CHAPTER VIII

Summary, Findings and Conclusion

India is generally recognised as having the largest number of child labourers. Estimates supplied by different agencies do not offer a uniform picture. According to the 1991 census, the country had about 16.5 million child labourers. Estimates by NGOs range between 40 million to 111 million. At the same time the NSS data 1994 fix it at 13.2 million. According to the Ministry of Labour 1994, there are 20 million child workers in India. As per this account, in 1971, there were 1.11 lakh child workers in Kerala. In 1981 the figure came down to 92,854 and further to 34,800 during the 1991 census. The survey conducted by State Labour Department, consequent to the Supreme Court judgement in 1996, indicated a figure of 10,067 of which 1,081 are in hazardous occupations. But independent estimates by NGOs in Kerala show a marked difference from the official estimates. According to one estimate, the stoke quarries of Kerala employ about 20,000 children. The coir industry in the State offers jobs to 80,000 children while, fish processing industry creates employment for 20,000 children. Recent studies conducted in the three major cities of Kerala present a bleak scenario of child labour. Whatever may be the estimates, it is a fact that children are working in the state. Among these working
children about 75 per cent are working in hotels and restaurants and most of them are migrants from the neighbouring states.

8.1 Characteristics of the Migrant Children

Labour migration has increased considerably in recent decades. The places of destination of these migrant workers are urban areas, particularly the fast developing outskirts of urban areas, where the work potential is very high. As a matter of fact it is mainly because of economic reasons that labour migrates. A large chunk of migrant workers are in the unorganised sector. Among the migrant workers a significant proportion are children. The hoteliering and construction sector of Kerala has enormous capacity to absorb the unorganised migrant workers. The migrant working children in Kerala are mainly from the nearby districts of Tamil Nadu. The process of migration among the migrant children in the area of study shows three patterns: In the first instance the adult member of the family migrates for work especially, construction and as contract labour. He arranges and locates a place for dwelling and such other things to set up his family in the destination. Then, at a later stage, he brings the family to stay with him. About 25 per cent of the migrant children working in the hoteliering industry are such migrants. Around half of the migrants are recruited through middlemen. In such cases children are brought on a fixed salary negotiated with their parents directly. The third pattern of migration takes place with the help of friends and relatives working in the same field.
The general pattern of child workers following migratory patterns is akin to a convection effect of heat transfer in liquids i.e. one portion of the liquid that comes in touch with heat forms bubble and travels away to the cooler side. Similarly one child worker goes with some adult to the work areas, works for some time and comes back. In a subsequent trip some other child/children accompanies him, and with the passage of time the hinterland area sending children increases. Significant proportions of the migrant children covered under the study are undernourished and directionless boys. Some belong to broken families (12 per cent), destitute or abandoned, and others who have escaped from home (2 per cent) in the expectation that the outside world would be better.

Majority of the migrant children obtained work in the hotels and restaurants at the request of the parents. The employers reported that during the past ten years, the number of hotels and restaurants had grown and as a result the demand for workers was consistently increasing. Therefore, children seeking employment had never been turned back for lack of work. These child workers are not freely available in the local markets. These children are most often mobilised by offering a lump sum payment to the head of the household, resulting in a bounded labour arrangement. About 35 per cent of the children reported that their parents have received lump sum payments varying from 1,000 to 3,000 through the agents of prospective employers. When the hotel owners need workers they approach the job placement agents, who set out for the poorest areas of Tamil Nadu in search of labour. The agents pay an advance fee to the parents and transport the children in groups to Kerala. Because of
the growing demand, agents bargain for large sum of money for supplying child workers. Also competition over labour among the different establishments was common and children working in one establishment would be lured to another with promises of higher wages and advance payments. As a result of such payments these children were forced to work for a single master for a long period. It also revealed the fact that poverty is the context in which the strategy of mobilisation of cheap labour is pursued.

A large proportion of them belong to the age of group of 12-13 years. No child below the age group of 10 has been found in the sample. Majority of them (94%) are Hindus. The caste composition of the migrant children shows that Scheduled Castes and Tribes constitute the single largest category. Among the scheduled castes, children belonging to communities like Pallan, Parayan, and Chakklian are predominant. Their parents have no education and work in the urban or rural informal sector as sweepers, watchmen, stone cutters, masons, casual labourers, daily wage earners, selling old clothes, groundnuts and balloons and working as domestic servants and construction workers. Their skill levels are low and they do not have sufficient capital for undertaking any viable economic activity. Children from backward community constitute 44 per cent. A good number of them belongs to Thevar community, having some land but educationally backward. Thus the study inferred that 92 per cent of the migrant child labour belong to socially and educationally backward sections of society. A large proportion of them belong to scheduled castes and scheduled tribes (SC &ST) and poverty-ridden families. It is
ironical that some child workers do not even know the community from which they come.

Majority (81.3%) of the migrant children belongs to the nearest districts of Tamil Nadu. This shows that geographical proximity of Kerala is a factor contributing to migration and work. Majority of the working children is from those districts closest to Thiruvananthapuram. More than 80 per cent of them are from rural areas. As regards the nature of their migration, majority of them migrated due to the pressure of their parents or because of the agreement between their parents and the hotel owners. Out of the sample, majority of the children are working in vegetarian hotels (64 per cent). There is a marked difference in the work participation rate between vegetarian and non-vegetarian hotels. The child work participation rate in vegetarian hotels is 40 per cent; at the same time the average work participation rate of children in the hotel industry is 30. The study revealed that star hotels do not employ child labour for any purpose.

