



THE ROLE OF INDIAN GOVERNMENT FOR ELIMINATION OF CHILD LABOUR

I.RAMARAO

Lecturer in Education, Vivekananda College of Education, Chevella, Telangana State.

A child is an invaluable asset of any society and has a definite role to play in the development of the nation. The future of a country depends on how its children are being nurtured to become the future citizens of the country. Some of the children, forced by their socio-economic conditions, take up work at a crucial formative age. A child whose legitimate place is at school is found to be holding a chisel in his hand to supplement the income of his family. This not only prevents these children from getting basic education but also is highly detrimental to their health and leads to the intellectual and physical stunting of their growth. Deprivation of the life of academics and other activities of joyful childhood leads to underdevelopment of their innate capacities, which further perpetuates a scenario of poverty, illiteracy underdevelopment and deprivation.

Since its independence, India has made a commitment to work against child labour and government laws do not allow children to work under the age of 14 (Constitution of India cited in HRW 1996, 29). The Bonded Labour System Act of 1976 also ended forced labour by law and freed all bonded labourers (HRW 1996, 30). In 1994 the Elimination of Child Labour Programme was designed which promised to end child labour by the year 2000. It promised children a one hundred rupee payment as well as one meal a day for attending school instead of working (Human Rights Watch 1996, 119-120). Where the funds for this program are is unknown. The government needs eight and a half billion dollars for the program over five years. (HRW 1996, 120). All the policies that the Indian government has support the eradication of Child Labour but the problem remains. Enforcement is the key. No enforcement data for child labour laws is available. Officials should, but do not, collect statistics to monitor enforcement of the laws (HRW 1996, 131). Although the lack of data does not mean enforcement is nonexistent, the number of child labourers and their work participation rates show that enforcement, if existent, is ineffective.

CHILD LABOUR AT GLOBAL LEVEL

According to UNICEF, child labour is defined as “work that exceeds a minimum number of hours depending on the age of the child and the type of work. Such work is considered harmful to the child and should therefore be eliminated.”, most countries classify a child to be under the age of 18 and many MEDCs (more economically developed countries) make education compulsory until the age of sixteen.



Child labour is most commonly found in LEDC (less economically developed countries) due to the following factors

1. Poverty – as families use children to compliment the household revenues
2. Education is often inaccessible or is undervalued within different societies; particularly concerning girls
3. Globalisation children represent a cheap and flexible workforce which is appealing to employers and families with low income. Children are also valued for their vulnerability which makes them easy to control and manipulate
4. Parent illiteracy and social apathy
5. Exploitation of cheap and unorganised labour

To school students around the globe, child labour is thought of being something of the past, an evil that has been vanquished. What few know, however, is that, 1 out of 7 children aged 7 to 14 are child workers. The highest use of child labourers is in Sub-Saharan Africa where 69 million children, which is 1 in every 3, are used in labour; for example, 63% of children in Mali and 47% of children in Burkina Faso toil to receive under a dollar a day. Children are often used in the workforce because they are nimble and agile, and work for extremely low wages, however the amount of work-related deaths is phenomenal; for example it is estimated that 22,000 children die each year from work related accidents.

However, on the other hand, social scientists believe that child labour may have its benefits as it gives children a sense of responsibility and accustoms them to the harsh working life they will experience as adult, alongside bringing in small amounts of money for their family. Children are not always exploited during child labour, for example, working within the family business. This helps profit remain within the family and allows children to develop a sense of responsibility. An example of such positive child labour is helping within a family restaurant. Child labour is not necessarily negative on the basis that children can study as well as work. In this case, children help the world's economy as well as allowing their family to get out of the state of poverty.

According to the 1981 Census of India (cited in Nangia 1987, 72) divided child labour into nine industrial divisions, there are

1. Cultivation,
2. Agricultural Labour,
3. Livestock, Forestry, Fishing, Plantation,
4. Mining and Quarrying,
5. Manufacturing, Processing, Servicing and Repairs,
6. Construction,
7. Trade and Commerce



8. Transport, Storage and Communication, and
9. Other Services

As per the Global Report on Child Labour released by ILO recently, there are 191 million economically active children in the world in the age- group of 5-14 years in the year 2004. This has come down by 9.6% from 211 million in the year 2000. Out of these, 64% are concentrated in Asia Pacific region, followed by 26% in Sub-Saharan Africa, 3% in Latin American and Caribbean Countries and 7% in other areas. Around 70% of the working children are in Agricultural sector, 22% in services and 9% in industry including mining, construction and manufacturing. There has been a sharp decline of 33% in the children working in hazardous occupations in the age group of 5-14 years. Latin America and the Caribbean stand out in terms of a rapid decline in the number of child labour from 17.4 million in 2000 to 5.7 million in 2004 i.e. a decline of 67% in child labour. In terms of activity rate, i.e. the percentage of children who are economically active in their age group, there has been a very significant decline in the Latin America and the Caribbean from 16.1% to 5.1%. The world average activity rate of children in 5-14 years age group is 15.8%. The activity rate in sub-Saharan Africa is 26.4% and in Asia-Pacific region is 18.8%. Interestingly, the activity rate of children in this age group in India as per Census 2001 is 5%, which has come down from 5.7% in 1991.

