Introduction
Chapter-1

INTRODUCTION

Children are blooming flowers of the garden of society. It is therefore, a duty on the part the members of the society to protect these flowers from the damaging effects of excessive exposure to heat, cold and rains and not the pluck them to satisfy their momentary whims (Kulshrestha, 1978).

UNICEF observed, “The day will come when nations will be judged not only 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 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” (Sahib Singh, Union Labour Minister, 2003).”

“CHILD” is the father of man and today’s child is tomorrow’s citizen. Well-nourished, educated and socialized child may well prove to be a strong foundation for a nation’s development. So it is our duty to look after them; protect them and provide them better care for their physical and mental growth. In a welfare state it also becomes the duty of the government to promote children welfare through different schemes and policies, so that they will not be exposed to any sort of hazards, which may damages their growth, which ultimately damages the political, social as well as economics growth of the society.

The problem of child labour is a burning problem of the world and has constantly agitated the minds of jurists, legislators, social thinkers, politicians and economics. The problems is very acute, particularly in under developed and developing countries. As a developing country, India is faced with a multitude of social problems. One such problem, child labour, has disgraced the entire
subcontinent giving it the distinction of having the largest number of the child labourers in the world. While many are willing to admit that a child labour problem exists, very few people are willing to accept responsibility for the problem.

Every child has the right to receive the best that the country and community have to offer. Every child should grow in an environment that helps him or her to live a life of freedom and dignity, in an atmosphere that provides education and opportunities to help the child grow into a worthy citizen. Unfortunately a large chunk of our child population is forced to work often in the most hazardous conditions. Child labour is a national and global phenomenon.

The number of working children is increasing from year to year. Some reasons are economic situation of their family, lack of employment opportunities for the adult member, and the preference of the employers to hire children to save on production costs. The child loses all the pleasures of life and potentials of growth and development. There is worldwide awareness and laws have been enacted to prohibit children from being employed. Illegal recruitment of children will continues. There is also a great scope for exploitation and abuse of child.

**CONCEPT OF CHILD LABOUR**

‘CHILD LABOUR’ the term itself may be used as a synonym of “employed child” or “working child”. This may be explained as employment of children in gainful occupation or a material contribution to the income of the family. ‘This term not only applies to children working in industries but also to those who are working in different activities in unorganized non-industrial organizations. Though, till date, no simple definition or description of child labour is there.
Nagia (1999) defines, a child worker is a person in the age group 5-14, employed for hire or reward on a full time or part time basis, or self-employed or assisting his/her parents in their occupation for 2 or more hours a day.

Homer folk defines child labour as "any work by children that interferes with their full physical and mental development, their opportunities for a desirable minimum of education or their needed recreation".

Encyclopedia of social science, "when the business of wage earning or of participation in self or family support conflicts directly or indirectly with the business of growth and education, the result is child labour".

The International Labour Organization (2000), "Child labour includes children prematurely leading adult lives, working long hours to low wages under conditions damaging to their health and to their physical and mental development, sometimes separated from their families, frequent deprived of meaningful education and training opportunities that would open up for them a better future."

V.V. Giri has delineated to different senses of child labour; firstly, it is an economic practice and secondly, as a social evil. In the first context it signifies employment of children in gainful occupation, with a view to addition of income to the family. In the second context, in assessing the nature and extent of social evil, it is necessary to take into account the character of the jobs in which they are engaged, the danger to which they are exposed and the opportunity for development which they have been denied.

**CHILD LABOUR IN INDIA**

In developing countries like India, children work in modern sector as well as in the poor sector to which they belong. The proportion of child labour and occupation in which they are engaged vary from situation to situation and place
to place. Most of the children are engaged in unorganized agriculture sector followed by street business and manufacturing units, which also sometimes depend on the availability of child labour in the labour market on the type of undertaking. On the hardship of the work etc., the rapid urbanization in our country has opened new avenues for employment of children below 14 years like rickshaw pulling, shoe shining, car cleaning, cycle repairing, garage work, hotel boys, domestic servant etc. and also in many black trends like smuggling, drug trafficking, begging as well as traditional occupation like beedi work, carpentry, laundry, match, fire work, agarbattis, etc. Therefore there is absolute truth in the statement that there is no sector where a child is not employed.

