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## AN ANALYTICAL STUDY OF CHILD LABOR-AN EXPLOITATION AND NOT EMPLOYMENT

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**Abstract:** *This paper is an attempt to investigate the status of children in the country, particularly offspring of poor, downtrodden, landless and marginalized parents and families of our society. The state of affairs regarding illegal employment of children at tender ages of below 14 years in industrial sector involving hazardous operations for reducing costs of production is a serious blow to the efforts of government to eradicate the menace of child labor. This greedy behavior of employers is a fundamental abuse of child rights by employers which deprives children of their right of physical, mental and emotional development. The same is true of agriculture and/or household sector also. The child labor in all these cases is kept in unhealthy & unhygienic living conditions.*

*An attempt has also been made to analyze the industrial sectors prone to the child labor. Workers in footwear industry, fire-works & explosives and stone queries... are exposed to a plethora of occupational hazards and child workers among them, if exposed to such hazards, will develop cancers and neurologically disabling conditions, affecting quality of life. The core objective of the study is to find out the causes of this Menace. The other major objective relates itself to find out measures and means to eradicate the problem of child labor. It concludes that the responsibility of eradicating this menace should be shouldered jointly by State, Society, NGOs and children's Parents.*

**Keywords:** *Apprentices, Child Labor, child abuse, child rights; domestic servant, Sweat shops.*

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## 1. INTRODUCTION

### Child Labor

The term 'child labor' means 'working child' or 'employed child'. 'Child labor' is any work done by child for profit. 'Child labor' is a derogatory term which translates into child exploitation and inhumanity according to sociologists, development workers, and educationists.

The term "child labor" is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development.

It refers to work that:

- is mentally, physically, socially or morally dangerous and harmful to children;
- interferes with their schooling by depriving them of the opportunity to attend school;
- obliges them to leave school prematurely; or
- forces them to combine school attendance with excessively long and heavy work.

India has the largest population of child laborers in the world. According to statistics provided by non governmental organizations (NGOs), roughly 60 million children are working as child laborers. According to the official estimates of Census 2001, there were 12.7 million economically active children in the age-group of 5-14 years. They are recruited for reducing costs of production and because of their inherent weakness to unionize for bargaining better wages, improved work conditions and related labor rights.

Two-thirds of the child workers in India were engaged in agriculture and about 17 percent were engaged in manufacturing, according to the 2004-05 National Sample Survey Organization results. More girls than boys were found to be engaged in agriculture and manufacturing. About 11 percent of girl child workers were engaged in domestic duties in rural areas, collect water and firewood and prepare cow dung cakes for fuel.

### Forced and Bonded Child Labor

There are no specific international standards on "forced child labor." This study uses ILO and United Nations standards on minimum age for employment, forced labor, the economic exploitation of children, and slavery-like practices. Forced labor is defined by *ILO Convention 29 on Forced or Compulsory Labor* as "all work or service which is exacted from any person



under the menace of any penalty and for which the said person has not offered himself voluntarily.

### **Debt bondage**

Debt bondage occurs when, in return for a money advance or credit, a person, having no other security to offer, pledges his/her labor or that of a child for an indefinite period of time. In many cases a parent takes a loan aware that the labor of his entire family will be offered in return. In other cases the child alone is subjected to bondage by parents or a guardian who pledge the child's labor in exchange for a loan:

Debt bondage is commonly found in rural areas where traditional class or caste structures and semi-feudalistic patterns endure. Landless or near-landless households, as well as migrant laborers, are particularly vulnerable to debt bondage.

In cases of "intergenerational" bondage, debts are passed down from parent to child. Once a parent is no longer able to work, the debt is assumed by the child.

## **2. LITERATURE REVIEW**

India, an IT giant and the world's second-fastest growing major economy, according to a 'UNICEF report, World's Children 2006', has the largest number of working children. Girls aged 12-13 are the preferred choice of 90 per cent households. Government statistics say that there are 2 crore (20 million) child laborers in India, a country that has ambitions of becoming a global superpower in a few years. Non-governmental agencies assert that the figure is more than 6 crore (60 million) including agricultural workers. Estimates suggest that 5.7 million were in forced or bonded labor, 1.8 million in prostitution and pornography and 1.2 million were victims of trafficking.

