

**UNITED NATIONS AND THE RIGHTS OF CHILD:
A STUDY OF CHILD LABOUR IN INDIA**

Dissertation submitted to the Jawaharlal Nehru University
in partial fulfilment of the requirements for
the award of the Degree of
MASTER OF PHILOSOPHY

ABHA SINGH

CENTRE FOR INTERNATIONAL POLITICS
ORGANIZATION AND DISARMAMENT
SCHOOL OF INTERNATIONAL STUDIES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI—110067, INDIA

1988



TO MY PARENTS

WITH LOVE

ACKNOWLEDGEMENT

I am deeply indebted and obliged to my Supervisor, Professor K.P. Saksena, for his guidance and critical suggestions at every stage of this work.

I am specially thankful to Dr Neera Burra for being a constant source of encouragement and providing relevant literature.

I recall with gratitude the timely assistance rendered by my friends in the completion of this work.

I gratefully acknowledge the assistance rendered to me by the Library staff of UNICEF, ILO and Indian Social Institute.

January 13, 1988.

Abha Singh
ABHA SINGH

P_R_E_F_A_C_E

This study attempts to analyse the role of the United Nations in the promotion of the rights of the Child with special reference to eradication of child labour and in that context examines the problem of child labour in India.

As is common knowledge, over the decades and especially since the inception of the United Nations, the question of respect for human rights is no longer a matter of exclusive domestic jurisdiction. In fact, matter of observance and respect for human rights has acquired international dimensions. Besides other efforts, the United Nations has laid down norms and standards to be followed all over the world.

Experience shows that there are certain vulnerable sections of the society such as child, women, disabled, who need special provisions to safeguard their rights. The United Nations has undertaken various activities to provide food, medicine and other essentials. As regards the child, the UN General Assembly established as early as December 1946 the United Nations' International Children Emergency Fund (UNICEF) which although initially incepted as part of relief and rehabilitation programme of war affected areas, has continued over the decades providing direct assistance in

the form of food and medical supplies to needy children and their mothers, all over the world. Concern of the international community for the well being of every child without any distinction or discrimination of kind of race, colour, sex, language, origin has been expressed by the Declaration of the Rights of the child adopted ^{by} the United Nations' General Assembly in November 1959.

However, social conditions differ from country to country. Socio-economic conditions in India are such that far from providing parks, playgrounds or other means of enjoyment, a vast majority of children are obliged to work to support their families. Open fields and road sides are their playgrounds. They live in slum like surroundings. A high percentage of children in India are subjected to forced labour and exploitation.

The problems relating to child labour are so enormous and complex that no amount of paper work can do justice even to list them. This study makes a modest attempt to discuss and analyse some of the problems relating to child labour in India.

- To what extent norms and standards spelled out in the Declaration of the Rights of the child are observed in India?
- To what extent child labour is prevalent in India?

- What factors are responsible for this evil practice?
- What has been done to identify the problem since independence?
- To what extent the problem of child labour can be adequately handled through legislation and other measures in India? Is it possible to eradicate the problem by legislation alone? Or is it socio-economic factors which need to be tackled first?
- What are the repercussions of early employment which are faced by society in general and the child in particular?
- Is abolition of child labour by law an answer to our problem?
- Is it feasible to regulate child labour rather than ban it?
- What are the occupations to which children have been employed extensively?
- What is the best way out to deal with the problem?

These and related issues are the subject of this study.

The First Chapter deals with developments leading to internationalisation of Human Rights and how the rights of the child has acquired a significance of its own in an over framework of promotion of human rights.

The second Chapter attempts to examine the condition of children and how children are one of the most vulnerable sector of society in general and in the socio-economic conditions of India in particular.

The Third Chapter discusses the problem of child labour in India. It analyses, in general terms, various forms of child labour and its sectorial distribution, causes of child labour and health hazards to the working child. It also reviews legislation and government policy on child labour.

The Fourth Chapter attempts to survey select occupations where child labour is employed and exploited. Featuring among them are: Glass Industry of Firozabad, Lock Industry of Aligarh, Carpet Industry of Mirzapur-Varanasi, Sivakasi Fireworks and Match Industry, Gem Polishing industry of Rajasthan.

The Fifth Chapter attempts to draw certain conclusions from the preceding discussion and also makes suggestions for ameliorating the evils of child labour.

CHAPTER I

INTERNATIONAL CONCERN FOR HUMAN
RIGHTS AND RIGHTS OF THE CHILD

The inception of the United Nations marked a revolutionary change in the history of human rights. The UN Charter was the first international instrument¹ which in unequivocal terms reiterates the concern of the international community for the observance of human rights. Before the Charter provisions, human rights were a matter of domestic jurisdiction beyond the reach of international law. It was only in the 1945 that the human rights movement acquired a world-wide recognition.

The UN Charter asserts the fundamental obligation of the newly established organisations to promote human rights and fundamental freedom for all without regard to race, sex, language or religion.²

¹Earlier other instruments as for instance League of Nations Covenant made reference to matters such as minority rights. Members of the League accepted the obligation to endeavour to secure and maintain fair and humane conditions of labour for men, women and children and also to ensure just treatment of the indigenous inhabitants of Mandate territories. Similarly, the International Labour Organisation in 1919, also made provisions for fair treatment of labour based on the principle of social justice. However, the concept of human rights demanding universal application and as such a concern of international law and organisation gained recognition only in the Charter of the United Nations.

²Stephen S. Goodspeed, Nature and Functions of International Organisation (New York: Oxford, 1971), edn. 2, pp. 109-10.

Human being as a person came to acquire an important position. Rights were guaranteed to him not because he was from a particular region or race but merely for the fact that he was a human being.

There are several clauses in the UN Charter that deal with human rights. The Preamble of the Charter states: "We the peoples of the United Nations reaffirm their faith in the fundamental human rights and in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small...have resolved to combine our efforts to accomplish these aims."³

Article 1(3)⁴ includes among the stated purpose the achievement of "international co-operation in solving international problems...and in promoting and encouraging respect for fundamental freedoms for all without distinction as to race, sex, language or religion."⁵ The principle of self-determination of peoples and equal rights was recognized.

³John P. Humphrey, "The UN Charter And the Universal Declaration of Human Rights", in B.G. Ramcharan, ed., Thirty Years After the Universal Declaration (The Hague, 1979), p. 41.

⁴Other Articles pertaining to Human Rights are 13, 55, 56, 68 and 76.

⁵John P. Humphrey, n. 3, pp. 41-42.

The General Assembly of the United Nations adopted on 10 December 1948, a Universal Declaration of Human Rights. It contains 30 articles, 21 of which set forth civil and political rights and 6, economic, social and cultural rights. This finally led to the adoption of International Covenants on Human Rights by the General Assembly in December 1966. For the first time in history, international protection for the basic rights of man is provided by these instruments which in due course will become legally binding on those countries which ratify them. The Covenants consist of three separate instruments: the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; and the Optional Protocol to the International Covenant on Civil and Political Rights.⁶

The Charter also makes provisions for the protection of human rights under regional arrangements. Article 52 of the UN Charter envisages the existence of regional arrangements

⁶K.P. Saksena, "International Covenants on Human Rights", The Indian Yearbook of International Affairs (Madras), vol. 15, 16, December 1969, p. 596.

There are more than 50 International Instruments of Human Rights adopted by the United Nations and its specialised agencies. Here reference is specifically on International Covenant because these three cover various aspects of Human Rights in a comprehensive manner. For details see Human Rights: A Compilation of International Instruments (New York, 1983).

or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided such arrangements or agencies are consistent with the purposes and principles of the United Nations.

The European Convention for the Protection of Human Rights and Fundamental Freedom (1950) has established one of the most elaborate systems for the protection of human rights. Under the Convention, a European Commission of Human Rights and a European Court of Human Rights were established. Any contracting party to the Convention may refer to the Commission an alleged violation by any other party.⁷

In addition, the European Commission has jurisdiction to receive "private" petitions from any individual or group of individuals or non-governmental organisations. This additional element was made optional and has been accepted, as of date, by thirteen of the eighteen States which are party to the Convention.⁸

The right of individual petition thus instituted has been called the 'cornerstone' of the European system of

⁷A.H. Robertson, Human Rights in Europe (Manchester, 1977), edn. 2, pp. 139-40.

⁸P.V. Dijk and G.H. Van Hoof, Theory and Practice of the European Convention on Human Rights (Deventer: Netherland, 1984), pp. 34-35.

protection.⁹ It emphasises that rights are given to a person not because he belongs to some particular country or race but because he is human. It accepts the basic dignity and equality of all men and recognises freedom of expression and thought among other things.

The European Convention has proved quite effective in protecting individual rights, in supervising the exercise of emergency powers by Governments, and in unearthing particular defects in the legal system of countries and correcting them.

"The European Convention on Human rights and Fundamental freedoms has gone a step ahead in its measures for protecting human liberties. It has created a system of quasi-judicial supervision by an international organ directly accessible for individuals, and has given the member states and the European Commission of Human Rights the right of appealing to an international court."¹⁰

In 1946 the Economic and Social Council set up a Commission on Human Rights. The Commission makes studies,

⁹A.H. Robertson, n. 7, p. 152.

¹⁰Ulrich Scheuner, "An Investigation of the Influence of the European Convention on Human Rights and Fundamental Freedoms on National Legislation and Practice", in Asbjorneide and August Schou, eds., International Protection of Human Rights (Stockholm, 1968), p. 194.

prepares recommendations and drafts international instruments relating to human rights. It also investigates allegations concerning violations of human rights. It co-operates closely with all other United Nations bodies having competence in the field of human rights. To assist it in its work, the Commission has established a number of subsidiary bodies, including a sub-Commission on Prevention of Discrimination and Protection of Minorities.

The Human Rights Committee was established in 1977 and was assigned the task to study reports on the measures state parties have adopted to give effect to the International Covenant on Civil and Political Rights, and the progress made in the enjoyment of those rights, settle disputes among state parties and so on.¹¹

From its initial years the United Nations gave particular attention to problems relating to the rights of the child. The UNICEF was set up to improve the conditions of needy children. The Universal Declaration of Human Rights 1948, implicitly included the freedom and rights of children but it was believed that this was not enough. The

¹¹What is noted above is in regard to giving background of the United Nations growing concern for observation and respect for human rights, a concept which includes the rights of the child, the focus of this study.

special needs of the children justified an additional separate document. Children are considered to be particularly vulnerable to arbitrary deprivation of their human rights and fundamental freedoms due to reasons for which they are not responsible and which they are in no position to alter are considered to be entitled to special measures to ensure their enjoyment of human rights and fundamental freedoms and to protect their well being.

In 1950, the Social Commission of the Economic and Social Council of the United Nations drew up a preliminary draft for a new declaration¹² of the rights of the child and forwarded to the General Assembly after the Commission on Human Rights had examined it, proposing certain revisions. On 20 November 1959, the Assembly with representatives of 78 countries meeting in the plenary session adopted the Declaration of the Rights of the Child unanimously.

The Preamble of the Declaration states that the child because of his physical and mental immaturity, needs special safeguards and care, both before and after birth, and that individuals and groups should strive to achieve children's rights by legislative means. "Mankind", it

¹²Earlier, the League had adopted the Geneva Declaration of the Rights of the child in 1924. But with the outbreak of World War II, it lost significance and became mere scraps of paper.

says, "owes the child the best it has to give".¹³

The Declaration affirms that all children are entitled to:¹⁴

- (1) The enjoyment of the rights mentioned, without any exception whatsoever, without distinction or discrimination on account of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, whether of himself or his family.
- (2) Special protection, opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interests of the child shall be the paramount consideration.
- (3) A name and nationality benefits of social security.
- (4) He shall be entitled to grow and develop in health; to this end, special care and protection shall be

¹³Human Rights - A Compilation of International Instruments (New York, 1983), p. 129.

¹⁴Ibid.

provided both to him and to his mother, including adequate pre-natal and post-natal care. The child shall have the right to adequate nutrition, housing, recreation and medical services;

- (5) Special treatment, education and care, if handicapped.
- (6) Love and understanding for the full and harmonious development of his personality. An atmosphere of affection and of moral and material security, in the care and under the responsibility of parents and society.
- (7) Free education which should be compulsory, at least in the elementary stages. Recreation and equal opportunity to develop their individual abilities.
- (8) Prompt protection and relief in all circumstances.
- (9) Protection against all forms of neglect, cruelty and exploitation. He shall not be the subject of traffic, in any form.
- (10) Protection from any form of racial, religious or other discrimination, and an upbringing in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, and in full consciousness that his energy and talents should be devoted to the service of his fellow men.

The Declaration of the Rights of the child is a universal recognition of the fact that these rights exist and countries have risen above their political, cultural and economic differences to evolve a unified code of conduct for the promotion of the rights of the children.

Along with the United Nations a number of specialized agencies have been concerned with the promotion and safeguarding the rights of the child. They are: World Health Organisation (WHO), International Labour Organisation (ILO), Food and Agricultural Organisation (FAO), United Nations Educational, Scientific and Cultural Organisation (UNESCO), and the United Nations International Children Emergency Fund (UNICEF).

The Food and Agricultural Organisation created in 1945 is an autonomous specialized agency of the UN. Its purpose is to raise the levels of nutrition and standards of living of people; to improve the efficiency of production and distribution of food and agricultural products; and to better the conditions of rural populations, thus contributing towards expanding world economy and ensuring freedom from hunger.¹⁵

The right to food has, at least in formal terms, been accorded universal recognition as a human right and has

¹⁵The United Nations and Human Rights (New York, 1984), pp. 18-19.

been specifically incorporated into a variety of normative instruments, some of which are binding on state which have ratified them.¹⁶

The Declaration talks of the right of children to adequate nutrition, medical facilities, etc. To promote this right UNICEF, WHO and FAO work in co-operation.

Established in 1946 UNESCO is a specialized agency of the UN system, with a wide range of activities. The constitution of UNESCO states: "Since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed".¹⁷ UNESCO aims at promoting co-operation among the nations through education, science and culture and thereby contribute to peace and security and enhance universal respect for justice, human rights including rights of the child and fundamental freedoms. By spreading education it wants to make people aware of their rights and likewise recognise the rights of young children, their special needs.

¹⁶ Philip Alston, "International Law and the Human Right to Food", in P. Alston and K. Tomasevski, eds., The Right to Food (The Hague, 1984), p. 9.

¹⁷ The United Nations and Human Rights, n. 15, p. 18.

Children have a right to education which is necessary for an all round development. Various countries have incorporated the right to education in their constitutional set up. UNESCO works in this direction as well besides its other activities.

UNICEF was primarily established to provide relief to children in Europe who survived after the Second World War calamity. It has continued to function thereafter, and now it helps to protect the rights of children. It aims at protecting children everywhere from adverse situation and to equip them to face life. UNICEF provides relief supplies like milk powder, drugs, vaccines etc. to children in need thereby giving shape to rights mentioned in the Declaration. It has started several welfare projects for women and children.

The International Labour Organisation has adopted several conventions to protect children against all forms of neglect, cruelty and exploitation. Since its inception in 1919, ILO's main concern has been the formulation of international labour standards and their effective implementation. It works on the principle that universal peace can be established only if it is based upon social justice. Millions of children are employed in various economic activities from a very young age. The Constitution of ILO recognises that labour is not a commodity and affirms that all human beings irrespective of

race, creed or sex, have the right to pursue both their material well being and their spiritual development in conditions of freedom, dignity, economic security and equal opportunity.¹⁸ The only drawback is that children because of their vulnerable state are unable to protest when exploited and demand fair treatment. Instead of being sent to school they are sent by parents to work at an early age.

The Economic and Social Council in 1980 authorized the sub-Commission on Prevention of Discrimination and Protection of Minorities to prepare a report on the exploitation of child labour. The report revealed that great numbers of children in large areas of the world were exploited under horrible conditions, and that not one country could be said to have fully escaped the problem. It emphasized the particular gravity of the situation faced by children in the developing countries, where extreme poverty forced them to the labour market at a very early age, depriving them not only of the joys of childhood but of any possibility of realising their full potential as adults.¹⁹

¹⁸Ibid., p. 17.

¹⁹The United Nations And Human Rights, n. 15, p. 57.

Eleven types of child labour were mentioned: family farming, family craft work, craft piece work, small tasks carried out by the child on its own account, small tasks carried out for third parties, seasonal workers in Agriculture, apprenticeship, the sweatshop system, maid-of-all work in a situation of virtual bondage, bond service and child prostitution. The report concluded that the problem required a long-term global strategy involving co-ordinated action by the international organisation concerned, states, the trade unions and non-governmental organisations.²⁰

It is generally accepted that in any given year in recent times, several million people have died from hunger and related causes. According to UNICEF estimates "14.5 million infants and children in the world are currently dying each year". The report further says that "half of Africa's population is immediately threatened by severe hunger and malnutrition. In Africa itself, 4.3 million children die per year. Thus Africa, which now accounts for less than 30 per cent of all infant and child deaths, is projected, by the end of the century, to account for over 40 per cent of all infants and child deaths and will even overtake South Asia in absolute numbers."²¹

²⁰ Ibid.

²¹ The State of the World's Children, 1987 (New York, 1987), p. 88.

According to a recent World Bank Report, "in developing societies, malnutrition plays a part in substantial numbers of death, and inadequate diet and related illness interfere with the learning ability, capacity to work, behaviour and well being of large segments of population".²²

It becomes obvious that the rights of children are not being observed in a way they should be. The United Nations is aware of this fact and its various agencies are working in this direction.

The programmes of International Labour Organisation focus their attention on the five main issues: prohibiting child labour, protecting children at work; attacking the basic causes of child labour; helping children to adopt a future work life; and protecting children of working mothers.²³

"More Jobs, Better Jobs, Industrial harmony, Social Justice" is broadly the mandate of ILO.²⁴ Till now 18 Conventions and 16 Recommendations have been adopted by

²² Philip Alston, n. 16, p. 10.

²³ "ILO and Child Labour", in Social Development Newsletter, Economic and Social Commission for Asia and Pacific, no. 1, September 1980, p. 18.

²⁴ The United Nations And Human Rights, n. 15, p. 19.

the International Labour Organisation, in the interest of the working children all over the world to regulate, limit and eventually abolish child labour everywhere.

In the field of health the UN is not keeping silent. The Preamble of the Constitution of the World Health Organization (WHO) declares that the enjoyment of highest attainable standard of health is a fundamental right of every human being and that Governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures.²⁵ Everyone has a right to health is championed by this agency. It serves as the coordinating authority on international health and works for the promotion of health giving special attention to children.

WHO constitution states that healthy development of the child is of basic importance. WHO activities in the field of nutrition, aid to nursing mothers and epidemic control, all have directly contributed to better conditions, especially in developing countries.²⁶

²⁵Ibid., p. 19.

²⁶Michael Geoghegan, "IYC 1979 : UN Agencies and Children In Developing Countries", Social Action (New Delhi), vol. 29, no. 1, January-March 1979, pp. 1-11.

The Government of Poland submitted a draft convention on the rights of the child to the General Assembly in 1978. In 1979, it submitted an amended version of the draft to the Commission on Human Rights. The General Assembly requested the Commission to give the highest priority to the question of completing the draft convention, "bearing in mind that children's rights are basic human rights and call for continuous improvement of the situation of children all over the world as well as their development and education in conditions of peace".²⁷

The Declaration of 1979 as the International Year of the Child was a momentous decision taken by the United Nations as it focussed the attention of the entire humanity on the special needs of children and on factors affecting the welfare and development of the child - indeed, the future of the mankind.

The Resolution of the General Assembly encourages all countries to review their programmes for the promotion of the well being of children, and recalls that the year 1979 will be the twentieth Anniversary of the Declaration of the Rights of the Child and would serve as an occasion to promote further the implementation of the Declaration.

²⁷The United Nations And Human Rights, n. 15, p. 112.

CHAPTER II

CHILD LABOUR : A CHALLENGE TO INTERNATIONAL
COMMUNITY

The Declaration of the Rights of the Child proclaims, inter alia that the mankind owes to the child the best it has to give and demanding that children be provided social protection, social security, free education and recreation and equal opportunity to develop their individual abilities. However, the Declaration remains a pious whole and instances of denial of these basic needs to children is common practice in both the developed and developing world. In countries of Asia, Africa and Latin America, the problem is more conspicuous and acute. Not only a larger section of children in these countries are denied the basic amenities but are obliged to seek employment. There are children aged just six or seven years working in hazardous circumstances. In the developed countries the number of working children is comparatively less and moderate in nature.