The study revealed that there are push and pull factors responsible for migration and work of children. Attraction of the city life and comparatively high-income opportunities are the pull factors responsible for migration. The main push factor is the economic compulsion of the parents due to poverty and seasonable unemployment. In addition to this, lack of interest in studies, irresponsibility of the male members of the family due to drug addiction, women-headed household, family conflict, non-availability of work in the village, and financial liabilities of the parents are other determinants for migration and work of children as revealed from
the study. Economic factors like debts and financial liabilities, economic compulsion etc. were amongst the most important among the determinants of child labour.

The socio-economic status of the family plays a significant role in the socialisation of the child. The present study reveals that majority of the migrant children working in Kerala belongs to land-less families and their parents have no permanent job for their survival. A sizeable number of the households of the migrant child workers are land-less, while those that do own land have less than two acres of land. Only a handful of households have irrigated land and this is never more than one acre in extent. About 20 per cent of the households have not cultivated their land for at least two years. Adult member of the household are employed as wage labourer in agricultural or other casual forms of work. Assets in the forms of cattle, sheep or goats are equally rare among the households of migrant children. Out of the 150 sample child workers 18 per cent of them reported that the sustenance of their family is exclusively on the income of the child workers.

The study revealed that inadequate access to fixed sources of income for a majority of the population in rural and urban areas particularly among the scheduled castes and scheduled tribes created conditions for a high level of poverty. About half of the scheduled castes and scheduled tribes were below poverty line. The level of poverty in rural and urban areas is still high among the wage labourers, particularly among the scheduled castes. With a high level of poverty and economic deprivation in rural areas in general and among scheduled castes in particular, it is not surprising
that this situation would give rise to the high incidence of child labour among them. The participation of the working children tended to be more amongst the lower Monthly Per Capita Expenditure (MPCE) class as compared to the higher MPCE class.

Nearly 80 per cent of working children resorted to work in order to supplement household income. Another 12 per cent work due to migration of the family and the remaining worked due to other reasons. The study also revealed that children engaged in work for more than one reason. The portion of children working to supplement family income increased sharply with the decline in MPCE. It indicates that economic pressure on the poorer households to send their children to work. Thus, the evidence indicated that poverty is the main determinant of migration and work of children, though not the only reason.

The impact of poverty or poor economic condition led to the migration and work of children operates through the process of discontinuation of education in various stages of school education system. The transformation of the child from "the school going non-working children" into a "working children" occurred mainly through the painful process of dropouts at various stages in the school education system. The study revealed that there is an inter-linkage between economic deprivation and dropout rate. Among the people of relatively lower marginal per capita expenditure categories the drop out rates were generally of a high order. Further, there was a heavy concentration of dropouts in the lower marginal per capita expenditure classes. Thus the phenomena of migrant child labour in Kerala is
primarily induced by poverty and social relations associated with the caste system. Poor families often send their children to work in order to increase household income. The data revealed that migrant child workers contribute significantly to family income and their contribution are often critical for ensuring family survival. The information from working children indicate that each working child contribute, on an average of 20-30 per cent of the family income.

It is fundamentally true that poverty is the basic cause of child labour. Poor families generally first send their sons for employment away from home. Poverty being primarily caused by socio economic history and socio economic structure, in poor families where everybody able to work must work to make both ends meet, children can not be spared for enrolment in schools. So non-enrolment in schools may be regarded as symptom of poverty and may be considered as a proxy variable for poverty.

Although poverty is a major cause of child labour, child labour is also a major cause of poverty because of its negative long-term effects on children, families and communities. The presence of child labour also increases poverty in the general population, since the supply of child labour reduces the bargaining position of all workers thereby depressing wage rates for all. The poverty element and the economic contribution of children is often seen as so critical that income substitution programmes seem necessary if children are to be relieved of oppressive work burdens, thereby reducing the supply of children seeking work. Otherwise the action programmes to eliminate child labour would not succeed when children make a
sizeable contribution to the family. Economic deprivation and poor social conditions created extremely unfavourable conditions for children to discontinue studies at the school level.

Seasonal unemployment among the landless labour population and consequent impoverishment are one of the other reasons that forced the parents to send their children for work. More than 80 per cent of the working children's parents were landless working labourers; and among the land less 70 per cent were harijans. Severe landlord-labour tensions due to labour militancy and demand for high wages prompted many middle class cultivators kept their land fallow, which in turn led to poverty and misery among landless labourers. In the Southern districts of Tamil Nadu the farmers belong to backward castes like Thevars. These districts are notorious for caste fights between militant and violent castes. In Chenkottai poverty was very visible among agricultural labourers who belong to scheduled castes especially Pallan. Thus the study reveals that there is a positive correlation between land holding and incidence of child labour. Majority of the child labour belongs to landless families or from marginal cultivators. Possession of land is regarded as an important indicator of the economic status of the households. A sizeable number of children left education and engaged in work due to the migration of their families. The study also revealed that there is a relation between adult migration and landholding. A land is an immovable property; it may not be easy for a landed household with little to move permanently to another place, unlike the household with little land. There is an intense relationship between land ownership and
migration of the household. Larger the size of holding, less migratory will be the household.

