Chapter II

Status of Child Labour in India - An overview
Chapter-II

Status of Child Labour in India: An Overview

Child labour is a social stigma embedded in socio-cultural fabric of the nation. The estimates of working children in India vary. According to 1971 census, it was estimated that there were 10.7 million child workers below the age of 15 years. The ILO estimated in 1975 and 1996 that in India the number of child workers was 15.1 million and 13.13 million respectively. The National Sample Survey (NSS) 32nd round (1977-78) estimated it at 16.25 million in 1978 in the age group of 5-14 years. The 1981 census estimated at 13.6 million, and the census of 1991 gives another figure of 11.28 million. The Planning Commission 1983 projected the number of working children at 17.36 million. The Baroda based Operation Research Group (ORG) estimated that the number of working children in the country was around 44 million.1 The Commission on Labour Standard estimated in 1998 as 25 million.2 Thus the surveys and estimates on child labour by government and non-government organizations give different figures, varying from 10.23 million to 44 million. The variations in the estimates are due to ambiguity regarding the concept of child labour, lack of clarity about the method of estimation and sources of data. So, on account of these limitations it is very difficult to make a precise estimate of the magnitude of the child labour in India.

The official figures on child labour are always different from the statistics quoted by non-government organizations. The statistics on magnitude of the working children in general, is lacking in terms of adequacy and reliability, and differing from source to source. The collection of data on child labour is not an easy task, especially because of the work undertaken by

2. Swami, S (Dr.) (2000) India’s Labour Standards and the WTO Framework, New Delhi, p.83
children in domestic and household industries or informal sectors are officially excluded from the category of workers.

However, 43rd round NSS Survey conducted in 1987-88, estimated the number of working children to be 17.02 million. According to 50th round NSS (1993-1994) the estimated population of working children were 13.3 million, and as per the estimates of 55th round of NSS Survey (1999-2000), the estimated number of working children in the country is 10.4 million.3 According to 2001 census figures, there are 12.5 million working children in the age group of 5-14 years as compared to child population of 252 millions, of which 10.7 million working children are in the age group of 10-14 years.4 As per the recent estimate of ILO (2005) in India, there are 12.6 million economically active children in the age group of 5-14, out of the child population of 253 millions in the same age group, of economically active population 6.8 million (53.7 percent) male and 5.8 million (46.2 percent) female.5 Thus, the current estimate of child labour in India is also varying, as there is no reliable data on employment of children in unorganized sector. Regarding child labour, India occupies top rank among the neighbouring countries in the South Asian region. Most probably, the number of child workers in our country is the highest in the world. Out of this India alone accounts for about 100 millions; non-official report estimate that there are 150 millions children in the work force in our country.6 According to Labour Commission Report 2001, the number of working children is more than 100 millions.7 Further, Alert Net Survey reports, “India is being hailed as a future

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<td>Dadra &amp; Nagar Haveli</td>
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<td>Daman and Diu</td>
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<td>Pondicherry</td>
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<td>3606</td>
<td>2680</td>
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<td><strong>Total</strong></td>
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<td><strong>13640870</strong></td>
<td><strong>11285349</strong></td>
<td><strong>12666377</strong></td>
<td></td>
</tr>
</tbody>
</table>

Note: * 1971 Census figures of Assam includes figures of Mizoram.
** Census could not be conducted.
*** Census figures 1971 in respect of Mizoram included under Assam.
**** includes marginal workers also.
economic power, yet 1.2 million children under five die from malnutrition every year. Child labour is outlawed, but right groups estimate up to 115 million children are forced to work". These figures probably includes "nowhere children" who are neither enrolled in school nor in the labour force. Thus, the magnitude of child labour in India, according to the national census as well as NSS figures, shows a declining trend. However, these figures can not but are a gross underestimation because of the exclusion of a large number of child workers performing work of non-remunerative nature.

The state-wise distribution of working children in the age group of 5-14 years according to 1971, 1981, 1991 and 2001 censuses is presented in the Table No.2.1. The distribution given in Table: 2.1 help us to identify the States with higher concentration of child workers. The state-wise distribution shows that the largest number of working children according to 2001 census, are found in Uttar Pradesh (1.9 million) followed by Andhra Pradesh (1.4 million),

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Rajasthan (1.3 million) and Bihar (1.0 million). The incidence of child labour shows great variation among the major states in India, the state of Uttar Pradesh occupies top position in the employment of children in 2001, which was being held by state of Andhra Pradesh till 1991, and Kerala still being at the bottom. One of the important reasons for kerala having the lowest figures for child labour is due to the fact that it has the highest school enrolment in the 5-14 years’ age group. The table also shows that some eight states namely Andhra Pradesh, Bihar, Karnataka, Maharashtra, Madhya Pradesh, Rajasthan, Uttar Pradesh and West Bengal together accounted for more than 72 percent of the total working children in India in 2001. The census report has indicated that child labour in the country has decreased from 13.64 million in 1981 to 11.28 million in 1991. But the new estimation of census 2001 is indicating an increase of about 1.38 million in the number of working children amounting to 12.66 million, a rather disturbing fact (Fig: 2.1). There is an increase of 12.24 percent in the number of child workers during last decade (1991-2001). Thus child labour is increasing at the rate of 1.2 percent annually during this period. This increase is against the official claim that child labour is declining. A majority of these child labourers work in unorganized sectors, both rural and urban. They are found working in different occupations. Usually, some of these unorganized and unregulated areas are left out in counting process. Child labour, therefore, appears to be grossly underestimated.

**Analysis of Work Participation Rate of Children:**

There are three categories of children, the first category comprises of children attending school, that comprises about 65 percent of the child population and the second category is of working children, who constitutes 5.0 percent of child population. The third categories of children are neither those, who are neither in school nor working, which are termed as nowhere children. This segment constitutes about 30 percent of child population in 2001.
Incidence of child labour has declined marginally by 0.37 points (5.37 to 5.00 per cent) during 1991 to 2001. Similarly work participation rate (WPR) of boys and girls has also declined by 0.52 point (5.66 to 5.14 per cent) and 0.21 point (5.06 to 4.85 per cent) during the same period. In urban areas overall child WPR has increased, while the rural child WPR has declined over the decade. The increase in WPR among urban children is almost entirely stemming from the increase in girls participation, while boys WPR is declining both in rural and urban areas. This seems to indicate a certain shift in the child WPR from rural to urban areas, with higher WPR of girls (see table 2.2).

Table: 2.2  Children Profile in the Age group (5-14 years)

<table>
<thead>
<tr>
<th>Category</th>
<th>Rural</th>
<th>Urban</th>
<th>Total</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Year</strong></td>
<td><strong>Total</strong></td>
<td><strong>Boys</strong></td>
<td><strong>Girls</strong></td>
</tr>
<tr>
<td>Working</td>
<td>6.43</td>
<td>6.56</td>
<td>6.29</td>
</tr>
<tr>
<td></td>
<td>5.94</td>
<td>5.94</td>
<td>5.95</td>
</tr>
<tr>
<td>Nowhere</td>
<td>49.33</td>
<td>42.16</td>
<td>57.14</td>
</tr>
<tr>
<td></td>
<td>33.43</td>
<td>29.62</td>
<td>37.61</td>
</tr>
<tr>
<td>Schooling</td>
<td>44.52</td>
<td>51.63</td>
<td>36.78</td>
</tr>
<tr>
<td></td>
<td>62.21</td>
<td>66.25</td>
<td>57.8</td>
</tr>
</tbody>
</table>

Source: Census of India, 1991 & 2001

(The Table is adopted from Rustagi & Mehta, 2006)

The proportion of ‘nowhere children’ has declined by 14 points (45 to 31 per cent) between 1991 and 2001. Similar declining trend can be seen in case of boys by 11 points (39 to 28 per cent) and girls by 18 points (52 to 34 per cent). The rural areas in India reported a sharper decline in the proportion of nowhere children over the decade by 16 points (49 to 33 per cent) as compared to urban areas by 9 points (32 to 23 per cent).
Is this decline in nowhere children an outcome of their increasing participation in the labour market or is it as a result of increasing enrolment in school? While it is clear in rural areas, that schooling has been increasing and children are also withdrawing from labour market, the urban scenario is not so obvious. While the school enrolment of children is increasing even in urban areas, there is a slight increase in the WPR of children as well. The situation for boys in both rural and urban areas is similar, but the urban girls work participation has been marginally going up which accounts for the overall increase in urban WPR of children 8a (see table 2.2).

