

CHAPTER - 3

AREA, CAUSES AND MAGNITUDE OF CHILD LABOUR IN INTERNATIONAL, NATIONAL AND REGIONAL LEVEL

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CHAPTER - 3

AREA, CAUSES AND MAGNITUDE OF CHILD LABOUR IN INTERNATIONAL, NATIONAL AND REGIONAL LEVEL

3.1: INTRODUCTION

Child is the future of a Nation and has the immense potentiality to spread his/her perfume to the Nation for subsequent development. The entire perfume of the child may be finished if he/she is employing in various hazardous works by neglecting proper education, games and nutrition. If the child is working for the whole day in a very early age by throwing their precious childhood and by keeping away from proper school education and games, then he/she will be unable to expose him as specialized skilled human capital necessary to cope-up with the passage of time. Child labour, thus, refers to the employment of child in any hazardous and worst activities that deprives him/her from childhood and prohibits their ability to attend regular school. It is mentally, physically, socially or morally dangerous to the child and also harmful for the development of the nation.

This chapter highlights the background, magnitude, causes, area of child labour, policies and legislations to abolish child labour in the International, National and Regional level.

3.2: BACKGROUND OF CHILD LABOUR

The transitions of the society especially the industrial revolution changed the traditional working habits of the people. Behind the industrial revolution, the reasons are-

- a) Introduction of innovative knowledge in formal education is the turning point of understanding the moderate phase of life of childhood,

- b) The nature of employment changed from domestic level into the labour power market as source of earning.

Marx stated child labour as the consequence of industrial revolution and Malthus expressed that lack of basic needs of the household makes the child labour (Edmond and Pavnic, 2005). Britain is the pioneer country to introduce the revolutionary idea that changed the working pattern in industrial sector. Industrial revolution made the adults unskilled and they became unemployed. They got minimum income and difficult to support their family members. It changed the notion of children to attend school. Children between the age of ten to fourteenth deliberately come out from home to work in order to financial help to family members. Many of them are employed in household business to extend the production of homemade goods in England (Kristoffel, Leiten; Elise van, Nederveen Meerkerk, 2011). The children in age range 10-14 come out to work for two reasons: i) to support their family income and ii) preserving for their own future on the basis of the concept 'learning by doing'.

Global pictures on child labour only inclined to enlist the children of the West. The rich countries socially considered the part time job done by the children. So, World populations of child labour statistics yet to be calculated accurately.

However, child labour is very common in backward region of developing countries. Expansion of trade and commerce of the global market due to Economic Globalisation makes the responsibility of growth of its country and impact on the growth of child employment. India has the highest incidence of child labour among South Asian Countries. The extension of government export to the West increased the child labour in South-Asian countries (UNICEF, 2012). Moreover, the agricultural economies which have less national income accounts the largest share of children in child labour. 108 million children in child labour are accounted in agricultural sector as per the Global Estimate of Child Labour, 2012-16.

In ancient India, there was the Gurukul Siksha during the reign of king and the children were taking education at boarding of guru by doing some work. During that time child

labour existed in the ethnic community because, this community was deprived from taking institutional education. At that time, there was no equity principle in the distribution of education. Moreover, the society considered the child working with their parents as a part of learning. So, child labour learnt either by observing or by participating in activities done by family member.

Structural policies of adjustment adopted in many developing countries compel the government to disburse less spending on education and in consequence, there is the rise in child labour. This leads to an increase in child labour. Global competition increased the demand for goods at cheap rate and result in exploitation of child labour in recent times. The reason is that child labour is available at cheap rate and has smooth finishing of products. Generally, children are employed in those informal occupations, which do not come under government regulation.

In regional level, State Assam is the Gateway to the North-East and it is one of India's seven north-eastern states. The other states are Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura and Meghalaya and shares international borders with Bhutan and Bangladesh.

As per 2011 Census, Assam has total land area 78,438 sq.km, total population 30.1 million, density of population 397 per sq.km, sex ratio 954 females per 1000 males. Ninety percent of the population lives in rural and remote areas. Assam is one which has the highest mortality rates in India (407 mortality / 100,000 live births).

In the early days, there were few numbers of lower primary schools and it was rare especially in the rural area than in urban area. Mass people had least income and suffering from indebtedness. They were far away from school attendance. The children were working at early age with their parents. Moreover, rural area had no sound communication facilities and people were working by applying traditional technology. It helps them to maintain subsistence level of living. During this period most of the children were working in agricultural field.

One of the pillars of Assam economy is tea production based on Tea Tribe workers. According to a report (North East Enquirer, 2002), in the year 2000, the total area of Assam under tea production was 26739 hectares. Assam alone produces more than 50% of India's total tea (Assam Tribune, 2013).

It is seen in field investigation that till first part of 20th century, tea tribe community had no tendency to attend the school because employment in the garden was confirmed. But the change in technology, change the mind set of backward communities in Assam also lead to enlarge the school attendance. So, school attendance is increasing day by day with the extension of government scheme towards elementary education.

3.3: AREA OF CHILD LABOUR

In between 1750 -1850, child labour was prevalent in the workshops of Germany in both pre-industrial and post-industrial period. As people think the assumption of child labour is confined to the poor nations is not absolutely right in the sense that in advanced nation, it is surprisingly high in hazardous sectors. The evidence is in below. The UK and USA accustomed with the rise in employment of children as work force.