Besides poverty, the study also found that, children’s participation in work is also influenced by the extra economic power emanating from the social and economic relations based on the caste system. Lack of awareness and the prevailing illiteracy among the parents can be considered to contribute to child labour even more than poverty among the poor families to send their children to work.

Along with poverty and seasonal unemployment, irresponsibility of the parents especially father is found in the study as a critical factor responsible for migration and work of children. A good number (32 per cent) of children come from women headed households. Thus the study revealed that irresponsibility and temporary absence of father is a critical factor responsible for child labour.

8.2 Working Conditions

The working conditions of the migrant children are very harsh. Their life before migration show that 55 per cent of them are in schools before engaging in hotel work. This shows that economic hardship of the children’s family and the unattractive primary education is one of the major determinants of migration and work. Majority of the migrants (90 per cent) preferred hotel work to other works for more than one reason. The primary reason for selecting this particular work is because of the fact that they get food thrice a day.
The migrant children engaged in a variety of works inside and outside the hotel. At many times the work assigned to them is not on the basis of the interest and capacity of the workers, but on the basis of the convenience of the employer. The type of work assigned to children varies according to the nature of the establishment. Observation and focus group discussion with the children revealed that the working conditions of the children are less hazardous in wayside tea-stalls and restaurants than established hotels especially, vegetarian hotels. Of the total number of the sampled respondents 90 per cent are daily engaged in sweeping, mopping and cleaning. The data shows that there are marked variations in the assigning of duties to children and adult workers. The works assigned to children are monotonous and difficult compared to those of adults. The employers are always trying to keep the children away from the public. This shows that child workers are always engaged in marginal works of the hotel. They were not allowed to perform the mainstream works which are interesting, hygienic, less hazardous and not monotonous for them. Thus, the study revealed that the works assigned to children in the hotels and restaurants are those works that the adult workers hesitate to do.

Child workers in the hoteliering industry of Kerala have no fixed hours of work, although they usually start between 6 a.m. to 8 p.m. The working day ranges between 12 to 16 hours. Both the owners and the working children reported that there were no paid holidays, although workers are free to take leave any day they please since they are paid only for working days. Most child workers work even on official holidays such as Independence Day or Republic Day. The only more or less
regular holiday taken by migrant children particularly is during the festival period during which they visit their families. Generally, children have to work from the opening to closing of the establishment. There is no uniformity with regard to the working hours of the migrant children. More than half (61.33 per cent) of the respondent work for 12 to 16 hours a day. All the sampled respondents are full time workers. The length of working hours is high in vegetarian hotels than non-vegetarian ones. Also the number of working hours is high in those establishments managed by Tamils. Again, working hours is very high in those establishments located in the heart of the city. Thus the data revealed that the existing working conditions in majority of the surveyed establishments are unsuited for long hours of work. Thus the study inferred that children who are supposed to spend time in playing or learning ironically have to work as bread earners, not only for themselves but also for the family, and that too, after much hard labour. It is also paradoxical that working hours of all kinds of wage work is restricted to fixed hours, but the exploitation of children's labour is found to go far beyond these limits.

More than 90 per cent of the working children in hoteliering sector had to work in the night also. About 25 per cent of them are working only in the night. The data show that the rest period of the child workers during the work is meagre. Majority of the working children gets only 30 minutes rest interval. There is no fixed rule with regard to rest among the migrant children. It depends upon the mercy of the employer. There was no provision for weekly paid holidays and leave of any kind. It
was based on the principle that the wages would be paid according to the number of days they had really worked.

The study also revealed that there is regular mobility among migrant child workers from one establishment to another. The primary reason for the mobility is due to greater strictness of the employer, unattractive wages, desire for more freedom and the nature of friendship with other workers.

Children's opinion about the working condition revealed that 80 per cent of them experienced endless drudgery of work in the hotel and restaurants. The work allotment of children is purely based on table capacity as the standard allocation mechanism. The children are not allowed to specific duties.

Migrant child workers are generally paid at the end of the month. But their earnings are consistently lower, 40 per cent to 60 per cent, than those of adults, even where the two groups are engaged in the same tasks. They receive no fringe benefits, insurance or social security payments and this is, of course, an added advantage for the employer. There is no relationship between their earnings and the number of hours worked. Migrant child workers are among the lowest paid but work the longest hours. The low wages paid to the children give the employer a competitive advantage. The employers argue that by using children as labour they can pass on the reduction of costs to the customers. That is, they are able to provide food at a cheap rate.
There is no uniformity with regard to the mode of payment. In spite of 10 to 14 hours of work, the children are not given adequate wages. They are not given wages for overtime or night work. Majority of the workers receives their wages monthly. The wages of about one fifth of the respondents are given at the convenience of the employer. About one third of the respondents' wages are received by their parents.

The study shows that almost all the respondents significantly contribute their earnings to their family. Some children are more responsible towards their household and handed over almost all their earnings to the parents.

Most of the child workers were not obtaining any fringe benefits or allowances like bonus, uniform, travel etc. from the employer. Majority of the respondents are dissatisfied with their wages. At the same time the data revealed that the hoteliering sector was found to be paying better to child workers than other occupations in which they are employed. They are not availing themselves of periodical increase in wages. They are not given the wages for overtime work. The study revealed that there are significant difference between the wages of the adult workers and child workers. The adult workers sometime perform their own allotted work through the child worker. Thus the amount of work the children are doing is vary large compared to the wage they are getting and their age. About 64 per cent of the respondents reported that the work they are performing is tedious for them and they are not satisfied with the present working conditions.