According to an estimate of the International Labour Organisation there were 56 million children in employment in the world in 1976.¹ "This is considered to be a serious underestimate; by some it is felt that there are probably at least 100 million working children today and quite possibly

¹G. Rogers and G. Standing, eds., Child Work, Poverty and Development (Geneva, 1987), p. v.

nearly twice as many".² Children are being exploited when the international community is talking of providing them protection against all forms of neglect, cruelty and exploitation.

"To a greater or lesser extent children in every type of human society have always taken part, and still do take part in those economic activities which are necessary if the group to which they belong is to survive."³ However, with the development of science and technology and growth of population the situation has acquired an altogether different dimension. The problem of child labour has increased manifold in magnitude and it is no longer a case that child labour is a learning process or family trade. There is growing recognition of the fact that child labour is a social evil which hinders the harmonious physical and mental development of the child. Hence, the movement against systematic exploitation of children.

²Assefa Bequele, "Child Labour : Question and Answers", in Child Labour : A Briefing Manual (Geneva, 1986), p. 12.

³E. Mendelievich, Child at Work (Geneva, 1980), p. 3.

Child Labour in Industrially Advanced Countries

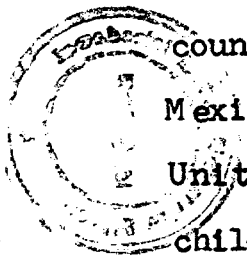
All over the world including the countries which are today the most economically advanced, it was taken for granted in the past that the children would work alongside their parents in the fields or in the home. Children could be seen working in factories, especially textile mills from the age of 6 years onwards, in abysmal working conditions involving a daily stint of some 14 hours and with almost no means of protection against the risk of accidents.⁴ In some places children were being employed in coal mines or were kept busy at home on work sent out to them by manufacturers.⁵

In the poverty pockets of the industrialised countries there may be as many as another 10 million or more working children many of whom are not in school full-time and may not be reached by health services. These children are found particularly amongst illegal migrant families. Children are employed in certain occupations like in the entertainment or publicity industries.⁶

⁴Leela B. Costin, Child Welfare : Policies and Practice (New York, 1972), p. 4.

⁵Ibid.

⁶David Pitt, "Child Labour and Health", in Usha S. Naidu and Kamini Kapadia, eds., Child Labour and Health : Problems and Prospects (Bombay, 1985), p. 12.



TH-2433

In the developed countries a large number of migrant children are working. These children have moved from poor countries in search of employment. There are one million Mexican children who are employed as seasonal workers in the United States, and there are instances of 4 years old children accompanying their parents to the fields to help them in work. In Italy, 8.18 per cent of the victims of industrial accidents are children or adolescents.⁷ In the United States some 800,000 children are engaged annually in harvesting crops with their families.⁸

A study carried on young workers and students in Japan had interesting results. "It was found that until they reached the age of twelve there was no difference in height between children in the two groups; however those who began to work before they were 14 years old were subsequently found, on average, to be 4 cms. shorter than the students who had not entered working life until after they were 18 years old."⁹

However, with education making inroads and public awareness generated against this social evil most of the

⁷P.M. Shah, "Alternative Health Approaches for the Health Care of Working Children", in P.M. Shah, ed., Child Labour: A Threat to Health and Development (Geneva, 1985), p. 38.

⁸Child At Work: Special Health Risks (Geneva: Report of a WHO Study Group, WHO, 1987), p. 6.

⁹Mendelievich, ed., n. 3, p. 47.

DISS
XX:9B .44N7
M8

developed countries were able to relegate exploitation of this kind to the past.

"The spread of compulsory schooling, the rapid and considerable improvement in levels of living and the enforcement of anti-child labour laws have all led to a significant decline in child labour in both absolute and relative terms. In fact, in the vast majority of the countries in the industrialised countries, child labour has been virtually abolished though it is still found in some."¹⁰

It has been observed that in the developed countries a number of children work during school holidays and outside school hours in agriculture either in family or non-family undertakings. But it is socio-economically a different story altogether. Many treat this type of work as a learning process. Children work in sales or distribution sector in urban areas doing things like delivering papers, milk etc. They also work in hotels and restaurants during school holidays and in some light and occasional jobs such as baby sitting.¹¹ These children work out of their own free will. They are not burdened by economic compulsion and family pressure. It does not effect their education and since the

¹⁰Bequele, n. 2, p. 12.

¹¹Mendelievich, n. 3, p. 30.

jobs they do are not very tedious it does not have adverse affect on their health.

Here, we are talking about the economic circumstances which force a child to work and where child is exploited leading to adverse repercussions on health as is the case in most of the developing countries.

Child Labour in the Industrially Backward Countries

In the industrially backward countries there is a common practice to put children to work in a place even when the job could well be done by adults. Child labour is most common in agriculture, in services and industry respectively. Those who are wage earners generally work in the informal sector, usually in small undertakings that are often not registered as such and that hence do not observe the legal requirements as regards taxes, social security, safety and health and so on."¹²

Children work from a very young age in the fields with their parents. As these children are the cheapest, most docile labour force they have become the very basis of rural and industrial development. Of the 56 million children working in the world, over 43 millions are from the Asian

¹²Ibid.

and Pacific region. Millions of children still do not enjoy¹³ -

- (1) the right to adequate nutrition,
- (2) the right to primary health care,
- (3) the right to develop one's abilities,
- (4) the right to learn an employable skill,
- (5) the right to be protected from exploitation of labour.

Very few children go to school. They barely earn enough to feed themselves properly. Free education has been promised, but to most of the children learning is a rare privilege, not a right. In the Asian and Pacific regions, almost 80 per cent of the children are enrolled in primary schools and about 31.2 per cent in secondary schools, but the drop-outs range from 14 to 75 per cent.¹⁴

In the developing countries most of the children are unpaid family workers thereby keeping them away from school and hindering their development. Also such children are not taught any vocational skill. Table I covers the

¹³Soon Young Yoon, "Asia and the Pacific : Children at Risk, Children at Work", in P.M. Shah, ed., n. 7, p. 68.

¹⁴Ibid.

unpaid workers,¹⁵ which throws light on the magnitude of the problem. However, these figures are an underestimation, since in some countries young workers less than 15 years old are not included in the labour force statistics.

Table I
Number of Working Children Less than 15 Years Old

| Area | Total (millions) | Unpaid family workers* | |
|-----------------|---------------------|------------------------|------------|
| | | Millions | Percentage |
| World | 52.0 | 41.2 | 80 |
| South-East Asia | 29.0 | 23.2 | 80 |
| East Asia | 9.1 | 6.4 | 70 |
| Africa | 9.7 | 9.2 | 95 |
| Latin America | 3.1 | 2.0 | 65 |
| Europe | 0.7 | 0.4 | 50 |
| USSR | - | - | - |
| North America | 0.3 | - | 10 |
| Oceania | 0.1 | 0.1 | 85 |

* Includes a small number of persons working on their own account.

¹⁵ ILO, Bureau of Statistics and Special Studies, in E. Mendelievich, n. 3, p. 28.

On analysing the total and economically active population by sex and age group¹⁶ it becomes clear that Africa has the maximum number of working children, 5.4 per cent. Asia has the second largest number of working children, 4.7 per cent. USSR has no amount of children working below the age of 15. North America accounts for 0.6 per cent and Europe 0.7 per cent (see Table II). It is obvious that the poor countries are plagued by the problem of child labour.

"Child labour is still a widespread and perhaps even growing problem today. While many of the children who are working are engaged in activities permitted by national and international standards, many more are working in violation of these statistics."¹⁷ Such is the case, for example of -

- (1) young girls working in small industrial enterprises in tasks that involve handling fine wires finally resulting in loss of eye-sight within five to eight years;

¹⁶Year Book of Labour Statistics (Geneva, 1978), in Mendelievich, n. 3, pp. 24-27.

¹⁷"Child Labour", extract from the report of the Director General to the International Labour Conference, 69th session, 1983 (Geneva, ILO Office, 1985), p. 3.

Table II

Total and Economically active Population by Sex and Age Group
(Thousands)

(mid year 1975)

| Area and Age Group | Males | | | Females | | | Total | | |
|-----------------------------|--------------------------|-----------------------------------|----------|--------------------------|--|----------|--------------------------|--------------------------------------|----------|
| | Total Popu- lation | Economically Active Population | | Total Popu- lation | Economically Active Popula- tion | | Total popula- tion | Economically active Population | |
| | | Number | Per cent | | Number | Per cent | | Number | Per cent |
| World - 15 | 727,757 | 32,630 | 4.5 | 700,428 | 22,086 | 3.2 | 1,428,185 | 54,717 | 3.8 |
| Africa - 15 | 88,965 | 6,087 | 6.8 | 88,354 | 3,555 | 4.0 | 177,319 | 9,641 | 5.4 |
| Latin America - 15 | 69,016 | 2,447 | 3.5 | 67,215 | 831 | 1.2 | 136,231 | 3,278 | 2.4 |
| Northern America - 15 | 30,794 | 253 | 0.8 | 29,572 | 125 | 0.4 | 60,366 | 378 | 0.5 |
| Asia - 15 | 444,234 | 23,281 | 5.2 | 424,490 | 17,171 | 4.0 | 868,724 | 40,453 | 4.7 |
| Europe - 15 | 57,831 | 477 | 0.8 | 55,261 | 341 | 0.6 | 113,093 | 817 | 0.7 |
| Oceania | 3,431 | 86 | 2.5 | 3,272 | 64 | 1.9 | 6,703 | 149 | 2.2 |
| USSR | 33,846 | - | 0.0 | 32,263 | - | 0.0 | 65,749 | - | 0.0 |

- (2) children working underground in mines;
- (3) children employed as seasonal and cheap labour in pesticide soaked fields;
- (4) bonded children;
- (5) children in street trades practically ubiquitous in the developing world;
- (6) shepherd boys sub-contracted to owners of large estates to work for as long as 15 hours a day.¹⁸

Virtually all 'economically active' children - 98 per cent - are found in the developing world.¹⁹

Africa has the highest incidence of child labour in the world. In some African countries as many as 20 per cent of the children under 15 are reported working. In some it is up to 17 per cent.²⁰ In Ethiopia, 41.7 per cent children aged between 10 and 14 years are employed. 49.9 per cent of the male children are 'economically active' while 32.8 per cent female children are working (see Table III). Egypt has 9.1 per cent male children and 5.3 per cent female children working.

¹⁸Ibid.

¹⁹Children at Work : Special Health Risks, n. 8, p. 6.

²⁰Assefa Bequele, "Child Labour : Trends, Problems and Policies", in P.M. Shah, ed., n. 7, pp. 44-45.

Table III

Total and Economically Active Population by Sex and Age Group

| Area and Age Group | Males | | | Females | | | Total | | |
|-----------------------|------------------|--------------------------------|----------|------------------|--------------------------------|----------|------------------|--------------------------------|----------|
| | Total Population | Economically Active Population | Per cent | Total Population | Economically Active Population | Per cent | Total Population | Economically Active Population | Per cent |
| | Number | Number | Per cent | Number | Number | Per cent | Number | Number | Per cent |
| India 0 - 14 | 135,841,283 | 8,096,513 | 6.0 | 127,223,208 | 5,495,852 | 4.3 | 263,064,491 | 13,592,366 | 5.2 |
| Sri Lanka 10 - 14 | 862,305 | 47,252 | 5.5 | 827,028 | 19,877 | 2.4 | 1,689,333 | 67,129 | 4.0 |
| Malaysia 10 - 14 | 831,730 | 73,566 | 8.8 | 801,806 | 52,223 | 6.5 | 1,633,536 | 125,789 | 7.7 |
| Pakistan 10 - 14 | 6,451,000 | 2,130,000 | 33.0 | 5,637,000 | 466,000 | 8.3 | 12,088,000 | 2,596,000 | 21.5 |
| Bangladesh 10 - 14 | 6,849,000 | 2,605,000 | 38.0 | 6,400,000 | 521,000 | 8.1 | 13,250,000 | 3,126,000 | 23.6 |
| Ethiopia 10 - 14 | 2,744,597 | 1,369,554 | 49.9 | 2,542,485 | 833,935 | 32.8 | 5,287,082 | 2,203,489 | 41.7 |
| Egypt 0 - 14 | 9,042,000 | 824,100 | 9.1 | 8,540,000 | 456,800 | 5.3 | 17,582,000 | 12,809,000 | 7.3 |
| Argentina 10 - 14 | 1,408,454 | 133,217 | 9.5 | 1,368,255 | 61,643 | 4.5 | 2,776,709 | 194,860 | 7.0 |
| Brazil 10 - 14 | 7,156,309 | 1,448,675 | 20.2 | 7,096,212 | 611,273 | 8.6 | 14,252,521 | 2,059,948 | 14.5 |

Source: Year Book of Labour Statistics (Geneva: International Labour Office, 1986), pp. 13-44.

In Asia, child workers constitute as many as 7 per cent of the population under 15 years of age and as high as 11 per cent of the overall labour force.²¹ In India, 6 per cent male children and 4.3 per cent females are 'economically active'. As compared to the total active population children constitute 5.2 per cent. Bangladesh has 38 per cent males and 8.1 per cent females working in the age group of 10 to 14.

In Latin America, the incidence of child labour is somewhat lower than in Asia and Africa. Official estimates from various countries indicate that the proportion of child workers ranges between nearly 2 and 5 per cent. According to one estimate, well over 5 per cent of the population under 15 in many Latin American countries and as high as 12 to 26 per cent in some may well be working.²²

In Argentina, 9.5 per cent males and 4.5 per cent female children below the age of 14 years are working. Working children constitute 7 per cent of the total children population. Brazil has a higher incidence of child labour accounting for 20.2 per cent male children and 8.6 per cent female children working (see Table III).

²¹Ibid.

²²Ibid.

Child labour is mostly found in the poor and developing countries. But at the same time the developed countries do not remain free from this evil. Official estimates state that a large number of child workers are employed in some industrialized countries. In some European countries, they are estimated to constitute as high as 8 per cent of the population under the age of 15.²³

Causes of Child Labour

Poverty is said to be the major cause behind child labour but usually there are a number of factors promoting child labour. Factors like tradition, modernization process, rate of population increase, migration, industrialization and development etc. determine the area of economic activity of children.

In some countries attempts have been made to survey child labour and find the causes of child labour. Like in Bangkok, a study undertaken among several hundred working children, revealed the principal reasons given by the children to explain as to why they were at work. They were as follows:²⁴

²³Ibid.

²⁴Office of the Prime Minister, National Statistical Office, "Children and Youth Survey, Thailand 1975 (Bangkok)", in E. Mendelievich, n. 3, p. 9.

| <u>Reason Given</u> | <u>Percentage</u> |
|--|-------------------|
| Poverty | 23.4 |
| Need to assist parents in household activity | 32.9 |
| Parents want them to work | 26.3 |
| Need to earn their own living | 7.9 |
| Better than doing nothing | 6.9 |
| Other reasons | 2.6 |

These could be typical of cities of Bangkok level. However, this can't hold good for countries like Bangladesh, or certain parts of India and Ethiopia. Unfortunately not much of authentic statistics are available in regard to children employed.

Poverty and underdevelopment are said to be the main causes of child labour. It is evident from the fact that while 30 per cent of the entire labour force in Tanzania is composed of boys and girls aged 10 to 14, in Thailand 25 per cent, as compared to the United States where only 1.6 per cent of the labour force is composed of boys and girls of that age.²⁵

Another trend that is observed is that the countries having the highest illiteracy rates and low school enrolment

²⁵ Children of the World (Washington: Population Reference Bureau, 1979), p. 72.

generally have the greatest child labour problem. A child who does not go to school is drawn towards some kind of occupation.

In many countries it is felt that if children under the prevailing circumstances were deprived of the opportunity to work, they would be forced into vagrancy, crime or begging. This idea emerges as many developing countries due to poor economic condition cannot provide much opportunities and better avenues to children. Vocational training institutions for children are virtually non-existent in India. There is a high drop out rate between the primary and middle school stages - 70 per cent boys and 80 per cent of girls,- and a somewhat lower rate between the middle and secondary school stages - 45 per cent of boys and 52 per cent of girls. It has been estimated that well over half of these drop outs are a result of abject poverty and other economic reasons that force the child to go out to earn a living.²⁶ Using nutritional norms, Dandekar and Rath estimated that 40 per cent of the rural population and 50 per cent of the urban population constituted the segment below the poverty line. This population mainly consists of farmers, landless labourers in rural areas and the urban poor.²⁷

²⁶Mendelievich, n. 3, p. 85.

²⁷Ibid.

Socio-economic conditions are the main factors promoting child labour. In India, the problem of child labour appears to result from traditional attitudes, and industrialisation, urbanisation, migration, lack of schools or the reluctance of parents to send their children to school and so on. However, its main causes are extreme poverty and the fact that agriculture is the main occupation of the majority of the population.²⁸

Most of the children are employed in the rural sector. 5.5 per cent of the children are working in rural areas, while 0.4 per cent in urban areas according to the 1971 census. Children are mostly engaged as additional help, both at home as well as in agriculture, business or industry. Children are employed to supplement the family income when the income from the main bread-earners is inadequate to meet the family needs and secondly to pick up the technical know-how by doing the jobs so that proficiency could be achieved at an early age.²⁹ "Child labour exists in inverse relation to the degree of economic advancement of a society, country or region."³⁰ It becomes clear that to eradicate

²⁸K.D. Gangrade, "India", in Mendelievich, n. 3, p. 81.

²⁹S.D. Kapoor, "Health Hazards of Working Children" in Usha S. Naidu and Kamini Kapadia, eds., n. 6, p. 178.

³⁰Mendelievich, n. 3, p. 4.

child labour, socio-economic factors will have to be dealt first.

Repercussions of Child Labour

Employment of children at a young age has severe repercussions. These repercussions can be divided under three headings:³¹

- (1) Social and labour repercussions,
- (2) Physical, and
- (3) Mental repercussions.

A child who starts working from a young age is deprived of opportunities to learn technical skills and acquire qualifications which will open better avenues for him. Since all he does is work he loses interest, thereby reducing his potential and inclination to learn. He cannot get a better job later and thus puts an end to his social advancement. He ends up where he had begun.

Many jobs are harmful for the physical development of the children. At young age when their growing bodies need adequate nutrition and rest they are made to work in harrowing conditions. The surroundings are unhygienic, effects of fatigue and over-exertion show on their health.

³¹ Ibid., p. 46.

Carrying heavy loads and working for long hours in crouched position affect physical growth. Malnutrition, fatigue, anemia can affect the central nervous system. It becomes evident that employment of children at the young age is both directly and indirectly harmful for the child and its results will be carried over into adult life.

Child labour has severe mental repercussions also. The age at which he starts working coincides more or less with a period of profound mental change in the child. A child is extremely vulnerable to his outside surroundings. He can be moulded in any way. He picks up whatever he sees as his brain is still not fully developed. "Clearly, if to the working child's unfavourable intellectual status is added an ill directed mental development, there will be undesirable consequences and behaviour problems, caused by the child's inadequate comprehension of the adult world and by his imitating, distorting and exaggerating what he wrongly believes to be the essence of the world."³² In many cases the children are separated from their families when they move to the cities and other places in search of jobs. Such children are deprived of parental affection and care and this is evident in their behaviour. Also the feeling of frustration and injustice, originating from their inability

³² Ibid.

to do what others do and be on the same level as their counterparts in privileged conditions, can have a permanent effect on their personal relationships.

A major consequence of child labour "is the deprivation of the possibility of education and the consequent upward mobility. Thus child labour has become a mode of perpetuating an unjust social system and of ensuring the continued availability of subservient, unskilled, illiterate labourers who do not have the bargaining power to question the systems that marginalises them and deprives them of their right to be human."³³

Child labour is widespread and growing in many parts of the world. The international community has not turned a blind eye towards it. The United Nations, its specialized agencies are working to regulate, lessen and finally eradicate this problem. For the International Labour Organisation, the abolition of child labour and the protection of children and young persons against work unsuitable to their age has been a constant concern since its inception.