Early 20th century, witnessed clarifies the suspicion. Many home-based enterprises involved child labour. An example is drowning from New York, USA (1912). Along with the employment of adults, the children were employed in home based manufacturing production of United States and Europe (Elisabeth Prügl, 1999). Home-based manufacturing operations were popular in these countries and the elders of the family members did not hesitate to employ their child for income generating home enterprise. In many cases, people worked out of their home.

In Under Developed backward economy, agricultural sector has the largest number of child labour. In such economy, social customs of rural economy and pattern of urban economy are the responsible factor of witnessing child labour. Children are primarily employed by their parents, rather than factories. Poverty and lack of schools are considered as the primary cause of child labour (United Nations. 2008).

Colonies of European powers in between 1650-1950 encouraged the employment of child labour. In Africa, colonial administrators encouraged traditional modes of production by hiring a numbers of household for work. Millions of children worked in colonial agricultural plantations, mines and domestic service industries (Researcher-Biju, L.).

Amoberzing, T. (1990) stated in his writing that orphanage children are working in loom industry in Basel (Switzerland) to turn out more products for sale. Along with the adults, the children in the age of 5-14 are working for the production of home base production in France, Germany and United States. They are especially engaged in full times to produce garments, shoes, artificial flowers, feathers, match boxes, toys, umbrellas and other products. Home-based operations and child labour in Australia, Britain, Austria and other parts of the world were common.

Figure: 3.1 reflect child labour in US economy engaged for home base production during initial part of 20th century. Frieda Miller, 1979 (then Director of United States Department of Labour) stated in International Labour Organization that children are paid less in home-based operations and have a long duration of work in abysmal situation.



Figure: 3.1 Home Base Products in US.
Source: Child Labour in US, 1912 (a.jpg).

Child labour is still common in many parts of the world. Estimates for child labour vary from place to place. ILO estimates that in 2008, about 153 million child labours are found in the whole World in between the age group of 5–14. This was only 20 million in 2004. Among this 60% of them were involved in agricultural activities such as farming, dairy, fisheries and forestry. Another 25 percent of child labourers were in service activities such as retail, hawking goods, restaurants, load and transfer of goods, storage, picking and recycling trash, polishing shoes, domestic help, and other services. The remaining 15 percent labour working in meeting and in informal manufacturing economy, home-based enterprises, factories, mines, packaging salt, operating machinery, and such operations.

People believed that, the children are employed by their parents rather than manufacturing units. Child labours are popular in rural settings either paid in cash or kind. The child labour aged 5–14 across the world is working away from their household and parents (Eric V. Edmonds and Nina Pavcnik, Winter, 2005). The ILO estimates that 38.7 million children ages 5–17 are in worst forms of child labour.

In 2014, the U.S. Department of Labour issued a List of Goods Produced by Child Labour or Forced Labour. China attributed 12 goods and the majority of which were produced by both under age children and indentured labour. The report listed electronics, garments, toys and coal among other goods are specially produced by children (World Report on Child Labour 2015).

From the above study, major areas of child labour in Global level can be summarized as:

- a) Home-based manufacturing operations which includes production of garments, shoes, artificial flowers, feathers, match boxes, toys, umbrellas and other products.
- b) In 2014, the U.S. Department of Labour issued a List of Goods Produced by Children which attributes electronics, garments, toys and coal among other goods.

- c) Child labour concentrated in agricultural informal sector in rural area and unorganised sector in urban area.
- d) Child labour is available in rich and industrialised countries used for product business expansion.
- e) Children work as guide for tourists, sometimes combined with bringing in business for shops and restaurants.

Major working areas of Indian child labour are extracted from the study of the articles written by Peter Burkey, Erid, S., Shrinivason, Vijaya, Banergy, Dak and Vasanthi. The studies cover the following points:

- a) Child labour in agricultural sector
- b) Street children
- c) Children at Glass factory
- d) Child labour in Bidi factory
- e) Children at Match factory
- f) Child labour in carpet industry
- g) Child labour in Brass and Lock industries
- h) Child labour in Mica and mines

Factories and mines were not the only places where child labour was prevalent in the early 20th century. In Ferozabad Glass Bangle Industry, about 50,000 children are working below the age of 14 years (UNICEF, the state of World's Children, 1997).

US department of labour (1994) stated that 6000 to 100000 children were working in Diamond industry for cutting and polishing diamond chips. In the early 20th century, thousands of boys were employed in glass making industries. Glass making was a hazardous and life risk job especially without using high technologies. The process of making glass involves intense heat to melt the glass (i.e. 3133 °F). Many of them are suffering from eye trouble, lung ailments, heat exhaustion, cut, and burns. Workers were paid by the piece rate and they had to provide large quantity by hard working without a break. The children were working in heated oven for whole night which was

burning day-night. Many factory owners preferred boys under 16 years of age due to high energetic and smooth finishing to the adults (Hine Russell Freedman).

Over 1 million girls and women are forced into sex industry within India. As many as 50,000 women and children are trafficked into the country from neighbouring states for trade (US Department of State, Country reports on Human Rights Practices, February, 2001).

7th All India Education Survey (2002) reported that 19% children employed for domestic help, 80% children work in agricultural field out of 17th million child labour. It further added that 3.3 million children are in commercial sex worker between the age group of 5 to 15.

Following figure: 3.2 reflect the child labour of different states of India. They are working for supporting their family income. They are working in pottery factory, pick up mica from stone dust, street business, and mason work.



