

CHAPTER 1

CHILD LABOUR: AN OVERVIEW

1.0 Introduction

The children of a nation are its most valuable asset and the nation's future is very much dependent on their proper development. Therefore an investment in children is indeed an investment in a nation's future. A healthy and educated child of the present is an active and intelligent citizen of the future (Kumar, 1988).

It is for this reason that the socio-economic development of a nation is best judged and justified only when its children enjoy constitutional rights equally and develop their full potential to grow into responsible adults of tomorrow. If they are neglected today, tomorrow would be full of miseries. It was rightly stated that children are the world's vulnerable resources and without them there would be no tomorrow and therefore we must give top most priority to these resources (Barooah, 1998).

Gabrial Mistral, the Nobel Laureate from Chile emphasized the urgency in this regard when he said that we might be guilty of many errors and many faults, but our worst crime is abandoning the children, neglecting the fountain of life. Many things we need can wait, but the child cannot. Right now is the time his bones and sense are being developed. He cannot wait for tomorrow. His name is Today (Mehta & Jaswal, 2006).

The anguish and anxiety expressed in the above statements were reflected in the Indian Child Labour Act of 1960 which stated in its preamble that children are the most vulnerable group in any population. Because of their vulnerability and dependence, they can be exploited, ill treated and directed into undesirable channels by anti-social elements in the community. The duty of the State is, therefore, to

provide proper care and protection to children at all times as it is on their physical and mental well being that the future of the nation depends. In the context of increased industrialization, the State needs to be more alert and vigilant in this regard.

It is with children that social justice must begin. Unless a tender plant is properly protected and nourished, it can not grow into a strong and useful tree. Therefore, the first priority in the scale of social justice should be given to the welfare of children (Rao, 1996). Today, there are no two opinions that the children are the hope of their parents and future of the nation and thus be given adequate opportunities and facilities for development. The growth of the child into a mature and happy person with a fully developed personality depends upon the support and attention he/she receives from the society. The protective arm of the law has therefore to be long and strong enough if distributive justice to the future adults is to be ensured (Mehta & Jaswal, 2006).

This chapter, which makes a review of the present state of research on child labour consists of four sections. The **first section (1.1)** starts with the definition of the concept of child labour, discusses the problem of child labour as a global phenomenon and examines the legal provisions binding on the nations. The **second section (1.2)** analyses the magnitude and working conditions of child labour in India. The **third section (1.3)** deals with a comparative analysis of the status of girl child in South Asian Region. The **fourth section (1.4)** presents the objectives, research questions and methodology of the study.

1.1 Child Labour – Concept and Definition

A generally valid definition of child labour is presently not available either in the national or international context. Any definition turns upon the precise meaning we attach to two components of the term “Child Labour” i.e., “Child” in terms of his chronological age and “Labour” in terms of its nature, quantum and income generation capacity. Child labour, however, can broadly be defined as that segment of the child population which participates in work, either paid or unpaid (Mehta & Jaswal, 2006).

The term child labour is at times used as a synonym for employed child or working child. But all work is not bad for children, because some light work, properly structured and phased is not child labour. This implies that the work that does not detract children from other essential activities such as leisure, play and education is not child labour. Child labour, therefore, is the work, which involves some degree of exploitation i.e., physical, mental, economic and social and therefore damaging to the healthy growth of children. Further the legislative definition of child labour varies in different acts. The Operation Research Group based in Baroda defined child labour as a working child who was enumerated during the survey falling within 5 to 15 years and who is engaged in remunerative work. The Concerned for Working Children (CWC), a Bangalore based group defined child labour as a person who has not completed his 15th year of age and is working with or without wages on a part-time or full-time basis (Tripathy, 1996).

In their study of working children in Bombay, Singh and his associates have considered that child labour is a working child who is between 6 and 15 years of age, is not attending school during the day, is working under an employer or is learning some trade as an apprentice. In the study entitled “Working Children in Urban Delhi” conducted by the Indian Council of Child Welfare, every child below 14 years, who contributed to the family income including those marginally working, was treated as a worker (Mehta & Jaswal, 2006).

The term child labour suggests, more commonly than not, something, which is hateful and exploitative. Thus, Homer Falk, the Chairman of the United States National Child Labour Committee defined child labour as any work by children that interferes with their full physical development, their opportunities for a desirable level of education or their needed recreation (Stein & Davis, 1940). Child labour in a restricted sense means the employment of children in gainful occupations, which are dangerous to their health and deny them the opportunities of development. The term includes wages labour as well as self-employed children working independently and also in family enterprises. Child labour can, therefore, be defined here as any work undertaken by children below 14 years of age which is injurious to their health and harmful to their proper development (Mehta & Jaswal, 2006).

It follows from the above definitions that two major indicators i.e. age and exploitation, have been used to define child labour. In the context of exploitation UNICEF has given a comprehensive formulation in its attempt at defining child labour (Fyfe, 1989).

- i. Starting full time work at too early an age.
- ii. Working too long within or outside the family so that unable to attend school.
- iii. Too much responsibility at too early an age as in the domestic situation where children under ten may have to look after young siblings for a whole day thereby preventing school attendance.
- iv. Work on the street in unhealthy and dangerous conditions.
- v. Work that does not facilitate the psychological and social development of the child as in dull and repetitive tasks associated with industries like handicrafts.
- vi. Inadequate remuneration for working outside the family, as in the case of the child workers in carpet weaving who are paid US \$ 3.00 for 60 hours of work.

1.1.1 Child Labour – A Perspective

Child labour is not a new phenomenon confined to our age. But its perception as a social problem the world over is a new-phenomenon of our times. Child labour has been in prevalence in almost all periods of human history, though varied in its nature, form and dimension, depending on the existing socio-economic structure of society. In the olden days, child labour was a part of social organization in which all members pooled their labour to produce for collective subsistence and survival. This was so in rural farming where the work of child formed part of the labour necessary for the reproduction of the system (Mehta & Jaswal, 2006). As in other third world countries, in India, before the rise of capitalism, children were primarily assigned the status of helpers and learners in family occupations under the supervision of the adult members of the family (Tripathy, 1996). In this system, their work place was an extension of the home work relationship was informal. The tasks and technology that work involved were simple and non-hazardous which the child could learn smoothly, almost unconsciously, over the years through association and limitation (Encyclopaedia of Social Work in India, 1987).

This practice underwent a drastic change with the rise of capitalism in the context of industrialization during 18th century. The growth of market economy or capitalism (capitalist relations of production) was the result of several interrelated phenomena like an increase in industrial production, the shift to cash crop farming and commercialization of agriculture, which led to growth of landless population, migration and urbanization and wide spread unemployment in different forms (Tripathy, 1996). The new economic forces unleashed by capitalism destroyed the family based economy supported by family occupational culture and as a consequence, a large number of agricultural labourers were rendered jobless due to mechanization of agriculture. Farmers were alienated from their home-based workplace. Lack of alternative employment for adults forced children to enter the labour market (Mehta & Jaswal, 2006).

In this situation, industrialization developed in an uneven fashion and gave a new turn to the history of mankind and brought a change in the overall socio-economic order, particularly in the structure of labour demand and labour utilization. It led to the growth of labour market segmentation by which the labour force is separated into sub-markets with different employment conditions and wages. This helped in increasing exploitation, breaking the class unity and weakening the bargaining power, allowing strong groups to increase their standards creating labour aristocracy due to excessive labour supply (Tripathy, 1989).

Thus, it was due to economic reasons that the problem of child labour has become a worldwide phenomenon. On a large scale, industrialization led to the employment of children in factories, workshops and other places of unregulated occupations. Rural poor migrating to urban centres in search of livelihood was a continuous process and the child was forced to work as an individual labourer either under an employer or independently. The work environment where he worked endangered his physical health and led to his over-all exploitation. The hours of working started from morning to night and the child's ability to grow and develop into a mentally and physically sound adult was seriously affected. Children were left free to accept certain occupations even at a very young age (Mehta & Jaswal, 2006).

In spite of the fact that the internationally recommended age for work is 15 years (ILO convention No.138) and the number of child workers below the age of 10 was far from negligible, as the data available on child labour reveals that child labour force consisted of children in 10-14 years age group. The ILO estimates that more than 78 million children in that age group alone were economically active in 2001 representing 13.2% of all 10-14 years old children around the world (ILO, 2002). Thus no region of the world today is without child labour. Country-wise estimates show varying rates of economic activity among children of 10 to 14 years of age as revealed in Table 1.1. From this table it can be noted that the extent of child labour ranges from 2.9% in Iraq to 55.1% in Bhutan for Asian countries. It was 0.2% in Romania and Hungary, 1.8% in Portugal for European countries. In Africa, it varied

across the nations from 5.6% in Morocco to 41.2% in Kenya, and in Latin American countries it varied from 0.9% in Venezuela to 16.1% in Brazil.

Table 1.1
Economically Active Children (10-14 Age Group) Across the World – 2001

AFRICA		ASIA		EUROPE		LATIN AMERICA	
Egypt	11.2	Bangladesh	30.12	Albania	1.1	Argentina	4.5
Ethiopia	42.3	Bhutan	55.1	Hungary	0.2	Bolivia	14.4
Kenya	41.2	China	11.6	Italy	0.4	Brazil	16.1
Morocco	5.6	India	14.3	Portugal	1.8	Colombia	6.6
Nigeria	25.7	Indonesia	9.6	Romania	0.2	Mexico	6.7
Uganda	45.3	Iran	4.7	-	-	Nicaragua	14.1
Zambia	16.3	Iraq	2.9	-	-	Peru	2.5
Zimbabwe	29.4	Pakistan	17.7	-	-	Uruguay	2.1
-	-	Philippines	8.1	-	-	Venezuela	0.9
-	-	Turkey	24.0	-	-	-	-
-	-	Thailand	16.2	-	-	-	-

Source: V. V. Giri National Labour Institute, Noida, 2001.

Expressing awareness of the problem, the United Nations, has declared the year 1979 as the International Year of Child. Ever since this declaration, the issue of child labour has been receiving public attention. A number of studies were undertaken, workshops and seminars organized and coverage has been given to them in media since 1979 (Kanbargi, 1991). Prior to the UNO declaration, following the Industrial Revolution in the Western Europe, there were piecemeal legal efforts to alleviate the pitiable conditions of child labour. Some efforts were also made in some nations during the post-colonial period. But a comprehensive and systematic cognition of the issue at the academic level seems to have ushered in or at least, stimulated by the United Nations declaration (Sahoo, 1995).

1.1.2 Forms of Child Labour

A UNICEF study (UNICEF, 1997), focusing exclusively on the various dimensions of child labour, classified its form into seven main types, none of which are unique to any one region of the world. They are, i. Domestic Services, ii. Forced and Bonded Labour, iii. Commercial Exploitation, iv. Industrial and Plantation Work, v. Street Work, vi. Work for the Family and vii. Girl Child's Work. The UNICEF study, with worldwide empirical data, discussed these forms of child labour in detail. However, for understanding the problem in a nutshell, a brief account on these forms of child labour is given below.

i. Domestic Services: Child domestic workers are the world's most forgotten children. Although domestic service need not be hazardous, their terms and conditions are entirely at the whims of the employers. The children of domestic services are shut away from the eyes of the world, unprotected from abuse. This isolation makes it difficult to collect reliable statistical data of the number of children involved.

As per the UNICEF study, a survey of middle-income households in Colombo (Sri Lanka) showed that one in three households had a child under 14 years of age as a domestic worker. Likewise a study of a lower-middle class residential area in Nairobi (Kenya) found that 12% of households employed children below 14 years as domestic servants in 2001. A survey of domestic workers in Uruguay found that 34% had begun working before they were 14. A similar survey in India, revealed that 17% of domestic workers were under 15 years old and reported that, girls aged 12 to 15 were the preferred choice of 90% of employing households. Children are often preferred to adults precisely because they can be dominated easily and, of course, paid less.

Table 1.2

Child Domestic Workers in Selected Countries (2000's)

COUNTRY OR CITY	THOUSANDS
Philippines	766
Jakarta, Indonesia	700
Dhaka, Bangladesh	300
Haiti	250
Lima, Peru	150
Sri Lanka	100

Source: V. V. Giri National Labour Institute, Noida, 2001.