Child labour is economically unsound, psychologically disastrous and physically as well as morally dangerous and harmful. It involves the use of labour as its point of labour productivity and is, therefore, an inefficient utilization of labour power. Child labour precludes the full enfoldment of child’s potentialities. It deprives him of education, training and skills which are the necessary prerequisites of earning power and economic development. Children are the most vulnerable group in any population and in the need of the greatest social scare. On account of their vulnerability and dependence, they can be exploited, ill-treated and directed into undesirable channels by unscrupulous elements in the community. The state has the duty of affording proper care and protection to children at all times, as it is on their physical and mental well-being that the future of the nation depends.

**MAGNITUDE OF THE PROBLEM OF CHILD LABOUR**

Child labour is a global phenomenon. There is no precise data on the magnitude of child labour and all the estimates fall short of the actual figure. Due to multiplicity of definitions, different methods of computation and the
collection of data at different points of time, there are variations in the data on child labour.

**Child labour in the world**

According to the revised estimates by the International Labour Organization’s Bureau of Statistics (1976), the number of child labourers in the age group of 5 to 14 years is at least 120 million who are fully at work. The number is more than twice as large, about 250 million, if those for whom work is a secondary activity are included.

**Child Labour in India**

The problem of child labour in India is also of immense magnitude when one consider the number of children involved.

It is difficult to cite a current figure for the number of children engaged in child labour. This difficulty is attributed to the fact that the Indian Government “has been negligent in its refusal to collect and analyse current and relevant data regarding the incidence of child labour. As of 1996, official figures continue to be based on 1981 census figures” (Human Right Watch, 1996).

Indian government extrapolation of this 1981 data place the current number of child labourers at between seventeen and twenty million. UNICEF “cites figures ranging form seventy five to ninety million child labourers under the age of fourteen” (Human Right Watch, 1996).

A universal difficulty in obtaining accurate data may be that individuals fail to report child labour participation during surveys for fear of persecution. Although the figure for the number of child labourers varies, they are all significantly high when considering that the Child Economic Activity rate for
1980-1991 was 13.5 per cent for males and 10.3 per cent for female (International Labour Organization, 1996).

The Census of India, 1991 gives a figure of 11.28 million children in the age group of 5.14 years. According to the estimate of ILO (1996) there were 12.67 million full time child labourers and 10.50 million marginal child labourers, found working in different organized and unorganized work forces. UNICEF report (1997) reveals that of the 250 million child labourers suffers in the world, over one third are in India.

FORMS OF CHILD LABOUR

UNICEF has classified child work into three categories:

- Within the family

Children are engaged without pay in domestic households tasks, agricultural/pastoral work, handicraft/cottage industries etc.

- Within the family but outside the home

Children do agricultural/pastoral work, which consist of (seasonal/full time) migrant labour, local agricultural work, domestic service, construction work and informal occupation e.g. recycling of waste employed by others and self employed.

- Outside the family

Children are employed by others in bonded work, apprenticeship, skilled trades (carpet, embroidery, brass/copper work), industrial unskilled occupation/mines, domestic work, commercial work in shop and restaurants, begging, prostitution and pornography.
CAUSES OF CHILD LABOUR

Child labour is a socio-economic problem. It is generally considered that poverty, illiteracy, ignorance, and low wages are root causes of child labour. If we ask the question “why children accept work” we must look at the social background. From time back this system prevails, i.e., child labour in their traditional family occupations to those working in modern industries and other unorganised sectors.

G.S. Madan former Deputy Director, Ministry of Labour stated that “the children are required to seek employment either to augment the income of their families or to have a gainful occupation in the absence of availability of schooling going facilities at various places”. Also we can say child labour is no longer only economic exploitation but is necessitated by economic necessity of parents and the children themselves.

A number of reasons with different types of combinations have been held responsible for work by children. Kulshrestha has mentioned. “poverty, absence of scheme of family allowance, large family, cheaper rates of child labour, absence of compulsory education, illiteracy and ignorance, slow process of protective labour legislation and inadequate inspecting machinery as the cause of child labour”.

There are many causes of child labour; the most common form of which are discussed below:

Poverty

The foremost reason of child labour is acute poverty which exists in developing nations like India. Poverty forces the parents to send their children to seek employment diseases and other contingencies may need extra money and
the employment of children is resorted to as an easily accessible to bring in that money.

**Low income of the bread earner of the family**

In some cases, it has been observed that the inadequacy of wages of adult earning member(s) of the family compel them to send their children to work and supplement the family income. It is in the report of ILO that "this problem of child labour is not the problem of itself but it is the problem of the maintenance of child and the living, wages of adult wage earner so that they should maintain their family at adequate standard."

