

CHILD LABOUR

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INTRODUCTION

The most innocent phase in human life is the childhood. It is that stage of life when the human foundations are laid for a successful adult life. It is the phase when we are carefree, fun-loving, learning, playing... Go back into your childhood and for most of us, there are beautiful memories. And how wonderful to have grown up with such carefree abandonment while we had parents, grandparents and others looking after us. But, this is the story of not too many children.

Yes, there are far more children scarred and tormented. They hate their childhood. They would do anything to get out of the dungeons of being children and controlled and tortured by others. They want to break-free from this world. Some manage to get out and get a better life, but many continue to be where they are, not out of choice, but force.

This is the true story of child labour. There are industries and individuals, who employ young innocent children. They put them to work under grueling circumstances. They make them work for long hours weaving delicate threads to make the world's most expensive carpets. They make them work in dangerous factory units manufacturing fireworks. They make children carry load even heavier than their own body weight.

There are individual households that have their own young children growing up in a comfortable family environment, but they hire children as domestic help. They beat them and physically torture when they make a mistake. They starve them and give them their children's worn out clothes.

Such is the story of millions of children in India. It is painful and yet true. The future of this nation is the children. And instead of nourishing them and nurturing them with a healthy childhood, they are letting be tortured in dungeon-like work places. And a large number of employed children do not even live to see their teenage years.

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WHAT IS CHILD LABOUR

However, one must also understand that all work is not bad or exploitive for children. In fact, certain jobs help in enhancing the overall personality of the child. For example, children delivering newspapers prior to going to school. Or then children taking up light summer jobs that do not interfere with their school timings.

When they are given pocket money earning oriented tasks, they understand the value of money, as well as respect it even more. While these are the positive aspects of tasks and working, the actual universal problem of child labour is the exploitive and dangerous work and working conditions children are put through. For instance, in north India young children, below the age of 14 are made to work in the carpet industry. Their delicate fingers create the world's finest and most expensive carpets. The children are working twelve to fourteen hours a day. Many lose their fingers. Some are starved. And a many die each year because of the torturous circumstances under which they are made to work.

This is a crime. There have been instances of so-called decent middle class, as well as upper-class people employing young children as domestic helpers. But, they are not working as helpers, but bonded labour. They are made slaves. Frightening stories of how they have been physically tortured are printed in the daily newspapers. And in spite of stringent action being taken against such employers, the problem continues.

CAUSES-OF CHILD LABOUR

Today one of the greatest maladies that has spread across the world is that of child labor, coupled with child abuse. It is a very scary thought when each year statistics show increasing numbers. And this is not a problem afflicting under-developed or developing nations, but also developed countries, though the numbers are comparatively less.

The first step to solve any problem is to be aware of it. And the prime focus is to be aware of the causes of child labour. The following causes listed, though from the Indian prospective, are also the contributing factor to child exploitation in other nations...

The leading reason is poverty. Families need additional sources of income. And unfortunately their poverty-stricken way of life makes them so ruthless that they sell their children as things to exploitive employers. Most such employers pay a lump sum for the child and then keep him or her imprisoned' within the factory unit till the child cannot work due to deteriorating health as a result of harsh living. and working conditions. A hard and terrifying truth about child labor in India.

Most traditional families believe that a child is born to them to earn more money for the family. The child is just another source of income. And traditional business families in fact put the child into the business rather than sending them to school. Under the pretext of training them, they make them work long hours, sometimes resorting to physical torture in case the child makes mistakes.

Child abuse is another cause for child labor. This is more so in the case of the girl child, who has probably been abused by someone at home, and to hide this fact she is sold to an employer from a city as domestic help, or then as a bride to an old man.

Lack of proper educational facilities force parents to send their children to work, rather than keeping them at home and giving them a home-based education, along with a happy and innocent childhood playing amongst other children.

According to the 'Roots of Child Labor', citing UNICEF's 1997 State of the World's Children Report, "The parents of child labourers are often unemployed or underemployed, desperate for secure employment and income. Yet it is their children - more powerless and paid less - who are offered the jobs. In other words, says UNICEF, children are employed because they are easier to exploit."

CHILD LABOUR IN INDIA

India accounts for the second highest number where child labour in the world is concerned. Africa accounts for the highest number of children employed and exploited. The fact is that across the length and breadth of the nation, children are in a pathetic condition.

While experts blame the system, poverty, illiteracy, adult unemployment; yet the fact is that the entire nation is responsible for every crime against a child. Instead of nipping the problem at the bud, child labour in India was allowed to increase with each passing year. And today, young ones below the age of 14 have become an important part of various industries; at the cost of their innocence, childhood, health and for that matter their lives.

Here is a look at the various labour activities involving children, across the length and breadth of India ...

BONDED CHILD LABOUR:

This is also known as slave labour and is one of the worst types of labour for children and adults, alike. In fact, in 1976 the Indian Parliament enacted the Bonded Labour System (Abolition) Act; herein declaring bonded illegal. However, the fact remains is that this system of working still continues. According to certain experts approximately 10 million bonded

children labourers are working as domestic servants in India. Beyond this there are almost 55 million bonded child labourers hired across various other industries.