As can be noted from Table 1.2 while Philippines recorded the highest number of domestic child worker at seven lakhs sixty six thousand (7,66,000), the lowest domestic workers were recorded in Sri Lanka at one lakh (1,00,000).

ii. Forced and Bonded Labour: The UNICEF study stated that many of the forms of child labour practiced around the world are forced in the sense that children are taught to accept the conditions of their lives and not to challenge them. But the situation of some children goes far beyond the acceptance of poor conditions, as they find themselves in effective slavery. In South Asia, this has taken on a quasi-institutional form known as 'bonded' child labour. Under this system children are pledged by their parents to factory owners in exchange for small loans.

In India, as per the study, this type of transaction is widespread in agriculture as well as in industries such as cigarette rolling, carpet-making, match stick-making, slate and silk industries. The most notorious of these is the carpet industry of Mirzapur-Bhadohs-Varansi in Uttar Pradesh. According to a recent survey, thousands of children in carpet industry are pledged by their parents for paltry sum of money. Most of them are kept in captivity, made to work for 20 hours a day and crouch on their toes from dawn to dusk everyday, which severely stunts their growth during formative years. The worst exploited children belong to the marginalised segments of

society. As in other countries, these ethnic minorities and disadvantaged groups are seen as having come to believe that they deserve no rights. Besides India, this kind of virtual child slavery is found in Nepal, Pakistan, Brazil, Myanmar and African countries.

iii. Commercial Exploitation: The UNICEF study revealed that the underground nature of the multi-billion dollar illegal industry in the commercial exploitation of children makes it difficult to gather reliable data. But according to the estimates of NGO's in the field each year at least 1 million children world wide are forced into this form of hazardous labour, which almost verges on slavery. Scandels about child prostitution in developing countries are reported in the international media, but this is called 'sex tourism' in which holiday-makers from the rich countries travel to locations such as Brazil, the Dominican Republic, Thailand and other places in search of such children. This evil also exists in industrialized countries. In the U.S. alone, at least 1,00,000 children are believed to be involved in this form of exploitation.

The physical and psychological damage inflicted by this exploitation makes it one of the most dangerous forms of child labour and exploitation. The problem is out in the open now, after decades of a cross-cultural conspiracy of silence. The World Congress against commercial sexual exploitation of children, held in Sweden in August 1996, put the issue on the world's agenda for the first time. An agenda for action was agreed upon by the participants and they resolved to advise governments in developing programmes to mitigate this problem of sexual exploitation of children.

iv. Industrial and Plantation Work: All over the world, children work under hazardous condition. The manifold industries ranging from leather making in the Naples region of Italy to the pre-industrial brick making of Colombia and Peru, employed and exploited child labourers under the tender age of eight years.

The UNICEF Study further denoted that, the exploitation of children in plantation agriculture all over the world is manifested in different ways. In Brazil's

sugar plantation, children cut cane with machines, putting them at constant risk of mutilation of body limbs. The child workers account for a third of the work force and are involved in over 40% of work related accidents. Further, these children are exposed to snake bites and insect stings on tobacco plantation and carry loads far beyond their capacities. In Colombia, young children working on flower export farms are exposed to pesticides banned in industrialized countries.

In Africa, children work on the plantations that grow export crops on which the continent's economy relies. In Zimbabwe and Tanzania, children work 60 hours a week picking cotton or coffee for about a mere one dollar. An ILO study on child labour in Zimbabwe found that the most significant exploiters of child labour seemed to be the large scale commercial farmers using children in their fields for decades, especially during plantation and harvesting season. In Indonesia, children, most of them, being girls, work on tobacco plantations for \$0.60 a day well below the legal minimum wage. In Nepal, Bangladesh, India and Sri Lanka, children work on tea estates for wages so low that they often need to work for longer hours. Children in the sugarcane and rubber plantations of Thailand are at constant risk of injury from dangerous equipment.

v. Street Work: In addition to child domestic workers, some children work in the most visible places possible, on the street, in developing world cities and towns. They are every where, hawking in markets and darting in and out of traffic jams, plying their trade at bus and rail stations.

As per the UNICEF study, the street is a cruel and hazardous work place, often jeopardizing children's lives. They can be murdered by organized crime, by other young people or even by the police. For instance, in 1993, world reacted in horror when Rio de Janeiro police officers massacred six street children. A report from the State Juvenile Court stated that, on average, three street children are killed every day in Rio, many by police at the request of merchants who consider the begging, thieving and glue-sniffing resorted by the street children as a major nuisance.

In Brazil, Colombia and Guatemala, street children, some as young as five years old, are killed in nightlong operations, which are justified as cleansing the society of its sore wounds. Most of these death squads include a liberal number of policemen (Bhaskaran, 1999).

Since the early 1990, Albania, Europe's poorest nation has witnessed the explosion of child labour on streets. Begging, crossing to Italy and Greece to sell paper, handkerchiefs, to wash cars or perform other menial task, thousands of abandoned and unguided children are eking out a livelihood any way they can. In cities, an increasing number of children sell cigarettes, cassettes and other gadgets on the street. In northern parts of the country, the fears of vendetta deter children from attending school (ILO, 1999).

Street child labour, unheard of prior to the transition to a market economy, is now a growing problem in the Russian Federation. In Kyrgyzstan, and in Central Asia, the number of children working on the streets, selling food items and other products have increased over the last three years. On the streets they shine shoes, wash and guard cars, carry luggage, hawk flowers and trinkets, collect recyclables to earn money (UNICEF, 1997).

vi. Work for the Family: Of all the work children do, the most common is domestic work within the families. Most families around the world expect their children to help in the households-preparing food, fetching water or groceries, herding animals, caring for younger siblings and working on the fields. Children learn from a reasonable level of participation in household chores, subsistence food growing and income generating activities. However, work for the family may demand too much of children, requiring them to labour long hours, and keep them away from school and take too great a toll on their developing bodies.

The UNICEF study denoted that evidence to the rigours of work in the rural home comes from a group of Nepalese children now working in a Kathmandu carpet factory. They had come to the factory because life at home was so difficult; climbing up steep slopes to get fodder, risking leaches, having to labour endlessly to feed the family. To avoid these lives they had ended up in carpet making, an industry notorious for its exploitation. In rural Africa, children begin helping with domestic chores well before school age. Similar patterns of early labour are reported in a survey of some Latin American countries.

vii. Girl Child's Work: In every country, girls and women routinely bear the burden of labour and endure the treatment that reflects their unequal status. Working girls are often invisible, treated as if they did not exist at all. According to ILO, 56% of the 10-14 year children working in the developing world are boys. If we were able to measure the number of girl's working at home to enable family members to take up paid work, the figures would show more female child labour than that of male children. Girls work longer hours on average than boys, carrying a double workload i.e., a job outside the home and domestic duties on their return from work.

The UNICEF study suggested that in Gautemala and other Latin American countries, domestic work by girls in their own homes was widespread, besides outside work, as a result many failed to attend school. All over the world, more girls than boys are denied their fundamental right to primary schooling. In some regions including the Middle East, North Africa, South Asia, the gender gap is much wider. The significance of educational quality between sexes is being realized in East Asia, Latin America and Caribbean, but elsewhere little awareness has been reported.

1.1.3 Child Labour - Developed Countries

History reveals that in the early phase of capitalist development in the now developed countries, widespread child labour had made an important contribution to capital formation and industrial growth (Visaria & Jacob, 1995). Even now, if all

forms of work are considered, the percentage of children working in industrialized countries can be surprisingly high. For instance in the United Kingdom, the most reliable estimates available show that between 15-26% of 11 year olds and between 36-66% of 15 year olds are working (UNICEF, 1997). In Southern Europe, there are large number of children working for, in particular, in seasonal activities, street traders, small work shops or in a home sitting. In Central and Eastern Europe, the difficulties connected with the transition from a centrally planned to a market economy have resulted in a substantial increase in child labour. In industrialized countries such as UK and the US, the growth of service sector rapidly increased the supply of part-time jobs and search for a more flexible work force have contributed to the expansion of the child labour market (ILO, 1996).

One point to be noted here is that most of the child workers in developed countries, however, attend schools. In the West, the kind of work undertaken by the children is based on the 'pocket money' model (UNICEF, 1997). Yet, hazardous form of child labour can also be witnessed in some of the western countries. However, the exploited children usually come from ethnic minorities or immigrant groups, as for example, in the case of Gypsy and Albanian communities in Greece.

The dominant cultural group may not wish its own children to do hazardous labour, but it will not be so concerned if young children from racial, ethnic or economic minorities do it. In North Europe, child labourers are mostly African or Turkish in origin, while in the US and Canada they are of Asian or Latin American ethnic groups, in Brazil they tend to be the descendants of slaves or children of indigenous people with no political clout. In Argentina, many child works are Bolivian and Paraguayan. In Thailand's fishing industry, many child workers are from Myanmar (UNICEF, 1997).

The social evil of child labour in industrialized countries has however been reduced to a minimum because of their realization about future citizens and due to the economic and legal progress. Now the principle of prohibiting child labour is

introduced in the constitutions of many countries such as Brazil, El Salvador, Honduras and India. The minimum age for admission to the employment varies from country to country because the circumstances of each country are different (Kulshreshtha, 1987).

1.1.4 Child Labour – International Labour Organisation (ILO)

Since its foundation in 1919, the ILO has been much concerned with the gradual elimination of child labour and the promotion of well being of children in the field within its competence. At its first session, i.e., the International Child Labour Conference of 1919, a convention was adopted to fix the minimum age for admission of children into industrial employment (Tripathy, 1989). From this first convention, which brought to light the fact that children were working in terms of wage employment in formal sector manufacturing, a world-wide awareness on child labour was created and expanded over the years. It has come to address non-industrial work by children and prohibit any kind of work that threatens the physical and mental growth of children.

The Minimum Age Convention (1919) lays down that children under 14 years of age should not be employed in any industrial undertaking other than the undertaking in which only family members are employed. It was the first international effort to regulate children's participation in the work place and was followed by numerous ILO instruments applicable to other economic sectors (UNICEF, 1997).

The minimum age limit was revised from time to time in subsequent conventions taking into account the prevailing socio-economic conditions of the members states. The ILO convention of 1937 (No.60) inserted a special article for India fixing the minimum age at which children may be employed or may work in certain occupations. It said "children under the age of 13 years shall not be employed or allowed to work in the transport of passengers or goods or mails by rail or in the handling of goods of docks (Tripathy, 1989).

Among all the conventions, a very important one widely ratified by the member states is the ILO's minimum age convention 1973 (No.138). It established the fundamental international standard on child labour. The ultimate goal of convention No.138 is the total abolition of child labour. However, it was widely recognised that this would take time. However, a growing international consensus has emerged stressing the need to immediately proceed with the abolition of exploitation of very young children in slave-like and bonded conditions (ILO, 1999). This convention obligates member states to pursue a national policy to establish that no child can be employed in any economic sector below the age designated for the completion of compulsory schooling and not less than 15 years (UNICEF, 1997), or under special national circumstances, 14 years (Fyfe, 1993).

ILO made joint effort with the Swiss and General Authorities in the organization of a number of public events focusing on the plight of children working under abusive conditions, and stimulating world-wide action to bring child labour to an end. The Worst Forms of Child Labour Convention 1999 (No.182) was introduced in the presence of children from several countries who sang and released balloons as a sign of their solidarity with working children (ILO, 2000).

The convention of No.182 defines the Worst Forms of Child Labour as slavery, debt bondage, prostitution, pornography, forced recruitment of children in armed conflicts, concentration camps, use of children in drug trafficking, and other illicit activities, and all other work harmful or hazardous to the health, safety or morale of girls and boys under 18 years of age.

It is important to differentiate between the Worst Forms of Child Labour Convention (no.182) and the previous ILO core convention on child labour called the Minimum Age Convention. The latter convention No.138 was adopted by the International Labour Conference in 1973. It aimed at the overall abolition of Child Labour, rather than focussing on its worst forms and stipulated that the minimum age

for admission to employment shall not be less than the age of completion of compulsory schooling (ILO, 2000). The recent global mobilization to eliminate child labour has been reflected in the sharply increased ratification rate for the Minimum Age Convention. The number of 175 ILO member states, which ratified the Minimum Age Convention No.138, was impressively increased from 49 in July 1996 to 102 by the end of December 2000. The Worst Forms of Child Labour Convention No.182 had also been ratified by 49 member states by December 2000.