The exploitation of child labour is an issue which falls directly within the mandate of the anti-Slavery Society for the Protection of Human Rights in its commitment

³³Walter Fernandez, Neera Burra and T.S. Anand, "Child Labour in India", A Summary of a report presented by Indian Social Institute (New Delhi, 1986), pp. 2-3.

to strive for the elimination of all forms of slavery. The aims of the society are to promote human rights in accordance with the relevant United Nations Human Rights and Instruments and Standards.³⁴

In the Preamble to the Constitution of the ILO, it is stated inter alia, that "conditions of labour exist involving such injustice, hardship and privation to large number of people as to produce unrest so great that the peace and harmony of the world are imperilled" and that "an improvement of those conditions is urgently required" in many domains, including the protection of children and young persons.³⁵ In the Declaration of Philadelphia, the International Labour Conference, meeting in 1944, recognized the solemn obligation of the ILO to further among the nations of the world, programmes, which among other things, would achieve provision for child welfare.³⁶

A number of conventions and recommendations laying down labour standards for the protection of children and

³⁴ Leah Levin, "Exploitation of Child Labour: An International Concern", in P.M. Shah, ed., n. 7, p. 53.

³⁵ Constitution of the International Labour Organization (Geneva, 1977), p. 5.

³⁶ Ibid., pp. 24-25.

young persons have been adopted by the ILO. These can be classified under three broad groups:³⁷

(1) Minimum Age for Employment

There are ten ILO Conventions³⁸ which put restrictions on the minimum age for employment of workers engaged in various sectors like industry, sea, agriculture, underground work, non-industrial establishments etc.

(2) Medical Examination

There are five ILO Conventions³⁹ which prescribe the production of a medical certificate of fitness before obtaining employment by young persons engaged in sea, industry, non-industrial employment and underground work.

(3) Night Work

There are three ILO Conventions⁴⁰ which attempt to regulate working hours at night of young persons engaged in industrial and non-industrial occupation.

³⁷ K.C. Seal, "Children in Employment", in Profile of the Child in India (New Delhi, n.d.), p. 166.

³⁸ ILO Convention Nos. 5, 7, 10, 15, 33, 58, 59, 60, 123 and 128.

³⁹ ILO Convention Nos. 16, 73, 77, 78 and 124.

⁴⁰ ILO Convention Nos. 6, 79 and 90.

In 1919, the International Labour Conference adopted the Minimum Age (Industry) Convention (No. 5) which fixed a minimum age of 14 for admission to employment in industry. In 1973, the Convention concerning Minimum Age for Admission to Employment (No. 138) together with the corresponding recommendation (No. 146) were adopted.

Convention No. 138 lays down, inter alia, that with a view to ensuring the effective abolition of child labour, the minimum age for admission to employment should be raised to a level consistent with the fullest physical and mental development of young persons. This age should not be less than the age of completion of compulsory schooling and, in any case, should not be less than 15 years. The Convention however admits the possibility that in those member states whose economy and educational facilities are insufficiently developed the minimum age be fixed at 14 years.⁴¹

"Recommendation No. 148 advocates, inter alia, a firm national commitment to full employment; the progressive extension of other economic and social measures to alleviate poverty, thus making it unnecessary to have recourse to child labour; the development and progressive extension of

⁴¹ ILO, Minimum Age for Admission to Employment, Report, IV(1), International Labour Conference, 57th session (Geneva, 1972), p. 3.

social security and other family welfare measures, including children allowances; the development and progressive extension of adequate facilities of education and vocational orientation and training; the adoption of special measures as regards children and young persons who do not have families or who do not live with their own families and also of migrant children and young persons; and the introduction of compulsory full-time attendance at school or participation in vocational orientation or training programmes, at least until the age of admission to employment laid down in Convention No. 138."⁴²

The Recommendation acknowledges the fact that child labour cannot be removed by legislation alone. It involves a multi-dimensional approach keeping in mind the socio-economic conditions of a region. An all round progress is required to eradicate this evil. A number of countries have ratified the Convention No. 138, though the minimum age varies. In USSR, it is 16 years while in Nicaragua it is 14 years.

Legislation is not the answer to this problem alone. Child labour will be carried out in a clandestine manner. On

⁴²Mendelievich, n. 3, p. 15.

the other hand, since the causes of child labour are rooted in poverty, reforms must begin at that most basic level. In countries which cannot provide full employment or which do not guarantee social security and health care, child labour will survive. Children should be made aware of their rights and this is possible through education only. Also, voluntary associations and other agencies should generate public opinion against this social evil and those who practice it should be adequately punished. Children are mostly employed in the ^{un}organised sector. Steps should be taken to check this. Children should be given vocational training. They should be provided facilities for recreation and cultural activities. Developed countries realised the magnitude of the problem and have been able to check child labour. Developing countries which are still struggling to stabilise their economy are unable to stop the children from working in the prevailing conditions but gradually the feeling that a child should get the best we have to give is coming in. Child labour that has existed since time immemorial is now being regulated with the aim of abolishing it eventually.

...

CHAPTER III

CHILD LABOUR IN INDIA

Since historical times child labour has existed in one form or another in all the societies of the world. Indian culture does not frown upon the working child. A vast majority of children have to work in order to supplement their family income. It is also believed that through the institution of the working child the family trade or art is passed on from generation to generation. Had it not been so the traditional skill would have languished, according to some. Whatever may be the reason, history has ample examples to prove that children have been burdened with jobs at a young age when their counterparts were going to school leading a carefree life.

Before going deep into the problem it is necessary to define 'child labour.' There is no uniform definition of a child. But generally, persons below the age of fifteen are considered children. In India we have considered the chronological age below 14 as child and population of this age group participating in work, either paid or unpaid, as 'child labour'. A child is forced to work due to the needs of his family, under exploitative conditions that call for greater physical and mental resources than the child possesses. This is called child labour. It is monotonous, strenuous, harmful and unduly prolonged. It is a source of

worry and inevitably implies the lack of schooling, relaxation and general well being of the child. This is the fate of both self-employed and wage earning children, who grow up prematurely in misery, instead of leading a carefree existence in an atmosphere of study, companionship and play during what should be the happiest days of their life.¹

Most children learnt in the family and through work. It was a part of the socialisation process. They learnt from their elders through observation and association without facing any problem. They picked up the family art and craft and in the initial stages worked as a helper or apprentice.

"On scientific grounds it can be asserted that work as a direct fulfilment of the child's natural abilities and creative potentialities is always conducive to his healthy growth. But work when taken up as a means for the fulfilment of some other needs becomes enslaving in character and deleterious in its impact. Labour is the work of the latter type irrespective of the degree of strain involved in it. When the basic attributes of work, i.e. purpose, plan and freedom are conspicuously absent, it becomes labour. Labour in the case of the child, especially is harmful because

¹E. Mendelievich, ed., Children at Work (Geneva, 1979), pp. 3-4.

the energy that should have been spent on the nurturing of his latent powers is consumed for purposes of his survival.... Child labour thus assumes the character of a social problem in as much as it hinders, arrests or distorts the natural growth process and prevents the child from attaining his full-blown manhood."²

Child labour is a social evil which is practised for evil reasons. "From ancient times in India people have viewed learning, living and working one continuum. The work place was a mere extension of the family environment."³ Children worked under the guidance and care of their parents. The work was simple which the children imbibed without much difficulty. There was no question of oppression and children being exposed to hazards. Such 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.⁴

² Musafir Singh, V.D. Kaura and S.A. Khan, Working Children in Bombay - A Study (New Delhi: National Institute of Public Cooperation and Child Development, 1980), pp. 1-2.

³ Praveen Nangia, Child Labour: Cause-effect Syndrome (New Delhi, 1987), p. 6.

⁴ Ibid.

Thus we see that in India children have been working down the ages and played an important role in the economic set up. Previously, their working conditions were good with an element of personal care. But with the technological revolution making inroads changes occurred in the social set up. "The new economic forces, unleashed by capitalism, destroyed the family based economy, a large number of labourers were displaced due to mechanisation of agriculture - the farmers were alienated from the land and craftsmen 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 for reinforcing this process...the child's ability to grow and develop into a mentally and physically sound adult was severely restricted."⁵ In India, the large scale of incidence of child labour has been the result of industrialisation and unrestrained urbanisation. Children were forced to work in places away from home, thus alienating them from family set up leaving them at the mercy of their employers. The personal touch vanished. It is

⁵ S. Kothari, "There's Blood on these Matchsticks : Child Labour in Sivakasi", Economic and Political Weekly (Bombay), vol. 18, no. 27, July 1983, p. 1198.

here, their exploitation started and evils of child labour surfaced. The plight of these young children increased and it showed on their health and growth. Their work became mechanical, physically arduous, done as a compulsion.

It is necessary to analyse the cause of child labour so that the problem of child labour can be understood properly and measures taken to curb it.

Causes of Child Labour

Several factors lead to the rise of incidence of child labour in India. One of the main causes is poverty. Child labour in India is a reflection of widespread poverty. Exact estimates are not available but nearly half of the rural population lives under conditions of poverty. Many live in conditions of acute deprivation and destitution. "Nearly half of India's population subsists below poverty line. In the villages, the lower 50 per cent households own only 4 per cent of land. As many as 27.2 per cent of the rural households are agricultural tenants and 30.4 per cent agricultural labourers. Nearly one-third of the metropolitan population lives in slums and improvised tenements".⁶ Children from the poor families are compelled

⁶ Ministry of Labour, Report of the Committee on Child Labour (Nasik: Government of India Press, 1979), p. 9.

to join the labour force by the need to supplement the family income.

The rural-urban migration is also considered an important cause of child abuse and child labour. The percentage of migrant children in urban areas in the census of 1971 and 1981 has remained between 20 and 25. Almost all studies in urban areas indicate a high incidence of child labour among the migrant families. Families migrate into cities looking for jobs, leaving the villages. As the elders are not qualified and have problems in finding jobs, it falls upon the children to seek employment. As they are cheap and malleable they are employed and are exploited. In a study carried out in Bangalore, 67 per cent of the households were migrants.⁷ Also in cases where men have migrated to the cities looking for jobs, the burden falls on women and children who have to take care of agriculture and cattle care, in addition, of course, to household chores.

A study of child labour in the city of Madras revealed that nearly three-fourths of the child workers started employment to supplement the family income, 23 per cent were forced to take up employment on account of the death of their father and 17 per cent of them began employment

⁷ N.S. Krishnakumari, Child Labour in Bangalore City (New Delhi, 1985), p. 9

on the insistence of their parents. This shows the poverty amongst these people.⁸

In urban areas, the reasons advocated for child labour are migration, urbanisation, industrialisation etc. A recent survey of working children in Bombay reveals the circumstances under which the child had to start work. They are:⁹

| | | |
|---|----|---------------|
| - Economic compulsions | .. | 40.1 per cent |
| - The child was idle and doing nothing | .. | 17.5 per cent |
| - Had left school | .. | 16.3 per cent |
| - Death/disease/loss of job of the earning member | .. | 14.6 per cent |
| - Others | .. | 11.5 per cent |

Unemployment and underemployment also promote child labour. Although exact data is not available, but one can easily conclude that a large number of rural population remains without work for a substantial part of the year. And as their living conditions are hard to mouth they are compelled to send their children to work. In such

⁸K.N. George, "Child Labour in the City of Madras", in National Seminar on Employment of Children in India, 25-28 November 1975 (New Delhi: National Institute of Public Cooperation and Child Development, 1977), p. 167.

⁹M. Singh, et al., n. 2, p. 93.

circumstances they consider it better to give the child away in bondage either against a loan taken, or to learn skills, which they believe, will give them employment at a later stage, or merely to meet the food and clothing needs of the child. A large number of domestic servants, restaurant boys and children subjected to child abuse belong to these categories. Due to rampant poverty and unemployment, children have the option of either to die of starvation or to seek employment. Employers prefer to employ children because child labour is cheaper and less bothersome as compared to adult labour force. In rural areas child labour is readily accessible and cheap. Employment of children as wage labour is mainly to supplement the meagre income of chronically poverty-stricken rural households. During the agricultural season, child labour which is cheaper than adult labour, is in demand because of the general labour shortage.¹⁰ During the time of sowing, harvesting etc. children had to stay away from school. Besides, in majority of cases, there is no liability on the part of the employer to give any service benefits such as provident fund, gratuity, leave, promotion and annual increment.

¹⁰S.D. Punekar, "Child Labour in Unorganised Industries and Rural Vocations", Paper presented in National Seminar on Employment of Children in India, 25-28 November 1975 (New Delhi: NIPCCO, 1977), p. 129.

The prevailing education system is also considered an important reason for child labour. A study of the working children in Bombay revealed that 25.8 per cent of the children did occasional work because they had nothing else to do and 24 per cent of the sample had left school because they were not able to cope with the requirements of schooling.¹¹

In the study of working children in Bombay, the reasons given for discontinuing studies are:¹²

- Could not meet school expenses .. 33.0 per cent
- Death/disease of parent .. 12.4 per cent
- Pressure of household chores/had to help family in business .. 7.3 per cent
- Lack of interest in studies/ill-treatment of teachers .. 34.9 per cent
- Others .. 12.4 per cent

Similarly, in a study of child labour in Bangalore city, it was found that 22 per cent of the children were working because the school did not interest them.¹³

¹¹ M. Singh, et al., n. 2, pp. 82-83.

¹² Ibid., p. 83.

¹³ Krishnakumari, n. 7, pp. 10-11.

A child's vulnerability is another factor which attracts the attention of the employers to employ children than adults. They feel that children do not join labour unions to fight for their rights and they are paid a minimum wage to work for long hours, at times without any rest interval. An interesting point that emerges here is that child labour is as much a cause as a result of the adult unemployment and under-employment, because it is not only a subsidy to industries but a direct cause for low payment to the adult workers. "The entrance of children into the labour market reduces the volume of employment for the adult and lowers the bargaining power of adult workers. Some experts argue that if all the children were eliminated from the labour force in India, employment opportunities for at least 15 million adult unemployed workers would be increased."¹⁴

Parent's attitude towards working children is considered by some as a cause of child labour. Parents feel that if a child is usefully employed, it will keep him occupied and if he was let loose, he would indulge in vagrancy, crime or begging. In a survey of the Bangalore city, "42 per cent of the parents said that they wanted their children to receive education, but either the schools were not convenient,

¹⁴Report of the Committee on Child Labour, n. 6,
p. 8.

or of sufficiently good quality, or both. They would be willing to send children to school if satisfactory schooling facilities were available".¹⁵ Many people hold the view that it would be better for the child if he learnt some vocational skill that could guarantee him a job later rather than joining the line of unemployed. Many families have no option. They are forced to send their children to work so that they may manage to have one square meal a day.

Thus we see that there are several causes leading to child labour main being poverty and vulnerability of the child. They are cheap and docile. As pointed out by Soon Young Yoon, "Children are competent, easy to discipline, cheap to maintain and unlikely to organise".¹⁶ This observation is corroborated by the findings of Kothari in respect of the matches and fireworks industry in Sivakasi¹⁷ as well as by several other studies.

¹⁵ Krishnakumari, n. 7, pp. 14-16.

¹⁶ Soon Young Yoon, "Asia and Pacific Children at Risk, Children at Work", in P.M. Shah, ed., Child Labour: A Threat to Health and Development (Geneva, 1985), p. 69.

¹⁷ Kothari, n. 5, p. 1198.

Types of Child Work

The activities in which children are engaged show how all pervasive is their contribution. Several authors have attempted to present a typology of child labour. Gerry Rogers and Guy Standing¹⁸ and UNICEF document classify child labour on the following lines.

(a) Domestic Work

A vast majority of children do household work as their parents go out to work. The work involved is usually non-productive and unpaid. This includes earning for younger siblings, cooking, cleaning, washing, fetching water etc. Such work in India is done mainly by girls.¹⁹ Such children are denied education and it hampers their development. Domestic work is less arduous and generally not exploitative in nature.

(b) Non-Domestic, Non-Monetary Work

In rural areas, such type of work is undertaken by the boys from a very young age. They help in cultivation,

¹⁸G. Rogers, G. Standing, Child Work, Poverty and Underdevelopment (Geneva, 1981), pp. 2-7.

¹⁹M. Kishwar, B. Horowitz, "Family Life : The Unequal Deal", in M. Kishwar, R. Vanita, eds., In Search of Answers : Indian Women's Voices from Manushi (London, 1984), pp. 69-75.

protection of crops from birds, tending livestock, collecting fodder and assisting family trade, much of their work consists of running errands which indirectly increases adult productivity.²⁰ In most of the handicraft sector, children can be found assisting their parents.²¹ Generally such work is not exploitative in nature as it is undertaken under the protection of parents. But again these children are denied education and later on face problem in getting employment as they do not have technical qualification. They are forced to stagnate having no formal training and all other avenues are closed. This type of work is a major form of child activity in subsistence economies.

(c) Tie d or Bonded Labour

Children are bonded both in rural and urban sector. Parents pledge their children for some loan. Rural indebtedness is one of the most important causes of child labour in India.²² Marla and Maharaj have also brought out the fact that "78 per cent of the bonded labour was caused by debt,

²⁰M. Singh, et al., n. 2, pp. 17-18.

²¹D.K. Kulshreshta, S.K. Sharma, "Child Labour in Moradabad Metal Ware Industry", The Economic Times (New Delhi), 19 October 1980.

²²R.B.L. Garg, "Fair Deal for Children", Patriot (New Delhi), 28 November 1980.

bondage and that 84 per cent of all bonded labour belonged to Scheduled Castes and Scheduled Tribes".²³

Children are bonded for several reasons. Parents for a loan agree to let their children work in return, without being paid. In many cases children are forced to sell themselves due to acute poverty.²⁴ Bonded labourers are found in urban unorganised sector as well. "Pledging of labour of young children by their parents or guardians to the employers in match factories and beedi factories is prevalent in remote parts of the country."²⁵

Gangrade and Gathia's study of carpet weavers in Varanasi reveals that "to keep production cost low, the middlemen often suggest to the families to engage children under 12 years of age. They even pay advance of Rs. 400 to Rs. 500 for some family function and thus tie the child to work for them directly."²⁶

²³S. Marla, R.N. Maharaj, National Survey on the Incidence of Bonded Labour (Preliminary Report), in Anil Bordia, "Child Labour in India - Implications for Educational Planning", Paper presented in Asian Regional Tripartite Workshop on Practical Measures to Combat Child Labour (mimeo) Bangkok, 23-30 September 1986 (Geneva: ILO, 1987), p. 60.

²⁴S. Mundle, "The Bonded of Plamau", Economic and Political Weekly (Bombay), vol. 11, no. 18, May 1976, pp. 653-6.

²⁵Christopher Daniel, "Child Workers has come to Stay?" Social Welfare (New Delhi), vol. 22, no. 8, November 1976, pp. 6-7 and 9.

²⁶K.D. Gangrade and A. Joseph Gathia, Women and Child Workers in the Unorganised Sector (New Delhi, 1983), pp. 4-5.

Children are exploited badly in such cases. They have no place to turn to. Their life becomes a misery and they become slaves to their master's whims. Extreme poverty and starvation forces parents to sell their children. In fact, bidi workers in Vellore openly say that when everything else has gone, the only commodity they can trade is their children and mortgaging children to the bidi sellers is a common phenomenon.²⁷ Children work as unpaid household servants for the landlord.

(d) Wage Labour

Children work as wage labourers as well. They are employed in the rural agrarian and the urban organised and unorganised sectors. This is the major type of work activity for children. The most basic distinction is between those working as part of a family labour force and those working as individual wage workers. Children work in road side restaurants, as apprentices to artisans, as motor mechanics, rag pickers, hawkers, newspaper vendors etc. In rural sector they work in the fields. Children are more in demand because they are paid less than an adult for the same amount of work

²⁷ Prayag Mehta, "Mortgaged Child Labour of Vellore, Women Beedi Workers' Tale of Woe", Mainstream (New Delhi), vol. 22, no. 1, September 1983, pp. 15-17.

done. Children work in far off places away from the loving care and protection of their families under varying degrees of exploitation. Wages in these employments are approximately one-third of the average wage of adults and the hours of work oppressive. Work in a large number of industries is manifestly hazardous and injurious to children's health.²⁸ Generally, wages are paid to children on a piece rate basis. Thus, in order to earn more money children work beyond their capacity, thus adding to their exploitation.

The above discussion makes it clear that children are working in almost every sphere of economic life. They are exploited at every stage. Not only are they exploited by the employers but their own parents exploit them. Childhood is not known to them. Instead of leading a carefree and happy life they are burdened with work. They step into adult roles at a very young age, thus being deprived of their right to be human. They become mere appendages working to support their families. They are exposed to hazardous surroundings which show directly on their health, thus hampering their healthy growth. The child is deprived of education. He is unable to go to school and thus deprived of

²⁸Usha S. Naidu, "Health Problems of Working Children: Some Issues for Planning Long-term Care", in Usha S. Naidu and Kamini Kapadia, eds., Child Labour and Health Problem and Prospects (Bombay, 1985), pp. 155-7.

any opportunity for upward mobility and remains an unskilled worker all his life. He ends up where he had started initially not knowing that his counterparts, the blessed ones, have had a happy and carefree childhood. He sees nothing beyond misery and starvation.

