

# MIGRANTS CHILD LABOR IN INDIA: A CRITICAL EYE

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**Abstract:** *In India one of the most worst affected section are the migrant children workers, who travels long distance from the poorest parts of India into the fast developing cities in search of employment along with their parents or without parents. The migration has extremely impact on the migrant children workers, bringing them into strange cities with little hope of education, learning or life skills. Many of the children wasting their childhood in the shadow of their parents are working on and some are pulled into paid work which results in exploitation as laborer. This paper aimed to explore the problem of migrant child labor. The reasons and effect on migrant children who are force to do work in different areas.*

**Key Words:** *children, Migration, Labor, Population explosion.*

## 1. INTRODUCTION:

Child is the future, hope of the family, society and the nation. The child-boy and girl both should be brought up with almost cure to ensure their physical, mental, emotional, development. (Criminology, Dr. Y.K. Sharma, 2008-09).

Article 2 of the convention defines the term ‘child’. It provides that the purpose of this convention a child means every human being below the age of 18 years, unless-under the law applicable to child, majority is attained earlier. (Mamta Rao, 2007). Children are the “Supreme important national Asset” and the future of nation depends on how its children grow and develop.

India is a developing country, there are so many problems related to children and among the various social problem which the modern society has to face, “Migrant Child Labor”, one occupies an important place. In Indian scenario a child requires proper care, love, affection and nourishment but experiences shows that the subjected to maltreated in some situations. (Dr. S.C.Tripathi and Vibha Arora, 2004). India with 1.21 billion people constitutes as the second most populous country in the world, while children represent 39% of total population. This figures show that the large number of about 29% constitutes children in the age between 0-5 years.

Simply migration means the movement of person from one place to another place. There are two types of migration- international and national. In Indian scenario the internal migration especially from rural to urban areas has becoming a livelihood strategy adopted by increasing no. of families who migrated to the metropolitan cities in search of better employment opportunities. They move with their own families including children. Children who migrate without families are extremely vulnerable population. Migration can take place in many forms including forced and voluntary. This migration has a profound impact on the migrant children workers, bringing them into strange cities with the little hope of education, learning or life skills but some are pulled into child labor and face so many problems.

Child migration for paid work which results in exploitation is an emerging issue, particularly for child migration as labor from rural to urban areas, with or without their parents in search of better opportunities of employment. The population of child labor in urban areas increase 53% over the decade between 2001 to 2011. In the age of 5 to 9 years, the no. of girls and boys put to work increase 240% and boys 154% in India and most of the child population is migrant.

Globally in 18 people is a migrant. This includes an estimated 214 million international migrants and 740 millions internal migrants. About 1/3 rd of the migrant flow from all developing countries is in the age range of 12 to 24. This includes million of children. Under the age of 18 who migrate internally or across national borders, with or without parents.

Child migration for paid work which results in exploitation is an emerging issue, particularly for child migration as labor from rural to urban areas. The population of child labor in urban areas increase 53% over the decade between 2001 to 2011. In the age of 5 to 9 years, the no. of girls and boys put to work increase 240% and boys 154% in India and most of the child population is migrant. The state of child workers in India reported by UNICEF, based on the latest Indian census data, says the proportion of child workers in the 5-9 years age group jumped to 24.8 % in 2011 from 14.6% in 2001.

The Indian scenario can best be describes in words of Professor Myron Weiner who states that India is the largest producer of illiterates and of child labor. Children are employed in the match, fireworks and printing industries etc. Its growth and magnitude therefore, is a serious concern in all over the world.

## 2. OBJECTIVE OF STUDY

- To highlights the causes of migrant child labor.
- To emphasis on the effect of migration on the labor child.
- To work towards the reduction and eliminate of this social evil.

## 3. METHODOLOGY

This study is mainly based on the secondary data collected from books, journals internet websites different census of India and international level.

## 4. WHO IS CHILD MIGRANT?

Person under the age of 18 who changes residence to a different administrative territory within or across national boundaries.

## 5. HOW DO CHILD MIGRAT?

**5.1 Internally** – change of residence to a different administrative territory within national boundaries such as between states, province, cities or municipalities.