The experience of the ILO has clearly revealed that no single action against child labour is likely to have a lasting impact unless it forms part of an overall national plan. The problem of child labour will not be solved overnight as it is one of the many facets of poverty and underdevelopment. Yet, the ILO's doctrine on child labour is clear that it should be abolished. International labour standards reflect this conviction, but observance of these standards needs to be reinforced and convictions must be ratified by member states. As long as the member states have not ratified both Conventions No.182 and No.138, they must report annually on their promotional efforts in this respect (ILO, 2000).

1.1.5 Child Labour – Constitutional Provisions in India

In India, since Independence, every commission appointed by the Government, the ruling party, all opposition parties and all States governments have advocated for establishing compulsory, universal, primary education for all children upto the age 14 years. This commitment dates back to the turn of the 20th century when Gopal Krishna Gokhale, the then president of the Indian National Congress, unsuccessfully urged the British to establish schools for free and compulsory elementary education. In the 1930's, the provincial government under the control of Indian National Congress passed legislation authorizing local bodies to introduce compulsory education (Weiner, 1991).

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The Indian Constitution of 1950 declares that the State shall endeavor to provide, within a period of ten years from the commencement of this constitution for free and compulsory education for all children until they complete the age 14 years (Article 45). Legislation restricting the employment of children in Mines and Factories was introduced by the British early in the century. More extensive legislation was passed following the recommendations of the Royal Commission on Labour in 1932. The Indian Constitution contains a number of provisions intended to protect children including a categorical ban that declares that (Article 24) no child below the age of 14 years shall be employed to work in any factory or mines or engaged in any hazardous employment (Ibid). Further, Article 39(e) and (f) stated that the children of tender age are not abused and they are not forced by economic necessity to enter a vocation unsuited to their age or strength and that children are given opportunities and facilities to develop in a healthy climate and are protected against exploitation and against moral and material abandonment (Ramaswamy, 1996).

1.1.6 Child Labour Acts in India

India was one of the founder members of the ILO and was a signatory to the first convention on the prohibition of child labour in 1919. Since then a number of Acts have been passed in India dealing with child labour. The following major legislative enactments provide legal protection to children in various occupations:

The Children (Pledging of Labour) Act, 1933, The Employment of Children Act, 1938, The Factories Act, 1948, The Minimum Wages Act, 1948, The Mines Act, 1952, The Plantation Labour Act, 1951, The Merchant Shipping Act, 1958, The Motor Transport Workers' Act, 1961, The Atomic Energy Act, 1962, The *Beedi* and Cigar Workers' Act, 1966, The Radiation Protection Act, 1971, The Shops and Commercial Establishments Acts under different nomenclatures in States, and The Child Labour (Prohibition and Regulation) Act, 1986.

The Factories Act, 1948 : Prohibits and employment of children below 14 years in a factory. The Act requires persons between the age of 14 years to obtain a certificate of fitness from a certifying surgeon and periodical examination. The Act prohibits

employing children between 14 and 17 years at night (between 10 p.m. to 6 a.m.), between 14 and 15 years for not more than 4 hours in any day, only one shift and in one factory. The Act prohibits employing children in certain processes within factories. They shall not be allowed to work on machines which are considered dangerous. Every factory is supposed to maintain registers giving all details of child workers and weekly holidays and paid leave are also specified. The Factories Act does not apply to such factories where there are less than 10 workers with power and less than 20 workers without the aid of power.

The Minimum Wages Act, 1948 : Defines a child as a person below 15 years. It provides for minimum wages for children and apprentices. It also has provisions regarding hours of work (4 hours in the case of child) and physical fitness.

The Plantation Labour Act, 1951 : Prohibits employment of children below 12 years of age. It also regulates hours of work with no work at night. No child can be allowed to work for more than 40 hours a week and only between 6 a.m. and 7 p.m. It prescribes a few welfare measures for the children as well as education facilities for children of the plantation works. The Act has the same provisions for offences and penalties as the Factories Act.

The Motor Transport Workers' Act, 1961 : Defines a child as a person below 15 years and their employment is prohibited. A person between 15 and 18 years can be employed after obtaining a certificate of fitness and can work only 6 hours a day with a half hour rest period and not between 10 p.m. and 6 a.m.

The Beedi and Cigar Workers' Act, 1966 : It prohibits employment of children of children below 14 years. No young person (between 14 and 18 years) shall be required or allowed to work except between 6 a.m. and 7 p.m. But this Act does not apply to private dwelling houses where a large percentage of *Beedi* and Cigar manufacture takes place on a sub-contracting system. The Factories Act will however apply if the number of workers employed exceed the minimum laid down in the Act.

The Child Labour (Prohibition and Regulation) Act, 1986 : The Child Labour (Prohibition and Regulation) Act, 1986, is the most important piece of legislation on

child labour in India. It prohibits employment of children below 14 years of age in specified hazardous occupations and processes.

The following are the important provisions of Child Labour (Prohibition and Regulation) Act, 1986 :

Section 7 : Children shall not be required to work at a stretch for a period not exceeding 6 hours per day with the rest of 1 hour after 3 hour of work. The child labour shall never be permitted or required to work between 7 p.m. at night and 9 a.m. in the morning. No child shall be required or permitted to work overtime.

Section 8 : A holiday of one whole day shall be allowed to child labour in a week.

Penalties : If a child is employed, the employer shall be punished with an imprisonment of not less than 3 months but exceeds to one year or with fine of not less than Rs. 10,000/- or extends to Rs. 20,000/- or with both.

The child employment is prohibited in the following processes (Mishra and Pande, 1996) :

- i) *Beedi* making.
- ii) Carpet weaving.
- iii) Cement manufacturing (including bagging of cement).
- iv) Cloth printing, dyeing and weaving.
- v) Manufacture of matches, explosives and fireworks.
- vi) Mica-cutting and splitting.
- vii) Soap manufacture.
- viii) Tanning.
- ix) Wool-cleaning.
- x) Building and construction industry.

The implementation of child labour laws in our country is very ineffective. The main reasons for this are the lack of adequate enforcement machinery, lack of political

will, deliberate attempt of employers to evade the legal provisions and the lack of consciousness within the minds of the parents themselves who obtain false age and medical certificates to enable their children to work. The number of labour inspectors is pitifully low. They can barely visit all the factories in their jurisdiction. In any case, small unregistered units and the cottage industries do not come in their purview. The inspectors can easily be bribed by the bigger factory owners who keeps false certificates and make false entries in their registers (if registers exist at all). When the inspectors come, the children are hidden away or put into innocuous jobs. Recently, when a five member parliamentary team headed by the Union Labour Minister, Mr. P.A. Sangma, visited Ferozabad, they discovered 50 children who were locked into dark, dingy rooms to keep them hidden from the visiting team. The other units had given the children a 'holiday' because the inspection had been previously announced. After the visit, Mr. Sangma issued a time-bound ultimatum to the employers to end child labour within two months or face punitive action. Almost 4,000 children have subsequently been released from this work and four units have already been closed down (Ahmad, 2004).

1.2. Child Labour in India

Child labour in India significantly contributes to the GNP of Indian economy and constitutes 8 per cent of workforce. Most of our export industries like carpet, brassware and diamond etc. are based on mainly child labour. Around 13,600 children are engaged in cutting and polishing small diamond pieces, Nearly 8,000 to 50,000 children are working without shoes, goggles or personal protective equipments near the furnace and other heat emitting machines and equipments in various factories. Whereas poor young girls are dragged as sexual prostitutes are minor and large number of them are HIV positive and suffer from various other diseases (Gomango, 2001).

Table 1.3 presents a comparative statement of the work participation rates for children (10-14 years) in India, China, and Asia and globally over a period of time, i.e., 1960-2000, with projections for 2010. Incidence of child labour in China has been relatively higher compared to India in the initial periods of 1960, 1970 and 1980. However since 1990, the incidents is lower in China and the projection highlights that

child labour in China would be absent or nil by 2010, whereas it would persist in India at the rate of 7.46 per cent by 2010, much higher than the rate for Asian Countries as a whole – 5.6 per cent.

Table 1.3
Participation Rates for Children (10-14 years)
(India, China, Asia and the World)

Sl. No.	Region	1960	1970	1980	1990	2000	2010
1.	World	24.81	22.30	19.91	14.65	11.32	8.44
2.	Asia	32.26	28.35	23.42	15.19	10.18	5.60
3.	China	43.17	39.03	30.48	15.24	7.86	-
4.	India	30.07	25.46	21.44	16.68	12.07	7.46

Source: ILO, 2006.

The recent Census of India (2001) has estimated that about 12.6 million children in the country are employed. Even the official data has admitted that the magnitude of child labour has increased from 11.59 million in 1991 to 12.66 million in 2001 (Census, 2001). However unofficial sources claim that between 25 to 30 million children are at work, and significant number of child workers in domestic and agriculture sectors are not covered in the Census (India, Country Report, 2006).

Inter-State differences in the incidence of child labour suggests that it is highest in Uttar Pradesh (15.2 per cent) followed by Andhra Pradesh (10.8 per cent), Rajasthan (9.97 per cent) and Bihar (8.82 per cent). In fact more than 50 per cent of child workers (6.7 million) are concentrated in five States of Uttar Pradesh, Andhra Pradesh, Rajasthan, Bihar and Madhya Pradesh. The incidence seems to be less in States like Punjab (1.4 per cent) and Haryana (2 per cent). Table 1.4 presents the State wise distribution of child labour in India. Moreover according to one study (Saraswat, 2006) the incidence of child labour in India is larger in rural (4 per cent) than urban areas (1.7 per cent).

Table 1.4

**Select State – wise Distribution of Working Children in the Age Group 5 – 14 years
(Per cent to total)**

Sl. No.	Name of the State	1971	1981	1991	2001
1.	Andhra Pradesh	15.13	14.30	14.73	10.76
2.	Assam	2.23	*	2.40	2.77
3.	Bihar	9.85	8.08	8.35	8.82
4.	Gujarat	4.82	4.52	4.64	3.83
5.	Haryana	1.28	1.42	0.97	2.00
6.	Karnataka	7.52	8.30	8.65	6.49
7.	Kerala	1.04	0.68	0.31	0.21
8.	Madhya Pradesh	10.34	12.45	11.99	8.41
9.	Maharashtra	9.19	11.42	9.47	6.03
10.	Orissa	4.58	5.15	4.01	2.98
11.	Punjab	2.16	1.59	1.27	1.40
12.	Rajasthan	5.46	6.01	6.86	9.97
13.	Tamil Nadu	6.63	7.15	5.13	3.31
14.	Uttar Pradesh	12.34	10.52	12.49	15.22
15.	West Bengal	4.76	4.44	6.31	6.77

Source: Census of India, 1971 to 2001, GOI.

- Census could not be conducted.

Generally, employers view the employment of children as advantageous and cheaper than their adult labour. Besides, children have less developed ego, are not status conscious and they are less afflicted by feeling of guilt and shame. Moreover, employers prefer child labour because children can not form workers unions. They are more disciplined and adjustable and are therefore preferred for employment.

a. Caste and Traditional Factors

The economic structure of the Indian society is influenced by the caste factor. Thus social, cultural and traditional factors are equally responsible for the plight of children in India. Traditionally, children of the upper caste families begin their lives in schools according to their culture whereas children of the lower castes start their lives on work according to their family culture. The families in the lower

strata, though they may not be below the poverty line, send their children to learn skills at different work places. Children are taught a traditional craft at an early stage to become proficient in a job, which would then be a source of income to them. It is a recognized fact that in childhood, the human body is more flexible to acquire postures required for a particular job. Carpet weaving, pottery, silk and cotton weaving, wood carving etc. are some of the traditional craft where children are involved (Raj & Chauhan, 2001).

b. Educational factor

India is a significant exception to the global trend towards the removal of children from the labour force and the establishment of compulsory universal primary school education. Poverty has not prevented governments of other developing countries from expanding mass education and making primary education compulsory. Many countries of Africa with income levels lower than those of India have expanded mass education with impressive increase in literacy. For instance, Botswana, Cameroon, Equatorial Guinea, Mauritius, Rwanda, Zambia and Zimbabwe have achieved literacy rates ranging between 50 and 70 percent. China, which had an illiteracy rate comparable to that of India forty years ago, has now reduced it to half (Weiner, 1991).

In many villages in India, school facilities are absent or available only at distant places. Parents are reluctant to send their children to neighbouring villages to attend school. Drop out rate in the schools is higher in such cases. It is observed that out of total number of children in India in the age group of 6-14, fewer than half attends school. The incidence of child labour is closely related to school dropout rate (Raj & Chauhan, 2001).

