states that “children shall be protected against neglect, cruelty and exploitation and that no child under 14 years shall be permitted to be engaged in any hazardous occupations or be made to undertake heavy work”.

Apart from these constitutional provisions, there are at least thirteen major enactments to control and regulate child labour existed in India. These enactments provide legal protection to children employed in various occupations. They are: The Children (Pledging of labour) Act, 1933; The employment of Children Act, 1938; The Factory Act, 1948; The Plantation of Labour Act, 1951; The Mines Act, 1952; The Merchant Shipping Act, 1958;

The Motor Transport Workers Act, 1961; The Apprentices Act, 1961; The Bidi and Cigar (Conditions of Employment) Act, 1966; The Minimum Wages Act, 1948; The Atomic Energy Act, 1962; The Contract Labour (Regulation and Employment) Act, 1970; The Shops and Establishment Acts of various States in India. In these Acts, adequate safeguards are provided to prevent exploitation of working children. These legislations mainly concentrate on four basic issues:

(i) minimum age of employment of children;
(ii) maximum period of work per day and forbidding work at night;
(iii) prohibition of certain types of work for children; and
(iv) medical examination of all working children.\(^{11}\)

In the context of child labour international commitment to weed out this evil practice is reflected in the series of various conventions adopted by ILO since its inception in 1919. Convention No.5 “Fixing Minimum Age for Employment” was first of them. Similarly, International Programme on Elimination of Child Labour (IPEC) is a recent global initiative of ILO launched in 1992 to support participating member countries in their national efforts to combat and eliminate child labour progressively, while simultaneously creating a world wide movement against it.

Despite, constitutional and legislative provisions; and the recommendations of ILO in its various conventions for the abolition of child labour in third world countries the problem of child labour not only persists but also perpetuates in unorganized sector/industries. Therefore, ILO and the government of India have recognized the problem of child labour as “harsh reality” caused by poverty and many other social-cultural and economic factors which are not only detrimental to the over all development of child but have grave consequences for the society as a whole.\(^{12}\) However, in recent past ILO


\(^{12}\) Supra note 6.
in its literature, and government of India in its latest Act e.g. The Child Labour (Prohibition and Regulation) Act, 1986 have favoured child labour as an interim measure before it can be abolished.

**Girl Child Labour: A Conceptual Framework**

Children of every family, social community and economic class do perform some work. However, mere work does not make a child worker. Conceptually, the working child is one, who before attaining certain specific age, physical and intellectual maturity, forced by vulnerable economic circumstances, engages himself/herself in work which jeopardizes his/her mental and physical growth and development. This concept is however, not very old. In the past, the concept of childhood was not given any importance because preparation of an individual child belonging to disadvantaged groups, for future responsibilities, in terms of education, was not as complex as it is today. Nor the exploitation process received any critical threat because of the sharp socio-economic divisions among people had virtually compartmentalized and sanctified it.\(^\text{13}\)

There is no universally accepted definition of working children. Various agencies have defined child labour in terms of work-types and age criterion. In fact, age is a universally accepted criterion. There are various Acts passed by the governments have defined child labour keeping minimum age criterion in consideration. But minimum age criterion differed from Act to Act and from work to work.\(^\text{15}\) Thus, the definition of child labour vary. They range from normative ones, based on specification of minimum age for employment, to education oriented definitions, which defines any child out of school as child labour or potential child labour; to right oriented definition which consider any


work that deprives children of their fundamental childhood rights as constitute child labour (UN, 1998).

The definition of child labour is not uniform all over the world. It has been defined differently by different organizations, agencies and countries. Even within the country, the definition of child labour may vary, so it is difficult to find out the precise definition of the term 'child labour'. However, Homer Falks, the Chairman of the United Nation’s Child Labour Commission, defined child labour as, “any work by children that interferes with their full physical development and their opportunities for desirable minimum level of education or their needed recreation”.\(^{16}\) According to World Labour Report, the term “child labour” implies something different, where young people are being exploited or overlooked or deprived of their rights to help for education of just to childhood.\(^{17}\) It is also seen as, children prone to accidents, often fatal, at work sites and children chained to looms in dark mills. Currently the term is used in a pejorative sense, suggesting hateful and exploitative.

According to V.V. Giri, former President of India, the term child labour is commonly interpreted in two different ways –the first, as an economic practice, and secondly, as social evil. In the first context, it signifies employment of children in gainful occupations with a view to adding income of children to that of family. It is in the second context, the term child labour is generally used. It is necessary to take into account the character of the job in which children are engaged, the hazards to which they are exposed and opportunities of development which they have been denied.\(^{18}\)

Child labour, generally means the employment of child and the extraction of the productivity for economic gain for another, with debilitating

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ramifications on the psychological and physical development of the child.\textsuperscript{19}

But according to the New Encyclopaedia Micropaedia,\textsuperscript{20} ‘child labour means an employment of children under a specified legal age’. Also, it is the use of to work to factory or other places of employment.\textsuperscript{21} So ‘child labour’ is the work performed by children that either endanger their health or work safety, interferes with or prevents their development.\textsuperscript{22} But it is defined more meaningfully by the United States Department of Labour as “the employment of boys and girls when they are too young to work for hire or when they are employed a job unsuitable or unsafe for children of their ages and under conditions injurious to their welfare”.\textsuperscript{23}

It is however, sure that children do not work always for wages. Children spend much of their time in household maintenance activities that is in helping parents or other adults’ members of the family in performing their traditional family occupation. As unpaid workers, they enter into these working arrangements by their own will to learn something which may help a lot to enter their livelihood as skilled workers in future. Child labour, is thus that segment of child population which participates in work either paid or unpaid.\textsuperscript{24} However, a more comprehensive definition, taking into account the consequences of child labour on children has been provided by the ILO, according to which, “child labour includes children prematurely leading adult lives, working long hours for low wages under conditions damaging to their health and to their physical and mental development, sometime separated from their families, frequently deprived of meaningful education and training opportunities that would open up for them a better future”.\textsuperscript{25}

\textsuperscript{22} The Encyclopaedia of Americana (1976) Vol.6, p-460.
\textsuperscript{23} Id at 461.
\textsuperscript{24} The Encyclopaedia of Social Works in India (1987) Vol.1.
When the business of wage earning or of participation in self or family supports conflict directly or indirectly with the business of growth and education, the result is child labour. A recent ILO report on child labour used the term ‘child labour’ to cover all economic activity carried out by persons less than fifteen years of age, regardless of their occupational status (wage earners, own-account workers, unpaid family workers etc.) but not household work performed by them in their parents’ home, except where such work can be assimilated to an economic activity as for example, when a child must devote his or her entire time to the work so that his or her parent can be employed outside the home and is, therefore, deprived of the possibility of going to school.

This includes children working in any sector, occupation or process, including the formal and non-formal, organized and unorganized, within or outside the family. Child labour also includes:

- Child labour in bondage;
- Child labour within and with families including domestic child labour;
- Girl child labour;
- Child labour separated from their families; and
- Child labour which is itiverant.

The term ‘child labour’ is often used synonymously with ‘Employed Child’ or ‘Working Child’. In this sense it is coextensive with any work done by child for gainful purposes. But more commonly it suggests something which is hateful and exploitative. Fyfe (1989) attempts to provide a distinction by differentiating between ‘child work’ and ‘child labour’, the former being seen as permissible and the latter as exploitative:

28. Campaign Against Child Labour (CACL) A network of 500 anti-child labour groups spread over twelve States in India.
clearly, not all work is bad for children. There is a little doubt that many children welcome the opportunity to work, seeing in it the site of passage to adulthood. Work can be a gradual initiation into adulthood and a positive element in the child's development. Work which does not detract from other essential activities for children, namely leisure, play and education, is not child labour. Child labour is a work which impairs the health and the development of children.

It is said that work as a direct fulfillment of child's natural abilities and creative potentialities is always conducive to his/her healthy growth. But work when taken up as a means for the fulfillment of some other needs becomes enslaving in nature and harmful in its impact. George in his book, "Child Labour and Child Work" has rightly pointed out the distinction between work and labour. He opines that children should be allowed to work, not labour in environments and conditions conducive to their growth and development.

