



## Child Labour in India: Problems and Prospects

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**Abstract:** About 80% of child labours are engaged in agricultural work. Millions of children work to help their families because the adults do not have appropriate employment and income and thus forfeiting schooling and opportunities to play and rest. Children also work because there is demand for cheap labour. Large numbers of children work because they do not have access to good quality schools. Poor and bonded families often sell their children to contractors who promise profitable jobs in the cities and the children end up being employed in brothels, hotels and domestic work. There are approximately 2 million child commercial sex workers between the age of 5 and 15 years and about 3.3 million between 15 and 18 years. 5,00,000 children are forced into this trade every year. More than half of the 5.5 million working children in India are concentrated in five large states of Bihar, Uttar Pradesh, Rajasthan, Madhya Pradesh and Maharashtra. Adolescents doing hazardous work form 20.7% of those employed in this age group while almost 25% of adults work in hazardous condition.

**Key words:** child labour, nation building, profitable jobs

### **Introduction:**

Children play a very significant role in nation building and considered to be the future of nation. It is quite necessary and desirable to promote various safety and welfare measures in protecting the interest of the children. It is an incontrovertible and ironic fact that, children are not safe and there exist many various social evils with children and one of the alarming problems is child labour. Since inception, children within and outside the home are deprived of their basic rights. The child labour system is in existence in developing and underdeveloped countries and India is not an exception to it. According to World Bank statistics, world houses 217 child labour by the end of 2011. India is one of the countries where a large number of children below the age of 14 years are working under various organisations. It is a fact that if there is no proper distribution of work among the members of the society, then children will be automatically forced to do work for their

survival. Unemployment of adult members of the particular family results into child labour.

World Health Organisation(WHO), has defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development.

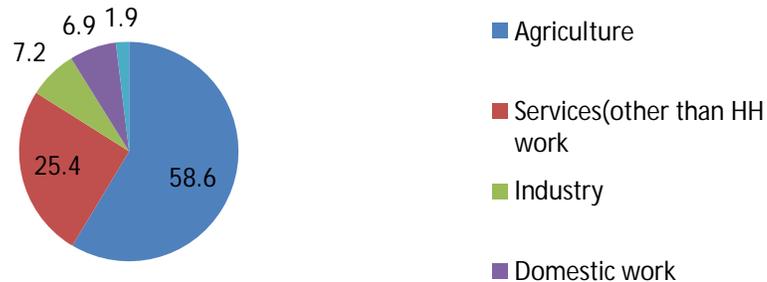
It refers to work that:

- is mentally, physically, socially or morally dangerous and harmful to children; and
- interferes with their schooling by:
  - depriving them of the opportunity to attend school;
  - obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.

### **Figure-1**



## Sector-wise distribution of child labour



Sources: UNICEF

Child is considered to be involved in child labour activities as per the classification given by United Nations International Children's Emergency Fund (UNICEF). Children 5 to 11 years of age, those who did at least one hour of economic activity or at least 28 hours of domestic work during the week or children 12 to 14 years of age those who did at least 14 hours of economic activity and domestic work combined during the week. India is sadly the home to the largest number of child labourers in the world that is more than the entire population of North America (Mexico and Canada put together). Every Fifth child in the world is an Indian. The census found an increase in the number of child labourers from 11.28 million in 1991 to 12.59 million in 2001 and to 21.29 million in 2011. As per statistics, child labour appears to be more in villages than in urban areas. Child labour is a curse to our society and a crime against humanity.

### Objective of the paper:

Keeping in view the problem of child labour, the present paper is based on the following objectives.

1. To investigate the causes of child labour with special reference to India.

2. To study the status of child labour in India.
3. To analyse the factors leading to child labour.
4. To investigate the legal and promotional measures of the Government in eradicating the problem of child labour.

### Causes of child labour in India:

Poverty and lack of social security are the main causes of child labour. The increasing gap between the rich and the poor, privatisation of basic services and the neoliberal economic policies are major causes, leading to forcing a major section of the population out of employment and without basic needs. This adversely affects children more than any other group. Entry of multinational corporations into industry without proper mechanisms to hold them accountable has led to the use of child labour. Lack of quality universal education has also contributed to children dropping out of school and entering the labour force. A major concern is that the actual number of child labourers goes unnoticed and under estimated. Laws that are meant to protect children from hazardous labour are ineffective and not implemented properly. Child labour in India assumes many forms such as bonded child labour,



child labour in agricultural sector, street children, children at glass factories, match box factories, carpet industries and brass and lock industries. The causes of child labour are too numerous and too many. They include lack of elementary education at the primary level, parental ignorance, in-effective implementation of child labour laws, non availability of schools in rural areas impractical school curriculum, lack of proper guidance, poverty, excessive population, illiterate and ignorant of parents, adult unemployment, urbanisation, availability of child labour at cheap rate, adult exploitation of children and multi-national preference to employ child workers.