Figure: 3.2 Examples of Area of Child Labour at National Level

In the good old days, it is found that boys were going to Gurukul, where they would do all kinds of work like mulching the cow, collecting fuels from jungles, washing clothes

along with other mental and physical training. That was considered a vital part of their learning and to catch them young.

British East-India Company demanded more Indian to work for raising production in textile industries, tea and coffee processing, finishing of raw material, jute plantation due to commercialization of agriculture. Subsequently, scarcity of foods and price hike of commodities obligated the villagers to employ at newly established factory and industry. They come out of cells with their children to employ at any economic field in order to save the family member from starvation. They try to treat their child as means of earning income for survival.

Following figure: 3.3 state the example of child labour at regional level. They are engaged in street business, maidservant, and pick up plastic materials from any places.



Figure: 3.3 Examples of Area of Child Labour at Regional Level

3.4: MAGNITUDE OF CHILD LABOUR

Maplecroft Child Labour Index (2012) reported that 76 countries of the World pose extreme child labour risks. The ten highest risk countries are (in ranked): Myanmar, North Korea, Somalia, Sudan, DR Congo, Zimbabwe, Afghanistan, Burundi, Pakistan and Ethiopia. Of the major growth economies, Maplecroft ranked Philippines 25th riskiest, India 27th, China 36th, Viet Nam 37th, Indonesia 46th, and Brazil 54th - all of them rated to involve extreme risks of child labour. They employed children for the extension of products of corporations for export promotion.

According to Yacouba, D., Frank, H., Alex Etienne, Yonca, G. and Farhad, M. (2010), 70% child labour is available in rural area and 26% child labour is in informal urban sector. Statistics given by International Labour Organization (ILO), 2014, stated that more than 73 million children are working in between 10 to 14 years of age. As per this statistics, Asian Countries have child labour almost 44.6 million followed by Africa with 23.6 million and Latin America with 5.1 million. Child labour is available in rich and industrialised countries.

The table: 3.1 reflect that the problem of child labour in global level comes down due to the improvement of living status of the people. It declines from 1.2 lakh thousand in 2012 to 1.1 lakh thousand in 2016.

Table: 3.1 Global Estimates of Child Labour at a Glance (Number 000s)

Age Range	2012	2016
5-14 years	120453	114472

Source: Global Estimates of Child Labour Results and Trends, 2012 and 2016

The following table: 3.2 stated the working unpaid children in International Level below 15 years old, estimated by UNICEF (2001). Highest number 29 million of working children below 15 years old were in South-East Asia in the World and unpaid family working children was 80%. It is recorded that USSR had found no working children as per report of UNICEF, 2001. In North-America all the working family members are paid up workers.

Table: 3.2 Number of Working Children Less Than 15 Years Old across the Globe (2001)

Area	Working Children (Million)	Unpaid Family Workers	
		Million	Percentage
World	52	41.2	80
South-East Asia	29	23.2	80
East Asia	9.1	6.4	70
Africa	9.7	9.3	96
Latin America	3.1	2	65
Europe	0.7	0.4	50

USSR	--	--	--
North America	0.3	--	--
Oceanic	0.1	0.1	85

Source: UNICEF, 2001

Table: 3.3 explain the child labour in International level. In International level, the problem of child labour come down as per Global Estimates of Child Labour Results and Trends. The reason is that the people become conscious about the future life in the presence of high technology and entrepreneurship.

Table: 3.3 Children Involvement in Child Labour and Hazardous Work (2000-16)

Age		2000	2004	2008	2012	2016
5-17 years	Child labour	245,500,000	222,294,000	215,209,000	167,956,000	151,622,000
	Hazardous work	170,500,000	128,381,000	115,314,000	85,344,000	72,525,000

Source: Global Estimates of Child Labour Results and Trends, 2012-2016

Following table: 3.4 stated the sectoral composition of child labour where agricultural sector has highest number of child labour (70.9%), service sector has 17.2% and industrial sector has lowest child labour (11.9%). Child labour is found highest in agricultural sector and lowest in industrial sector.

Table: 3.4 Sectoral Distribution of Child Labour in the Age Group of 5-17 years, 2016 (Absolute No. is in 000)

Child Labour in Sectors, 2016					
Agriculture	%	Industry	%	Service	%
107,543	70.9	18,007	11.9	26,072	17.2%

Source: Global Estimates and Trends, 2016

India is the one of the countries of the World towards largest number of child labour. The census found an increase in the number of child labour from 11.28 million in 1991 to 12.59 million in 2001. M.V. Foundation (Mamidipudi Venkatarangaiya Foundation), an NGO worked along with Andhra Pradesh government, found nearly 4,00,000 children, mostly girls between 7- 14 years of age, toiling for 14-16 hours a day in cottonseed production across the country of which 90% of them are in Andhra Pradesh. 40% of the labour in a precious stone cutting sector is children. NGO has discovered the use of children in mining industry in Bellary District of Karnataka in spite of a harsh

legal protection on the same. In urban areas high employment of children are in embroidery industry.

United Nations (2011) estimated more than 3,00,000 children are working in carpet industry of India. Most of India's carpets are weaving in Uttar Pradesh, where the majority of workers are low-caste Hindu boys. Ravi Shankar Kumar (age below 14 years) was one of them. The leading states of higher rate of incidence of child labour were found in Karnataka, Orissa, Assam and Andhra Pradesh [Ritu Saraswat (2006)].