As a consequence, India has turned out to be the largest producer of non-school going child workers. Most child workers in India are illiterate, while in nineteenth century England and in the United States, child workers were at least able to read and

write, since they were generally in school for six years, the periods of compulsory education. In India, most child workers have never attended school or have dropped out before completing four years of schooling, the minimum period needed to acquire literacy (Burra, 1995).

Thus the education system in India is clearly a contributing factor for the increase in the magnitude of child labour. Many schools in remote places are of poor quality and chances of upward mobility are so bleak that expected return is not equal to the sacrifice made. It is true that many children drop out of school because they have to work, but it is equally true that many become so discouraged by school that they prefer to work. Thus given the low quality and implied costs of educational services available to the poor, many parents, despite being illiterate and having themselves worked as children tend to consider an early entry into the labour market rather than schooling as the best way to equip their children with skills useful for their future as adults (ILO, 1996).

1.2.1 Magnitude of Child Labour

From the above discussion, it becomes clear that the problem of child labour in India is of immense magnitude considering the number of children involved. But the accurate estimates of child labour, either from a quantitative or qualitative point of view are not available. It is because of this reason that the estimates of child labour provided by different sources differ significantly. Yet, the fact remains that child labour constitutes a substantial proportion of India's labour force. Even China, which has the largest child population in the world, does not have such a big number of child workers as in India (Patel, 1988).

According to 1981, 1991 and 2001 Census documents of India, the number of working children accounted for 13.60 million, 11.29 and 12.66 million respectively (Table 1.5). The ILO estimated child labour at 15.10 million in 1975 and 23.17 million in 1996. NSSO India estimated the figures at 17.60 million, 13.50 million and 10.40 million respectively during 1987-88, 1993-94 and 1999-2000. The Baroda

based Operation Research Group estimated the number of working children at 44 million in 1983. The Planning Commission of India put the figure at 17.36 million in 1983. The Chamber of Commerce and Industry (1985) put the magnitude of child labour at 100 million (Raj & Chauhan, 2001).

Table 1.5
Child Labour in India

(Number in millions)		
Data Source	Year	Magnitude of child labour
Census of India	1981	13.60
	1991	11.29
	2001	12.66
ILO	1975	15.10
	1996	23.17
NSSO India	1987-88	17.60
	1993-94	13.50
	1999-2000	10.40
Planning Commission	1983 (GOI)	17.36
ORG, Baroda	1983	44.00

Source: V.V. Giri National Labour Institute, Noida, 2001.

According to the 2001 Census, there were 12.66 million child labourers in India with highest child population of 1.52 million recorded in Uttar Pradesh. The data in the Table 1.6 reveal that child labour increased in absolute terms as per the 2001 census compared to the corresponding proportion of 1991 census. Conversely, a silver lining is discernible, perhaps for the first time, from the 1991 census tables. Not only has the total child population declined in absolute terms from 13.64 million as per 1981 census to 11.28 million as per 1991 census but also the decline in absolute terms is visible in nearly all the States except in the case of Delhi and West Bengal where there was a rise in the number of child workers. A feature of the 2001 figures is that

Table 1.6
Distribution of Working Children in Selected States of India

Sl. No	State/Union Territories	1981	1991	2001
1.	Andhra Pradesh	19,51,312 (14.3)	16,61,940 (14.7)	13,63,339 (10.8)
2.	Assam	*	3,27,598 (2.4)	3,51,416 (2.8)
3.	Bihar	11,01,764 (8.1)	9,42,245 (8.4)	11,17,500 (8.8)
4.	Madhya Pradesh	16,98,597 (12.5)	13,52,563 (11.9)	10,65,259 (8.4)
5.	Maharashtra	15,57,756 (11.4)	10,68,418 (9.5)	7,64,075 (6.0)
6.	Rajasthan	8,19,605 (6.0)	7,74,199 (6.9)	12,62,570 (9.9)
7.	Tamil Nadu	9,75,055 (7.2)	5,78,889 (5.1)	4,18,803 (3.3)
8.	Uttar Pradesh	14,34,675 (10.5)	14,10,086 (12.5)	19,27,997 (15.2)
9.	West Bengal	6,05,263 (4.4)	7,11,691 (6.3)	8,57,087 (6.8)
10.	Delhi	25,717 (0.2)	27,351 (0.2)	26,950 (0.2)
All India		1,36,40,870 (100)	1,12,85,349 (100)	1,26,66,377 (100)

Source: Census of India, 1981 to 2001, GOI.

* Census could not be conducted.

they related to workers in the age group of 5 to 14 years. The 1981 and 1991 census data showed child workers in the age group of 6 to 14 years. This would mean a still greater decline in the number of child workers in the age group of 6 to 14 years in 2001 census (Saini, 2003).

It may, however, be noted that census estimates are generally considered as underestimates. Despite the controversies relating to reliability of one method over the other, it is noticeable that the incidence of child labour is alarmingly high (Saini, 2003). There are a large number of child workers who are not covered by census enumerators or sample surveys, who are outside the scope of the term "worker" as

defined by census and whose work is disguised and clandestine. Added to this disturbing phenomenon of huge number of clandestine child workers, in recent years, the children from neighboring countries of Nepal and Bangladesh are sneaking into child labour market in cities like Delhi, Kolkata and Mumbai etc. making the problem still more complex (Patel, 1988).

1.2.2 Causes of Child Labour

One can see that child labour is a multi-dimensional problem. Therefore a number of explanations were put forth for growing rates of child labour force. The most important reasons for this increasing magnitude of the problem are economic compulsions of families, lack of employment opportunities for the adult members in the family and preference of the employers to hire children to reduce the labour cost. Therefore, as viewed by the National Commission on Labor (1969), the employment of children is more of an economic problem than any thing else (Patel, 1988). Besides this several inter-linked factors like poverty, caste, tradition, size of the family, illiteracy, ignorance, schooling facilities etc are exerting their influence directly or indirectly on the children to participate in work force. All these causative factors are, of course, inherent to India's socio-economic structure.

In certain occupations, children are expected to learn the skills to enable themselves to be employed when they become adults. In Industries like carpet weaving in UP and J&K, in *Zari* and *Zaradosi* industry in Surat region of Gujarat, children are employed to undergo training as no adult without a training is employed and training is provided only when the person enters the trade as a child.

1.2.3 Working Conditions

The conditions under which the children work in India vary widely across activities, across rural and urban population and across agricultural and non-agricultural sectors. The rural environment under which children work in agriculture

and related fields represents more a problem of access to educational opportunities rather than a threat to their health and physical development. The rural child workers are not subjected to unhygienic working conditions or the exploitation or strict supervision by employer, except under the condition of debt bondage (Patel, 1988).

In urban non-agricultural activities, however, the child workers are subjected to various difficult conditions of work. In addition to denial of school, the working conditions in urban informal sector pose a serious threat to physical, mental and social development. Self-employed children like the rag pickers are exposed to the exploitation of the middlemen to whom they must sell their collections. These child workers handle dirty, harmful and hazardous items like broken glasses, rusted metals and hospital waste etc.

In carpet industry the children enter the job at the age of 5 to 7 years and continue to work. This is concentrated in Mirzapur-Bhadohi-Varanasi region. The rooms in which work is held are ill lighted, the floors are damp or dung-smeared. The lower half of the body has to be in damp pits to keep the height of the roof low, or otherwise children are required to work squatting on the floor in the same posture the whole day. Skin and eye diseases are quite common among these children due to unhygienic working conditions and continuous concentration in making knots as per the requirements of designs. The number of working children in the carpet belt went up as the Government of India set up carpet training centres in the Mirzapur Area (Burra, 1995). This carpet belt stretching from Mirzapur to Varansi is known as 'Dollar Land' since it accounts for 90 percent of the total carpet exported from India (Tripathy, 1996).

Likewise, in the glass bangle industry of Firozabad one quarter of the work force are children under 14 years. The temperature in the furnaces in the glass bangle and glass blowing industry ranges from 700⁰c to 1400⁰c. Children are engaged to carry iron rods to the tank furnace to draw out molten glass. They run with this molten glass to the adult bangle maker (Burra, 1995). They have to run rapidly on a

floor strewn with glass pieces in order that the molten metal does not become cold before it reaches the adult workers who turn it into bangles (Tripathy, 1996).

Another glaring case is observed in Sivakasi, a township famous for crackers, fireworks, matchboxes and printing presses in Tamil Nadu. The children work in sheds rolling explosives into crackers and arranging matchsticks in neat rows of collapsible wooden boxes. The working day is ten hours long and seven days a week just for a paltry remuneration. The main risk in the match industry is due to the use of chemicals. Children working in the boiler rooms mixing chemicals inhale toxic fumes, suffer high degree of intense heat and run the risk of being badly injured by fire accidents.

Similarly around 50,000 workers are employed in the gem and diamond polishing enterprise located in Surat in Gujarat. In the diamond cutting industry, children handle machines in small ill-ventilated rooms and they are subjected to heavy dust, highly dangerous fume and large noise. Likewise, in the slate industry of Mandsaur, Madhya Pradesh, thousands of children are working. They cut plates into small pieces with electrically operated saws, a process, which emits dense clouds of a fine light dust, which the workers constantly inhale. The result is silicosis or pneumoconiosis, a lung disease, similar to but much deadlier than tuberculosis (Burra, 1995). This disease is the cause for fibrous changes in the lungs. Lungs are gradually eaten away, patients suffer respiratory troubles, begin to spit blood and then die a painful death. Children at the age of 12 and even less are forced into this fatal work to support their poor and sick parents (Narod, 1995).

In another instance, in the balloon factories of Dahanu in Maharashtra, children's work includes mixing rubber with chemicals, colouring balloons and testing each balloon with gas. A thick pall of dust and chemicals covers the rooms, which are small, cramped and ill-ventilated. Children work nine hours a day, six days a week and inhalation of dangerous gases in the room can cause pneumonia, cough, breathlessness and even heart diseases. In the powerloom industries, children suffer

from byssinosis. This disease is caused by cotton dust and fibre, which get embedded in the lining of the lungs and lead to tuberculosis. There are an estimated number of 15,000 children working in powerloom industry of Bhiwandi in Maharashtra (Burra, 1995).

An occupation which allows the worker to come into contact with harmful substances like chemicals (e.g., balloon, match and fire-works, lock and brass ware industries), fire (e.g., glass industry), cotton fluff and dust that damage lungs (e.g., powerloom industry) may be considered intrinsically hazardous. Some occupations become hazardous because of working conditions and the working environment where children work in the rooms that are dark and ill ventilated. As a result, their eyesight is damaged in gem-polishing, diamond-cutting, carpet-weaving, *zari* work (gold thread embroidery) etc. The posture in which they sit in for long hours while weaving carpets causes physical deformities and spinal problems. Had the working conditions been ideal, some of the hazards could have been minimized. But the piece-rate system, in which payment depends on the output at abysmally low rates, exerts extraordinary pressure on the children to work for longer hours beyond their physical capacities. In turn this intensifies the hazards (Burra, 1995).

Poverty of the parents and total absence of educational facilities facilitated the planters to make extensive use of child labour in the tea industry of Assam almost since its inception. This evil practice is still rampant in 800 odd tea gardens of the state and according to the data released by the Government of Assam and other non-government agencies there are about 90,000 child labourers in this industry besides a sizeable number of adolescent workers (Karmakar, 1998). Table 1.7 furnishes information on the concentration of child workers in some hazardous industries in India.

Table 1.7

Estimates of Child Labour in Selected Small Scale Industries in India

Sl. No	Name of the Industry	No. of Children Employed	Area of Concentration
1.	Carpet Weaving	95,000	Mirzapur-Bhadohi-Jaipur
2.	Power Looms	15,000	Bhiwandi-Maharashtra
3.	Match/Fire Works	50,000	Sivakasi-Tamilnadu
4.	Glass, Bangle Industry	50,000	Firozabad-Uttar Pradesh
5.	Slate Industry	1,000	Mandsaur-Madhya Pradesh
6.	Gem Polishing	13,500	Jaipur-Rajasthan
7.	Diamond Cutting	15,000	Suraj-Gujarat
8.	Silk/Zari Embroidery	50,100	Varanasi-Uttar Pradesh
9.	Metal and Brass Ware Industry	20,000	Moradabad-Uttar Pradesh
10.	Handlooms and Handicraft Industry	1,16,000	Jammu and Kashmir
11.	Beedi Making Industry	50,000	Karnataka, Andhra Pradesh
12.	Wood Carving	10,000	Saharanpur-Uttar Pradesh
13.	Cotton Hosiery	8,000	Tirupur-Tamilnadu
14.	Tea Industry	90,000	Assam
15.	Fish Processing	20,000	Kerala

Source: V. V. Giri National Labour Institute, Noida, 2001.