Demographic Profile of Child Labour

According to the 1971 national population Census, there are 230 million children of less than 15 years of age in India, out of the total population of 548 million. The total number of child workers was 10.7 million, representing 4.7 per cent of the total child population and 5.9 per cent of the total labour force. Of these about 7.9 million were boys and 2.8 million girls.²⁹

The number of workers in the under 15-age group as compared to the total population in the age group is defined as the Child Labour Participation Rate (CLPR). According to the 1971 Census, 6.64 per cent of the male and 2.57 per cent of the female children were in the labour force. Rural areas had a higher CLPR for males and females, than urban areas. Male and female CLPRs in rural India were 7.52 and 2.96

²⁹K.C. Seal, "Children in Employment", in Profile of the Child in India (New Delhi, n.d.), p. 170.

respectively, while the urban male and female CLPRs were 2.76 and 0.82 respectively.³⁰ (see Table I)

This clearly indicates that majority of children are employed in the rural sector. As no technical skill is required in agriculture, domestic work etc. more children can be absorbed easily. The urban sector has a lower number of children working as the jobs in the organised sector require technical skill and knowledge which the children do not possess. It becomes obvious that most of the working children are employed in the unorganised sector.

According to the 1978 survey, there were 4.37 per cent male and 3.06 per cent female children working. While there is a decline in the male labour participation the number of female children working has gone up (see Table I).

On a statewise break-up of the CLPR we find that Andhra Pradesh has the maximum number of male children working (11.81 per cent). Karnataka had 9.29 per cent and Orissa had 9.07 per cent male children working. Kerala has the least number of working children accounting for 1.32

³⁰ Child in India : A Statistical Profile
(New Delhi; Ministry of Social and Women's Welfare, 1985),
pp. 460-1.

Table I

Work Participation Rates among Children (below 15 years) by Area and Sex
in major States, 1971 and 1978

| S. No. | India/State | Year | All areas | | | Rural | | | Urban | | |
|--------|------------------|--------------------------|-----------|-------|--------|--------|-------|--------|--------|------|--------|
| | | | Person | Male | Female | Person | Male | Female | Person | Male | Female |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| | <u>India</u> | 1971 Census | 4.67 | 6.64 | 2.57 | 5.31 | 7.52 | 2.96 | 1.82 | 2.76 | 0.82 |
| | | 1978 Survey | 3.74 | 4.37 | 3.06 | 4.20 | 4.85 | 3.50 | 1.49 | 2.03 | 0.92 |
| | <u>States</u> | | | | | | | | | | |
| 1 | Andhra Pradesh | 1971 Census | 9.24 | 11.81 | 6.62 | 10.64 | 13.47 | 7.75 | 3.24 | 4.69 | 1.74 |
| | | 1978 Survey | 9.64 | 10.27 | 9.00 | 11.09 | 11.68 | 10.50 | 2.72 | 3.56 | 1.87 |
| 2 | Assam | 1971 Census ^a | 3.41 | 6.04 | 0.74 | 3.53 | 6.29 | 0.72 | 2.01 | 3.04 | 0.91 |
| | | 1978 Survey | 2.18 | 2.81 | 1.52 | 2.21 | 2.88 | 1.52 | 1.73 | 1.87 | 1.58 |
| 3 | Bihar | 1971 Census | 4.42 | 6.71 | 1.91 | 4.69 | 7.13 | 2.05 | 1.76 | 2.82 | 0.57 |
| | | 1978 Survey | 1.85 | 2.68 | 0.92 | 1.93 | 2.79 | 0.98 | 0.87 | 1.38 | 0.31 |
| 4 | Gujarat | 1971 Census | 4.51 | 6.22 | 2.65 | 5.61 | 7.65 | 3.40 | 1.40 | 2.21 | 0.52 |
| | | 1978 Survey | 2.46 | 3.19 | 1.67 | 2.53 | 3.27 | 1.73 | 2.23 | 2.91 | 1.49 |
| 5 | Haryana | 1971 Census | 2.97 | 5.00 | 0.65 | 3.32 | 5.57 | 0.73 | 1.14 | 1.96 | 0.22 |
| | | 1978 Survey | 1.58 | 2.31 | 0.75 | 1.64 | 2.38 | 0.79 | 1.16 | 1.80 | 0.45 |
| 6 | Himachal Pradesh | 1971 Census | 5.01 | 4.25 | 5.78 | 5.24 | 4.40 | 6.11 | 1.30 | 2.04 | 0.50 |
| | | 1978 Survey | 5.40 | 4.86 | 6.00 | 5.58 | 5.01 | 6.22 | 0.59 | 0.85 | 0.33 |

Table I contd..

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|----|-------------------------|-------------|------|------|------|------|-------|------|------|------|------|
| 7 | Jammu & Kashmir | 1971 Census | 3.56 | 6.07 | 0.88 | 3.95 | 6.70 | 1.03 | 1.77 | 3.24 | 0.19 |
| | | 1978 Survey | 2.62 | 3.64 | 1.54 | 5.32 | 7.26 | 3.26 | 0.34 | 0.58 | 0.08 |
| 8 | Karnataka | 1971 Census | 6.50 | 9.29 | 3.68 | 7.55 | 10.76 | 4.31 | 3.01 | 4.41 | 1.56 |
| | | 1978 Survey | 4.91 | 6.08 | 3.71 | 5.89 | 7.22 | 4.52 | 2.10 | 2.81 | 1.38 |
| 9 | Kerala | 1971 Census | 1.30 | 1.32 | 1.21 | 1.30 | 1.41 | 1.18 | 1.32 | 1.27 | 1.38 |
| | | 1978 Survey | 0.90 | 0.95 | 0.84 | 0.92 | 0.98 | 0.86 | 0.77 | 0.81 | 0.72 |
| 10 | Madhya Pradesh | 1971 Census | 6.11 | 7.99 | 4.12 | 6.99 | 9.13 | 4.74 | 1.35 | 1.91 | 0.75 |
| | | 1978 Survey | 6.51 | 7.46 | 5.50 | 7.39 | 8.43 | 6.28 | 0.68 | 1.00 | 0.34 |
| 11 | Maharashtra | 1971 Census | 4.74 | 5.70 | 3.75 | 6.06 | 7.17 | 4.91 | 1.36 | 1.95 | 0.72 |
| | | 1978 Survey | 2.88 | 2.93 | 2.83 | 3.60 | 3.50 | 3.69 | 1.15 | 1.53 | 0.74 |
| 12 | North-Eastern Region | 1971 Census | 4.90 | 5.48 | 4.30 | 5.33 | 5.95 | 4.69 | 1.03 | 1.26 | 0.80 |
| | | 1978 Survey | 5.20 | 5.20 | 5.21 | 5.35 | 5.34 | 5.35 | 0.83 | 0.67 | 0.98 |
| 13 | Orissa | 1971 Census | 5.30 | 9.07 | 1.49 | 5.55 | 9.55 | 1.54 | 2.33 | 3.64 | 0.95 |
| | | 1978 Survey | 5.12 | 6.16 | 4.06 | 5.34 | 6.39 | 4.25 | 2.25 | 3.08 | 1.39 |
| 14 | Punjab | 1971 Census | 4.16 | 7.71 | 0.12 | 4.87 | 9.03 | 0.12 | 1.71 | 3.12 | 0.12 |
| | | 1978 Survey | 1.92 | 3.30 | 0.32 | 2.02 | 3.49 | 0.31 | 1.47 | 2.47 | 0.38 |

Table I contd..

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|----|---------------|-------------|------|------|------|------|------|------|------|------|------|
| 15 | Rajasthan | 1971 Census | 5.16 | 7.40 | 2.68 | 5.91 | 8.43 | 3.13 | 1.49 | 2.41 | 0.47 |
| | | 1978 Survey | 7.37 | 7.52 | 7.20 | 8.50 | 8.61 | 8.38 | 1.30 | 1.64 | 0.92 |
| 16 | Tamil Nadu | 1971 Census | 4.58 | 6.22 | 2.92 | 5.59 | 7.57 | 3.57 | 2.22 | 3.04 | 1.38 |
| | | 1978 Survey | 5.56 | 6.42 | 4.68 | 7.11 | 8.16 | 6.05 | 1.81 | 2.22 | 1.40 |
| 17 | Uttar Pradesh | 1971 Census | 3.59 | 5.47 | 1.43 | 3.87 | 5.82 | 1.61 | 1.84 | 3.23 | 0.31 |
| | | 1978 Survey | 1.23 | 1.80 | 0.58 | 1.23 | 1.77 | 0.59 | 1.20 | 2.02 | 0.46 |
| 18 | West Bengal | 1971 Census | 2.69 | 4.67 | 0.65 | 3.03 | 5.34 | 0.69 | 1.36 | 2. | 0.50 |
| | | 1978 Survey | 1.80 | 2.66 | 0.90 | 2.00 | 3.02 | 0.94 | 1.12 | 1.49 | 0.75 |

a : Includes Miroram

Source: Survey on Infant and Child Mortality, 1979, 1983, pp. 45, 83-751 (Table 4).

per cent of the work force only. Himachal Pradesh comes next with 4.25 per cent and Haryana having 5.00 per cent male child population working. In female working population Andhra Pradesh has the maximum (6.62 per cent). Punjab has the least number of female workers (0.12 per cent). Kerala and Uttar Pradesh have 1.21 per cent and 1.43 per cent respectively (see Table 2).³¹

If the literacy rates of males were analysed, we find that Andhra Pradesh has the lowest both in 1971 and 1981, being 38.43 per cent and 39.26 per cent respectively. Whereas, Kerala has the highest literacy rate for males, accounting for 77.13 per cent and 75.26 per cent in 1971 census and 1981 census respectively. This clearly shows that high incidence of child labour is associated with low level of literacy among children.³² (see Tables 2 and 3)

There is a direct relationship between labour participation and literacy rates indicating that higher the labour participation the lower will be the literacy rate. Working children are unable to attend school thereby reducing the literacy rate of the state. Child labour perpetuates illiteracy.

³¹ Ibid.

³² Seal, n. 29, p. 176.

Table 2

Statement in Respect of CLPR of three best and three Worst States with
Date of Development Index

| Worst States | CLPR (Male) | | Literacy Rate | | Per Capita Income (for all sex) | | Drop-out rate |
|--------------------|-------------|------|---------------|-------|------------------------------------|-----------|------------------|
| | 1971 | 1981 | 1971 | 1981 | 1971(Rs.) | 1981(Rs.) | |
| Andhra Pradesh | 11.81 | 9.65 | 38.43 | 39.26 | 685 | 649 | 75.4 |
| Karnataka | 9.29 | 8.28 | 48.51 | 48.81 | 685 | 652 | 66.7 |
| Madhya Pradesh | 7.99 | 7.41 | 38.77 | 39.49 | 484 | 491 | 70.4 |
| <u>Best States</u> | | | | | | | |
| Kerala | 1.32 | 0.78 | 77.13 | 75.26 | 55.7 | 590 | 21.8 |
| Himachal Pradesh | 4.25 | 2.90 | 50.32 | 53.19 | 678 | 691 | 38.0 |
| Haryana | 5.00 | 3.93 | 44.02 | 48.20 | 870 | 1,051 | 38.0 |

contd....

Table 2 contd...

| Worst States | CLPR (Female) | | Literacy Rate | | Per Capita Income (for all sex) | | Drop-out rate |
|--------------------|---------------|------|---------------|-------|------------------------------------|-----------|------------------|
| | 1971 | 1981 | 1971 | 1981 | 1971(Rs.) | 1981(Rs.) | |
| Andhra Pradesh | 6.62 | 7.29 | 18.32 | 20.39 | 685 | 649 | 82.5 |
| Karnataka | 3.68 | 4.83 | 24.55 | 27.71 | 685 | 652 | 90.5 |
| Madhya Pradesh | 4.12 | 5.31 | 13.08 | 15.53 | 484 | 491 | 84.5 |
| <u>Best States</u> | | | | | | | |
| Punjab | 0.12 | 0.25 | 29.91 | 33.69 | 1,030 | 1,367 | 63.5 |
| Kerala | 1.21 | 0.79 | 62.53 | 65.73 | 557 | 590 | 30.0 |
| Uttar Pradesh | 1.43 | 0.87 | 12.46 | 14.04 | 486 | 550 | 89.5 |

Note: North-eastern States and Union Territories have not been considered. As per 1971 Census, Orissa was the third worst State, but data for 1981 NA. As per 1981 Census, Meghalaya was the worst State, but data in respect of 1977 NA.

Source: Census report based on 5 per cent sample, in Anil Bordia, "Child Labour in India - Implications for Educational Planning", Paper presented in Asian Regional Tripartite Workshop on Practical Measures to Combat Child Labour (Mimeo), Bangkok, 23-30 September 1986 (Geneva: International Labour Office, 1986), p. 74.

Table 3

Percentage of Children Attending School by Age Group, Area and Sex
in Major States, Census 1981

| S. No. | India/State | Area | Age Group (in years) | | | | | |
|-----------|---------------------------|-------|----------------------|-------|--------|--------|-------|--------|
| | | | 6-9 | | | 10-14 | | |
| | | | Person | Male | Female | Person | Male | Female |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) |
| | <u>India</u> ^a | All | 38.45 | 44.33 | 32.21 | 50.45 | 62.07 | 37.47 |
| | | Rural | 32.95 | 39.63 | 25.83 | 44.27 | 57.75 | 29.18 |
| | | Urban | 58.69 | 61.65 | 55.55 | 71.58 | 77.00 | 65.60 |
| 1 | Andhra Pradesh | All | 40.51 | 47.04 | 33.88 | 41.12 | 51.64 | 29.98 |
| | | Rural | 34.91 | 42.20 | 27.50 | 32.22 | 44.84 | 20.95 |
| | | Urban | 60.10 | 64.04 | 56.13 | 67.15 | 74.07 | 59.81 |
| 2 | Bihar | All | 25.88 | 32.96 | 18.37 | 41.44 | 55.41 | 24.70 |
| | | Rural | 22.62 | 30.00 | 14.79 | 37.56 | 52.62 | 19.44 |
| | | Urban | 51.21 | 56.07 | 46.10 | 68.18 | 75.00 | 60.27 |
| 3 | Gujarat | All | 44.89 | 49.97 | 39.41 | 60.63 | 70.35 | 49.66 |
| | | Rural | 39.71 | 45.69 | 33.26 | 54.30 | 66.10 | 41.01 |
| | | Urban | 57.83 | 60.65 | 54.77 | 57.92 | 80.59 | 70.63 |

contd....

Table 3 contd...

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) |
|-----|----------------|-------|-------|-------|-------|-------|-------|-------|
| 4 | Haryana | All | 39.14 | 46.57 | 30.70 | 54.89 | 71.12 | 36.23 |
| | | Rural | 33.28 | 41.88 | 23.45 | 50.00 | 69.03 | 28.07 |
| | | Urban | 63.77 | 66.50 | 60.73 | 76.52 | 80.45 | 72.03 |
| 5 | Karnataka | All | 43.25 | 48.71 | 37.78 | 48.07 | 58.14 | 37.80 |
| | | Rural | 37.34 | 43.85 | 30.84 | 40.31 | 52.19 | 28.30 |
| | | Urban | 59.19 | 61.69 | 56.61 | 68.57 | 73.65 | 63.28 |
| 6 | Kerala | All | 75.10 | 75.14 | 75.06 | 85.96 | 87.90 | 83.97 |
| | | Rural | 74.26 | 74.24 | 74.27 | 85.37 | 87.57 | 83.12 |
| | | Urban | 79.05 | 79.30 | 78.79 | 88.66 | 89.40 | 87.89 |
| 7 | Madhya Pradesh | All | 29.99 | 37.78 | 21.90 | 41.25 | 55.38 | 25.34 |
| | | Rural | 24.37 | 33.01 | 15.39 | 33.50 | 49.40 | 15.57 |
| | | Urban | 55.28 | 59.23 | 51.17 | 71.86 | 79.19 | 63.70 |
| 8 | Maharashtra | All | 52.46 | 57.60 | 47.12 | 62.59 | 73.07 | 51.23 |
| | | Rural | 45.59 | 52.05 | 38.94 | 54.18 | 67.47 | 39.90 |
| | | Urban | 67.14 | 69.30 | 64.84 | 80.25 | 84.69 | 75.35 |

contd...

Table 3 contd...

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) |
|-----|---------------|-------|-------|-------|-------|-------|-------|-------|
| 9 | Orissa | All | 41.01 | 48.54 | 33.58 | 43.46 | 56.18 | 30.42 |
| | | Rural | 39.06 | 46.99 | 31.26 | 40.61 | 54.01 | 26.95 |
| | | Urban | 56.88 | 60.97 | 52.72 | 66.10 | 73.04 | 58.68 |
| 10 | Punjab | All | 52.00 | 54.36 | 49.33 | 62.85 | 69.20 | 55.58 |
| | | Rural | 47.38 | 50.42 | 43.88 | 58.72 | 66.88 | 49.31 |
| | | Urban | 64.44 | 65.29 | 63.53 | 74.99 | 76.13 | 73.72 |
| 11 | Rajasthan | All | 26.97 | 36.84 | 16.28 | 39.99 | 58.84 | 18.68 |
| | | Rural | 21.65 | 32.57 | 9.73 | 33.64 | 54.16 | 10.44 |
| | | Urban | 49.05 | 54.87 | 42.93 | 65.23 | 77.51 | 51.40 |
| 12 | Tamil Nadu | All | 59.35 | 63.93 | 54.61 | 55.47 | 65.93 | 44.62 |
| | | Rural | 54.17 | 60.00 | 48.11 | 47.52 | 60.22 | 34.39 |
| | | Urban | 70.09 | 72.13 | 68.00 | 71.58 | 77.44 | 65.45 |
| 13 | Uttar Pradesh | All | 23.35 | 32.08 | 17.41 | 43.60 | 58.46 | 25.05 |
| | | Rural | 21.79 | 29.27 | 13.03 | 40.01 | 56.92 | 18.61 |
| | | Urban | 43.07 | 46.41 | 39.35 | 59.85 | 65.67 | 53.00 |
| 14 | West Bengal | All | 36.85 | 40.77 | 32.83 | 52.86 | 60.18 | 45.11 |
| | | Rural | 31.70 | 35.79 | 27.55 | 46.74 | 55.07 | 37.97 |
| | | Urban | 56.06 | 58.85 | 53.07 | 72.79 | 76.56 | 68.69 |

a : Excludes Assam

Source: Census of India, 1981, Series I, India Paper 2 of 1983, Key Population Statistics Based on 5 Per Cent Sample Data, 1983, p. 25.

Literacy rates in general have risen both among males and females during the years. This shows that public awareness is spreading that a child's place is in school and not in fields and factories. While the literacy rate for male children in the age group of 10-14 was 60.06 per cent in 1971, it rose to 66.90 per cent in 1981. Among the females of the same age group the literacy rate improved to 44.85 per cent in 1981 from 38.16 per cent in 1971 (see Tables 4 and 5).

Another noteworthy feature of child labour is its sex composition. According to the 1971 Census, male workers constituted 82.6 per cent of total number of workers in the country; but only 73.5 per cent of total child labour were males. The state-wise ratio reveals the same pattern; in every state the percentage of male child labour to total child labour is appreciably less than the corresponding percentage of male labour to total labour force. This suggests that among child labour the participation rate of females is considerably higher than the rate observed among the total labour force.³³ (see Table 6)

The largest number of children are employed in agriculture and allied activities. According to the 1971

³³Seal, n. 29, p. 177.

Table 4

Literacy Rate (per cent) by Age Group, Sex and Area in India, Census 1971 and 1981

| S. No. | Age Group | Area | Person | | Male | | Female | |
|-----------|-----------|-------|--------|-------|-------|-------|--------|-------|
| | | | 1971 | 1981 | 1971 | 1981 | 1971 | 1981 |
| | All ages | All | 29.48 | 36.23 | 39.52 | 46.89 | 18.70 | 24.82 |
| | | Rural | 23.69 | 29.65 | 33.76 | 40.79 | 13.08 | 17.96 |
| | | Urban | 52.37 | 57.40 | 61.24 | 65.83 | 42.05 | 47.82 |
| 1 | 5 - 9 | All | 23.21 | 30.56 | 27.27 | 35.05 | 18.90 | 25.79 |
| | | Rural | 18.29 | 25.03 | 22.76 | 30.09 | 13.54 | 19.63 |
| | | Urban | 44.93 | 50.93 | 47.09 | 53.35 | 42.62 | 48.36 |
| 2 | 10 - 14 | All | 49.79 | 56.59 | 60.06 | 66.90 | 38.16 | 44.85 |
| | | Rural | 43.16 | 50.16 | 54.89 | 62.42 | 29.83 | 36.44 |
| | | Urban | 76.18 | 78.09 | 80.85 | 82.35 | 70.97 | 73.39 |

Source: Census of India, 1981, Series I, India, Part II, Special-Report and Tables Based on 5 Per Cent Sample Data, 1984, p. 78.

