SUMMARY, CONCLUSION, AND SUGGESTIONS

Child is the father of man and today’s children is tomorrow’s citizen. Well nourished, educated and socialized child can prove to be a strong foundation of a nation. 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 a duty of the government to promote child welfare through different schemes and policies, so that they will not be exposed to any sort of hazards, which may damage their growth and ultimately damage political, social, and economic growth of the society.

The problem of child labour is a burning issue of the world and has constantly disturbed the minds of jurists, legislators, social thinkers, politicians, and economists. The problem is very acute particularly in underdeveloped and developing countries. Every child has the right to grow in an environment that helps him to live a life of freedom and dignity. Governments concern should be to provide educational opportunities to the children so that they can become the worthy citizens of the country. Unfortunately a large proportion of child population in developing and underdeveloped countries is forced to work even under hazardous and risky conditions.

Child labour is condemned allover, as it is economically unsound, psychologically disastrous and physically as well as morally harmful. It involves the use at its point of lowest productivity and is, therefore, an inefficient utilization of labour power. Child labour
erodes the potentialities of children, it deprives child from education, training and skills which are necessary a prerequisite of earning power and economic development. Most of the child labourers in India are found in unorganized sector than the organized sector. Unorganized sector in India has highest concentration of child labour because of its nature and scope for very less implementation of labour laws. Law enforcement agencies keep strict vigil on child labour in organized sector. It keeps child labour away from the activities of organized sector. In India child labour is mostly found in agriculture, where children work from an early age with their parents. They carry out light tasks such as looking after animals, collecting fire wood and fodder, and drawing water. They also learn to sow and reap the crops. They work with adults in sowing, reaping, and ploughing. Child labour is also prevalent in urban areas. The jobs which children usually do in urban areas are selling magazines, food, sweets, flowers, loading and unloading of load carriers and cleaning shoes. They are also engaged in workshops and commercial establishments as mechanics, car washers, and cleaners. It is a common view that child labour in India is the mirror reflection of poverty, unemployment, lack of proper educational facilities, social security, and population explosion. The Indian constitution in 2009 makes a landmark decision of making Right to Education as fundamental right of every citizen which fulfills liabilities of the nation laid down in Article 21 A of the Constitution. By making it a right, India ranks
135th country of the world in terms of free and compulsory education to all children in the age group of 6-14 years, but still the government is not in a position to encourage poor parents to send their children to schools. It is evident from Census 2011 that India has more than one Crore child labourers. Most child labourers start working at a very young age, are malnourished, and work long hours in hazardous occupations which can harm not only their physical development but also spiritual and mental development. From various exploitative forms of child labour, carpet work is one of the most abusive forms of child labour. In Employment of Children Act, 1938 this particular occupation was considered hazardous and a prohibited activity for the children below 14 years. Still the children are being largely employed in the carpet looms. Later child labour in this particular activity was also prohibited by Child Labour (Prohibition and Regulation) Act, 1986. Inspite of this, a large number of children can be found working in carpet looms even today. They are considered obedient and cheaper as compared to the adult workers. This study examines the problem of child labour in the context of carpet industry in Jammu and Kashmir.

It has been observed that between 2000 and 2012, employment in the 5-14 age group at world level has declined by 5.8 percent, from 211 million (17.6 percent) to 144.1 million (11.8 percent), a decrease of 66.9 million. Over the same period the employment of children in Asian-Pacific region has declined by 9.3 percent, from 127.3 million (19.4 percent) to 64.6 million (10.1 percent), a decrease of 62.7
million. Similarly in Latin America and Caribbean region employment of children has declined by 8.4 percent, from 17.4 million (16.1 percent) to 9.0 million (8.0 percent), a decrease of 8.4 million. The declining trend of employment of children in Sub-Saharan Africa however was not encouraging in absolute terms. The employment of children in region has increased from 48 million to 57.5 million i.e. an increase of 9.5 million; however the percentage of children in employment has decreased by 2.6 percent from the year 2000 to 2012. In absolute numbers of employed children in Sub-Saharan Africa has increased from 48.0 million to 49.3 million during the period 2000 to 2004. And from 2004 to 2008 the employment of children again increased by 8.9 million i.e. from 49.3 million to 58.2 million. For the first time the region has shown a decline of 0.7 million in the employment of children when we compare with the figures of 2008 with 2012.