1.2.4 Girl Child Worker

Of the 42 percent of children in the Indian population nearly half of them are girls. Nearly 40 percent of all girls are in the age group of 0-14 years. Available statistics reveal that more boys are engaged in child labour than girls. But in reality the number of working girls is often underestimated by statistical survey as these surveys do not take into account the work performed by girls in home-based industries and also full time house workers who enable their parents to go to work. Girls, on an average tend to work longer hours than boys. This is true for the girls employed as domestic worker in which working hours are extremely long (ILO, 1996). Some workers also carry double workload, a paid job outside the home, and unpaid work in the form of household chores.

It is intriguing why most debates on child labour leave the specific problems of the girl child unanswered. One reason could be that while boys can be seen working in workshops and factories, girls, with a few exceptions, work at home and are therefore invisible to the casual observer. This invisibility has serious negative consequences in terms of the girl child's status within the family, which in turn determines her role in the family and society (Burra, 1995). As a result, her education and health are considered secondary to those of her male counter parts, both in rural and urban areas.

The attitudes of parents to their daughters are not merely a result of not being able to place an economic value on the latter's contribution to the family, but the giving of dowry at the time of marriage makes the girl a positive burden to the parents in comparison with her brothers. One immediate consequence is that education is denied to girls. Therefore, the female working children have a relatively poor educational background compared to that of the boys. This is primarily because girls start working at an early age and poor families do not give much importance to the education of girls. The family loses more if they send a daughter to school than if they send a son.

The gender-based inequalities pervade almost all aspects of the growing girl's social and cultural environment. Family structure and social values influence the girl that she grows up looking upon herself as inferior and subservient, entitled much less authority and virtually without any choice. The values that operate in the patriarchal family are internalised at an early age, as a naturally indispensable part of life. Thus, the girl child is made to acquire qualities of submissiveness, weakness, self-sacrifice and silent suffering. She learns to be acquiescent—first as daughter, and sister and then as wife and finally as mother. Deprived of her childhood rights the young girl's prospects for all-round development are severely stunted (Grover, 1994).

Girl workers, according to several empirical studies, are engaged in low-paid unskilled jobs, which do not necessarily lead to skill formation. It is because of sex stereo typicality of roles, perhaps, that women and girls are restricted to low-paying jobs. In certain industries, some processes and activities are considered exclusively to be female jobs. Leela Gulati points out that there is a clear-cut sex differentiation between the work that male and female workers do in the coir industry of Kerala. While both boys and girls are employed in rotating the spinning wheel, cleaning and willowing the fibre, rock rotating, and in the beating of husks one finds only girls doing the work. In the gem-polishing industry of Jaipur, girls are employed to pierce holes in bead for necklaces. It was traditionally a female job. In the brassware industry of Moradabad polishing goods by the hand was exclusively a female's job (Burra, 1995).

In the match industry of Sivakasi, where approximately 45,000 children were employed, 90 percent were girl children below the age of 14 years. According to Madras Institute of Development Studies (MIDS), boys are exposed to jobs requiring skills while girls are left to piece-rated occupations that require little mental skills. The great preponderance of girls in this industry is due to the fact that the wages are much lower (Rs.3.50 to Rs.4.00 a day) than in any other occupation. MIDS observed that no one other than a child and that too, a girl, will work in the match industry at

such low wages. Thus in the match industry, the larger number of girls in the work force can be justified by the fact that wages are so low and work so unskilled and monotonous that even boys are not expected to do the work (Burra, 1995).

It was reported that due to the introduction of mechanisation in the process of production, the tasks hitherto performed by female workers were taken over by men to perform with machines, thereby relegating the female workers to further unskilled and menial jobs. This is true in the case of gem-polishing and brassware industries. In the gem-polishing industry the job of making holes in beads was essentially a female job in which hundreds of girls were employed. But due to the increased international demand for gemstones, an ultrasonic machine has been introduced to do the work. Though it is a relatively simple gadget, no where are girls seen doing this work on machines. The wages paid to male workers performing these tasks on machines are many times more, as the output was much larger than what girls were used to produce manually. Similarly, in the brassware industry, most of the work was done by females. Earlier in this industry there were female workers constituting more than 50 percent of the total work force. However, now their participation has fallen to less than 10 percent. The reason for this state of affairs was that with the greater demand for brass ware abroad, there has been an introduction of machinery in many of the processes which were formerly the preserve of female workers. The job of polishing, particularly of goods which were coloured was done exclusively by women and girls at home using chemicals. Now, men do this work in workshop on machines and earn many times more than the women who used to do it at home. Another female preserve was the job of *chilai* (scraping) and most of the girls were engaged in this work. But with the introduction of grinder machine, women and girls have more or less lost working opportunities in this field. Only those jobs that cannot be done on machines are given to women and girls to do at home for a mere pittance. Thus, changing demands and consequent technological changes have deprived women and girls of incomes they used to generate (Burra, 1995).

Thus in almost all industries, this phenomenon is repeated, boys going to work in skill based industries and girls engaged in unskilled low paid wage work. But wherever mechanization has been introduced, leading to higher wages, boys have taken over the work which girls were doing earlier.

1.3 The Status of Girl Child in South Asian Region

The convention of the rights of the child resolved to protect the rights of all children, girls and boys and the resolution was adopted by the United Nations General Assembly in 1989 and ratified by India in 1992. Further, Convention underscored the exceptional vulnerability of children and emphasized that childhood is entitled to special care and assistance. In 1990, the seven member countries of SAARC* jointly observed 1990 as the Year of the Girl Child, the ten years period between 1991 and 2000 was declared as the SAARC Decade of Girl Child. The Government of India, on the lines of SAARC Decade of Girl Child, developed and disseminated a National Plan of Action for the Girl Child (NPAGC) for 1991-2000, which states unequivocally that there is an urgent need to reduce existing disparities and ensure equality for the development of the girl child and the adolescent girl (Grover, 1994).

In the South Asian Region the integration of the girl child into the mainstream development process is a continuing cause of concern to activists, administrators and policy planners. The ultimate objective is to have an active, healthy, confident 21st century girl child unfettered by the limiting traditional values. The perspective visualised is a female child with self-perceptions and self-esteem not merely in passive recipient roles but in active productive roles and the image is of an equal, gender-aware, unshackled girl child in control of her destiny and conditions.

The SAARC conference on South Asian Children gave an urgent call for improvement of the mother-child life cycle beginning with the girl child. It was opined that neglect and discrimination were extensive and deep-rooted in a complex

* South Asian Association of Regional Cooperation
(India, Nepal, Pakistan, Bhutan, Sri Lanka, Bangladesh and Maldives)

set of social, cultural and historical factors. The major effort identified to mitigate this complexity was to educating parents and community to accept the equality of boys and girls.

Thus, concern for the girl child has marked the beginning of a new awareness. It was collectively realized that gender division exercises a continued influence on childhood in all socioeconomic contexts and subordinates girls' rights and needs to those of boys. In modern times, therefore gender is gradually becoming an integral part of all child development policies, programmes, evaluations and methodology of information gathering. The efforts in the SAARC nations have thereby provided the necessary impetus for countries around the globe to recognise that, there exists a gender hierarchy in childhood at every level and that it needs to be reformulated on the principle of equality of sexes (Grover, 1994).

As a prelude to the declaration of the year of Girl Child in 1990, the South Asian Countries had convened a meeting in New Delhi during September 1988 and presented the country papers on the Girl Child. Basing on these papers, an attempt is made to present a brief account on the status of Girl Child in South Asian Region as follows:

1.3.1 Girl Child – Attitude in the Family

a. India. Gender bias against the girl child is seen in many situations but ironically it takes its origin in the family, irrespective of the class, caste or religion. The family, which is expected to provide love, protection and care, is, for some girls, a place of violence, fear and pain. A number of studies show that the exploitation of the girl child is a direct result of the exploitation of women (Burra, 1987). Admittedly, many mothers were themselves neglected, exploited and discriminated in childhood and therefore the today's neglected and exploited girl child will become the exploited mother of tomorrow (Vasanth, 1991). Within the family environmental set up in some of the unfortunate and socially disadvantaged households, the arrival of a girl child handicaps the mother, as she is considered unlucky. As she grow up, in turn is

handicapped and conditioned by the attitude of her own mother and family, perpetuating the vicious circle of gender discrimination (UNICEF, 1985).

Thus a life cycle approach throws light on the situation of girls in India from conception and birth, through early childhood into the school going years, adolescence and womanhood. It reveals that a very strong gender bias is entrenched in the cultural heritage of Indian society that idolizes sons, an obsession that cuts across all differences. Ritually and economically sons are considered desirable, essential to light funeral pyres of parents in order to release their souls from bondage of their bodies, to enable them to avoid hell, to ensure continuation of family name and also to provide economic support to parents in old age.

b. Nepal. In Nepal, 90% of population are Hindus. The birth of a girl child, unlike that of a son, is not an occasion for rejoicing. In fact, in all strata of Nepalese society, the birth of a daughter casts a shadow of gloom as she is considered a liability rather than an asset.

The parents mostly prefer to have sons largely due to religious and socio-economic beliefs. Some are necessary to perform funeral rites of parents for the salvation of the latter's souls. Parents are entitled to take economic support from their sons in their old age. Social norms and values dictate that sons are normally responsible for the upkeep of their aged parents. Therefore, fertility and population data reveal that Nepal has the second highest index of preference for sons after India (SAARC, 1988).

c. Pakistan. The status of a girl in Pakistan is governed by the socio-economic level as well as the number of female children in a family. The parents usually wish for a boy as the first child. However, once born, girls are also loved and cared with affection. But girls as they grow are subjected to gender bias.

The female children are expected to remain at home to tend siblings and help mothers in household chores (average size of household in Pakistan being 6.7). As a result, apparently for girls socialization outside the family is utterly limited. As a result, girl child develops a poor self-image, lack of confidence and security and this situation perpetuates vicious circle of gender-bias from generation to generation (SAARC, 1988).

d. Bhutan. In Bhutan, people generally do not discriminate between male and female children. The birth of a daughter is as welcome as that of a son. This could be so, because majorities of the Bhutanese are Buddhists. However, in Southern Bhutan where Hinduism is the predominant religion, the people feel that a son is important to carry out the family tradition and religious duties.

However, Bhutan follows a matriarchal system and the girl plays an important role in the family. She is a big support to her parents. After adolescence, she takes part in all household matters on par with the male members of the family. The caring of the aged parents and aged grand parents is also entrusted to the daughter. Even after marriage, her duty towards her parents and family remains extended (SAARC, 1988).

1.3.2 Girl Child - Education

a. India. Female literacy is one of the most sensitive indices of social development. The education of a girl is a worthy objective in itself and needs no further justification. Some of the beneficial consequences of education to girls include lower fertility rates, low infant mortality rates, lower population growth rates, higher age of marriage, higher life expectancy and greater participation of women in different sectors of economy (Grover, 1994).

But, the conscious and unconscious neglect of the girl child in education has resulted in an irreparable damage to the nation. The worst sufferers are the women and girls of marginalised groups i.e. the rural and the urban poor, the deprived castes, tribes and other minorities.

The male and female literacy rates were 75.85 and 54.16 respectively in 2001. That is 45.8% of the female population within the age range of 7 years and above was illiterate. In the age group 15-35 years, there were hundred million illiterates of whom 69% were females. For every 100 boys enrolled in school, only 55 girls were enrolled. Of the total enrolled children not attending school, three fourth were girls. Further, of the enrolled girls, only two out of every ten girls were able to complete elementary education (Nayar, 1987). The main cause for the low enrolment and a high dropout rate among girl children is the domestic role forced upon them. Many girls do not go to school, as they have to look after the siblings at home besides shouldering the burden of household chores.

