

CHAPTER – ONE

INTRODUCTION

Problem of the study :

The term “child labour” is used as a synonym for “employed child”. In this sense it is co-extensive with any work done by a child for gain. It is something hateful and exploitative. The concept of child labour is inevitably intertwined with three difficult-to-define concepts; “child”, “work” and “labour” (Singh, 1992). All those persons who are engaged in an economic activity but are less than 14 years of age have been taken as working children. Child labour in restricted sense, means the employment of a child in gainful occupations, which are dangerous to their health and deny them the opportunities of self development (Saha, 1992). The Indian Constitution provides for protection of children. According to the Article-24, no child below the age of 14 years shall be employed in any factory or mine or engaged in any other hazardous employments. The Article-39 (c) and 39- (f) are also in this regard (Sinha, 1991). Poverty seems to be the most significant cause of child labour. But it is to be remembered that poverty is not the only cause. In many cases, children work because they have nothing else to do. Further, illiteracy, ignorance and lack of awareness also contribute towards proliferation of child labour. According to the report by the ‘Indian Social Institute on Child Labour’, 80 per cent of all child labourers belong to scheduled castes and tribes that have been exploited and marginalized in India for centuries.

The child labour (Prohibition and Regulation) Act, 1986 sets out some occupations and processes as hazardous and prohibits the employment of children therein and in other employments provides for thorough regulation of the conditions of work of the children. It brings about a change in the definition of ‘child’ under the Minimum Wages Act, 1948 and the Plantation Labour Act, 1951. The Merchant Shipping Act, 1958 and the Motor Transport Workers Act, 1961 restrict the upper age limit of a child to 14 years. The Act prescribes that the children should not be put to work continuously for more than 3 hours at a stretch spreading over not exceeding

6 hours. Double employment on same day has also been prohibited. It further provides for no overtime and no work for children between 7 p.m. and 8 a.m. A child worker must be given a weekly holiday and be provided with at least one hour of interval for rest on working days. Necessary arrangement for the health and safety for the children employed in any establishment should also be there. The penal provisions under the Act provides imprisonment for a term ranging from 3 months to 1 year and or fine ranging from Rs. 10,000/- to Rs. 20,000/- for employing a child in prohibited occupations or processes. Repeated offence on this count invites a punishment of imprisonment from 6 months to 2 years. For contravention of other provisions of the Act and rules framed there under, the prescribed punishment is simple imprisonment which may extend to one month and or fine which may extend to Rs. 10,000/- (Government of India Report, 1996).

At present there are thirteen major legislature enactments, which provide legal protection to children against exploitation. These legislations provide the minimum age, minimum wage and certain working conditions, and regulate their working hours. The legislations are :

- Factories Act, 1948.
- Minimum Wages Act, 1948.
- Plantation Labour Act, 1951.
- Mines Act, 1952.
- Merchant Shipping Act, 1958.
- Shop and Commercial Establishment Act,
- Motor Transport Workers Act, 1961.
- Apprentices Act, 1961.
- Employment of Children Act.
- Children Pledging of Labour Act, 1938.
- The *Beedi* and Cigar Worker (Conditions of Employment) Act, 1966.
- Atomic Energy Act, 1972.
- Child Labour (Prohibition and Prevention) Act, 1986. (Singh, 1992).

Almost all the developing countries of the world have various children's laws in their land to safeguard their rights (Singh, 1992). The Constitution of India is also committed to the protection and promotion of the welfare considerations over the economic ones. It was not surprising therefore, that a series of committees and commissions have been appointed by the Government of India, either specially on the question of child labour or on labour conditions in general, which give us insights into the problem and suggestions to alleviate it. These are :

The Royal Commission on Labour (1929)
 The Labour Investigation Committee (1944)
 The National Commission of Labour (1966)
 Gurupadaswami Committee on Child Labour (1966)
 Sanat Mehta Committee (1986) which deserve special attention

(Chandra, 1998).

The world's population of working children is yet to be counted accurately. Because it is often illegal and clandestine. Child labour lies beyond the reach of conventional labour statistics. New survey methods are penetrating the screen of obscurity, which for too long has concealed the problem for public view. The findings reveal a tragedy of far greater magnitude than earlier. Some 250 million children between the ages of 5-14 are working in the developing countries – 120 million full time and 130 million part time. Some 61 per cent of this or nearly 153 million are found in Asia; 32 per cent or 80 million are in Africa and 7 per cent or 17.00 million live in Latin America (Chandra, 1998). These estimates are based on a new and more accurate methodology recently tested by the ILO's Bureau of Statistics in Ghana, India, Pakistan, Senegal and Turkey. The child labour-force are 16.6 per cent in Pakistan, 18.8 per cent in Brazil, 19.5 per cent in Bangladesh, 12.4 per cent in Indonesia, 20.9 per cent in Thailand. 27.3 per cent in Turkey, 8.2 per cent in Egypt and 6.6 per cent in Argentina. Sri Lanka has a lower percentage of child labour, i.e., 4.9 per cent (Chanda, 1998).

According to an estimate of the ILO (1975), there were 52 million child labours in the world (Ahuja and Jain, 1998). The South-East Asian countries accounted for 55.77 per cent followed by the remaining Asian countries 17.50 per cent, Africa 19 per cent and South America 6 per cent. As regards India, various unofficial estimates place the number of child labourers between 44 million and 100 million. According to the National Sample Survey, there were 16.33 million child labourers in 1972-73 and 17.36 million in 1983. Europe has 1.34 per cent, North America 0.57 per cent and Oceania 0.19 per cent child labour. In South-East Asia there are 29.0 million. In remaining parts of Asia 9.1 million, Africa 9.7 million, South (Latin) America 3.1 million, Europe 0.7 million, North America 0.3 million, and Oceania 0.1 million. The total is 52.0-million child labour in world (Ahuja and Jain, 1998).

Today, India is the home of largest number of working children. According to the Census there were 11.29 million child labour in 1991. However, according to an estimate of the ILO (1996) there were 12.07 million full time child labourer and 10.50 million marginal child labourers. Whatever may be the actual figure of child labour, the important point is that the child labour phenomenon in India is on the rise, and it shows that India has a substantial number of working children to be tackled (Chandra, 1998).