7th All India Education Survey (2002) reveals that India has 17 million child labours. At least 35 million children in between 6-14 years are not enrolled in the school. According to this report the children are worked by compulsion, mostly because of their parents and in the meantime employer takes the opportunity. They are working 21 hours per week.

According to the International Labour Organization (ILO), millions of children are working in the World in hazardous and intolerable occupations. Currently, 200 millions of children of the World are being worked in between the age group of 5 to 14 years. As per the report of National Child Labour Survey 2001, children are engaged in both productive and unproductive works beyond their capacity in urban and rural areas in India. In the urban area, children are forced into labour due to their persisting poverty deliberately required by family members to add their household income. This could be due to the fact that most of them are compelled to work beyond their capacity and also abuse the child by beating.

Following table: 3.5 (working children as per Census of India) reflects that the child workers were increasing up to 1981 census due to lack of government keen interest to ban child working. Government initiatives, introduction of Sarva Siksha Aviyam up to upper primary level and public cooperation declines the number of working children from 1981 census. The child labour is significant among poorer sections than richer sections. The incidence of child labour declines as the household income goes up. The

increasing gap between wealth and poverty is the matter of the issue of child labour where people are living in poverty.

Table: 3.5 Working Children as Per Census Data in National Level (age group 5-14 years)

Country	Census				
	1971	1981	1991	2001	2011
All India	10753985	13640870	11285349	12666377	4353247

Source: Indian Census on Working Children.

Following table: 3.6 state the NSSO data at 66th round survey. The NSSO (66 round of Survey) focuses the magnitude of child labour problem in gender wise in between the age group 5-14 years at national level (2009-10) that male child labour is more than female child labour. The reason is that male children are working on monetary ground than the female children.

Table: 3.6 NSSO on Child Labour, 2009-10 (Age group 5-14)

Country	Male	Female	Total
All India	3057998	1925873	4983871

Source: NSSO (66th round Survey), 2009-10.

According to a survey conducted by the Society for Social Transformation and Environment Protection (2013), the capital city, Gauhati has an estimated 40,000 domestic workers and out of this 20.2 percent workers are less than 14 years old. The survey further says that 26.3 percent of the domestic workers are in between the age group of 15 - 18 years (Sarma, Gadapani, 2013). Although, child labour has been banned by the Government of India, child labour is too familiar in Assam even after independence of 65 years. NSSO (2006) reported on child labour that the incidence of child labour is less in lower age (5-9 years) and high in higher age (10-14 years).

Table: 3.7 explain child labour data at various rounds of NSSO. The various round of NSSO report reflects that the tendency of child employment is highest in rural area than in urban area. Lack of education facility and low income is the prime cause of child labour in rural area. Introduction of new technology in production process change the

pattern of consumption and hence migrate the rural people to urban area in search of service along with their children.

Table: 3.7 NSSO Data on Child Labour at Various Rounds in India (In Million)

Year & Round	5-9 Years Old	10-14 Years Old	5-14 Years Old
Rural			
1993-94 (50 th Round)	1.13	11.03	12.16
1999-00 (55 th Round)	0.60	8.05	8.65
2004-05 (61 st Round)	0.26	7.18	7.44
Urban			
1993-94 (50 th Round)	0.12	1.52	1.64
1999-00 (55 th Round)	0.07	1.32	1.39
2004-05 (61 st Round)	0.08	1.44	1.52
Combined			
1993-94 (50 th Round)	1.7	12.59	13.86
1999-00 (55 th Round)	0.63	9.50	10.13
2004-05 (61 st Round)	0.35	8.72	9.07

Source: NSSO Report

A survey done by Assam Sarva Siksha Abhiyan Mission (Assam) during 2002 shows that 25% of children in the age group of 6-14 are out of school in entire Assam while 43% are belonging to tea garden (North East Enquirer, 2002). Out of 2, 46,843 children in the tea garden area, 1, 05,821 (i.e. 42.87%) are out of school. The Aviyon also constituted Tea garden Education Committee, set up by 2003.

Assam State Commission for Protection of Child Right (ASCPCR) highlighted during the Eastern Region Round Table Conference in partnership with National Commission for Protection of Child Right (NCPCR), UNICEF, and International Labour Organization (ILO) stated that about 88,000 children are out of school in Assam. It is due to lack of awareness of the head of the family and in consequence, children are exploited.

The Institution for Plantation, Agricultural and Rural Works, an Association of North Bengal, expressed in a seminar organized at Administrative Staff College, Assam

(1995) expressed that Assam has 41,499 numbers of child labour in tea garden (as per 1991 Census).

Table: 3.8 explain the census report on child work from 1971 to 2011 that in the North-East states of India, child labour trend is declining due expansion of elementary education, government attitudes and community awareness on child development. Introduction of Sarva Siksha Aviyani (2010) enables to increase child enrolment in elementary level.

Table: 3.8 Census Report on Child Working in North-East States of India (Age group of 5-14)

State	1971	1981	1991	2001	2011
Assam	239349	*	327598	351416	99512
Arunachal Pradesh	17925	17950	12395	18482	5766
Manipur	16380	20217	16493	28836	11805
Meghalaya	30440	44916	34633	53940	18839
Mizoram	**	6314	16411	26265	2793
Nagaland	13726	16235	16467	45874	11062
Sikkim	15661	8561	5598	16457	2704
Tripura	17490	24204	16478	21756	4998
All India	10753985	13640870	11285349	12666377	4353247

(N.B.: *1981 census could not be conducted in Assam and **Mizoram was in Assam during 1971 census).