Some experts say that the work which does not detract children from other essential activities such as leisure, play and education is not child labour. 'Child labour' is the work which involves some degree of exploitation in terms of physical, mental, economic and therefore, impairs the health and development of children. According to the Operation Research Group (ORG) Baroda, a working child is one who was enumerated during the survey as a child falling within the five to fifteen years age bracket and who at remunerative work, may be paid or unpaid, and busy in any hour of the day within outside the family. Another Bangalore-based organization named Concern for Working Children, has defined the children similarly as above.

32. 'The Concerned for Working Children', a Bangalore-based group, defines child labour as "a person who has not completed his/her 15th years of age and is working with or without wages income on part-time or full-time basis".
There are many circumstances in which it is perfectly reasonable for children to work. John Bowis, a government minister in the United Kingdom summarized this point of view as “suitable work undertaken by children in controlled circumstances can be beneficial, for instance by developing in them a sense of their own worth, by developing the discipline of handling money and forging working relationship, not least with people older than themselves”.  

Child labour, therefore, implies that children are exploited, overworked, and deprived of their right to health or to education or just to childhood. It also implies that the work they do is detrimental to their physical, social and emotional well-being. However, it is important to distinguish between the work that is beneficial and the work that is intolerable—and to recognize that much child labour falls into the grey areas between these two extremes. From the definitions discussed above, it emerges that there are two major indicators: (i) exploitation and (ii) age. In the context of exploitation UNICEF has given a very comprehensive definition of child labour;

- as Start full-time work at early age (e.g. starting at five years);
- Work too long or too many hours;
- Work that exerts excessive physical, social and psychological stress upon child as in the case of prostitution and pornography, work in sweet shops etc;
- Work and life on the streets in unhealthy and bad conditions;
- Work for too little pay or inadequate remunerations;
- Too much responsibilities placed on them and there is no time for leisure and recreation;
- Work that hampers access to education;

• Work that inhibits the child’s self-esteem as in bonded labour or slavery and sexual exploitation;
• Work as substitute for adult labour; and
• Work which are detrimental to full social and psychological development.\(^{35}\)

However, the use of ‘exploitation’ for identifying child labour creates practical problems because exploitation as a concept cannot be given a precise objective meaning. This lies in the eye of investigator. The investigator can only identify the extreme limits of work done by children. Thus, child labour is a subset of child work, which implies that all child labour can be termed as child work but not the other way round. Another concept, which needs to be clarified here, is ‘super-exploitation’ of children in wage and quasi-wage employment. This concept refers to exploitation over and above economic exploitation i.e. physical and mental exploitation which ultimately threatens the health, and overall development of children.\(^{36}\)

At the most destructive end the clear cases of child labour are super-exploitation i.e. children used as prostitute,\(^{37}\) bonded child labour,\(^{38}\) (the term widely used for the virtual enslavement of children to repay debt incurred by their parents or family members) and children working in the industries or activities notorious for dire health and safety hazards.\(^{39}\) But to treat all work by children as equally unacceptable is to confuse and trivialize the issue and to make it more difficult to end the abuses. It is, therefore, important to distinguish between beneficial and intolerable work. Much child labour falls into a grey area between these two extremes.

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Some social scientists attempt to define child labour in their own way, but none of them able to give a concrete and precise definition. In the study of working child in Bombay, have held a view: “child labour means a working child who is between six and fourteen years of age, is not attending school during the day, is working under an employer or is learning some trade as an apprentice”. In view of the Indian Council of Child Welfare, “every child below fourteen years who contributed to the family income or was gainfully employed including those marginally working was treated as worker”, in its study of working children in Delhi.

According to Kulshreshtha, child labour in restricted sense means, “the employment of child in gainful occupations which are dangerous to their health and deny them the opportunities of development. The term child labour not only applies to the children working in the industries but also to the children in all forms of non-industrial occupations which are injurious to their physical, mental, moral and social development”.

According to Professor Alakh Narain Sharma, “child labour means the employment of children in gainful occupation (in industrial as well as non-industrial occupations) which are injurious to their physical, mental, moral and social development. Thus, the term includes wage labour as well as self-employed children working independently as well as family enterprise”

There are some organizations believe that all work by children should be banned. Some other say that any child out of school is child labour. Neera Burra, has defined a working child as a “child in the range of five to fifteen years who is doing labour, either paid or unpaid, and is working within or outside the family: basically a child who is deprived of the right to education

44. Some voluntary groups.
and childhood". In this regard Mahendra Dev also considers the broadening of definition, “by defining a child labourer as one who is deprived of the right to education and childhood”. These definitions suggest that the entire child population can be grouped into three categories i.e. school going children, child labour, and ‘nowhere children’. Disagreeing with these classifications, Lieten has called this as mixing of apple, grapes and bananas.

Thus, it is seen that a wide-ranging discussion has been going on regarding the exact meaning of child labour. In this context, UNICEF (1997) in its report ‘The State of the World’s Children’ took a balanced and realistic position:

“In reality, children do a variety of work in widely divergent conditions. The work takes place along a continuum. At one end of the continuum, the work is beneficial promoting or enhancing a child’s physical, mental, spiritual, moral or social development without interfering schooling, recreation and rest. On the other end it is palpably destructive or exploitative. There is a vast area of activity between these two poles, including work that need not impact negatively on the child’s development…….But to treat all work by children as equally unacceptable is to confuse and trivialize the issue and to make it more difficult to end abuses. This is why it is important to distinguish between beneficial and intolerable work and to recognize that much child labour falls in the grey area between these two extremes”.

Child labour is thus, defined generally as work that deprives children of their childhood, potential and dignity, and which is harmful to their physical and mental development. But at the same time, there is a vast grey area. This

position was accepted by ILO as well. It was agreed that it was not possible to give “a precise dictionary definition” applicable to all situations and all countries: “whether or not particular form of work can be called child labour depends on the child’s age, the types of work performed, the conditions under which it is performed and the objectives pursued by individual countries. The answer varies from country to country, as well as among sectors within countries”.

Reviewing the conventions of ILO and UN, Anker and Melkas (1996) have two approach to define child labour: (i) any labour force activity by children below a stipulated minimum age, or (ii) any work-economic or not – that is injurious to the health, safety and development of children. Assessing various frame works that have been proposed for defining child labour based on (a) different patterns of children’s activity; and (b) negative effects of work on children, Anker and Melkas have defined child labour which “involve one or more of the following elements:

- Work by very young children;
- Long hours of work on a regular full-time basis;
- Hazardous working conditions (physically or mentally);
- No or insufficient access, attendance or progress in school;
- Abusive treatment by the employer;
- Work in slave like treatment (bonded labour)

Child labour, therefore, means children falling within five to fourteen years age bracket, engaged in any work within or outside the family, paid or unpaid, which are detrimental to physical, mental, moral and social development; and they are denied their basic human rights and fundamental rights i.e. education, recreation, leisure and play, which eventually impair their health, creativity, growth and development. However, for the purpose of this study, child labour /working children are those who work either in family enterprises or outside for wages, for supporting themselves and/or their families on full-time or part-time basis, as also the self employed children in the age group of five to fourteen years.

REVIEW OF LITERATURE

The studies on child labour have been conducted by researchers of diverse social science backgrounds. This can be grouped into macro and micro level studies. The micro level empirical studies on child labour have been undertaken both in rural and urban unorganized or organized sector in the country. Since the child labour is a social problem, the main emphasis of researchers has been applied one, in that most of them have tried to suggest ways to solve this problem or to lessen its intensity. In such studies, the theoretical aspect of the problem usually gets a secondary emphasis. However several studies have been conducted on girl child labour examining the nature, extent and magnitude of the problem and the factors behind the existence and perpetuation of child labour. Some studies attempted to look into the family and social context of child labour, and their cultural, social and economic characteristics influencing their family and community setting. In this context how different studies have tackled various dimensions of the problem of the child labour, will be examined in the review of literature in the following pages.

Whitker's (1988) analysis of the forms of bondage among the child weavers working in the carpet industry of India shows that carpet belt of Uttar Pradesh, ironically centered around the holy city of Varanasi. There are some
100,000 malnourished children working in cramped conditions in badly-lit and badly-ventilated sheds. About 15 percent children have been sold into debt bandage. These child weavers are boys and some of them are as young as seven or eight years. Usually, they work one or two to a shed, in a remote area in inaccessible villages and earn at the most a few pennies a day and some are paid nothing at all.