Table 5

Per cent Distribution of Literates by Age Group, Area, Sex and Completed School Level of Education in India, Census 1971 and 1981

| Educational Level | Area | Age Group | Male | | Female | |
|---|-------|-----------|-------|-------|--------|-------|
| | | | 1971 | 1981 | 1971 | 1981 |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| Literate ^a (without educational level) | All | All ages | 31.19 | 29.38 | 36.55 | 33.42 |
| | | 5 - 9 | 81.85 | 91.69 | 84.57 | 91.38 |
| | | 10 - 14 | 36.86 | 38.45 | 37.20 | 36.32 |
| | Rural | All ages | 34.02 | 33.75 | 39.66 | 39.37 |
| | | 5 - 9 | 76.58 | 92.32 | 78.57 | 94.46 |
| | | 10 - 14 | 38.28 | 41.89 | 39.95 | 41.28 |
| | Urban | All ages | 25.32 | 21.00 | 32.53 | 25.91 |
| | | 5 - 9 | 93.08 | 90.37 | 93.01 | 89.77 |
| | | 10 - 14 | 32.99 | 29.45 | 32.65 | 27.97 |
| Primary | All | All ages | 34.64 | 30.29 | 38.22 | 33.98 |
| | | 5 - 9 | 17.97 | 8.31 | 15.36 | 8.62 |
| | | 10 - 14 | 48.90 | 47.03 | 49. | 47.96 |
| | Rural | All ages | 38.97 | 33.26 | 43.92 | 37.47 |
| | | 5 - 9 | 23.16 | 7.68 | 21.30 | 7.54 |
| | | 10 - 14 | 49.25 | 45.76 | 50.41 | 46.45 |
| | Urban | All ages | 25.63 | 24.58 | 30.83 | 29.59 |
| | | 5 - 9 | 6.92 | 9.63 | 6.99 | 10.23 |

Table 5 contd...

| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
|---|-------|----------|-------|-------|-------|-------|
| | | 10 - 14 | 47.94 | 50.32 | 47.87 | 50.51 |
| Middle | All | All ages | 18.69 | 17.98 | 15.58 | 16.78 |
| | | 5 - 9 | 0.18 | - | 0.07 | - |
| | | 10 - 14 | 13.66 | 13.70 | 12.79 | 14.70 |
| | Rural | All ages | 17.49 | 17.56 | 12.32 | 15.04 |
| | | 5 - 9 | 0.26 | - | 0.13 | - |
| | | 10 - 14 | 12.02 | 11.76 | 9.0 | 11.73 |
| | Urban | All ages | 21.18 | 18.79 | 19.79 | 18.98 |
| | | 5 - 9 | - | - | - | - |
| | | 10 - 14 | 18.13 | 18.80 | 18.40 | 19.69 |
| Matriculation of higher secondary ^b | All | All ages | 12.50 | 17.27 | 17.27 | 12.48 |
| | | 5 - 9 | - | - | - | - |
| | | 10 - 14 | 0.58 | 0.81 | 0.56 | 1.02 |
| | Rural | All ages | 8.07 | 12.90 | 3.47 | 7.05 |
| | | 5 - 9 | - | - | - | - |
| | | 10 - 14 | 0.45 | 0.58 | 0.24 | 0.54 |
| | Urban | All ages | 21.69 | 25.66 | 13.70 | 19.31 |
| | | 5 - 9 | - | - | - | - |
| | | 10 - 14 | 0.94 | 1.42 | 1.08 | 1.82 |

a : In 1981, figures for formal and non-formal education have been clubbed together and includes figures for educational levels not classifiable.

b : In 1981, figures for matriculation/secondary and higher secondary/Inter/Pre-University have been clubbed together.

Source: Census of India, 1981, Series I, India, Paper 2 of 1983, Key Population Statistics Based on 5 Per Cent Sample Data, 1983, pp. 21-22.

Table 6

Working Status of Children 14 and Under
(1971 and 1981)

| | 1971 | | 1981 | |
|---|--------|--------|--------|--------|
| | Male | Female | Male | Female |
| 1 Population of Children 14 and under (in mill) | 119 | 111 | 137 | 127 |
| 2 Total number of workers* (all ages) (in millions) | 175.49 | 98.48 | 181.08 | 63.53 |
| 3 Population of child workers* (in millions) | 7.88 | 2.85 | 8.10 | 5.50 |
| 4 Population of child workers in urban areas (in thousands) | 738 | 145 | 759 | 280 |
| 5 Population of child workers in rural areas (in thousands) | 7142 | 2705 | 7339 | 5214 |
| 6 Percentage of child workers in comparison to total workers | 4.49 | 2.89 | 4.47 | 8.65 |
| 7 Percentage of urban workers in age group 5-14 to urban population in same age group | 4.10 | 1.23 | 3.70 | 1.49 |
| 8 Percentage of rural workers in age group 5-14 to rural population in the same group | 11.37 | 4.57 | 10.05 | 7.79 |

* Includes main workers and marginal workers.

Source: Child in India (A Statistical Profile), 1985, in Anil Bordia, "Child Labour in India - Implications for Educational Planning", Paper presented in Asian Regional Tripartite Workshop on Practical Measures to Combat Child Labour (Mimeo), Bangkok, 22-30 September 1986 (Geneva: International Labour Office, 1987), p. 73.

census 87 per cent children were working the primary sector. The secondary sector employed 6.87 per cent and the tertiary sector had 6.13 per cent children (see Table 7). In cultivation male labourers (39.6 per cent) are more extensively employed than females (26.2 per cent). As agricultural labourers females overtake males accounting for 55.4 per cent. In the secondary sector, female child labour is mostly engaged in household industry, whereas the male child is more commonly employed outside the household sector.

According to the 1981 census reports, agriculture absorbed majority of the children. Rural sector has the majority of working children. In the urban sector, children were mostly employed in household industry and outside it. Trade and commerce was another main sector employing urban children (see Tables 7 and 8). Thus it becomes clear that majority of children are employed in the unorganised rural sector. In cities the number of working children is comparatively less.

However, these figures do not give us the exact amount of child labour as the Census and national sample survey figures take into account wage labour only. Other labourers employed in unorganised urban sector, as domestic help, non-domestic non-monetary work, bonded child labour and children employed in marginal economic activities. There is an under-estimation of child labour. In factories children are not registered and work on daily wages or part time.

Table 7

Distribution of Child Workers by Activity, Sex and
Place of Residence

| S. No. | Activity | Total | Male | Female | Rural | Urban |
|--------|---|--------------|--------------|--------------|--------------|--------------|
| 1 | Total Workers | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| 2 | Cultivators | 36.05 | 39.64 | 26.15 | 38.41 | 5.78 |
| 3 | Livestock, forestry, fishing & plantation | 8.25 | 9.43 | 4.99 | 8.58 | 4.02 |
| 4 | Agricultural labourers | 42.70 | 38.10 | 55.44 | 44.89 | 14.56 |
| | <u>Primary Sector</u> | <u>87.00</u> | <u>87.17</u> | <u>86.58</u> | <u>91.88</u> | <u>24.36</u> |
| 5 | Mining & quarrying | 0.22 | 0.18 | 0.31 | 0.20 | 0.49 |
| 6 | Manufacturing, proce- ssing servicing & repairs | | | | | |
| | (a) Household industry | 3.15 | 2.53 | 4.87 | 2.60 | 10.18 |
| | (b) Other than house- hold industry | 2.94 | 3.05 | 2.61 | 1.42 | 22.45 |
| 7 | Construction | 0.56 | 0.54 | 0.61 | 0.36 | 3.10 |
| | <u>Secondary Sector</u> | <u>6.87</u> | <u>6.30</u> | <u>8.40</u> | <u>4.58</u> | <u>36.22</u> |
| 8 | Trade & Commerce | 1.97 | 2.50 | 0.49 | 0.83 | 16.63 |
| 9 | Transport, storage & communications | 0.38 | 0.45 | 0.21 | 0.13 | 3.69 |
| 10 | Other services | 3.78 | 3.58 | 4.32 | 2.58 | 19.10 |
| | <u>Tertiary Sector</u> | <u>6.13</u> | <u>6.53</u> | <u>5.02</u> | <u>3.54</u> | <u>39.42</u> |

Source: Based on Census of India, 1971. Based on Census of India, 1971, cited in Profile of the Child in India (New Delhi: Government of India,), p. 76.

Table 8

Percentage Distribution of Main and Marginal Workers by
industrial category, broad age group and sex in India^a
Census 1981

| Industry Category | 0 - 14 age group | | |
|--|------------------|-------|--------|
| | Person | Male | Female |
| <u>All Categories</u> | 5.55 | 4.47 | 8.65 |
| I Cultivators | 5.05 | 4.13 | 8.11 |
| II Agricultural labourers | 8.98 | 8.42 | 9.69 |
| III Livestock, forestry, fishing, etc. | 14.21 | 13.90 | 15.36 |
| IV Mining and quarrying | 2.30 | 1.49 | 7.47 |
| V Manufacturing processing, servicing and repairs | | | |
| (a) Household industry | 5.76 | 4.29 | 8.77 |
| (b) Other than household industry | 3.22 | 2.58 | 8.35 |
| VI Construction | 2.42 | 1.68 | 8.06 |
| VII Trade and commerce | 1.86 | 1.80 | 2.58 |
| VIII Transport, storage and communi- cations | 0.58 | 0.54 | 1.68 |
| IX Other services | 1.76 | 1.28 | 4.05 |

Note: The total of the three broad age groups may not add upto 100.00 as "age not stated" figures are not included in the statement.

a Figures exclude Assam

Source: Census of India 1981, Series I, India, Part II, Special Report and Tables Based on 5 Per Cent Sample Data, p. 105.

The higher the number of child labourers, the lower will be the literacy rate. The number of drop outs in school will be high. Infant mortality rate is also positively correlated with child workforce. Child workers are less in urban population, so we can say that the higher the urban population, the lower is the child workforce. Children are mainly employed in the agricultural sector. In the rural sector children have been always working.

Health Hazards to the Working Children

A working child is a deprived child. He is exposed to exploitation from a very young age. The effect of work on the physical and mental health of the child employed in occupation is hazardous for the growth and development of the child. Children in rural areas working on mechanical farms are exposed to modern machinery with which they cannot cope. Accidents are therefore common occurrences among children using threshers.³⁴ In urban sectors children have to work on machines which they cannot handle. As a result, chances of casualties are high. Children working on farms using pesticides and chemical fertilizers are also adversely affected. Not much work has been done in rural areas; hence we cannot fully estimate health problems of working children. The

³⁴Garg, n. 22.

health problems of the working children can be easily detected. There are several types of hazards some of which are (a) intrinsically hazardous occupations, (b) hazards to health from the environment, and (c) hazards arising from being vulnerable.³⁵

Intrinsically hazardous occupations are those jobs which by their very nature can harm the health and well being of the child and may even cause death. One may mention among them work in mines, in chemical factories, on construction sites, making fireworks, matches and glass, where the likelihood of accidents is very high.³⁶

Several accidents have occurred in Sivakasi. In an accident in a cracker factory in Chellapathy village in February 1982, six children were charred to death. They were engaged in stuffing cracker powder into fire crackers when the accident occurred. It was believed that the children were playfully throwing stones at each other when one of the stones struck the stone floor causing a spark. Another version of the story was that an intruding snake frightened the children who in trying to ward it off struck the powder.³⁷ Such

³⁵N. Burra, "Child Labour in India : Poverty, Exploitation and Vested Interests", Social Action (New Delhi), vol. 36, no. 3, July-September 1986, pp. 251-3.

³⁶Ibid.

³⁷Kothari, n. 5, pp. 1198-9.

casualties in fire accidents keep taking place and it shows how vulnerable children are.

In the glass factories of Firozabad, children have to carry rods with molten glass from the furnaces to the workers. They have to tread upon broken glass littered on factory floors. Most children have burnt marks on their bodies. Slight mishandling result and burn themselves. The factory owners keep the workers alive by giving them endless supplies of freshly cut lemon which the workers suck all the time to keep themselves from dehydrating in the intense heat.³⁸

A child worker is exposed to several hazards emanating from the environment. Working conditions are unhygienic and this adversely affects the health of the child. The children are employed in factories and shops away from their homes. They are required to work beyond their physical capacity and are paid exploitative wages. The employer whose sole interest is profit, is not interested in improving the surroundings in which the child works. The children are exposed to various pollutants and chemicals. In some cases, by the time children reach adulthood, their health has been so debilitated that

³⁸Geeta Menon, "Health Problems of Working Children: Some Observations", in Usha Naidu and Kamini Kapadai, eds., N.28, p. 213.

they cannot find gainful employment. Various studies have shown that children engaged in bidi industry have contracted chronic bronchitis and T.B. In addition to long hours of work and overcrowding, peculiar postures sitting in crouched position etc. impede their physical development.

The carpet weaving industry in Jammu and Kashmir employs 6,500 children of 8 to 10 years of age. They usually work for over eight hours in congested sheds in long rooms behind giant looms. The air is thick with particles of fluff and wool. A study has indicated that nearly 60 per cent of children suffer from asthma and tuberculosis.³⁹

In the diamond cutting industry of Jaipur, 10,000 children work in slum areas. The diamond cutters of Surat work in ill-ventilated, badly lit rooms. It has resulted in children suffering from a variety of eye complaints. And the moment these children contract eye diseases they are ruthlessly retrenched. Many are jobless in their teens.⁴⁰

In the handloom zari making and embroidery industry, the child's physical growth and development are marred by the crouched position.

³⁹ Report of the Committee on Child Labour, n. 6, p. 17.

⁴⁰ S.B. Dayal, "Child Labour and the Nature of Ocular Morbidities : Precipitating Problems for Eye Health Care", cited in Usha Naidu, Kamini Kapadia, eds., n. 28, pp. 129-34; Report of the Committee on Child Labour, n. 6, p. 17.

Several silicosis deaths in the Mandsaur slate factories in Madhya Pradesh are causing a panic. The disease causes fibrous changes in the lungs. Lungs are gradually eaten away, patients suffer respiratory trouble, begin to spit and die a painful death. The study states that almost a thousand children are working there and factory owners do nothing to improve the working conditions as it would raise the cost of production.⁴¹

These studies briefly illustrate the harrowing conditions in which children work where one would not even like animals to live. These children are helpless and like dumb animals they go^{on} with their work. No one raises a cry when they are hurt and their unshed tears go unnoticed. They pass away without raising a hue and cry.

A third type of hazard arises from the fact that children are vulnerable, unable to fight for their rights. They cannot fight with their employers, nor can they question their parents that they were born only to be starved to death and exploited in every walk of life. Don't they too deserve a happy childhood, go to school and grow in an atmosphere of love, affection and leisure. Some children

⁴¹Amiya Rao, "Silicosis Deaths of Slate Workers", Economic and Political Weekly, vol. 15, no. 44, November 1980, p. 1883.

left on the streets to feed for themselves are exploited by anti-social elements who misuse them for a variety of illegal activities.⁴² Children are often sexually abused by their employers and the local dadas.⁴³ These children have no one to fall upon and struggle all alone in unforeseen circumstances. Their age is such that they become an easy prey in the hands of employers and parents.

In the rural sector, the working conditions of children are better compared to the urban unorganised sector. In villages, family works as a unit and the child has relief. Besides, the work is usually simple, like looking after domestic animals, doing household chores, working in the fields. Most of the children are at least assured of parental affection and care, in spite of poverty and other inadequacies.

When the child steps outside the family umbrella, his condition deteriorates. In urban sectors he has to stay

⁴²T. Prasad, "Preventing Exploitation of Children", Social Welfare (New Delhi), vol. 29, no. 5, August 1982, pp. 15-16; Piyus Ganguly, "Child Labour Rules Flouted with Impunity", The Telegraph (Calcutta), 16 April 1984; Usha Rai, "The Forgotten Children of Delhi", Times of India, 16 August 1984.

⁴³Sudhindra Shukla, "Little Ones Meandering in the Dark", National Herald (New Delhi), 25 March 1984.

away from home and is thus completely alienated. The employer whose only motive is profit tries to suck his blood. In the unorganised urban sector children are employed in factories and shops.

It will not be right to say that the child labourers have been left to their miserable conditions and no one is doing anything for them. The issue of child labour has acquired special relevance today as the Government of India is reportedly engaged in drafting a comprehensive legislation for the working child.

Legislation and Government Policy on Child Labour

India as a founder member of the International Labour Organisation, was a signatory in 1919 of the First Convention banning child labour. The first Act to focus on children was the Employment of Children Act 1938, which banned the hiring of individual below 15 years of age within limited areas.⁴⁴

The Factories Act of 1948 states that the minimum age for employment is 14 years. The Act prohibits the employment of children and provides for rest, shelter etc. for workers, including children of permitted categories.⁴⁵

⁴⁴Employment of the Children Act, 1938.

⁴⁵The Factories Act 1948. For details see Report of the Committee on Child Labour, n. 6, pp. 20-35.

In India, today there are as many as twelve legislations that deal with child labour in one form or another. That the state of India is committed to provide protection to the child and to prohibit the employment of children below a certain age is obvious from the fact of constitutional provisions, ratification of several ILO conventions, enactment of a number of statutes on the subject, and adoption of other measures in connection with child labour.

Article 15(3) of the Indian Constitution enables the state to make special provision for women and children.

Article 24 provides "No children below the age of fourteen years shall be employed to work in any factory or mine or employed in any hazardous employment". This right falls under Fundamental Rights granted by the Constitution.

India is a welfare State is evident from the Directive Principles of State policy. Clause (e) and (f) of Article 39 provide that the State shall direct its policy towards ensuring that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter vocations unsuited to their age or strength and that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against

exploitation and against moral and material abandonment.

Article 45 further directs the state to provide within a period of 10 years from the commencement of the Constitution free and compulsory education to all children before they complete the age of 14 years.

Several protective legislations have been passed to regulate and improve the working conditions of child labour and to restrict the minimum age of entry to employment in order to curb child labour.

The National Policy Resolution for Children, 1974, lays special stress on the responsibility of the nation for physical, mental, moral and social development of the children so that they grow into responsible citizens.

Child labour has been a subject of study of various committees. Main among them are the Committee on Labour Welfare, 1969, and the Committee on Child Labour, 1979. The latter was designated to examine existing laws, their adequacy and implementation, and suggest corrective action to be taken to improve implementation and to remedy defects.

A national Children's Board, with the Prime Minister as President was established in 1975 to create greater awareness and to plan, review and coordinate programmes and services to promote the welfare of the children including the

working children. Further following the recommendation of M.S. Gurupadswamy Committee, a 35-member Central Advisory Board on Child Labour headed by the Union Labour and Planning Minister was constituted in March 1981. The terms of reference of the Board are: reviewing the implementation of the existing legislations, suggesting legislative and welfare measures for working children, reviewing the progress of such measures and identifying industries and areas where there must be a progressive elimination of child labour.

In 1976, the government set up a one-man commission headed by Harbans Singh, former member Board of Revenue, to investigate the "problems of child labour in various Factories and Industries in Ramnathapuram District".

The report states that 40 to 45 per cent of the total labour employed in the match industry are children. Girls outnumber the boys, children are employed longer than the stipulated hours of work, namely 4½ hours per day. Children spend nearly 16 hours away from home.⁴⁶

The report states that accidents are a common occurrence and the provisions of both the Factories Act and Employment of Children Act are being violated with impunity.

⁴⁶ Smithu Kothari, n. 5, p. 1200.

Accepting that banning child labour would not necessarily result in the stoppage of work by children altogether, the report suggests that working hours should be reduced, wages increased and coupled with incentives for production.⁴⁷

The Ministry of Labour appointed a committee under the chairmanship of M.S. Gurupadswamy in 1979 to investigate the causes relating to the existence of child labour in India.

