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## CHILD LABOUR –ISSUES AND CAUSES: AN OVERVIEW

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**Dr. Mahesh L. Dharmapurikar**

Assist. Professor

Shri Shivaji Law College, Kandhar,

*Corresponding Author : Dr. Mahesh L. Dharmapurikar*

Email: - [maheshld2012@yahoo.com](mailto:maheshld2012@yahoo.com)

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### Abstract

A sizeable number of growing children of poor socio-economic class especially in rural areas are known to be inducted as child labour. Studies have shown that labour at very young ages can have dire consequences on the child's development, both physical and mental. Child labourers always had lower growth and health status compared to their non-working counterparts, besides exposure to occupational hazards at a very young stage in their lives. The Declaration of the Rights of the Child and our own Constitution has laid down that childhood and youth should be protected against exploitation. In 1973, the ILO passed a convention establishing 15 as the minimum work age for most sectors while permitting light work from age 13, provided that such work was unlikely to harm child's health, morals and safety or prejudice his school attendance.

Official estimates for child labour working as domestic labour and in restaurants is more than 2,500,000 while NGOs estimate the figure to be around 20 million. The Government of India expanded the coverage of the Child Labour Prohibition and Regulation Act and banned the employment of children as domestic workers and as workers in restaurants, dhabas, hotels, spas and resorts effective from 10 October, 2006. The problem of child labour exploitation is a major challenge to the progress of developing countries. Children work at the cost of their right to education which leaves them permanently trapped in the poverty cycle, sadly without the education and literacy required for better-paying jobs.

This is particularly serious in India as it tops the list with the highest number of child labourers in the world. The 2001 national census of India estimated the total number of child labour, aged 5-14 to be at 17 million. Out of the 12.6 million, 0.12 million engages in hazardous job. However, according to informal labour force statistics, the problem seems to be more severe than reflected. Child labour is estimated to be as large as 60 million in India, as many children are "hidden workers" working in homes or in the underground

economy. In the long run, this phenomenon will evolve to be both a social and an economic problem as economic disparities widen the poor and educationally backward states and that of the faster-growing. India has the highest number of labourers in the world less than 14 years of age.

Although the Constitution of India guarantees free and compulsory education to children between the age of 6 to 14 and prohibits employment of children younger than 14 in 18 hazardous occupations and 65 hazardous processes, child labour is prevalent in almost all informal sectors of the Indian economy. Companies including Gap, Primark, Monsanto and others have been criticised for using child labour in either their operations in India or by their suppliers in India.

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**Key Words:** Child, Labour, Employment, Hazardous.

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### **Introduction**

Child labour is a pervasive problem throughout the world. Child labour is done by any working child who is under the age specified by law. The word, "Work" means full time commercial work to sustain self or add to the family income. Child labour is a hazard to a child's mental, physical, social, educational, emotional and spiritual development. Broadly and child who is employed in activities to feed self and family is being subjected to "Child labour".

Child labour in India is a human right issue for the whole world. It is a serious and extensive problem, with many children under the age of fourteen working in carpet making factories, glass blowing units and making fireworks with bare little hands. According to the statistics given by Indian Government there are 20 million child labourers in the country, while other agencies claim that it is 50 million. The situation of child labourers in India is desperate. Children work for eight hour at a stretch with only a small break for meals. The meals are also frugal and the children are ill nourished. Most

of the migrant children, who cannot go home, sleep at their work place, which is very bad for their health and development. Seventy five per cent of Indian population still resides in rural areas and are very poor. Children in rural families who are ailing with poverty perceive their children as an income generating resource to supplement the family income. Parents sacrifice their children's education to the growing needs of their younger sibling in such families and view them as wage earners for the entire clan.

Some common causes of child labour are poverty, parental illiteracy, social apathy, ignorance, lack of education and exposure, exploitation of cheap and unorganized labour. The family practice to inculcate traditional skills in children also pulls little ones inexorably in the trap of child labour, as they never get the opportunity to learn anything else.

Absence of compulsory education at the primary level, parental ignorance regarding the bad effects of child labour, the ineffectivity of child labour laws in terms of

implementation, non-availability and non-accessibility of schools, boring and unpractical school curriculum and cheap child labour are some other factors which encourages the phenomenon of child labour. Poverty and over population have been identified as the two main causes of child labour. Parents are forced to send little children into hazardous jobs for reasons of survival, even when they know it is wrong. Monetary constraints and the need for food, shelter and clothing drives their children in the trap of premature labour.

The child labour act of 1986 implemented by the government of India makes child labour illegal in many regions and sets the minimum age of employment at fourteen years.

There are specific clauses in the draft of Indian constitution dated 26th January, 1950, about the child labour policy in India.

1. (Article 14) - No child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

2. (Article 39-E) - The state shall direct its policy towards securing that the health and strength of workers, men and woman and the tender age of children are not abused and that they are not forced by economic necessity to enter vocations unsuited to their age and strength.

3. (Article 39-F) - Children shall be given opportunities and facilities to develop a health.

