



AN OVERVIEW ON THE CHILD LABOUR

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Abstract: *An attempt is made in this chapter to understand various aspects of child labour. It gives an overview on the definition, magnitude, causes and various prospects of child labour have also covered.*

Key words: *child labour, slavery, freedom, human rights, ILO*

The concept of child labour

Child labour is defined in ILO Conventions. It is work that children should not be doing because they are too young to work, or – if they are old enough to work – because it is dangerous or otherwise unsuitable for them. Not all work done by children should be classified as child labour that is to be targeted for elimination. Children's or adolescents' participation in work that does not affect their health and personal development or interfere with their education is generally regarded as being something positive. Whether or not particular forms of "work" can be called "child labour" depends on the child's age, the type and hours of work performed and the conditions under which it is performed, as set out in the ILO Conventions.

There are many forms of child labour worldwide. Children are engaged in agricultural labour, in mining, in manufacturing, in domestic service, types of construction, scavenging and begging on the streets. Others are trapped in forms of slavery in armed conflicts, forced labour and debt bondage (to pay off debts incurred by parents and grandparents) as well as in commercial sexual exploitation and illicit activities, such as drug trafficking and organized begging and in many other forms of labour. Many of these are "worst forms"

of child labour as they are especially harmful, morally reprehensible, and they violate the child's freedom and human rights. Child labour tends to be concentrated in the informal sector of the economy. For some work, children receive no payment, only food and a place to sleep. Children in informal sector work receive no payment if they are injured or become ill, and can seek no protection if they suffer violence or are maltreated by their employer.

What Causes Child Labour Today

Poverty is widely considered the top reason that children work at jobs that are exploitative and inappropriate for their ages. But there are other reasons as well -- not necessarily in this order:

- family expectations and traditions
- abuse of the child
- lack of good schools and day care
- lack of other services, such as health care
- public opinion that downplays the risk of early work for children
- uncaring attitudes of employers
- limited choices for women

"The parents of child labourers are often unemployed or underemployed, desperate for secure employment and income. Yet it is their children - more



powerless and paid less - who are offered the jobs." In other words, says UNICEF in their 1997 "Roots of child labour" report, children are employed because they are easier to exploit.

Other factors that contribute to instances of child labour include: limited access to compulsory, free education; irregular monitoring and weak enforcement of relevant laws; local laws that include a lot of exemptions; globalisation and an emphasis on low labour costs; and inability to uphold workers' and child rights.

Between boys and girls, UNICEF finds girls are two times more likely to be out of school and working in a domestic role. Parents with limited resources, claims UNICEF, have to choose whose school costs and fees they can afford when a school is available. Educating girls tends to be a lower priority across the world, including India. Girls are also harassed or bullied at schools,

Biggeri and Mehrotra have studied the macroeconomic factors that encourage child labour. They focus their study on five Asian nations including India, Pakistan, Indonesia, Thailand and Philippines. They suggest that child labour is a serious problem in all five, but it is not a new problem. Macroeconomic causes encouraged widespread child labour across the world, over most of human history. They suggest that the causes for child labour include both the demand and the supply side.

Cigno et al. suggest the government planned and implemented land redistribution programs in India, where poor families were given small plots of land with the idea of enabling economic independence, have had the unintended effect of increased child labour. They find

that smallholder plots of land are labour-intensively farmed since small plots cannot productively afford expensive farming equipment. In these cases, a means to increase output from the small plot has been to apply more labour, including child labour

Srivastava describes bonded child labour as a system of forced, or partly forced, labour under which the child, or usually child's parent enter into an agreement, oral or written, with a creditor. The child performs work as in-kind repayment of credit. In this 2005 ILO report, Srivastava claims debt-bondage in India emerged during the colonial period, as a means to obtain reliable cheap labour, with loan and land-lease relationships implemented during that era of Indian history. These were regionally called *Hali*, or *Halwaha*, or *Jeura* systems; and by colonial administration the *indentured* labour system. These systems included bonded child labour. Over time, claims the ILO report, this traditional form of long-duration relationships have declined.

India has passed a number of constitutional protections and laws on child labour. The Constitution of India in the Fundamental Rights and the Directive of State Policy prohibits child labour below the age of 14 years in any factory or mine or castle or engaged in any other hazardous employment (Article 24). The constitution also envisioned that India shall, by 1960, provide infrastructure and resources for free and compulsory education to all children of the age six to 14 years. (Article 21-A and Article 45).