CHILD LABOUR IN THE AGRICULTURAL SECTOR:

According to a recent ILO report about 80% child labourers in India are employed in the agriculture sector. The children are generally sold to the rich moneylenders to whom borrowed money cannot be returned.

Street Children:

Children on the streets work as beggars, they sell flowers and other items, instead of being sent to school. They go hungry for days to gather. In fact, they are starved so that people feel sorry for them and give them alms.

Children Employed at Glass Factories:

According to recent estimates almost 60,000 children are employed in the glass and bangle industry and are made to work under extreme conditions of excessive heat.

Child Labour in Matchbox Factories :

Of the 2,00,000 labour force in the matchbox industry, experts claim that 35% are children below the age of 14. They are made to work over twelve hours a day, beginning work at around 4 am, everyday.

Carpet Industry Child Labour :

According to a recent report by the ILO almost 4,20,000 children are employed in the carpet industry of India.

The Other Industries :

According to researchers there are about 50,000 children employed in the brass industry of India and around the same amount in the lock industry.

Hours and Period of Work:

- (1) No child shall be required or permitted to work in any establishment in excess of such number of hours, as may be prescribed for such establishment or class of establishments.
- (2) The period of work on each day shall be so fixed that no period shall exceed three hours and that no child shall work for more than three hours before he has had an interval for rest for at least one hour.
- (3) The period of work of a child shall be so arranged that inclusive of his interval for rest, under sub-section (2), it shall not be spread over more than six hours, including the time spent in waiting for work on any day.
- (4) No child shall be permitted or required to work between 7 p.m. and 8 a.m.

(5) No child shall be required or permitted to work overtime.

(6) No child shall, be required or permitted to work in, any establishment on any day on which he has already been working' in another establishment.

Weekly Holidays :

Every child employed in an establishment shall be allowed in each week, a holiday of one whole day, which day shall be specified by the occupier in a notice permanently exhibited in a conspicuous place in the establishment and the day so specified shall not be altered by the occupier more than once in three months.

Health and Safety :

(1) The appropriate Government may, by notification in the official Gazette, make rules for the health and safety of the children employed or permitted to work In any establishment or class of establishments.

(2) Without prejudice to the generality of the foregoing provisions, the said rules may provide for all or any of the following matters, namely:

(a) cleanliness in the place of work and its freedom from nuisance; (b) disposal of wastes and effluents;

(c) ventilation and temperature;

(d) dust and fume;

(e) artificial humidification; (f) lighting;

(g) drinking water;

(h) latrine and urinals; (i) spittoons;

m fencing of machinery;

(k) work at or near machinery in motion;

(l) employment of children on dangerous machines;

(m) instructions, training and supervision In relation to employment of children

(n) device for cutting off power; on dangerous machines;

(o) self-acting machines;

(p) easing of new machinery;

(q) floor, stairs and means of access;

(r) pits, sumps, openings in floors, etc.;

(s) excessive weights;

(t) protection of eyes;

(u) explosive or inflammable dust, gas, etc.;

(v) precautions in case of fire;

- (w) maintenance of buildings; and
- (x) safety of buildings and machinery.

Occupations

Any occupation connected with:

- (1) Transport of passengers, goods or mails by railway;
- (2) Cinder picking, clearing of an ash pit or building operation in the railway premises;
- (3) Work in a catering establishment at a railway station, involving the movement of a vendor or any other employee of the establishment from one platform to another or into or out of a moving train;
- (4) Work relating to the construction of a railway station or with any other work where such work is done in close proximity to or between the railway lines;
- (5) A port authority within the limits of any port.
- (6) Work relating to selling of crackers and fireworks in shops with temporary licences.
- (7) Abattoirs / slaughter Houses.
- (8) Bidi-making.
- (9) Carpet-weaving.
- (10) Cement manufacture, including bagging of cement.
- (11) Cloth printing, dyeing and weaving.
- (12) Manufacture of matches, explosives and fire-works.
- (13) Mica-cutting and splitting.
- (14) Shellac manufacture.
- (15) Soap manufacture.
- (16) Tanning.
- (17) Wool-cleaning.
- (18) Building and construction industry.
- (19) Manufacture of slate pencils (including packing).
- (20) Manufacture of products from agate.
- (21) Manufacturing processes using toxic metals and substances, such as lead, mercury, manganese, chromium, cadmium, benzene, pesticides and asbestos.

SOLUTIONS

(1) Whoever employs any child or permits any child to work in contravention of the provisions of Sec. 3 shall be punishable with imprisonment for a term which shall not be less than, three months but which may extend to one year or with fine which shall not be less than ten thousand rupees but which may extend to twenty thousand rupees or with both.

(2) Whoever, having been convicted of an offence under Sec. 3, commits a like offence afterwards, he shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years.

(3) Can this crime against children be eradicated from society? The answer is yes, as long as we take measures to first bring it under control. Once the malady is under control then we can slowly, steadily and surely eradicate this problem and give every child a well-deserved healthy and normal childhood.

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