CHAPTER 1

INTRODUCTION

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Introduction

1.1 General Background

Child labour in India is by no means a fringe phenomenon or isolated abuse of children but a mass phenomenon and it occupies an important place in the economy in terms of contributing to the national wealth and growth. Though the issue of child labour is gaining more and more attention these days, it is not a declining phenomenon. So, it is a concrete manifestation of denial of other rights of the children. Working children are denied their rights to health survival and development, education, leisure and play and adequate standard of living, opportunity for developing personality, talents, mental and physical abilities, and protection from abuse and neglects. Thus, child labour means violation of all these essential rights. Despite increase in enrollment of children in elementary schools and increase in literacy rates since independence, the phenomenon of child labour is persisting side by side and received little attention in India as a separate category of social evil.

In developing economics like India, it has become a common feature that the surplus (under and unemployed) labour thrown up from the primary sector is increasingly and inevitably joining the so-called informal sectors of manufacturer and providing a cheap source of labour supply. Given the poverty and income levels of the rural and urban poor,
labour of these sections, including the children enter into the production process. The increasing incidence of child labour is a cheap source of labour.

There are three distinct stages in the evolution of the institution of child labour as it exists at present in India these are as follows:

1. Formal education was important for certain communities in the upper layers of the society in the historical past. As per the hierarchy-based division of labour and inheritance of occupations, the children of artisans and other service communities were made apprentices in their own family occupations. It was considered part of the socialization process for the children.

2. It is after the industrial revolution in Europe and its gradual impact on the colonies that factory-type units started springing up. Factories required cheap and plentiful labour. Employment of children as labourers began because they were cheap, docile, and uncomplaining. The factory owners could, therefore, minimize cost and maximize profits. Along with modern factories, manufacturing also developed in informal sector (though agriculture remains to be one of the vast traditional sectors till date). In this phase employment of children began both in organized factory sector as well as in the traditional informal manufacturing sector. Along with increasing demand for construction materials, stone quarries and brick kilns started springing up everywhere in which the labour relation still continue to be informal in mining of low value minerals. Child labour continues
in informal sector mining and quarrying. These can be termed as traditional informal sectors of production.

3. The strong movement for labour standard, is a process of decentralization of production from the organized sectors to informal sector, where the labour standard are low and the regulation is least. In the present era big factories are breaking into small units and the operations are spatially divided. Given the income and poverty levels of the people, this modern informal sector of production provides the fertile ground for the employment of children in large scale only next to agriculture.

It is true that the pace and the nature of transformation are determined by the social and historical conditions of the system. But in the post colonial societies like India, the forces that have been unleashed in the transformation process, have landed the country in a particular developmental paradigm that has led a significant proportion of population in acute poverty and deprivation. Five decades of ‘development’ have produced a greater number illiterates and population that still live below the officially defined poverty line. Denial of right to education and right to protection against exploitation and abuse for millions of children is a direct outcome of the development process in India.

Thus, a sharper focus on child labour calls for a closer look at the big picture that forms the backdrop. Child labour is the vexation sore spot woven into the wider web of unresolved social issues like poverty, gender discrimination and lack of social security, familial arrangements, growing unemployment and shabby conditions of workers, both in
the organized factory sector as well as in the urban informal sector and especially those
large number of labourers in the rural areas who are, pushed out due to inter-migration
and lack of education opportunities. All these factors lend more complexity to the issue.

Children are considered as the “supremely important national assets” of a country. They
are the future custodian of the sovereignty, rule of law, justice, liberty, fraternity and
finally international peace and security. They are the future soldiers in the form of great
philosophers, teachers, rulers, scientists, politicians, able legislatures, engineers, workers,
planers, judges, technologists, industrialists, on which the country would rest. The future
of any nation is largely determined on how its children grow and develop. The issues
relating to rights of child care and welfare have been constantly engaging attentions of
the universe. However, the community has developed its sensitivity towards children’s
issues only during the last two decades which has brought on the national agenda issues
like child abuse, child marriage and child labour.