According to the 1991 Census of India the state wise distribution of child workers of 10-14 years of age group is follows : Andhra Pradesh has 1,661,940, Assam - 3,27,598, Bihar - 9,42,245, Gujarat - 5,23,585, Haryana - 1,09,691, Himachal Pradesh - 56,438, Jammu & Kashmir - 2,58,437 (1981), Karnataka - 9,76,247, Kerala - 34,800, Madhya Pradesh - 1,352,563, Maharashtra - 1,068,418, Manipur - 16,493, Meghalaya - 34,633, Nagaland - 16,476, Orissa - 4,52,394, Punjab - 1,42,868, Rajasthan - 7,74,199, Sikkim - 5,598, Tamil Nadu - 5,78,889, Tripura - 16,478, Uttar Pradesh - 1,410,086, West Bengal - 7,11,691, Andaman & Nicobar Islands - 1,265, Arunachal Pradesh - 12,395, Chandigarh - 1,870, Dadra & Nagar Haveli - 4,416, Delhi - 27,351, Daman and Diu - 941, Goa - 718 (1981), Laxhadweep - 34, Mizoram - 16,411 and Pondicherry - 2,680. According to the Census, state-wise figures reveal that Andhra Pradesh is at the top of list, followed by Madhya Pradesh, Maharashtra, Uttar Pradesh, Karnataka and Bihar. The lowest number of child workers is found in Laxhadweep among all states and Union Territories (Chandra, 1998).

About 50,000 children between three and half to 15 years ($3\frac{1}{2}$ - 15 years) of age work in the match and fire work industry in an around Sivakashi (Tamil Nadu) (Jain, 1993). About 20,000 children work in the stone quarries in Kerala and many more in the state industry in Markapur (Andhra Pradesh) and Mandsaur (Madhya Pradesh). Nearly 28,000 children work in the mines in Meghalaya, owned by the private entrepreneurs. Nearly 20,000 children work in the fish freezing and processing units in Quilon (Kerala). In Trivandrum, about 10,000 and in Tiruppur, about 8000 children are engaged in the handloom industry. In Tiruchirapalli (Tamil Nadu) and Trichur (Kerala) about 7,000 children, mostly girls are engaged in the *beedi* industry. Working children numbering 110,000 are found in the lock industry

of Aligarh. The state of Jammu & Kashmir conducted a handicraft census in 1978-79 and revealed a total number of more than 27,000 children in the handicraft industries in the state. In the glass industry of Firozabad (Uttar Pradesh) about 25 per cent of the 2 lacs workers employed are children below 15 years of age. In the pottery units of Khurja (Uttar Pradesh) out of the total workers of 20,000 nearly 5000 are children below 14 years of age. Nearly 13,000 children out of a total work force of 60,000 are in the gem polishing industry of Joipur and Rajasthan. The condition of the domestic worker depends on the socio-economic status of the family employing him. Perhaps the most dangerous demeaning and destructive of self worth is the job of scrap collectors or rag pickers. The number of children working in the brassware industry in Moradabad has been estimated as 1800-2000 (Tripathy, 1997).

The West Bengal Child Labour (Prohibition & Regulation) Rules 1995 have restricted the working hours of a child labour to maximum of 5 hours a day or 30 hours in a week, and it provides for fixing the working hours in such a way that a child labour gets a reasonable opportunity to take formal or informal education. The rules further provide for well cleaned, well ventilated and well illuminated working place with good sanitation and hygienic condition. Half-yearly health check up of every child labour by a qualified medical practitioner at the cost of the employer has also been prescribed. Necessary provisions have also been made for health, safety and other aspects of child labour in the said rules. Thus, the Policy and Act clearly recognise the fact that, the child labour cannot be wiped away overnight. Both envisage for progressive elimination – elimination is to start with hazardous employments, and the problem in non-hazardous employment is to be tackled by mitigating the hardship of child workers through betterment of the working condition by way of regulation (Government of West Bengal, 1995).

Table – 1
Distribution of Working Children in West Bengal

Sl. No.	Districts	Child Workers			
		Boys	Girls	Total	No. of Child Workers per 1000 persons
1	Calcutta	13,978	6,593	20,571	6.22
2	Howrah	11,778	2,050	13,828	4.66
3	24 Parganas	65,254	9,504	74,758	6.96
4	Hooghly	22,128	6,034	28,167	7.92
5	Midnapur	37,857	12,787	50,644	5.51
6	Nadia	32,405	3,623	36,028	12.15
7	Murshidabad	38,061	8,241	46,302	12.66
8	Burdwan	32,450	7,265	39,715	8.21
9	Birbhum	19,573	2,917	22,490	10.72
10	Bankura	16,956	5,303	22,259	9.37
11	Purulia	14,620	8,261	22,881	12.34
12	Malda	24,515	5,993	30,508	15.01
13	West Dinajpur	40,611	5,024	45,635	18.97
14	Jalpaiguri	24,515	5,993	30,508	13.76
15	Cooch Behar	26,661	2,272	28,933	16.33
16	Darjeeling	7,004	4,295	11,299	11.03
TOTAL		427,365	96,160	529,525	9.58

Source : Census of India, 1981.

The highest number of child worker in West Bengal is in undivided West Dinajpur district (South Dinajpur and North Dinajpur districts) where they are 18.97 per cent per 1000 persons and lowest number of child worker is in Howrah district – being only 4.66 per 1000 persons. Second highest number is found in Cooch Behar district being 16.33 per 1000 persons of the labour force. According to 1991 Census, 593,387 are main child workers, 118,304 are marginal child workers and total child workers are 711,691 in the age group of 0 – 14 years. It is revealed that in West Bengal children are engaged in as many as 32 types of work starting from ploughing to smuggling and begging (Chaurasia, 1998).

Child labour problem is not the minor problem in Siliguri town of Darjeeling District of West Bengal. A large number of children (05-14) age group are engaged in different types of works. Most of them are ragpickers and remaining children are

engaged in hotels, restaurants, garages, small manufacturing companies etc. These children are migrants belonging to various communities and linguist groups. They live in different slums in Siliguri town. Their socio-economic and living condition is very precarious. They always suffer from mal-nutrition, anaemia and many other diseases. They are fully ignorant about community health. Alcoholism is the main problem among the slum dwellers. According to 1981 Census, 11.03 per thousand persons are child labours in Darjeeling district. Out of 5 lakhs of people of Siliguri town 1,60,192 live below the poverty line. Child labourers mainly come from these families who are engaged in different hazardous works for livelihood.

Sociological understanding of child labour probably can reveal the real causes of prevalence of this group in our society. Our attention is naturally drawn towards knowing of the social background of child labours, their caste and community background, family income, literacy, religion and many socio-cultural background. These may help the planner and policy makers for eradication of child labour from the society.

Review of Literatures :

A large number of studies are available in the field of problems of child labour in Indian society. These are mainly done by sociologists and economists. The studies which are relevant for the present research have been briefly reviewed to get the knowledge of the work on child labour already done.