The Committee said that an increasing number of children are employed in hazardous occupations. It said that there were large scale migrations of children from rural environment to urban areas. These children take to employment in smaller establishments in cities under varying exploitative conditions. The regulation by law of employment covers only a fringe of these occupations and ironically even where regulations have been sought, the enforcement is extremely half-hearted and tardy.⁴⁸

The Committee concluded on the note that, "there is a need for a single model legislation on child labour in India. The existing legal framework for employment of

⁴⁷ Ibid.

⁴⁸ Report of the Committee on Child Labour, n. 6, p. 19.

children in India is rather dispersed and patchy. This has been one of the prime reasons for missing focus in the efforts which has so far been made to regulate the employment of children in some of the sectors of economic activity. Some of the laws also suffer from internal contradictions.⁴⁹ The law should have clarity in defining various angles of child labour and should also have flexibility of extending gradually the provisions contained therein to other occupations, such as mechanised agriculture, horticulture, forestry, fisheries, etc.⁵⁰

The Committee also highlighted the fact that enactment of law does not solve the question of child labour. It suggested the need to involve social workers, voluntary organisations and trade unions as well as parents to assist the enforcement of legislative provisions.

The Committee also felt a necessity to have organised forums to express problems of working children. The Committee made the following suggestions: Removal of poverty and employment, ensuring minimum wages, a meaningful educational policy, whereby the curriculum is related to vocational training, medical and health support, ensuring higher

⁴⁹Ibid.

⁵⁰S.N. Jain, "Legislation and Government Policy on Child Labour", in Usha S. Naidu and Kamini Kapadia, eds., n. 28, p. 225.

nutrition levels, housing facilities, recreation and cultural activities and protection from health hazards.⁵¹

Government policy does not aim to encourage employment of children. It tries to enforce some minimum standards and facilities in regard to hours of work, minimum wages and so on. The governmental policy towards child labour has wavered between the intention to ban it and the desire to regulate it, the concept of regulation by comprehensive legislation appears to be gaining momentum. Some have accepted child labour as 'harsh' reality and it cannot be easily done away.

It may be seen that Indian Constitution does not ban the employment of children per se but intends to regulate it. It aims at providing protection against exploitation. Apart from setting up various committees the government has passed various acts to minimise the exploitation of children.

Though a number of laws have been made in India to prevent the exploitation of children, the problem of child labour is very acute in India. It is mainly due to the existence of unorganised sector in which children are employed. Due to various legislation child labour has

⁵¹Report of the Committee on Child Labour, n. 6, pp. 42-45.

decreased in organised sector. Where it is continuing it is in a clandestine manner. However, "countless number of children are working in the unorganised and self-employed sectors as domestic workers in restaurants and hotels, construction workers, vendors, rag pickers, casual labourers etc. By and large, even basic minimum welfare amenities are not available to them. The conditions in which they work are harrowing. Thus, unless the loopholes in the laws are removed, the problem will continue in this poverty stricken country."⁵²

Merely by making laws and through the creation of enforcement machinery we cannot abolish child labour. Fernandez et al go on to say that while welfare measures for working children can be a short-term solution, it would be necessary to formulate schemes of irrigation, employment and higher income generation for adults alongside compulsory stipendiary education for children.⁵³

We should not forget that under present circumstances many children have to work to survive. Another point to be kept in mind is that some employment is not harmful to minors.

⁵²Report of the Committee on Child Labour, n. 6, p. 18.

⁵³Walter Fernandez, Neera Burra, Tara S. Anand, "Child Labour in India", A Summary of a report prepared by the Indian Social Institute (New Delhi, 1986), pp. 2-4.

We cannot simply abolish child labour through legislation. Several facets have to be kept in mind while dealing with the problem. The problem requires a multi-dimensional approach. Problems like poverty and unemployment have to be tackled first.

"In a society where a sizeable section of its population is condemned to utilise the labour of children as a survival mechanism, a legislation fiat cannot overnight abolish child labour. A rash abolitionist measure would simply aggravate the misery of the poor. Total abolition of child labour without providing adequate sources of extra income for the poor parents and alternative avenues of education and recreation for the children could have dangerous consequences for the Indian society. However outrageous the presence of child workers might be to liberal sentiments, Indians will have to live with the phenomenon as long as the level of the country's economic development remains what it is now."⁵⁴

Child labour cannot be dealt as an isolated problem. A set of interrelated measures would be required. This problem cannot be uprooted with one blow but will have to be gradually eliminated keeping the socio-economic factors

⁵⁴S. Bannerjee, "Child Labour in India : A General Review - With Case Studies of the Brickmaking and Zari, Embroidery Industries", in Anil Bordia, n. 23, p. 66.

prevalent in India in mind. The causes which result in child labour will have to be dealt with first and measures taken to curb them. Poverty and underdevelopment will have to be kept in mind before advocating for legislations to abolish child labour. All seem to be closely related. Unless and until economic situation in India is improved, child labour cannot be eradicated.

“The impact of policies or measures which may not be specifically addressed to children but which do try to bear on the causes of poverty and inequality can have a significant and even decisive impact on the incidence and extent of child labour. Such policies may include agrarian reforms, employment creation schemes, greater access by the poor to improve technologies, informal sector promotion policies, creation of co-operatives and social security programmes. These and similar measures can lead to broad-based growth, a more egalitarian structure of asset and income distribution and consequently a reduction in the incidence of child labour.”⁵⁵

The Indian Government prohibits employment of children in factories, mines and several other categories

⁵⁵ Report of the Director General, International Labour Conference, 69th session, ILO (Geneva, 1983), pp. 18-19.

of employment. There is no prohibition against children working in several employments under the existing law. The proposed Child Labour (Prohibition and Regulation) Bill 1986, attempts to prohibit child labour in certain employments and to regulate the conditions of work of children in certain other employments. Enhanced penalties for employment of children in violation of the provision of the law has been laid, making concerted efforts to improve the lot of the families which are obliged to send children to work, through the enlargement of irrigation facilities, provision of assured employment, enhancement of awareness among parents etc. forms an essential part of the new policy on child labour. The policy also visualises organisation of a large and systematic programme of non-formal education as well as programmes of skill development, vocational education and continuing education. Health-care facilities for working children are to be substantially improved by reorientation of the existing infrastructures. The Child Labour Bill seeks to protect the working children in the unorganised sector and in certain types of occupations such as bidi making, carpet weaving, match and fireworks industry etc. A new section in the Bill regulates the work of children in shops, establishments, hotels, restaurants etc. It stipulates that no child will be required to work for more than 3 hours at a

stretch without a break of one hour. The Child Labour (Prohibition and Regulations) Bill, 1986 hopes to set up a Child Labour Technical Advisory Committee to study occupations, which, from its point of view are hazardous for children.

From what has gone before, it is clear that neither the Constitution nor the various enactments regarding the working of children prohibit the employment of children except in specific occupations.

....

CHAPTER IV

ANALYSIS OF CHILD LABOUR IN SELECT OCCUPATIONS

Child labour is a widespread phenomenon in India. Children are employed in various activities in the form of family labour, apprentices, paid workers or self-employed children. Since ancient times children have been employed without anyone raising much hue and cry. It was only in the last few decades that public awareness was generated against this social evil and measures were initiated to curb this social practice. The plight of working children was highlighted and various studies conducted in this sphere. The Indian Government set up committees and passed various legislations to abolish child labour in several hazardous occupations and regulating it in others. Indian economic condition is such that child labour cannot be abolished in one stroke. Children play an important role in various industries. They are employed for various reasons, mainly poverty and all over India we find children employed both in rural and urban sector. Some occupations in which children are employed on a large scale are being analysed to get an exact idea as to how pervasive this institution has become.

(a) Child Labour in Glass Industry of Firozabad

"Thousands of boys between 6 and 16 literally play with fire every minute in the multi-crore glass industry

in Firozabad in Agra district of Uttar Pradesh.*¹

The glass-bangle industry produces 99 per cent of bangles in India. There are 136 units engaged in bangle making; they produce about 16 crores rupees worth bangles per annum. The bangle industry provides employment to 75,000 workers; 15 per cent of the workers are children i.e. about 10,250 are child workers. Children are employed in back breaking processes, some of which like 'Jalai', 'Katai' and 'Pakai' are highly hazardous. As the worker holds the bangles close^{to} the whirling wheels on which 'Katai' is done, the glass dust, the heat of the whirling wheel and sometimes the whirling wheel itself touches the fingers of the workers, injuring him.²

Child workers in the age group of 7-12 years deal with burning loams of glass stuck on the tips of four-foot long three cm. thick iron rods, with handles known as 'labias'. The child workers hold the heavy 'labias' in such a way that the burning glass is just two feet away from their own bodies and a foot away from the bodies of other child workers. The workers are constantly on the move with

¹Sheela Barse, "Glass Factories of Firozabad - I : Children Playing with Fire", Indian Express (New Delhi), 5 April 1986.

²Sheela Barse, "Glass Factories of Firozabad - II : Fleeing of Hapless Labour", Indian Express, 6 April 1986.

blazing material in hand in the congested space. "In the thickly polluted enclosed space, dominated by the orange glow in the furnaces, the melting hot loams of glass and blazing glass containers of various shapes, the soot and dust covered workers look like surrealistic graphs of the human form."³ Besides substantial coal dust, carbon monoxide and sulphur dioxide, workers also inhale substantial quantities of silica sand and this can give rise to silicosis and lung cancer. Firozabad has the second highest incidence of Tuberculosis in the state.⁴

The children are grossly under-paid. They can be forced to work over time without being paid extra and they cannot form unions to fight for their rights. "The child worker gets Rs. 8 for the hard labour. The 'pakanewala' is paid about Rs. 16 per day. But if two dozen bangles get melted due to some mistake during 'pakai', Rs. 14 is deducted from his daily wage."⁵ While working, if these children get burnt, hospitalization is at personal expense and no work-no pay for the days spent in recuperation. Children have to approach the furnace to the distance of a foot to

³ Barse, n. 1.

⁴ Bulbul Pal, "Bangle-makers : A Fragile Existence", Indian Express Magazine, 4 May 1986.

⁵ Barse, n. 2.

be able to snatch a loam of molten glass. The furnace temperature is 1300 degree celsius and children are exposed to the heat at least 300 times in the course of an eight-hour shift.⁶

According to a survey carried out by Asha Singh,⁷ five to ten years of exposure to an average of 55 degree celsius every day can lead to cancer. At the simplest fatigue, chronic anaemia, retardation of growth, muscle cramps, irritability, added to proneness to addiction and a general feeling of ill health are a certain outcome of this kind of exposure. Most workers employed in glass factories, for over five years have in fact, complained of these symptoms. Apart from being scorched as a matter of course, they also inhale silica dust - an essential raw material - and carbon dust, leading to asthma, bronchial spasms and a host of other respiratory diseases.⁸ Child labour seems to be a crucial part of the glass bangle and glass-blowing industry of Firozabad because it is cheap. There are approximately

⁶ Debashish Chatterji, "Child Labour in Glass Industry", Surya India (New Delhi), June 1986, pp. 9-12.

⁷ Department of Anatomy, Maulana Azad Medical College, New Delhi.

⁸ Chatterji, n. 6.

50,000 children working in the glass industry though the Labour Department refuses to acknowledge such large numbers.⁹

"Children sit in front of furnaces where the temperature is said to be about 700° C. In many of the factories where children were drawing molten glass from tank furnaces in which the temperature was between 1500° C - 1800° C, the face of the child was not more than six to eight inches away from the opening of the furnace. Since the children are small in size, they have to put their arms right inside in order to draw adequate quantities of molten glass. As a result his body almost touches the furnace."¹⁰

It is evident that children in the glass industry are virtually playing with fire. Extreme poverty drives these children to work in such hazardous conditions. They do not go to school and remain uneducated and are forced to work in the glass industry having no other qualification to fall back upon. The official statistics give the illiteracy

⁹Neera Burra, "Child Workers Who 'play' with Fire", The Hindustan Times (New Delhi), 30 November 1986.

¹⁰Neera Burra, "Glass Factories of Firozabad II - Plight of Workers", Economic and Political Weekly (Bombay), vol. 21, no. 47, 22 November 1986, p. 2033.

percentage as 62.5 in the glass industry of Firozabad. About 25 per cent of the children were educated up to the 5th standard and only 12.5 per cent had got education from the 6th to the 8th standard. However, interviews with workers and factory owners gave the impression that at least 80 per cent of the children who work in the glass industry are completely illiterate.¹¹ The children's illiteracy ensures that he remains an unskilled labourer forever with no hope of being freed from exploitation. He remains tied to his low socio-economic position.

Labour laws are violated in Firozabad. The employers whose main aim is profit, employ young children as they are cheap and unable to fight for their rights.

Carpet Industry of Mirzapur-Varanasi-Bhadohi

Mirzapur-Varanasi-Bhadohi is the most important carpet producing centre in India. Estimates show that 80 per cent of total carpet export from India is from this region. It is in this belt and Kashmir that weaving is done by children of tender age, ranging from 8 years to 15 years. It is estimated that around Bhadohi in Uttar Pradesh, 25 per cent of the 50,000 workers engaged in carpet weaving were children, while in Mirzapur their number was approximately

¹¹
Ibid.

8,000 of the 20,000 workers.¹² In another study, it is estimated that there are somewhere between 50,000 to 1.5 lakh children - all out of the school-working in the 30,000 registered and unregistered carpet looms in the Kashmir Valley.¹³

Children are engaged in weaving of carpets, sorting (Berrai), knotting, carving, cutting and opening of yarn to make balls (kablis). They are also involved in washing and dyeing. But nearly 80 per cent are engaged in knotting and weaving. These activities are hazardous. It is admitted by the 'captains' of the industry that "in all looms there are child labourers" and that "child labourers with their soft and nimble fingers are very important for the hand knotting in the carpet" and further that "it will be suicidal for the carpet industry to force out child labour".¹⁴

¹² Leela Dube, "The Economic Roles of Children in India: Methodological Issues", in Gerry Rogers and Guy Standing, eds., Child Work, Poverty and Underdevelopment (Geneva, 1981), p. 196.

¹³ "Children Sweat it out for Carpet Trade Boom", The Times of India (New Delhi), 25 September 1979.

¹⁴ B.N. Juyal, Child Labour and Exploitation in the Carpet Industry - A Mirzapur Bhadohi Case Study (New Delhi: Indian Social Institute, 1986), p. 26.

Children are found working on their family looms but majority are working on other's looms. The data from 10 village survey from 5 blocs of Varanasi district which comprise the 'core' zone of the carpet industry conducted by U.P. Government officials for the formulation of a 'pilot project' gives a four-fold categorisation of child labour: (a) child labourers belonging to loom-holders; (b) child labourers "who have engaged themselves" from the neighbouring areas; (c) child labourers left by parents in the supervision of loom holders or sold to them; (d) child labourers brought by unscrupulous middlemen (dalal) from far-flung areas and sold to loom holders.¹⁵

The child labour involved in the industry may be put into four categories:¹⁶

- (1) Children working on their own family looms; without any direct remuneration;
- (2) Children assisting adult family members, who actually work for a wage, again without any direct remuneration.
- (3) Children treated (formally or informally) as 'chela' or unpaid learners.

¹⁵ A Pilot Project on Child Labourers in Carpet Weaving (Lucknow: Government of Uttar Pradesh, 1986), p. 3.

¹⁶ Ibid.

(4) Children treated as wage earners and usually paid at piece rate.

The practice of masquerading hired labourers as trainees or even family members is quite common. It was found that of the 3-4 children employed in a small unit, 2 were not paid wages and only given food.¹⁷

When 858 children belonging to Palamau district, who had come to Mirzapur district to weave carpets were interviewed, it was found that as many as 48 per cent received only food and no wages, 37 per cent received Re 1 while 8.7 per cent of them earned Rs. 2 per day. A very small percentage of them i.e. 1.6 per cent received Rs.3, 3.5 per cent children earned Rs. 4 and only 0.6 per cent received as much as Rs.5 per day, as wages, in addition to food. The other facilities given to these children were clothes, medicine etc. which was deducted from the above wages.¹⁸

Surveys have shown that majority of child labourers are from extremely poor families, mostly from landless and artisan classes; and majority of them are illiterate. Few who had been lucky enough to go to school could not go

¹⁷ Sheela Barse, "Sheep in Wolf's Clothing", The Indian Express, 10 November 1985.

¹⁸ Prembhai, Report to the Supreme Court regarding Child Weavers of Mirzapur - Bhadohi-Varanasi (Unpublished, 1984), p. 149.

beyond the primary level. Children are badly exploited in the carpet industry. The working conditions are unsuited for long hours of arduous work. "On the carpet looms, children work on an average for ten hours a day in the dingy dark sheds, stooping in rows on make-shift benches, their gaze fixed at the emerging pattern, moving their nimble fingers to keep time with the 'talim' call for the 'ustad', who reads the pattern from the scroll."¹⁹

The plinth area is too small to comfortably accommodate the child labourers. Pits, wherein the child worker sits, do not have proper ventilation. The working floor and lighting are insufficient. "10 to 15 children were herded together in a narrow loomshed in between open spaces of the looms or in a corner."²⁰ It has also been found that "child labourers working on looms are also used by the loom holder families for several household work like fetching water, agricultural work, tending animals, etc. which involves an element of bondage".²¹

Such hazardous work shows adversely on the health of children engaged in the carpet industry. Sample surveys

¹⁹"Children Sweat it out for Carpet Trade Boom", n. 13.

²⁰Juyal, n. 14, p. 40.

²¹A Pilot Project on Child Labourers in Carpet Weaving, n. 15, p. 18.

conducted by the medical teams on child labour reveals alarming facts like about 50 per cent of the child labourers are anaemic and/or suffering from worm infestation. Scabies (skin infection) is highly prevalent and constant contact with woollen fibres may cause allergic manifestation. The air of the working place is thick with particles of fluff and wool.²² Insufficient lighting arrangements may lead to headache and eye trouble. Due to lack of proper ventilation these children inhale the dust particles. If a child labourer works under these circumstances for a long time this is likely to lead to health hazards like pneumoconiosis leading to lung tissue damage and difficulty in breathing. Later on, this may lead to heart problems.²³

Children are being exploited by the employers for economic benefit. Carpet weaving is prominently listed as a hazardous industry and therefore, prohibited under the employment of children Act 1938 and by Article 24 of the Constitution. Labour laws are being violated and children continue to be employed as they are cheap and unable to fight for what is due to them. In spite of legislations

²²Prema Vishwanatha, "Child Labour in India", The Economic Times (New Delhi), 10 April 1982.

²³A Pilot Project on Child Labourers in Carpet Weaving, n. 15, p. 5.

no one has been able to curb this evil. Studies have shown how vulnerable these children are. Recently the newspaper carried reports about 27 children - all aged seven to ten years - who were bonded and branded with red hot iron-rods by their master, an owner of a carpet manufacturing unit in Mirzapur. These children were made to work twenty hours a day. If these children were slow at work they were beaten up with iron rods or poked and wounded with scissors, used for cutting carpet edges.²⁴

Child Labour in Sivakasi Fireworks and Match Industry

Nearly 40,000 children work in the fireworks industries of Sivakasi, which form more than 50 per cent of the total labour force.²⁵ There are over 6,000 match units in the area. According to figures provided by the All India Chamber of Match Industries in Sivakasi, the production in the area amounted to as much as 77 per cent of the entire national production of matches in the year 1977-78. The annual turnover of the small scale sector is Rs.86.5 crores, the tiny sector Rs.18 crores. The hand-made safety-match

²⁴ Neerja Chowdhry, "Those Bonded and Branded in Boyhood", The Statesman, 11 April 1984; Janak Singh, "Torture Camp of Mirzapur", The Times of India, 11 April 1984.

²⁵ Sadanand Menon, "Sivakasi : The 'Little Japan' of India", The Times of India, 7 October 1979.

industry with a daily production of 2.24 lakhs gross boxes contributes Rs.8.86 lakh per day (Rs.26.56 crores annually) to the central Exchequer by way of excise duty. Out of an estimated total of one lakh workers in the match and fireworks industry, over 50,000 are reported to be child workers - the single largest concentration of child labour in the world.²⁶

"The ages of working children in the match factories range between 3½ to 15 years. They are undernourished and not adequately protected against diseases through immunization. Working hours are as long as 12 a day, beginning as early as 3 in the morning when they leave home in factory buses. Complaining of insufficient sleep, the children said that their eyes burn, itch and water from the effort of keeping long working hours."²⁷ The conditions in which these children work are degrading and hazardous. These children work in the dark and dingy sheds sitting in crouched positions,²⁸ handling dangerous and poisonous chemicals, such as potassium chlorate, phosphorous and zinc oxide.²⁹

²⁶Vishwapriya L. Iyengar, (Mimeo) "Child Labour in the Match Units of Southern Tamil Nadu", Paper presented at the seminar on "Child Labour in India", New Delhi, 8-9 August (New Delhi: Indian Social Institute, 1986), p.2.

