

CHILD LABOUR IN INDIA: A MODERN SLAVERY

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Abstract: *Although children's are precious assets, very much human beings though weak and immature. Child labour is being regarded as the modern slavery, as children are forced to work. Poverty and illiteracy are the root cause of child labour. Child abuse is a growing epidemic in the world. According to International Labour Organisation (ILO) the number of child labours is around 152 million in 2016 and 12.9 million Indian children engaged in work between the ages 7 to 17 years. Child labour is recognized as the serious and enormously complex social problem in India. They are subject to malnutrition, impaired vision, deformities and suffer from various diseases like cancer, T.B. They often live solitary lives, deprived from education. Poverty and illiteracy seems to be the main causes of child labour. Several legal measures exists to prevent child labour and protect them from harm, but thwarted by the distressing socio economic conditions. Child labour in India is addressed by child labour Act 1986 and National Child Labour Project.*

Key Words: *Child labour, modern slavery, Child Labour Act, Malnutrition, Solitary Lives, National Child Labour Project.*

1. INTRODUCTION:

Child is a gift of god and must be nurtured with care and affection, with in the family and society. Children of today are the future of tomorrow. Child labour is a global, ubiquitous occurrence, mostly in the countries with low resources (ILO, 2015). Child labour refers to the employment of children in any work that deprives children of their childhood, interferes with their ability to attend regular school, and that is mentally, physically, socially or morally dangerous and harmful. The practices of child labour is considered exploitative by many international as well as national legislations across the world prohibit child labour. International Labour Organisation (ILO, 2013) estimated there are around 215 million children between the ages of 5 to 14 who work worldwide. They are often mistreated and who work prolonged hours, in very bad conditions. Number of child labour is increasing even though it is forbidden by law. The main cause of the child labour that induces children to work is poverty. These children work for their survival and their families (Mapure, 2009). Some studies shows that all the work children do are not harmful or brutal (Dessay and Pallage, 2003). Some work provide successful learning opportunities, such as babysitting or newspaper delivery jobs. Recently the term "modern slavery" has been used to refer to engagement of children in different forms of work without their permission to refuse such work. Modern slavery is a cause for global public health concern (Such, E Walton, E. 2019). Freedom may be taken away by threats violence, coercion, deception and abuse of power. (<https://www.walkfreefoundation.org/undertaken>). A broad description of modern slavery would include forced labour and child trafficking, bonded labour or debt bondage, domestic servitude and recruitment and use of child soldiers as combatants or other works by paramilitary or other organisations (<https://www.state.gov/whatismodrenslavery/>). Modern slavery includes the recruitment, movement, harboring or receiving children, women or man through the use of force, coercion, abuse of vulnerability, deception, or other means for the purpose of exploitation. It includes holding a person in a position of slavery, servitude, or forced compulsory labour or of facilitating their travel with the intention of exploiting them soon after. It includes sex trafficking, forced labour, forced criminality, domestic servitude, and forced marriage. All work done by children should be regarded as child labour and need to be eliminated.

2. OBJECTIVE OF THE STUDY:

The main objectives of the study is to understand the poor condition of the children's. To find out the causes, effects and present condition of child labour in India. To suggest remedial measures to solve and outline policy interventions and other safeguard to protect child labour.

3. METHODOLOGY:

For analysis of the study is descriptive nature and based on secondary data collected though literature materials from books, articles, news and research reports on child labour. Poor reviewed outline resources and academic articles from various sources and internet.

4. DEFINITION AND CONCEPT OF CHILD LABOUR:

The Encyclopedia of Social Science (1959) defines “Child Labour” in a definite way than the other definitions as “when the business of wage earning or of participation in self or family support conflicts directly or indirectly with the business of growth and education, the result is child labour”. Defining child labour is not as simple and straight forward as it may appear because it encompasses three difficult to define concepts “Child”, “Work” and “Labour”. In the context of child labour, a working definition of a child, may be a person below the general limit of fifteen years or in special circumstances fourteen years. The child Labour Act (1986) defines child as someone who has not reached the age of 14 years. The Factories Act (1948) and Plantation Labour Act (1951) define child as one having not completed 15 years. The adolescent is one between 15 and 18 years. (Seth, R. 2013). The term child labour also refers to when children are working in any type of work that is dangerous and harmful to children’s health or the work hinders their education. Child labour refers to low wages, long hours, physical and sexual abuse, they work in bad conditions and hazardous occupations. The term child labour is generally interpreted as “all cases in which children are exposed to harm at work weather. Or not children are less than 14 years old or less”. Trade unions, consumer groups and the International Labour Organisations (ILO) often use “Child Labour” and “Child Labourer” instead of “working children”, implying that children should be kept away from the labour force at least until they reach a minimum working age on the basis of the fact that these organisations historically tended to protect and secure adult labor markets.