4. (Article 45) - The State shall endeavour to provide within a period of ten years from the commencement of the constitution for free and compulsory education for all children until they complete the age of fourteen years. "The National Policy" was designed to reinforce the directive principles of State policy in the Indian Constitution.

But today's child labour is a reality in spite of all the steps taken by the legal machinery to eliminate it. It prevails and persists as a world phenomenon in spite of child labour laws. The causes of child labour in the contemporary world are the same as those in U.S. hundred years ago-namely poverty, lack of education and exposure, poor access to education, suppression of workers' rights, partial prohibition of child labour and inadequate enforcement of child labour laws.

Historically the working force of child workers is more in rural areas compared to urban settings. Nine out of ten village children are employed in agriculture or household industries and craftwork. In towns and cities children are more absorbed in service and trading sectors rather than marketing. Child labours are also found to be gender specific with more boys than girls employed in laborious activities. But this is also because it is difficult to take a count of girls working in households.

#### **Nature of Child Labour:**

More than 60.00% child labours in India are under 1 years of age 36.00% children work at household level. 23.00% children work in

industries. Where there is no correct figure of child labour who works to collect waste papers, plastics or garbage, polish shoes, clean railway bogies, cars on signals, Sale newspapers in metropolitan cities. But one can surely say that their number is also shocking to our heart. In each and every state in India little children work at different places like Hostels, Mines, Industries, Firms, in farms, in cities as well as in rural areas. Children have to face problems like T.B. and Asthma work in unhealthy, polluted atmosphere in industries. Children who work in match box or crackers firework industries where an absolutely dangerous, polluted, odour some, dirty, noxious, poisonous atmosphere is there they have to work. Even where the temperature is more than 1400 C., little children work near to it. It will result in some health problems like eye problem, T.B., Asthma, headed and other somebody diseases.

Generally children belonging to the families living below poverty line, who can't even fulfil their daily, needs accept any work to support their families by earning. Owners take benefit of their poverty by giving fewer wedges for lots off work. There are summary Laws to protect child from such exploitation yet businessmen takes the benefit of poetry. Most of the child labour lives on Footpath, under some water tank, bridges, in Railway or bus stand, in cement pipes as they came in the big cities as a refugee. In short they pass their lifetime and childhood in a very miserable

condition. In the stone industry at Jaipur, Metal Industry at Moradabad, Lock Industry at Aligarh and Weaving Industry in Jammu and Kashmir, children of those particular areas work at their such as children belonging Konkani area work in Pune - Mumbai's Hostels, restaurants, houses as labour. Owners pay them only 500/- to 1000/- rupees salary per month with only two times tea, breakfast and meal. Mumbai city possess most of the child labour problem. In the Wooden Carpentry Industry of Saharanpur take more than fourteen hours work from children on very less wedges. More than 70,000 children work on dhobis and hotels in Delhi. More than 56.00 % children less than 15 years of age work in mines.

We have to create a worthy citizen by doing wholesome growth of the personality of our children just as an artist made perfect status from mud. In the year 2003 Indian Government decided that no children will remain hungry, illiterate or ill. India has to accept the moral duty to protect the child welfare, their bourn rights and our bounding's to protect their constitutional rights. Free and compulsory education, weed out the child labour system, protect them from all sorts of exploitation, to work for complete physical, mental and social growth of children, take care of their health and good diet and gives them every opportunity so that they can flourish their wings. In India has to develop economically, socially, intellectually and culturally, we must empower

those most Vulnerable to social diktat: our children. Let us resolve to give our children the freedom of childhood; let us change our schools from being textbook prisons to laboratories of exploration; let us change our homes from being tuition centres to playgrounds of art and sport. Our society too takes initiative with the government to remove this malice out of the roof. India will be radiant when our children are free to dance in the rain.

### **Causes of Child Labour:**

Child labour is caused mostly, from other forms of declines like poverty, inefficiency, illiteracy, apathy, corruption etc.

1) The leading reason is poverty. Families need additional sources of income. And unfortunately their poverty-stricken way of life makes them so ruthless that they sell their children as commodities to exploitive employers. Most such employers pay a lump sum for the child and then keep him or her imprisoned within the factory unit till the child cannot work due to deteriorating health as a result of harsh living & working condition.

2) Most fractional families believe that a child is born to them to earn more money for the family. The child is just another source of income. And traditional business families in fact put the child into the business rather than sending them to school. Under the pretext of training them, they make them work long hours, sometimes resorting to physical torture in case the child makes mistakes.

3) Child abuse is another cause for child labour. This is more so in the case of the girl child, who has probably been abused by someone at home, and to hide this fact she is sold to an employer from a city as domestic help, or then as a bride to an old man.

Lack of proper educational facilities force parents to send their children to work, rather than keeping them at home and giving them a home-based education, along with happy and innocent childhood playing amongst other children.

4) According to the "Roots of child labours" citing UNICEF's 1997 state of the world's children report "The parents of child labourer are often unemployed or under employed, desperate for secure employment & income. Yet it is their children - more power, powers less and paid less - which is offered the jobs. In other words, says UNICEF children are employed because they are easier to exploit.