Singh (1990) conducted the study on carpet industries of Varanasi district of Uttar Pradesh. The analyses were based on the sample study of 309 child labourers. These working children aged 11 to 15 years were mainly from poor economic background. The child labour in these industries was mostly illiterate. They generally belong to backward and schedule castes. In spite of working more than 11 hours per day they earned an average of Rs. 145 per month. It was revealed that the abolition of child labour was not favoured either by parents or employers because of economic reasons. Even some of the children were happy working because it gave them economic independence to certain extent.

Kanungo (1991) has distinguished male child labour and female child labour and examine the female child labour working in domestic service/work and helping in household chores. The study highlighted that girls aged between 12–14 years mainly from the families of illiterate and over a large majority of them are recruited into labour force by parents and middleman and remaining sought work independently. Their working hours ranges from 5 – 10 hours a day and earned Rs. 60 per month. The study revealed that girls are preferred by employers for domestic work and even parents feel safe to send their wards for domestic works. Further, full time working girl children live in better living conditions than their counterparts working as part time workers and living in unhygienic conditions. It was found that girls working full time are mentally harassed and humiliated because they compare themselves with master’s children; they are scolded, beaten by employers at times and exploited too. The parents of full time girl child workers send them to work since they feel that
these girls will learn household work which will be beneficial for them in future. The study also revealed that part time girl workers are less humiliated but they have to cover long distances. It was concluded that the girl child working in household as domestic workers or working on farms are generally out of public sight and hence out of mind and also they are not considered labour at least in counting.

Subramanian (1991) has analyzed that the girl child will be working in any combination of the family work patterns like: domestic work, non-domestic work and wage work. There were no girl children employed in non-domestic and wage work as a combination. The clear pattern that emerges is that girl children in the age group of 5 to 8 are involved in domestic work and in age group of 13 to 15 they perform all types of works but predominantly wage work. Another significant point was that these girl children are not free from domestic work at any stage. It was found that total number of hours spent on work increased progressively with age. The study revealed that with increase in the size of the family the number of girl child labour increased. Further it was found that over two-thirds of girl children, whose brothers do not go to work, were engaged in domestic work only. Whereas, if brother go to work it was found that girl children are involved in wage work apart from domestic work. And in case the girl child has no sisters, a majority of them perform domestic work only. It was also found that where none of siblings go to school, the time spent on domestic work is higher.

Usha Nayer (1991) explains the concept of girl child labour in India, extent of the problem and describes the working conditions of girl children. It highlighted the lower status and the under “value” of girl child labour vis-à-vis that of their male counterpart at home and outside. In addition to the occupational hazard, girl children are also vulnerable to sexual abuse both at place of employment, and at home when they are left to themselves. Since the poverty is the main cause of child labour girls from poor backgrounds who have other traditional social disadvantages, risks severe exploitations. She
explains that a microscopic analysis of girl child labour shows that the concept child labour is sex specific and not only there is sex specificity in occupation, but there are also differences in the ramifications for boys and girls. Girl child labourers have to pay heavier price than their counterparts, and there is a close association between the work of young girl and that of their mothers and two can not be distinguished.

Neera Burra (1992) in her study highlighted that on an average children are paid at Rs. 50/month after an initial period of unpaid apprenticeship in lock industry of Aligarh. A child works 10 to 14 hours a day. Some activities like polishing and presses are most hazardous and workers in electroplating units are exposed to lung cancer. The children in spray painting units inhale unacceptable large doses of paints and paint thinners leading severe chest disorders. Breathlessness, fever, T.B., bronchitis, asthma and pneumoconiosis are some of the symptoms and diseases that affect the children of lock industry. The study revealed that there was nearly no control on hours of work and conditions of work and low wages are paid and well below living wages.

Vijayagopalan (1993) the study is based on a sample survey conducted at a time when the industry had been put on notice about the penalties of employing child labour. This is a cross section survey of 500 children employed in the hand-knotted carpet industry of well known carpet belt of Bhadohi-Mirzapur in U.P. The study shows that only in the weaving of hand-knotted carpets the estimated incidence of child labour is 8 percent. The actual incidence may be higher. Of the child labour employed 4.4 percent work as a part of family labour. Of these, 345 attend schools. The remaining 3.6 percent of the child labour are the major cause for concern. They are away from their families, dependent on the employer, tied to him for many years, and do not get a school education. The employment of children, especially in hazardous economic activities is deplorable, as such employment is often at the cost of their all round development. The hand-knotted carpet industry is the largest employer of children and also one where exploitation has been reported to be
rampant. This study shows that the estimated incidence is not so high as feared. Of the children so employed, about less than half of these are seriously employed, because they are in the hired labour segment and outside their family environment. Beside, the short fall in the labour laws, government was severally handicapped for want of reliable data on the various aspect of child labour.

Hellen R. Sekar (1993) in her study of child labour in match factory of Sivakasi found that most of the children who work in the match factory are from rural areas and are transported by factory busses everyday. They are fascinated by bus travel and most of them are from families whose household income is irregular. There exist a practice of protecting girl children by sending them to match factories and the female child is educationally discriminated against which result in their influx into match industry. Children are inducted and indoctrinated into the work culture at a very early age. Parents do not consider education as an image builder or status raiser, the study revealed. It was further highlighted that illiteracy and low level of education among the parents were major contributory factors for child labour. And piece-rate system is another factor responsible for child labour. The children are required to work under sub-human conditions and the places of work are congested, improperly illuminated and poorly ventilated. It was found that children work for 12 hours on an average and many of the children start their work as early as 4.00 a.m. They are exposed to various health hazards such as respiratory diseases and eye infections. They also suffer from tuberculosis and malnutrition, gastro-intestine disorder, skin disorder, over exhaustion and bodily injuries etc. She concluded that the problem of child labour is linked with monstrous problem of grinding poverty and unemployment.

Verma, et.al. (1993) examined the incidence of child labour in India. According to them, several social and economic factors are responsible for the prevalence of large scale female child workers in India. Besides poverty, death of father or mother or both, large size family, ill habituated father, illiteracy and
lack of education are found to be the causes forcing female children to become labourer. Further, old traditions, social customs and prejudices are also responsible for injustice meted out to female children. It was pointed out that the relevant data do not reveal close relationship between the incidence of female child labour and percentage of people living below poverty line. Authors have cited the example of the state of Andhra Pradesh where the female child labour participation ratio to the total female child population is 7.29 percent, while the percentage of people below poverty line is 36.4 percent. On the other hand the percentage of female child participation ratio in U.P. is very low i.e. 0.88 percent while the percentage of people below poverty line is higher i.e. 45.3 percent. Hence there is a negative correlation between the incidence of female child labour and the level of literacy among the states in India. It was observed that as the level of literacy goes up in the society, the incidence of female child labour comes down. The study pointed out that prevalence of female child labour is an index of underdevelopment of Indian Society.

Sinha (1993) analyzed the problem female child labour with special reference to Bihar. She clearly pointed out that female child gets discriminatory treatment in the family and is forced to take any toilsome jobs and becomes first casualty in terms of nutrition and education etc. She further stated that despite of number of legislations, practice of child labour both in unorganized and organized sector is not only existing but also increased day by day. The exploitation of girl child continues unabated. The girl child workers have to live in economic distress and have to compete with adult workers in order to get some more benefits from employer.

Nidhi Sinha (1994) in a empirical study an attempt has been made to examine the various dimensions of child labour problem, employed in silk industry of Bhagalpur, Bihar. The study revealed that children working in silk industry have to perform varieties of jobs, some of which create physical deformity and chemical disasters. They are forced to work under unhygienic
condition without adequate light and proper sanitation, and even without safe
drinking water. They are being paid low wages because they are helpless and
there is nothing like casual or earned leave, privileged leave and they have to
work either in sitting or standing position for long hours without rest interval,
which are hazardous to their health.

Chaudhary (1995) in his study depicted the gender discrimination
against the girl child in relation to health, nutrition, education, work
participation and adolescence. According to him gender bias has made the girl
child to limp in her further progress. Generally, a girl child never enjoys her
childhood and is hastened to become mother. She thus misses her adolescence
and becomes a machine to produce unhealthy, malnourished and illiterate girls.
This cycle continues and the process adversely affects the quality of Indian
Society.