Table: 3.9: NSSO 66th round report reflects that Assam has 189154 numbers of child labour and the share of child labour at national level is 3.80% in 2009-10. The report also focused that male child labour was more than female child labour. The reason is that child work at home is not counted as child labour. Male child can work outside the home which can't be done by female child.

Table: 3.9 NSSO (66th Round of Survey) on Child Labour of Assam, 2009-10

State	Male	Female	Total	% Share of Child Labour
Assam	156488	32666	189154	3.80

Source: 66th round survey data of NSSO.

3.5: STEPS TO ABOLISH CHILD LABOUR

In 1856, the law permitted child labour (who across the age of 9) only to work for 60 hours per week. Before 1940, the children in between the age group of 5–14 worked in United States and various colonies of European powers. These children worked in agriculture, home-based products, factories, and mining. Various laws to band child labour, like factories act were passed in Britain in the 19th century. Children younger than nine were not allowed to work, in between 9–16 years old could work only for 16 hours per day in accordance with Cotton Mills Act. In 1901, the permissible child labour age was raised to 12 years (Laura Del Col, 1991).

In 1601, Queen Elizabeth introduced a new law for the parents of the child to look after their children in a good manner. In order to make effective execution of this law, some local level officers were appointed. In 1667, the Board of Trade requested William III to constitute a committee to look into the present conditions of the poor and destitute children in U.K. This committee recommended for establishing informal schools to the working children with free supply of food and some other benefits to the poor parents (Shah, 1992).

In Brazil, the minimum working age has been identified at fourteen years determined by constitutional amendments in 1934, 1937, and 1946. However, the change in power in 1980, the minimum age restriction was reduced to the age of 12 years. It was again reviewed in 1988 that the minimum age of employment is fixed at 14 years. A set of restriction was passed in 1998 in order to restrict the child employment in kinds of work considered as hazardous like running construction equipment, or certain kinds of factory work (Child Labour's Global Past, 1650-2000, Kristoffer and E., Van, 2011).

Although many steps were taken to reduce the risk and occurrence of child labour, there are still a high number of children and adolescents working in Brazil. It was discovered in 1980 that almost nine million children were working illegally in Brazil (Kristoffer, Van, 2011).

In addition to setting the international law, the United Nations organise International Program on the Elimination of Child Labour (IPECL) in 1992. The motive of this programme is to eliminate child labour by means of strengthening schooling opportunities. The initiative seeks to achieve the goal of universalization of primary school among the community. The target countries of IPEC are: Bangladesh, Brazil, China, Egypt, India, Indonesia, Mexico, Nigeria, Pakistan, Democratic Republic of Congo, El Salvador, Nepal, Tanzania, Dominican Republic, Costa Rica, Philippines, Senegal, South Africa and Turkey.

UNICEF (1997), Statement of the World Children Report explained that special needs of the children are the rights of civil and political, social, cultural and economic. This conviction is expressed as the 'Convention on the Rights of the Child' entered into international law on 2 September, 1990. This convention was accepted by United Nations General Assembly after 9 months. Since then, the Convention has been approved by all countries except the Cook Islands, Oman, Somalia, Switzerland, the United Arab Emirates and the United States.

Targeted child labour campaigns were initiated by the International Programme on the Elimination of Child Labour (IPECL) in order to advocate for prevention and elimination of all types of child labour. The Global Music against Child Labour Initiative was launched in 2013 in order to involve socially excluded children in structured musical activity and education in efforts (IPECL, International Labour Organisation, United Nations, 2013).

The second volume of the ILO World Report on Child Labour series emphasised on the out comes from the employment of child labour and adults. It results to undertake the State policies challenging to solve the unemployment problem and employment of child labour.

Terre Des Hommes round table conference (5th Oct, 2016) in Netherland stated that the companies from various sectors should work together to eradicate child labour in mica

mines. In an initiative of Terre Des Hommes, multinationals and the ministry of Foreign Affairs met to explore the possible ways of working together.

The International Programme on the Elimination of Child Labour (IPECL) launched a project entitled 'Tackling child labour through education' along with the European Commission with the aim of eliminating child labour in 12 countries across Africa, the Caribbean and the Pacific group of states (ACP), (Payson Centre for International Development and Technology Transfer, 31 March 2011).

At national level the National employers' organizations have the fundamental role to make relaxation of children employment. It is as empowered as International Organisation of Employers (IOEs) (Web Page) and can take initiatives on social development works like abolition of child labour. NGOs have the preferences to design vocational and skill training for working child labour that makes consciousness of the public and the labour become efficient to produce skilfully. International organisation of Employers (IOE) is an active organisation for elimination of child labour through a variety of capacity-building measures, including the development of guidelines for action.

Punjab government follows a model to abolish child labour as undertaken by Meghalaya government. The model considers the amendment of Prohibition and Regulation Act, 1986 that the offenders (i.e. user of child labour) are liable to a fine of Rs. 20,000/- and three months imprisonment. It is applicable for those who employed children below 14 years old in hazardous works. This model is undertaken by the meeting under the chairmanship of Sukesh Kalia, Chairman of Punjab State Commission for Protection of Child Right, 2016.