**Table 1:** Child Labor population by Census

Census Year	Child Labor
1971	10753985
1981	13640870
1991	11285349
2001	12666377



### Industries engaging child labour

The 1981 Census of India divided child labor into nine industrial divisions, they are: I. Cultivation, II. Agricultural Labor, III. Livestock, Forestry, Fishing and Plantation; IV. Mining and Quarrying, V. Manufacturing, Processing, Servicing and Repairs, VI. Construction, VII. Trade and Commerce, VIII. Transport, Storage and Communication, and IX. Other Services.

In manufacturing industries, children are most likely to be employed "when their labor is less expensive or less troublesome than that of adults, when other labor is scarce, and when they are considered irreplaceable by reason of their size or perceived dexterity.

**Table 2:** Industries extracting child labor

Industry	Locations
Matches, Fireworks and Explosives	Sivakasi
Glass and Bangles	Ferozabad
Beedi Making	Nizamabad, North Arcot District
Carpet Making	Bhadoi, Varanasi , Mirzapur , Jammu and Kashmir
Lock-making	Aligarh
Brassware	Moradabad
Export Oriented Garment Industry	Tiruppur
Gem Polishing Export Industry	Jaipur, Rajasthan
Slate Mines and Manufacturing Units	Markkapur
Leather Units	Agra , Kanpur , Durg, Rajasthan
Diamond Industry	Surat

### Matches, Fireworks & Explosives

It is reported that at least 30 percent (and probably more) of the children working in the match and fireworks industries of Sivakasi, Tamil Nadu are in debt bondage. There are as many as 6000 unregistered "safety match" cottage units in Sivakasi and the surrounding areas. Sivakasi has been described as having one of the largest concentrations of child workers in the world.

The average age of child workers in the industry is 10 to 14 years, but some child workers are reported to be as young as four.

### Glass



Bonded child laborers work in the glass industry in Firozabad, India. The estimates of number of children at work in Firozabad range from 8,000 to 50,000. Anti-Slavery International estimates that 70 to 80 percent of these children are bonded by debt incurred by their parents in the form of advances. Many of the bonded child laborers are children of landless agricultural workers.

### **Beedi Making**

Beedis are hand-rolled local cigars. There are thousands of bonded child workers, girls and boys as young as 7-8, engaged in the beedi industry in the southern state of Tamil Nadu, India.

The tobacco leaves are distributed to the contractors, who oversee the rolling of the leaves into beedis. These units, which usually house ten or more children, are small, dark and poorly ventilated. The children are sometimes beaten or caned for making mistakes.

### **Hand-made carpets**

Children ranging in age from 5 to 15 are forced to work under conditions of debt bondage in the carpet industries of India. They work in cramped positions for long periods of time in poorly-ventilated sheds filled with wool fluff and dust particles. Constant contact with the fluff causes skin ailments such as scabies as well as respiratory problems. Children develop swelling of lower limbs and spine deformities from crouching for long periods of time as they work on the looms.

### **Lock Making**

Many children in the lock industry work as part of a family unit but others are found in workshops away from their families. Many of the small "cottage industries" are subcontractors for larger factories that export. A survey of 100 manufacturing units conducted by the Labor Department of Uttar Pradesh indicated that children under the age of 14 make up over 50 percent of the work force engaged in polishing, electroplating and spray-painting of locks and lock parts, all of which are considered to be hazardous jobs.

### **Brassware**

The bonded children from 8 to 12 years of age work in the brassware industry of Moradabad in Uttar Pradesh. The children are recruited from surrounding villages by middlemen called "dalals." These middlemen are paid a commission by factory owners or contractors for



bringing in child workers. Children are preferred over adults because they are easy to control.

### **Leather units**

India's leather industry employs 1.7 million people and helps the socially-disadvantaged, known as Scheduled Castes in official terms, earn a livelihood. And even though India has a cattle population of 195 million – the world's largest – cows provide only 10.8 percent of hides. The rest are derived from goat and sheep. The fear is that the campaign against Indian leather will embrace these animals too.

### **The gemstone industry**

The gemstone industry consists of several stages that entail importing, polishing, cutting, and then exporting diamonds and other precious gems. For more than a decade, India's major export has been cut diamonds, and to make this possible, it takes the long hard work of many children.