STATE-WISE ANALYSIS

Child Work Participation Rate (5-14 age group)

According to 2001 Census, in absolute terms, there are 12.6 million working children out of 253 million children in the age group of 5-14 years. The child WPR for the age group 5-14 years is 5 per cent, where 5.14 per cent of boys and 4.85 per cent of girls are working. A downward trend has been observed in the child work participation for India and majority of its states during the last decade (1991-2001).

There is a variation of child WPR across states with Rajasthan (8.25%) having the highest WPR and Kerala (0.47%) -- the lowest proportion of children-- in the workforce. Himachal Pradesh (8.14%), Andhra Pradesh (7.70%), Chhattisgarh (6.96%), Karnataka (6.91%), Madhya Pradesh (6.71%), Jharkhand (5.47%) and Assam (5.07%) have higher proportion of child workers, i.e. more than 5 percent, while Haryana (4.78%), West Bengal (4.50%), Orissa (4.37%), Gujarat (4.28%), Uttar Pradesh (4.08%), Tamil Nadu (3.61%), Maharashtra (3.54%), Uttarakhand (3.24%), Punjab (3.23%) and Delhi (1.35%) have WPR less than 5 per cent 8b (table 2.3a and 2.3b).

8(b). Id.at 4.
To analyse change in children’s WPR over the decade 1991 to 2001, we have looked at the states with increasing WPR and declining WPR separately. Table 2.3a lists the states with increasing WPR and table 2.3b with declining WPR.

**Table 2.3a**: States with increasing change in work participation rates, (Rural+Urban) during 1991 to 2001

<table>
<thead>
<tr>
<th>State</th>
<th>1991</th>
<th>2001</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Boys</td>
<td>Girls</td>
<td>All</td>
</tr>
<tr>
<td>Himachal Pradesh</td>
<td>3.58</td>
<td>5.55</td>
<td>4.55</td>
</tr>
<tr>
<td>Haryana</td>
<td>3.18</td>
<td>1.81</td>
<td>2.55</td>
</tr>
<tr>
<td>Rajasthan</td>
<td>5.19</td>
<td>7.88</td>
<td>6.46</td>
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<td>Bihar</td>
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<td>6.00</td>
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<td>5.92</td>
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<td>Uttar Pradesh</td>
<td>4.96</td>
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<td>3.76</td>
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<td>Jharkhand</td>
<td>5.15</td>
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<td>5.21</td>
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<td>Punjab</td>
<td>4.97</td>
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<td>Delhi</td>
<td>2.09</td>
<td>0.36</td>
<td>1.27</td>
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</table>

*Source: Calculated from Census 1991 & 2001*

(Table is adopted from Rustagi & Mehta, 2006)

Out of the 20 states considered here, half of them show increase in work participation rate between 1991 and 2001. The states in which work participation rate has increased are Himachal Pradesh, Haryana, Rajasthan, Bihar, Karnataka, West Bengal, Uttar Pradesh, Jharkhand, Punjab and Delhi during 1991 to 2001. The proportion of both girls and boys among workers has also increased in majority of these states, with few exceptions like West Bengal, Uttar Pradesh, Punjab and Delhi, where overall and girls work participation has increased but boys work participation has declined during 1991 and 2001 (table 2.3a).
Table: 2.3b : States with declining change in work participation rates, (Rural+Urban) during 1991 to 2001

<table>
<thead>
<tr>
<th>State</th>
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<th>2001</th>
<th>Change</th>
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<td></td>
<td>Boys</td>
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<tr>
<td>Uttranchal</td>
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<td>Andhra Pradesh</td>
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<td>Maharashtra</td>
<td>4.89</td>
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<tr>
<td>Kerala</td>
<td>0.64</td>
<td>0.52</td>
<td>0.58</td>
</tr>
</tbody>
</table>

Source: Calculated from Census 1991 & 2001

(Table is adopted from Rustagi & Mehta, 2006)

Out of 10 states with declining child WPR, Madhya Pradesh has seen the highest decline in work participation rate and Kerala is the lowest between 1991 and 2001. The other states in which WPR has declined during 1991 to 2001 are Uttaranchal, Chhatisgarh, Andhra Pradesh, Maharashtra, Orissa, Tamil Nadu, Gujarat and Assam.

A noteworthy feature of child labour is that the work participation ratio of girl children has recently increased in India, while the WPR of male child workers has fallen from 5.98 percent in 1981 to 5.66 percent in 1991. The WPR of female child workers has increased from 4.34 in 1981 to 5.06 in 1991. During this period the work participation rates of female children have...
increased in both rural and urban areas of the country. However, the WPR of both male and female children have declined in rural areas but increased marginally in urban areas from 1.23 percent in 1991 to 1.49 percent in 2001. Further, on the basis of the observed facts about 14 major states regarding female child workers it can be said that wide difference exist among Indian states. But there is one phenomenon that exists in common and that is larger number of female children is working in rural areas. In this regard the position has now be changed in 2001.

From the available data regarding the states, it seems that the number of female child workers is quite low in certain states. But this lower figure does not indicate that the situation is quite favourable for the girl children. This lower figure may be the result of various factors. One of the reasons is marginalization of the female child labourers. The works performed by the girl child in most of the cases are not considered as labour as they are regarded as marginal workers helping their mothers.

Geographical and Economic Profile of Uttar Pradesh:

The Uttar Pradesh is one of the border states of India. It is surrounded by Bihar in the east, Madhya Pradesh in the south, Rajasthan, Delhi, Himachal Pradesh and Haryana in the west, and newly created state of Uttaranchal in the north. Nepal touches the northern borders of the state. If the borders of Uttar Pradesh (UP) is seen in natural way, then in the north, mountain ranges of Himalaya, in the west, south west and south rivers Yamuna and Vindhyaachal, and in the east river Gondak. It is a land locked state lying between 23° 52’ N and 31° 23’ latitude and 77° 04’ E and 84° 38’ E longitudes. As per geographical condition Uttar Pradesh can be divided in to three regions: Himalayan region – North, Gangatic Plains – Middle, and Vindhayan hills and Plateau – South.

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10. Ibid.
After the creation of Uttaranchal, the mountain range of Himalaya is carved out of Uttar Pradesh and be made the part of new state, and only a small area of it remains in U.P. At present the Uttar Pradesh can be divided in to following geographical regions: (i) \textit{Trai and Bhabhar} Area (ii) Plain and (iii) Hills and Plateau in south. A narrow belt from Saharanpur in the west and Deoria in the east is called “\textit{Tarai and Bhabhar}”. This area lies around \textit{Shivalik} hills in Saharanpur, Bijnore and Peelibheet districts. Rivers coming from mountain are slowed down in these areas and as a result of deposition marshy land is formed. The width of this area is 34 kilometer in west but narrowed as it moves towards the east. This area is covered with lush green forest and grass. About three-fourth of the total area of the state is covered by the Gangatic Plain which is situated between the Himalaya in the north and uplands in the south. The northern part is known as Upper Ganga Plain while southern is known as the Middle Ganga Plain. This region is most fertile and densely populated in the state. The northern border of the southern part of the state is demarcated by rivers Yamuna and Ganga. This upland of U.P is known as Bundelkhand region which covers the districts of Jhansi, Jalaun, Lalitpur, Hamirpur, Banda, Mirzapur, Sonbhadra and the southern part of Allahabad. It lies in warm temperate zone, but great variations in the climate occur at different altitudes. During summer season, the temperature at some places reaches 47\(^{\circ}\)C. During winter, temperature in plain area ranges between 12.5\(^{\circ}\)C to 17.5\(^{\circ}\)C. April, May and June are the months of summer season when heat waves blow in most of the areas. Generally, there are three seasons in a year, winter from October to February, summer- from March to June and till September it is rainy season. The hottest region is Agra and Jhansi, while lowest heat is in the Bareily region. From mid June, due to monsoon coming from Bay of Bengal, it rains and lasts till mid September. Around 83 percent rain is recorded during rainy season and rest 17 percent during winter.\(^{11}\)