The risk of occupational accidents or diseases is present even in the hoteliering sector. The working environment in most of the establishments is not congenial to
them because they are designed for the adult workers. About 95 per cent of the respondents reported that work is strenuous for them. Irregular hours of food and ill treatment by the co-workers and employers are the other problems confronted by the migrant children. The data revealed that the employers and co-workers abused them physically and mentally at the time of work. Also there are no safety measures for the health and hygiene of the child workers.

The living conditions of the migrant children are also pathetic. Majority of the working children are living in unhygienic conditions. More than 65 per cent of them are staying within the establishment. The children having accommodation facilities outside the establishment is usually a low shed having no ventilation, bathing and sanitary facilities. Therefore, most of the migrant children working in the hotels and restaurants have no regular bathing.

Children working in the hoteliering sector are regularly exposed to health hazards. The inhalation of smoke can in the long run cause breathing problems, lung infections and tuberculosis. When asked whether they had contracted any illness since joining, only 12 per cent have reported that they never had health problems. But the remaining complained of skin diseases, cough, backaches etc. The data revealed that incidence of skin diseases is considerable. The migrant children wore very dirty clothes and were not able to bath regularly. The restaurants and wayside tea stalls have no bathroom, toilet or washing facilities. Majority of the working children said that they received no health care facilities. A large number of children have physical problems on account of their work. More than 55 per cent of the
respondents working in these establishments were subjected to health hazards and they suffered from various types of occupational diseases. But the amount of health cover provided to the child workers by their employers was not encouraging. The most common complaints are pain in the limbs, swelling in the legs, back and chest pain, severe cold and headache. Some suffer from tuberculosis and asthma. Only when an ailment persists and can no longer be ignored do the children consider it a problem. They seek medical attention only when the problem becomes acute and chronic. Often they are taken to a medical practitioner only once or twice during the entire working period. The data revealed that one fifth of the workers who were suffering from one or other forms of health complaints were not getting any form of assistance towards their health care.

The employer-employee relationship prevailing in the survey units were extremely informal and casual. The study reveals that 25 per cent of them have very cordial relations with their employers. At the same time 14 per cent says that their employers were very harsh towards them. While 80 per cent of them are having good and cordial relationship with their co-workers. It is found that 60 per cent of the respondents get severe punishment either physically or loss in wages for their negligence and for minor mistakes. The extent of physical abuse is very high in vegetarian hotels, which are owned by Tamil people. Three respondents were abused sexually by co-workers. Incidences of both forced oral and thigh sexual abuse are noted. Evidences from the child workers and employers revealed that a sizeable proportion of workers moved from one establishment to another frequently.
As regards the job satisfaction of the respondents, 40 per cent of them are interested to work than to go to school. While a majority (60 per cent) prefer to study. Out of the surveyed respondents, 54 per cent are not satisfied with the present work while 46 per cent are satisfied with the present work and like to continue as child workers. Again, almost all these children are conscious of the extent of exploitation and they feel that they are being exploited. At the same time, majority of the child workers feels that they are not able to find another job.

It is evident from the study that child workers are getting accustomed to bad habits, mostly because of friends and sometimes due to the initiative of customers. The respondents felt that they are prone to these habits to forget the hazardous work that they undertake throughout the day. The study revealed the fact that 40 per cent of the children have the habit of chewing tobacco. Another 24 percent have the habit of smoking and 8 per cent of them drink liquor occasionally.

8.3 Awareness ad Attitudes of Parents of Migrant Child Workers

Twenty parents of the children working in the hotels were interviewed to ascertain their awareness regarding the working conditions of their children. Most parents were illiterate or primary level educated. Most of them lived below the poverty line or had poor family income. The majority had more than one child worker in the family. About 70 percent of the parents did not experience any change in social attitude towards their working children. Most parents were dissatisfied with the income of their children. The only satisfaction is that children working in the
hotels of Kerala get comparatively high remuneration than children working in their own state. Most of the parents felt that their family income would be affected to some extent if their children remained unemployed. Most parents have a conservative outlook. They believe that it is better to go for work than to school. Lack of frequent work on the part of the parents forced them to send their children in search of job. Thus the study inferred that most of the migrant children work due to parental pressure.

About 62 per cent of migrant children claimed that their parents often get annoyed with them, while 38 per cent said that they themselves were angry with their parents. Drunkenness of father, his abusive language, beating and scolding etc. were recurring instances behind the tense environment in the family. The migrant children with a stepfather or stepmother faced such moments more frequently.

Irresponsibility of the male member in the family is a dominant factor for motivating children to migrate. The study reveals that absence of father is a critical factor in child labour. A good number of children belong to female headed-households. Some children do not remember even the names of their father. Parents are satisfied that their children are in employment. There was a little concern that children were being deprived either of their childhood or of educational opportunities. About 22 per cent of the migrant children have no permanent contact with their parents. They felt that they were neglected at home. Their relationship with parents is not cordial, and often were quarrelsome.
8.4 Employer’s Justification

Twenty selected employers were interviewed to find out the response towards working children. Employers give certain justifications for employing migrant children to suppress their guilt feelings. They say that the work keeps children away from starvation. They generally advance the argument that by employing children they increase the income of the worker’s family. It is claimed that it prevents children from being lazy, idle and falling into bad habits. The majority of the employers believe that the children who go to work in the very early age become habituated to be industrious and laborious which is beneficial to them because they become well-trained workers even in their early age.