**5.2 Internationally** – change of residence over national boundaries into a different country. International migrants are further classified as regular immigrants, and irregular immigrants.

## 6. FORMS OF CHILD MIGRANTS:

Migration is the important determinant of child labor. Millions of children are on the move, both with or without country. The association between migration and child labor from the stand points of children who migrate with their children or without their children. There can be certain forms of migrant child labor as follows:

### 6.1 Seasonal migration or migration with family

There are about 80 to 100 million seasonal migrants' workers in India who primarily move from rural to urban areas in search of employment and better livelihood. Majority of these seasonal migrant groups belongs to most of the weaker section of the society .Although no. of accompanied and unaccompanied children may vary and are estimated to 15 millions in India. ( UNESCO Report, 2013).Seasonal work site at destination- often in agriculture but also in for instance brick kilns, hotels and so many other places. Entire families migrate for several months every year. The number of children migration in India alone at 4 to 6 millions. (ILO, 2010). Many of children are often far away from schools on a seasonal basis may be problematic, so children came along with their parents and work. . For many migrant families working in agriculture, the output produce by children is essential for earning a living wage as a family.

### 6.2 Independent migration

Most of child migrants move with their families but significant number also move independently in search of work to the cities. According to A World Report 2008 based on censuses from 12 destination countries tthat no. of migrant children were living without their parents, girls are most slightly more likely to migrate independently compare to boys and the likelihood that a child will migrate independently increase subsitiantioally with age. Independent child migration may be also a part of family survival strategy in India. The migration of a child decrease the independent ratio in the household, when he does not earn enough money to save and those children are able to save, they send remittances and contributing to the education of their siblings. (ILO,2010).

## 7. REASONS:

The migrant child labor is a reality in the poverty sickness area. it is a mode of exploitation was necessitated by so many compulsions of the parents and the child himself. Its growth and magnitude, therefore, is a serious concern in all over the world. Migrant child labor attributes so many reasons:

- Poverty is the main factor to work children in a country like India where over 40% of the population is living in conditions of extreme poverty. Children work out of necessity otherwise the standard of living their families would decline. A large no. of them do not even have families or cannot count on them for support. In these circumstances, the alternative to work. (Narnia's criminology, 2008-9).
- Another reason is that child labor is deliberately created by vested interest to get cheap child labor
- Illiteracy of parents of children forces them to work as labor.
- Family indebts
- Large size of family
- Historical background of internal migration of family.
- Social customs and cultural values of the family is an important reasons of migrant children to work.
- Lack of interest of children is an important factor to work children as labor.

- Population explosion.
- Non-availability of work in their home town.
- Liabilities.
- Some kind of conflict, droughts and other natural disasters force children to work for survive.
- Due to Attraction of city life people come to cities for employment with children and they work to earn money.
- Lack of awareness about their rights.
- Lack of basic and meaningful equality education and skill training is the basic reason of child labor.

## 8. EFFECT ON CHILDREN

Child Migration has a crucial impact on economic and social development of whole world but the specific effect of migration on children that make up their future of those economics and societies education are as follows:

**8.1 Education:** lower education achievement of migrant children is still an ongoing challenge for every society. There are so many factors that affect the educating of migrant children who work:

- Language difficulties.
- School segregation.
- Levels of parent's education.
- Time since migration
- Socio-economic background of the family. (Heckmann, J.J. 2000).

**8.2 Social exclusion:** social exclusion is defined as “inability to participate in economic, social and cultural life alienation and distance from the mainstream society are the main characteristics of social exclusion. (Duffy.K.1995).

**8.3 Health:** child labor migration has a serious effect on children's health. They are suffering from many health problems as follows:

- Lack of clean drinking water facilities.
- Lack of hand washing facilities and toilet facilities.
- Exposure to pesticides in agriculture area.
- Problem of big injuries working with machinery and sharp tools in the industries.

**8.4 Psychological effect:** long term hours of work on a regular basis can harm children's social, mental and educational development. The children have reported more problems e.g. aggression, misconduct, substance use, sleep deprivation and so many related problems.