Saha's (1992) study of child labour was performed in the unorganised sector of Kashmir. It confined to the Papier-mâché, Hotels and *Dhabas*, carpet weaving, and domestic services. A total 200 children were interviewed under this study. Besides, some adult workers, labour leaders, child welfare activists, intellectuals and medical practitioners were interviewed to know their views about the cause and implications of child labour. The phenomena of child labour were same as found in the rest of the country. It observed the nature of employment and exploitation of child labour as age-old phenomena. Besides historical perspectives, this study also dealt with the concept, nature and desirability of child labour. It traced the causes and effects and factors generally responsible for the employment of child labour, viz., inadequate income of parents, illiteracy and ignorance of parents and large family size of

parents. It concluded that child labour was a socio-economic problem. It was beyond doubt that children were forced by circumstances to do work at a tender age when they should have been in school. It concluded that despite a plethora of legal measures enacted at the national and state levels employment of children in almost all sectors of economy continued unabated. It looked difficult though not impossible, to abolish this practice in the years to come. It brought to light the plight of children working in carpet-weaving, papier-mâché, hotels and *dhabas* and as domestic servants in Jammu & Kashmir. The working condition of children engaged in various establishments and the ill effects of such work were also studied. It also focused attention on the growing exploitation of children in selected sectors of economy. Certain remedial measures to put the employment of children at the minimum, if not to do away with it completely, suggested comprehensive socio-economic programmes and educational upliftment of the weaker sections of the society and a total change in the attitude of the society towards child labour.

Jain's (1993) study in the carpet weaving industry was undertaken to analyse the situation of child workers in Jammu & Kashmir state with a special focus on girl child workers in the industry similar to the Saha's study as described in the previous paragraph.

Sharma and Mittar (1990) focussed on the role of child labour in the informal sector in Patiala, a class I city of Punjab, as the base and utilised information collected from 110 working children engaged in various occupations. Child labour, which existed in the formal sector, could more frequently be found in the informal sector. The main causes of it were the unemployment, poverty and indebtedness of the households. The employment of children in the informal sector is preferred, because the employers considered it as a source of cheap labour and quick profits. Out of the listed households, only 115 households had at least one working child each, five households were such where children were working in formal sector enterprises. This study focused on the socio-economic characteristics of the sampled households belonging to the working children. Besides, the age, sex, caste, education, marital and parental status and employment status of the working children had been analysed.

The households which supplied child labourers were having a sizeable proportion of their population between the age of 6 and 14 years. This was in fact an age in which the children should be in the schools. Since the children were sent to work, it was expected that they were deprived of even the elementary education which led to the low educational level of the households from where they were drawn. It was further observed that three-fifths of the population did not have any formal education. Nearly one-fourth of the population had studied up to primary level and another 6.23 per cent had studied up to middle level. No formal education and low level of literacy among the population were perhaps responsible for the placement of a large number of heads of household in the informal sector activities, such as rickshaw pulling, bangle selling, washing of clothes, petty trade, rag-collection, hawking, repair works, etc. Female-working children constituted only a negligible proportion of the working children. Nearly two-third of the working children were from scheduled castes and backward classes. However, a comparatively higher proportion of working children belonging to this category were of non-migrants. Nearly one-tenth of the children were found to be married. The child marriage was found to be more prevalent among the migrants than natives. Nearly one-third of them were addicted to smoking or taking *zarda*, etc. The mean earning of the working children was Rs. 168.18 per month. The mean earnings of the migrant children were much higher than that of non-migrant children. The income differential between migrant and non-migrant children was due to their placement in technical and non-technical occupation.

Mittal's (1994) study on child labour in 'Chikan' industry and allied works was undertaken by their own household in the area of Daliganj in Lucknow city. The study consisted of the child workers engaged in chikan work in Daliganj area. The method of random sampling had been used for selecting fifty children for intensive interview on the socio-economic and occupational aspects of child labourers in chikan industry.

The word 'Chikan' according to one school of thought appeared to have its roots in the Persian language being a derivative of 'chikan' "chakan", chikeen meant a kind of cloth wrought with in followers with a sort of needlework. Chikan embroidery was just like a shining feather in the artistic cap of Lucknow. The art of

chikan embroidery was mostly confined within the walls of old localities of Lucknow but later on, it stretched within a radius of about 100 k.m. from north to south, west to east of Lucknow. About 50,000 to 60,000 people were engaged in this art, and it had become a profession of the members of the Muslim families and it is passing from generation to generation. The majority of children in this trade had been the females. The highest number of children doing the chikan work has been found to be in 10-12 age groups. All the respondents had been from Muslim families. Overwhelming majority of the cases had been encouraged by their parents to join the chikan work. Keeping up of the family tradition has been the general reason behind the respondents coming for chikan work. Only a lesser number of children were trained for the chikan work. The majority of respondents had been in the chikan work for more than one year. The educational standard of the children interviewed was very depressing with the state of affairs regarding the educational background of the children. One must look at the government's policies already existing with regard to the education of children. The health of the majority of the child workers had been very poor. The long working hours often left no time for the child workers for any other household activities. The child workers were not paid any fixed wages. They were paid on piece rate basis. The pathetic situation about the payment system in the chikan work was that quality of work was not given due importance in payment of wages to the workers. It was very clear that female child workers had less time than male child workers. In between the working hours they also had to assist in household activities. Nonetheless, the female child workers had some preferences for the recreational activities. Singing, dancing, radio-listening, television watching, indoor games were some of the preference of the child workers for their recreational activities.

Chandra Mowli's (1992) study of the '*Jogin*' system in Andhra Pradesh which was derived from the word '*Yogin*', meaning a "girl-saint". "*Jogin*" was defined as a larger number of small girls traditionally or superstitiously dedicated to the village gods, but eventually abandoned to the woods to the caprice and avarice of more mortals. The system of this custom was totally different from that of prostitution. Very often people did mistake the *Jogin* as a form of the '*Devadasi*' system. To call *Jogin* as the '*Devadasi*' system was a travesty of truth. It was generally done either

out of ignorance or out of mischief. The result was the same in either case. Today *Jogins* system could be found in Nizamabad. This was the pathetic plight of very young girl belonging to the scheduled castes, who were brutally exploited even to this day, euphemistically labelled as *Jogins*. A girl aged five to nine years was married in an elaborate ceremony to *Patharaju*, the god she was painted with turmeric powder from head to foot, dressed in yellow, a *mangalasutra* was also tied on behalf of the god, and there was eating and drinking for all the guests. She continued to live with her family and when she attained puberty she was initiated into her actual role by the village *patil* or anybody who controls the village. Then depending on her physical attractiveness, she became the mistress of some rich man or ended up as a 'one-night-stand' for all and sundry to keep her body and soul together.