According to 2001 census, the total population of Uttar Pradesh is 16,60,52,859 comprising of 8,74,66,301 (52.67 percent) males and 7,85,86,558 (47.33 percent) females, of which a little over 81 percent live in rural areas of the state. This figure is even more than the population of neighbouring country Pakistan. If U.P is seen as a country on the basis of population then it will occupy sixth place after Brazil. It is a largest state of the country on the basis of population has fourth place on the basis of total areas after Rajasthan, Maharashtra and Madhya Pradesh. The decadal growth in the population of the state is 3, 40,54,055 (25.8 percent) during 1991-2001 which is 0.25 percent more than the population growth of preceding decade (25.55). The state is divided into 17 administrative divisions, 71 districts 682 cities.\textsuperscript{12}

The Uttar Pradesh is the most populous state of India, with 16.2 percent of country’s population living in an area of 2.4 lacs square kilometer accounting for about 2.7 percent of total world population. The population density of U.P was 689 persons per square kilometer in 2001 as against 548 persons in 1991, which means that now 141 more people live in a square kilometer in the state than the number that lived a decade ago. The number of females per thousand males according to 2001 census was 898 against 933 for the country as a whole. The sex ratio further falls to 853 females for per thousand males in 2003 as reported by C.S.Dogra in Outlook Magazene, 27\textsuperscript{th} February, 2006. There are three districts i.e. Azamgarh, Jaunpur and Deoria which have recorded higher female’s sex ratio in the state. The crude birth rate in the state has declined slowly from 36.2 per thousand in 1992 to 33.1 in 2001, and the crude death rate also recorded a downward trend from 12.8 per thousand populations in 1992 to 10.5 per thousand in 2001. Here, it is to be noted that both birth rate and death rate are significantly higher in the state than all India level that is recorded as 23.79 and 8.62 per thousand respectively.\textsuperscript{13}

\textsuperscript{12} Ibid.
\textsuperscript{13} Ibid.
The state is blessed with a variety of geographical land and much cultural diversity. Its perennial rivers, dense forests and fertile soil comprise the backbone of the primarily agrarian economy. Dotted with various holy shrines and pilgrim places, full of numerous festivals, the state plays an important role in the politics, education, culture, industry, agriculture and tourism of India. Majestic Taj Mahal is the most well known landmark of the country in the state. Further, the state is endowed with natural wealth in abundance, mainly in mountain ranges of the Himalayas in the north and Vindhayan ranges in the south. The diversity of flora and fauna here due to vast area, rivers varieties of climatic conditions, and different kinds of soil, are hard to find elsewhere. The minerals found in Uttar Pradesh include limestone, dolomite, glass-sand, marble, bauxite, non-plastic fireclay, and uranium. Besides, Brytes, Edalusite, sand-stone, pebbles, reh, salt punter, marang sand and other minor minerals are also found in the state.¹⁴

Uttar Pradesh is predominantly an agriculture state with over 80 percent of the population living in rural areas. Agriculture is the single largest source of livelihood. It grows both Rabi and Kharif crops. It is the second biggest economy in the country, with a share of 10.7 percent in aggregate domestic product. U.P. ranks fourteenth as per capita income of the state in the country. The state is the largest producer of wheat, pulses, sugarcane, tobacco, potato and milk. For wheat, sugarcane, potato and tobacco the share of U.P varies from 30 to 50 percent of the country’s production. The state has a distinct place for the highest yield for pulses and tobacco. From industrial point of view, U.P is not well developed state of the country. There are three most important industries- sugar, cotton fabrics and diversified food preparations. Goods carrier equipment, Photostat machines, chemicals, polyester fiber and steel tube galvanized sheets are the other big industries. The state has always been the heartland of small scale industries (SSI) units in the country, with 12 percent of

over 23 lacs units. This provides an entrepreneur base that can be strengthened to propel growth.\textsuperscript{15} The state government has registered a constant growth of 30,000 new units every year and due to this growth, U.P on the national scale is regarded as one of the most well established plate forms for this SSI units.\textsuperscript{16}

The state has experienced rapid industrial development over the years. The state provides favourable conditions in this regard. Further effective steps have been taken for imparting necessary guidance to entrepreneurs and removal of bottlenecks coming in the way of setting up of industries. Recently, the initiative taken by the U.P. Development Council (UPDC) gave necessary push to the economy. For rapid development, Industrial Investment Board (IIB) and plans for Lucknow Industrial Development Authority (LIDA) as well as Greater Noida phase-II were established. In addition to these, Gorakhpur Industrial Development Authority (GIDA), Sathariya Industrial Development Authority (SIDA) and New Okhla Development Authority (NOIDA) have also been set up for the development of industries. Moreover, the policies were framed in a manner to include further liberalization of industrial approval and to encourage foreign investment. Besides, simplification of policy, procedures and efforts towards making them responsive to the needs of industry continued. Uttar Pradesh has been the first state to adopt the Special Economic Zone (SEZ) policy. Apart from the regular incentives and privileges given to the SEZ units by the central government, the U.P government has included a plethora of incentives in the list. The offer includes no electricity duty or tax on self generated or purchased power, exemption from trade tax, turnover tax, mandi tax, local tax, purchases tax on sales/transactions with SEZ for export.

Out of the total population, there are 32.6 percent main workers, 66.03 percent engaged in agriculture and 5.33 percent in household industries.

\textsuperscript{15} Ibid
The occupational distribution of the total main workers in the state shows that 72.2 percent of them are cultivators and agriculture labourers. A little more than 82 percent of the main workers in the rural areas of the state are engaged in agriculture, 61 percent as cultivators and 21 percent as agricultural labourers.

The Uttar Pradesh is one of the most educationally backward states in the country. It lags behind the national average both for males and females in education. Following the definition of literates adopted at the 1991 census, in 2001 census also, all the children below the age of 7 years have been treated as illiterate. It is now possible to present a comparative picture of literacy rate for two censuses. The literacy rate for the state is 57.36 percent with 70.23 percent for males and 42.98 percent for females; against all India figure of 65.20 percent with 75.64 percent and 54.03 percent for males and females respectively. Corresponding rates of 1991 census were 40.71 percent, 54.82 percent and 24.37 percent respectively. There are, thus, an over all gain of 16.65 percent point while gain in literacy of females (18.61 percents) is higher than males (15.41 percent). Though, over all improvement in the literacy rate in case of males is less than females, yet the proportion of literates among males is higher than females. There are 39 districts in the state of U.P which have recorded literacy rate above the state average (57.36 percent).\textsuperscript{17}

One of the most remarkable features of the state is its cultural and social diversity. The vastness of the state, the prevalent caste dynamics and the lower rate of literacy among women are some of the barriers for overall development of the state. Illiteracy among the women is due to high dropout rate after high school in the state especially of girls staying below poverty line due to financial constraints. In order to promote higher education of girl child, government has introduced \textit{Kanya Vidyadhan} scheme. Under this scheme all the girls student living below poverty line who have passed their class 12\textsuperscript{th} examination will be eligible of getting a financial aid of Rs.20,000 to pursue their higher education.

\textsuperscript{17} Supra note 14 at p.6.
Recently, special provisions were also made for providing financial support to educated unemployed youths in the state in the form of unemployment allowance. Under this policy Rs.500 are being given to all unemployed graduates and post-graduates between 21 to 35 year's of age.

Almost all social indicators of the state of Uttar Pradesh show that the state stands on 13th position among the fifteen major states in India. Bihar and in some cases Orissa are the only states which lag behind U.P in terms of social indicators like medical facilities, teacher-pupil ratio in primary school, birth rate, death rate, infant mortality rate, literacy, per capita income etc. U.P is often as a case study of development in a region of India that currently lags behind other parts of the country in terms of a number of important aspects of well being and social progress.