An attempt has also been made to find the magnitude of working children in India. The study shows that the magnitude of working children is declining from 2001 to 2011. Period 1961-2011 indicates that the magnitude of working children in child population has decreased by 8.58 percent, 2.45 in total population, and 5.57 in total workers. Likewise the share of child population in total population decreased by 5.92 percent. Thus the proportion of working children in the country is decreasing, but still an alarming number of child labour exists in the country which clearly reflects negligence on the part of parents and government.
State-wise analysis of the data shows that magnitude of working children has decreased with varying magnitude in a majority of the states in India, except Uttar Pradesh, Kerala and Uttrakhand from 2001 to 2011. The magnitude of working children in Uttar Pradesh was 19.28 Lakhs in 2001 and 21.77 Lakhs in 2011, which reflects the increase of 2.49 Lakhs from 2001 to 2011. Uttar Pradesh retains the status of highest working children in the country, also in 2011. Andhra Pradesh which was second in terms of working children in 2001 falls to the fifth place in 2011. The second position is attained by Bihar which was in the fourth place in 2001. Rajasthan retains its position of being third largest in both the years. Talking about the percentage share of the states in total child workers, the top four states in this respect are Uttar Pradesh, Bihar, Rajasthan, and Maharashtra who jointly account for 55.14 percent of child workers in the country in 2011. Regarding work participation rate, Himachal Pradesh has the highest WPR with 10.33 percent \{Percentage of working children in total Child population (5-14 Years)\} as compared to national average of 3.90 percent in 2011. The other top four states in terms of WPR are Sikkim, Rajasthan, Aruncahal Pradesh and Jharkhand. Thus, among the major states the WPR above the national average was observed in Himachal Pradesh, Sikkim, Rajasthan, Aruncahal Pradesh, Jharkhand, Chatisgarh, Andra Pradesh, Uttar Pradesh, Madhya Pradesh, Jammu and Kashmir, Assam and Orissa in 2011. The states with low WPR of children (5-14 Years) were
observed in Goa (0.46%), Kerala (0.84%), Delhi (1.13%) and Tripura (1.87%).

The impact of various factors which are considered determinants of child labour on the basis of literature available on the issue was done by a statistical technique called Regression analysis. The results of the study show that poverty, and dropout rate are positively related with child labour, while as urban population and literacy rate are negatively related with child labour.

Further regarding the incidence of child labour in Jammu and Kashmir, it has been found that as per Census data the magnitude of child labour in Jammu and Kashmir has declined from 1981 to 2011. The incidence of child labour in Jammu and Kashmir was higher in rural areas as compared with urban areas in 2001 and 2011. The percentage of total working children in the age groups 5-9 and 10-14 has decreased during 2001 to 2011 from 2.74 to 2.18 percent and 10.30 to 5.95 percent respectively. The study also shows that proportion of male child labourers was higher than female child labourers in both urban and rural areas, but the maximum difference is observed in urban areas (0.54 percent) than in rural areas (0.20 percent) as per 2011 Census. Therefore the percentage of working children to the total child population in the State has decreased from 6.61 percent to 4.0 during 2001 to 2011.

District-wise analysis of census data shows that districts which fall in the first ten rank in terms of magnitude of working children,
also fall in the same ranks in terms of child population and total population with varying pattern except District Reasai and Bandipora. Thus, without some exceptional districts in the State, the magnitude of working children in the State is mainly associated with Child population (5-14 Years) and total population in the districts.

The sample survey of child labour in carpet industry of Jammu and Kashmir shows that the number of male child workers is more than the female child workers in 5-14 and 12-14 age groups. In the of case 8-12 age group the maximum number of child labourers were females. The caste-wise data shows that more than 50 percent of child labour in carpet industry belongs to one or other backward classes. Considering religion a majority of child labourers in the carpet industry was found to be Muslim. It was also found that a majority of the child labourers have started working in the age of 12-14 years. Regarding their educational attainments, it was found that 34 percent of child labourers are totally illiterate and 43.5 percent have somehow managed to study up to 5\textsuperscript{th} standard. While questioning about the cause of joining the labour force, 70 percent of them mentioned poverty as the main reason. Taking into account the size of the family, it was 5-7 members. In terms of working hours there was totally a violation of laws. It was found that 50 percent of child workers work for 5-7 hours a day and 32.5 percent 7-9 hours a day. None of the Act passed by Parliament in India has permitted the working hours of children in any activity to more than six hours a day. The health
status of working children was also enquired during survey and it was found that majority of child labourers are suffering from headache, blurring of vision, pain in limbs or more than one problem at a time. The wage rate of children was also disappointing, none of children whether experienced or not was getting the wage rate of above Rs. 3000 per month.

While enquiring about educational level of parents, it was found that majority of the fathers where illustrate or studied up to primary level, more illiteracy was found in case of mothers. The child literacy was found more than the literacy rate of parents which clearly reflects the success of government efforts to tackle the problem of illiteracy in the country.

The occupation of parents were also noted down during the survey. It was found that majority of parents are found in unfruitful occupations where wage rate is very low. The majority of mothers were found to be unemployed. A very low proportion was found employed in government services and that too, working as daily wagers and causal labourers. Thus those parents who are employed in government services and other fruitful jobs do not send their children for work because they are well aware about the ill effects of working, at such a tender age.

The family’s monthly income of a majority of child labourers from all sources was found to be less than Rs. 6000 and 11 percent reported monthly family income of Rs. 2000. Thus, poverty being the main cause of child labour, is the mirror image of low income.
In spite of low income, a majority of the parents were found wasting their money on bad habits like smoking, pan chewing, gambling, etc.

Each family was having one or some other type of property, but the returns from the property was found to be very low.