There were 5,000 *Jogins* in Nizamabad district and a total of 30,000 elsewhere. They included both the young and old. It was found that more than 40 per cent of the women were suffering from leucorrhoea and sexually transmitted diseases. Most of them were suffering from severe condition of ill health. The '*Jogin*' system clearly came under the category of bonded labour. In this sense, every *Jogin* was a bonded labour, since she was not free to take part in the labour market, especially in the initial phase of her bondage to any particular landlord or her employer. Krishna Kumar (1997) and Maitra Sinha (1996) had studied on the same field.

Singh's (1992) study was undertaken in different localities of Ahmedabad among the 200 child labourers who were engaged in the restaurants, hotels, laris, garages and household activities. Out of 200 child labourers there were 199 children in the age group of 8 – 14 years and one child was seven years of age. Majority of the child labourers came from families each consisting of five to seven persons while some of them had 10 or more members in their family. Most of the child labourers had illiterate family members. The monthly family income of more than one-third of the child labourers was Rs. 701.00 and above, and of the rest it was below Rs. 701.00. Two-third of the child labour had either one or two earning family members. Only one-fifth of the child labourers saved Rs. 51.00 to 61.00 and 2 per cent of them saved Rs. 15.00 to 20.00 monthly. Majority of the child labourers did not have any property but a few of them have their own lands and houses. Most of the child

labourers lived in slums. Child labourers under study worked for 11 to 12 hours a day but those who were engaged in household chores did not necessarily work for 11 – 12 hours a day. Most of them did not involve themselves in risky work and also did not suffer from any diseases related to their work. Almost all the child labourers except five have good work atmosphere. More than 50 per cent of the child labourers had expressed their desire to study, to play and to go to school. The respondents themselves seemed to be very keen on continuing further studies. Unfortunately, due to socio-economic circumstances they were unable to pursue. Interestingly, the child labours were in no way less intelligent than the children of the same age group who pursued formal education in schools. The child labours expressed their desire to go to school for education even after finishing their work each day. It may thus be concluded that the child labours were required an opportunity for informal education.

Tripathy's (1997) study on the socio-economic and living conditions of migrant child labourers from the draught prone regions of Orissa. Most of the migrant child labourers hailed from the tribal societies who were unskilled and landless agricultural labourers. They migrated to the distant places of Kashmir, Assam, Nagaland, Manipur, Uttar Pradesh and many other states. They engaged themselves in earth cutting, road making, textile works, etc. Employment in unorganised sectors had been over-pressured because of such shift of rural poor and unskilled labourers who supplied their children to be employed in hazardous occupations. Labour migration and consequently the migration children as labourers is a historical phenomenon in a backward tribal dominated state of Orissa.

A similar study was undertaken by Maharatna (1997) among the four villages in Birbhum district of West Bengal.

Aziz's (1979) study was on the problems of agricultural labourers in the perspective of rural development in Mysore. The nature of the rural labour market was such that it did not provide prospects of agricultural labourers. It was characterised by highly seasonal employment and attracted a substantial number of women and children. The low-income households provided a large number of women in the rural labour force. Thus among the landless and the nearly landless families, 43 per cent of the workers happened to be females, as against 33 per cent in the case of families with holdings of over five acres. Similar trends were observed in respect of

children. Thus in a district of Uttar Pradesh it was found that in the households with over 15 acres of land, boys under the age of 15 did not participate in the labour force at all. But among the agricultural labourers and households owning less than 15 acres of land, 45 per cent to 49 per cent of the boys in the age group of 11 to 15 years were in the labour force. These trends suggested that the participation rate of women and children in the rural labour market were inversely related to the levels of incomes. As a result, growth of agricultural labourers by exerting a downward pressure on agricultural wages would again create conditions like increased participation rates of women and children, which in turn would further worsen the wage situation.

To understand the nature of employment and working conditions the labourers were divided into herd boys and adult labourers. The herd boys were mainly young boys of the school-going age who on account of economic pressure had been forced to take up jobs with landlords as herd boys. The main duty of these boys was to lend cattle, collect cow dung and many other odd jobs. Wage was paid annually to the guardian of the boy either in cash or kind but the amount paid was negligible as the boy used to get food, shelter and clothing from the employer : Like the herd boy, the adult labourers also stayed in the lodge provided by the employer. It was stated that the adult labourers did not have set working hours, they were supposed to be working round the clock. There were also said to be no set type of work to be done. They were asked to perform all kinds of jobs depending on their physical ability. Besides works in the agricultural land the attached labourers used to take the produce to the market, guard the employer's house, garden and other property, and take care of cattle. But the wage paid for the work was meagre compared even with the low wages paid to the casual labour.

Saxena (1986) estimated the number of child workers engaged in earning a living instead of receiving education, general as well as vocational which was so necessary to equip them for their future lives. The majority of child labourers were engaged either in agriculture or farm related work or in the unorganised sector. This sector accounts for children working as servants in homes, canteens, wayside shop and as vendors, porters, scavengers and shoeshine boys. In the plantation areas, considerable numbers of children were employed, mainly in the harvesting of tea and coffee. Children in plantations started working from the age of 6 or 7 only. The great

majority of workshop did not use any mechanical power, but employ a large number of wage earners. These factories and workshops were outside the Factories Acts and there had been no separate legislative provision for them except for *Beedi* workers. There were others like shellac, mica splitting, carpet weaving, glass bangles and various small-scale industries. The observations of the committee on child labour were quite significant. The existing situation in respect of child labour in India could still be summarised as one of "continuing drift". Though there was little evidence of children at work in the organised sector of industry and in certain pockets of the country. The overall position was as had been observed by the Whitley Commission nearly 50 years ago. Bulks of the children continue to be employed in the rural environment. While most of them worked without wages, there was an increasing number amongst them of children employed for wages and also of many working on jobs which were hazardous quite a large number of children residing in rural areas were also employed in cotton industries, where again the regulation by law was minimal, there was still a large-scale migration of children from rural environment to urban areas. These children took to employment in smaller establishments in cities under varying exploitative conditions. The regulation by law of employment of children covered only a fringe of these occupations and ironically even where regulation had been sought, the enforcement was extremely half-hearted and tardy.

Bhatty (1996), Dasgupta (1997), Jain (1996) studied the similar problems regarding the child labour in India.