3.5.1: GOVERNMENT INITIATIVES TO ERADICATE CHILD LABOUR FROM INDIAN ECONOMY

- 1) Integrated Child Development Service (ICDS), 1994 has been introduced as the continuation of National Policy for Children (1974) in view of child development.
- 2) Child Labour (Prohibition and Regulation) Act, 1986 based on Article 24 of Indian Constitution expressed that no child below the age of 14 years shall be employed in any factory or mine or employed in any hazardous work.
- 3) Right to Education Bill in 2009 has been accepted for implementation of compulsory elementary education to all.
- 4) In 15 August, 1994, the government of India adopted Rehabilitation of Children working in Hazardous Occupation to eliminate child labour.
- 5) Establishment of National Authority for the Elimination of Child Labour in September 26, 1994 and took initiatives on policy formulations, designing the programmes and project associated with various government departments and ministries.
- 6) National Child Labour Project in 1988 provides formal and informal education, vocational training and also monthly stipend along with supplementary nutrition and health care with a motto to eradicate child labour especially in mine districts.
- 7) International Labour Organization (ILO) set up International Programme on the Elimination of Child labour (IPECL) in 1992 and India was the first country to join in ILO in 1992 by signing Memorandum of Understanding with a motto of elimination of child labour.
- 8) The government of India considered 40 million project investments in collaboration with US department of Labour in order to eliminate child labour is known as INDUS Project. INDUS Project which covers five states Maharashtra, Madhya Pradesh, Tamil Nadu, Uttar Pradesh and Delhi.

3.5.2: LAWS RELATED TO BAN CHILD LABOUR

Various laws enacted by Indian parliament against the practice of child labour are:

- a) **Children (Pledging of Labour) Act (24th February, 1933):** Child means a person below the age of 15 years not to be employed and the parents or guardians will be liable to punish with fine, if they employed their child.
- b) **Employment of Children Act, No.26 of 1938:** Whoever employs or permit any child below 17 years age to work shall be punishable with imprisonment not less than 3 months which may be extended to one year with fine not less than five hundred rupees or shall be extended to rupees two thousand or with both as per the provisions of Section 3.
- c) **The Bombay Shop and Establishment Act (1948):** As per section 32, the children below 15 years could not be employed in any shop and establishment sectors. Any one in between the age of 15-17 years shall not be allowed to employ after 7.00 p.m., not more than 6 hours in a day and not to employ any health hazards works as per sections 33, 34 and 34(A).
- d) **Child Labour Prohibition and Regulation Act (1986):** The central government legislation enacted a law in 1986 to prohibit completely the child labour (employed below 14 years age) from Indian economy. The central legislature has subsequently undertaken a little bit amendment in 2016 in order to cure child labour problem in hazards or any other sectors. The amended Act increased penalty and imprisonment of parent/employer shall not be less than 6 months which may extend to 2 years with fine of Rs.20, 000 may extend to Rs. 50,000. Previously, the violations under the Child Labour Act were punishable with imprisonment of not less than three months which could extend to one year with fine of ten thousand rupees which could extend to twenty thousand rupees (Srivastava, R. 2017).

- e) **The Indian Factories Act (1948):** Section: 67 of chapter-IV state the complete prohibition of employment opportunity to any one below 14 years old.
- f) **Plantations Labour Act (1951):** As per this act, the employer has no right to employ the child below 14 years old. Tea planter will be accused if he employed children for working in the estate.
- g) **The Mines Act (1952):** After commencement of Mines (Amendment) Act, 1983, no person will be allowed to employ in mines factory below the age of 18 years.
- h) **Merchant Shipping Act (1958):** The 2nd amendment of Merchant Shipping Act, 2014 and 4th in section 91, it is stated that the boys not less than 15 years old be allowed in recruiting shipping works.
- i) **The Apprentice Act (1961):** As per this act, no children below the age of 14 years are allowed to work as apprentice service at any factory and industry.
- j) **The Motor Transport Workers Act (1961):** Section 14 of this act, mentioned adolescents to work for six hours including half an hour rest and they are not required to work in the night shifts. This act apparently mentions in section 21 that the children (below the age of 14 years) are not allowed to work in the undertaking. Therefore, the act also tries to prohibit the child labour.
- k) **Bidi and Cigar Workers (Condition of Employment) Act (1966):** In section 24, it is written that no child is allowed to recruit in the industrial premises. Child is defined as less than 14 years.
- l) **State Shops and Establishment Act:** Bombay Shop and Establishment Act, 1948 states that the child who does not complete the age of 15 years not to allow to work in the shop as per this act. According to Karnataka Shop and Establishment Act, 1966, Section 24, there is the Prohibition of employment of children that no child shall be required or allowed to work in any Shop and establishment below 14 years old.

A draft prepared by D. Goswami, Deputy Labour Commissioner on account of 'Let's clean up the Mess', included about a plan to prevent the practice of child labour in Assam. The commission is working with UNICEF (United Nations International Children Emergency Fund). The director Gowami stated in the draft that Stakeholders of different government departments like Social Welfare, Sarva Siksha Abhiyan, Panchayat and Rural department, Transport department, Agricultural department and Police - will also be involved in the plan of child labour protection (Khanikor, Sangita, 2013).