Table 1.8 furnishes data on girls' education in India as per 2005 and 2006 statistics. It can be noted from the table that many girls aged between 6 and 14 years were not attending schools in the selected states of India. The highest rate of girls (62%) not attending school was recorded in Bihar followed by Rajasthan with 59%. Kerala recorded as low as 5 % of girls in the age group of 6-14 not attending school in 2005-06. Kerala has got the unique distinction of attaining total adult literacy among all Indian States. On an average the percentage of girls not attending school in India in the age group of 6-14 was 42.5.

Table 1.8
Proportion of Girls (6-14 years) Not Attending School in Selected States of India in 2005-06.

Sl No.	State	Percent
1.	Kerala	5
2.	Himachal Pradesh	12
3.	Tamil Nadu	22
4.	West Bengal	37
5.	Assam	42
6.	Andhra Pradesh	45
7.	Madhya Pradesh	45
8.	Uttar Pradesh	52
9.	Rajasthan	59
10.	Bihar	62
Total	India	42.5

Source: National Family Health Survey, 2005-06.

Likewise, Table 1.9 presents the data on the enrolment ratios of children in primary and secondary schools in India in different years. It can be noted from the table that primary school enrolment ratios had increased considerably over the years as compared to the secondary school enrolment ratios. The ratio of girls enrolled in primary schools in 1980 was 67 and, in 1997, it was 93, whereas the ratio of girls enrolled in secondary school in 1980 was only 22, and in 1997, it has increased to 42. Similarly Table 1.10 shows literacy rates in India in different census years. From table it may be noted that female literacy increased from less than 10% in 1951 to around 55% in 2001. That is, about 45% of female population still remained illiterate in India over a period of 50 years.

Table 1.9
Enrolment Ratios in Primary and Secondary Schools in India (1980-2004)

Sl. No.	Level of Education	1980	1985	1990	1993	1997	2004
1.	Primary School Enrolment Ratio	83.0	96.0	98.0	106.0	110.0	--
2.	Primary School Enrolment Ratio for Girls	67.0	80.0	84.0	93.0	93.0	--
3.	Secondary School Enrolment Ratio	32.0	38.0	44.0	46.0	47.0	--
4.	Secondary School Enrolment Ratio for Girls	22.0	26.0	32.0	36.0	42.0	--
5.	Net Primary Enrolment Ratio	--	--	--	--		94(M) 87 (F)

Source: 1. World Development Indicators, 2006.
2. HDRSA, 2007.

Table 1.10
Literacy Rate in India

Year	Male	Female	Total
1951	27.2	8.8	18.3
1961	40.4	15.3	28.3
1971	45.4	21.9	34.4
1981	56.4	29.7	43.5
1991	64.1	39.3	52.2
2001	75.85	54.16	65.38

Source: Economic Survey 2008-09, GOI.

b. Nepal. Until the 1950's, education of girls in Nepal was considered neither necessary nor desirable. Over the years, the perceptions about the education of girls have changed for the better. Yet, in most cases, parents' response to the efforts of His Majesty's Government (HMG) to promote girls education has been lukewarm. Since a male child is seen as a source of economic support in old age, parents like to bear the cost of sending a male child to school rather than a girl. When parents do send their daughters to school, very soon they often withdraw them from school to attend household duties. Available data on school enrolment bear testimony to these facts.

Table 1.11

Enrolment Ratios in Primary and Secondary School Level in Nepal (1980-2004)

Sl. No.	Level of Education	1980	1985	1991	1997	2004
1.	Primary School Enrolment Ratio	88.0	82.0	99.0	104.0	--
2.	Primary School Enrolment Ratio for Girls	52.0	51.0	77.0	81.0	--
3.	Secondary School Enrolment Ratio	22.0	26.0	35.8	38.5	--
4.	Secondary School Enrolment Ratio for Girls	9.0	12.0	22.7	28.2	--
5.	Net Primary Enrolment Ratio	--	--	--	--	88(M) 74(F)

Source: 1. World Development Indicators, 2006.
2. HDRSA, 2007.

As can be seen from Table 1.11, though the ratio of enrolment of girls in schools witnessed a rise over the years from 1980 to 1997, there was a steep fall from primary school level to secondary school level. For instance, in 1997, the school enrolment ratio of girls had fallen down from 77 percent in primary level to 28.2% in secondary school level. The net primary enrolment ratio for boys was 88.1 as against 74 percent of girls in 2004. These figures reveal that not only enrolment ratio of girls was less, but also they were more likely to be withdrawn from school to attend household duties.

In Nepal, access of the poor people to education is hindered because of their poverty and inability to pay the direct cost of education, to bear the indirect costs of labour for their own work. Further, most of them live in areas where there are no schools. In addition, in these families children's labour time is a significant source of family income. Therefore, labour force participation rates are higher among 10-14 year olds than for the labour force as a whole. These children also share a large proportion of domestic labour, tending livestock, caring for siblings, cooking and carrying water and fuel, allowing elder family members to engage in essential off-farm employment. If the position of male children is bad, that of the female children is much worse as girls are engaged almost full-time in such pursuits and thus withdrawn from schools once and for all (World Bank, 1991).

c. Pakistan. According to 1981 census, the overall rate of literacy in Pakistan was 27%. The male literacy rate was 35% while the female literacy rate was as low as 16%. Table 1.12 revealed that during the period 1980-1998, the enrolment ratio of girls in primary level was slightly increased from 27% to 35% and in secondary level, it increased from 8% to 17%. The decline in enrolment ratio of children as they reached from primary to secondary level of schooling indicated the fact that parents tend to withdraw children with the increase in the level of education.

Table 1.12

Enrolment Ratios in Primary and Secondary School level in Pakistan (1980-2004)

Sl. No.	Level of Education	1980	1985	1990	1998	2004
1.	Primary School Enrolment Ratio	39.0	45.0	46.0	49.0	--
2.	Primary School Enrolment Ratio for Girls	27.0	31.0	31.0	35.0	--
3.	Secondary School Enrolment Ratio	14.0	18.0	21.0	21.5	--
4.	Secondary School Enrolment Ratio for Girls	8.0	10.0	13.0	17.0	--
5.	Net Primary Enrolment Ratio	--	--	--	--	73(M) 56 (F)

Source: HDRSA, 2007.

Parents in Pakistan do not consider education for girls as essential. Availability of schools in the vicinity of every habitation in rural areas is also inadequate. Therefore one of the objectives in the Seventh Five Year plan (1988-93) was to provide primary school facilities to every child within a radius of 1.5 KM so that no child is deprived of basic education due to non-availability of a school at a reachable distance.

d. Bhutan. Until the early 1960's, practically no formal schooling existed in Bhutan except for the teaching of religion and classical *Dzongkha* in religious schools, in monasteries and *Dzongs* (World Bank, 1984). Most Bhutanese practice the State religion, *Mahayana Buddhism*, a reformed version of Tibetan *Buddism*. About 25% of all Bhutanese are Hindus. Unfortunately, schools in Bhutan are as widely scattered as its villages and only 21% of the school-aged children attend schools.

Fortunately, modernization has brought about certain changes in the education system in Bhutan. After 1961, enrolments in State primary and secondary schools began to rise as a result of increased investment in education. Education, was not compulsory but it was free for both sexes. As can be noted from Table 1.13, the ratio

Table 1.13

Enrolment Ratios in Primary and Secondary Schools in Bhutan (1980-2001)

Sl. No.	Level of Education	1980	1985	1988	1995	2001
1.	Primary School Enrolment Ratio	11.0	27.0	25.0	29.0	35.0
2.	Primary School Enrolment Ratio for Girls	7.0	19.0	19.0	24.0	29.0
3.	Secondary School Enrolment Ratio	1.0	4.0	5.0	12.0	18.0
4.	Secondary School Enrolment Ratio for Girls	1.0	1.0	2.0	7.0	12.5

Source: HDRSA, 2007.

of enrolment of girls at the primary school level in 2001 was 21 and it came down drastically to 12.5 at the secondary school level. The higher rate of female dropout was mostly due to the service role played by the girls in the family. If a girl fails in school, her parents did not insist on her continuation of education as her service role in the family was far more demanding. Due to manpower shortage in Bhutan, a girl's contribution in the household and farm work is more than welcome. Therefore, the education for girl child was restricted to the minimum level on account of her much desired service role in the household chores.

e. Sri Lanka. In Sri Lanka, girls and boys have had equal access to education since introduction of free education from the Kindergarten to the University level, in 1945. Social demands rather than legislation has led to the reduction of gender disparities in education. In Sri Lanka 96.5% of the schools were co-educational and socio-cultural barriers to education opportunities had been minimal. The girls have been equal beneficiaries along with boys, of social policies and the parental attitude to girls' education was favourable. Table 1.14 confirms the facts that Sri Lanka recorded

Table 1.14

Enrolment Ratios in Primary and Secondary School level in Sri Lanka (1980-2004)

Sl. No.	Level of Education	1980	1985	1990	1997	2004
1.	Primary School Enrolment Ratio	103.0	103.0	107.0	112.0	--
2.	Primary School Enrolment Ratio for Girls	100.0	101.0	105.0	109.0	--
3.	Secondary School Enrolment Ratio	55.0	63.0	74.0	78.0	--
4.	Secondary School Enrolment Ratio for Girls	57.0	66.0	77.0	82.0	--
5.	Net Primary Enrolment Ratio	--	--	--	--	100(M) 99(F)

Source: 1. World Development Indicators, 2006.
2. HDRSA, 2007.

a high enrolment ratio for children that had never been recorded in any other SAARC country. However, the enrolment ratio for children has showed a declining trend with increase in educational level at any given point of time. Micro-level studies of Sri Lanka revealed that incidence of dropping out is high in pockets of urban slums, remote villages and new settlements. It was found that 19.3% of 6-8 years age group and 9.8% of 9-14 years age group had never been to school. The opportunities cost of education precludes children from poor families from enrolling in the formal school system in Sri Lanka.

f. Bangladesh. Bangladesh has no specific law that requires children to go to school. In the SAARC year of girl child 1990, the country announced free and compulsory education upto Grade 5, with a special focus on girl child (UNICEF, 1990). Gender disparities in Bangladesh are very much apparent and girls suffer from less enrolment and high dropout rates from schools. As can be noted from 1.15, enro-

Table 1.15

Enrolment Ratios in Primary and Secondary Schools in Bangladesh (1980-2004)

Sl. No.	Level of Education	1980	1985	1990	1997	2004
1.	Primary School Enrolment Ratio	62.0	60.0	77.0	82.0	--
2.	Primary School Enrolment Ratio for Girls	46.0	50.0	71.0	87.0	--
3.	Secondary School Enrolment Ratio	18.0	18.0	19.0	35.0	--
4.	Secondary School Enrolment Ratio for Girls	9.0	10.0	12.0	18.0	--
5.	Net Primary Enrolment Ratio	--	--	--	--	103(M) 96(F)

Source: 1. World Development Indicators, 2006

2. HDRSA, 2007

Enrolment ratio for girls in primary school level increased from 46 in 1980 to 87 in 1997. However, during the same period, the enrolment ratio in secondary school level increased only nominally i.e., from 9 to 18. The decline in enrolment ratio of girls from primary to secondary in 1998 reflects their high dropout ratio from schools.

1.3.3. Girl Child – Health and Nutrition

a. **India.** In understanding malnutrition, the emphasis is laid on health care, acquiring knowledge on child caring and safety of the environment. Nutrition and healthy growth are the outcome of three essential factors, namely accessibility to food in the home, both preventive and curative health care, and child caring practices.

Ironically, it was found that the most pernicious and callous attitude regarding girls is discrimination in the field of nutrition and health care also (Capoor, 1987). Male members of the family are given priority where quality and quantity of food are concerned. The girl child is taught to be satisfied with whatever she receives. The situation is the same even when the sole breadwinner of the family is a woman.

It was rightly noted that quite often the root cause of malnutrition among girls is not so much the lack of food as the lack of access to food. Because of undernourishment and the resultant poor physical constitution, girls are more likely to contract infections and be slower to recover in the case of illness. This combined with lack of medical attention, during the vulnerable years of childhood, accounts for the considerably higher morbidity and mortality among girls (SAARC, 1990). Excess female mortality in childhood is a grave indictment of the cultural norms and perceptions that defeat the biological head start with which the female is naturally endowed.

Table 1.16 furnished data on life expectancy at birth in India. Due to increased medical facilities and health care drive taken up as part of modernization, life expectancy at birth registered an increasing trend. It was also found that female life

expectancy was higher than male life expectancy since 1991. As per the table 1.17 in 2005 female life expectancy was 64 as against male life expectancy of 63. During the period 1998 and 2005 infant mortality rate per 1000 live birth showed a steep fall from 70 to 56, which is a welcome feature in a country like India.