²⁷Ibid.

²⁸G. Singh, "At Sivakasi", The Economic Times, 10 April 1982.

²⁹"Child Labour Highest in Tamil Nadu", The Times of India, 21 August 1983.

Children are working in almost all stages of production. Children were engaged in mixing steaming chemicals in the boiler room; stamping frames of match splinters in trays of wet phosphorus and drying them on hot sheets of metal in a huge furnace; filling frames with sticks; placing and storing the frames with racks, filling the match boxes, labelling and packing them. Since the piece-rate system is prevalent, children are pressurised to maximise their output. Piece work is an incentive to produce more. As a result, without bothering about their health, children are seen bent over the match frames for 10 to 12 hours a day.³⁰ Children mixing chemicals in the boiler room get lungfulls of toxic fumes. They work in intense heat and often get injured in fire accidents. Children work in conjusted surroundings. Some children are plagued by skin infections because they are made to handle chemicals without being provided with gloves.³¹

According to a sample survey conducted in 18 factories covering 4,181 children, 3,323 (79.48 per cent)

³⁰ Tara Ali Baig, "The Little Big Workforce", The Times of India, 8 November 1987.

³¹ Sam Rajappa, "Behind the Sparkles Sweat and Tears", The Sunday Statesman, 6 November 1983.

were illiterate. The survey established that only 11 per cent of the children, i.e. 474 were educated up to primary school level and drop outs were 9.2 per cent, i.e. 384 children. A more recent study conducted by SAID and UNICEF, in a sample of 262 children working in match factories, found that only 61 per cent were literate and only 18 children had studied upto the VII standard. A recent UNICEF aided SAID (Social Inputs in Area Development) paediatric and gynaecological study made the following observations: that children working in match factories were not only under-nourished but also malnourished. Skin diseases were common. The deficiency of Vitamin A, together with working long hours in dark, ill-ventilated rooms was a cause of severe eye strain, night blindness and premature blindness. The report noted that 49 per cent of the children were anaemic. It was pointed out that "indirect effects are essentially a social problem with traditional roots and community approval".³² In this category factors such as poor literacy rates, poor nutritional status of the children and the "absence of any effort to develop their potential

³²Vishwapriya L. Iyengar, "Pyre of Childhood : Child Workers in the Match Factories of Sivakasi", in Manju Gupta, Klaus Voll, eds., Child Labour in India (Delhi, 1987), pp. 33-34.

beyond the necessity of marriage and child-bearing"³³ were as responsible for the condition of the child workers. The study group concluded that the direct effect is due to chemical and other factors in the working environment seriously affecting the health of the child worker.

It becomes evident that children are being exploited for economic benefit. They play an important role in the match industry as half of the workers are children. Their economic importance cannot be denied but at the same time it is necessary that these children should be protected from hazardous occupations and even if they work in simple occupations, their working hours should be regulated with ample time for rest. The checks that exist are highly inadequate to curb the evil. It becomes necessary that public awareness against child labour should be generated.

Child Labour in Lock Industry of Aligarh

The Lock Industry of Aligarh employs directly or indirectly 80,000 to 90,000 workers. "Of the total workers, approximately 7,000 to 10,000 are children below the age of 14 years, who work in the lock industry in breach of the

³³ L. Vishwapriya Iyengar, "Where Children Labour and Fathers Despair", Indian Express, 16 February 1986.

Factories Act and the more recently enacted Child Labour (Prohibition and Regulation) Act. Earning Rs. 5 to Rs. 10 a day, the children often work more than 20 hours at a stretch, inhaling vast quantities of metal dust and emery powder."³⁴

Children are employed to work on hand presses which cut different components of locks. They are also engaged in electroplating, polishing pieces of buffing machines, in spray painting units, in the assembling and packing of locks. Of all the processes in which children are employed, the activities of polishing, electroplating, spray painting and working on hand presses are the most hazardous for the health of the workers, particularly child workers. The hand presses become particularly dangerous because children are made to work for very long hours, anything from 12-14 hours a day. Carelessness caused by exhaustion is the main cause of accidents and often children lose the tips of their fingers, which get caught in the machines.³⁵

The work of polishing is most hazardous. Rusted pieces of metal are polished on buffing machines. The

³⁴ Neera Burra, "Exploitation of Child Workers in Lo Industry of Aligarh", Economic and Political Weekly, vol. 22, no. 28, 11 July 1987, p. 1117.

³⁵ Ibid.

bolts on these machines are covered with emery powder. The piece is held by hand against the hob and the rusted portion is polished off. The faces of the workers are within 10 inches of rotating machines which run on power. The worker is bent over and directly inhales the emery powder and metal dust. If a piece slips from the hand of the worker it can severely injure another worker. More than 60 per cent of the workers in polishing units are less than 14 years of age. Children of 8 and 9 years can be seen working very late at night.³⁶

Electroplating is equally hazardous. The children tie polished metal pieces on upper wires, which are then strung on rods and submerged in acid and alkaline baths. The atmosphere is full of noxious fumes which makes the eyes burn. "The chemicals used in electroplating are potassium cyanide, trisodium phosphate, sodium silicate, hydrochloric acid, sodium hydroxide, chromic acid, etc. The hands of children were in these solutions for most of the time. Of the total workers engaged in electroplating more than 70 per cent are children below the age of 14 years. At least 50 per cent of the total labour force in the spray painting units is made up of children below the age of

³⁶ Ibid.

14 years."³⁷ While working children inhale a good amount of paint and paint thinner.

In spite of putting in so much work, the children are poorly paid. Also, to extract as much work as possible out of them, they are paid on the piece-rate system. In order to get more money, the children work for long hours much beyond their potential and produce as many pieces as possible. There is no uniformity in their wages. On an average, a child earned Rs. 50 a month after an initial period of apprenticeship in which he earned nothing. The children work for 12-14 hours per day.

All workers in the lock industry are prone to health problems. Majority of the polishers suffer from chest problems, particularly tuberculosis and breathing trouble. The chemical fumes affect the respiratory system and white hot flames, their vision. There are no safeguards to protect them from accidents.³⁸

A study conducted spells out that exposure to vapours of lead, copper, zinc, brass and iron etc. may produce metal fume fever, an acute febrile illness that

³⁷ Ibid.

³⁸ Kamla Mankekar, "Who Exploits Children", The Illustrated Weekly of India, 18 April 1982, p. 27.

clinically may resemble bacterial infection of the lungs. Also inhaling of nickel in the form of carbonyl or dust, which is necessary when working in electroplating units, gives rise to bronchial pneumonia or the cancer of the lungs and nasal sinuses.³⁹ The study showed that pulmonary tuberculosis, chronic bronchitis and short respiratory illnesses were the common chest diseases suffered by lock workers.

Poverty again is the main cause of children working in the lock industry. Another factor which has forced children to join the lock industry is underemployment and unemployment problems faced by the adults. As the elders of the family cannot get jobs, children are compelled to work. An interesting point to be noted is that adult unemployment and under-employment is not only a cause promoting child labour but is also a consequence of child labour. A recent study done by the Inter-disciplinary Group of Aligarh Muslim University (AMU) revealed that while there is demand for child labour, there is also high adult unemployment and under-employment. It is observed that "there are many children who are earning and many adults who are not able to find remunerative work".⁴⁰

³⁹Burra, n. 34, p. 1120.

⁴⁰"Inter-Disciplinary Study on Muslim Entrepreneurs in Aligarh" (draft), in Burra, n. 34, p. 1118.

Children are employed because they are paid less. Being vulnerable, they can be exploited more than the adults. Also these children can never raise a voice against their employers who exploit them mercilessly.

Labour Laws are not followed. Also the lock industry is not a forbidden occupation either under the Employment of Children Act, 1938 or under the new Child Labour (Prohibition and Regulation) Act, 1986. The Factories Act of 1948 is being violated. Section 67 of the Act lays down that children below the age of fourteen are prohibited from working in a factory. Young children are employed in a big way. The employers do not maintain registers where the names of the children are written. Also children, can be employed on temporary basis and as part time workers evading the legislation.

In many places, employers modify their set up to fall in line with the legislation. Thus even while exploiting children, they are outside the purview of law. Some factory owners evade the law by circumventing it. For example, any premises in which a manufacturing process is being carried on is considered a factory if there are ten or more workers and power is used; if power is not used, there must be twenty or more workers involved (Section 2(m)). By this definition, most electroplating, polishing and spray

painting units would fall within the purview of the Act. Yet, factory owners seek a loophole by partitioning their premises and isolating the areas where work is being done with power. Workers then need not be paid according to law, nor do they receive the benefits of paid leave, medical assistance, provident fund, etc. By this device, they also evade excise duty as their units are then considered to fall under the categories of small-scale or cottage industries.⁴¹

Gem Polishing Industry of Jaipur

The Gem Polishing Industry of Jaipur is a traditional occupation of the Muslim community. Children have always learnt the craft from their fathers and both girls and women participate in it. More than 13,000 children below the age of 14 years are working ostensibly as apprentices, in the gem polishing industry of Jaipur out of a total work force of 60,000 workers.⁴² Most of the working children are illiterate. They are recruited under the guise of apprenticeship. They begin working from the age of 5 to 6 years. In the beginning when they are learning the work, no wages are given and only now and then a few rupees are given

⁴¹Burra, n. 34, p. 1120.

⁴²Neera Burra, "Learning without Earning", The Hindustan Times, 15 November 1987.

to keep them interested in the work. The learning stage continues for five to seven years. In the beginning, the children learn to attach unpolished gems on sticks for polishing, fetches and carries for his master, does domestic work and other small duties. The employers save a lot of money by employing children. After the initial stage, the child is shown as to how to grind one facet on a stone. The children work for 10 hours a day, if not more. In the initial stages the child is not paid more than Rs. 50 a month. After a few years of working, he earns around Rs. 150-200 a month. An adult for the same amount of work would get Rs. 500 to Rs. 600.⁴³

Poverty is the main reason for children working. But in many cases parents send their children to work so that they learn the trade and become hard working. To keep going the family occupation children thus enter the gem polishing industry at a very young age starting from 6 onwards. More than 50 per cent of working children are illiterate. Children, who go to school, have to work after returning thereby becoming twice burdened. Their performance in the school is affected, many drop out from the school half way. The 1981 census statistics revealed that in India only 38.45 per cent children in the age group 5-9 and 50.45 per

⁴³
Ibid.

cent in 10-14 age cohort were attending school.⁴⁴ It is estimated that nearly 60 per cent of the children enrolled in Class I drop out by the time they reach class V, and the proportion of drop outs is increased to 75 per cent in class VIII.⁴⁵ Many of the children drop out because of the irrelevance of school education in the labour market.⁴⁶ To the poverty stricken parents, uneducated children are an asset, whereas the desire to educate them becomes a double liability, because of (1) the loss of the earnings of the child who does not work, and (2) the expenditure involved in education, however low it might be.⁴⁷

Children are badly exploited by their employers. Not only are they made to work for long hours but also paid very less as compared to their adult counterparts. In the glass bangle industry they are paid Rs.3 a day for eight

⁴⁴ Census of India, 1981, Key Population Statistics Based on 5 per cent Sample Data, Series 1, India, Paper 2 of 1983, p. 25.

⁴⁵ Analysis of the Situation of Children in India (Mimeo), Country Programming Exercise (New Delhi: UNICEF, 1980), p. 29.

⁴⁶ "Concern at High Drop Out Rate", The Times of India, 28 July 1980.

⁴⁷ K.D. Gangrade, "India", in Elias Mendelievich, ed., Children at Work (Geneva, 1976), p. 81.

hours of work. Nearly 90 per cent of the labour is illiterate.⁴⁸

Working from such an early age adversely affects the child's health. "Workers suffer from various eye diseases. Firozabad ranks first as far as tuberculosis incidence is concerned. Cases of asthma and bronchitis are many."⁴⁹ The child's physical growth and development are marred. Children are being exploited in various industries for economic benefit.

It is evident from the preceding discussion that labour laws are being violated and constitutional provisions are not being abided. Instead of providing compulsory education up to the age of 14, the children are forced to join the labour force due to various reasons. Poverty, unemployment and under-employment and traditional concept of children working are some of the causes, as is clear from the case studies.

⁴⁸ Ministry of Labour, Report of the Committee on Child Labour (Nasik: Government of India Press, 1981), p. 17.

⁴⁹ Ibid.

CHAPTER V

CONCLUSION

No study, however exhaustive, can do justice to highlight the magnitude of the problem of child labour. What has been discussed here is a brief survey of incidence of child labour in India. It is by no means an exhaustive study and in presenting specific studies facts are combined with analysis and carry their own derivative evaluations. What is attempted here are some general observations based on the contemporary preceding pages.

(i) One point is very obvious that the Declaration of the Rights of Child is a desirable and welcome development. It acknowledges the special needs of children and has drawn the attention of the international community towards the children and declares in bold words that the mankind owes to the child the best it has to offer. It has laid down certain norms and standards which should be observed in providing protection to the children. The Declaration promises among other things, free and compulsory education, providing a healthy environment and facilities for an all round development of children.

All this is laudable but the reality is very different. One finds in different parts of the world instances where children far from having an environment

conducive to health are denied even the basic needs. Child labour continues to exist in countries and despite the efforts made by various International Organisations and governmental agencies, the number has been increasing year by year. The study is focussed on India and attempts to analyse the condition of working children. In India, far from providing special protection, opportunities and facilities to enable the children develop physically, mentally and morally in a healthy and normal manner and in conditions of freedom and dignity as the Declaration of the Rights of Child enumerates, the children are put to work from a young age of six to seven years. Instead of being sent to school as is promised to them, young children put on the garboof adults and leave the shelter of their homes to work in harrowing conditions.

For analysis, child labour ^{can} easily be sub-divided into child labour in urban area and child labour in rural area. Majority of children work in rural areas. They are employed as cultivators and agricultural labourers. They do all sorts of small jobs, helping at home as well as in the fields. The primary sector employs 80 per cent of the children. In the urban areas, most of the children are employed in services and in household jobs. The conditions of children in the urban areas is better off comparatively

as most of them are employed in the organised sector, where the working conditions are regulated. However, majority of the children are employed in the unorganised sector.

(ii) The foregoing analysis shows that child labour is rooted in the socio-economic conditions of the country.

Poverty and underdevelopment are the main causes of child labour. Extreme poverty forces the families to send the children to work for their bare subsistence. Illiteracy is another cause promoting child labour. A vast majority of the Indian population is illiterate. Lack of educational facilities makes it difficult for children to be educated. Many families cannot afford to bear the school expenses and a large number of children drop out of schools half way. Many parents feel that it would be better if the children started working at a young age as it would be easy for them to earn a livelihood. Lack of vocational training in schools is another cause for children dropping out and seeking apprenticeship in different trades.

The study shows that there is a direct relationship between literacy rate and child labour. State like Andhra Pradesh which has the highest number of children working also has the lowest literacy rate. Likewise, Kerala has the highest literacy rate and the least number of working children. This clearly indicates that by putting children

in schools it will keep them away from joining the labour force.

Another feature that is highlighted is that underdeveloped areas have a higher proportion of children in the labour force. In the rural areas, the number of working children is very high as compared to urban developed areas. Also the number of working children among migrants is very high. Adult unemployment and underemployment also promote child labour. In many families, children work as sole bread earners. An interesting fact that emerges is that child labour is a cause as well as result of adult employment. As the children are docile and cheap, employers prefer them to adults.

The Indian Government is aware of this evil and a number of legislations have been passed to abolish child labour in certain hazardous occupations and to regulate it in others. Several committees have been instituted to survey the magnitude of this problem. Socio-economic conditions in India are such that we cannot abolish child labour in one stroke. Unless and until the basic causes of the child labour are tackled first, it cannot be eliminated in the contemporary conditions. Banning child labour would not solve the problem as it would drive the children to work in the unorganised sector which would be even worse. In the

organised sector, the children are relatively better off considering the regulated job conditions and general welfare measures.

As long as poverty, illiteracy and unemployment problems continue, child labour will be practised and no amount of legislation can abolish it. Child labour cannot be approached as an isolated problem. Its reduction and elimination will require a multi-dimensional approach. The socio-economic factors promoting this social evil need to be dealt first if the problem of child labour has to be checked and uprooted completely.

(iii) The specific studies conducted on working children in select occupations highlight the fact as to how pervasive this evil has become. Large number of children are employed on nominal wages. Of the total labourers employed in Sivakasi match industry, half are children. So is the case in Firozabad Glass industry. The working conditions are despicable. Several tasks are dangerous. In Sivakasi, children from a tender age of four years are sent to work. In the carpet industry, their 'nimble fingers' are considered very deft at weaving. Working from such an early age adversely affects the health and development of these children. They suffer from several diseases. In the match industry and carpet weaving industry of Mirzapur-

Varanasi, half of the working children are anaemic. Firozabad has the second highest incidence of tuberculosis in the state. Skin diseases and eye trouble are rampant. The environment is polluted and congested. Children are often ill-treated and in the initial years they are not paid any wages in some occupations as in the case of Gem Polishing Industry of Jaipur. They are taught the trade in the beginning.

Children play an important role in the industries. More than half of the working population in the select occupations studied is composed of children. The fact that emerges is that under the present circumstances many children have to work in order to survive. Hence, as long as child labour is a practical necessity, it will persist. A rash abolitionist measure would simply aggravate the misery of the poor. The economic conditions are such that children are forced to work rather than go to school. The studies indicate that majority of the employed children are illiterate. Even those who went to school in the initial years, dropped out later as they could not cope with studies and job simultaneously. In Sivakasi, surveys conducted showed that more than three-fourth of the working children were illiterate. Similar is the case in Firozabad Glass Industry.

Labour laws are not observed. The enforcement machinery is not adequate and statutory provisions suffer from loopholes. Employers manage to evade these laws. In some cases children also cooperate with them as they need to work desperately. Hence, without providing adequate sources of income to the poor and alternative avenues of education and recreation for children, we cannot abolish child labour. Studies have highlighted the fact that while a vast majority of children are employed in the Aligarh Lock Industry, a large number of adults continue to remain unemployed. In these occupations most of the children employed come from the low socio-economic families. This fact reiterates the stand that poverty is the root cause of child labour and it has to be dealt with first. It would be highly unreasonable to think of totally abolishing child labour in the prevailing conditions.

(iv) As noted earlier, child labour is intertwined with the socio-economic conditions and there is no easy way out to obtain for every child what belongs to him as a right. However, immediate steps could be taken to ameliorate the problem.

This evil cannot be eliminated. Mere legislation is no solution. The Indian Government bans child labour in hazardous occupations and regulates it in others. It does

not ban child labour but intends eliminating it gradually through an all round economic development so that the child may not be required to work to supplement family income. Eradicating child labour is a long term measure. Meanwhile, the conditions of the working children should be improved as far as possible. The Child Labour (Prohibition & Regulation) Act, 1986 prohibits child labour in certain hazardous employments and regulates it in others. It makes punishment more stringent, in case the provisions of the Act are violated. A unified agency should be installed to supervise the implementation of child labour laws. Also, certain non-hazardous occupations should be identified where children can be employed. Adequate steps should be taken to improve the working conditions and enforce the minimum wages Act. Medical, educational and recreational facilities should be provided to the children. In the present conditions it would be feasible to regulate child labour rather than abolish it. Legislative measures should be implemented to provide protection to already employed children from being exploited and health hazards.

Provisions for vocational training should be made in schools so that the children may learn meaningful skills which will help them to become self-sufficient and to secure a job at a later stage. School environment and curriculum

should be made more attractive so as to hold the interest of children.

Voluntary organisations, trade unions and other welfare agencies should fight for the rights of children and ensure that children are paid proper wages and not exploited. In India, some social organisations are active in this field but much needs to be desired as far as social workers should draw the attention of government to the poverty pockets where child labour is rampant and initiate measures to ameliorate it. The non-governmental organisations can play a major role in checking this evil.

It has been noticed that a substantial number of children are doing semi-independent jobs,¹ in the sense that they are not directly employed under any one. This sector also has to be dealt with. This is possible by generating public opinion against this social evil and parents should be convinced that a child's place is in school and not in the fields and factories.

¹In the metropolitan cities some of the children work as coolies, hawkers, boot polish etc. Though they are not under any specific employer but cases have come to light where these children are exploited by local dadas.