United Nations International Children's Emergency Fund (UNICEF) and the Assam State Commission for Protections of Child Rights (ASCPCR) are working together on an action plan to help children particularly female groups to benefit from various government welfare schemes. Bihar police, in association with UNICEF, conducted a workshop on Sunday (16/06/13) on 'up gradation and capacity enhancement' for all the officials concerned to create a better environment for the victims of child rights violations. Such type of workshop can be organized in the state of Assam to make awareness against the practice of child labour.

Assam State Commission for Protection of Child Rights (ASCPCR) organized its first ever "Public Hearing on Right to Education", on September 24, 2011 at Salonah under Kaliabor Sub-Division in Nagaon district of Assam, which was facilitated by the Legal Cell for Human Rights (LCHR), a Guwahati based voluntary organization. Dr. (Captain) Suchitra Kakoty, Chairperson, ASCPCR (Assam State for Protection of Child Right), highlighted the fundamental provisions of the 'Right of Children to Free and Compulsory Education Act, 2009' (RTE-2009). She explained that while examining the safeguards for the effective implementation, ASCPCR enquired into the complaints and took necessary steps relating to the violation of the provisions of RTE-2009 (Kurmi, Susil 2015). The effect is that the school enrolment is increasing day by day.

Chief Minister's vision for women and children, 2016, launched in 2012, had also identified the elimination of child labour as one of the targets of the government to

enhance child enrolment including girl child in the state. Foroogh Foyouzat, the Chief Field worker, UNICEF India, stressed more commitment and investment by the government, NGO and Media to protect child from violence, abuse, employment and child marriage among others.

3.6: REASONS FOR CHILD LABOUR

High level of poverty and inadequacy of primary school opportunity particularly in developing economy still generate the child labour. In 2010, sub Saharan Africa had the highest incidence rates of child labour, with several African nations witnessing over 50 percent of children aged 5–14 are working (Kristoffel Leiten; Elise van Nederveen Meerkerk 2011).

There were a number of evidences to prove the existence of child labour even as early as 16th and 17th centuries, popular in orphanages (i.e. an early orphan child shaped his character as an adult) and work in workhouses.

Based on the various literatures related to child labour like Frieda Miller (1979), Victor Levy (1985), Martin Brown (1992), Friedberg and Hunt (1995), Galor and Weil (2000), Doller and Kraay (2002), Emerson and Andre Portela Souza (2003), Caselli and Coleman (2006), Wahba Jackline (2006), Diana Kruger (2007), Krisztina Kis-Katos and Robert Sparrow (2011), Richard Hornbeck and Suresh Naidu (2014), important reasons lies in child labour in International Level are:

- a) Introduction of sophisticated technologies in the industrial sector due to Industrial Revolution transforms the socio-economic set up. It increased the children employment in the age group of 5-14 years and employer recruit the child for learning a craft. It is known as Pauper Apprenticeship came into practice in the 19th century and colonial master neither needed the consent of the parents nor children to employ the child. Trade liberalization changes the industrial mix employment which opens the door for child employment and trade-off for adult unskilled employment.

b) Destitute children emigrated from one country to another with their parents made child labour.

c) The involvement of migrant children in USA is very popular in agriculture. In UK also job related pressures are common.

d) Employment of children in industrial transition changes the living standards and pattern of employment made incentive to child employment.

There are four myths on child labour problem stated by Carol Bellamy in UNICEF, 1997. They are:

Myth One: Child labour is only the case of Poor World and one of the severe problems of Third World Countries. Children are working for pocket money in advanced industrialized countries. So, it is said as pocket money model. For instance, 15 to 26 percent of 11 year old children are working in industrialized country, United Kingdom. The fact is that such children do not leave the school. In US most of the children belonging to ethnic group are working in agricultural field. The US department in 1990 revealed that 11000 children are working illegally.

Myth Two: Child labour exists because of appearance of poverty. Until and unless poverty ends, child labour can never be ended. The fact is that child labour perpetuates the poverty and continued to be unskilled low paid labour at the time of adulthood.

Myth Three: Child labour is available in export industries. For instance, Pakistan made soccer ball by employing children and exported to the industrialized countries at minimum possible cost. However, it is also stated that children, not less than ten million around the World, are engaged in non-export industries in abysmal situation.

Myth Four: The way to drive out the child labour problem from economic activity is to pressurize consumers and governments to sanction such law that boycotts the use of products produced by children.

On various studies like ILO convention (1973 at Geneva) on child working minimum age ratification (138 No.) from 12-13 years age for light works and 18 years for hard-dangerous work and recommendation, ILO convention (1999, No. 182) on the prevention of worst forms of child labour (slavery, prostitution, drug trafficking and other dangerous job).

In the writings of Researcher Biju (2010), Bose (2003), Bhargav (2003), Lieten (2005) on child labour, National Commission for Protection of Child Rights, NSSO (61st round) survey report, UNICEF (United Nations International Children Emergency Fund) report (2001), Edmonds, Eric V., Pavenik, Nina and Petia Topalova (2010) highlighted various causes of child labour in India. From their discussions, it is found that there are a numbers of fundamental reasons responsible for child labour at national level. They are:

- 1) Lack of Elementary Education at the Primary Level.
- 2) Parental ignorance about the potentiality of children.
- 3) Ineffective implementation of child labour laws.
- 4) Non availability of schools in rural area.
- 5) Unpractical school curriculum.
- 6) Lack of proper guidance.
- 7) Poverty.
- 8) Excessive population.
- 9) Illiterate and ignorant parents.
- 10) Adult Unemployment.
- 11) Urbanization.
- 12) Availability of child labour at cheap rate without any union.
- 13) Industrial revolution.