Table 1.16
Gender-Wise Life Expectancy at Birth in India

Year	Male	Female	Total
1951	32.4	31.7	32.2
1961	41.9	40.6	41.3
1971	46.4	44.7	45.6
1981	50.9	50.0	50.4
1991	58.6	59.0	58.7
1993	60.4	61.2	60.8
2003	61.8	63.5	62.7
2005	63.5	64.6	64.0

Source: Economic Survey 2008-09, GOI.

b. Nepal. Despite considerable improvement in public health services over the years, Nepal continues to be one of the high infant mortality rate countries in South Asia. The high death rate among children is due to poverty, ignorance, nutritional deficiencies, and inadequate health services.

Around 40% of infant deaths in Nepal occur in the first week of life. More girls than boys die despite the fact that females are the stronger of the species. Among those who survive, it is the females who are nutritionally worse off than males. High female infant mortality rates are the consequence of low socio-economic status of girls in society. As can be noted from Table 1.17 the life expectancy at birth in Nepal was 62 years in 2005, which is the lowest among all SAARC countries. Likewise the Infant mortality rate is 56 for 1000 live births in 2005, which is equivalent to India.

c. Pakistan. Until the beginning of the Sixth Five-Year plan (1982-83), there was scarcity of health services in Pakistan. Newborn children were victims to communicable diseases and malnutrition. Due to emphasis on preventive care by immunization of children against communicable diseases during Sixth Plan (1982-83 to 1987-88), marked improvement in medical care, reduction in infant mortality from 98.5 to 80.0 per thousand was recorded. Nevertheless, against a target of 1.25 million, malnutrition was checked only in 0.3 million cases which among other things may be due to eating habits, vulnerability to disease and inadequate distribution of food in poverty stricken families. The girl children suffered from discrimination in distribution of nutritious diet in families of low socio-economic levels.

d. Sri Lanka. Health indicators such as infant mortality rate, maternity mortality rate and expectation of life at birth reflect the high priority given to the health services in Sri Lanka. Gender discrimination in health care was not so apparent in Sri Lanka as in other SAARC nations. Girls were given equal share in health care services on par with boys. Table 1.17 reveals that life expectancy at birth increased from 73 to 74 years during 1999 and 2005. Child Mortality had declined over the years from 19 to 14 per 1000 live births. Life expectancy of 74 years in Sri Lanka was the highest among all other SAARC countries, in 2005.

e. Bangladesh. Health indicators in Bangladesh reflect its poor handling of health sector which among other things may be due to inadequate food supply, inadequacy of health care centres, unsatisfactory sanitation facilities, lack of safe drinking water, unequal accessibility to basic needs, widespread communicable diseases and malnutrition. Bangladesh is one of the poorest countries in the world in terms of malnourished children. Table 1.17 reveals that Bangladesh is the poorest among the SAARC countries in so far as health indicators are concerned. Life expectancy at birth is 64 years and infant mortality rate is 54 per 1000 live births in 2005.

Table 1.17
Health Indicators in South Asian Countries

Name of the Country	1982	1987	1992	1993	1995	1998	1999	2005
India								
1. Infant mortality rate per 1000 live births	106	93	82	80	68	70	--	56
2. Under 5 mortality rate per 1000 live births	--	--	--	--	95	83	90	74
3. Child mal-nutrition (% under weight)	--	--	63	--	--	--	--	--
4. Life expectancy at birth	55.4	57.8	60.3	60.8	62(M) 63(F)	--	62(M) 64(F)	63(M) 64(F)
Nepal								
1. Infant mortality rate per 1000 live births	122	110	99	96.4	91	77	75	56
2. Under 5 mortality rate per 1000 live births	--	--	--	--	131	107	109	74
3. Child mal-nutrition (% under weight)	--	--	50	--	--	--	--	--
4. Life expectancy at birth	48.3	50.9	53.5	54.1	57(M) 56(F)	--	58(M) 58(F)	62(M) 62(F)
Pakistan								
1. Infant mortality rate per 1000 live births	120	105	91	87.6	90	91	90	79
2. Under 5 mortality rate per 1000 live births	--	--	--	--	127	120	126	99
3. Child mal-nutrition (% under weight)	--	48.8	--	--	--	--	--	--
4. Life expectancy at birth	56.2	59.1	61.6	62.1	62(M) 64(F)	--	62(M) 64(F)	63(M) 64(F)
Sri Lanka								
1. Infant mortality rate per 1000 live births	35	24	18	17.4	16	16	15	12
2. Under 5 mortality rate per 1000 live births	--	--	--	--	19	18	19	14
3. Child mal-nutrition (% under weight)	47.5	36.6	--	--	--	--	--	--
4. Life expectancy at birth	69.2	70.7	71.9	72.1	70(M) 75(F)	--	71(M) 76(F)	72(M) 76(F)
Bangladesh								
1. Infant mortality rate per 1000 live births	128	119	108	105.6	79	73	61	54
2. Under 5 mortality rate per 1000 live births	--	--	--	--	115	96	89	73
3. Child mal-nutrition (% under weight)	70.1	66.5	--	68.0	--	--	--	--
4. Life expectancy at birth	49.7	52.8	55.6	56.1	57(M) 58(F)	--	58(M) 65(F)	63(M) 65(F)
Maldives								
1. Infant mortality rate per 1000 live births	94	82	60	57.5	52	--	--	33
2. Under 5 mortality rate per 1000 live births	--	--	--	--	--	--	--	42
3. Child mal-nutrition (% under weight)	--	--	--	--	--	--	--	--
4. Life expectancy at birth	57.1	59.6	62.1	62.6	64(M) 63(F)	--	--	68(M) 66(F)
Bhutan								
	Not available							

Source: 1. World Development Indicators, 2006.

2. UNICEF, 2006.

3. HDRSA, 2007.

1.3.4 Girl Child-Work Force

a. **India.** According to UNICEF Report, World's Children 2006, India has the largest number of working children and 17 per cent of them are under the age of 15. Girls aged 12-13 are the preferred choice of 90 per cent households.

Area wise examination of child labour in India indicates that more boys than girls are in the labour force as per 1971, 1981 and 2001 censuses. Only in 1991 census the incidence of child labour seems to be larger among girls than among boys. Further the incidence of girl child labour is larger in rural than urban areas invariably in all the four censuses. Table 1.18 shows the rural – urban distribution of child labour by sex.

Table 1.18
Area-wise Distribution of Girl Child Labour in India
(in Million)

Year	Rural			Urban			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
1971	7.29	2.89	9.98	0.61	0.16	0.77	7.89	2.86	10.75
1981	7.34	5.23	12.57	0.77	0.30	1.07	8.11	5.53	13.64
1991	8.70	12.57	21.27	1.15	0.74	1.89	9.85	13.31	23.16
2001	5.92	5.42	11.34	0.88	0.44	1.32	6.80	5.86	12.66

Source: Census of India, 1971 to 2001, GOI.

FEMALE CHILDREN IN RURAL INDIA

A study of the situation of female children (5-14 years) during 1961-91 in urban India is less dismal than that of rural India. Table 1.19 presents the status of rural female children in India.

Table 1.19
Status of Girls in India (RURAL)

Status of girls (5-14 years)	Census				
	1961	1971	1981	1991	2001
Girl Child population (in million)	45.1	58.4	67.1	76.3	91.1
Full time work (%) (Main workers)	12.3	4.6	5.2	4.2	2.08
At school (%)	14.6	19	27.2	37.7	42.5
Neither at work nor school %	73.1	76.4	67.6	56.0	51.6
Marginal workers (%)	-	-	2.6	2.1	3.87

Source: Census of India, 1961 to 2001, GOI.

According to 1961 Census, there were about 45.1 million girls in the age group of 5-14 years in rural India. Among them only 14.6 per cent were in school, 12.3 per cent were full time workers. The remaining 73.1 per cent or 32.97 million girls were neither in school nor at work. This category may be termed as “no where” children. In 1971 Census, female child population (5-14 years) increased to 58.4 million constituting an increase of 13.3 million in 10 years. During this period, the proportion of girls in school registered an increase of 19 per cent. On the contrary, those reported to be full time child workers declined to 4.6 per cent. There seems to be a sharp fall in female child work participation rates from 12.3 per cent in 1961 to 4.6 per cent in 1971. The proportion of girls who were neither at school nor at work recorded an increase from 73 per cent in 1961 to 76 per cent in 1971.

The main reason for the significant fall in work participation of girls in 1971 Census was due to its narrow definition of work (183 days per year) that excluded all part time and marginal workers with less than 183 days of employment. In 1981 Census the concept of marginal workers were introduced and is adopted by 1991 and 2001 Censuses.

Increase in enrolment of girls in schools in rural areas was impressive with a rise from 6.6 million (14.6 per cent) to 11.1 million (19 per cent) during the period 1961-1971. The female child population had increased by 13.3 million during this period. The increased child population turned out to be 'no where' girls from 33 million to 44.6 million which equals the increase in girl child population.

As per 1981 Census figures, there were 67.1 million girls in the age of 5-14 years in rural India. During the decade 1971-81, female child population increased by 8.7 million. Their participation rate also increased from 4.6 per cent (1971) to 5.2 per cent (1981). The proportion of girls in school also registered an increase by 8.2 percentage points with subsequent drop in no where category by 8.8 percentage points. The size of girl child population in 1991 Census was 76.3 million. During the decade 1981 – 1991, it registered an increase of 9.1 million. The proportion of girls in school increased to 37.7 per cent, with a simultaneous decline in their work participation (4.2 per cent) and no where category (56 per cent). Girl child population had moved up to 91.1 millions during the decade (1991 – 2001), with a drop in their full time work participation (2.08 per cent) and nowhere category (51.6 per cent).

Overall, from the Census data on the status of girl child in rural India for the periods 1961 – 2001 it may be inferred that though the proportion of girls in schools had increased from 12.3 per cent in 1961 to 49.2 per cent in 2001, still nearly 60 per cent of the girls are deprived of schooling. Further the declining trends of girl child main workers along with increasing marginal workers in rural areas indicate the changing nature of work done by girls. This may also be partly due to decelerating employment growth in general in the economy during the decade 1991 -2001.

FEMALE CHILDREN IN URBAN INDIA

Table 1.20 presents the status of urban female children in India. The size of the urban female child population in 1961 was 9.5 million. Out of this, 45.7 per cent were in school, 2.4 per cent were full time child workers and as high as 51.8 per cent were neither in schools nor in the labour force (no where children). In 1971, the female child population in urban India registered an increase of 3.6 million. The students, full time child workers and "no where" girls constituted 52 per cent 1.2 per cent and 46.8

per cent respectively. In 1981, urban female child population marked an increase of 19.0 million, or which 60.8 per cent were in schools, 1.3 per cent in full time labour force and 37.8 per cent were “no where” girls. In 1991 census, out of total urban child population of 24.3 million, 64.6 per cent were in school, 1 per cent in labour force, 34.2 per cent “no where” girls and 0.2 per cent were marginal workers.

Table 1.20
Status of Girls in India (URBAN)

Status of girls (5-14 years)	Census				
	1961	1971	1981	1991	2001
Girl Child population (in million)	9.5	13.6	19	24.3	29.7
Full time work (%) (Main workers)	2.4	1.2	1.3	1.0	0.96
At School (%)	45.7	52	60.8	64.5	67.4
Neither at work nor school %	51.8	46.8	37.8	34.2	31.14
Marginal workers (%)	-	-	0.3	0.2	0.5

Source: Census of India, 1961 to 2001, GOI.

Overall analysis of the Census data on the status of urban girls for the period 1961- 1991 reveals the following:

- 1 The labour force participation rates were much lower for urban girls than rural girls.
2. The proportionate increase (18.8 percentage points) in school enrolment of girls in urban India during the decade 1961-91 was lower than the proportionate increase in enrolment by rural girls (23.1 percentage points) during the decades of 1961 – 1991.
- 3 Despite the decline in the number of full time girl child workers in urban areas over the decades, their proportion in marginal worker category had increased by 0.3 percentage points in 2001. Though the marginal worker category among girl child workers is showing an upward trend in both rural and urban areas, the incidence is larger in rural sector.