**Unemployment**

Sometimes children seek work because of their unemployed parents or adult relations in the family, which is sometimes due to under employment of the adults.

**Large family**

In India for illiterate parents extra children mean extra income. If a family is limited and well planned there will be no question of sending their children to the labour market. In most cases, the child worker belongs to a large family in which it is difficult to pull easily with a low income. It is difficult to provide a sheltered childhood to their children but to send them to work for more income.

**Child labour is cheaply available**

Employers like to get more production with cheap labour cost which they get easily employing the child labour than the adults to ensure more margin of profit. The poverty is a blessing to these employers as they get the poor children more easily in the labour market.
Illiteracy and Ignorance

Child labour is prevalent extensively in the lower socio-economic groups .......... because of the lack of appreciation on their part of the role that education plays an important role in improving life and living conditions of people.

Absence of social security measures

This compels some children to work consequent upon the death of their parents. Also there is a portion of working children who have left their homes due to ill-treatment of their relations (for example step mother, drunken father etc.) and join labour market.

Inadequate school facilities

Many children live in areas that do not have adequate school facilities, so they work. For many poor families, inadequate school facilities do not merit the income lost by not sending their children to work.

The situation is compounded by the fact that governments fail to provide adequate resources for education, health and employment services. Many countries do not have free compulsory education for all, which is an obstacle to sending working children to school.

Educational backwardness and negligence of parents

In India the lower socio-economic group of population is illiterate. They further participate the illiteracy of their children by depriving them of all the educational opportunities thereby minimizing their chances for vocation training.

Absence of provision for compulsory education

The provision of compulsory education up to a prescribed age could compel the children to attend the school so that there may arise no question of
entering of children in employment. Also formal education has a little relevance to them. Step by step these children progress and advance towards more specialized labour.

**Other reason**

Crafts like brocade work in which highest degree of sophistication and excellence can not be achieved unless learning is initiated in childhood itself. Migrant conditions also encourage child employment. In addition to the above cause of child labour, there are also certain other significant reasons for child labour. Firstly the process of protective labour legislation is slow which is not covering the agriculture and small-scale industries. Secondly, inspecting machinery, which is provided by the state government, is not strict in maintaining the law.

**WORK CONDITIONS AND DURATION OF WORK**

World Health Organization reports on child workers cites health hazards such as bony lesions and postural deformity attributable to such work as carpet weaving, embroidery and lifting heavy weights. Children generally work for long hours, which results in excessive fatigue and stunted growth. Poor children are generally malnourished but their work increased their energy requirement and calorie deficit. Moreover, if they suffer from anemia, fatigue and inadequate sleep, they become more susceptible to accidents and infectious diseases. Excessively hot, damp or dusty condition also create a milieu which favours the transmission of communicable diseases.

Owing to unhygienic working conditions several jobs expose children to various kinds of health hazards due to the extensive use of chemicals and poisonous substances in industries and the pollutants discharged by them. Long
hours of work in such working conditions obviously endanger the children's physical health and mental growth leading to occupational health problems.

**PROBLEMS FACED BY CHILD LABOURERS**

As it is observed most of the jobs exploit child labour, employers who say that they are sympathetic to the poor children by providing them opportunity for income and making them trained for their adulthood which is admitted by the National Commission on Labour. But this is not relevant to the degree of exploitation, which is manifold. Children are often forced to work under unhealthy and hazardous conditions, which infringe their basic rights and may also endanger their lives. The main areas of problem of child labour are:

**Little or no remuneration**

Throughout the world as it is seen children work for a low payment than their adult counterparts. Sometimes, they are to be satisfied with the rations provided to them instead of any monetary payment.

**Excessive hours of work**

Although there are legal restriction every where for child hours of work, almost everywhere in the world children work in night hours in service establishments. In domestic sectors they are working for more than 12 hours per day, which is quite embarrassing. They even work without rest hours and holidays.

**Safety hazards**

In many factories and sweet shops even the minimum safety standards are not observed. As observed in welding works they are to work without the protective glasses and hand gloves. In most cases children are working with machineries and tools meant for adult workers without any safety appliances.
Health hazards

Health risks are there to which most of the working children are exposed at their work places. Their vulnerability is increased by the high incidence of malnutrition and under nourishment.

Lack of ancillary service

Where there is clear exploitation through low payment, long hours of work who expects ancillary welfare services from the employers for these tiny workers. There is frequently no provision for health care, education, recreation, training etc.