### **Stone Quarries**

Bonded labor, including child bonded labor, is widespread in the quarrying of granite and other stones in India. Children are required to work along with their parents in order to maximize production. Entire families work digging stones with their hands and hand-tools, and cutting rocks and boulders into pieces. Children aged 4 to 14 work up to 14 hours a day carrying loads of rocks. They also break stones with hammers as they hold the stones with their feet.

### **Silk**

An estimated 5000 children work in the silk thread manufacturing industry in southern Karnataka in southwestern India. Girls ranging in age from 5 to 16 are pledged to work by their parents, who in return receive a loan from the factory owner of between Rs.5, 000 to 6,000. The children are required to work until the loans are paid off. The silk handloom industry in Varanasi (east central India) and Kanchipuram (southeastern India) also commonly employs bonded children, mostly girls.

### **Brick Kilns**

The brick kiln industry -- the molding and firing of bricks from clay -- is a significant employer of bonded child labor. Brick kilns employing bonded laborers are located in small-scale manufacturing units. Families live and work on the site. Brick kiln laborers are usually



landless families from the lowest classes or ethnic minorities. Families become trapped in debt bondage after having pledged their labor in return for advances taken from the kiln owners or labor contractors who serve as middlemen.

### **Sweat shops**

Sweat shops are notorious for profiting from child labor which is tantamount to slavery. These shops also profit from illegal retail activities and use small and vulnerable children in the manufacturing process. Children as young as eleven and thirteen toil in these shops for hours and suffer from exertion and fatigue. They have no fixed working hours and are constantly threatened with the fear of being fired, are depressed and deprived of education and entertainment.

### **Domestic Servants**

The use of domestic servants in the homes of middle and upper-class families is probably the most widespread form of forced child labor. Poor families traditionally sent their children to live in the home of a better-off relative. These children are the most vulnerable, exploited and difficult to protect because of their young age, their sex (most are girls), and their confinement in the household with very little contact with the outside world.

### **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.

### **Service Sector and Illegal Economy**

Largely hidden from public view, forced child labor in the informal service sector is widespread and includes the sex industry and domestic services. Sometimes parents knowingly sell their children into such work, while in other cases children are fraudulently recruited or abducted. In still other cases, children -- often with their parents' knowledge and acquiescence -- are enticed to seek employment as prostitutes or domestics.

### **The Sex Industry**

The sexual exploitation of children is considered to be one of the worst forms of child labor and a form of bonded labor. Children, who are sold, induced, tricked, or enticed into prostitution are too young to fully comprehend or consent to the acts that they are forced to perform. They are exposed to severe health risks, including HIV infection and AIDS, other



sexually-transmitted diseases, and drug addiction, as well as sustained physical and psychological abuse.

Young teenagers also face the risk of pregnancy. Over one hundred thousand maternal deaths occur each year among adolescents. The daughters of these girls are also pushed into the flesh trade. It is estimated that 10,000 young girls are dedicated each year to become "devadasi" i.e. ritual slaves of a god in temples. The dedication of children to become devadasis invariably leads to 'a life of prostitution' and sexual exploitation.

Child prostitutes are subjected to many types of physical and emotional trauma, violence and abuse. They are sometimes brutally raped or beaten into submission and subjected to sadistic treatment by customers.

### **Legislations in India prohibiting Child Labour**

There are several Acts which prohibits the child labours and they are:-

**(i) Child Labour (Prohibition and Regulation) Act, 1986. (Act 61 of 1986):**

Sec.14 Penalties: (1) Whoever employs any child or permits any child to work in contravention of the provision of section 3 shall be punishable with imprisonment for a term which shall not 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 section 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.

**(ii) Section 67 of Factories Act, 1948:**

Prohibition of employment of young children-No child who has not completed his fourteenth year shall be required or allowed to work in any factory.

**(iii) Section 109 of Merchant Shipping Act, 1951:**

No person under fifteen years of age shall be engaged or carried to sea to work in any capacity in any ship, except -

(a) in a school ship, or training ship, in accordance with the prescribed conditions; or

(b) in a ship in which all persons employed are members of one family; or

(c) in a home-trade ship of less than two hundred tons gross; or

(d) where such person is to be employed on nominal wages and will be in the charge of his father or of other adult near male relative.