Pandhe's (1979) study was mainly based on official and semi-official reports. There were several laws regulating the employment of children in various occupations. Their purpose was to protect the health and well being of children. The Royal Commission on Labour (1929-31) described at length the extremely unsatisfactory employment and working conditions of child workers. According to Census report the number of child workers in Delhi increased by 40 per cent during 1961 to 1971. The duties of workers covered almost all household chores, such as scrubbing the floors and cleaning the rooms, washing linen, cleaning household utensils and in some cases, cooking and serving food, other duties included making beds for the entire household and so on. National Institute of Public Corporation and Child Development, New Delhi conducted a detailed survey on working children in

Bombay in 1978. The study was undertaken at the instance of the development of social welfare among the working children aged 6 - 15 years in different industries. The survey revealed a total of 5939 children of whom 14.7 per cent had already joined the workforce. A sex-wise distribution of these working children showed that 67.4 per cent of them were boys and 32.6 per cent girls. On 21 December 1976 the United Nations General Assembly adopted a Resolution proclaiming 1979 as the International Year of the Child (IYC) with general objectives of promoting welfare of children. The resolution called upon the UN agencies to contribute to the implementation of the objectives of the year, the purpose for which an inter-agency advisory group was formed in early 1977. Since March 1977, the ILO had participated in general inter-agency advisory group meetings. The nature of the discussions indicated that certain points regarding ILO policy concerning working children needed to be clarified and analysed. The purpose of this exercise was to enable the ILO focal points to co-ordinate interdepartmental activities in a clearer perspective so that the ILO inputs for the preparation of the International Year of the Child, 1979, adhered to a coherent policy pattern.

Joe (1997) and Remington (1996) studied on the similar problems of child labour.

Ahuja and Jain's (1998) study conducted in a village in the district of 24 Parganas (North) West Bengal revealed that children were engaged in as many as 32 types of works starting from ploughing to smuggling and begging. In the cause of direct wage employment in manufacturing units producing brassware, match sticks, diamond and precious stone jewellerys, carpets, locks and other such products, children were exposed to harmful chemicals, handling of dangerous machines and other similar hazards. The child workers were put under serious psychological strain by denying permission to meet their parents, relatives and friends. The child maidservants were treated badly and were sometimes physically and sexually assaulted by the employer. All these adversely affected the physical, mental, spiritual and intellectual development of a child. This study was designed to present some demographic and socio-economic aspect of child workers. The plea that child labour was a painful necessity in a developing country like India. However the consequences of child labour in terms of health, social and economic status and the

general quality of life were alarming. The study revealed that such a cause-effects-syndrome could degenerate our future human resources, unless controlled rigorously. Child labour remained wide spread throughout the world – for many millions of children, work in an ordeal, a source of suffering and exploitation and an abuse of human rights. The demographic policy recording child labour should be to control population. To tolerate child labour was neither morally justifiable nor a good social policy. This waste was awful, because future economic and social development is contingent on the quality of human resources.

Vora's (1996) study on the issue of child labour had been highlighted at international and national forums. A series of initiatives since the 1990's had made child labour the subject of debate in the government circles, the media and had become part of public discourse. India had the largest number of child labour in the world. The estimates of child labour in India were 13.6 million, according to 1981 census. More than 80 per cent of the working children in India belonged to rural areas who worked in the primary sector of the economy. According to the 1981 Census about 86.4 per cent of the child workforce was employed in agriculture and allied activities. It was estimated that about 8 per cent of the total child labour force worked in the export sector. More occupations and process involving large numbers of child labourer were outside the purview of the law. The child labour (Prohibition and Regulation) Act, 1986 covered only 15 per cent of the working children. The prominent sector where children were employed were agriculture, cattle tending, stone quarries, construction, carpet industry, glass and bangle industry, lock industry and so on. Obviously, their children were susceptible to diseases affecting the lung, eyes, skin and other vital organs of the body. It was advocated that child labour was due to poverty, unemployment, population explosion and illiteracy in the developing countries. He believed that the lack of social awareness and concern, absence of political will and prevalence of social myths in favour of child labour was the main reasons for the perpetuation of child labour. Illiteracy, unemployment and poverty were high in child labour dominated areas.

Parveen (1990), ILO (1990), Das and Dhar Vemuri (1992), Banerji (1997), Krishna (1996), Ahuja (1991) and many other scholars had studied similar problems of child labour in India.

Verma and Agnihotri (1981) examined that the childhood was a time for growth, laughter and learning, but millions of children now carried responsibilities beyond their tender ages. To ban child labour completely would rob most of them of their subsistence. It was a grave economic necessity, in many cases, poverty forced a child to work under the adverse conditions. They desperately needed a few rupees given to them. What was needed was a comprehensive legislation giving adequate safeguards and amenities to working children. There was no compulsion to ensure decent working conditions or responsible hours. To prohibit child labour below the age of 12, free and compulsory education till 14 years was essential but difficult to enforce. The duration of work should be limited to four and half-hours a day not exceeding 27 hours a week so that these children could be educated by condensed courses and sit for state board or University examination. Non-formal education should be the responsibility of the state or of institutions employing a large number of children to set up child welfare centres by the trained social workers. Besides educational and recreational facilities these children also needed nutrition and medical care. These Centres could deal with the grievances of child labour. If such a bill was enacted and enforced, perhaps the child workers could look forward to a slightly better deal in life.

Prasad's (1988) study was based on the data collected from among the tribal *rejas* of Ranchi district of Bihar. The study was on the various socio-economic aspects of the tribal *rejas* working in different occupational categories like construction work, brick-kilns, transportation of raw materials, industrial complexes, etc. at Barjatu, Dhurwa, Namkom, Ratu road and Kanke areas. Only 300 respondents had been interviewed amongst the tribal *rejas* deployed at various labour centres in and around Ranchi town. In this study altogether three hundred tribal *rejas* belonging to five different occupational categories had been included.

The tribal *rejas* belonging to the age groups 5 – 10 and 11-15 years worked in brick fields, transportation work and in various construction works and earned Rs. 10 – 15 a week in comparison to Rs. 20 – 25 earned by an adult *reja*. During the survey of three hundred tribal *rejas*, 7.7 per cent *rejas* belonged to the age groups of 5 – 10 and 11 – 15 years.

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Sooryamoorthy's (1998) conducted research among child labourers of three major cities of Kerala, namely, Thiruvananthapuram, Kochi and Kozhikode. A total of 1905 child workers were interviewed. Nearly one-third of the child labourers in the cities of Kerala work as helpers in various workshops. Of this, 58.45 per cent of the child labourers worked as workshop assistants in Thiruvananthapuram. Child labourers engaged as street vendors constituted 26.15 per cent of child labourers' force. Kochi was reported to be the city with the maximum number of child workers working as vendors. The other major occupations where children were engaged in a large number were shops and hotels.

The survey indicated, that, 15 per cent of the children worked in hotels and as assistants in shops or establishments at night. Children did not enjoy any privileges as workers. The wages were not given regularly. They were not also paid when the children were on leave on health grounds. Fifty eight per cent of them had revealed that they had experienced wage-cuts for the leaves taken. The studies in the three cities, revealed the fact that the children belonged to the backward sections of society were either Scheduled Castes/Scheduled Tribes or Other Backward Classes. Except in Kozhikode, the Hindus were in the majority. Kozhikode being a place with a predominantly Muslim population, Child workers were mostly from this community. The study suggested elimination of this menace in Kerala in three ways : Preventive measures that could check further inflow of child labour into the existing child labour force; ameliorating of the working and living conditions of the children who could not be rehabilitated effectively; and rehabilitation of child workers for whom rehabilitation was possible and required. The focus necessarily needed to fall on the vulnerable sections of society who were more prone to this social evil.