CONSTITUTIONAL PROVISIONS, POLICIES AND PROGRAMMES FOR CHILD LABOUR

Children themselves make up a different section of society. They are vulnerable and incompetent for their complete development, they should be given some special rights.

India follows a pro-active policy in the matter of tacking the problem of child labour. ‘The constitution of India has adopted the following articles, which reflect the nation’s concern for children in general and child labour in particular;

Article-23: Prohibition of traffic in human being and forced labour “Traffic in human beings and beggar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law”.

Article-24: Prohibition of employment of children in factories etc. “No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment.”
Article-45: Provision for free and compulsory education for children “The state shall endeavor to provide, within a period of ten years from the commencement of this constitution, for free and compulsory education for all children until they complete the age of fourteen years.

Article-51(c): Provision of International Peace and Security, “Foster respect for international law and tritely obligations in the dealings of organized people with one another.”

Some Legislations relating to child labour

The Motor Transport Workers Act (1961)

This enactment prohibits the employment of children under 15 years in any motor transport undertaking.

Employment of children (Amendment) Act (1978)

It prohibits employment of a child below 15 years in occupations in railway premises such as cinder picking or cleaning of ash pit or building operation, in catering establishment and in any other work which is carried on in close proximity to or between the railway lines.

The child labour (prohibition and regulation) Act (1986)

(i) bans the employment of children, i.e. those who have not completed their fourteenth year, in specified occupation and processes;

(ii) lays down a procedure to decide modifications to the schedule of banned occupation or processes;

(iii) regulates the conditions of work of children in employment where they are not prohibited from working;
(iv) lays down enhanced penalties for employment of children in violation of the provisions of this act, and acts which forbid the employment of children;

(v) it also intends to obtain uniformity in the definition of "child" in the related law.

Committees on Child labour

Gurupadaswamy Committee (1979)

- Dealt with the dimensions of child labour, status and implementations of child labour legislation and welfare and training schemes for child labour.
- Recommended the setting up of child labour advisory board.
- Recommended fixing the minimum age of entry into employment.
- Recommended adoption of uniform definition of a child and adolescents while prescribing the hours of work, conditions of work etc.
- Formulation of an effective education policy with emphasis on integration of educational requirements with local crafts.

Sanat Mehta Committee (1986)

- It reiterated recommendation of the national commission of labour and the Gurupadaswamy committee for the eradication of child labour.
- It emphasized the need for a uniform age for children for entry into employment.
- Recommend to combine work with education.
GOVERNMENT OF INDIA’S POLICIES AND ACTIONS

The National Child Labour Policy

Increasing attention is now being paid to strengthening the enforcement machinery related to child labour. Soon after the enactment of the Comprehensive Child Labour (prohibition and Regulation) Act, 1986, the Government of India adopted a National Child Labour Policy in 1987, in accordance with the constitutional provisions and various legislation on child labour. The policy consists of three complementary measures.

The Legislative Action Plan: This policy envisages strict enforcement of the provisions of the child labour (Prohibition and Regulation) Act, 1986 and other child-related legislation.

Focusing on General Development Programmes for Benefiting Child Labour: The policy envisages the development of an extensive system of non-formal education for working children withdrawn from work and increasing the provision for employment and income generating schemes meant for their parents. A special cell, Child Labour Cell was constituted to encourage voluntary organizations to take up activities like non-formal education, vocational training, provisions of health care, nutrition and education for working children.

Area Specific Project: To focus on areas known to have high concentration of child labour and to adopt a project approach for identification, withdrawal and rehabilitation of working children.

Central Advisory Board on Child Labour

The Central Advisory Board on Child Labour was constituted on March 4, 1981. The following are the terms of references of the board:
- Review the implementation of the existing legislation administered by the central government.
- Suggest legislative measures as well as welfare measures for the welfare of working children.
- Review the progress of welfare measures for working children.
- Recommended the industries and areas where there must be a progressive elimination of child labour.

INITIATIVES OF NON-GOVERNMENT ORGANISATIONS

NGOs have a vital role to play towards combating child labour. A number of innovative projects launched by NGOs show their continuous effort in this direction and prove that social mobilization can achieve the desired results. Parents do not want to exploit their children, even the poorest of the poor want their children to study, be educated and live a better life. The different initiatives and interventions adopted by the various organizations fighting for eradication of child labour have been started. They prove that if properly motivated, children are willing to go to school and to stay in schools.