NATIONAL POLICY ON CHILD LABOUR

The National Policy on Child Labour enunciated in 1987 recognized the need to focus Government action programmes of income and employment generation to the families of child labour in order to supplement the resources of these hapless families which depended on their children to supplement family income. The scheme of NCLP, therefore, always recommended convergence of efforts with other developmental schemes to help the families of child labour being targeted under the Project. This was emphasized again in the 10th Plan strategy. However, such dovetailing of schemes has been inadequate so far and hence, the imperative need is to have specific component or built-in explicit provision for the families of child labour in these schemes of the Government so as to adequately cover these families and raise their family income in various forms.

This requirement has assumed still greater importance in view of the Government's decision to prohibit employment of children as domestic servants or in dhabas, teashops, restaurants, hotels and recreation centers, where the incidence of child labour is quite widespread and visible. A meeting on the issue of convergence was called to discuss these issues with the Ministries/Departments of Rural Development, Elementary Education & Literacy, Women & Child Development, Housing & Poverty Alleviation and Social Justice and Empowerment. They have also been addressed to take appropriate steps in this direction. The Planning Commission may also insist on inclusion of such provisions in the schemes of these Ministries and Departments in the 11th Plan, so as to



maximize the impact of Government intervention in a concerted manner. The efforts towards educational rehabilitation of these working children need to be supplemented by economic rehabilitation of their families, since a boost in their family income will be critical for the success of Government interventions in elimination of child labour from the country.

Some of the prominent schemes of these Ministries/Departments, which could have an explicit component for child labour and their families are given below and could be utilized for supporting Government's intervention for elimination of child labour. This is however, only an indicative list and could be extended to other programmes too.

- A. Schemes of the Department of Elementary Education
 - 1) Sarva Siksha Abhiyan (SSA)
 - 2) Vastishala
 - 3) Shiksha Mitra Yojana
 - 4) Mid Day Meal Scheme

- B. Schemes of Ministry of Women & Child Development
 - 1) Anganwadi Centre/ Day Care Centre
 - 2) Extension Services of Anganwadi Workers
 - 3) Balika Samridhi Yojana
 - 4) Swavalamban
 - 5) Mahila Samakhya (Assistance to Voluntary agencies with Mahila Samakhya Women)

- C. Schemes of Ministry of Rural Development
 - 1) Swarnjayanthi Gram Swarozgar Yojana (SGSY)
 - 2) Samporna Grameen Rozgar Yojana (SGRY)
 - 3) Indira Awas Yojana (IAY)

Though there are clear provisions in our Constitution to safeguard the interest of children by ensuring that they receive education and are not forced to work for a living, it is unfortunate that the problem of child labour exists to a large extent in our country. In fact, child labour is the result of various ills in the society. Poverty and illiteracy are two such manifestations, which are visible but there are many other factors inbuilt in our society, like the position of women in the family, traditional and cultural practices and feudal attitudes in the country, perpetuating this problem.

In absolute numbers, the problem is large. As per the Census 2001, there are 1.26 crores economically active children in the age-group of 5-14 years. The number was 1.13 crores in the 1991 Census. The incidence of working children in the states as per the 1991 and 2001 Census is given below:-