Azamgarh District:

The district is named after its headquarters town Azamgarh, which was founded in 1665 by Azam son of Vikramjit, a descendant of Gautam Rajputs of Mehnagar in pargana Nizamabad, had embraced the faith of Islam. He had two sons Azam and Azmat. While Azam gave his name to the town Azamgarh, and the fort, Azmat constructed the fort and settled the bazaar of Azmatgarh in pargana Sagri.18

The district Azamgarh comprises somewhat irregularly shaped tract of country lying south of the Ghaghra river, between the parallels of 250 38' and 260 27' North latitude and the meridian of 820 40' and 830 52' East longitude. It is bounded on the east by Mau, on the south-east by Ghazipur, on the south-west by Jaunpur, on the west for a short distance by Sultanpur, on the north-west Ambedkarnagar and on the north by Gorakhpur. The river Ghaghra separates the district from the Gorakhpur district while the boundary with the other district is purely artificial.19

19. Ibid.
In its general aspect the district is a level plain without any hills, the only variations in the surface being caused by the bad Lands along the streams that drain it. There are only two natural divisions— the southern low-lying tract and the northern high-lying tract. They differ from one another in many aspects. In the southern tract a distinction may be drawn between the interior uplands which consist of comparatively old formations of alluvial deposit, and the riverine alluvium, which lies in the valleys of the rivers and is liable to change. The dividing line of the two tracts lies roughly along the metalled road which runs from Shahganj through Azamgarh to Mau. The northern tract is divisible into two portions, the uplands known as bangar and the lowlands in the vicinity of Ghaghra called the Kachhar. The bangar is the most fertile and stable portion of the district. The soil of bangar is good, and there are isolated patches of clay and usarland those found in the southern tract.

According to 2001 census, total population of the district was 39,39,916, comprising 19,50,415 males and 19,89,501 females, of which a little over 92 percent of the total population live in rural areas and approximately 8 percent in urban areas. The persons from schedule caste comprised 25.7 percent and there is negligible presence of schedule tribe population in the district. Apart from this, 84.6 percent is Hindu and Muslims constitute 15 percent of the total population. Total geographical area of the district is 4,108 square kilometer and it is densely populated which are 936 persons per square kilometer as per 2001 census, which is 169 persons per square kilometer more than previous census (767 persons per sqr.km) and also more than the state average. The literacy rate in the district is 56.15 percent which is less than that of the state average. Literacy rate among males and females is 70.50 percent and 42.44 percent respectively. The district has highest female sex ratio of 1026 females per thousand males.

20. Supra note 18 p4.
The district has only one large scale industry i.e. a co-operative sugar mill at Sathiaon. Besides, other major industries are rolling mills, edible oils, pottery of black soil, rice mill and general engineering etc. Moreover, agricultural implements, mechanical engineering goods, textile and allied goods, plastic and rubber goods, electrical goods, glass wares, food and allied products are produced in a large number of small – scale industrial units, which are mainly located in urban areas. In addition to this, aluminum utensils, steel furniture, automobile parts, building materials, printing and bricks etc. are produced in various units scattered throughout the district.21

The Azamgarh has a good agricultural base and a reasonably good infrastructure of various facilities. But the industrial base is still very weak, resulting in a low income to the district. The dominating agriculture and weak industrial base together appear to leave a gap, which can be effectively bridged by a co-ordinated approach to enrich the economy of the district. Industrially, the district has been one of the backward districts of the state. Due to lack of chronicles, it is not possible to trace out the development of the industries, avocations and the level of excellence achieved in the past. But it is certain that in ancient times and also in Moghal period, many villages of this region constituted self sufficient economic units producing their own clothes, crude agricultural implements and other necessities of life. It is however, believe that during the peaceful reign of the first four Moghal emperors, some industries and handicrafts prospered and received considerable encouragements from the rulers and local chieftains.22

The district Azamgarh has long enjoyed a celebrity for manufacture of cloth and although the trade at present is in a somewhat depressed condition, it is still an important industry. The industry in the district affords maximum employment and responsible for more than 60 percent of the value of industrial

22. Supra note 18. p97.
production. Usually, it is a subsidiary occupation for more than 1.5 lakh of the rural population. It is a village household industry with looms set up in most of the rural households. The production process is traditional. There are as many as 3,500 power looms also in the district. The weavers are generally very proficient possessed of innate skill and use mill made yarn. It is first dyed in their own houses or by local dyer. The yarn is usually obtained in the form of ranks and as such it has to be loosened and unwound before it is warped and sized. Unwinding, warping and sizing is normally done by the members of weavers household. The dyed yarn is then operated into the pit, fly shuttle loom and weaved into cloth or saris. Though the textile industry is scattered throughout the district but the weaving of famous in its brand name of Banarsi silk saris or silk industry of the district is concentrated mainly in and around Mubarakpur town of the district. Therefore, let us have a look on the profile of the Mubarakpur town of Azamgarh.

**Mubarakpur Town (Azamgarh) : Sampled Area**

The Mubarakpur town of Azamgarh district is situated in 26° 6’ north latitude and 83° 18’ east longitudes, at a distance of 12.8 kilometer to the northeast of the district headquarters. Metalled road connect the place to Azamgarh, Muhammadabad and Sthiaon. Its original nomenclature is said to have been Qasimabad, and to have fallen in to decay before it was resettled, in the name of Raja Mubarak, a sufi of Manikpur Karra, by a Sheikh landlord. Under its new name the place probably acquired some importance, but no reference to it are traceable in the annals of Muslim historians. The place serves as a thriving market for grain, some of the important fairs held here being those held on the occasion of Dashahra and Muharram, where a sizeable gathering collects to celebrate these fairs.

The total area of Mubarakpur Municipal Board is spread over nine squire kilometers, which consists of Mubarakpur proper, Noorpur Bootat, Sikthi Shahmohammadpur partial, Chak Sikthi partial and Amilo partial; as informed by Ameer Singh, Head clerk of the Board. According to 2001 census,
the population of Mubarakpur Urban Agglomaration (UA) is 78,789 persons comprising of 51.11 percent male and 48.89 percent females. The literacy rate is 60.01 percent for the town with 66.62 percent and 53.07 percent for males and females respectively. The town has predominantly Muslim population and weaving community in particular. The town is administered as a municipal board; it is divided into 25 wards, having total population of 56,892 of which 28,990 (50.96 percent) males and 27,902 (49.04 percent) females live within the jurisdiction of Mubarakpur municipal board and there is a negligible presence of schedule caste population.

The place is famous for manufacture of silk saris in the brand name of ‘Banarsi sari’ which are also exported to the different countries of the world. The chief product of Mubarakpur is a silk and cotton union like satin, the fabrics being known as Sanqis and Ghalbio. Sanqi derived its name from the fact that two warp threads were treated together as one thread in weaving. A wary line, called Khanjan, ran along the whole width of the fabric and was produced by their requisite manipulation of the weft thread. The characteristic form was green or yellow warp with red weft and the cloth was a favourite one with all classes of population. The ghaltio was derived from the Persian ghahtidan, to roll probably with reference to its smooth glazed surface. Though, an admixture of silk and cotton, the upper surface of ghaltio is so well pressed and calendared that the presence of cotton could hardly been identified, while the back showed very little silk and almost all cotton. The characteristic pattern on a ghaltio was checks bounded by one, two or three lines and the portion between the lines running in one direction filled in with silk of a different colour from the rest of the fabric, hence there was a combination of checks and stripes. The raw material used was both mulberry and tsar silk imported from Bengal. Ghalta, were woven with white yarn and then dyed with chemical dyes.\footnote{23. Supra note 18, p201.}
Girl Child Labour in the State of Uttar Pradesh:

Uttar Pradesh is one of the most popular states in India with widest ever geo-climatical and human diversities, it ranks first in population and in child labour population. According to 2001 census figure, there are 19,27,997 working children in the age group of 5-14 years which constitute 15.22 percent of the total children employed in India. While in 1991, there were 14,10,086 working children in the same age group, of which a little over 70 percent males and approximately 30 percent are females. Of the total child workers, over 81 percent are main workers and marginal workers constitute about 19 percent. Whereas 79.97 percent of the total main workers are males, and the rest 20.02 percent are females. Among the marginal workers in the state, overwhelming majority (72.89 percent) are females and rest are males. Regarding girl child workers, ILO (2005) also estimates that girl children constitute about 46.2 percent of the total child workers in India. Thus it is clear that in case of main workers majority of the working children are males but in case of marginal workers the position is almost reversed and females dominate over male counterparts.