Child labour is a concrete manifestation of violations of a range of rights of children and is recognised as a serious and complex social problem in India. Working children are denied their right to survival and development, education, leisure and play and adequate standard of living, opportunity for developing personality, talent, mental and physical abilities and protection from abuse and neglect. Notwithstanding the increase in the enrolment of children in elementary schools and increase in literacy rates since 1980s, child labour continues to be a significant phenomenon in India.

**Status of child labour in India:**

According to the survey conducted by 7<sup>th</sup> All India Education Survey, the following facts are available relating to child labour in India.

At present there are 17 million children labour in India. The study found that children were sent to work by compulsion and not by choice, mostly by parents, with recruiter playing a crucial role in influencing decision. When working outside family, children are put

in an average of 21 hours of labour per week. 19% of children employed work as domestic help. 90% of working children are in rural India. 85% of working children are in unorganised sector, making the regulator's task difficult in regulating. About 80% of child labours are engaged in agricultural work. Millions of children work to help their families because the adults do not have appropriate employment and income and thus forfeiting schooling and opportunities to play and rest. Children also work because there is demand for cheap labour. Large numbers of children work because they do not have access to good quality schools. Poor and bonded families often sell their children to contractors who promise profitable jobs in the cities and the children end up being employed in brothels, hotels and domestic work. There are approximately 2 million child commercial sex workers between the age of 5 and 15 years and about 3.3 million between 15 and 18 years. 5,00,000 children are forced into this trade every year. More than half of the 5.5 million working children in India are concentrated in five large states of Bihar, Uttar Pradesh, Rajasthan, Madhya Pradesh and Maharashtra. Adolescents doing hazardous work form 20.7% of those employed in this age group while almost 25% of adults work in hazardous condition. Adolescents between 15 and 17 years of age doing hazardous work form 62.8% of the overall child labour population. Nearly 10% of the adolescents working in hazardous conditions are working in family enterprise. 56% of the working adolescents are no longer studying and 70% of those in hazardous conditions are not studying. More boys (38.7 million) than girls (8.8 million) are involved in hazardous work. while the incidence of hazardous work among



adolescents is highest in Nicaragua, the number of adolescents in hazardous work is greatest in India i.e. 2.4 million.

The latest National Sample Survey (NSS) data, put out in January 2014, have revealed a stark reality. The proportion of child labour in Gujarat in both urban and rural areas is one of the highest in India. Calculated on the basis of usual status of employment, taking principal and subsidiary activities together, the NSS has found that, in urban Gujarat 2.2 per cent of children in the age-group 5-14

are in the workforce, which is higher than most Indian states, except West Bengal (12.6 per cent) and Uttar Pradesh (4.4 per cent). Things are worse in rural areas, where Gujarat's 4.3 per cent of children in the age-group 5-14 are the workforce, which is again higher than all major Indian states, except Jharkhand (6.7 per cent).

A sectoral look at child labour in India is presented in the table-1.

Table – 1: Sectoral Look At Child Labour`

Occupation	Rural(in %)	Urban(in %)
Agriculture	10.87	15.55
Livestock, Forestry,	2.24	15.29
Mining & Quarrying	2.99	9.81
Electric,Gas,Water	1.22	1.71
Construction	8.78	11.24
Wholesale & Retail	7.44	9.00
Hotels & Restaurants	9.57	11.74
Transport, Storage	3.81	5.95
Business activities	5.96	11.41
Defence, Public Administration, Social work, Education	3.67	4.68

Source: Census 2011

**Controlling factors for distribution of child workers:**

Child labour is a pervasive problem throughout the world especially in developing countries like India. Child labourers are especially prevalent in rural areas. Children work for a variety of reasons such as:

- (a) Parental poverty is the principal controlling factor. The poverty of parents in rural India is wide spread.
- (b) Landlessness contributes to poverty and poverty causes landlessness.

(c) A majority of parents send their children to work rather than to school at the school going age, primarily on account of their need for supplementing family income. It proves the illiteracy of parents, absence of universal primary education, occupational rigidity and caste system.

