

Child Labour As A Harsh Reality

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ABSTRACT

In India, the problem of child labour in its nature and magnitude is complex and gigantic. Millions of children are working in a large number of industries and occupations all over the country. According to the estimates of non-governmental organisation, the figures could be between 44 and 100 million. The economic conditions as well as environment in which these children work and their direct and indirect influence on their physique are very bad. Subhuman conditions of these working children unfortunate souls are forced to labour during the best years of their lives. Apart from their abysmal poverty, others factors like size of family, illiteracy and apathy towards education, centuries old superstitions are factors responsible for the sad plight of these children who are mercilessly exploited by the employers. The working conditions of these children are quite dismal. Migration is another factor which pushes children to enter the labour market. Migration from village to the city due to financial instability and insecurity in the village has pushed these children to enter into the informal sector. The constitution of India includes specific provision to stop abuse of child labour and seek its ultimate elimination.

KEYWORDS: Child workers, Employment, Labour market, Migration, Exploitation, Poverty, Informal sector

INTRODUCTION

Children are like gifts of God. They are blooming flowers of the gardens. It is, therefore, a duty on the part of each member of the society to protect those flowers from each and every kind of damaging effect. The energy, intelligence and mental faculty of every child should be properly channelised for the socio-economic and politico-cultural growth of the country through proper training and education. It is also the birth right of every child supported by the clauses of constitution. It is not only a major problem of child labour in modern society but also existed in ancient India in the form of child slaves. The cruel practices of buying child labour of less than 8 years existed in ancient India. These budding and delicate flowers were treated like a commodity which could be bought and sold, used or abused according to the whims of their masters. But in a modern society it became a

world-wide problem. It is existing more or less both in developed and developing countries. But this problem is more acute in the developing countries. Here children are exploited, deprived of educational, mental and physical growth, put to hazardous nature of work and forced to drudge in order to maintain the bare living conditions of their families. The developed countries have saved and controlled the problem of child labour while developing countries like India are still grappling with it.

METHODOLOGY

It has been fully established on the basis of available statistical data as referred to above that India is having the largest number of child labour in Asia and that statutory and non-statutory measures taken so far to combat this evil by the International agencies, the state as well as

non-governmental organisation have so failed to yield desired results. The existing position should urge the concerned quarters to give a serious thought to this problem and work out effective measures to tide over it.

The present article examines whether the poverty has a positive correlation with the existence of child labour or how poverty inspires these children who enter the labour market, it is widely known that employers treat them as cattle. This article also examines how socio-economic conditions of households, prompt, even force elders for sending their children to take up employment. The information about the socio-economic conditions of the households and the working conditions of child workers was collected through an interview of child labour. We also met the personnel of non-governmental organisations. We observed flexibility while interacting with child workers. The selection of child labour for elaborated interview has been done by chosen sample design. At the first stage, such factories or industry were located. At the second stage, child workers were selected randomly and at the final stage, group discussion with these workers was held. Information from secondary sources and discussion with factory management afforded a good lot of information, and wider readings on this dimension confirmed the inferences from survey.

DISCUSSION

The Notion of Child and Work

Many studies have shown that help and assistance from the children in family trade, business and occupation family, agricultural operations and domestic services has been the normal feature in a lower strata and weaker section of the Indian society. In the lower and middle class children are forced to labour market to get the work through which they earn some money for their family, despite of unsuited to their mental health and physique. Work participation often provides advantage of work skills and apprenticeship at a very low age.

There is no unanimous opinion about the definition of 'child'. The definition of child differs according to various social concepts followed in various social communities.

Till today we do not have any single definition of child labour; acceptable to all sections of the society often child work and child labour are used interchangeably. This creates confusion in the analysis of the problem pertaining to child labour. 'The work which does not detract from other essential activities of children such as leisure, play and education is not child labour. Child labour therefore is the work which involves some degree of exploitation, that is physical, mental, economic and social and therefore impairs the health and development of children' (1). The concept is related to economic earning or remuneration.

Despite the best measures adopted to remove incongruities about the definition of child, some still exist. In Madhya Pradesh, Uttar Pradesh and Punjab, a child means a person under 16 years of age, in Gujarat and west Bengal, a person under 18 years of age, and in Andhra Pradesh a person 14 years of age below. The Children's Act, 1960, applicable to Union Territories, defines child as a boy under 16 years and a girl under 18 years (2).