The primary reason for child’s employment from the employer’s point of view is that it is cost efficient in the overall scheme of maximum profits. Children are employed because they have low bargaining power and hence, can be hired at lower wages and made to work for longer hours even under bad working conditions. Some processes or services can be performed equally well, rather in a better way in certain cases, by child labour. Hence, the temptation to employ child labour. Many employers argued with pride that the hoteliering industry of Kerala is more competitive; therefore, by employing children as workers, they can pass on the reduction of cost to the customers.
Children are also employed also to pressurise adult workers to soften their resistance to low wages and bad working conditions. About 40 per cent of the employers reported that labour tension and pressure for more wages and strikes can be reduced by employing children as workers. Also, certain types of work in hotels can be better performed by children than adults.

In short, child is preferred for work in the hoteliering sector because of the following reasons.

1. They work for less remuneration than adult workers do.

2. They are more flexible mentally and physically and can be moulded easily into the exploitative tactics of the employer.

3. Child labour is not only very cheap to the employers, but also trouble free since they cannot organise agitation by themselves.

4. Being minors, the membership of trade unions is not open to child labour and hence it is advantageous to the employer.

5. Children cannot demand any overtime allowances, nor medical aid and other similar benefits.

6. Employers find children more amenable to discipline and control, and

7. They can be coaxed, admonished, pulled up and punished for default without jeopardising the working relationship.
8.5 Major Findings of the Study

1. Almost all the respondents (92%) come from absolutely poor, illiterate and ignorant families.

2. Children who worked full-time for wages were primary dropouts or school-leavers who did not reach the secondary school. In all the cases studied, large number of them had decided to leave primary or lower secondary schools (sometimes against their parents wishes) to enter the labour market.

3. There is push as well as pull factors for migration and work of children. Poverty, though the most significant, is not the only reason. Adult migration due to non-availability of adequate employment opportunities and the persistence of low wages for similar work in the village; irresponsibility of the male members of the family; inadequate measures of social security; family conflicts and disintegration, inferior conditions of life, and so on are among the push factors responsible for migration. Comparatively higher income differentials, high-income opportunities and attraction of city life are some of the pull factors responsible for migration. The under development of the rural economy in terms of the opportunities for the adult workers and the consequent low wages have been seen as the major causes for migration of children. The study found that there is a positive correlation between adult labour migration and child labour.
4. The study shows that absence or irresponsibility of father is a critical factor in child labour. A good number of children belong to female-headed household (mostly de-facto), especially those with single female heads.

5. Migrant children have health problems, especially skin diseases. No systematic medical survey has ever been conducted regarding the exact nature of the health problems of children working in the hoteliering industry of Kerala.

6. The study reveals the fact that 92 per cent of the child labour belong to the lower social strata especially scheduled castes and scheduled tribes.

7. Child work participation ratio is high in vegetarian hotels (40 per cent) than non-vegetarian ones (30 per cent).

8. There is no uniform system of payment of wages in hoteliering industry. The wage rates differ from shop to shop and worker to worker, especially in the case of children. The wage given to the children are less than 40 to 60 percent of the wages of adult workers.

9. Most times, migrant children are over worked and under paid. Employers and adult labourers abuse them physically, mentally and sometimes sexually.

10. Among the migrant children working in Kerala 81.3 per cent are from the nearest districts of Tamil Nadu and it is estimated that over 30 per cent of the work force in the hotel industry of Kerala constitute migrant children.
11. The incidence of alcoholism (8%), smoking (24%) and chewing of tobacco (40%) is very high among migrant children.

12. The employers prefer to substitute adult labour for child labour as the latter can be easily handled, and is less demanding, and do not protest when asked to perform odd jobs. Further, non-availability of adult workers motivates the employers to employ cheaply available child workers. A series of factors such as the payment of low wages, absence of trade unions, easiness in handling, long working hours, less job change and no necessity for compensation motivate the employer to substitute migrant children for adult workers.

13. The migrant children contribute significantly to their family income. In fact, the size and frequency of the remittances may have some economic impact on the areas to which the migrants belong.

14. Over 30 per cent of the workforce in the hotel industry of Kerala constitute migrant children.

15. There is a positive correlation between adult labour migration and child labour.

16. Migrant children are unorganised. No union takes care of these children. Politically motivated unions do not bother to see the interests of these children – the migrant non-voters.
8.6 Conclusion and Policy suggestions

In spite of the laws and measures dealing with child labour, the reality is that in our state like others children are exploited lot. Among the children working in Kerala, a sizeable number are from the nearest districts of Tamil Nadu. The child labour situation in Kerala is entirely different from other states. Unlike other states, Kerala has not become a place where tender children are absorbed as workers. In Kerala child labours are mainly found in service sectors - hotels, shops and commercial establishments etc. Children are also found in workshops, fishing, rag-picking, brick kiln, and as domestic servants. They are absent in industries. This is also a contrast to the situation prevailing in other states of India.

