

Child Labour and its Social Implications in India

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Abstract: ‘Child Labour’ means the employment of children under a specified legal age and it is use of the children to work in factories or other places of employment. Child Labour assumes the character of as serious social problem, for the development of such child labour in different parts of the world, historical background from sufficient reason. Therefore, while making an attempt to have a close look into the problem of child labour, at the outset it is very essential to have a brief idea of the meaning and historical development of child labour. Historical background will also be more useful to take better steps both at present and in future and the said evil is eradicated to the possible extent.

Keywords: Human Labour, Blooming Flowers, Economic Reasons, Social Scenario

Introduction:

Child labour is one of the oldest professions of the world as remained as the most neglected phenomenon for the last few centuries. Towards the mid-twentieth century social reformers, justice and the like conveyances begin to bring reforms against such neglected and exploited class of human labour considering their tender age. Children are the blooming flowers of the garden of society and so, it is our duty to protect these flowers from damaging effects of excessive exposure to that, cold and rain, and also not to pucker them to satisfy their momentary whims, children are the inheritors of the future and builders of a bright tomorrow. Every country wants its child population to grow into good citizens. But this can be achieved only through unrestricted but thoughtful and proper provision of all basic necessities of life i.e., food, shelter, clothing, training and primary health care. Any inadequacies in them result in putting the lives of youngsters into trouble.

However, this is not all that the child requires and deserves. They also need security, love, and empathy and kind treatment.

The term ‘Child labour’ is, at times, used as a synonym for ‘Employed Child’ or ‘Working Child’. In this sense it is co-extensive with any work done by a child for gain. Homer Folks, the Chairman of the United States National Child Labour Committee, defines Child labour as “Any work by children that interferes with their full physical development, their opportunities for a desirable minimum of education or their needed recreation”.

Our former president Mr. V.V.Giri has distinguished the term “Child labour” in two senses, firstly, as an economic practice and secondly as a social evil. The first signifies employment of children in gainful occupation with a view to adding to the income of the family, and the second, a broad aspect which takes into account the dangers to which the children are

exposed which means the denial of opportunities of development.

Child labor is a source of cheap labor. A working child is indicative of the inherent weakness of our socio-economic system. The predominant cause of the phenomenon of child labour is destitution and poverty. The problem of child labour has numerous dimensions with demographic, social and economic implications. Demographically speaking, the economic contribution of children is an important factor in the demand for more children. Among other implications, child labour deprives children of educational opportunities, minimizes their chances for vocational training, hampers their physical growth, hampers their intellectual development and forces them to remain unskilled labourers with low wages as long as they are economically active. Moreover, child labor reduces the employment opportunities for adults. It has been estimated that if all the children were eliminated from the labor force in India, employment opportunities would be created for at least 15 million adult unemployed workers and, thereby, lessen (cure) the problem of unemployment in the country to a very great extent.

A child has been defined as “a person who has not completed his 14 years of age,” according to Factories Act (1948). The Director General of the I.L.O., describes “Children Labour” as “not teenagers working for a few hours to earn additional pocket money; not children helping on family farms, not youngsters doing household chores, but children leading adult lives, working long hours for low wages under conditions damaging to their health and mental development, sometimes separated from their families, frequently deprived of meaningful educational and training opportunities”.

Historically, it is found that the practice of child labour is very old in India. It has been exist since the time immemorial in one form or the other. Traditionally, help of child was taken by parents and other members of the family in their routine and family occupations. His employment was accepted for economic reasons. It also provided opportunities for learning a trade which would be ultimately his sources of living. The increased income helped the parents to provide paper meals to the child and meet his other needs. This practice took strong roots, because in those days schools and training institutions were not available. The family was the only institution where the child could learn to work. Therefore, children worked with their parents, family members in their villages or in the relatives' houses to learn the skills of the trade which they would pursue in their life.

The increase of population and higher poverty rates forced parents to send their children to undertake some job. In 1936, the Government of England enacted a legislating for the employment of poor children between ages of 5 to 14 years. Another law was enacted by U.S.A., in 1963 for the healthy persons who were not employed and belonged to age group of 12 to 60 years. Thus, in America too children joined the labor force when the government failed to support increasing number of dependent children.

It is the economic backwardness which pushes the child to the world of social and familiar problems which results in child begging, juvenile delinquency, vagrancy, truancy, etc. Besides, when infants have to toil for their bread, “they are thrown into a situation physically and morally polluted.”