**(iv) Section 45 of Mines Act, 1952:**

No child shall be employed in any mine, nor shall any child be allowed to be present in any part of a mine which is below ground or in any (open cast working) in which any mining operation is being carried on.

**(v) Section 3 of Apprentices Act, 1961:**

Qualifications for being engaged as an apprentice: A person shall not be qualified for being engaged as an apprentice to undergo apprenticeship training in any designated trade, unless he

(a) is not less than fourteen years of age, and (b) satisfies such standards of education and physical fitness as may be prescribed: provided that different standards may be prescribed in relation to apprenticeship training in different designated trades and for different categories of apprentices.

**(vi) Section 24 of Beedi and Cigar Workers (Conditions of Employment Act, 1966:**

Prohibition of employment of children-No child shall be required or allowed to work in any industrial premises manufacturing Beedi and Cigar Workers.

### **3. METHODOLOGY**

The present study which is an exploratory research tries to ascertain the nature of industries employing children, the nature of jobs they are employed in, causes and consequences of child labor, has made use of both the primary data as well as secondary data.

The primary data were collected from academics, parents of child labors and some social workers. This was done through unstructured questionnaire. Simple questions were asked to filter the information regarding reasons and effects of child labor. Questions were also directed to find out measures that, if taken the menace of child labor can be eradicated.

The secondary data were collected mainly from books magazines, journals and reports. The internet surfing was another source of secondary data. The data so collected are presented relevantly in the chapter on Analysis and Findings.

### **4. ANALYSIS AND FINDINGS**

#### **Causes of child labor**

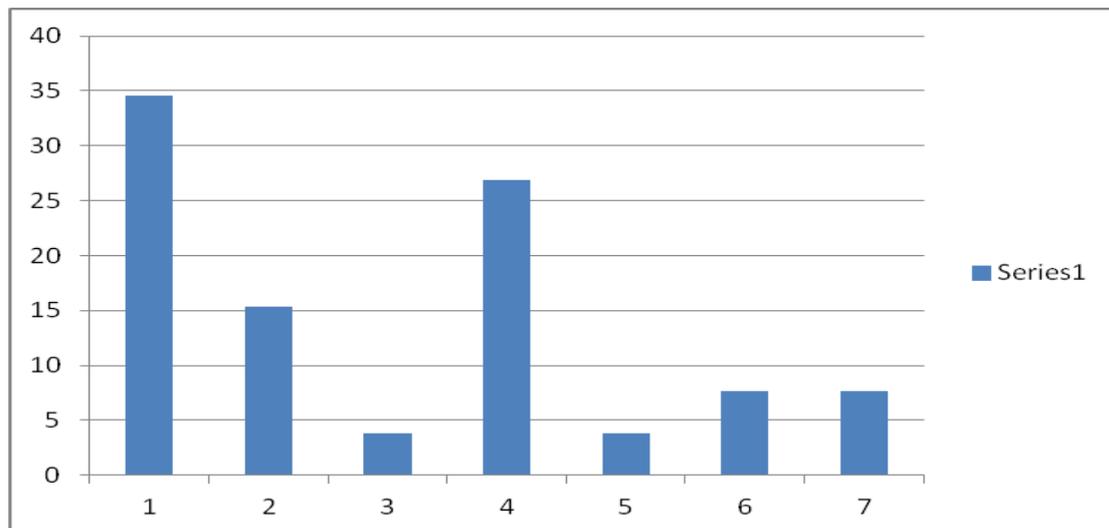
As India's economy continues to boom, children the most vulnerable class of society, are increasingly being exploited to meet the country's hunger for global success. The power of "hunger for global success" defeats all efforts of protecting child labor.



The responses of respondents interviewed are presented in the Table 3. Their responses have been diagrammatically shown in Figure 1.

**Table 3:** Causes of child labour

Causes of child labor	No. of respondents	% age
Poverty	18	34.61
Large family	08	15.38
Ignorance of parents	02	3.84
Unemployment of adults	14	26.92
Non existence of compulsory Education	02	3.84
Cheaply Available	04	7.69
supplement household earnings	04	7.69



**Figure 1:** Causes of child labour in terms of % age

**Discussions:**

**Poverty (34.61%);** the combination of poverty and the lack of a social security network form the basis of the even harsher type of child labor -- bonded child labor. For the poor, there are few sources of bank loans and even if there are sources available, few Indians living in poverty qualify. Here enters the local moneylender; for an average of two thousand rupees, parents exchange their child's labor to local moneylenders.