Minimum age of working children should be universally fixed and implemented strictly. Apart from making education free and compulsory upto the age of 14 as provided in the Indian Constitution, economic assistance should be given to the children in the form of books, uniforms, scholarships etc.

It is clear that child labour will never be fully eliminated until the causes on which it thrives are eradicated. In the meantime, the present working conditions should be regulated and improved. Children are the future of mankind. Every effort should be made to provide them the time to grow, to play and learn during their childhood, to provide them from the initial stages with the potential of being better adults.

.....

BIBLIOGRAPHY

OFFICIAL DOCUMENTS , REPORTS ETC .

- Barooah, P., Working Children in Urban Delhi : A Research Report (New Delhi: The Indian Council for Child Welfare, 1977).
- Bequele, A., Towards A Global Programme of Action on Child Labour (Geneva: International Labour Office, 1985).
- Bordia, Anil, "Child Labour in India - Implications For Educational Planning", Paper presented in Asian Regional Tripartite Workshop on Practical Measures to Combat Child Labour (Mimeo), 22-30 September, Bangkok, 1986 (Geneva: International Labour Office, 1987).
- Census Commissioner and Registrar General, Census of India Primary Census Abstracts : General Population P (XII), Series 1, Paper 11, 15(1) (India, 1981).
- Government of India, Literacy Statistics at a Glance (New Delhi: Ministry of Education and Social Welfare, 1979).
- _____, Report of the Committee on Child Labour (Nasik: Ministry of Labour, 1979).
- _____, Child In India : A Statistical Profile (New Delhi: Ministry of Social Welfare, 1985).
- _____, Profile of the Child In India (New Delhi: Ministry of Social Welfare, n.d.).

- Government of Uttar Pradesh, A Pilot Project on Child Labourers in Carpet Weaving (Lucknow, 1986).
- Gulati, Leela, Profiles in Female Poverty : A Study of Five Poor Working Women in Kerala (New Delhi: Hindustan Publishing Corporation, 1981).
- International Labour Office, "Child Labour", A Report of the Director General, Part I, 69th Session, International Labour Conference (Geneva, 1983).
- _____, Child Labour : A Briefing Manual (Geneva, 1986).
- _____, Year Book of Labour Statistics (Geneva, 1986).
- Iyengar, Vishwapriya L., "Child Labour in the Match Units of Southern Tamil Nadu", (mimeo), Paper presented at Seminar in Indian Social Institute, 8-9 August 1986 (New Delhi, 1986).
- Juyal, B.N. and Others, Child Labour : The Twice Exploited (Varanasi: Gandhian Institute of Studies, 1985).
- Khandekar, Mandakani, The Disadvantaged Pre-Schoolers in Greater Bombay (Bombay: Tata Institute of Social Sciences, 1976).
- Krishnakumari, N.S., Child Labour in Bangalore City (Delhi: Indian Society for Promoting Christian Knowledge, 1985).
- McHale, M.C., Mchale, J., Streatfield, G.F., Children in the World (Washington: Population Reference Bureau, 1976).

Singh, Musafir, Kaura, Y.D., Khan, S.A., Working Children in Bombay - A Study (New Delhi: National Institute of Public Cooperation and Child Development, 1980).

The World of Work and the Protection of Child (Geneva: International Institute for Labour Studies, 1979).

United Nations, Human Rights : A Compilation of International Instruments (New York, 1983).

_____, The United Nations And Human Rights (New York, 1984).

United Nations International Children Emergency Fund, Children of the Developing Countries (London, 1963).

_____, Strategy for Children (New York, 1976).

_____, An Analysis of the Situation of Children in India (New Delhi, 1984).

_____, Annual Report 1986 (New York, 1986).

_____, The State of the World's Children, 1987 (New York, 1984).

World Bank, World Atlas of the Child (Washington, D.C., 1979).

World Health Organisation, Children at Work : Special Health Risks (Geneva, 1987).

Books

- Alston, P. and Tomasevski, K., eds., The Right to Food (The Hague: Martinus Nijhoff Publishers, 1984).
- Andrea, Singh M. and De Souza, Alfred, The Urban Poor (New Delhi: Manohar Publications, 1980).
- Asbjorneide and Schou, August, eds., International Protection of Human Rights (Stockholm: Almqvist & Wiksell, 1968).
- Baig, Tara Ali, Our Children (New Delhi: Ministry of Information and Broadcasting, 1979).
- Bhende, Asha A. and Kanitkar, Tara, Principles of Population Studies (Bombay: Himalaya Publishing House, 1978).
- Black, Maggie, The Children and the Nations (Sydney: PIC Pty. Ltd., 1986).
- Boulding, E., Children's Rights and the Wheel of Life (New Brunswick, Transaction Books, 1979).
- Calam, Richel and Franchi, Christina, Child Abuse and its Consequences (Cambridge: Cambridge University Press, 1987).
- Challis, J. and Elliman, D., Child Workers Today (Sunbury: Quartermaine House Ltd., 1979).
- Chandrashekhar, S., Infant Mortality, Population Growth and Family Planning in India (London: Allen & Unwin, 1972).

- Chaturvedi, T.N., ed., Administration for Child Welfare (New Delhi: Navechetan Press Pvt Ltd., 1979).
- Chowdhry, D. Paul, Child Welfare and Development (New Delhi: Atma Ram & Sons, 1985).
- Connell, J. and Lipton, M., Assessing Village Labour Situations in Developing countries (Delhi: Oxford University Press, 1976).
- Costin, Leela B., Child Welfare : Policies and Practice (New York: McGraw Hill, 1972).
- Dandekar, V.M. and Rath, N., Poverty in India (Bombay: Indian School of Political Economy, 1971).
- Dasgupta, B., Village Society and Labour Use (Delhi: Oxford University Press, 1977).
- Desai, A.R. and Pillai, S.D., A Profile of an Indian Slum (Bombay: University of Bombay Press, 1979).
- De Souza, Alfred, ed., Children in India (New Delhi: Manohar Publications, 1979).
- Durand, J.D., The Labour Force in Economic Development : A Comparison of International Census Data, 1946-1966 (Princeton: Princeton University Press, 1975).
- Epstein, T., Scarlet, T. and Jackson, D., eds., The Paradox of Poverty (New Delhi: Macmillan, 1975).
- Falk, Richard, Human Rights and State Sovereignty (New York: London; Holmes & Meier Publishers, Inc., 1981).

- Gangrade, K.D., Child Labour in India (mimeo) (Delhi: School of Social Work, University of Delhi, 1979).
- Gangrade, K.D. and Gathia, A. Joseph, Women and Child Workers in the Unorganised Sector (New Delhi: Concept Publishing Company, 1983).
- Gokhale, S.D., ed., Social Welfare : Legend and Legacy (Bombay: Popular Prakashan, 1975).
- Gokhale, Sharad D. and Sohani, Neera K., Child in India (Bombay: New Delhi; Somaiya Publications Pvt Ltd., 1979).
- Gross, Beatrice and Ronald, eds, The Children's Rights Movement : Overcoming the Oppression of Young People (New York: Anchor Press, 1977).
- Gupta, Manju and Voll, Klaus, eds., ^{Young Hands at Work;} Child Labour in India (Delhi: Lucknow; Atma Ram & Sons, 1987).
- Jacobs, Francis G., The European Convention on Human Rights (Oxford: Clarendon Press, 1975).
- Jain, S.D., Child and the Law (Bombay: Indian Law Institute, 1979).
- Kakar, Sudhir, Indian Childbook - Cultural Ideas and Social Reality (Delhi: Oxford University Press, 1979).
- Keeny, S.M., Half of the World's Children (New York: Association Press, 1957).
- Khan, M.E., Sociological Aspects of Child Development : A Study of Rural Karnataka (New Delhi: Concept Publishing Company, 1980).

- Kishwar, M. and Vanita R., eds., In Search of Answers : Indian Women's Voices from Manushi (London: Zed Books Ltd., 1984).
- Kulshreshtha, J.C., Child Labour in India (New Delhi: Ashish Publishing House, 1978).
- Luard, Evan, The International Protection of Human Rights (London: Camelot Press Ltd., 1967).
- Mendelievich, Elias, ed., Children at Work (Geneva: International Labour Office, 1979).
- Mitra, Ashok, India's Population : Aspects of Quality and Control, vol. II (New Delhi: Abhinav Publications, 1978).
- Mosley, Henry W. and Chen, Lincoln C., eds. Child Survival : Strategies for Research (Cambridge: Cambridge University Press, 1984).
- Naidu, U.S. and Parasuraman, S., Health Situation of Youth in India (Bombay: Tata Institute of Social Sciences, 1982).
- Naidu, Usha and Kapadia, Kamini, eds., Child Labour and Health Problems and Prospects (Bombay: Tata Institute of Social Sciences, 1985).
- Nangia, Praveen, Child Labour : Cause Effect Syndrome (New Delhi: Janak Publishers, 1987).
- Nangia, Sudesh, Raza Moonis, Atlas of the Child in India (New Delhi: Concept Publishing Company, 1985).

- Newberg, Paula R., ed., The Politics of Human Rights (New York: New York University Press, 1980).
- Owen, David, Human Rights (London: Jonathan Cape Ltd., 1978).
- Pandhe, M.K., ed., Child Labour in India (Calcutta: India Book Exchange, 1979).
- Pont, Ika Paul, Child Welfare in India: An Integrated Approach (New Delhi: Ministry of Education, 1963).
- Ramcharan, B.G., ed., Human Rights: Thirty Years After the Universal Declaration (The Hague: Martinus Nijhoff, 1979).
- Robertson, A.H., Human Rights in Europe (Manchester: Manchester University Press, 1971).
- Rogers, G. and Standing, G., eds., Child Work, Poverty and Underdevelopment (Geneva: International Labour Office, 1981).
- Shah, P.M., ed., Child Labour: A Threat to Health and Development (Geneva: Switzerland; Defence for Children International, 1985).
- Singh, Surendra and Verma, R.B.S., Child Labour in Agriculture (Lucknow: Print House, 1987).
- Smelser, N.J., Social Change in the Industrial Revolution (Chicago: University of Chicago Press, 1959).
- Spargo, J., The Bitter Cry of the Children (New York: Macmillan, 1906).

- Srinivasan, K., Saksena, P.C. and Kanitkar, Tara, eds., Demographic and Socio-Economic Aspects of the Child in India (Bombay: Himalaya Publishing House, 1979).
- Stephens, W.N., Our Children Should be Working (Springfield: Charles C. Thomas, 1979).
- Swarup, Jagdish, Human Rights and Fundamental Freedoms (Bombay: Tripathi Pvt Ltd., 1975).
- Taylor, R.B., Sweatshops in the Sun: Child Labour on the Farm (Boston: Beacon Press, 1973).
- Westman, Jack C., Child Advocacy (New York: The Free Press, 1979).

Articles in Periodicals

- Awasthi, Dilip, "Glass Industry Cutting Corners", India Today (New Delhi), 31 December 1986, p. 127.
- Baig, Tara Ali, "Our 300 Million Children", The Illustrated Weekly of India (Bombay), vol. 100, no. 6, February 1979, pp. 8-11.
- _____, "A Child's Right to be Human", India International Centre Quarterly (New Delhi), vol. 13, nos. 3-4, 1986, pp. 133-45.
- Baxi, Upendra, "From Human Rights to the Right to be Human: Some Heresies", India International Centre Quarterly (New Delhi), vol. 13, nos 3-4, December 1986, pp. 185-99.
- Burra, Neera, "Child Labour and Model Law", Mainstream (New Delhi), February 1986, pp. 20-21.

- Burra, Neera, "Child Labour in India : Poverty, Exploitation and Vested Interest", Social Action (New Delhi), vol. 36, no. 3, July-September 1986, pp. 241-63.
- _____, "Exploitation of Child Workers in Aligarh Lock Industry", Economic and Political Weekly (Bombay), vol. 22, no. 28, July 1987, pp. 1117-21.
- _____, "Glass Factories of Firozabad I - Plight of Workers", Economic and Political Weekly (Bombay), vol. 21, no. 46, 15 November 1986, pp. 1983-5.
- _____, "Glass Factories of Firozabad II - Plight of Child Workers", Economic and Political Weekly (Bombay), vol. 21, no. 47, 22 November 1986, pp. 2033-6.
- Chan, P., "Forgotten Little People : A Study of Urban Child Labour In a Developing Economy", Asian Economics (Seoul), no. 35, December 1980, pp. 67-79.
- Chand, Malini, Jain, Devaki, "Rural Children at Work : Preliminary Results of a Pilot Study", The Indian Journal of Social Work (Bombay), vol. 11, no. 3, October 1979, pp. 311-22.
- Chatterjee, B., Rao, Anupama, "Child Welfare and Development in India", Yojana (New Delhi), vol. 23, no. 2, November 1979, pp. 4-8.
- Chatterjee, Debasish, "Child Labour in Glass Industry", Surya India (New Delhi), June 1986, pp. 9-12.

- Chatterjee, Meera, "Health for All : Wither the Child?"
Social Action (New Delhi), vol. 35, no. 3,
July-September 1985, pp. 224-40.
- Chaturvedi, Madhur, "Child Labour : The Shame of a
Nation", The Illustrated Weekly of India
(Bombay), vol. c 129, 20-26 July 1980, pp.12-13.
- Chitnis, Suma, "The Education of Socially Disadvantaged
Children - An Unfulfilled Promise and A
Challenge", The Indian Journal of Social Work
(Bombay), vol. 11, no. 3, October 1979, pp. 267-81.
- Dalela, S.C., "No Time to Play or Dream", Social Welfare
(New Delhi), vol. 28, no. 8, November 1976,
pp. 8-9.
- Daniel, Christopher, "Child Labour has Come to Stay?"
Social Welfare (New Delhi), vol. 23, no. 8,
November 1976, pp. 6-7 and 9.
- Davin, A., "Child Labour, The Working-Class Family and
Domestic Ideology in 19th Century Britain",
Development And Change (London), vol. 13,
no. 4, October 1982, pp. 633-52.
- Geoghegan, Michael, "IYC 1979 : UN Agencies and Children
in Developing Countries", Social Action (New
Delhi), vol. 29, no. 1, January-March 1979,
pp. 1-11.
- George, C.M., "Child Labour", Social Welfare, vol. 11,
no. 9, December 1964, pp. 41-46 and 50.
- Gopalan, C., "Development and Deprivation - The Indian
Experience", Economic and Political Weekly
(Bombay), vol. 18, no. 51, December 1983,
pp. 2163-7.

- Gopalan, Muthuswami, "Child Labour", Social Welfare (New Delhi), vol. 23, no. 8, November 1979, pp. 1-3.
- Hamilton, C., "Increased Child Labour : An External Diseconomy of Rural Employment Creation for Adults", Asian Economies (Seoul), no. 15, December 1975, pp. 30-40.
- Haq, L., "Child Labour And The Law In India", Southern Economist (Bangalore), vol. 22, no. 4, 15 June 1983, pp. 14-16.
- Hasan, Amir, "The Silk Weavers of Varanasi", Social Welfare (New Delhi), vol. 24, no. 11, February 1978, pp. 13-15.
- John, Harris, "Trends in the Structure of the Labour Force in three Asian Countries, their implications for vulnerable segments of urban Labour Markets", Labour and Society (Geneva), vol. 12, no. 2, May 1987, pp. 259-92.
- Kothari, Smithu, "There's Blood on those matchsticks : Child Labour in Sivakasi", Economic and Political Weekly (Bombay), vol. 18, no. 27, July 1983, pp. 1196-1201.
- Krishnamurthy, G., Jyothi Rani, T., "Wages of Child Labour", Yojana (New Delhi), vol. 27, no. 18, 1-15 October 1983, pp. 12-14.
- Kulkarni, Manu N., "Match-making Children in Sivakasi", Economic and Political Weekly (Bombay), vol. 18, no. 43, October 1983, pp. 1855-6.

- Kusum, "Poverty Main Cause of Children Employment",
Lok Kalyan (New Delhi), vol. 2, no. 1,
January 1979, pp. 16-18.
- Luthra, P.N., "The State and the Child", Social Welfare
(New Delhi), vol. 22, no. 8, November 1975,
pp. 1-3 and 35.
- Mandakini, Khandekar, "Policies for Children's Services
in the Eighties : Some Suggestions", The Indian
Journal of Social Work (Bombay), vol. 11, no. 3,
October 1979, pp. 333-42.
- Mehta, Prayag, "Mortgaged Child Labour of Vellore, Women
Beedi Workers' Tale and Woe", Mainstream (New
Delhi), vol. 22, no. 1, September 1983, pp. 15-17
and 34.
- Mendelievich, E., "Child Labour", International Labour
Review (Geneva: ILO), vol. 118, no. 5, September-
October 1979, pp. 557-68.
- Morley, David, "International Year of the Child : A
Time to Look at Child Health", Social Action
(New Delhi), vol. 29, no. 3, July-September 1979,
pp. 213-20.
- Moolgaokar, Leela, "Children's Problems in Villages :
Some Unresolved Problems", The Indian Journal of
Social Work (Bombay), vol. 11, no. 3, October
1979, pp. 323-31.
- Mundle, Sudipto, "The Bonded of Palamau", Economic and
Political Weekly (Bombay), vol. 11, no. 8, May
1976, pp. 653-6.

- Patnaik, Malbika, "Child Labour in India : Size and Occupational Distribution", The Indian Journal of Public Administration (New Delhi), vol. 25, no. 3, July-September 1979, pp. 668-77.
- Prasad, T., "Preventing Exploitation of Children", Social Welfare (New Delhi), vol. 29, no. 5, August 1982, pp. 15, 16-35.
- Rajendra, M.M., "Reaching the Deprived Child", India International Centre Quarterly (New Delhi), vol. 6, no. 1, January 1979, pp. 60-65.
- Rao, Amiya, "Silicosis Deaths of Slate Workers", Economic and Political Weekly (Bombay), vol. 15, no. 44, November 1980, p. 1883.
- Rogers, G., Standing, G., "Economic Roles of Children in Low-Income Countries", International Labour Review (Geneva: ILO), vol. 120, no. 1, January-February 1981, pp. 31-47.
- Saksena, K.P., "International Covenants on Human Rights", The Indian Year Book of International Affairs (University of Madras), vol. 15, 16, December 1969, pp. 596-613.
- _____, "Human Rights in Asia : Assessing the Prospects for a Regional Approach", International Studies (New Delhi), vol. 21, no. 1, January-March 1982, pp. 1-15.
- Sarma, A.M., "Child Labour in Indian Industries", The Indian Journal of Social Work (Bombay), vol. 11, no. 3, October 1979, pp. 345-52.

- Satyam, T.S., "Indian Children", Yojana (New Delhi), vol. 23, no. 2, November 1979, pp. 9-12.
- Schildkront, E., "Children's Work Reconsidered", International Social Science Journal (Paris), vol. 32, no. 3, 1980, pp. 479-89.
- Sengupta, Padmini, "Children Work to Live", Social Welfare (New Delhi), vol. 22, no. 1, April 1975, pp. 11-12.
- _____, "Children are Working in Million", Social Welfare (New Delhi), vol. 23, no. 8, November 1976, pp. 4-5.
- _____, "Child Labour as a Social Problem - Its Causes, Effects and Consequences", Social Welfare (New Delhi), vol. 22, no. 11, February 1976, pp. 1-3 & 22.
- Standing, G., "State Policy and Child Labour : Accumulation Versus Legitimation?" Development and Change (London), vol. 13, no. 4, October 1982, pp. 611-31.
- Swaminathan, Mina, "Children of the Urban Poor : Problems and Opportunities", Social Action (New Delhi), vol. 29, no. 3, July-September 1979, pp. 221-34.
- Sweptson, L., "Child Labour : Its Regulation By ILO Standards And National Legislation", International Labour Review (Geneva), vol. 121, no. 5, September-October 1982, pp. 577-93.
- Verma, Amita, "Child Development and Child Welfare : Research and Social Policy", The Indian Journal of Social Work (Bombay), vol. 11, no. 3, pp. 255-65.

Verma, Vijay, "Child Labour : Need for Social Awareness",
Yojana (New Delhi), vol. 23, no. 2, November 1979,
pp. 13-14.

Vlassoff, M., "Labour Demand and Economic Utility of
Children : A Case Study in Rural India",
Population Studies (London), vol. 33, no. 3,
November 1979, pp. 415-28.

White, B., "Child Labour And Population Growth in Rural
Asia", Development And Change (London), vol. 13,
no. 4, October 1982, pp. 587-610.

Newspapers

Economic Times

Hindustan Times

National Herald

Patriot

The Telegraph

Times of India

*