Majority of the working children is found in hoteliering sector, especially vegetarian hotels. As Kerala is a land of pilgrims and a paradise of tourists, there is an increasing trend of vegetarianism. Also the development of tourism to a large extent depends on the development of the hoteliering industry since it is one of the major components of tourism. Therefore, in due course of time, with increase in the demand for vegetarian food in Kerala, the demand for child labour also will increase. It will prompt migration of children from the nearest states, particularly Tamil Nadu. Also, the increasing migration from outside with a low remuneration, or sometimes without any remuneration, will adversely affect adult unemployment in Kerala, where unemployment is a major social problem.
In this study, it is found that, though the child workers earn equally with their parents and contribute to the economy as well as social activities of their families, they missed the chance of education which is considered as a constructive asset to any individual. They live in the worst condition and engage in hard and dangerous work. Though they do not think about their destiny and future, when they see other children of their age they feel bad and think of going to school. The freedom in earnings opens way to acquire some bad habits like chewing of tobacco and smoking and drinking, which are considered as basis of the other deviant behaviours.

Thus the issue of child labour in Kerala is a serious one and constitutes an egregious violation of children’s rights. Strong political and societal efforts will be needed for combating and eliminating this scourge in a phased manner. For achieving this goal government effort to be supplemented by a wide range of initiatives from the Non Governmental Organisations and a ‘peoples movement’ has to be built up against the outrageous system. The problem has to be attacked on different fronts. There is an urgent need for augmenting the income of the rural families of which these migrant children belong by stepping up the pace of rural development. Equally important is making primary education compulsory. Also greater amount of public awareness is to be created and rights of children must be protected. Besides this, it is important to generate a positive political will to tackle this social problem.
It is obvious that in a civilised society the importance of child welfare cannot be overemphasised because the welfare of the entire community and its growth and development depend on the health and well being of the children. Children are the supremely important national assets and the future of a nation depends on how its children grow and develop.

The problem of child labour has been attempted to be tackled by various legislative measures, policy interventions and other non-governmental initiatives as well as those taken up by various international agencies working in this area. The recent past has been a witness to attempts and efforts to tackle this malaise with a renewed vigour at all levels-ranging from the grass root actors at the village and the Panchayat level to those by international agencies namely UNICEF and ILO (through its International Programme for the Elimination of Child Labour).

However, while efforts are galore, there is a general feeling that most of these efforts have failed to achieve some degree of convergence. Child labour is an inevitable consequence of the economic forces operating at the family level. As long as poverty continues to exist it would be difficult to eliminate it. Any attempt to abolish it through legal recourse would not be practical since this would put already poor families in acute economic stress. In this situation the only alternative that is left is to ban child labour in hazardous areas and to regulate and ameliorate the conditions of work in other areas.
The recent attempts to tackle the problem of child labour in the country has come into sharper focus only in the era following the adoption of New Economic Policy in July 1991, wherein a large scale restructuring of the Indian economy was adopted as the stated objective. The new policy regime was an outcome of the realisation that fiscal profligacy pursued in the period prior to 1991 was indeed detrimental to the sustainability of various developmental programmes carried out by the government. Several questions were raised on the mounting expenditure on the various ongoing development programmes of the central and the various state governments. The efficacy of these programmes was justifiably juxtaposed with the massive resource crunch faced by the Indian economy at that juncture. The issue at stake is not the nature, dimensions and coverage of these programmes but how effectively these programmes have been able to achieve their stated objective.

With a view to effectively dealing with the problem of child labour, efforts have to be made to understand its intricacies. This in turn is crucially dependent on being able to comprehend the problem from several angles. In fact, in the absence of proper comprehension of the problem, there is a possibility that myopic actions may be taken losing sight of the multi-dimensional character of the problematic. In such situations, the effectiveness may be lost and may be even retrograde to the welfare of the children involved. Child labour will continue to exist so long as it is not intrinsically inimical to the prevailing relations of production. It is therefore suggested that rather than indulge in excessive abstraction, one should focus on specific relations of production such as bounded labour which typically a remnant of
feudal forms of exploitation. Legislation, it is stressed would be effective only when child labour has actually become a marginal factor in the process of capitalist accumulation. Only these policies would result in the reduction of child labour, which aim at altering modes of exploitation and the division of labour directly. Thus, policies which bring about greater employment security and pensions for agricultural workers, successful land reforms, and greater scope for participation of marginalised adult labour force are the ones which in the long run would reduce child labour. Any effort to force the pace through moralistic denunciations of all forms of child work risk being manipulated by apologists wishing to retain child labour on the ground of high levels of poverty in the country (Standing, 1982). As a result the situation demands that the focus must be on eliminating the limited number of forms of child labour which are not in consonance with the existing relations of production and not on all forms of child labour.

It is the degree of exploitation of the child that determines whether or not the work is harmful. Child work, which does not involve an exploitative relationship, should therefore, be distinguished from child labour. Any effort at eliminating children from the labour force should therefore, be concentrated on child labour rather than child work. A broad consensus that has emerged over the years is that the degree of exploitation should be judged in terms of whether the work done is paid or unpaid, as a part of family labour or for an outside employer and the working conditions imposed on the child. Another view is that all forms of work are bad for children and there can be little scope for compromise in this issue. Proponents of this
view hold that arguments in favour of children working, are merely excuses for the perpetration of child labour to the advantage of certain vested interests. According to this view, any distinction between one form of work and another as far as children are concerned is completely arbitrary. It is argued that the concept of segregation of work done by a child into exploitative ‘labour’ and non-exploitative ‘work’ suffers from basic flaws and raises many more issues than it resolves. There is no simple method by which some activities indulged in by a child could be classified as ‘work’ and some as ‘labour’.