Mishra and Panday (1996) conducted an empirical study in the carpet
belt of Uttar Pradesh. The study revealed that 97 percent of household are not
in position to meet subsistence requirement and needed supplementary income
and sent their children to work. The study shows an inverse relationship
between the size of household and percentage of working children to the total
children below fourteen years. The study further highlighted that an
overwhelming majority (80% approximately) of working children entered the
job between the age group of 7–11 years while 20 percent entered the job at the
age group of 11–14 years. Regarding female children, the study revealed that
they are only few and entered in the present job at the age of 7–11 years,
majority of them illiterate, among the female only four out of 23 are educated
at levels below primary level. These working children get monthly income
range from Rs. 75–400 per month and have to work long hours per day in order
to receive this monthly wage, and they are exploited by employer.

Weiner (1996) feels that there is a need for considerable expansion in
public and official knowledge on the magnitude and consequences of child
labour in India. He states that with 90 millions of its children outside the
educational system, India has a long way to go to build a mass human resource base that can contribute to its present efforts to move from the state-led autarchic industrialization policy to a market oriented model which India competes in the global economy.

Levison, et al. (1996) in their study of hand-knotted carpets industry in Mirzapur and Sonbhadra districts of Uttar Pradesh has tried to understand why child labour is demanded and used so extensively. The study is based on a survey of 362 carpet weaving enterprises both household and non-household. They found that larger enterprises tended to employ relatively more child labour. They concluded that child labour is not indispensable namely; the so-called "nimble fingers" argument is false. They also found that labour productivity level of child and adult labourers was similar. Also "comparative", actually absolute advantage at the exporter country level is basically derived through the use of child labour. Wage levels of child labourers are roughly half of their adult counterparts and labour productivity levels of the two categories are equal. So the unit labour cost advantage of using child labour exclusively (actually child and adult labours work side by side, with high levels of adult unemployment and under employment) is twice that of using adult labour exclusively.

Anker, et. al. (1998) presented their studies on child labour in carpet glass, diamond, gem, mosaic, chips and limestone industries. They presented an understanding of the economics of child labour with adult labour in these industries. It was highlighted that non-pecuniary and non-economical factors are often very important reasons why employer prefer to employ children. They concluded that the elimination of child labour would cause only a small increase in the cost of production, almost below five percent. Further the elimination of child labour is likely to increase the prevailing wage rate because of the reduction in the supply of child labour.

Rao (1998) studied the general profile of the female workers in Bidi industry at macro-level in India. The production of bidi is at corporate
industrial level on the line of cottage industry. These women’s earnings are meager and they involve their female children generally to work along with them in order to supplement the earnings. They work on piece-rate basis and earn as low as Rs. 40 for one thousand bidi’s rolled. The leading states are West Bengal, Kerala, Karnataka and Tamil Nadu. The beedi workers are exposed to dust, nicotine causing respiratory diseases and infertility in young women and girls.

Karnath and Vijayalakshmi (1998) a study by institute of social and economic change, Bengalore found that 60 percent of the sampled 345 workers were female. The study reveals that about 72 percent of child workers are in the age group of 10 – 13 and 49 per cent in the age group of 9 – 10 and remaining have joined work force as early as seven or eight years of age. These children work 278 days in a year and working time for reeling is higher than twisting. The study further shows that children are also involved in night work, and wages are paid on a piece rate or hourly basis. Both the system of payment of wages are found disadvantageous, as the children do not get paid during waiting period when there is a power cut.

Chandra Gupt S. Sanon (1998) conducted the study on working children employed in different occupations in Ahmadabad. His analysis is based on sample collected by using systematic purposive technique. He analyses the social aspects of the problem of child labour. The study revealed that the majority of child workers come from poor, illiterate, vulnerable and deprived section of the society particularly SC/ST and backward caste. Their houses lack basic amenities illiteracy and school dropout shows clear gender discriminations due to socio-cultural reasons. The study further revealed that child workers contribute significantly to the family income; wages are received by them directly and hand over to their parent. An overwhelming majority of child workers of both sexes, their parents / guardian and employers are not in favour of total abolition of child labour, instead they are in favour of improving the working conditions. According to parents, children who neither work nor
go to school are more likely to be indulged in antisocial and criminal activities. The employer prefers to employ children because of sincerity, honesty, discipline and they receive low wages. Thus, the study highlighted that the poverty, unemployment, vested interest of employer, inadequate education system, lack of awareness on the part of society in general and parents in particular are the causes of child labour.

Rachita Jawa (1999) discussed the female child labour with reference to poverty at micro level. The study was based on samples collected from different industries employing female child labour in the Agra city (U.P.) and was empirical in nature. It was concluded that the Poverty, population and illiteracy each breed each other. The study revealed that the female children families living below poverty line or in destitute poverty were first to put into labour force. Tackle poverty by providing employment opportunities, education, welfare programmes, and motivation of parents to educate the children etc. can help eliminate female child labour.

Alakh Narain Sharma and Nikhil Raj (2000) in their study of child labour in silk industry of Varanasi, have conducted survey of 324 households in the Varanasi area, found that 32.5 percent of silk handloom workers were boys and, of those boys 27 percent were non-family labour. Based on this data, researchers estimated that roughly 106,000 boys (64 percent of total work force) were working for non-family employers in Varanasi district. It should be noted that although girls are working in silk weaving as well, the researchers were not able to document their work because the girls were often confined to and worked from home. The study also revealed that more than 60 percent of children in the school going age are reported to be going to school. Though the drop out rate is 10 percent. The study further highlighted that the infrastructure facilities available in the government run schools are poor. On an average an adult worker is able to earn about Rs. 1000 per month and the child labour earns about Rs. 300 per month. No revisions in the piece rate wages have taken place during the last five years. Moreover, it was also found that more than 90
percent of wearers were reported to be indebted to the Gaddidars or Master weavers.

Rajeev Sharma (2000) conducted the study of child labour in the glass bangle industry of Firozabad, focused at the state of education and child labour. The study covered 1000 household and 56 schools in ten child labour endemic areas of Firozabad. The study focused on the facilities: teacher-pupil ratio, availability of teaching and studying materials, infrastructure dropouts, follow up action, basic infrastructure etc. The secondary data was also considered in the study which shows that there is a wide gap between the schooling of boys and girls. This reflects the bias against the girl child prevalent in Indian society. The discrimination is more evident in the rural areas than in the urban areas. He found that there is high dropout, which shows a very discouraging situation of basic education. This obviously limited to the factor related to socio-economic and family related component. The study also revealed that the bangle industry ability to survive and remains viable does not appear to be threatened by the elimination of child labour. The work performed by children requires virtually no skill. The child labour can not be justified on the grounds of future skilled labour as this argument is not valid.

Sudha Despande (2000) has analyzed the census data 1991 on child workers, namely girls in the age of 5 – 14 years and tried to compare census data with the corresponding data available from NSSO for 1993 – 94. In the forgoing analysis she argued that child labour if carried out for long duration, by depriving children of even core-education, harm children, stunting not only their physical but mental development and affects their emotional adjustment. Child labour is cheap and hence used as a substitute for adult labour. This depresses adult wages thereby increasing poverty in the population. She pointed out that female child workers are confronted with additional problems. There is social reluctance to educate them or imparting skills. They are neglected relatively to boys even with in their own family and are victims of pre-entry human capital discrimination because they are girls. This neglect of
girls is a reflection on the low status of women in the Indian society. The problems are of tremendous importance because absolute number of even "visible" girl child workers is large. They are also likely to be missed from the count of workers first because they are girls and second due to the invisibility of their work.

Rachita Jawa (2000) in her study of female child labour in unorganized sector industries of Agra (U.P.). The study focused that the majority of child labourers are in the age group of 10 – 14, comes from large size families belonging to backward classes and schedule caste, and are drop-outs in second and fifth standard. Their working conditions are really deplorable, they do not get earn leave or weekly holidays, paid less in comparison to male counterpart for the same amount of work, are scolded, abused and even beaten at times by their employer, and in case of leave or illness their wages are deducted and punished physically or financially for any breakage or damage. Further, they are forced to work under miserable conditions i.e. no adequate light, ventilation, safety cleanliness and safe drinking water and the environment is highly polluted and the basic facilities for eating food, rest, toilet are generally lacking. It was revealed that bad habits like addiction of male members; to pay of loans taken by adults are factor responsible for supply of girl child labour. Beside the efficiency, discipline, obedience, no unionism, and hard work are the factors for their demand.