Magnitude of Girl Child Labour in the Districts of Uttar Pradesh:

Eighteen out of 71 districts of Uttar Pradesh with high concentration of working children are selected in order to high light the problem of child labourers in general and girl child labourers in particular. Table: 2.4 depict the data on the distribution of working children in 18 out of 71 districts of Uttar Pradesh as per 1991 census. The data shows that 18 districts together account for nearly half (48.53 percent) of the total child labourers in the state. Further 8 districts i.e. Allahabad, Bahraich, Gonda, Varanasi, Moradabad, Muzaffarnagar, Banda and Deoria cumulatively account for about 27.87 percent of child labourers in the state. The data also highlights that Allahabad district in the state stand first in terms of highest number of child workers with 55,592 (3.94%) of total child workers in the state followed by Varanasi 54,370 (3.86%) and Gonda with 52,869 (3.74 percent) child workers.
Girl child workers in the state constitute 2.46 percent of the total population of female children in the age group of 5-14 years. Regarding the employment of girl children, Allahabad district remains a highest employer with 43.78 percent of total child workers followed by Deoria with 43.16 percent and Azamgarh with 42.66 percent. The data further reveals that more than 70 percent of female children are employed as marginal workers in almost every district of Uttar Pradesh.

Table: 2.4
District-wise Child Workers in Uttar Pradesh (5-14 Years)

<table>
<thead>
<tr>
<th>Districts</th>
<th>Child Workers (Main &amp; Marginal)</th>
<th>Main Child Workers</th>
<th>Marginal Child Workers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Persons</td>
<td>Males</td>
<td>Females</td>
</tr>
<tr>
<td><strong>Uttar Pradesh</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Allahabad</td>
<td>14,10,086</td>
<td>9,87,582</td>
<td>4,22,504</td>
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<tr>
<td>Bahraich</td>
<td>51,248</td>
<td>39,318</td>
<td>11,930</td>
</tr>
<tr>
<td>Gonda</td>
<td>52,869</td>
<td>38,379</td>
<td>14,490</td>
</tr>
<tr>
<td>Varanasi</td>
<td>54,370</td>
<td>35,580</td>
<td>18,790</td>
</tr>
<tr>
<td>Moradabad</td>
<td>45,948</td>
<td>40,264</td>
<td>5,684</td>
</tr>
<tr>
<td>Muzaffarnagar</td>
<td>42,027</td>
<td>31,017</td>
<td>11,010</td>
</tr>
<tr>
<td>Meerut</td>
<td>32,839</td>
<td>24,635</td>
<td>8,204</td>
</tr>
<tr>
<td>Agra</td>
<td>28,850</td>
<td>19,220</td>
<td>9,630</td>
</tr>
<tr>
<td>Budaun</td>
<td>31,334</td>
<td>28,944</td>
<td>2,390</td>
</tr>
<tr>
<td>Bareilly</td>
<td>28,240</td>
<td>25,663</td>
<td>2,577</td>
</tr>
<tr>
<td>Kheri</td>
<td>29,395</td>
<td>22,425</td>
<td>1,970</td>
</tr>
<tr>
<td>Sitapur</td>
<td>31,182</td>
<td>28,533</td>
<td>2,649</td>
</tr>
<tr>
<td>Hardoi</td>
<td>26,268</td>
<td>23,328</td>
<td>2,940</td>
</tr>
<tr>
<td>Banda</td>
<td>41,940</td>
<td>22,070</td>
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<td>Barabanki</td>
<td>27,435</td>
<td>20,895</td>
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<tr>
<td>Basti</td>
<td>25,340</td>
<td>16,020</td>
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<tr>
<td>Deoria</td>
<td>49,260</td>
<td>28,000</td>
<td>21,260</td>
</tr>
<tr>
<td>Azamgarh</td>
<td>30,500</td>
<td>17,490</td>
<td>13,010</td>
</tr>
</tbody>
</table>

Source: Census 1991

Note: 18 districts of Uttar Pradesh with high concentration of child labour.
This clearly indicates high incidence of girl child labour in the state of Uttar Pradesh. Child workers perform a variety of jobs. They work in carpet weaving industries in Mirzapur-Badhohi belt, lock-making industry of Aligarh, pottery industry Khurja, Brass ware in Moradabad, Glass industry in Ferozabad, silk and silk product Varanasi. In all these places the problem of child labour shows in all its manifestations in terms of exploitation, degradation and deprivation. Besides, prevalence of child labourers are noticed in unorganized sector where they work as domestic servant, helpers in dhabas and canteens, paper vendor, hawkers, shoe-shine boys, sweepers and scavengers, automobile workshop, helpers at construction site etc. These children are not adequately represented in the official labour statistics.

In the context of child labour, girl child requires special mention. Although the labour of young children of both sexes is exploited, the plight of the girl child labourers is worse off. She is a child, a girl, and a labourer, and she faces discrimination on all counts, in almost all areas – rural and urban. Many reports suggest that girls being allocated task that are more tedious, more damaging to education, less well paid, and requiring a fairly longer working day than boys. Generally, girl child labourers are found in agriculture, household work, home-based piece-rate work, bonded labour, domestic service and prostitution. Therefore, the plight of girl children working in different occupations is a matter of serious concern. The significant characteristics of girl child labourers are: (i) invisible work; (ii) long working hours and poor conditions; (iii) no skill formation; (iv) low payment and low status; (v) physical abuse; and (vi) sexual harassment and abuse.

Causes of Child Labour:
Child labour became a social evil when the people began to exploit the children of tender age. In India, thousands of young children of school going
age are found working for long hours in different occupations, hazardous and non-hazardous. They are exposed to many dangerous risks, accidents and other occupational diseases. They have to work for meager and insufficient wages under inhuman conditions and beyond their physical capacity, particularly in agriculture, plantation, and industrial establishments and in unorganized sector. They are being deprived of opportunities for normal physical, mental and social growth and development.

The causes of child labour are many and varied. They are inter-related. It is generally said that the children are compelled to work because of bad socio-economic conditions. Though poverty is said to be the major cause of child labour, yet it is not the only cause. However, the extent and nature of child labour are also influenced by the structure of the economy and the level and pace of development. As the causes of child labour are being closely inter-related, it is very difficult to classify. Some of which are discussed below:

**Poverty:**

The most important cause of child labour is widespread poverty. Poverty compels the parents to send their children to seek employment. Death of breadwinner, disease and other contingencies may need extra money, and the employment of children is resorted to as an easy accessible option to fetch money.

The ILO Report, ‘A Future Without Child Labour’, lists many causes of child labour, namely, poverty, economic instability, political turmoil, discrimination, migration, traditional cultural practices, inadequate social protection, absence of schools, low adult productivity, greed of employers, and inadequacy of enforcement machinery (ILO, 2002). Though no one of these causes can be overlooked, poverty has been acknowledged as one of the main reasons for the perpetuation of child labour. According to National Sample Survey Organization’s (NSSO) Survey, 1999-2000, India is home to 260.3 million poor, that is
approximately 22 percent of world poor.\textsuperscript{25} Based on the report of M.S.Gurupadswami Committee, 1979 Deshta and Deshta (2000) cited chronic poverty as the strongest reason for the prevalence and perpetuation of child labour\textsuperscript{26}. According to a case study, 1993 on child labour in match and firework industry in Sivakasi, it was found that more than 57 percent of households of child workers obtained more than one third of their total family income from child work, and it was inferred that without the income from child work, the families might plunge into utter poverty and starvation.\textsuperscript{27}

An analysis of specific reasons that force children to work based on NSS data shows that about 59 percent of working children in rural areas and 63 percent in urban areas, resorted to work in order to supplement household income, and another 19 percent in urban areas worked to meet the labour shortage in the household. Moreover, it is important to note that 56 percent of the school drop-out children in rural areas and 68 percent in urban areas belong to families below poverty line.\textsuperscript{28} One of the most effective tools in tackling down the various factors related to child labour is the technique of “poverty mapping”, this tool assumes that only economic poverty does not generate child labour, but also geographical, social, cultural and political poverty.\textsuperscript{29} Moreover, the poverty and child labour are positively correlated. However, it should be kept in mind that child labour is not only the result of poverty, but also the cause of it. The prevalence of child labour tends to perpetuate poverty for generations. Thus, the problems of child labour and

\textsuperscript{26} Ibid.
poverty have to be addressed simultaneously for breaking vicious circle of poverty leading to child labour and child labour resulting in persistent poverty.