Among the four basic components of economics i.e. land, labour, capital and
organization, labour constitutes the central force without which one cannot just think of
prosperity of any society. If at all India draws the attention of Multinational Corporations
(MNC) and Foreign Enterprises it has got potential labour force. There are thousands of
100% Export Oriental Units (EOU) coming up within India wherein all the components
are being imported and after assembling they are again exported to foreign countries. The
reason is that the availability of labour at a much lower price which reduce the cost of
final product to the considerable extent which help those EOU to sustain in a competitive market environment.

During the last two decades, the Indian economy has undergone a structural changes where the informal manufacturing sectors in urban centers is expanding very fast. The growth rate of population, particularly below the poverty line, is also very high. The rural-urban migration rate increased visibly, thereby giving rise to slums.

There have also been technological innovations, but this has affected only in selected industrial sectors. The growth of the agricultural sector has given rise to problems of both regional and sectoral disparities in development.

So, the problem of child labour is a by-product of the lopsided development process in our society. Rapid urbanization has made the problem of child labour more visible because of its association with work outside the family context and high rate of rural-urban migration of both the family and individuals. A large section of this child labour is found in the urban informal manufacturing sector. In developing countries like India, children are mainly found working in small manufacturing units as cheap labour to supplement their family income. Similarly, technical innovations in our urban sector offer force children into street trades turning child labour into casual labour. Besides, migration of poor families to urban areas is the outcome of industrialization and urbanization where capitalist mode of production is found.
1.2 Introductory View

Child labour is one of the most violated human rights issues. Though the child right abuse is universally condemned, the practice of employing children continues. Despite ranking child labour high on the national and global agenda, in practice it is surrounded by a wall of salience, perpetuated by ignorance. Children are the assets of the nation and it is the nation’s responsibility to nurture them through various stages of their development to enable them to realize their full human potential. However, the existence of millions of child labour in India is one of the tragic realities. It is also a strong reminder of the fact that a tremendous effort has to be made in order to overcome the ill practice of employment of children. It is also noticeable that about 90% of child labour employed in rural area.

Child abuse is increasing in the modern world. Particularly child victimization has been increasing in the homes. The parents who abuse the children may feel that they are in their control and deserve the abuse.

In the post colonial societies like India, the forces that are unleashed in the transformation process has landed the country in a particular developmental paradigm that has led a significant proportion of population in abject poverty and deprivation. Five decades of ‘development’ has produced more and more illiterates and population that live below the
officially defined poverty line. Denial of rights to education and right to protection against exploitation and abuse for millions of children is a direct outcome of the development process that is witnessed in India.

Education played vital role in overall development of human being, because if facilities to increase the individual knowledge, help to aware of their rights, helps to overcome the traditional barriers and it is a powerful strategy for overall development of the country. However, the developing countries like India, the general economic situation of women being worst than that of man on respect of education, nutrition, freedom, health life expectation, family support etc. In view of this Government of India had launched special programme i.e. development of women’s in five year plans, national policy on education 1986 on women education, programme of action 1992, national policy for empowerment of women 2001, in tenth plan adopted three fold of strategies for empowerment of women and in July 2006 a new policy was launched the inclusive education which means education of the children with special needs. The main aims of these policies are to access education and equality of learning, elimination of gender bias, providing vocational education, provide proper training to women teacher, for undertaking entrepreneurial activities and sound education facilities for sustainable development of women.

The issue of child labour in India attracted public attention and debate for the first time in 1985. However, globalization in 1991 when India reached in a new era of agreement at Marrakesh, trade issues have focused on labour costs and the right of labour. The international community has clearly expressed through various conventions and
declarations its belief that child labour needs to be eliminated. Apart from ILO, other international agencies and the UN system as a whole pledged their full support to eliminate child labour and signed a joint declaration in New Delhi in August 1998. The Government of India and the United States Department of Labour launched a major project in October 2002 to eliminate child labour, especially in hazardous industries in certain states and districts.