**Large families (15.38%);** Over population in some regions creates paucity of resources, when there are limited means and more mouths to feed, children are driven to commercial activities and not provided for their development needs.

**Ignorance and Illiteracy of parents (3.84%);** Parental ignorance regarding the bad effects of child labor, absence of compulsory education at the primary level, non availability and non accessibility of schools, are some other factors which encourages the phenomenon of child labor.

**Low wages of the adult (26.92%);** the parents of child laborers 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.

**Unemployment (26.92%);** Adult unemployment and urbanization also causes child labor. Adults often find it difficult to find jobs because factory owners find it more beneficial to employ children at cheap rates. Adult exploitation of children is also seen in many places. Elders relax at home and live on the labor of poor helpless children.

**Non-existence of provisions for compulsory education (3.84%);** Even though poverty is cited as the major cause of child labor, it is not the only determinant. Inadequate schools, a lack of schools, or even the expense of schooling leaves some children with little else to do but work.

**Children being cheaply available (7.69%);** the industrial revolution has given rise to circumstances which encourage child labor. This is because they can be recruited for less pay, more work can be extracted from them and there is no union problem with them.

**Child earnings supplement household earnings (7.69%);** Child labor is a source of income for poor families. A study conducted by the ILO found that "Children's work was considered essential to maintaining the economic level of households, either in the form of work for wages, or help in household enterprises.

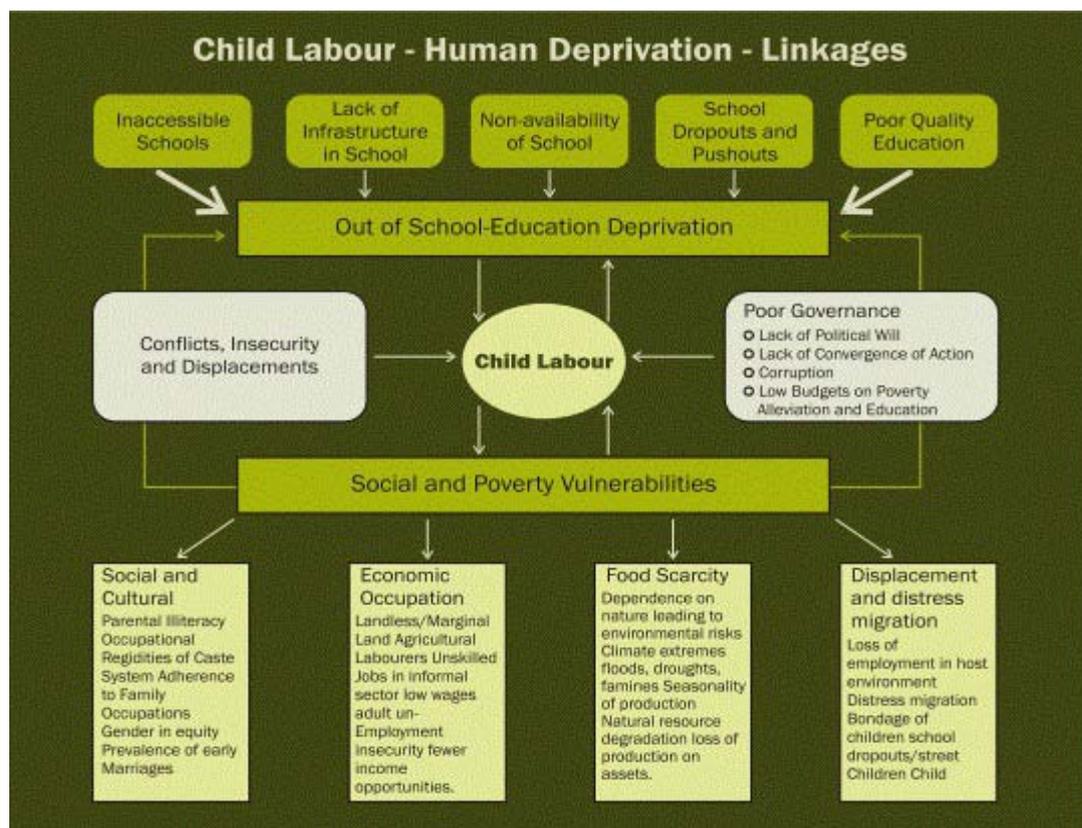
**Traditional attitudes;** Most traditional families believe that a child is born to them to earn more money for the family. The child is just another source of income. And under the pretext of training them, they make them work long hours, sometimes resorting to physical torture in case the child makes mistakes.