A critical minimum earning is necessary for survival, and when income falls below it, poverty takes birth. In such circumstances when parents fail to earn at least critical minimum, children are induced or forced for labour. The purpose is to supplement family income. It may be observed in number of cases that children of those families also do labour in the market where earnings are well above the "critical minimum". Child workers in a large number at several places i.e. Ferozabad and Moradabad, the bastions of glass making and brass-ware in India provide such example. Does it negate poverty hypothesis? It does not. This simply indicates the fact that poverty is not the "sole" cause of child labour. Other factors also there causing child labour, such as caste, tradition, customs and family occupation.

Unemployment and Low Wages:

This is one of the important causes as the children seek to work because their adult wage earners are either unemployed or had some part-time job. This has led worse living conditions than that of poor. Low wages make one poorer but unemployment makes him absolute poor. It turns the week into crippled. Poverty dampens his spirit but unemployment kills it mercilessly. Therefore, can one muster sufficient courage to suggest the poverty-stricken unemployed not to send his child to work? Partly employed people sail in the same boat. And unfortunately, the curse of unemployment is an universal phenomenon. It exists even in most affluent countries like United States of America, so also exists child labour and its accompanying problems. In their book, "Child Workers in America" Lumpkin and Douglas have very rightly pointed out that two-fifth of the children seek work due to the unemployment of the adult member of the family. Nearly two-third of children were at work because adult
member of the family had no job or part-time job, and one-third of the children wanted to work due to the serious cuts in the pay of the adult.30

A social worker Mrs. Padmini Sen Gupta observed: “Labour is employed on average for 189 days in agricultural pursuits. There are other rural employments which exist but overall position would appear to be 100 days in the year of total unemployment. During the period of unemployment many women migrate to the cities with families, and beg with babies in their arms. They are therefore, employing their children from infancy for begging which is an important employment, especially now, and children of baby group are exploited while older children are pests in every part of the city including railway stations where begging is prohibited by law but where it thrives as officials turn a deaf ear to the wails of boys and girls”31.

The ILO has estimated that of every 100 workers worldwide, six are fully unemployed. Another 16 are unable to earn enough to get their families over the most minimal poverty line of US $ 1 per person per day. These are the poorest of the working poor. Many more works long hours at low productivity, are in casual or precarious employment, or are excluded from the workforce without being counted as employed.32

32. International Labor Office, 2001 discusses how ensuring the provision of ‘decent work’ is an essential requirement of removing poverty from the world. It points out that the employment gap is the fault line in the world today and that there are 160 million people openly unemployed in the world. The report explain the goal of decent work through the eyes of people. It is about your job and future prospects, about your working conditions, about balancing work and family life, putting your kids through school, or getting them out of child labour. It is about gender equality, equal recognition, and enabling women to make choices and take control of their lives. It is about your personal liabilities to compete in the market place, keep up with new technological skills and remains healthy. It is about developing your entrepreneurial skills, about receiving a fair share of wealth that you have helped to create and not being discriminated against, it is about having a choice in your work place and your community. In the most extreme situations it is about moving from subsistence to existence. For many it is the primary rout out of poverty. For many more, it is about realizing personal aspirations in their daily existence and about solidarity with others. And everywhere, and for everybody, decent work is about securing human dignity.
The problem of child labour is inter-related to the problem of living wage of adult worker. The inadequacy in wages of adults compels them to send their children to do some work in return of some wage, and the employers also take the benefit of their weakness by providing work to children on low wages in spite of various protective laws. As pointed out by Aseem Prakash, "child labour is also a result of low wages which do not allow reproduction of labour power". According to NSSO 1999-2000, while 26.1 percent of the population is living below poverty line, the rate of unemployment is 2.3 percent. Further, the percentage of person below the poverty line among the unemployed is smaller than those among the employed. Therefore, many workers who do not earn wages sufficient to maintain decent standard of living, they are being compelled by economic necessity to look for additional hand to augment their income. Thus the incidence of child labour has a close relationship with unemployment and low wages.

It is important to note that child labour creates adult unemployment. This is a paradoxical co-existence of adult unemployment and child labour that is found in India. As early as 1961, Ramesh Chandra has pointed out that if all the children were eliminated from the labour force in India, employment opportunities will be created for at least 15 million adult workers and thereby cures the problem of unemployment to a larger extent. The main reasons, which give rise to child labour, are the widespread unemployment and under-employment among the adult poor strata of population, interalia, due to sharp growth of population.

A study conducted by Aligarh Muslim University, in Upper Kote area of Aligarh district among lock makers revealed that there are many children who

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are earning and many adults who are not able to find remunerative work. It is emphatically stated in the draft report of the study that adult workers are not fully-employed and hence the prevalence of child labour.\textsuperscript{36}

\textbf{Population Growth/ Large Size Family:}

The incidence of child labour is more in countries with high rate of population growth. In India, the population is still growing at an alarming rate without corresponding increase in resources and opportunities. The decadal growth rate of population for 1991-2001, according to the census 2001, is 21.34 percent and annual exponential growth rate is 1.93 percent during corresponding period.\textsuperscript{37}

It is generally perceived that the poor families procreate more children than prosperous one, which leads to large size families and abnormal growth of population. The resources of these families are limited; as a result they have less income to meet out their family requirement. Consequently, large families with comparatively less income can not have happy notions in their mind. As a result, they can not give protected childhood to their children. If a family is limited and well planned, there will be no scope for sending their children to the labour market, and children can be carefully educated. But unfortunately, the impoverished and illiterate parents have a thought that when God has given the body, he will feed it also. They think that three or four children are better than one. For them more children means more income. They argue that whereas human body has just one mouth to eat, it has got two hands to feed it. But they forget that one intelligent and qualified son is better than hundred illiterate foolish are. Even millions of stars can not dispel the darkness which just one moon can and so is the case with sons.\textsuperscript{38}

Therefore, illiterate and unpolished parents do not think about future of their children. However, if the parents have small size family, they can provide all facilities to their children which are necessary for their growth and development.

**Illiteracy and Ignorance of Parents:**

In India, the majority of population of lower socio-economic groups, such as SC/ST and backward classes are illiterate. Their conditions never permit them to think of future, as their present is miserable. As such they are fully satisfied with what they gain by the earning of their children. They ignore the fact that child labour deprives the children of all educational opportunities and minimize their chances of vocational training. It also affects their health and they are converted into labours of low wages for all their lives.\(^\text{39}\)

The study on child labour in Aligarh lock industries revealed that about 80 percent of the parents of child labourers were illiterate, about 12 percent had studied upto vth class and only 8 percent of them had education up to viii th standard.\(^\text{40}\)

Child labour is common especially in the lower socio-economic group because of the lack of appreciation on their part of the role that education can play in improving life and living conditions of the people. A large number of poor parents find no meaning in education because there is no guarantee of job in future. They prefer to send their children to work at an early age instead of sending them to school with the hope that children will at least acquire a skill or learn trade by the time they became adult. Thus greed for money and gross ignorance on the part of the parents in not sending their children to school is a sad commentary and highly condemnable. However, Addam predicted that child labourers of today will be pauper of tomorrow, they are the boys and girls who will grow up without either formal schooling or knowledge of trade,

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40. Ibid.
sooner or later, their youthful energies exhausted, they will become dull shiftless driftless.41

The number of out of school children has increased and estimated to over 100 million, of whom 60 percent are girls. The average drop out according to Education for All (EFA) Assessment (2000) is 25.8 percent, the highest girl drop out rates, over 40 percent being observed in Utter Pradesh and West Bengal. One of the major reasons for children being out of school was the lack of education of parents.42 Thus, illiteracy and ignorance of parents is also an important factor for existence of child labour. These parents do not consider child labour as an evil.