Narayana and Rani (2000) study is based on field study of child workers employed in silk industry of Ananthapur district of Andhra Pradesh. The study reveals that the majority of children working in silk industry come from poor illiterate, large size family, landless household. They generally belong to backward classes and Muslim communities. They send their children for work to supplement family income and also to learn skill. The study shows that most of the reeling activities are performed by female child workers because it is home based work and girls do not need to go out. They can attend other household chores simultaneously. While on the other hand twisting and a
specific task i.e. pirn winding involved in weaving process is by and large performed by the male child workers. Thus some aspects of weaving process are gender-specific, and some child-specific because these jobs are not done by adult, as it requires patience and manual skill. The study further shows that children work under unhygienic and hazardous environment, faces economic hardship and patiently surrender at the cost of their basic rights. The cases of sexual harassment are also reported but it kept secret because of social stigma. However study reveals that children employed in non-family enterprises are exploited to the maximum, and practice of payment at piece rate induces children to work for long hours to get few more rupees. Further it is revealed that most of children and their parents have no knowledge about the existence of legal provisions which bars employment of children. The employer also not only unaware of the illegality of employing child labours but also holds the notion that they in fact help children earn.

Sharma et al. (2000) examined the impact of labeling programmes on child workers and their families. For this purpose an extensive field work was carried out in carpet belt of U.P. The study revealed that the incidence of child labour has not been reduced significantly. But, the Focused Group discussion, NGO's and labelling agencies pointed out a sharp decline in hired child labour. The study further revealed that there has been a shift in the structure and pattern of organization of production in the carpet industry to escape from clutches of labour law. A visible change can be perceived from an increased employment of family child labour instead of hired child labour. As a result of labelling programmes and fear of law, the migrant child labour has been reduced. They also shift to other occupations such as beedi making, saree weaving, agriculture, dhabas etc. It was found that children working on off-loom activities like fringe knotting shorting, lining, embossing, surfing and cutting etc. are over looked in monitoring exercise of labelling programmes. It was further revealed that most of the children studying in schools run by labelling agencies were found to be working in the looms either as helping
hand to their parents or hired labour. The facilities provided by labelling agencies are found to be inadequate and irregular.

Hellen R. Seker (2000) attempt to evaluate the child labour in Aligarh lock industry and state of education and child labour in Moradabad Brass ware industry and state of education, and also examine the need and possibility of effective involvement of Panchayati Raj institution towards providing primary education and thereby combating child labour. The empirical data gathered from both the industries and from both the categories of households i.e. with child labour household and without child labour household. The study highlighted that the enrollment of female children is less than male children in both the age groups (6 – 11 and 12 – 14) and in both the categories of households with working children and without working children. The enrollment rate of children in the household of without working children is higher than that of household with working children. It is also pointed out that in the category of ‘nowhere’ children; the proportion of female children in both the age group is higher than boys. Further it was found that poverty and pull-out by parents are main reasons for high drop-outs.

Aijaz Ahmad Sheikh (2000) attempted to assess and bring to light different types of exploitation and abuses which are faced by child workers in carpet industry of Kashmir. The study reveals that all the sampled child workers belong to Muslim community because of the dominance of Muslim population on one hand and the migration of non-Muslim population on the other. The study further shows that majority of child workers are below the 10 years of age. The highest concentration exist in the age group of 6 – 12, some of them are as young as 5 or 6 years. The majority of child workers are male (85%) and rest are female. They earn less than rupees 200 per month. The data reveals that they work 11 – 12 hours per day and even they are forced to work at night. They work in unhealthy environment under bad lit and ill-ventilated work sheds. As a result they suffer from eye sight problem and other occupational diseases. They are illiterate and school drop-outs. The study found
that poverty and not greed for money which forces parents to send their
children to work. Besides illiteracy, and to keep traditional occupations alive
also forces them to put children to work. The data also reveals that majority of
child workers are rural based and come from rural areas to work in carpet
weaving centers in Srinagar and its adjoining areas. A multi-dimensional
approach is needed to eradicate child labour, he concluded.

Neera Burra (2001) in her study analyzed the census data 1991 on
literacy rate and found that there are huge drop-out rates. This indicate that the
children, girls more often than boys are needed for other activities such as
looking after younger siblings, domestic work and help with farm work. These
are therefore a huge differences between literacy rates of male and female (for
whole of India was 52.2%, 64.1% for males and 39.2% for females) according
to census. The need for girls’ education conflicts with mothers need for
assistance within the household. She has adopted a right-based approach to the
problem of girl child labour by broadening the definition of child labour
beyond the wage employment. The study revealed that at present there is little
recognition of the economic contribution of girls to the economy and little
effort has been made to get girls out of work and send to school. Further, the
study has focused on the disproportional denial of educational opportunities as
compared to boys suggest a clear-cut discrimination in household behaviour. In
the social and cultural context, the girls are being treated as transient member
of the family in India. The subordination of the adult women in the household
runs parallel with the subordination of girl child, socializing the latter into pre-
decided role that she will assume as an adult. Therefore there is a long standing
stereotypes and norms that seek to discriminate against the girl child.

Bhupinder Zutshi et.al. (2002) in his study encompasses an in-depth
analysis of child labour issues and evaluate rehabilitation centres and Non
Formal Education School (NFE). The study is empirical in nature based on
survey conducted in Mirzapur, Bhadohi carpet belt of U.P. The study revealed
that majority of children is illiterate or literate without formal schooling. They
come from poor, landless or families with small land holding. The study highlighted the fact that children work under hazardous condition, long hours of work without basic amenities like drinking water and toilet facilities. The study also pointed out that majority of children suffer from various diseases like night blindness, worm infections, joint pains and skin diseases and they receive extremely low wages. The study also highlighted that NFE schools provided by the government lacks basic infrastructure, and classes are held in open half of the teachers are untrained and mostly follow traditional method of education. However, study revealed that NFE had significant impact on reducing child labour in carpet weaving. But, parents are of the view that children should be allowed to help family in carpet weaving after school time.

Preet Rustagi (2002) analyzed the incidence of girl child labour across the districts of India and addresses the motive of different agents. The analysis revealed that social discrimination and differentiation adopted by parents/guardians of the girls provide the base for exploitation and under-valuation of their labour by employer. It was highlighted that girl child labour belongs to poor household families, mostly from schedule caste and schedule tribes, and other backward castes and communities. Most of the parents are trapped in vicious circle of poverty, indebtedness and bondage, and hence they are forced by circumstances to send their daughter to work. Apart from this illiteracy, less importance being given to girl’s education and some time myth relating to skill learning are other facts responsible for sending girl children to work. It was pointed out that girl children are preferred by the employer because they are cheap, obedient and docile. On the other hand by organizing production through contractor or middlemen or home based piece-rate work, the employer has shifted his share of responsibility to labour and welfare, while increasing profit margin.

Reddy and Ramesh (2002) in their study chosen to explore empirically the economic and social conditions of girl child labour in the unorganized beedi industry of Andhra Pradesh, and for this purpose they have chosen a sample of
300 girl child workers and their parents on the basis of multi stage random sampling. An interesting finding revealed by this study is that beedi making has become an occupation of backward castes and Muslims. The boys of the backward castes are not lured into this occupation because of stereotype that the girls are more efficient in beedi making and their skill improves the marriage prospects. The study highlighted the fact that the girls are young as five years old are engaged in the job and majority of girls start work before they were 12 years. Further it was found that the majority of girl children employed are illiterate, school drop-out, employed in factory or in their houses under unhealthy, unhygienic and hazardous working conditions, and on low piece-rate wages, often cheated in counting beedis and in case of objection they are met with physical and sexual abuse and thrown out of job by meddle men. The study revealed that the majority of girl workers under study were living in own houses and rest of them in rented houses under appalling living conditions, because their houses are located in slum like environment, devoid of safe drinking water, ill-ventilated and without windows. The gender bias in the matter of education and deep rooted social practices preventing girls from receiving higher education was also reflected. Further it was pointed out that poverty, large sized family, illiteracy of parents no land holding and debt-trap are the causes why parents send their daughters to work. Besides, majority of them inherited the occupation and they are sending to learn the skill of the trade. The majority of the parents of girl workers suffer from headache, spondilitis, asthma, tuberculosis and that beedi work also leads to cancer. The girl child workers were also found to have contracted occupational diseases. It was also highlighted that the majority of beedi making families are not benefited from any government programme.