(d) Many parents prefer to send their children to work rather than to school on account of availability of good job opportunities for their family livelihood.

(e) Poor School edu-infrastructure in rural India also contributes to child labour. In many a cases the children seek



employment simply because there is no access to schools. When there is access to low quality, it often makes attendance waste of time for students. Schools in many developing areas suffer from problems of overcrowding of students, inadequate sanitation and apathetic teachers among others. Parental education plays an important role in determining child schooling and employment.

**Constitutional Mandate and Government Initiative For Eradicating Child Labour:**

Our constitution offers following mandate for the eradication of child labour.

**Article 24:** Prohibition of employment of children in factories. No child below the age of 14 years shall be employed in any factory.

Article 39(e): The health and strength of workers, men, women and tender age children are not abused and forced to work which is unsuitable to their age and strength.

Article 39(f): Children are given opportunities to develop in a healthy manner.

Article 41: Right to work, education and public assistance in certain cases.

Article 45: Provision of free and compulsory education for each children of 6-14 years age group.

Article 47: Duty of the state to raise the level of nutrition and the standard of living and to improve public health.

Ever since independence, our national government has taken several measures to eradicate the menace of child labour. There have been specific legislations aimed at curbing the problem and punishing the offenders. The Acts include, The child labour (prohibition and regulation) Act 1986, The factories Act 1948, The Mines Act 1952 and the Bonded labour System Abolition Act.

Besides legal mechanisms, Government of India has introduced many targeted developmental measures to promote welfare of children and eradicating this social evil. Some of these are as follow.

(a) Integrated Child Development Service(ICDS), 1974.

(c) National child labour project (NCLP),1988.

(d) Rehabilitation of children working in hazardous occupation, 1994.

(e) Establishment of National Authority for the elimination of child labour(NAECL),1994.

(f) Right to Education Bill, 2009.

In spite of constitutional mandate, child labour laws and government initiatives to protect and promote the rights of children, children's concerns are viewed primarily as a welfare issue rather than an issue of rights. By developing a legal right based approach for children, the child right initiative combats the violation of children's rights and increases their ability, access to the legal system. Hence a complete reformation concerning abolition, rehabilitation and protection of child labour is quite indispensable.

**Complete eradication of child labour in India is a myth:**

Child-friendly policies and strong legislations to protect the rights of children are the outcome of a long drawn demand. Organisations like Bachpan Bachao Andolan(BBA) and global march against child labour have followed more than a decade of sustained efforts to pursue complete abolition of child labour in India. But how far effective will be the legislation until they are carried on to practice.

Child labour and poverty is inevitably bound together and if you continue to use the labour of children as the treatment for the social disease of



poverty, you will have both poverty and child labour to the end of time. There is no change in the mind-set of people who employ the child labour. The poorer section of the people send their children to work in the house of the wealthy people to save their children from starvation and death. The entire social system needs revamping before imposing the complete ban on child labour.

UNICEF is committed to protect every child from violence exploitation, abuse and discrimination. This approach focuses more on prevention rather than only relief and rehabilitation of children in need of special protection. Rehabilitation of children must be an integral part of laws relating to children.

Child labour is a horrendous social evil in India. It is a serious blot on our efforts to project India as a dynamic economy on the move. In a country where most of the people live below the poverty line, it is simply not easy to eliminate this social problem. The root of the child labour is always poverty and to some extent ignorance. But it is a stark truth that without getting into an employment these child labourers would starve to death. Their parents cannot afford to feed them on their own and these little children are simply forced to work.

#### **What needs to be done?**

Child labour is not an isolated problem. There is no a single remedy or magic bullet. It can not be eradicated over night by a single government order. Nor it will disappear, because one putting an end to child labour requires a package of changes and is bound to take some time. It requires a general improvement in the economy of the country, a reduction in the gap between the rich and

poor, improvement in a country's educational infrastructure and efforts to promote awareness of the need for change. The children of the world are innocent, vulnerable and dependent. They are also curious, active and full of hope. Their life should be full of joy and peace of playing, learning and growing. Their future should be shaped in harmony and cooperation. The children are the supreme important asset of the nation. Their nurture and solicitude is the responsibility of the government. Children's programme should find a prominent place in our national plans for the development of human resources. The labour department has a crucial role to abolish child labour in all its forms and ensure that children enjoy their right to education. This is indeed a challenging task but can be attained with concerted effort and a clear perspective.

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