Absence of Scheme of Family Allowance:

Another cause of child labour in India is the absence of scheme of family allowances, which can be given to the families in order to meet their economic necessity; and hence they may not send their children to the labour market. Today such type of allowance is given in various countries of the world. For example, under the impact of social assistance various social security measures have been undertaken in New Zealand, Australia, Britain etc. Similarly, mother’s pension, unemployment assistance were also instituted.43 In our country, the amount which is paid to widow as compensation or pension is too insufficient to maintain their family without the help of their children’s income.

The State does not have adequate and effective scheme for social security and protection of children in the form of employment guarantee, scholarship for attending school by the orphans, against undernourishment and malnutrition of children, for elimination of family poverty etc. The available

child centric schemes have not been able to touch the fringe of the family poverty, social insecurity and child labour problems. Therefore, due to expanding social insecurity under the globalize socio-economic order and competition, inter alia, children belonging to the families of extreme poverty and/or confronting accidental hazardous setback are bound to join in the labour force. So, growing selfishness in the society and carelessness for the poor have also been observes to be responsible for increasing phenomenon of child labour.  

Death or Sickness of Parents:

Another direct cause of child labour, which is as causative as poverty, is the unfavourable condition at home. There may be tension and uncertainty, provoked or increased by poverty; the father may have left home, the mother may be alone, the father or mother or both may have fallen ill or become physically unfit to work because of sickness or old age; or may have died. In such households, these contingencies upset the delicate balance of family budget, leaving the family with no alternative but to send their children to work. These starving families would prefer bare bread in hand today rather than go without it in the hope of buttered bread in distinct future.

Child Labour is Cheap:

In the era of industrialization, there is tendency among the employers to get more profits at low cost. Hence in every country there was an enormous increase in the employment of children in factories. They can be engaged for more hours of work in return to fewer wages. The employers consider them as a cheap commodity. By employing them they can save on the wage bills. Apart from this, children are apt to be docile and more obedient and can be easily bullied into submission. They readily do all sorts of odd job without any resistance. The needier a child happens to be, the less he will be paid by employer. They do not possess the bargaining power, nor do they have the right to form trade unions to fight for their rights.

Child labour is not only cheap but it is also trouble free. They can not demand either overtime, or medical and other benefits. The activeness, suppleness and agility of the child’s delicate body is an additional asset to the employer, making him more desirable for employment, for he can be made to rush in and out on errand, run up and down the stairs, easily bend and lie down, fetch and take things back, or hand over the tools to the adult workers. They readily accept to do all these things without any protest or shame which adult can not be expected to do. Hence, employers exploit child labour by making them work from dawn to dusk, without any fear of retaliation. Thus child labour is very cheap in comparison to that of adult. It ensures more profit margins over less investment.

Another factor contributing to an increase in child labour is the vacancies provided by employers for utilizing their work potential. For performing any task employer prefer children to adults. They are less status conscious, more agile, active and feel less tired and can put up with even more demanding tasks. They are more amenable to discipline, cheaper to buy, and by employing children the master’s avoid many a labour problem.45

Absence of Compulsory Education:

Education is both a mean and an end. All advanced industrial countries and those contemporary developing countries that have made education compulsory, regard education not as a right but as a duty. When education is made duty, parents irrespective of their economic circumstances and beliefs, are required by law to send their children to school.

The provision of compulsory education up to prescribed age “could” compel the children to attend the school so that there may arise no question of entering of child into employment. Absence of any such provision of compulsory education is another important cause of child labour. However,

recently the Parliament incorporated Article 21-A to meet the situation, which provides free and compulsory education to all children of the age of six to fourteen years. It is also the legal obligation of the State to provide an adequate number of schools approximately situated, and to ensure that no child fails to attend school. In this context, the Supreme Court made it clear to the Centre and the State's governments that it was their duty to put children in school. This is so after Article 21-A was inserted into the constitution through amendment making free and compulsory education a fundamental right. Therefore, education is of a social significance because it is undoubtedly the single most important instrument for absorbing children away from the labour market.

But in reality the state of school education in India today is far from adequate. The country has still not achieved the goal of providing free universal education, in spite of declaring it as fundamental right. School attendance is very low in several parts of the country. A sizeable proportion of students who are officially enrolled in school could not complete even primary education.

The elementary education in several parts of India, characterized by overcrowded classrooms, lack of teaching aids, absence of class room activity, poor teaching standard, and a high rate of students repeating the same class. Public expenditure on education as a proportion of State level Domestic Product (SDP) has decline in the 1990's in a majority of Indian States. Thus, schooling facilities is another important factor that affects child labour. Helen R. Sekar, in her study has noted the high incidence of child labour in the villages where schooling facilities are scarce and inaccessible.48

Another study conducted by Sudha and Tiwari among the children engaged in agriculture and glass factory in Bengalore district of Karnataka, indicate that a high ratio of labour was caused by school drop outs. The study also indicated that very nature of the curriculum, the system of education and regimentation prevailing therein makes the rural children prefer earning to learning, not realizing the future consequences of such decision. Kanbargi argued on the same line that the most serious problem in many countries is the inadequacy and very low standard of education. Teachers are poorly trained, ill prepared for their jobs and over worked, many schools do not have an adequate infrastructure, the curriculum may have little relevance to the local needs and aspirations, and schooling may be completely at variance with the resource and skill requirements of labour market. All of this result in a very high school drop out rate, which presents major problems for school leavers and undermines parents’ expectations concerning the benefit of schooling. These weaknesses in education can act as an additional incentive to send their children to work rather than to school especially since the cost of schooling can be extremely high.

**Family Tradition:**

In the rural setup, continuation of family tradition often motivates the children to become a bread winner, such as gold smithy, pottery, carpentry, fishing, cultivation and repairing etc. is a pride and/or economic compulsion. Certain traditions have been observed continuing mainly due to prevalence of economic poverty, a decline of which has been claimed to be just spurious in all States in India. These traditional family occupations pull many children to the fold of child labour. Because parents of rural poor families consider child work as biological need for sound physical growth of the child and as a social

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necessity for smoother inter-generational transfer of occupation. It seems that none of the concerned parties, employers, parents, and children see anything greatly wrong in this tradition and thus practice of child labour continues.

**Myth of nimble Finger:**

"Nimble Finger Theory" and poverty argument by some of the members of the society are also responsible for child employment. Such persons are found advocating that the fingers of the child are essential for better production of articles like silk saris, knotted carpet and other similar types of production. Few persons of the society often found arguing that the employers by employing child labour are actually giving favour to the children and their families by providing livelihood to them. Such mistaken belief or myth also encourages employing child labour.

**Public Apathy towards This Social Evil:**

In spite of all preaching on children, the general public in mass are having apathetic attitude towards employment of children and not sending them to school. This apathy is also encouraging the growing trend to employ the children in a tight veil of secrecy and isolation, thus such child labour are almost unidentified by law enforcing agency and social activists. They are known as “invisible child labour”. Society is not ready to come forward and to condemn this social evil.

**Migration:**

Migration is another cause of child labour. Due to growing population, small or no agricultural land holdings, mechanization of agriculture in general, and inability of agriculture sector to absorb increase in labour force, a large number of working population migrate to the cities in search of employment. Most of these displaced people are engaged in low paid job. They face number of problems, such as lack of shelter, hunger, joblessness etc. It has also been

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reported in some cases that in area where green revolution is becoming a stabilized reality and wages of agricultural labourers has substantially gone up, labour families have pressed into service their child population, tempted by relatively good earnings. A study conducted by the National Labour Institute on the working children of Delhi shows that migrants comprise more than two-thirds of working children.