### **Ground Reality**

According to the Government of India, the largest number of working children can be found in the State of Uttar Pradesh, followed by Andhra Pradesh, Rajasthan, and Bihar. The government also found that most working children are in rural areas working in agriculture and related activities such as livestock tending, forestry, and fishing. As per the statistics of the International Labour Organisation (ILO), India has the largest number of working children.

Using the United Nations Convention on the Rights of the

Child, a child is considered to be any human being below the age of 18 (Article 1). The term "Child Labour" as defined by International Labour Organization generally refers to any economic activity performed by a person under the age of 15. ILO establishes as general minimum age of 15, provided 15 is not less than the age of completion of compulsory schooling. Many countries make a distinction between light and hazardous work, with the minimum age for the former generally being 12, for the latter usually varying between 16 and 18. ILO conventions adopt this approach, allowing light work at age 12 or 13, but hazardous work not before 18. The age of 15 years is the most widely used yardstick when identifying how many children are currently working around the world.

In India, as per the Child Labour (Prohibition and Regulation) Act, 1986, Child below the age of fourteen years should not be employed to work in any factory or mine or engaged in any other hazardous employment. In simple words, the child labour refers to those employments which prevents child from attending school regularly and which is hazardous to the physical and mental health of the child. Apart from the Child Labour (Prohibition & Regulation) Act, 1986, there are legal provisions for working children in other laws such as the Factories Act, 1948, the Mines Act, 1952, the Motor Transport Worker's Act, 1961, the Beedi and Cigar Workers (Conditions of Employment) Act,

1966, the Plantations Labour Act, 1951 and the Minimum Wages Act, 1948. The Child Labour Act prohibits employment of children (under 14 yrs.) in 13 occupations and 57 processes contained in Part A & B of the schedule to the Act. It also lays down penalties for employment of children in violation of the provisions of this Act and regulates the employment of children with respect to working hours, number of holidays, health and safety in work places.

In our society we find different kinds of the child labour such as bonded labour, whose parents keep their children as mortgage to money lender for the loan taken by them. It is impossible for the parents to repay the loan taken due to high rate of interest and their inability to understand the accounts or contract paper kept by such moneylender due to their illiteracy and ignorance. Child workers are engaged primarily in agriculture and allied activities in rural areas and in a variety of industries and informal sector activities in the urban areas. The most exploitative form of child labour includes child prostitution and forced and bonded labour, which is found in some parts of the country. The situation of girl child labourers in the country would call for particular attention.

Among the tribal, due to their poverty every member of family has to work and hence children instead of taking education are engaged in different types of work. In tribal areas it is a practice that for becoming an agricultural labourer

one must have the experience of work from his child hood, so they think they will not be given the work in future if they remain busy in schools. Due to poverty, tribal people treat education as unnecessary and remain illiterate and hence they cannot understand the schemes, policies, which have been sponsored for them by Government or by Non-Government Organizations.

In villages parents have to depend upon the work provided in the agricultural lands by the landlords. Here they don't get regular work as it depends upon the agricultural season. When such agricultural season arises, they are in hurry to get work and want to earn as many as they can and for this reason they also get their children involved in the labour work. In this period even though the child is enrolled in the school, he bunks the classes and goes for work with his parents. This situation results into child labour.

The life style of the parents of the working children is such that these people get easily satisfied. They are not very ambitious kind of people. They are not much interested in planning for their future. They have a very casual attitude about their life. They believe in today: they don't rather believe in getting their children educated and ripe the benefits at a later date but they want them to earn as early as possible. This is one of the contributing factors to the child labour in our society. For the children, migration with their parents results in gravely reduced

access to education, foreclosing even the limited opportunities for improvement of economic conditions through employment. The impact is the disruption of the family, which primarily hurts the children and ultimately results into child labour.

### **Conclusion**

From the above points we know that child labour is a major problem in India and the world. Therefore it is responsibility of every citizen to educate every child. It is also a responsibility of state and centre Government to awakening of parents and public to the needs & rights of children.

Child labour is a significant problem in India. The major determinant of child labour is poverty. Even though children are paid less than adults, whatever income they earn is of benefit to poor families. In addition to poverty, the lack of adequate and accessible sources of credit forces poor parents to engage their children in the harsher form of child labour bonded child labour. Some parents also feel that a formal education is not beneficial, and that children learn work skills through labour at a young age. These views are narrow and do not take the long term developmental benefits of education into account. Another determinant is access to education. In some areas education is not affordable, or is found to be inadequate. With no other alternatives, children spend their time working. The state of education in India also needs to be improved. High illiteracy and dropout rates are reflective of the

inadequacy of the educational system. Poverty plays a role in the ineffectiveness of the educational system. Dropout rates are high because children are forced to work in order to support their families. The attitudes of the people also contribute to the lack of enrolment parents feel that work develops skills that can be used to earn an income, while education does not help in this matter. Compulsory education may help in regard to these attitudes. Child labour cannot be eliminated by focusing on one determinant, for example education, or by brute enforcement of child labour laws always will exist until the need of it is removed.

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