Monidra Dutta (2003) analysed the data of census 1961-2001 and NSS in her study on the magnitude of child labour with special reference to girl child labour. The study revealed that girl children are subjected to enormous work at home and in the fields, collecting fuel, fetching, water, cook, clean,
wash, take care of younger siblings and thus act like little mothers, they also work as domestic help as made servants. It is to be noted that the poverty is not only cause of girl child labour but also the consequence of it, and that it is the exploitation of poverty that perpetuate girl child labour. The study highlighted the fact that the situation of girl child is a matter of grave concern. There is a massive fall in sex ratio, high malnutrition; female mortality rates before birth, at birth, in infancy as well as childhood, poor school enrolment levels, high drop-out rates and low skill with low value work are the indicators of a fundamental preference for the male child. The mind set or belief that girls are more a liability than an asset still exists in the patriarchal practices enshrined in the family structure in the society which can not be washed away merely by creating laws or evolving developmental programmes for general masses. The study further focussed that the economic, social and cultural forces "pull" girl children from school, while factors in the education system itself play a role in "pushing" them away i.e. school may be too faraway or too crowded or lack of female teacher, discouraging families from sending their children to school, especially girls where safety is an important factor.

Anandharaj Kumar (2004) an attempt has been to study the problem of female child labour in beedi industry in Keelaparoor block of Tirunelveli district of Tamil Nadu. The study revealed that female children in the age group of 6 – 14 are initiated its beedi making due to prevailing relation of production and cultural compulsion in patriarchal society. The organization of production at household level strongly favours the participation of female children in work leading to denial of childhood privileges and balance development. Further the study highlighted the fact that these children come from nuclear families illiterate landless, school drop-outs and they also enter in the occupation to learn the skill which improves their marriage prospects. These children are made to work at the cost of their childhood privileges such as education, recreation, peer-group enjoyment, faced with health problems like severe headache, body pain, joint pain, eye irritation, and lack of appetite. The
study also revealed that these children are exploited in terms of commission beedis, supply of poor quality of raw materials, non-payment of bonus, unregulated Provident Fund benefit, pension benefits and other welfare measures of school going children. They are doubly burdened with household activities, which would lead to deterioration of health in future. Gender discrimination and involvement of middleman is in-built in the beedi industry are also highlighted.

Suresh Chander (2004) attempted to study on child labour employed in informal sector in Aligarh, based on primary and secondary data. The study clearly pointed out that more than 80% male child labour belongs to the age group of 12 – 14 years and rest belongs to 10 – 11 years. It is observed from the study that education has not been found more effective to diminish and eliminate child labour. It is found that children employed are illiterate and from below poverty line, paid low wages and long hours of work and are exploited by employer, parents and neighbour where they survive. The study further revealed that child labourers are working in informal sector due to lack of education facilities and other amenities, and that they belong to the downtrodden and weaker sections of the society.

Aggarwal (2004) in his study of child labour analysed the data based on 55" round (1999 – 2000) of the NSSO survey for employment and unemployment in four states i.e. Maharashtra, M.P., Tamil Nadu and U.P. It was found that higher proportion of child labour is supplied by the poor and illiterate household. However, a higher proportion child labour is sent to the job market by female headed household, by those who have large size household and by those who are deep in debt. The analysis shows that the poverty and illiteracy have a bearing on child labour. It indicates a link between child labour and the educational and economic attainment of the state. He suggested that a policy is needed to make education more meaningful and rewarding so that households are incentivised to send their children to school and keep them
there. Further the measures aimed at poverty reduction and physical and social infrastructure development may also help reduce child labour.

Pratibha Goel (2005) has conducted an empirical study of child labour in the hosiery industry of Ludhiana (Punjab) by collecting information from 137 child labourers, parents and employers of child labourers. The study revealed that majority of child labourer comes from large size families and families from below poverty line. It is sad to note that the parents of children under study still believe in more hand means more income. It was also found that most of the children work in congested and crowded places which affect them physically and psychologically. They are also exposed to the different types of pollutants like fibers, dyes, wool and cotton fluff, which have an adverse effect on their health. It was found that the children were ill-treated by their employer. Beside the employer, children are also exploited by the parents for short term and narrow gains; they usually secure loans from employer and surrender their children as security. Illiteracy, poverty, poor health, low status in the society and migration from other states forced them to send their children to work.

Sinha and Mishra (2006) analysed the gender bias in child labour in India and found that the female child labour can be reduced by increasing gross enrolment ratio for girls. The result of his analysis shows that notable thing that the gross enrolment ratio is not effective for decreasing female child labour in urban areas due to lot of educational facilities, but it is more effective in rural areas. It implies that by increasing female enrolments, female child labour may be reduced in rural areas. It is also observed that out of total number of children in India in the age group of Five to Fourteen, fewer than half attend school. This shows that the incidence of child labour is closely related to the school dropout rate. It means that if female literacy increases then female child labour will decrease. This also implies that literate mothers will send their female children to the school and not for work and they do not engage their female children in household work. He observed that the poverty or low income is one of the major reasons which are responsible for female child labour in urban
areas. But it did not affect the work participation rate for female child labour in rural areas, which means poverty is not responsible for female child labour in rural areas.

The review of literature reveals that there are many studies on child labour in general, but specific studies relating to girl child labour are very few. Even few studies available are confined to a particular aspect of girl child labour. UNICEF (1997) felt that research in the field of girl child is still in its infancy. ILO (1995) has identified girl child workers as one of the core areas for research and investigations. It highlights that the work of girl labourers is often invisible and their problem and survival strategies are generally different from working boys. It calls for the need to understand the inter-relationship between community, economic conditions and child labour when one comes across a condition of differing rates of child labour in different localities in almost equally poverty stricken areas. In order to fill this gap the present study is designed to examine the different aspects of girl child labour in depth, which would go a long way in enabling those concerned with this problem to have a right perspective of the problems of girl child labour in general and the status of girl child labour in silk industry of Azamgarh district in particular.

Statement of the Problem:

It is painful reality of our world today that millions of children are forfeiting their childhood to child labour. Instead of spending their tender years in school with learning, laughter and love as their companions, they are carrying heavy burden of wage-earning on their back. Today, India has the dubious distinction of having the largest number of working children in the world.

The issue of child labour has generated momentum with the advent of WTO, and because of the sweeping economic reform aim to promote exports and offer incentive to foreign investors. Child labour is a concrete manifestation of denial of other rights of the children. Working children are denied their right to survival and development, education, leisure and play, an
adequate standard of living, opportunity for developing personality, talents, mental and physical abilities and protection from abuse and neglect. Thus child labour means violation of all these essential rights. Poverty, illiteracy, ignorance, low wages, unemployment, poor standard of living, deep social prejudices and backwardness are some of major factors responsible for child labour.

Child labour in India is largely a pre-industrial, pre-capitalist labour force, mainly engaged in the unorganized, informal sector, including cottage industries and the tertiary service sector or in agriculture. Child labour in India is not the product of industrialism and capitalism, but represents the persistence of traditional role of the child as a worker. The issue of child labour gained importance and momentum after July 1991, when economic reforms were launched at the national level, ushering new era of liberalization and privatization in an attempt to integrate the national economy with the global economy. Thus it acquires a new meaning and significance in the context of contemporary competitiveness where labour cost is one of the important contributory factors, and child labour has certain connotations, mostly negative, in the light of labour cost and international trade.

It is irony that despite all round development, globalization and technical progress, millions of female children are prevented from being born, and if they are born, denied the right to lead a life of dignity and they are being considered as liability for parents. Despite legal ban in India on sex selection of babies, a study indicates that the practice is still widely prevalent and it is estimated that at least 10 million female births may have been aborted in the past twenty years. The girl child labour is not only deprived of their

education and recreation but they are exposed to the risk of sexual harassment and their moral and psychological development is at stake.