14) Multinationals preference to employ child workers.

Bhalotra, S. and Heady, C. (US Department of Labour, 2000) expressed from observation of different farming environments of Ghana and Pakistan that on an average, the children belonging to land-rich households have high tendency to work participation in agricultural farm by losing school attendance and contrary to this, land-poor households have high tendency to send their child to attend school. The authors are likely to regard it as 'Wealth Paradox'.

7th all India Education survey (2002) reveals that millions of children are working to help adult family members. Because adults do not have appropriate employment, the employer can employ the child at cheap rate, lack of good quality schools, poor and bonded families.

Koul, S. former director of SOS (Save Our Soul) Children's Village, Guwahati, Assam, remarked that there are some common causes of child labour (Hand Book, Government of Assam, 2008). They are:

- i) Poverty,
- ii) Parental illiteracy,
- iii) Social apathy, ignorance,
- iv) Lack of education and growing population.

Child labour is associated with poverty and most working children come from poor families. Khanikor, Sangeeta (2013) has estimated Child Labour from Dibrugarh Town, Assam by drawing 60 numbers of Child Labour and stated that due to economic crisis children are isolated and separated from their own family. Many children are working in domestic work without pay, only to get shelter and food. Most of the domestic child workers work from 8 to 18 hours a day.

Poverty is the prime cause of child labour in Assam. Poverty can be measured by BPL certificates as issued by government agencies in various time. Reserve Bank of India

reported the numbers of persons living Below Poverty Line (BPL) in North East States during 2013. It is depicted in the following table: 3.10. As per this data, 37.9% population of Assam are living in below poverty line.

Table: 3.10 Depending on MRP (Mixed Reference Period) Consumption (based on 2011-12)

States	No. of Population	% of population
Assam	11640	37.9
Arunachal Pradesh	350	25.9
Manipur	1250	47.1
Meghalaya	490	17.1
Mizoram	230	21.1
Nagaland	410	20.9
Sikkim	80	13.1
Tripura	630	17.4
All India	354680	29.8

Source: Reserve Bank of India Report, 2013.

The Tea Garden in Assam is dependent on about two million coolie and they were brought to Assam as slaves first by the East India Company and later by the British rulers and entrepreneurs during 1830's and 1920's, mostly from the Santhal Parganas district of Bihar (now in Jharkhand state). The descendants of these slaves, are called tea tribes [Chatterjee, S. and Das Gupta, R. (1981)]: These destitute families compelled to employ their child at an early age in the garden at a minimum wage rate. So, poor economic conditions were the fundamental cause of child labour in Assam economy. The tea-tribes are found mainly in the districts of Darrang, Sonitpur, Nagaon, Jorhat, Golaghat, Dibrugarh, Cachar, Hailakandi, Karimganj, Tinsukia and almost all the districts of Assam (Wikipedia, 2016).



Figure: 3.4 Working Condition of Tea Tribe Worker (**Source:** Field Works during 2016-17).

Figure: 3.4 reflect the working condition of tea tribe. They are working in very hot day without break. Road condition in the garden is pathetic. No well shed to protect the labour from anti-weather.

3.7: WORKING CONDITIONS OF CHILDREN

International Labour Organization estimates that around 85 million children are working in a hazardous condition. Parents put their child to the owner of plantation as bonded labour. Child labour also found in industries, mining, and construction and in services such as prostitution.

The working conditions which are deemed safe for 4 adults are not be safe for children who have little hands and weaker bodies. They suffer from physical injury, health disorder and even death. Article 3 of ILO convention number 182 in 1992 focused the hazardous working conditions of child are due to:

- 1) Lack of mechanical knowledge to work with machinery.
- 2) Used unknown chemicals like pesticides by child labour.
- 3) Lack of proper health care and sanitary facilities in doing illicit activities like trafficking of drugs.
- 4) Long duration of work harmful to the proper growth of health and moral development of children.

Indian laws pointed out 64 numbers of industries are in hazardous condition (Nigam, Vrinda, 2015.)

3.8: CONCLUSION

From the above study, it is clear that Child Labour is a Global problem. Industrial transition in global level generates the child labour needs to support downward family income. Industrial transition makes the adult inefficient and compels to leave from service. For market expansion of home based products, most of the children were

employed in western countries. Poor and destitute children do not hesitate to do any work as a source of income.

Migration is another cause of child labour where children are with their parent in working place. Migration is the result of introducing new technique of production in traditionally used minimum number of capital in cottage and small scale industry.

Furthermore, in underdeveloped poor country most of the destitute children living in interior places are traditionally working. India is the example of such country. Assam has not less than that type of child labour. In such area, people are working from their childhood. No one is willing to give weightage on return on education. Searching for job from childhood is prime motive for such inhabitants. They believe that employer can turn their living pattern than return on education investment. Moreover, job for children is available for those who are belonging to the interior socially excluded unskilled family.

Employers' and workers' organizations have been the historic pioneers in promoting international labour standards, including those on the prohibition of child labour. The cooperation of employers is crucial in the fight against child labour, because they can help to ensure that their enterprises are free of child labour. They also play a powerful role in influencing those who hire children – often small enterprises in the informal economy. The consumer can also take initiatives to avoid those goods which are produced by child labour.