5. REASONS FOR CHILD LABOUR:

In India there are many reasons for existence of child labour, some of the causes are:

- **POVERTY A ROOT CAUSE:**
Most notable cause of child labour is poverty (Bhat and Rather, 2009). Children work because they have nothing better to do, particularly in rural areas where they do not possess adequate school facilities and their family income is low parents think that children should also contribute to the family income and sent the children to labour because of low income (Basu, 1998).
- **EASY TO MANIPULATE**
Child labours can be easily manipulated and thus becomes a vital cause behind child labour.
- **CULTURAL AND TRADITIONAL CAUSES**
The cultural and traditional is that children follow in their parents footsteps. Different culture and traditions makes the child start working at a very young age. They assume that children need to learn skills that can be good for their future. In Guatemala Parents prefer their children to work because they considered it beneficial for them as they learn work skill (Tausen, 2009).
- **SIZE OF THE FAMILY**
The involvement of children in large poor family household usually more rather than smaller households which demonstrate family size have an effect on child labor, parents obelize their children to work because they are not able to manage the demands of a large size family. There are also gender differences among household size. Not everyone and of all age in the family are working as child labour, which depends on the child’s age and gender, for example boys are more likely to attend to school than girls.
- **LOW WAGE:**
The employer is likely to pay less wages to any children employed because a child being a child may not understand the appropriate wage for every work and doing the work in low wage.
- **FAMILY COMPULSION:**
Parents obelize their children to work because they are not able to manage the demands of a large size family. There are many children who lose their parents due to various diseases and are forced to work in order to support themselves and their siblings.
- **MIGRATION TO URBAN AREAS:**
When number of children migrate to the urban areas for livelihood from villages, they are likely to be exploited at lower wages by the employers and they have no option other than work in a low wage.
- **ABSENCE OF SCHEMES:**
In our country there is no such schemes, like family allowances where a child can be protected. Course of there for earning food, the children has to work, when it is found that they are foodless.
- **ILLITERACY AND IGNORANCE OF PARENTS:**
In India large number of people are illiterate cause of that the parents are unable to understand the drawbacks of child labour due to illiteracy.
- **CORRUPTION:**
“Corruption exacerbates poverty and inequality undermines human developments and stability and sustains conflict, violets human rights and erodes the democratic functioning of countries”. Corruption can have huge

negative effect on children's right that deprives basic services such as health care, education and infrastructure. Corruption can diminish children's ability to escape poverty. Corruption is the one major cause for abusing resources, whenever there is poverty there is also corruptions (Murphy, 2005).

- GLOBALISATION

Globalisation in another cause of child labour. Globalisation have negative as well as positive impacts, Globalisation might give developing countries the opportunities to increase their gross domestic production per capita via a new trade possibilities and ascend their foreign direct investment inflows. Globalisation also has brought adverse impacts on child labour in developing countries like India. In India Globalisation has obliged more children to work in hazardous occupations like brick farms, motor garage, hotels, shops, transportation, manual loading etc.

- THE OPPORTUNITY COST OF EDUCATIONS:

The costs of education in another problem amongst poor households. This has contributed to the exploitation children. Schools needs to be affordable and accessible kondylis and Marco (2006) assume, that school available in developing countries may help in increase school enrolment but may not reduce the incidence of child labour. Bhat (2010) argues that the quality education can help children away from work, consequently it is important for a school to have educated teacher's ratio in the classrooms. However for many poor parents it can be costly to send their children to school as their families live on childrens income and cannot afford school fees, uniforms or other additional cost. This is the problem in developing countries to provide quality free education because it will cost money for governments.

6. PATTERNS OF WORK:

The patterns of work are extremely variable in different part of the country. Carpet industry is especially common in some of the districts in northern states. Fireworks and matches are mostly made in southern state. Cotton growing is also restricted to a few areas in south. Tea plantations are mostly in the Northeast. Older children between ten and eighteen years form the bulk of child work force (ILO, 2019). Children between 6-10 years are usually not employed, but often engaged in bagging, rag picking, help adults in cleaning, running errands and taking care of younger siblings. According to Ministry of Statistics and Program Implementation (MOSPI). India children are engaged in Agriculture, about 70% of working children are in rural areas. They assist in cultivation, crop watering, harvesting, weeding and sowing, and home based cottage industries. In different parts of the country, cotton growing and tea plantations are importance places of work. Children working in agriculture related activities mostly live within the family and may not be subjected to abuse and harsh treatment, although they face work related hazards, however they usually deprived of education and proper health care (Banerjee, S.R. 1993).