Historical background of Child Labour

Since historical times, child labour has existed in one form or another in all the societies of the world. Children of the primitive man, who used to lead the life of a food gatherer or hunter, helped him in his occupation. When man started cultivation, they used to help him in comparatively lighter jobs. The joint and extended family systems, which were the main social institutions at that time, provided the child an atmosphere of security, warmth and compassion. With the passage of time, the school-based education started. But, it confined itself to the privileged classes of the society. Mostly children learnt in the family and through work. They first joined the older not of curiosity and then developed interest in work and derived pleasure out of it. 'They learnt the adult roles smoothly, almost unconsciously, through observation and association. There was no threshold of occupational entrance. Their transition on the occupational continuum was gradual, progressing from simpler to more complex tasks with the acquisition of physical and intellectual maturity.

Agriculture and agriculture based crafts and trades were all family enterprises and the child participated in them as a helper or an apprentice. At that time a child worked under the direct guidance of his parents or master craftsman, his work was a sort of vocational training and not only the modern and personal exploitative nature. Children were encouraged to learn the traditional family arts as it is commonly recognized and emphasized than the human body is constant, flexible and pliable in childhood and can, therefore, learn with ease how to twist, bend, stretch or assume different postures as required for particular jobs. Coordination of limbs and balance of body, sense of timing and turning of

sense organs are relatively easier to learn at this stage. Skills are, therefore, best acquired if learning is begun fairly early. It is not only a physical adjustment but also a mental adjustment that has to be achieved in learning skills.

Work, under the protective mechanism, does not deprive a child of his physical and mental growth, rather it inculcates in him a positive self image by preparing him to assume adult role in future. Going through history, one finds that Kautilya has referred to pledging of minors as slaves in his famous book Arthasashtra. He recommended various kinds of punishments for selling or keeping as a pledge a minor Arya individual. However, he felt that it was not an offence for foreigners or tribals to sell an offspring or keep it as a pledge. It is revealed that it was not uncommon to keep a slave less than eight years of age. The pledging of labor continued till the beginning of the 20th century. The technological revolution increased the pace of industrialization and urbanization and also resulted in a significant change in the social scenario.

The joint families, which were more capable of providing social and economic security, started disintegrating. Every one in family had to struggle hard to survive. 'The new economic forces, unleashed by capitalism, destroyed the family based economy a large number of labourers were displaced due to mechanization of agriculture the farmers were alienated from the land and drafts from their home based work place. They became wage earning labourers. Extreme poverty made possible a situation in which the child had to be introduced in the labour market, lack of alternative employment for adults and lack of education for children reinforcing this process, the child's ability to grow and develop into a

mentally and physically sound adult was severely restricted. The same situation prevailed even in the developed world of today. 'In the pre-industrial Europe, boys helped their fathers on the farm, hoarding cattle or scaring the birds from the crops. Girls would be set to spinning or looking after the babies'. In 19th century Europe, for a number of jobs, children were thought to be more suitable because of their small hands and small bodies, e.g., for the work of chimney sweeping.

Child Labour in India

International Development Agencies such as the ILO, UNICEF and any local government and non-government organizations in the Asian, African and South American continents have spent considerable resources to research and formulate social policies and programmes that address the problems of child labour.

This study re-examines the widely accepted view that children should not be part of the work force, and concludes that children should be allowed to work not labour, in environments and conditions conducive to their growth and development. This conclusion rests upon a conceptual distinction between "work" and "Labour" from an etymological, and historical stand point; thus "child workers" are distinguished from "child labourers".

Most people in the industrialized West tend to see that commercial exploitation of child labour is an occurrence of the past. Yet thousands of youngsters today work in hazardous jobs illegally. The U.S. Department of labour officials report stated that 22,508 children were found working illegally in 1989, the highest number since the fair labour standards Act was enacted in 1938. A range of

economic factors such as: dramatic growth in the service sector and jobs in fast food restaurants and retail outlets, a labour shortage, a wave of poor and easily exploitable immigrants from Asia and Central and South America flooding into major U.S. cities where industries such as garments making; were seen as influential in the rise of child labour.

To date, according to the National Safe Work Place Institute of Chicago, between 1.5 million and 2 million children are believed to work in American agriculture. Among migrant child labourers, the conditions of their labour are found to be similar to their counterparts in Asia or Africa. These children are compelled to assist their parents as hired hands who for reasons of poverty, ill health age, seasonal employment and transient circumstances are forced to enlist their children's labour. Child labour on the farm in the U.S. is exempt from all states and federal child labour legislations. Absence of child labour laws in agriculture is not unlike the situation in other countries where legislation in this sector is conspicuously absent.