Chattoraj (1990) stated that the problem of child labour had been a worldwide problem. Industrialisation on a large-scale led to the employment of children in factories, workshops and other unregulated occupations. India had the largest child labour force in the world i.e., 16.5 million, most of them were below the age of 14 years. It became a matter of deep concern to find out ways and means, which might put an end to the employment and exploitation of children who were forced to join the labour stream. For this purpose data relating to child labour were taken from the census reports of 1961, 1971 and 1981. A child worker is one who worked for the

major part of the day and hence was normally deprived of schooling opportunity. Children working for a few hours outside their school timings are not included. In the developing countries considerable improvement in the school enrolment had helped in bringing down the incidence of child labour. These were laws prescribing the minimum age, minimum wages or other working conditions for various categories of labour covering factories, mines, transport, shipping, shops, pledging of labour of children, employment of children and conditions of employment of *beedi* and cigar workers. Some of these specially prohibit the employment of children. Our Constitution also provided for protection of children. According to Article 24, no child below the age of 14 years should be employed in any factory or mine or engaged in any other hazardous employment. Article 39 (c) and (f) were also relevant in this regard. In spite of these provisions, the employment of children had been continuing in violation of the protective and preventive measures.

The studies of Satyarthi (1996), Panicker (1998), Sinha (1998), Chandra (1998), Anandharaja Kumar (1998) and Sahoo (1990) studied were more or less similar to that of Chatteraj (1990).

Bhangoo (1990) attempted to find out the magnitude and problem of child labour in its various dimensions based on a survey on 100 such workers in the industrial and non-industrial sectors of urban Surat. It was found that child labour was the product of action and interaction of numerous factors and social force, the fundamental element being the poor economic structure of the families of child workers. Added to this the poor and uneven development of capitalism and the consequent rapid inflow of ruralities and the relative weakness of the democratic institutions in the country had generated child employment on a mass scale. The solution to this problem would be the movements by action groups or trade unions, united challenges from the working people themselves, supported by other democratic and progressive forces.

Most of the children at the age of eight went out to supplement either the income of the family or to carry out minor household chores. About 86 per cent of child labourers belonged to backward castes. Insignificant representation of the upper caste was understandable in terms of correlation of caste and class, but little representation of the Scheduled Castes remained inexplicable. As such, it appeared

that although caste had been the context with which all the economic indicators were evaluated. One tended to see the weakness in the approach, more or less explicitly. This indicated that both migration to urban set up and employment of children were relatively restricted to the lowest socio-economic strata and was more conducive to a comparatively higher socio-economic strata who might have faced alienation leading to depeasantisation due to the development of agriculture.

Sinha's (1991) study was conducted in Calcutta, as the working children were more exploited in urban areas who had to face various occupational hazards and temptation of other urban vices. To unfold the nature of this problem, 800 child workers had been selected for study. The main cause for abnormal increase in the number of child labour was due to the flow of migrants from the villages to the urban areas in search of employment as a result of disintegration of village economy and pervading poverty among the landless and working classes. Children began their life in the city by joining the labour force of their traditional occupations. Most of the children were however found to be employed in the unorganised sector also. The highest concentration was 5 – 7 workers in an establishment. As soon as the child got an employment, he lost the freedom of playing and mixing with other children. The long hours of confinement in the dark unhealthy places could only be compared with slavery. But the extent of exploitation did not end there. Children are not allowed to enjoy holiday when occasion demands. The rest period is also affected, having generally no-good or healthy place to retire, and by doing domestic chores of the employer and at times in personal bickering. The standard of literacy among the child labour was very low.

The most sordid aspect unearthed by this study was the existence of so-called 'bonded-labour' in the city of Calcutta. Here 'bonded' child workers could not become free until the debt incurred by their fathers was fully repaid by their labour. Most of the working children in Calcutta were migratory in nature; they found to the city from the family of under privileged class to supplement the family income.

Mishra (2000) critically examined constitutional and legal provisions, the national policy and programme of action, international instruments and recent international initiatives, and the role of NGOs, trade unions, central employers'

organisations, and the media. He also examined the statutory role of public interest litigation.

The studies on child labours of Chaurasia (1998), Pankaj (1995), Garain (1995), Pande (1996), Teghrainan (1997), Buddhapriya (1995) and Shobhana (1998) were more or less on the similar areas.

Jain's (1993) study on "Child labour in the match industry of Sivakashi" was based on the data collection through unstructured interviews with 115 child workers and their parents. The children interviewed were drawn from 10 villages of the Sivakashi Panchayat Union and Sivakashi town. Sivakashi was one of the first grade municipal towns in the Kamarajar district of Tamil Nadu. Children interviewed were between 4 and 14 years old, though a good proportion of children of 3 years were found assisting their mothers in the match factories. As regards places from where the sample hailed, most of the children who worked in the match factories were from rural areas and were transported by factory buses everyday. A significant proportion of children came from Sivakashi town and walked down to the factories. Most of the child labour were from families with irregular income and therefore, used to supplement their family income. Moreover, the majority of parents wanted their male children to attend school. Thus the burden of supplementary income falls mainly on girl children.

The work places were congested, improperly illuminated, full of chemical odour and poorly ventilated. Complaints were common about lack of drinking water in the factory premises and non-availability of toilet facilities. It was observed that the children had to carry heavy wooden frames with wooden scales and iron bars weighing 4 kg each to be exposed to the sun or to the chemical. Though the normal working day in the match factory was between 8 a.m. and 6 p.m., children used to work for 12 hours on an average, daily under tiring conditions for 6 to 7 days a week, without a break, for months together. Children take a short lunch break of 20 to 40 minutes. By and large, the wages were paid as follows : 0.55 paisa for filling one frame, 0.60 paisa for making 144 inner boxes; 0.25 paisa for making 144 outer boxes and 0.60 paisa for labelling 300 boxes.

Ghosh's (1992) study had been carried out in Calcutta among the street children. Out of 2301 sample children interviewed for the study all were under the

age of 0 – 15 years. This study was mainly based on the nature and extent of the problem of the street children, physical, psychological and social needs of street children for their growth and development etc.