A large number of children work at brick making sites, stone quarries, and construction sites of buildings and houses and roads. The work mostly involves lifting and carrying heavy loads. The frequently migrate to the location of the site. A large number of small and home based industries are carried out in many cities in different parts of the country. Some of these include production of carpets, silk garments and weaving, power looms, fire crackers, brass and metal artifacts, diamond polishing, lather products and *bidi* making. Childrens are employed in a wide variety of work as helpers. In most urban areas and along and highways. In most urban areas and along roads and highways children work as helper in cooking, serving and cleaning. Children also live on streets engaged in selling all kinds of objects at roadsides and rag picking, organized gangs which traffic or kidnap children and force them to beg. In most cities childrens are employed by affluent section as domestic helpers. More than 40% of sex workers in India are reportedly children which are carried out under the guise of massage parlours, tourist circuits etc.

7. GOVERNMENT INITIATIVES:

Child labour and constitutional provisions in the Indian Constitutions for the protection of the rights of working children, Article, 21A, right to education. Article 24 prohibition of employment of children in factories, Article 39, for better health and strength of workers.

Legislation for child labour in India was seen in 1881 in the form of Indian factories act which had the provisions prohibiting employment of children below 7 years, limiting the working hours of children to 9 hours a day and providing 4 holidays in a month and rest hours, which was made by the ruling British government.

8. LEGAL ENACTMENT TO PROTECT CHILDREN IN VARIOUS OCCUPATIONS:.

- The Children (Pledging Of Labour) Act, 1933.
- The Employment of Children, Act, 1938.
- The Minimum Wages Act 1948 and Rules Made thereunder by the Government.
- The Factories, Act, 1948.
- The Plantations Labour Act, 1951.

- The Mines, Act, 1952.
- The Merchant Shipping, Act, 1958.
- The Motor Transport Worker, Act, 1961.
- The Apprentices Act, 1961.
- The Atomic Energy, Act, 1962.
- The Beedi and Cigar Worker (Conditions of Employment Act, 1966).
- The Shops and Establishment Act in Various States.
- The Child Labour (Prohibition and Regulation) Act, 1986.

Child Labour (Prohibition and Regulation) Act, (1986 was the culmination of efforts and ideas that emerged from the deliberations and recommendations of various committees on child labour. Significant among there were the National Commission on Labor (1966-1969), the Gurupadaswamy Committee on Child Labour (1979) and the Sanat Mehta Committee (1984). The Act aims to prohibit the entry of children into hazardous occupations and to regulate the services of children in non-hazardous occupations. In particular it aim at the following points.

- The banning of the employment of children i.e.: those who have not completed their 14th years.
- Laying down the procedure to make additions to the schedule of banned occupations or processes.
- Regulating the working condition of children in occupations where they are not prohibited from working.
- Laying down penalties for employment of children in violation of the provisions of this Act and other Acts which forbid the employment of children.
- Bringing uniformity in the definition of the child related laws.

The child labour (Prohibition and Regulation Amendments Bill, 2012) was introduced in the parliament (Rajya Sabha) on 4th December, 2012 further to amend the Child labour (Prohibition and Regulation) Act 1986.

9. PROGRAMMES TO ERADICATE CHILD LABOUR:

- National Child Labour Policy (NCLP)
- International Programme on elimination of Child Labour (1991) (IPECL).
- National Resources Center on Child Labour, 1993 (NRCCL).
- National Authority for the Elimination of Child Labour 1994 (NAECL)

10. RECOMMENDATIONS:

- Compulsory education for elimination of child labour practice.
- To eradicate poverty from our society.
- Identification of Below Poverty Line (BPL) families and to help them economically as well as morally.
- Encourage different government programmes as well as NGO's programmes.
- Government authorities have to identify all the hazardous sectors and have to take appropriate measures for preventing the child labour in their work place.

11. CONCLUSION:

Child Labour in all its forms is a gigantic and seemingly intractable problem in India. To prevent the scourge of child labour, attitudes have to change among different groups. Solving the problems of child labour there must be national efforts supported by international cooperation's. Child labour cannot be abolished until poverty is reduced. The evil can be combated only when there is proper implementation of laws, proposal for humanizing child labour. The governmental agencies, other professional bodies and organisations, community leaders all civil societies needs to work together to stop the exploitation. The goal should be to eliminate child labour.

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