Though it is well known that all working children are discriminated and exploited, and are denied their basic rights, the female working children face different sets of problems and issues, and their discrimination, neglect and exploitation are of different nature as compared to her male counterparts. What is not commonly observed and acknowledged is the fact that the working girl child is a highly exploited segment of our society. There are mainly two reasons for this, the first is that the visibility of the male child labourer is greater - such boys are found working in factories, mines, car repair shops, dhabas etc. in large numbers. This may be termed the visible component of child labour - they are out in public places where they can be seen participating actively in productive work and where they can be counted easily. The female working child on the other hand, is largely invisible. It has been substantiated by the census and national surveys that work participation in the rural sector is predominantly female. This segment comprises of young girls as well - they work alongside their mothers in a variety of agricultural operations ranging from planting rice to plucking tea leaves in the tea gardens. Apart from this, the girl child has a crucial role to play in home based industries and occupations such as tailoring, zari embroidery, beedi rolling and the like.

The second major factor that contributes to the invisibility of the working girl child is the attitude of parents, employers and society. A girl is unwanted- she is viewed as an economic liability- a burden. But this belief can be countered by the argument that in rural India a girl work for 9 hours a day for an average 315 days a year, providing the family labour which would have cost a substantial sum to hire at minimum rates. By the time she ceases to be a child she has provided economic help to the family worth thousands of rupees, surviving on food below nutrition level and struggling against prejudice and discrimination.
Child labour in industries has certain regional variations. For instance Sivakasi, in Tamil Nadu is known for the concentration of working girl children in the match and firework industry. Most of them are below the age of fourteen years. Similarly, the coir industry in Kerala employs mostly female labour where girls are assigned the most difficult task of husk beating. The manufacture of agarbttis is done almost exclusively by girls and papad-making is a female enterprise which uses girls as apprentices, working shoulder to shoulder with their mothers. The gem polishing industry of Jaipur employs several thousands girls. Hundreds of girls are working in lock industry in Aligarh, the brassware industry Moradabad, the carpet industry in Jammu and Kashmir and some districts of Uttar Pradesh such as Bhadohi-Mirzapur carpet belt and in the zari embroidery work of Varanasi. Thousands of girls work as domestic helpers, rag-pickers and news paper sellers on the streets.\textsuperscript{57}

Working girls belong mainly to the unorganized sector and they are not covered by any sort of workers benefits. The unorganized nature of work primarily assigned to working girls keep them in low-paid, low skilled jobs where the scope of improving their prospects diminishes. For complex social reasons the girl is under-valued by parents and to counteract this under­valuation she is made to work very hard at home, on the farm and in home-based enterprises. She is not educated because of this discrimination and as she grows older, her lack of education restricts her chances of obtaining decent remuneration. The exploited girl child grows into the exploited woman. Devalued as a child, denied equal access to education and devoid of skills, she carries into her womanhood all the accumulated burden of her past.

The majority of female children work in rural areas and are engaged in cooking, cleaning, fetching water, firewood, looking after younger siblings at home, and participating in agricultural activities, such as sowing, transplanting, weeding and harvesting with their parents as helper. Other unorganized sector

where they are engaged include match-box making, bangle, beedi rolling, papad making, sari embroidery, garments making and domestic services etc. Generally, are concentrated in the most unskilled jobs, and parents are reluctant to train their daughters for skilled jobs.

The problem of child labour has its social and economic repercussions. Child labour is usually justified on the pretext that children of poor families need to work otherwise, they will suffer from hunger, but quite a different issue is to subject them to the most inhuman torture under the garb of benevolence. In case of girl children poverty forced them to work but tradition prevent them to work in houses and unorganized sectors. There is no minimum wage for the girls and no time limit for their work. There is no accounting of their labour because it is regarded as help to mother. This invisible workforce is very important. Those who are employed as domestic servants suffer from long term psychological defects, stress and anxiety. The creativity and ability of the girl to transcend these stark realities are blunted and her whole mental work is impoverished. Thus the female children, the most vulnerable section of society are the worst sufferer of inequality and disease. The problem of malnutrition is widely prevalent among female children, and particularly those below poverty line, landless agriculture labourers, and girls living in slums, backward, rural and tribal areas. Female child labour is sad reflection of the state of the society’s social and economic health.

The concern of many international and national organizations and social thinkers is about child labour eradication because of its enormous size, severity and complexity of the problem. ILO took a lead in this area since its inception. The issue of child labour is regularly raised these days in international fora and in the UN system. Indian government has also initiated some steps in the recent

59. Social Welfare (b) 1990, c.f. Id.at 31.
past to combat the problem of child labour but the issue is not yet on the political agenda. It was not an issue in any of the State Assembly or parliament though the obnoxious evil of child labour persist the length and breadth of the country. The people are not aware of the real causes and grave consequences of child labour with reference to its existence in specific occupations and employments. There is a need for considerable expansion in public and official knowledge on the magnitude and consequences of child labour in India. Much of the public discussion presently takes place in a knowledge vacuum and worse, is based on misinformation. Research on the girl child labour is isolated, fragmented, meager and scanty. ILO calls for the research in the area by stating that the available data on the causes of child labour normally relates to the phenomenon in general, and a great deal remains to be learnt about the causes of child labour in hazardous work as distinct from non-hazardous occupations (ILO, 1996). The situation of girl child, who is working at home and outside, where exploitation is very often hidden, is one of particular concern (UN, 1998).

Further, in the recent past, a survey conducted by the ILO, indicated that the total number of working children increased dramatically and working girls out numbered working boys. This is an important dimension of the problem of child labour, which we are confronting in contemporary society. This is because; gender bias is still very strong in Asian societies. In most economically disadvantaged families, the greater the poverty, the more aggravated the situation of the female child. In certain societies, the rules of permission and restriction on women and female children are more stringent which allows for greater exploitation and discrimination. The process of socialization isolates the female child from education, health care and adequate

nutrition and she is denied even those rights, which are available to their brothers. Hence, the female child in India requires specific attention in the context of child labour, since she is a child, a girl and labourer and faces discrimination on all counts.

There is a plethora of labour legislations were enacted with an objective of improving working conditions of such children and in protecting them against abuse, exploitation and health hazards, but studies have revealed either ineffective nature of these laws or their blatant violation. The Child Labour (Prohibition and Regulation) Act, 1986 is the latest legislation, which covers only children in organized sector and not the 90 percent working children engaged in unorganized urban and rural sectors, and in family enterprises. There arise doubts in the mind that how do occupations and processes which are hazardous in the organized sector become safe when performed in family or unorganized unit? How can children be allowed to work anywhere in these occupations and processes? Once the occupations or processes have been identified as hazardous for the employment of children, any exemption made thereof is to the detriment of the children. Can there be any justification for such exemption?

The Act, 1986 does not specify how the welfare, health and safety of working children is to be protected? The government has taken itself the task of providing all welfare measures leaving employer rather free of this responsibility. Where will the government get the massive funds which are required for providing these facilities? These questions need to be addressed.

A review of available literature in the area concerned reveals the fact that several investigators have attempted to explore the different dimensions of the problem of child labour/girl child labour in various socio-economic perspective. It is also evident from the review of literature that investigators
have studied child labour in relation to different types of industries i.e. Carpet (Whitker, 1988; A.N. Singh, 1990; Vijayagopalan, 1993; Mishra & Panday, 1996; Levison et.al, 1996; Anker, et.al, 1998; Sharma, et.al, 2000; A.A.Sheikh, 2000; Zutshi et.al, 2002) Bidi (Rao, 1998; Reddy & Ramesh, 2002; Anandharajkumar, 2004) Lock (Neera Burra, 1992; Sekar R.Hellen, 2000) Match (Sekar R.Hellen, 1993) Glass bangles (Rajeev Sharma, 2000) Brassware (Sekar R.Hellen, 1993) Hosiery (Pratibha Goel, 2005), some studies are conducted in different occupations (Sanon,1998; Rachita Jawa,1999,2000; Suresh Chander, 2004), and very few relating to Silk industry (Nidhi Sinha, 1994; Karnath & Vijayalaxmi, 1998; Narayana & Rani, 2000; A.N.Sharma & Nikhil Raj, 2000). But a review of available literature on child labour provides an understanding of the problem confronting the nation as a whole. While much has been written about the differential status of girls and boys with respect to health, nutrition and education, not much is known about the working girls.\(^6\) In fact, objective and impartial empirical studies on girl child labour have been very few. Moreover, most of the studies on girl child labour are narrow and pertain to single aspect, and many studies are with regard to child labour in general. It is evident from the review of relevant literature that studies regarding girl children employed in silk industry have been constantly neglected by social scientists/researchers, as a result of it; these areas can be turned as unexplored area. Consequently, keeping these facts in mind, the present study is designed to fill this important gap in the existing body of knowledge in the area of girl child labour in silk industry with special reference to Azamgarh district. The purpose of study is to facilitate an in-depth understanding of the problems faced by the girl children working in silk industries in relation to Azamgarh district. The nature of the study is socio-legal.