According to a recent estimate of the International Labour Organisation (I.L.O), more than 120 million children between the ages of 5 and 14 are employed as full-time labour and around the world. A good number of such children labour in the most hazardous and dangerous industries. In India itself, it is estimated that there are at least 44 million child labourers in the age group of 5–14. More than 80% of child labourers in India are employed in the agricultural and non-formal sector and many are bonded labourers. Most of them are either illiterate or dropped out of school after 2 or 3 years. For the purpose of present article, all those persons who are engaged in an economic activity but are less than 14 years of age have been taken as working children.

Sengupta (3) revealed that '14.7% of the children of 14 years of age were employed. One out of every five families was illiterate and a large percent (63%) earned between Rs.25 and 500 in a month to which children contributed about 23% of family income. About 47.4% of the families worked in debt, the average amount of the debt being Rs.97'.

Thus, child labour is differentiated from an adult worker on the basis of age. Usually a child worker is someone below the age 14 or 15 years who is involved in productive activity whether paid or unpaid with the family or outside. Children are involved in all types of work. They work in agricultural activities, looking after cattle and sheep, scaring away birds from the field or helping at the time of sowing and harvesting. In their home they look after the younger siblings, collect fire-wood and water or participate in other domestic and non-domestic work as in a cottage industry. In the urban sector, they work in a wide variety of activities from organised factories to roadside cases such as motor repairing, workshops, street vending, shoe shining, selling of newspaper and fruits etc.

Causes which Propel the Child to Enter the Labour Market

Multiple causes propel the child to enter labour market. Engagement of children with the parents in domestic operation or in family business without hampering their education and normal growth cannot be treated as a child labour. It is only the exploitation of children in the teenage, which is not acceptable in civilised society and about which we are concerned. Many children of tender and school-going age are found working in various industries and occupations, and being deprived of the opportunity for their normal physical and mental growth. The present scenario of electronic and print media, parents and even children themselves resent helplessly as to why some of the children are going to school and enjoying their childhood, while they being deprived of even basic requirements obstructing their normal growth. Normally it is said that due to poverty the parents are allowing their children to sell their labour in the market to earn childhood.

Undoubtedly poverty is the root cause of child labour in India, explained by maladies like unequal distribution of land, property and assets, lack of opportunity for adult employment, inequitable distribution of amenities on regional basis, encouraging migration of labour, non-payment of minimum wage to adult worker etc. Economic

compulsions compel the poor parents to put their children under the risks of inhuman exploitation. India is agrarian and almost 60% of the population depends on agriculture. However, land holdings are very small which are not viable for substantial livelihood for the family. Most of the inhabitants in rural areas do not hesitate to send their children to labour market. Such type of landless persons and small land holders often migrate along with their family in the search of employment and livelihood.

It may be noticed that the adult workers are not getting the living or even the minimum wages fixed under Minimum Wages Act, 1948, due to lethargic attitude of enforcing agencies and thus compelling the poor parents to send their children in labour market to supplement their income instead of sending them to school.

It can also be noticed that most of the employers, especially in the unorganised sector, prefer to employ child labour for various reasons and to earn more profit by paying less wages. As reported by the Committee on Child Labour (1980), the employer prefers to employ child labourers because they are available on lesser wage, they are less status conscious, less afflicted by feeling of guilt and feel no shame or hesitation to do non-status even demeaning job, lesser feeling of tiredness, less expensive to maintain and have lack of organisation. The report further observed that moral consideration of employers to help and provide a succor to destitute or forsaken children and acquisition of fitness through initiation in the early age is also the reason to prefer the employment of children. Under such circumstances their children are also forced to work in labour market to compensate the earning of the parents for survival of the family.

Migration of Child Workers

The influx of migrants brings with them a number of children to help them or relatives in raising their level of earnings by forcing them to seek employment in a number of activities of the urban economy. A majority of the migrant children were either unemployed or students at the place of origin. Adverse financial position of parents

and pressure from money lenders to repay the debts compelled parents to send their wards to cities to earn, since no work was available at the place of origin. Debts and financial liabilities of the family, to get better employment and lack of work at the place of origin were among the most important reasons of migration. The migrant children were found to have moved to the place of destination along with their parents, relatives and friends. Most of the migrant children being sponsored migrants were quickly absorbed in the informal sector labour market. Because the relatives and friends of these children were already living here, they helped these children not only in getting employment, but also in terms of money and food till they found employment.