INTERVENTIONS

- To combat child labour by providing at least elementary education for all.
- Enrolling children into regular school with the help of youth volunteers.
- Setting up night shelters at railway stations, bus stations etc. to save the children from the dangers at night.
- Setting up Half-Way homes where these children can stay and get admissions into formal schools.
PRINCIPLE'S RELATED TO CHILD LABOUR

Principle I: Every child should be profited by this rights.

Principle II: Special protection should be given to each and every child. They should be given proper opportunities and facilities so that they can have their physical, mental, moral character wise and education wise and social development.

Principle III: A child should be given a name and nationality since birth.

Principle IV: Children should have right of having nutrition food, proper accommodation, entertainment and also health services.

Principle V: A child who is mentally or physically retarded or disabled will have the right to have necessary special medical and educational aid according to his condition.

Principle VI: A child has right to have free and compulsory primary education. He has right of having on equality basis so that he can become responsible citizen of the society. This education will enable him to take decisions on his own be responsible towards society, make him morally and character wise strong. A child should be provided proper source of entertainment and sports.

INTERNATIONAL INITIATIVES

IPE C: ILO'S International Programme on the Elimination of Child labour

The International programme on the Elimination of Child Labour is a global programme launched by the International Labour Organization in December 1991. The long term objective of IPEC is to contribute to the effective abolition of child labour. Its immediate objectives are:
Elimination of the capability of ILO constituents and Non-Government Organizations to design, implement and evaluate programmes for child labour elimination;

To identify interventions at community and national levels which could serve as models for replication; and

Creation of awareness and social mobilization for securing elimination of child labour.

UNICEF

UNICEF acknowledges the need to tackle the problem of child labour in order to implement the conventions on the rights of the child and achieve the goals for improving the conditions and well being of children.

The objectives of the UNICEF are:

- To promote compulsory primary education as the fundamental strategy for the elimination of child labour by enrolling and retaining children in schools.
- To advocate revision and enforcement of legislation to prohibit child labour, particularly in hazardous industries.
- To strengthening monitoring systems on child labour.
- To strengthen alliances between NGOs, media, industry and the legal for social mobilization in support of elimination of child labour.

SCOPE AND JUSTIFICATION OF THE STUDY

Child labour is a global problem. It is more common in developing and underdeveloped countries. The complex issue of child labour is a developmental issue worth investigating. The notion that children are being exploited and
forced into labour, while not receiving education crucial to development, concerns many people. India is the largest example of a nation plagued by the problem of child labour. Estimates cite figures of between 60 and 115 million working children in India – the highest number in the world (Human Rights Watch, 1996).

Nearly half of India's population subsists below poverty line. Economic compulsion weigh heavily on the consciousness of poor parents and they would not mind colluding with children's employers in violating the law and putting their children under risk of human exploitation. Studies revealed that large number of child labourers have to work under very adverse conditions. They worked as long and as hard as adults, in inhuman conditions, on starvation wages. These unfortunate children suffer from severe mental and physical retardation (Singh, 1996).

Today, India is the home of the largest number of working children. The problem of child labour has attracted the attention of the press, media, social workers and academicians. In the recent years, the problem has entered the public consciousness with some persistence. A most important but most neglected phenomenon child labour is one of the oldest professions. Government and non-government agencies have been taken various legislative and executive steps to eradicate the multi-dimensional problem effectively and speedily. But only few of these have proved effective. In fact an increasing development has led to an increasing child labour and conditions of working children are very poor in both organized and unorganized sectors.

The purpose of the study is to know severity of the child labour and create awareness among the people. Despite too much pressure on international scene and efforts by Indian government many legislative measures and disincentives
against child labour, the magnitude of the problem remains, the name in India and several other developing countries.

This study will be of great help to the planners, administrators, researchers and extension personnels. This study is not only of purely academic purpose, but it will also provide ample information of applied and practical utility, directly to the child labour and concerned departments in view of international programmes and policies. The present study will throw light on the basic conditions, employment pattern, causes and problems of child labour in different sectors.

Objectives

The focus of the present study is on the study of child labour in urban slums of Kanpur, U.P. The objectives of the present study are as follows:

1. To study the socio-economic profile of respondents of selected slums in Kanpur district.
2. To study the prevalence and causes of child labour in selected slums in Kanpur district.
3. To study the working conditions and terms of employment of child labour in selected slums in Kanpur district.
4. To suggest the measures policy for alleviation of child labour.