In India over one billion people and around 26.1% of the population living in extreme poverty in 1999-2000, under the Indian Constitution no child below 14 years of age shall be employed to work in any factory or any hazardous employment (Article 24). "Childhood and growth are to be protected against exploitation and against moral and material abandoned" (Article 39F) and "the state shall endeavours to provide free and compulsory education for all children until they complete the age of 14 years" (Article 45). The child labour (Prohibition and Regulation) Act was enacted in 1986 and a national policy on child labour was framed in August 1987. A MOU was also signed with ILO for the international programme on the Elimination of Child Labour in 1992. India also signed the UN Convention on the Right of Child (CRC) in December 1992. The National Authority for Elimination of Child Labour (NAEL) was also constituted by the Union Ministry of Labour in September 1994. Despite these intentions and efforts, lakh of children still work in India. Two major schools of though blames poverty as the main cause of child labour and believes in its regulation and the second school argues the lack of education outcomes as the reason for it and advocates the complete prohibition of child
labour”. The second school does not distinguish between child ‘work’ and child ‘labour’. Anyone outside the school is a child labour.

The first school reasons that children work out for necessity and without their earnings the standard of living of their families would decline further. Therefore, argue that it is not easy to eliminate child labour all on a sudden due to the existing socio-economic situation. Regulation of employment in selected industries, improving working conditions, reducing working hours, ensuring minimum wages, providing facilities for health and education could reduce to plight of child labour [Bissell 2003, Basu 2003, Basu and Van 1998]. On the other hand, there are those who fell that the answer to the problem lay in compulsory primary education [Bhargava 2003, Misra 2000, Burra 1996 and Winer 1991]. This group believes that non-formal education which implies education with work (and earning with learning), is a myth as it is neither feasible nor desirable.

Besides poverty and illiteracy, the other determinants of child labour which have been identified by scholars are migration, unemployment, deep social prejudice, unattractive education system, large family size, traditional family occupation, inadequate machinery, low government expenditure on education and poverty reduction, and the wage structure of adult workers.

1.3 ‘Child Labour’ – in Indian Scenario

In the pre-industrial revolution period, the phenomenon of child labour was prevalent all over the world. During the post-industrial revolution period, child labour, became a
growing phenomenon up to the first half of the last century in industrial countries and it is still continuously growing exists all over the world. The nature and magnitude of the child labour are now largely different, though even today some of the past characteristics of this problem are present particularly in India. It is found, in some of the states, the existence of ‘feudal’ mode of production in rural areas explains the origin and several other complex dimensions of the problem of child labour.

During the past two decades, the growth rate of population particularly below the poverty line had been high and rural-urban migration rate has increased visibly. There emerged technological innovation that affected only selected industrial units; at the same time sporadic growth of agricultural sector has given rise to the problem of both regional and sectoral disparities in development. The characteristics and nature of functioning of urban labour markets have become different, i.e. the trend now is towards more horizontal and vertical segmentation on lines of age, sex, castes and religion etc.

The problem of child labour is the byproduct of the lopsided development process in society. Rapid urbanization has made the problem of child labour more visible because of its association with work outside the family context and high rate of rural urban migration of both family and individual. In, India, there are an estimated 17.36 million child labour comprising 5.9% of total labour force (Fyfe, 1989). A large section of this child labour is found in the urban informal manufacturing sector. In developing countries like India, children are mainly found working in the small manufacturing units or workshop as
cheap labour to supplement the family income. Similarly, technical innovations in urban society often force children into street trades turning child labour into casual labour.

The nature of the urban working children is very complex, particularly in India, because most of the urban working children are found in unorganized manufacturing sector and in 'marginal' occupation on streets. However, while analysing the nature of the problem of urban child labour in India, 10 kinds of economic activities are performed by the children.

i. domestic work
ii. non-domestic work
iii. non-monetary work
iv. tied of bounded labour
v. wage labour
vi. economic activities
vii. schooling
viii. idleness and unemployment
ix. recreation and labour
x. productive articles

(Rodgers and Standing, 1981:2-11)

In urban India, non-monetary work, such as construction and mining performed by children are coming in urban India, though the state does not recognize this type of activity as exploitative. The absence of schooling opportunity in urban areas or
inadequate access to schooling compels poor parents to make their children enter urban informal labour markets. This form of participation in the urban labour market creates a distinct group of ‘stigmatized’ labour force which perpetuates high level of social inequality. Such groups in the urban labour market also find themselves permanently caught in the vicious circle of poverty. In India, it is found that a larger number of children working in cottage industries. In some cases, the child also works at home or in glassware, bidi industries and other such occupations, which also affects the physical and mental growth of children.