## 9. CONSTITUTIONAL PROVISIONS:

Child laborers are exploited, expose to hazardous work conditions and paid a pittance for their long work. These children never know what childhood is. The Indian constitution enshrines that:

- No child below the age of 14 years shall be employed to work in any factory or in any hazardous employment. (Article 24).
- Childhood and youth are to be protected against exploitation and against moral and material abandonment. (Article 39 (f)).
- The state shall Endeavour to provide within a period of 10 years from the commencement of the constitution free and compulsory education for all children until they complete the age of 14 years. ( Article 45) (Narender Kumar, 2009).

## 10. CENTER/STATE ACTS AND RULES

- Child labor (Prohibition and Regulation) Act 1971.
- Child labor (Prohibition and Regulation) Act 1986.
- Inter State Migrant Workmen. Regulation of Employment and Conditions of services) Act 1979.
- Minimum Wage Act, 1948.
- Equal remuneration Act.1976.
- Inter State Migrant Workmen. Regulation of Employment and Conditions of services) Rules, 1980

## 11. NATIONAL POLICIES

- National policy for children.1974.
- National policy for child labor, 1987.
- Protocol on prevention rescue, repatriation and repatriation of trafficked and migrant child labour,2008
- Development of women children in rural areas (DWCRA) 1983, scheme.

## 12. INTERNATIONAL CONVENTIONS

- International convention on the protection of the Rights of all migrant workers and members of their families, 1990.
- Convention on the Right of the Child, 1989.
- International Labor Organizations. (ILO).
- The World Summit for children, 1990.

## 13. SUGGESTIONS AND RECOMMENDATIONS

Migrant child labor is the most vulnerable group. The vulnerability of migrant children is aggravated since they are cut off from care and security, health and nutrition, learning and overall normalcy of childhood. (Ghosh Madhab, 2013). There are some suggestions and recommendations to prevent and eliminate the problem of migrant child labor in India as follows:

- There should be effective child welfare programs at the state and district level.
- Laws and policies in field of migration, children's right, education, health, care and child labor should pay specific attention to internal migration.
- Allowing migrant of working age to assess, join or associate with trade unions is another tool that can be used to ensure protection.
- Child labor who live with the employer or household they work from and who have no protection by their parents, are vulnerable to abuse and exploitation. It is therefore important to review the living conditions of children.
- Children in child labor stated that they had experience of violence and abuse. These children experienced ranged from verbal abuse, physical abuse, psychological abuse and sexual abuse. To control such kinds of violence there must be some strong provisions by the government.
- Migrant children performing hazardous work in some areas. The hazards that the children experienced at work involved carrying heavy loads, using sharp tools, working in cold climate and working in unsafe environment. The govt. has to provide them special facilities and good working conditions so that they can work in safe environment.
- Provide proper educational facilities to migrant children.
- There should be policy of fixation of minimum hour of work for children.
- Establishment of long term coordinated action which involves many stakeholders and government.
- There should be public awareness programs at the state, district and local level by the government.
- Provide protective legislation to the working children.
- Establishment of fair legal defense councils for the children.
- There should be some effective policies which attack against the poverty, population explosion, unemployment and other social evils.
- There should be some non government organizations that protect the children time to time at state, district and local level.
- Implementation of ministry of labor and employment's initiatives for the migrant children.
- Proper implementation of legal Acts that are made for the welfare of the children.

## 14. CONCLUSION:

Nature has given childhood as a gift to every human being. It is believed that childhood is the reflection of god in human beings. If child and labor jointly used then it is the greatest manmade disaster on the earth and it has a long term adverse effect on human kind. (MailK and Raval, 2007). The migrant children are usually forced to do adult work and faced so many problems. In India, despite of the numbers of children involved, the needs and interest of migrant children are largely absent from mainstream debates on child protection, child labor and migration. As a result most government has failed to develop effective policy responses to assist and protect migrant children and yet governments are obliged to offer such protection as per Article 2.1 of the UN Conventions on the right of the child which states that "Every child without discrimination of any kind, irrespective of the child's or his/her parents or legal guardians' race, color, sex, language, religion, political or other opinion national, ethnic or social origin, property, disability, birth or other status is born with the same rights". (Mamta Rao, 2007). This includes the right to be free from child labor for both local and migrant children.

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