Most of the children were found to be belonging to landless families. A considerable proportion of the migrant children were also found to be working as own-account workers such as shoe-shine boys, balloons-seller, beggar, etc. Hence, in this way we consider the problem of child labour in the context of migrant children. We see the children of migrants are especially vulnerable to exploitation with serious adverse consequences for their welfare most not by their health and education. Migrant child labourers are disadvantaged even in relation to native child labourers; often they are paid less and work longer hours, less often attend school and face higher death rates. Since 2000, the number of international migrants has increased from an estimated 150 million to more than 214 million persons today. According to a report by the ILO young people ranging in age from 12 to 24 account for approximately one third of all migrants. This number includes millions of children under the age of 18 who migrate internally or across national borders, with or without their parents.

Conditions of Working Place

Man is always influenced by his environment. His work efficiency, psychology and health move and develop according to his environmental setting. Hence, with reference to the informal sector, the role of working conditions is of great importance. It is a well-recognised

fact that healthy and inspiring atmosphere decreases his work capacity. The age at which children start work varies considerably but in good many cases there are children who are working at as early an age as 6.

Working environment of children in the labour market seems to be significant on time counts. Firstly, children in the labour market not only receive lower wages but also not regularly and in cash. Secondly, their hours of work are much longer. Domestic workers, cooks, children in cycle repairing shop, vendors, child labour in tea stalls, hotels, road-side dhabas start and continue to drudge till late night. Thirdly, they are victims of a very rough behaviour by their master working from early morning and co-workers; ill treatment, beating around and abuses are regular features. Fourthly, they do not enjoy a stable employment relationship. They are picked out of their services or are terminated on flimsy grounds or even false charges. Lastly, they do not enjoy any welfare facility, social security or even leave or holidays.

In majority of cases there is no formal contract of employment. Often the working conditions severely tax the children's physical and mental resistance, for example, suffocating heat in enclosed premises or exposure to the elements in open air work; humid and unhygienic environment, badly lit unhealthy and excessively noisy working area lacking the necessary safety devices, rest area sanitary installation and medical facilities. Besides these the working children face different types of injuries in relation to their work. The high level of incidence of injuries can be explained by inappropriate working conditions and tools that these children use during the work. These children do not have any 'insurance' for their physical injuries which they have experienced. It has seen that mostly child workers are physically weak, because they do not afford to buy good food of nutritional value to substitute the energy that they have lost while working. Again lifting and carrying excessively heavy loads etc also have impact on the health of working children. In total, employment environment of children in labour market is quite dismal and pathetic. They deserve social guidance, education and protection.

Working conditions of child workers are not uniform and vary according to their avocations. The children have to prove up to the satisfaction of their masters in most of the cases. In some cases the piece-rate payment system develops competitive spirit among them to work more and earn more. That is why they ruin themselves to their hand.

‘Laws are made to be flouted’. This sums up the reality with regard to working conditions of child workers. Despite a plethora of protective legislations for child workers, there exists a situation of total lack of implementation and a blatant evasion of such legislations. Some of the working conditions, in every occupation, where children are employed are as follows:

- Long hours of work
- No wages or wages below the minimum wage rate
- No weekly or annual holidays
- Lack of facilities in the work place like light water, space, rest rooms, bathrooms, urinals etc
- Insufficient rest intervals
- Lack of facilities for growth and development
- Inhuman treatment including physical torture and mental abuse.
- Laden by debt of employers which they have to pay before the child labour is allowed to leave his job
- Lack of mobility in most occupations where a child worker has to labour to pay off money advanced to his parents or guardian, that is the child cannot leave his employer until the advance has been cleared

Exploitation of Working Children by the Employer

Children in some situations are exposed to physical and mental abuse which may take several forms. But perhaps the worst is that which involves separation from parents. Isolation sometimes amounts to virtual imprisonment and physical cruelty as could be found in sectors like domestic services and small hotels. There children are often

contracted out for long and often permanent separation from their parents or under debt bondage. Many employers indulge in harsh practices such as merciless beating and starvation. Where children are separated from their parents and live with adult fellow workers in restaurants, they are subjected even to sexual abuse by the adult workers or the employer himself. In addition to these forms of exploitation, there are also other kinds of deprivations from which child labourers suffer including the absence of clear cut contractual programme, healthcare facilities and other welfare services and the lack of insurance and social security. The ill effects of these on the physical and mental development of the working child can be far reaching and often irreversible.