Children belonged to two major religious communities, Hindu (82.7 % and Muslim (17.3%). The majority of these children belonged to the Scheduled Caste (52%) and Scheduled Tribes (6%) respectively. The present study showed that all the families living in the street of Calcutta had migrated to the city for various reasons from different states of India and also from Nepal and Bangladesh. Of the street children brought under the study 30.4% had been found to be doing some kind of work while the rest 69.6% did not any work. Though most of the street children were rag pickers, many of them also pursued a variety of vocations. The condition of working children was very miserable in all respects. About 18.8% children were working for 7 to 9 hours a day, 18.4% for 10 to 12 hours and 2.8% were working for above 12 hours a day. They were forced to work for an indefinite period and in hazardous conditions, the working street children had a very small income.

Phillips's (1992) study of the Street Children of Indore had identified :

- (1) The Children on the street;
- (2) The children of the street;
- (3) Abandoned children.

The street children were scattered all over Indore, particularly near Cinema houses, in public parks, at bus stands, railway station, busy market centres, parking places, etc. Since they kept on moving from one place to another.

The study analysed physical, psychological and social conditions of the street children and prepared a plan of action for corrective/rehabilitation services for the street children. The total sample consisted of 300 street children. The children made a living as shoeshine boys, rag pickers, domestic servants, porters, hotel and tea stall workers, beggars etc. Out of the 300 sampled children 86.3 per cent were boys and 13.7 per cent were girls. Most of the street children were born in the city of Indore. Out of the total sample of 300 some 7 per cent cases were reported to be married. Most of the street children were illiterate, and about 24.7 per cent had some schooling up to the primary level. It is indeed a matter of concern that 40 per cent of the street children had no permanent place to live. They slept on pavements, at bus stands, on

the railway platform, etc. Most of them had a large family ranging from 5 to 8 members.

A large number of the children came from weaker sections – Scheduled Castes, Scheduled Tribes or Backward Classes. The children of the age group of 10-14 were working at tea stalls, garages and in hotels. The children of the younger age group live by begging. Their employers did not provide working street children with any facilities. Many of them had complained of inadequate wages, heavy workload, and torture. At tea stalls and in hotels they worked for 12 – 14 hours with low wages and no job security. This study considered their health conditions, disability, illness, etc. It was found that some 1.7 per cent were handicapped children. When enquired about the illness in the previous one year, it was revealed that the street children had suffered from diseases like tuberculosis, measles, fever, gastric trouble, skin diseases and wounds. Children, who worked with the adults, imitated adults and behaved like adults on the street. Street children in their early childhood got addicted to drinking, *bhang*, tobacco, *ganja* etc. About 48 per cent of these children were addicted to one vice or the other.

Kewalramoni's (1996) study was based on an empirical study of 167 cases of child abuse and the problems of its victims. The survey on child abuse was conducted in one small town in Rajasthan a few years ago to explore the nature, extent and ethiology of child abuse; to identify the patterns of child abuse, to determine the association between selected socio-demographic variables and child abuse; to evaluate the applicability of existing theoretical explanations of child abuse on the Indian society. More boys than girls were found to be the victims of physical and emotional abuse, but among the sexually abused children, the overwhelming majority (70 per cent) was girls. It was found that boys were earning more than girls. More than three-fifths of the abused children were living with their both parents, 19 per cent with one parent. Some children were victims of more than one type of abuse, but they were included in one of the three main categories, depending upon the major type of their abuse. Out of the children living with both of their parents, 54 per cent were the victims of physical abuse, 40 per cent of emotional abuse, and 6 per cent of sexual abuse. Surprisingly, families with both parents in comparison to broken families pointed out more cases of abused children.

Bhir's (1989) study was made in the greater Bombay among the children who were employed as hotel/restaurant workers, domestic servants, garage workers and shoe shiners. This survey highlighted that children employed in these sectors were an under-privileged lot entering the work force at an early age because of dire economic necessity. This was evident from the study of the economic background of the children and their parents. The average size of the family was five members and the average number of working members was three, 50 per cent of whom were children. The average family income was Rs. 529 per month, the child workers contributing about 30 per cent of it. If these children were to be removed from the work force, the average family income would come down to around Rs. 350 per month. A majority of the children were migrants who came to Bombay mainly in search of job. A majority of these children lived in slums and on pavements. Some of the shoe shiners even lived on railway platforms. The housing conditions of those who lived in slums were deplorable with no proper facilities of sanitation and hygiene. Only 32 per cent lived in non-slum areas, a majority of whom were domestic servants living with their employers. On an average, the children had enter the work force as early as 10.6 years of age, their age being 12.7 years, The main reason for this was that earning was imperative to them. Thus only about 14 per cent of the children reported that they were going to school.

The average income of the children was Rs. 102 per month. Some discrimination was observed in the wages paid to adults and those paid to children, especially in hotel/restaurants and garages. During the initial period of training they were not paid for the work they did, the period of apprenticeship ranges from 6 months to 1 year. The hours of work of the children were very lengthy, and the type of work was strenuous.

Objectives :

This study has been carried out among the child labourers of some slums of Siliguri town to understand their socio-economic background. Their socio-economic background will help to investigate the real causes of practice of child labour. The study of child labour will focus on the various aspects of the socio-economic life which form the basis of the objectives of the present study.

The child labourers belong to the age group upto the age of 14 years. Children of different ages are found to be engaged in different types of work. Then it is to be found that what types of work are suitable for what age of a child. What is the sex ratio of child labourers in these occupations and distribution of sexes in various occupations, what are the languages they speak as the child labourers are hailing from different castes and communities. Their marital status, migration to Siliguri slums, year of migration and education are also to be investigated.

A detailed study of child labourers of the different categories of work and occupations will be made. The following aspects will be investigated : What are their types of occupations ? Where are they engaged ? What are the terms and conditions of work ? Nature of work, working hours, working environment, wages, behaviour of employers, work facilities, nature of punishment for not being committed to work, and many other questions related to their specific occupations.

The nature of exploitation of child labourers, which may be economic in nature as well as socio-cultural in nature will also be investigated.

Attitudes of employers towards their child labourer's are working conditions, wages and other facilities will also be investigated.

To examine the future plan, ambition and attitude of child labourers.

Family background of child labourers is important to understand the causes of their engagement in various works, profession, income and educational level of their parents. The living condition, housing and health are also important aspects to understand the problems. Parent's educational background is related to the awareness of the Child Labour Act.

Family background of child labourers likes educational, economic, caste and occupational background of the family members' ~~sum~~ to be contributing to the growth of child labourers. These are to be investigated in details.

In what way incomes of the child labourers help their parental family. Various dimensions of child labourers, their attitude towards their work, attitude of their parents towards their occupations are to be investigated. To examine and assess the motivation of the employers of these children is an important aspect of the study. Sex ratio of the child labourers is also equally important to investigate to understand the role of girls and boys as earners. The rate of absenteeism of child labourers in their

work compared to the adult labourers is to be find out and also the reasons and nature of such absence of the child labourers to be investigated. Lastly, it is important to see whether child labourers are desirable for the society or not, and also to know that whether they are aware of the Child Labour Act to prevent the practice.