Majority of families were found having one, or some other type of debt. It was found that a majority of child labourers were using their earning for repayment of debt. The loans taken were mainly from employers, family friends, and relatives. Only 9 percent took loan from banks.

To conclude we can say that poverty, illiteracy, lack of education, bad habits of the parents are the responsible factors forcing children to take up child labour. Among the above factors, poverty, is the major determinant which compels children to join labour market at an early age. Since, poor families do not have enough resources to send their children to school they send them to work in order to augment family income and acquire some work skill. Children are forced to work under poor working conditions, work beyond normal working hours, perform heavy tasks and get very little in return. Even though the children are paid less, yet whatever income they earn, is a gift to poor families.

Suggestions

The problem of child labour exists in the country mainly because of widespread poverty, illiteracy, and lack of fruitful employment to adult members of the society. Till these problems
continue to exist in the country it will not be possible to effectively
tackle the problem of child labour. The government should make
efforts to break the vicious circle of poverty in the country as well as
at the state level. Considering unemployment, the government should
provide at least employment to one adult member of a poor family. As
illiteracy and unemployment are mirrors of poverty which exist in the
country.

There is a need to educate child workers, although it is not
possible to impart education to the child labourers during working
hours. Efforts should be made to set up night schools for such
children. The children coming from poor families, who show good
performance in education, should be provided facilities by the
government to continue their education. The government should make
parents conscious about the ill effects of child work and encourage
them to send their children to work through extensive publicity and
arrange workshops for counseling of poor parents in rural areas.

Promote voluntary organizations and trade unions, as these
agencies would help to a great extent in pointing out the exploitation
of children. Trade unions play an role as they are in a position to force
employers from employing children.

The role of mass media in eradication of child labour can not be
ignored. The media can effectively educate people about the ill effects
of child labour and in highlighting the laws prohibiting child labour.
The Central Government must direct the state governments to bring the wages of child labourers at par with adult workers. So the employers may not get attracted for employing children.

Strict punishment must be given to those employers who are violating the Acts and Laws which govern the safety and security of children.

Government should give allowance to those children whose parents are not alive and to those whose family income is below some critical level, so that children belonging to these families are not compelled to join labour force.

It was observed in the survey that the reason for sending the children to work instead of schools is lack of confidence in the usefulness of education. These poor people do not have faith in the education imparted in schools. Many of the parents are of the opinion that, if the children study up to class 10\textsuperscript{th}, the children will never be able to get a job nor would be willing to work in the unorganized sector. They dream of getting a job in the organized public sector, where it is difficult to get employment, is only a nightmare. Thus, they remain unemployed, instead of working in the unorganized sector. Therefore, the need of the hour is to reorient education, mainly at the primary, upper primary and secondary level, to create confidence in the minds of poor parents, who look education as the only weapon to get a fruitful job.

There should be the provision of stipend for every school going children. The money in the form of stipend will offset the loss of income and ensure healthy growth of the child.
The educational programme should be different for the children who are displaced from working units. Many of these children may be in the age group of 11-14 years who have not attained even primary education. Hence education programme and bride courses for them should be carefully planned.

Periodical health check-up and free medical treatment should be given to the children who are allowed to work in different occupations as per the existing law of the country. Special emphasis should be given on physical hygiene as well as the environment of the working place.

State governments should introduce a licensing system to employ child workers for wages. Directorate of Child Labour should be created in every state, so that children willing to go for wage employment must be enrolled with the said Directorate. Persons willing to employ child workers obtain permission from the said Directorate before they employ any child. Once the Directorate has full information about all the child labour and their employing masters, it will not be difficult to enforce the provisions of any legislation in this regard. Every employer should be bound by law to intimate the government about service conditions of the working child.

Employers should be convinced about the damage they cause by making children work and should be made to take oath they would abstain from employing children. Those employers who do not employ children should get tax rebate, soft loans, preference for raw material sanction and other benefits on priority basis.
Voluntary organizations also can play a very significant role in eliminating the practice of child labour. They should be primarily concerned with mobilizing public opinion and also conducting awareness camps for various social groups. Efforts should be made by the government to identify those voluntary organizations which work in the society’s interest and should be suitably rewarded.

Information campaigns should be organized to make people aware of harmful effects of child labour and suggest them possible alternatives. In this context government should launch publicity rallies, campaign using mass media posters, leaflets etc.

Government should make Rugmark labeling compulsory for all products whether made for domestic or international market. So that the money generated from Rugmark registration by employers would be used for rehabilitation of working children.

Studies on the impact of laws relating to child labour should be undertaken in order to bring out strength and weakness of existing laws.

The judiciary must give life to rights guaranteed to children under the Constitution and must ensure the implementation legislation dealing with the child labour. The courts must active itself to eradicate child labour.

With particular reference to carpet industry, the government must launch a massive carpet weaving programme for those persons who are above fourteen years of age so that the carpet industry may
not suffer for want of carpet weavers after eradication of child weavers from the carpet industry. It would also solve adult unemployment problem to a considerable extent.