State-wise Distribution of Working to 1991 and 2001 Census in the age group 5-14

Sl. No	Name of the State/UT	1991	2001
1.	Andhra Pradesh	1661940	1363339
2.	Assam	327598	351416
3.	Bihar	942245	1117500
4.	Gujarat	523585	485530
5.	Haryana	109691	253491
6.	Himachal Pradesh	56438	107774
7.	Jammu & Kashmir		175630
8.	Karnataka	976247	822615
9.	Kerala	34800	26156
10.	Madhya Pradesh	1352563	1065259
11.	Maharashtra	1068427	764075
12.	Chhattisgarh		364572
13.	Manipur	16493	28836
14.	Meghalaya	34633	53940
15.	Jharkhand		407200
16.	Uttaranchal		70183
17.	Nagaland	16467	45874
18.	Orissa	452394	377594
19.	Punjab	142868	177268
20.	Rajasthan	774199	1262570
21.	Sikkim	5598	16457
22.	Tamil Nadu	578889	418801
23.	Tripura	16478	21756
24.	Uttar Pradesh	1410086	1927997
25.	West Bengal	711691	857087
26.	Andaman & Nicobar Island	1265	1960
27.	Arunachal Pradesh	12395	18482
28.	Chandigarh	1870	3779
29.	Dadra & Nagar Haveli	4416	4274
30.	Delhi	27351	41899
31.	Daman and Diu	941	729
32.	Goa	4656	4138
33.	Lakshadweep	34	27
34.	Mizoram	16411	26265
35.	Pondicherry	2680	1904
	Total	11285349	12666377

Sources: Report of the working group on Child Labour for the 11th Five Year Plan, Government of India, Planning Commission, New Delhi, 2001.

The State with the highest child labour population in the country is Uttar Pradesh, followed by Andhra Pradesh. Other States where child labour population is



more than 1 million are Rajasthan, Bihar, Madhya Pradesh and West Bengal. While there has been a decline in the incidence of child labour in few states like Andhra Pradesh, Maharashtra, Karnataka, Gujarat, Orissa & Tamil Nadu, there has been an increase in Bihar, Haryana, Rajasthan, Uttar Pradesh & West Bengal.

Number of child workers (5-14 years) engaged in Hazardous Occupations as per 2001 Census

1	Pan, Bidi & Cigarettes	252574
2	Construction	208833
3	Domestic workers*	185505
4	Spinning/ weaving	128984
5	Brick-kilns, tiles	84972
6	Dhabas/ Restaurants/ Hotels/ Motels*	70934
7	Auto-workshop, vehicle repairs	49893
8	Gem-cutting, Jewellery	37489
9	Carpet-making	32647
10	Ceramic	18894
11	Agarbati, Dhoop & Detergent making	13583
12	Others	135162
	Total	1219470

Sources: Report of the working group on Child Labour for the 11th Five Year Plan, Government of India, Planning Commission, New Delhi. 2001

ELIMINATION OF CHILD LABOUR: 10TH FIVE YEAR PLAN

In order to provide rehabilitation to larger number of working children, Government decided to expand the coverage of the Scheme from 100 to 250 districts in the 10th Plan (List of 250 districts is given in Annexure - I). Further, to make the Scheme more effective, a revised strategy was also adopted in the 10th Plan, based upon the recommendations of an evaluation of the programme carried out in 2001 by V. V. Giri National Labour Institute with the help of some independent agencies. The revised strategy emphasized the need to continue the programme in a more focused, integrated & convergent manner. As such, it was decided to enroll working children in the age group of 5-9 years directly under the Sarva Shiksha Abhiyan, which had started in 2001-02, whereas those in the age group of 9-14 years to be covered under the Special Schools run under NCLP Scheme. Considering the fact that the number of child labour does not remain static, it was also decided to conduct at least two surveys during the 10th Plan to correctly assess the extent of child labour in the districts. For this purpose, a provision of Rs.2.75 lakh per survey was made for every NCLP district. In addition, a budgetary provision of Rs.1.25 lakh per year was also earmarked for raising public awareness against the evils of child labour.

Further, the nutritional component was doubled in the 10th Plan from Rs.2.50 per child/day to Rs.5. Beside, components of health care and vocational



training was also greatly reinforced under the 10th Plan. Project Societies can now engage a doctor for conducting health checkups for every 20 Schools at an honorarium of Rs. 5,000/- per month. Provision of Rs.5, 000/- per month was also made to engage a Master Trainer in the district to impart specialized skill training to Vocational Instructors & children in skills/trades, which are financially rewarding. In addition, funds @ Rs. 1500/- per teacher were earmarked for their training and skill upgradation during the 10th Plan, with a view to improve the quality of teaching in NCLP Schools.