In yet another study conducted in Delhi shows that there are substantial number of migrants among child workers, particularly in the field of domestic services. They also work in stall and dhabas. A large number of domestic servants belong to Almora and Garhwal districts of North-Eastern Utter Pradesh, while most of those working in tea-stalls and dhabas and also those hawking evening newspapers, had migrated from Eastern Utter Pradesh and to some extent from Bihar. The rag-pickers were partly local and partly from West Bengal. The shoeshine boys mostly hailed from Agra, Jhansi and Shahjahanpur district of Utter Pradesh. It is not just coincidence that the migrant child workers invariably belonged to the relatively poor and backward region of the country, and not the economically developed areas. However, child labour is the exclusive result of internationalization of urban slum culture, as their families have migrated to cities before their birth. In all there were 90 percent of them belonged to migrated families.

Moreover, urbanization, rapid growth of personal and commercial vehicle, growth of commercial establishments and personal residences have worked as underneath forces to pull the rural children of the poor families to

53. Id.p31.
work in servitude in urban centre. Thus, the growth of urbanization also contributes directly to the expanding magnitude of child labour.

**Inefficacy of Protective Legislation:**

In almost all countries of the world, particularly in India, the legislations concerning minimum age of admission to employment or regulations about the employment of children exist. But there is lack of an effective enforcement of child labour legislations so far because of various reasons. Moreover, the legislation often excludes from its purview small scale units, traditional workshops, household and family undertakings, petty commerce, street traders, and agriculture where we find majority of working children. According to Hellen R. Sekar, the bulk of child labour in India is employed in rural areas and child labour itself is a rural phenomenon with over 90 percent of child workers employed in rural belt of the country, and majority of them employed in agriculture. Thus, inefficacy and non-applicability of child labour legislations in the areas of higher concentration of child labour leads to the higher incidence of the problem of child labour.

Besides, the faceless word “poverty” there is hidden social and political agenda to keep children vulnerable and dependent. In India, we inherit a peculiar and complex social structure brought about in a most brutal manner. In this context, Weiner illustrates very clearly:

“The Indian position rests on deeply held beliefs that there is a division between people who work with their minds and rule, and people who work with their hands and are ruled, and that education should reinforce rather than breakdown this division. These beliefs are closely tied to religious notions and to the premises that underline India’s hierarchical caste system”.

Keeping these in view we can classify the reasons of child labour in following categories:\textsuperscript{59}

(i) Economic reasons;
(ii) Social reasons;
(iii) Political reasons;
(iv) Cultural reasons;
(v) Educational reasons;
(vi) Employer's Preference for Child Labour.

**Economic Reasons:**

In India, child labourers belong to the socio-economically poor families, the working members are often short of employment, even when they are employed, low wages, bad working conditions coupled with rising prices of essential commodities deteriorate their already vulnerable economic condition further. This situation ultimately leaves no option for such families but to fend for themselves by earning their livelihood.\textsuperscript{60}

**Social Reasons:**

The social structure in India is highly differentiated in terms of caste, religion, race etc. In the social hierarchy those who are placed at the lower rung are generally the labouring masses without any means of production except their own labour power. As a result, as observed by Voll, we find that "By far the majority of child labourers in India belonged to the so called lower castes (Dalits/Harijans), the so called tribal and to the Muslims religious minority. Most child labourers do not belong to the 'upper castes' which constitute about 17- 18 percent of Indian society."\textsuperscript{61}

\textsuperscript{60} Ibid.
Political Reasons:

In an unequal socio-economic polity, democracy is often a false façade for perpetuating an exploitative political and administrative system. Such system works better if the people are kept vulnerable and dependent. Because, support of such people can always be purchased or manipulated by establishment.

Cultural Reasons:

The cultural ethos is so penetrating that it contributes to the increasing stock of child labour. For example, in many social communities giving education to girl children is looked down upon. This apathy coupled with the excuse of poverty enhances the chances of fostering child labour.

Educational Reasons:

This is also true that due to lack of education and awareness of parents, many children are also sent to work. The apparent reason may be the fact that education may not bring any employment to their children.

It has been pointed out that the prevailing infrastructure is highly unsuitable to many children of economically deprived families. Many a time unfeeling attitude of the teachers, the depressing school environment, outdated curricula, lack of teaching materials, lack of school uniform etc. deter children of socially- economically poor families from going to educational institutions.  

Employer’s Preference for Child Labour:

The employers prefer children to adults not because child labour is cheaper to buy, but also because of some non-pecuniary reasons, such as, they are more docile and less troublesome; greater willingness to do repetitive, monotonous work; more trustworthy and innocent; less absenteeism; do not form trade union; and tradition to hire child labour by employer, and occupation in which children work alongside parents; social role of employer

as act of benevolence; and above all employers need labour, children are available and ask for employment, so why not hire child labour. Besides, the arguments of nimble fingers and low productivity cost are generally advanced as explanations for employing child labour. But, a recent field of ILO (1996) and many other studies concluded that the nimble fingers argument is entirely fallacious in several hazardous industries and the income irreplaceability is also found to be not true.

Child labour, therefore, emerge due to multiple causes- some economic, some social and cultural, some psychological and otherwise. Therefore, it has become as one of international problem and a challenge before national government. The foregoing discussion, to some extent hints as to where the key lock child labour lies. This can be curbed only after striking the root causes.

To sum up, though the various surveys are conducted to identify the extent and magnitude of child labour in India, yet in spite of various surveys as well as census report, it is felt that an authentic data of child labour especially girl child labour are still required through purposive and time bound social survey at gross root level of the society. It is undisputed that most of the child labour are employed and working in a tight veil of secrecy and isolation. However, an overview of the census data and NSS data clearly show that the incidence of child labour is increasing and today India is having largest number of working children in the world i.e.12.6 million. In relative term also, the incidence of child labour (i.e.as a percentage to the child population) in the country is one of the highest in the world. There is an increase of 1.2 percent working children annually in the last decade in our country. The state-wise distribution shows a great variation among the states in India. The State of Uttar Pradesh had the highest incidence of child labour which account for

63. Ibid.
15.2 percent and Kerala has the lowest incidence of child labour among the major states in India. Again the evil is rising rather than declining overtime especially in the case of girl child labour. It is heartening to note that the work participation ratio of girl child workers has increased in Uttar Pradesh whereas it is declining in case of boys.

Most of the girl child labourers come from poor families which can not afford to spare their children for schooling and send them to work so as to augment meager family income, which are otherwise insufficient for their survival. The incidence of girl child labour is correlated with poverty. It is also correlated with illiteracy and over all work participation ratio. The incidence is more in those areas, which are not well development both socially as well as economically. Uttar Pradesh is one of the most backward states both economically and educationally. Therefore, these factors are responsible for the high incidence of child labour in the state. The study highlighted that out of total child labour, girls constitute 30 percent and over 72 percent of them work as marginal workers in almost every district of Uttar Pradesh. In Azamgarh district girl child labour constitute about 42.6 percent of total child labourers. Girl children perform a variety of jobs in many industries such as carpet weaving, lock making, bangle, pottery and silk and silk products etc. In all these industries and occupations, girl child labour shows in all manifestations in terms of exploitation, degradation and deprivation. Therefore, the plight of girl children working in different occupations is a matter of serious concern.

The causes of child labour are multiple and inter-related. It is very difficult to classify them. However, the causes may be classified as (i) general, (ii) specific, and (iii) administrative or legal. Among the general causes: poverty, unemployment and low wages, large size family or population explosion, illiteracy and ignorance of parents, absence of the scheme of family allowance, child labour as a cheap commodity, absence of compulsory education and migration are responsible for perpetual existence of child labour. The specific causes are death and sickness of parents, family tradition and
public apathy towards social evil; and administrative or legal causes includes flaws in laws and ineffective enforcement of social welfare legislations have further aggravated the problem of child labour in India. However, the bane of poverty is the root of child labour and they are being subjected to deprivation of their meaningful right to life, leisure, food, shelter, medical aid and education. This must be addressed on priority basis.

Therefore, in order to combat this social evil, we have to be more sensitive towards the children of society, irrespective of caste and creed, region and religion, which may be possible only with the combined efforts of the government and society. The only solution is to ensure the provision of free and compulsory education to all, through motivation, and elimination of poverty from the society. At this juncture if we fail in our mission to provide education to children, to eliminate poverty, and the employment of child labour from the society, the coming generation would not forgive us for the act of negligence, for not providing them their human and legal rights and to deprive them from their childhood.