The strict interpretation of the definition done by ILO indicates that there is absolutely no way, by which children can engage in any form of work and simultaneously fall outside the scope of the definition. In particular, the question of children being engaged in work that does not interfere with their educational opportunities or their natural development simply does not arise. This is particularly so in a context where children can move easily from one form of work relationship to another, especially in the unorganised sector where even the most elementary form of child labour are found.

A possible and realistic way of attacking the problem may be to examine the situation of working children in detail and the magnitude of child labour in the various parts of the country. This may pave the way for placing the problem in an appropriate perspective and a framework amenable to further analysis and policy formulations.
Legislation, by itself cannot achieve the objective of eradication of child labour. In places where child labour is rampant, the solution is unlikely to lie in simply creating new laws or even ensuring that labour inspectors implement the existing laws. The adoption and implementation of laws needs to be supplemented by social and economic measures.

The extension and improvement of schools to attract and retain child labour has been brought out by many studies to be an effective strategy to wean children away from work force. Child labour and compulsory education cannot coexist. Education, although will not by itself eradicate child labour but it will reduce and discourage it. Employers will find child labour uneconomic if the children are available for only half- a- day and if the working child becomes more visible by virtue of being a student. Education, besides raising the capabilities and welfare of its beneficiaries, also has a positive impact on health, mortality, fertility and family life. What we need is an education system different from the conventional one - that is properly resourced and valued that reaches the poorest children in terms of hearts and minds that expand their horizons beyond the gate marked drudgery. The Gandhian education system is relevant in this regard in order to provide decent relevant education for all children. Schools must teach useful skills that are seems as relevant by both children and parents. They need to be more flexible and adept to local children's circumstances. Education of this empowering kind can help to prevent a child from being trapped by an exploitative employer. If there were no employer prepared to exploit children, there would be no child labour.
The most enduring steps towards eradicating child labour would be to improve the economic conditions of the families from where the child labourers are drawn into the work force. The provision of assistance in the form of income-generating assets under different rural development and poverty eradication programmes needs to be provided to such families that have a working child. An improvement in the economic condition of the family makes a significant difference in the attitude of parents becoming conscious and inclined towards sending their children to schools.

A large number of programmes are implemented through NGOs. These programmes essentially involve providing educational facilities, health care and skill development for children. Some of the organisations specifically aiming at organising children for better working condition. Several NGOs have concentrated on developing innovative teaching methods in schools, both formal and informal, and in making the curriculum more relevant to the needs of working children. Better pedagogic inputs, flexible schedules to accommodate the requirements of the working children and programmes aimed at imparting specific vocational skills have been the main modus operandi of most voluntary groups.

Despite the formulation of specific policies for dealing with child labour and the implementation of a large number of programmes by the government directly and through NGOs in pursuance of these policies, the impact on child labour in the country has been minimal. The basic reason why the policies and the programmes adopted in the country by the government as well as by most NGOs have failed to create much impact on child labour situation is that they are simply not designed to
do so. A closer look at the premise on which these policies and programmes are based reveals that its very nature leads to a situation where no impact on child labour is possible. The basic premises on which all these policies and programmes are based is the poverty argument. In its simplest form, this states that households especially those belonging to the lower economic strata of society cannot survive unless the children in the family also work.

Child labour is, therefore, an inevitable consequence of economic forces operating in a family. Any effort to withdraw a child from the workforce without adequately rising the economic status of the child’s family would only lead to further economic stress for the family. Therefore, the best way to deal with child labour is to stimulate rapid and broad-reaching economic expansion that will create ample adult employment, rendering child work superfluous. This approach can be thought of as the “economic development” route to child labour abolition/regulation. But it does not necessarily follow that economic prosperity is a necessary precondition for starting to curb the abuse of child workers. Because economic development takes a long time, during which many young lives can be wasted. For example, various states having a low per capita (GNP) have successfully reduced child labour through alternative approaches. There is no guarantee that increase in per capita GNP automatically reduces child labour. Therefore, much depends on the distribution of income; only economic policies that enhance the prosperity of the poorer section of the population are likely to have much impact on child labour. At the same time substantial economic progress is the most fundamental cure for child labour
problems, additional interim interventions are also required until acceptable levels of prosperity and income equality have been reached.

Thus, besides legislative measures, there is an urgent need to give importance to the supportive measures such as the removal of poverty and unemployment. Income generation activities both wage and self-employment projects like Integrated Rural Development Programme (IRDP), Jawahar Rojgar Yojana (JRY), and Employment Assurance Scheme (EAS) in its modern versions like Suvarna Jayanthi Sawrotrgarg Yojana and Jawahar Gram Samridhi Yojana are some of the strategies which can have some impact on the incidence of child labour, if focused on the families, particularly those having child workers. Projects like support for micro enterprises, credit schemes, and employment training for mothers and or fathers will also help in mitigation of child labour problem. They are designed to improve the economic situation of families and communities, and thus make child labour less necessary.