The budget allocation under the NCLP Scheme for the 10th Plan period was Rs.602 crores. The year wise breakup of the allocation and expenditure under the Scheme during the 10th Plan is as follows: (In lakhs)

The implementation of the Scheme in the 10th Plan

Year	Allocation	Expenditure
2002-03	8010.00	6513.77
2003-04	7243.00	6783.00
2004-05	9905.00	9315.00
2005-06	11543.75	11503.82

During the 10th Plan, new projects in 150 districts were sanctioned. Out of this, 50 were sanctioned in February 2004 and 100 in October 2004. So far 86 new projects have been operationalized as per the details given below:

Status of Operationalization of new projects during the 10th Plan

State	Number of new projects Sanctioned	Number of new projects operationalised
Andhra Pradesh	1	1
Assam	3	1
Bihar	21	3
Chhattisgarh	3	1
Gujarat	9	1
Haryana	3	Nil
Jammu & Kashmir	3	Nil
Jharkhand	4	2
Karnataka	12	5
Madhya Pradesh	14	11
Maharashtra	11	5
Mizoram	1	Nil
Nagaland	1	Nil
Rajasthan	17	16
Tamilnadu	5	4
Uttar Pradesh	36	31
Uttranchal	1	Nil
West Bengal	10	5
Total	156*	86



Efforts are being made to operationalise all the remaining new projects also within 2006. Constant review and monitoring of the States is being done in this regard. Some of the States like Bihar, Haryana, Gujarat & Maharashtra have not been able to operationalise most of their projects. This issue has been taken up with the State Governments regularly at various levels. It is felt that the projects in these States require greater level of monitoring at the State level so that they are operationalised in a time bound manner and implemented in full scale. Further, considering the significant increase in the number of child labour in Bihar and the problem of migration of child labour from the State to metropolitan cities like Delhi, Mumbai and Bangalore, the new projects sanctioned in the State need to be operationalised quickly.

As regards the old 100 projects, the performance of the States is mixed. Some of the oldest projects are in the States of UP, Orissa, Andhra Pradesh, Rajasthan, West Bengal and Tamilnadu. While the performance of Tamilnadu, Andhra Pradesh & Orissa is creditable as can also be seen in the decline in the number of child labour in these States, the efforts made in UP were not commensurate to the extent of the problem. It has shown sharp increase in the number of child labour between the 1991 and 2001 Census. Rajasthan & West Bengal have also shown an increase in child labour between 1991 and 2001 Census. A substantial increase in the number of child labour in Rajasthan is a matter of great concern.

State	No. of children mainstreamed
Andhra Pradesh	1,73,297
Bihar	10,704
Jharkhand	10,231
Karnataka	10,467
Madhya Pradesh	2,314
Chhattisgarh	4,171
Maharashtra	8,235
Orissa	63,237
Rajasthan	11,371
Tamilnadu	39,523
Uttar Pradesh	23,251
West Bengal	16,086
Punjab	1,368
Total	3,74,255

The efforts of the State Governments in combating the problem of child labour can also be gauged from enforcement measures and extent of mainstreaming under the Scheme. As per the reports received from the State Governments, the enforcement data of the various States is given in Annexure -II. It may be seen that the level of enforcement in the States of Tamilnadu, Andhra Pradesh, Maharashtra & West Bengal is encouraging, whereas that in UP, Rajasthan, Madhya Pradesh &



Orissa it is very low. So far 3, 74,255 children have been mainstreamed under the Scheme. The State-wise break up is as follows: It may be seen that the States of Andhra Pradesh, Orissa & Tamilnadu performed well on mainstreaming.

Conclusion

Child labour is a significant problem in India. The major cause of child labour is poverty. Even though children are paid less than adults are, whatever income they earn is of benefit to poor families. In addition to poverty, the lack of adequate and accessible sources of credit forces poor parents to use their children as bonded child labourers. Some parents also feel that a formal education is not useful, and that children learn work skills through working. Another cause is poor access to education. In some areas, education is not affordable, or is found to be inadequate. With no other alternatives, children inevitably spend their time working.

The Constitution of India clearly states that child labour is wrong and that measures should be taken to end it. The government of India has set a minimum age of employment. This Act does not make all child labour illegal. Despite policies enforcement is a problem. If child labour is to be stopped in India, the government and those responsible for enforcement need to start doing their jobs. Policies without enforcement are useless. Education in India also needs to be improved. High illiteracy and dropout rates reflect the low quality of the educational system. Poverty plays a role in the ineffectiveness of the educational system. Dropout rates are high because children are forced to work in order to support their families. The attitudes of the parents also contribute to the lack of enrollment. Compulsory education may help in regard to these attitudes. The examples of Sri Lanka and Kerala show that compulsory education has worked in those areas. Hopefully the future will show that progress will be made towards universal education, and stopping child labour.

Child labour cannot be eliminated by focusing on one cause, for example education, or by strict enforcement of child labour laws. The government of India must ensure that the needs of the poor are filled before attacking child labour. If poverty is addressed, the need for child labour will automatically be reduced. Children grow up illiterate because they are working and not attending school. A cycle of poverty is formed and the need for child labour is constant from one generation to the next. India needs to deal with the underlying causes of child labour and the enforcement of laws. Only then will India succeed in the fight against child labour.

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