Even though poverty is cited as the major cause of child labor, it is not the only determinant. Other determinants include:



1. Lack of effective implementation machinery of compulsory education for children.
2. Ineffective enforcement of the legal provisions pertaining to the child labor
3. Consumers' indifferent attitude towards using goods and services produced by the units employing child labor.
4. Social apathy and tolerance of child labor
5. The attitudes of parents who feel that children should work in order to develop skills useful in the job market, instead of formal education.
6. The industrial revolution has also had a negative effect by giving rise to circumstances which encourages child labor. This is so because they can be recruited for less pay, more work can be extracted from them and there is no union problem with them.
7. Child labor is a source of income for poor families. Children's work was considered essential to maintaining the economic level of households. A child's income accounted for about 35 percent of the total household income.

**Figure 2:** Causes and Effect of Child Labour



(Source: **INDIA** Country Report 2006)

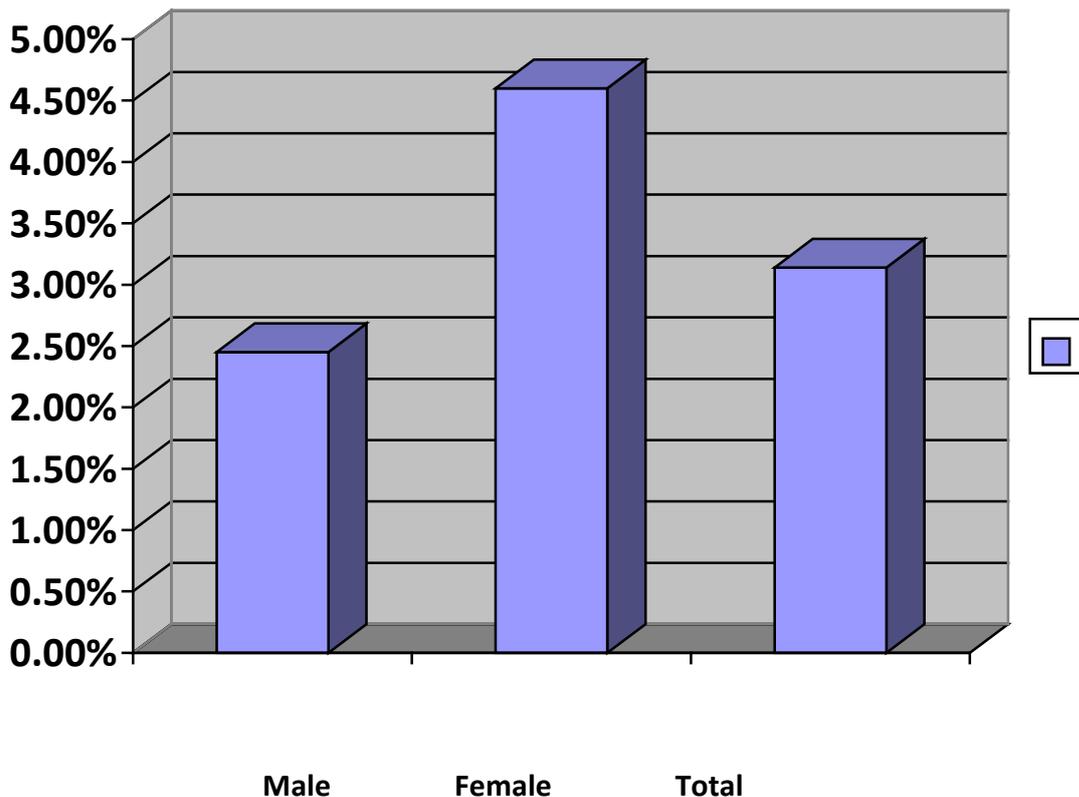


### Population of Children in Main workers and Marginal workers combined-census 2010

The children between 5 to 14 years have been classified on sex and presented in percent to total workforce.