Prof. Amartya Sen (2000) remarks that the system of child labour- bad enough on its own- is made much beastlier still through its congruence with bondage and effective slavery. He points out like several other economists that mere abolition of child labour without doing anything to enhance the economic circumstances of the families involved may not serve the interest of the children themselves. Child labour is intimately connected with non-schooling of children. Exploitation of child labourers is the consequence of social inequality, attitude of the privileged classes and lack of public involvement in the protection of basic
entitlement. Lack of parental motivation and high opportunity cost of schooling also contribute to aggravation of the problem of child labour. Compulsory education as a means to eliminate child labour, depends significantly on the social security arrangements necessary to do away with the need for child labour (Dreze & Sen, 1999).

Thus the problem of child labour cannot be solved simply by introducing some administrative measures like introduction of compulsory free education, mid-day meal etc. along with prohibition of the use of child labour. The root cause of the entire problem is poverty and is related to human deprivation. Successful implementation of social sector reforms can only ensure elimination of the problem of child labour. As such, it is the duty of the sovereign state as a member of the community of civilized nations to intervene decisively to stamp out this evil irrespective of the efforts and costs involved. As a multidimensional problem, a multidimensional approach is necessary. Combined efforts of all including the Government, the politicians, policy makers, parents, NGOs, and the international organisations may be of immense help for achieving success in this task of social reconstruction and development.

Marx was against the total ban on child labour for the Europe of his time. He favoured restrictions on working hours and compulsory education (Marx 1875 cited by Basu, 1999). So, properly formulated and implemented wage policies and regulations may tend to eliminate/reduce child labour. The better way to eliminate child labour from the face of Kerala is to introduce policies to accelerate adult
income. The adult income depends on the adult wage rate and the adult employment rate. Therefore, expansion of employment opportunities through suitable labour intensive technology and control of the size of adult labour force through population control will provide a stable basis for elimination of child labour.

The major problems associated with the prevalence of child labour in Kerala are: (1) the absence of sector wise statistics on working children. (2). Lack of social awareness and sensitivity about the pernicious social practice of child labour among the citizens of Kerala. (3). Seasonal migration of children along with their parents. (4) Lack of dignity of domestic servants and (5) Absence of sensitivity among officials and the non-involvement of employer’s organisations.

The state Labour Department has been enforcing the Child Labour (Prohibition and Regulation) Act, 1986 for over a decade, but the efforts were not effective. Since 1992 ILO-IPEC and Government of India have taken up a series of programmes and projects aiming at elimination of child labour in India. But most of their efforts are being concentrated in 10 child labour prevalent states.

During the 9th plan, Kerala has earmarked Rs. 30 lakhs for the rehabilitation of child labourers. Of this amount, Rs. 20 lakhs had already been released to Director of Public Instruction to provide non-formal education for working children along with assistance for nutritional improvement. Education Department is now running a few such schools in various districts. In pursuance of the Supreme Court judgement, Child Labour Rehabilitation-cum- Welfare Societies have been registered in all the
14 districts with the District Collector as chairman. However, the societies are not active mainly due to lack of social pressure and low sensitisation among concerned officials. Concerted action involving concerned departments of the state and other social partners is lacking. At the same time, elimination of child labour from Kerala is possible, within a definite time frame through well co-ordinated efforts by State Government, ILO-IPEC, employer’s Organisations, Trade Unions and, Non Governmental Organisations.

The findings show that it is possible to eliminate child labour from Kerala within a definite time frame if the policy makers have strong political and social commitment. The study suggests the following strategy to achieve this objective.

1. Formulation of an action plan based on a campaign approach as was done in the case of total literacy campaign.

2. Constitution of a child labour elimination authority under the chairmanship of the Chief Minister.

3. Activate the Child Labour Rehabilitation cum Welfare Societies registered in the districts.

4. Pool the resources available under various departments like Labour, Social Welfare, Education and UN agencies like ILO-IPEC and UNICEF.

5. Involve employers’ organisations and trade unions, NGOs and media.

6. Enact a State law to abolish child labour in all its forms.
7. The government and voluntary organisations should take some steps to make children stay back in their native places.

8. Support child workers organisation along with their demand for more protection and rights in the work place. If children’s wages are raised to the level of adults it will remove one of the main incentives to employ children.

9. Gather more information on child labour. More research is needed into the invisible areas of child labour.

10. Systematic counselling services to the parents of child labourers is a possible and realistic solution to child labour.

11. The state shall take the issue of child labour as an agenda in the people’s participation programme.

It is true that child labour cannot be washed away with a magic wand. Of course, normal growth and development of children can be protected, absolute poverty overcome, population growth slowed down and environment deterioration arrested. For decades now, this has not been a question of possibilities but of priorities. Whatever be the particular cause, be it democracy or human rights, development or equality, gender equality or environmental protection, the growth, development and education of the children is central to long term success. If we set time-bound goals and follow, of course, with the continuing assistance of ILO and UNICEF, it is possible to eliminate the exploitative child labour within our lifetime.
Justice P.N. Bhagwati, former Chief Justice of India, who in a judgement on international adoption of children in 1985 said:

"The day will come when nations will be judged not by their military or economic strength, nor by the splendour of their capital cities and public buildings but by the well being of their people; by the levels of health, nutrition and education; by the opportunities to earn a fair reward for their labour; by their ability to participate in the decisions that affect their lives; by the respect that is shown for their civil and political liberties; by the provision that is made for those who are vulnerable and disadvantaged and by the protection that is afforded to the growing minds and bodies of their children"