Objectives of the study:

The objectives of the present study are as follows:

1. Despite the Child labour (Prohibition and Regulation) Act, 1986 which has prohibited the employment of children in silk industry, they are continue to be engaged in this industry. Therefore, the main objective of the present study is to understand the fallout of legislations on child labour.

2. To study socio-economic background of girl child workers in Azamgarh district.

3. To investigate/ascertain the working conditions of girl child labour so as to determine the form and extent of exploitation.

4. To asses the role effectiveness of legal provisions related to child labour in silk industry.

5. To examine the inter-relationship between socio-cultural and economic factors responsible for the employment of girl child labour in silk industry.

6. To study wage levels, age, earnings, caste, education, work duration of girl child workers and facilities provided to them by their employers.

Hypotheses:

1- It is hypothesized that the law has prohibited the employment of children in silk industry of Azamgarh district, and the operation of law has no purview over household production.

2- That the girl child labour is basically a socio-economic problem and therefore, only welfare legislations would not be sufficient to prevent this social evil.

3- That the girl child labour engaged in silk industry of Azamgarh district forms the most exploited class of labour.
4- That despite adequate safeguards and number of legislations, the problem of girl child labour continues unabated because of the poor execution of these welfare legislations.

5- That in spite of judicial activism to check the evil practice of child labour, the problem remains the same.

**Reason for Selecting Present Topic:**

Many studies have shown the existence of universal phenomenon of child labour in different parts of the country. But these studies have not examined the problems faced by the girl child labourers engaged in rural setting. Therefore, the present study is expected to reveal many unknown dimension of children’s lives especially girls from socio-legal point of view in reference to silk industry of Azamgarh district. In the study area, a large number of children are found quietly serving the industry. Since the researcher has spent a major part of his childhood in Azamgarh, he has witnessed the children, both boys and girls working on handlooms with curiosity and interest. The researcher has also experienced the exploitation and deprivation of children particularly girls, that induced him to undertake the present study in order to examine the problems of girl child labourers and also to identify the causes attributed to the emergence of such problem, so that possible solution to it can be suggested.

**Methodology:**

The present study is based on both doctrinal and non-doctrinal method of research. It is divided in two parts – first is related to doctrinal method and second relating to an empirical study of girl child labour in silk industry of Azamgarh district.

The nature of study is explorative – cum – descriptive. While the exploratory design is chosen in order to gain familiarity with the situation of working girls and their parents, the descriptive design is used for portraying
accurately the characteristics for determining its association with socio-economic factors.

A good deal of preparation and planning is required in order to secure latest information and data in this study. Considerable time has been invested to identify the respondents and to establish personal contract with them. The present study has taken nearly one year to complete the field work.

**Universe of the Study:**

The silk industry of Azamgarh is largely concentrated in and around Mubarakpur town, which is administered by Municipal Board. There is no authentic data showing the employment of girl children working in silk industry in sample area. All the family members including children of both the sexes are engaged in this industry. Therefore, every girl child who falls under the age of 5–14 years age bracket and are involved in different types of work in sari weaving industry forms the universe of this study.

**Sample Size:**

Girl children in silk industry are selected from all 25 wards of Mubarakpur Municipal area of Azamgarh, where sari weaving is carried on. Therefore, for this purpose the household engaged in sari weaving and having girl child workers have been identified in each of 25 wards of the Municipal Board with the help of local community leaders, ward representatives, ‘Grihasth’, ‘Gaddidars’ and social workers. Thereafter, 20 girl children and their parents are selected by random sampling technique from each ward. Thus a total of five hundred girl child workers and their parents are covered under this study.

**Tools of Data Collection:**

The present study is based on both primary and secondary data. Primary data has been collected from girl children engaged in silk industry and their parents by personal interview schedule and other supplementary techniques. In order to collect required data, two separate interview schedules for both girl child labourers and their parents were constructed in conformity with the
objectives of the study. Besides, observation technique was also used to supplement the primary data.

The schedule collecting information from girl children contained her personal background, educational status, causes of dropping out, factors responsible for entering job market, information regarding place of work, working conditions, types of activities carried out in the industry, length of service, hours of work, rest intervals, monthly income, occupational diseases and awareness about the laws etc. In total there are 45 questions in the schedule. The schedule helps the researcher to guide the interview instead of depending upon memory. It gave an opportunity to explain the question and elicit information. The respondents were interviewed separately and on an average interview lasted from 30 to 45 minutes.

Another interview schedule was prepared for parents of girls, incorporating questions regarding family background, educational and economic status, types of houses, ownership of consumer durables, reasons for engaging girl child in work, information about the law and judgment of the apex Court were included in the schedule. The parents of girls were interviewed simultaneously along with girl child labourers and it last about 30 minutes.

Secondary data was gathered from published source materials. This includes books, journals, Articles, papers, reports published by both national and international agencies etc. The material gathered from secondary data or documentary sources has provided a broad framework and perspective to the study.

Pre-Test:

Pre-test is essential in data collection. The constructed interview schedule was put to field test with a few girl child workers and their parents in order to test the suitability and relevance of schedule. Later, the schedules were edited and standardized based on the experience and result of pre-test.
Data processing:

The data collected from field survey was manually coded, processed and entered into a master table for consolidation and subsequent analysis. Conventional statistical methods such as percentage were used for data processing and analysis.

Limitations of the study:

The present study is based on the sample of both the girl child workers and their parents/employers. The study is confined to Mubarakour city of Azamgarh district of the Uttar Pradesh, and children particularly girls in the age group of 5-14 years working in silk industries are taken for intensive study. Their socio-legal aspects have been taken into consideration. It covers only one district and one industry for the purpose of investigation. This study is mainly based on primary data collected after using survey method technique. It is bound to be limited in its scope and applicability. Regarding scope, it is focused on the plight of girl child labourers engaged in different processes of sari weaving in terms of existing circumstances at family level, working conditions, economic contribution made by children, process of exploitation, parental attitude and health hazards prevailing in this industry. The research also focuses on the possible ways of preventing child labour in the form of suggestion.

Chapterisation:

The study is organized into six chapters. The problems of child labour is presented in Chapter first which contains introduction, concept of girl child labour, review of literature that provides a bird’s eye view of the research done in the field of child labour in general and girl child labour in particular. It also contains statement of the problem, objective of the study, hypotheses and methodology adopted to conduct empirical study.

Chapter second portrays that child labour in India is increasing according to the latest census. The geographical and economic profile of Uttar Pradesh, Azamgarh and sample area is presented in this chapter. The status of
girl child labour in the State of Uttar Pradesh is also described. This gives an idea about the magnitude of the problem of girl child labour in the state. Apart from this, analysis of the causes of child labour such as poverty, illiteracy, unemployment, educational backwardness, high population growth or large size families etc. are explained in this chapter.

Chapter three devoted to the role played by the international agencies such as UNICEF, UN and ILO etc. to eradicate the problem of child labour. The important Conventions and Recommendations of ILO and the provisions of Indian Constitution have been discussed in this chapter. Besides, there has been thirteen major legislations relating to the prohibition and regulation of child labour, and the problems of enforcement of these laws have been incorporated in this chapter.

The judiciary has played a very significant role in safeguarding the interest of children. The judicial intervention is one of the most effective instruments to combat any social problem including child labour. Therefore, Chapter four is devoted to the survey of cases decided by the Supreme Court on child welfare, child labour and child education.

Chapter five entitled, “Employment and Working Conditions of Girl Children in silk industry of Azamgarh”, explains the background, structure, socio-economic dynamics and production organization of the industry. It also includes the analysis and interpretation of data collected from field survey. This describes the socio-economic profile of girl child labour and their families, educational status, length of service, hours of work, rest, occupational diseases and legal awareness etc.

Chapter six deals with the summary of findings, conclusion and suggestions for improving the working condition of children in general and girls in particular and for gradual elimination of girl child labour.