The children who are working in the unorganized manufacturing unit and in transport and trade sectors are the most deprived one in rural India. As the employers in these sectors operate in competitive markets and the market share of these products varies from time to time, during the slack season, the children are thrown out from the production system. Acute problems are confronted, when we consider the children engaged in marginal activities on the streets i.e. car washing, shoe-shining, trading, rag picking, begging, petty theft and prostitution. In fact, the phenomenon of street children is the most visible evidence of a dual society in urban areas in which extreme wealth has been juxtaposed against extreme poverty. It leads to poor health of the children, makes children susceptible to infectious diseases, creates bone lesions and postural deformity, leads to loss of eyesight and adversely affects their physical development.

Besides this, long hours of work in hazardous and unfavorable working conditions break-down the child’s family and social relationships. These poor and often unskilled adults
often form a group which deviates from accepted social behavior. This group also perpetuates labour market segmentation along lines of class, age and sex.
1.4 Nature of Work and Working Conditions

In India, children are engaged in a number of activities. It was found that young boys were engaged in a larger number of occupations than young girls in urban areas. Also in rural area, girls are relatively more engaged in invisible activities than boys.

However, in India, some of the specific types of work in which urban children are engaged can be listed as follows:

A. Within the family (Unpaid)
   i. Domestic/household task
   ii. Handicrafts/cottage industries

B. With family but outside the home
   i. Domestic service
   ii. Construction work (i.e. building, roads)
   iii. Mining (i.e. quarry mines)
   iv. Informal economy (i.e. laundry, recycle rubbish)
      a. employed by others
      b. self-employed

C. Outside the family
   i. employed by others
ii. self-employed: Informal sector work (i.e. shoe-shining, car-washing, recycling rubbish, running errands, selling newspaper (UNICEF; 1986C, P, 12, quoted in Rehman, op, cit)

   a. tied/bounded
   b. apprentices
   c. skilled trades (i.e. carpets, embroidery, brassware works, gem polishing)
   d. Industries/unskilled occupations, mines, etc.
   e. domestics (i.e. maids-of-all-work)
   f. commercial (i.e. shops, restaurants)
   g. begging and
   h. prostitution and pornography

1.5 Objectives of the Study

The present study attempts to understand the extent of the impact of social factors in the presence of child labour in Zari-industry of Hooghly District. It also attempts to analyze the demand and supply side factors as well as the cultural context that perpetuates child labour in the Zari industry.
The specific objectives of the study are:

i. To trace the history and evolution of the Zari-industry and understand how and why children get employed in this industry.

ii. To assess the socio-economic conditions for working children and their families and also the factors influencing the decision to work in family based occupations.

iii. To understand the demand and supply side factors including working conditions, process of contracting/sub-contracting work in the industry.

iv. To assess the schooling status of the children in the area where the home-based units of the Zari-industry are located.

v. To assess awareness on the issue of child labour and labour legislation.

1.6 Methodology and Data

The study is based on primary data collected through multistage convenience sampling. At the first stage all the areas where the Zari work is done were identified on the basis discussion with the local people. Of all the areas in Hooghly District that were listed, three blocks having the maximum concentration of Zari industry work were identified and information on the number of households involved in the Zari industry was collected. The numbers of sample households in these three areas were drawn, which is
proportional to the total number of households in each of these areas. A total sample of 400 households with child labour has been taken for the present study.

The study was conducted in three blocks of Hooghly District which are Arambagh, Goghat-1 and Khanakul-1.

After the selection of sample households, a pilot study was conducted to test the relevance of the prepared questionnaire. The pilot study included one percent of the sample households. After completion of the pilot study, the questionnaire was finalised, following which field survey was done.

At the time of sample survey of the households, special attention was given on educational status of the children in the study area. It was seen that primary education and education for poorer sections that, mainly depend on public education systems is very poor.

The functioning of the schools was observed and community perception of the schools was recorded by interactions with the community members. An attempt was thereby made to see the relationship between schooling and working and how they impact each other.

Besides, obtaining quantitative data the study, has also sought qualitative information through observation and focus group discussion with different target groups. In an effort
to have a deeper understanding of the problem, focus group discussion was held with parents of working children, employers, education department officials etc. Apart from the tabular method, regression analysis and model based analysis were done to assess the objectives.