Exploitation of children lies in the employment of children. Employment of children is almost non-existence in organised industries. It persists in varying degrees in the unorganised sector, such as small plantation, restaurant and hotels, cotton ginning and weaving, carpets weaving, stone breaking, brick kiln, handicraft and road building. Employment of child workers below the prescribed age is also reported to be continuing in far off places and in rural areas where enforcement of statutory provision is more difficult. The employers employ children because they are docile undemanding and can be made to work for long hours with low pay. The child labour is cheap and it costs nothing to maintain. Sometimes employers who give employment to children gratify their feeling of doing noble act by giving work to needy children. This provides philanthropic satisfaction (4).

There is physical wreckage of a child employed as a dock labour or in transport where he works as a beast of burden. Children doing domestic services are not much better. Even more serious is the mental and moral wreckage of these ‘future builders of the nation’. Children employed in hotel, restaurant, and cinemas, brothels, gambling dens, illicit liquor and drug traffic are exposed to the demoralising influence of the bad character who teach them to lie, cheat, gamble, use filthy language, commit thefts and generally lead them into a career of vice and

delinquency. Demand of cheap labour in domestic services is growing resulting in a steady increase in child employment. Two reasons may be assigned for this unhealthy growth. Firstly, these industries are not organised and present laws are not sufficient to tackle the problem properly, secondly inspectorate machinery is almost absent from the sites to see the implementation of whatever relevant laws are there. Again access to the domestic houses is also not free from interruptions. Girls mostly work in houses as maid servants and tolerate mental and physical abuse without any argument to their owner. The detection of abuse child labour is never properly attempted.

CONCLUSION

Children are engaged in child labour both in developed and developing countries. However, the majority of working children are found in developing countries. But child labour is a dagger through India's soul. The country has the dubious distinction of being home to the largest child labour force in the world, with an estimated 30% of the world's working children living here. Today millions of children work as labourers in various activities. That is true that these children are exploited to become a child labour. These children are forced to work to help their poor families, but this robs them of their right to childhood and all its associated joys. On the other hand, these children worked from early morning to late hours in the night. Not much rest time is available. When they eat their lunch in afternoon, their employers ask them several times to hurry up to restart work. They could not take even their lunch at ease. Sometimes if they do not hurry, they are beaten with belts. Many a times they have to forget the lunch and resume work as soon as possible without any argument with the employer. Obviously, children engaged in various informal activities have to labour hard for long hours to earn a paltry sum with little rest. They often work full time and in some cases more

than the statutory limit prescribed for adults. But the most astonishing part is that after taking so much work by the child workers the employer always remains dissatisfied with their work. When the working children get their wages if they absented from duty only in case of illness the employers deduct their wages. Thus, the working children are governed by the rule 'no work no pay'.

Child labour is effected not just an hour or two, but these children also pass all the 24 hours in unhygienic conditions whether at home or worksite. They are like 'dumb driven cattle', whose voice can never be heard, whose groans melt in their air like cries, in wildness. In places of streets and roads, narrow winding lanes provide the only approach to their houses. Neglect of sanitation is often evidenced by heaps of rotting garbage and pools of sewage, while the absence of latrine enhances the general pollution of air and soil. In dwellings, such as these human beings are born, sleep and eat, live and die. Living in unhygienic conditions and lack of adequate sleep, proper nourishment and hygiene permanently damage the future prospectus of the mental development and even work prospectus of children. That is why it is said that 'a healthy mind lives in a healthy body' but this condition cannot be fulfilled about child workers. It is unfortunate that these children are sold to the buyer like a commodity for a certain period of time. The labour that the child is subjected to is treated as collateral security and exploiters buy them for small sums at exorbitant interest rates. The overall scenario is pathetically dismal if not ended soon. Immediate and earnest attention of authorities as well as of those who engage them in various child-driven activities, 'rag and waste collectors', are voluntary workers of informal sector. There are also in the age groups of 10–15. There are girls as well as boys working in dirty jobs mainly due to lack of caretakers or when parents are dead. These often get into the clutches of the task master of rag collection or waste collection. Such workers are around 3–6 crores in India.

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