India has a federal form of government, and child labour is a matter on which both the central government and country governments can legislate, and have.



The major national legislative developments include the following.

The Factories Act of 1948: The Act prohibits the employment of children below the age of 14 years in any factory. The law also placed rules on whom, when and how long can pre-adults aged 15–18 years be employed in any factory.

The Mines Act of 1952: The Act prohibits the employment of children below 18 years of age in a mine.

The Child Labour (Prohibition and Regulation) Act of 1986: The Act prohibits the employment of children below the age of 14 years in hazardous occupations identified in a list by the law. The list was expanded in 2006, and again in 2008.

The Juvenile Justice (Care and Protection) of Children Act of 2000: This law made it a crime, punishable with a prison term, for anyone to procure or employ a child in any hazardous employment or in bondage.

The Right of Children to Free and Compulsory Education Act of 2009: The law mandates free and compulsory education to all children aged 6 to 14 years. This legislation also mandated that 25 percent of seats in every private school must be allocated for children from disadvantaged groups and physically challenged children.

India formulated a National Policy on Child Labour in 1987. This Policy seeks to adopt a gradual & sequential approach with a focus on rehabilitation of children working in hazardous occupations. It envisioned strict enforcement of Indian laws on child labour combined with development programs to address the root causes of child labour such as poverty. In 1988, this led to the National Child Labour

Project (NCLP) initiative. This legal and development initiative continues, with a current central government funding of ₹ 6 billion, targeted solely to eliminate child labour in India. Despite these efforts, child labour remains a major challenge for India.

Children working in different works

According to the International Labour Organisation (ILO), there are tremendous economic benefits for developing nations by sending children to school instead of work. Without education, children do not gain the necessary skills such as English literacy and technical aptitude that will increase their productivity to enable them to secure higher-skilled jobs in future with higher wages that will

Lift them out of poverty.

Fireworks manufacture

The town of Sivakasi in South India has been reported to employ child labour in the production of fireworks. In 2011, Sivakasi, Tamil Nadu was home to over 9,500 firecracker factories and produced almost 100 percent of total fireworks output in India. The fireworks industry employed about 150,000 people at an average of 15 employees per factory. Most of these were in unorganised sector, with a few registered and organised companies.

A more recent 2002 report by International Labour Organisation claims that child labour is significant in Tamil Nadu's fireworks, matches or incense sticks industries. However, these children do not work in the formal economy and corporate establishments that produce for export. The child labourers in manufacturing typically toil in supply chains producing for the



domestic market of fireworks, matches or incense sticks.

In 2010, a German news investigative report claimed that in states like Karnataka, non-governmental organisations had found up to 10,000 children working in the 1,000 silk factories in 1998. In other places, thousands of bonded child labourers were present in 1994. But today, after UNICEF and NGOs got involved, child labour figure is drastically lower, with the total estimated to be fewer than a thousand child labourers. The released children were back in school, claims the report

Carpet weaving

Siddhartha Kara finds about 20% of carpets manufactured in India could involve child labour. He notes, "Determining the extent to which the hand-made carpet supply chain from India to the U.S.A. is tainted by slavery and child labour requires an additional exercise in supply chain tracing

Domestic labour

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.

Coal mining

Despite laws enacted in 1952 prohibiting employment of people under the age of 18 in the mines primitive coal mines in Meghalaya using child labour were

discovered and exposed by the international media in 2013.

Solutions to the Problem of Child Labour?

Many children in hazardous and dangerous jobs are in danger of injury or even death. Between 2000 and the year 2020, the vast majority of new workers, citizens and new consumers — whose skills and needs will build the world's economy and society — will come from developing countries.

In order to fairly and adequately meet the needs of this growing workforce and not rely on child labour, a few things must be prioritised, namely:

- Increased family incomes
- Education — that helps children learn skills that will help them earn a living
- Social services — that help children and families survive crises, such as disease, or loss of home and shelter
- Family control of fertility — so that families are not burdened by children

The ILO's International Programme for the Elimination of Child Labour (IPEC) has explored many programs to help child labourers.

Some educators and social scientists believe that one of the most important ways to help child workers is to ask their opinions, and involve them in constructing "solutions" to their own problems.

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