Thus, about 35 percent of our urban girls and 62 percent of rural girls were missing full time school education (Tipathy & Pradhan, 2003).

b. Nepal. Nepal has a 'bottom heavy' population structure as more than 40% of its population are under 15 years of age. In 1981, of the total 15 million population, 41.4% (i.e., 6.2 million) were in the 0-14 age group. In the total population, female children accounted for 19.8% and the male children for 21.5%, in 1981. And 94% of Nepal's children live in rural areas. In Nepal, a mere 7% of the total population lives in urban areas.

Children working along with their parents are a common feature of the Nepalese rural landscape. They are seen working from dawn to dusk, particularly during the peak seasons of sowing and harvesting. It is now recognised that girls bear a heavier work burden, as they are more involved in household activities than boys. A majority of the economically active females (90%) are self-employed and about 4% work as unpaid family workers.

Except in the field of education, girl children are not specially targeted in the child-related development programmes. In fact, the latter itself is a recent phenomenon. Until recently, planners assumed that the benefits of development would automatically trickle down to children. In 1985, however, His Majesty's Government (HMG) for the first time, recognised children as a special target group for development and announced a national policy for development of children.

c. Sri Lanka. In Sri Lanka, according to 1981 census, 5.6% of male children and 2.4% of female children between 10 and 14 years of age were economically active. The labour force statistics, of course, exclude a large number of children employed in the urban and rural informal sector. Children in this sector were found working for long hours in fields, in markets, fairs and pavements, in petty trade and in domestic services in households where they are often subjected to physical violence. Largely, their involvement in economic activities is a strategy for family survival. There is no legislation to protect them and thus they are deprived of access to education and vocational training and, therefore, to opportunities for upward mobility.

Sri Lanka's official statistics indicate that there are gender differences in relation to the access to employment. Girls stay in schools while boys leave early and have easier access to employment. When girls finally seek employment, they have a narrow range of employable skills as a result of gender imbalances in vocational training. Further, the demarcation of the labour market into masculine and feminine jobs limit the demand for female labour in technical employment. Opportunities for girls, therefore, are restricted to occupations such as labour in plantations and agriculture, office and shop-related work and impoverished rural industries, which mostly struggle for survival in the open economy.

Thus, the analysis of the status of girl child in South Asian countries revealed that many countries, except Sri Lanka to some extent, have strong preference for male child and invariably practice discrimination against the girl child. Though Bhutan follows a matriarchal family system and girl child takes part actively in the decision making of the household on par with male children, parents do prefer education for male children and withdraw girls from school to involve them in farm work and household chores. Even in Sri Lanka where health indicators and enrolment ratios in schools, stand testimony of the country's efforts in achieving impressive standards in the lives of its citizens, providing equal opportunities to children in the field of employment opportunities have not been impressive without gender bias.

On the whole, in many of the SAARC countries girls in urban slums, new settlements and remote villages become victims of discrimination in the fields of education, health care and labour market.

1.4 The Present Study

In view of the above discussion, it is observed that across different social strata, the degree may vary, but the neglect of girl child and discrimination go hand in hand. It is a multi-tiered issue, existing at different levels, in rural and urban areas, inside and outside houses, during different stages in the girl child's life in different sets of circumstances and environments.

A majority of girls, whatever else they may be doing invisible, isolated, unremunerated and unrecognized. One reason is that girls assist parents in home-based activities as well as relieve parents to take up paid jobs outside. Official accounts focus only on the adult women and for them, the girl child is invisible. This stems from the fact that women did not consider the work they did at home as labour. Their self-perception was linked to the perception of the outside world. When women's work was unrecognized, it is not surprising that the work done by girls was not seen as work at all.

The need of the hour is therefore to make girl child visible and ensure her access to education and healthy socialization. For this, the utmost priority must be given to make provisions for compulsory primary education, vocational training, improvement of socio-economic condition of the families where children are forced to work. Any attempt to evolve such measures needs several detailed empirical studies on the problem, for it has different dimensions which differ from one society to another, one region to another and from one time to another. The present study is an empirical survey in that direction. It has made an attempt to analyse the socio-economic background of child labour households, nature of work, working conditions, wage particulars of the children in various occupations of urban informal sector.

1.4.1 Objectives of the Study

The main objectives of the present study are:

- i. To analyse the magnitude, nature and composition of child labour in India in general and in Assam in particular,
- ii. To analyse the socio-economic background of the child labour households,
- iii. To study the employment and working conditions of child labour and girl child workers so as to identify the areas of exploitation, and
- iv. To analyse the earnings of child workers and their contribution in mitigating household poverty.

1.4.2 Research Questions

1. What are the nature of child labourers who are involved in farm and non-farm works in the study area?
2. How many employment days are available to the child labourers in a year?
3. What factors affect the demand for labour?
4. What factors affect the supply of labour?
5. What factors affect the real and money wages of child labourers?
6. Is there any trade union activity among the child labourers?
7. Is there any seasonal variation in the wage rate?
8. What are the factors influencing the wages of the child labourers in the study area?
9. Do the child labourers migrate outside? If so, what factors affect the out-migration?
10. What are the components of total income of child labourers?
11. Do the labourers enjoy any social security?
12. Do the labourers get minimum wages fixed by the government?

1.4.3 Methodology

The methodology adopted for the purpose of this study is detailed below.

a. Sources of Data: The study is based on both primary and secondary data. For inter-country comparison, for providing a national level picture of the problem, for the analysis of the situation in Assam, secondary sources like Census and NSS reports, ILO and UNICEF publications are used. The thrust of the study, however, is on primary data collected from a sample survey. The sample survey focuses on the child labour in general and the girl child worker in particular, in relation to the economic activities they perform for their families, using Kokrajhar district as the universe. The children between the age of 6 to 14 years working either for some employer or self-employed are considered for the study. Since children working in unskilled activities or informal sector are largely seen living in nearby *bastis* (i.e., localities) or slums, it was decided to study slums for investigating the problem. There are altogether 811 notified slums in the Kokrajhar district covering a population of 9 lakhs. This constitutes 35 percent of city's total population as per 2001 census.

The Municipal Corporation of Kokrajhar (MCK) has been pursuing a programme called Kokrajhar District Slum Improvement Project with the financial assistance of Overseas Development Assistance (ODA), United Kingdom (UK). Under this project, the MCK had undertaken the development of slums in a phased manner. It took up 300 slums for the improvement in its IIIrd phase during the period from 1996 to 2001. Subsequently it dropped 28 slums from the list and took up a total of 272 slums for the implementation of various programmes under civic infrastructure, community development, and health sector with an active involvement of voluntary organizations, neighbourhood committees and women groups. The present study drew its sample from a list of 272 slums for which lists of households are available.

b. Sample Design: The sample design involved a two-stage random sampling with a purposive element. The first stage involved drawing 25 sample slums from seven Municipal Circles covering Kokrajhar district. Two or more slums were

selected randomly from each circle depending upon the total number of slums taken up by the ODA project. In the second stage, the sample households from the 25 selected slums were drawn at random but with a purposive cause, viz., that the household should have at-least one child worker. When the randomly selected household does not have a child worker the sample was moved to the next or the following listed household which had a working child. In the 25 sample slums there are altogether 3883 households, as identified by MCK-ODA in its IIIrd phase for the improvement of slums. The study drew 300 households with a purposive sample starting from the child workers in the area. The details of sample selection of slums and households are presented in Table 1.21.

c. Tools and Techniques: Both quantitative and qualitative techniques were used to collect, organize, summarise, analyse and interpret the data for drawing relevant results. As the study relates to the problem of child labour and working conditions at work sites in the informal sector, certain qualitative techniques like direct observation of the work process at various work sites, informal discussions with work contractors as well as child workers and parents were adopted to obtain in-depth insight into the problem. The quantitative techniques like frequency distribution of data, simple averages, ratio analysis were applied for the tabulation of data. Various books, journals, bulletins, articles, reports, documents, etc. was also consulted to gather relevant data and information.

Table 1.21
Sample Structure

Kokrajhar Municipal Circles	1 st Stage: Slums		2 nd Stage: Households	
	Number of Slums*	Number of Sample Slums	Total No. of Households in Sample slums**	Number of Sample Households
1.	67	5	908	60
2.	44	4	648	49
3.	43	4	790	54
4.	59	4	506	44
5.	25	3	496	41
6.	12	2	242	23
7.	22	3	293	29
Total:	272	25	3883	300

*These slums are identified for improvement by Kokrajhar District Slum Improvement Project in its IIIrd phase with the financial assistance of ODA-UK.

**These are the total number of households (in 25 sample slums) as estimated by MCK in its IIIrd phase for the improvement of slums.

1.4.4 Limitations of the Study

The study has of course, certain limitations, which are peculiar to a sample research belonging to the household survey. The sample design of slums and households was based on random sampling selection method. Since the main thrust is on child labour, the households that had child workers were surveyed without adopting any technical method of sampling. Since the fieldwork was conducted from July 2009 to December 2009, the analysis is also subject to all limitations of time.

An important limitation lies in the inherent weakness of the data supplied by households with regard to income sources of the family. The people running petty stalls like pan shops, hair-cutting saloons, *Kirana* (the provision) stores, cobblers, vendors and hawkers and other self-employed units did not maintain any records and therefore data collected on their net income has been purely based on estimates given by them.

Another limitation is non co-operation and reluctance of the sample respondents to give replies to the questions properly. Wherever they answered, some of them were quite vague and did not answer to the point. Though efforts were made to counter check these responses with those of others, there were still possibility of variations in opinions and biases as reflected in the answers. Another limitation was that for the analysis of girl child in South Asian Region, only the countries for which data are available were taken for the purpose.

1.4.5 Chapterization

The study is organized into seven chapters. The **first chapter** provides an overall view to the study by examining the present state of research in the review of literature on child labour. It also attempts to bring out a comparative analysis about the status of girl child in South Asian countries and presents the objectives, research questions, methodology and layout of the study.

The **second chapter** reviews the various works related to child labour specially girl child worker and also discusses the theoretical framework of this study.

The **third chapter** comprises of the analysis of work participation by children between 6 and 14 years of age and their educational background. Based on the Census data, the analysis and interpretations are presented in respect of the composition of child labour in various industrial activities in India and in Assam. The results of the sample survey are presented in three chapters from three to five.

The **fourth chapter** focuses on the general characteristics of child labour households in terms of family size, working members, education, parental occupations and monthly incomes.

The **fifth chapter** deals with employment particulars, working conditions and wage rates of child labour. To obtain further qualitative dimensions of the problem of child labour, an attempt is made to present profiles of some girls child workers as part of this chapter.

The **sixth chapter** presents the wage structure, monthly incomes of child labour, share of children's contribution to household income, poverty line and the extent of poverty. It also examines the household poverty in relation to children's contribution.

The **seventh chapter** presents the summary, suggestions and conclusion. Moreover, on the basis of the findings, some suggestions have been made in this chapter for taking necessary steps to alleviate the problem of child labour and particularly the girl child worker.

1.4.6 The Concepts used in the study

- a. Households.** A household consists of a group of persons including relatives normally living together and taking food from a common kitchen. It includes all those persons who are temporarily away due to some reasons and excludes all those who are visiting temporarily as guests.
- b. Salaried Jobs.** Any person who works in an enterprise under the supervision of an employer for a salary on a monthly basis is considered as a salary job holder. Though he/she does not get paid holidays as in the formal sector, he/she does take leave on emergency conditions and employers do permit them to avail such leave with pay.
- c. Petty Business.** Any person who operates a small enterprise of his/her own and works by independently as an individual is a petty business person. It relates to the trading activity where the business person sells goods and services to the people living in the locality. He/she may have members of the family working alongside in the business without any remuneration.
- d. Wage Labourer.** Any person who works under an employer for remuneration or wages on a daily basis is considered as a wage labourer. Mostly, in such type of employment, the wages are paid on a piece-rate basis.
- e. Self-employment.** Any person who is engaged in an occupation of his/her own and earns income by providing service to the people is a self-employed worker. In this occupation, production of goods or buying of goods wholesale, and selling in retail would not take place as in the petty business.
- f. Unpaid Family Worker.** Any person who works for family business or in household chores but does not receive any remuneration in return is considered as an unpaid family worker.

g. Un-employed. All persons of the age of 5 years and above who were not working during the reference period but were available for work are regarded as un-employed persons. They are involuntary unemployed persons.

h. Non-workers. All persons of the age of 5 years and above who were not working during the reference period because of their unwillingness to work are regarded as non-workers. They are voluntary unemployed persons.