Yet, even the staunchest opponents of child employment believe that part time employment under the proper conditions can aid children in their growth and development. Work builds self-esteem when children see that their work contributions can promote community development and are socially rewarded through fair wages. sixty member countries of United Nations signed the convention on rights of the child on 26th January, 1990 contrary to popular associations of child labour with urban and rural sectors of developing societies. We now find that child labour has been and continues to be a global problem affecting the developed societies as well. It is bound to be found in employment setting that

thrive on the cheap supply of children's productive capacities.

Thus, development agencies and international government organizations responsible for the formulation of adequate social policies addressing child labour must bear in mind the international force of exploitation in a market system that spans the globe. Activists and analysts in the field of child welfare must make the link between 9-year old in mainland China making sweaters for an American consumer and the 9 year old immigrant Chinese child in the sweatshops of the garment industry in the U.S. Who is employed to compete with the Asian market All opposition against the evil should be unanimous for children everywhere. Making global links in social analysis is critical to the discussion of transforming labour settings to work settings that provide humane work environments for men, women and children.

Projects and Programmes

a. Projects under NCLP

The Government of India felt that legislation alone would not be sufficient to tackle the problem of exploitation of the child labour. Hence the National Policy on Child Labor was formulated in August, 1987. In pursuance of it, a number of projects have been taken up in the areas of child labour concentration as detailed below:

1. The Match Industry in Sivakasi, Tamil Nadu,
2. The Precious Stone Polishing Industry in Jaipur, Rajasthan

3. The Glass Industry in Ferozabad, Uttar Pradesh,
4. The Brassware Industry in Moradabad, Uttar Pradesh.
5. The Handmade Carpet Weaving Industry in Mirzapur, Bhadohi, Uttar Pradesh.
6. The Lock-making Industry in Aligarh, Uttar Pradesh,
7. The State Industry in Mandsaur, Madhya Pradesh.
8. The Slate Industry in Markapur, Andhra Pradesh.
9. The Diamond Polishing Industry in Surat, Gujarat
10. The Handmade Carpet Weaving Industry in Jammu & Kashmir.

Out of the above, first eight projects are being run and another project at Jaggampeta in Andhra Pradesh for child labor in Tile manufacturing industry has also been taken up. Special schools form a major component of these projects. These schools have been set up to provide basic needs like non-formal education, vocational training, supplementary nutrition, vocational training, supplementary nutrition, health care etc. to the children withdrawn from employment. One hundred and twenty four special schools have so far been sanctioned for covering 6,900 children. An amount of Rs. 1.09 crore has been released during 1992, under the above projects.

b. Committee on Child Labour:

The Gurupadaswamy Committee on Child Labour was set up in 1979, with 16 members. It was to look into, in detail, the causes leading to and the problems arising out of employment of children. The Committee submitted its report in December, 1979. The steps taken in pursuance of the accepted recommendations of this committee are;

- (i) A Child labour cell has been set up on the Ministry of Labour.
- (ii) A Central Advisory Board on Child Labour has been set up to advise government on the measures to be taken towards progressive elimination of child labour.
- (iii) The Child Labour (prohibition & Regulation) Act, 1986 has been enacted, which (a) prohibits the employment of children below 14 years of age in certain specified occupations and processes; (b) Seeks to regulate the conditions of work/work environment of children in employments in which they are not prohibited from working; (c) Brings about uniformity in the definition of "Child" (as a person who has not completed his 14 years of age in the Minimum Wages Act, 1948, the Plantation labour Act, 1951, the Merchant Shipping Act, 1958 and the Motor Transport Workers Act, 1961; (d) Empowers any person to file a complaint of the commission of an offence under the Act in any Court of competent jurisdiction; and (e) Provides for stringent penalty for violation of

provisions relating to child labor. The penalties will apply for violation of the provisions of minimum age of entry into employments in the Factories Act, 1948, the Mines Act, 1950, the Merchant Shipping Act, 1958 and the Motor Transport Workers Act, 1961.

- (iv) The Government of India, Ministry of Labour has taken up a centrally sponsored scheme for strengthening the enforcement machinery in the States for better implementation of laws relating to Child and Women Labour.
- (v) Dialogue has been initiated with trade unions and employers organizations to explore their co-operation in respect of the needs of working children.
- (vi) All State Governments/ Union Territory Administrations have been addressed from time to time to strictly enforce the provisions of the Minimum Wages Act 1948.
- (vii) The recommendations of the committee were also considered while formulating the National Child Labour Policy, 1987.
- (viii) The Department of Education has set up a number of non-formal education centres with the help of voluntary organizations.
- (ix) Financial assistance is provided to voluntary organizations for taking up action-orientated to voluntary organizations for taking up action-oriented projects aimed at benefiting child labour.
- (x) Under the Child Labour (Prohibition & Regulation) Act, 1986, a Child Labour