Relationship between child labourers and their employers, which may be economic, contractual and extra-economic in nature, are to be analysed.

To examine the social implications of child labour is an important task, which is to be explored. To suggest measures for removing the practices of child labour from the society is a difficult task, but an effort is to be made for developing this aspect.

Methodology :

Keeping the objectives in mind it was decided to collect field data to examine the socio-economic and living condition of the child labourers. The study began in August 1997 and covered a period of eleven months upto July 1998.

For this study at first I contacted the Siliguri Municipal Corporation, the Siliguri Mahakuma Parishad, the Department of Labour (Govt. of WB), and the Regional Director of Central Board for Workers Education. From the Siliguri Municipal Corporation I came to know that a large number of child labourers were found in eleven slums under the Ward No. 18 and 28.

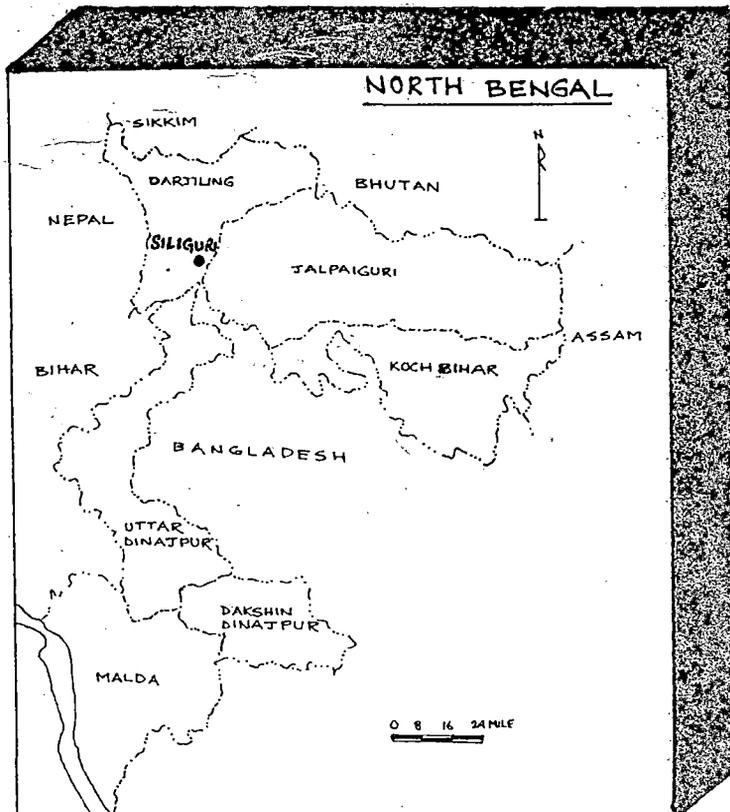
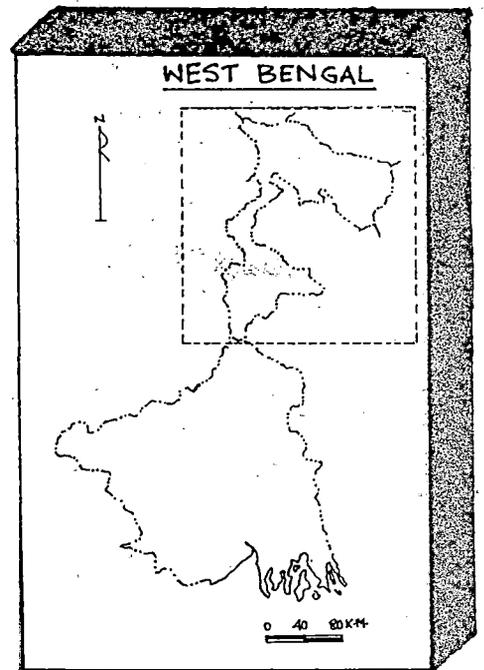
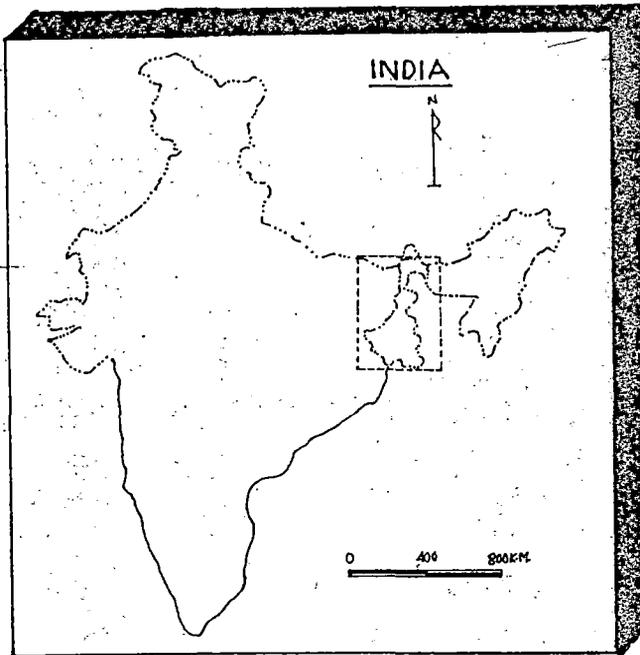
For collection of first hand data an interview schedule was prepared containing 79 questions. The schedule was divided into three parts : personal background of child labour, their family background and their employers. Before beginning of collection of data with this schedule a list of child labour was prepared where I could find altogether 318 child labourers in all the eleven slums. I decided to interview all these child labour and therefore no sampling was drawn out of it. While all 318-child labourers were interviewed their parents and employers were also interviewed. In addition to the primary data collection through the interview schedule secondary data were collected from various governments reports, journals, books, newspapers etc.

Observation method for collection of data is a powerful tool. Much of the data were collected through observation, which helped me to check, and recheck the

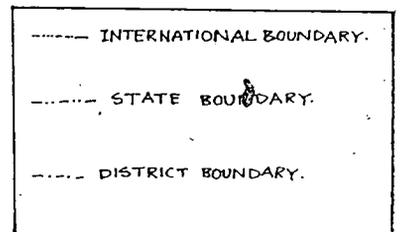
important data collected through the schedule. Many of the delicate matters, which were difficult to collect through interview or sensitive to the informants, were required to be enriched by more data collected through observation method.

All the data were analysed and qualitatively represented through writing.

LOCATION MAP



BOUNDARY INDEX



SILIGURI TOWN (Ward - Wise)