Technical Advisory Committee has been constituted to advise the Central Government for the purpose of adding the list of occupations and processes in which employment of children is prohibited.

c. Panels for Child Labour:

Ministry of Labour had been set up in 1979. The cell is associated with the formulation, co-ordination and implementation of policies and programmes for the welfare of child labour. The cell is also involved in the welfare of children at work through governmental and non-governmental action.

d. The Child Labour Advisory Board:

It was initially constituted in March, 1980 and reconstituted from time to time. The Board has been set up to 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, and recommend the industries and areas where there must be progressive elimination of child labor. The Child Labour Advisory Board examined the recommendations of Task Force on Child Labour, set up under the Chairmanship of the eminent Jurist Dr. L.M.Singhvi.

e. The Child Labour Technical Advisory Committee

It was constituted on August 3, 1987, under Section 5 of the Child Labour (prohibition & Regulation) Act, 1986 to advise the Central Government for the purpose of addition of occupations/processes to the schedule under section 3 of the Act. The Advisory Committee has met thrice and on the basis of the

recommendations, one occupation and 3 processes have been added so far to the schedule. In its last meeting, the Child Labour Technical Advisory Committee has recommended addition of a further 15 processes to the schedule.

f. Government Programmes for Child Workers:

Within the frame work of the NCI Policy, the GOI has launched 2 pilot projects in major concentration of Child Labour: in the Match Industry of Sivakasi, Tamil Nadu, and the Carpet Weaving Industry of Varanasi, Uttar Pradesh.

Child Labour and its Social Implications

The term 'child labour' is commonly interpreted in two different ways: first, as an economic practice and secondly, as a social evil. In the first context it signifies employment of children in gainful occupations with a view to adding to the labour income of the family. It is in the second context that the term 'child labour' is now more generally used, in assessing the nature and extent of the social evil, it is necessary to take into account the character of the jobs on which the children are engage, the dangers to which they are exposed and the opportunities of development which they have been denied.

Thus, child labour, in a restricted sense, means the employment of children in gainful occupations, which are dangerous to their health and deny them the opportunity of developments. Three things, therefore, are necessary to include employment of a child within the notion of child labour. Firstly, the child should be employed in gainful occupation, secondly, the work, to which he is exposed, must be dangerous. Thirdly, it must deny to him the opportunity of development. Hence any work taken by a father from his child on his field or business

place for long hours, is also covered under this definition, but work by students at school workshops cannot be called 'child labour'.

The term child labour not only applies to the children working in industries but also to the children working in all forms of non-industrial occupations which are injurious to their physical, mental, moral and social development.

In India, there is hardly any statutory provision, which defines the term 'child labour in precise terms. Even those various legislative provisions, which prescribe the minimum age for the admission to employment in different vocations, do not fix uniform age for reasons of variations in the nature of the operations in which children are employed.

The heterogeneous conditions of the Indian economy and uneven development had made differences decrease of impact on different parts of the labour force. It is therefore the situation in general could not justify the aggregation into single dynamical magnet. The different parts need estimations separately taking into account such important conditions of the state, sex, age, educational status, and martial status either in rural or in urban. If any evolution of child labours regarding economic and social attainment, it has to take into account the social economic conditions of the child labour of different categories in different activities.

The level of socio-economic conditions of the child labour in any society world represent the level of status of the child labour in a heterogeneous complex and stratified society like India, the position of child labour depends upon the dependents and disabilities of them, which are caused by a verify of socio-economic condition of the child labour. The level of

exploitation of child labour in a society can generally be mastered by the level of oppression and exploitation of the child labour in general in the society. This exploitation in it's from content and intensively the exploitation would comparatively be higher when compared to adults of the society this would call for a closed examination of the socio-economic conditions of the child labour.

Before explaining the socio-economic conditions of the child labour the background data of child labour would be taken into consideration to highlight the general findings noticed with regard to aspects like age, caste, education, assets, martial status, in depth migration working days , incomes, savings and so on. Further a functional mechanism of the child labour has also been estimated on the basis of the socio-economic conditions of the child labour in the study area.

Conclusion

Since historical times, child laour has existed in and forms or another in all the societies of the world. Children of the primitive man, who used to lead the life of a food gatherer or hunter, helped him in his occupation. When man started cultivation, they used to help him in comparatively lighter jobs. The joint and extended family systems, which were the main social institutions at that time, provided the child an atmosphere of security, warmth and compassion. With the passage of time, the school-based education started. But, it confined itself to the privileged classes of the society. Mostly children learnt in the family and through work. They first joined the older not of curiosity land then developed interest in work and derived pleasure out of it. 'They learnt the adult roles smoothly, almost unconsciously, through observation and association. There was no threshold

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