**Table 4:** Children at work -Census 2010

All India total Workers	Male	Female	Total
5-9 Years	997384	843136	1840520
10-14 Years	5781697	5004288	10785985
Total	6779081	5847424	12626505
Total Workforce (all ages)	274783249	127083239	401866488
%age of Child Labor to total Workforce	2.45%	4.60%	3.14%



**Figure 3:** Percentage of children at work



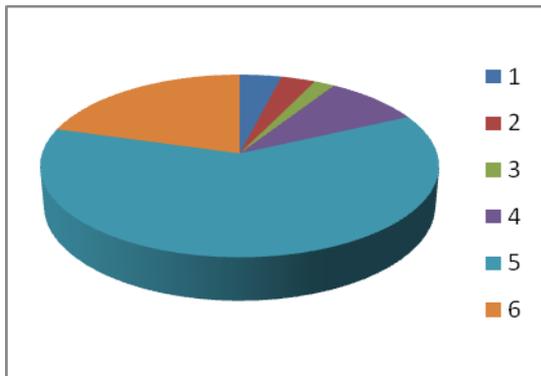
**Discussion:**

The girl child is more vulnerable to exploitation 4.60% as against 2.45% boys they are exploited in household, manufacture, agriculture, sex industry and in their own family.

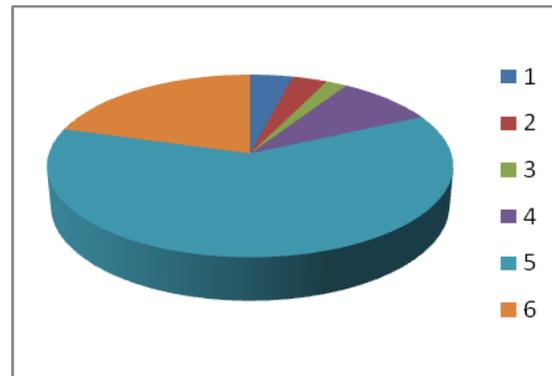
**Table 5:** Engagement of children

		Children of Age Group (5-14 years)					
Activities		Number of Children (%)			Number of Children (in 100's)		
		Boys	Girls	Total	Boys	Girls	Total
1	Children engaged in "economic activities"	4.18	3.86	4.02	52967	45618	98392
2	Attended domestic duties only	0.30	3.15	1.67	3770	37208	40788
3	Attended domestic duties plus free collection of goods, tailoring, weaving for household only	0.25	1.92	1.06	3178	22693	25897
4	Children at Work	4.73	8.93	6.75	59915	105519	165077
5	Attending schools	72.98	61.45	67.44	925350	725964	1651186
6	Children neither at work nor at school	17.26	20.42	18.80	218889	241255	460205

**Fig 4:** Working Boys



**Fig 5:** Working Girls



**Discussion**

Boys 4.18% and girls 3.86% are in economic activities; 0.30% boys & 3.15% girls perform domestic duties; 4.73% boys & 8.93% girls attend work. While 72.98% boys & 61.45% girls attend school, 17.26 % boys & 20.42% girls are neither at work nor in school.



### **Threats to Health**

Many working children face threats to their health and safety. The majority of working children are involved in farming, during which they are routinely exposed to harsh climate, sharpened tools, heavy loads, and increasingly, toxic chemicals and motorized equipment.

Diamond cutting is one of the top ten most dangerous industries. The cutting wheels are rubbed with kerosene oil and diamond dust to be more effective but the dust that cut diamonds create health menace. There have been no attempts to have a means for filtering the air.

Footwear workers are exposed to a plethora of occupational hazards and child workers among them; if exposed to such hazards, will develop cancers and neurologically disabling conditions, affecting quality of life. Workers also suffer from kidney dysfunction, lung disease, stomach problems, wheezing pains in their chests, joints, and eyesores.

If we look at the existing child labor statistics, the fact is that almost 55% of the children of the world are working under trying and torturous circumstances. Their health is failing and a large number do not live to even see their adolescences.

### **Effects of Child Labor**

1. Child labor deprives a child of a proper childhood.
2. He suffers physical and mental torture.
3. He becomes mentally and emotionally mature too fast which is a dangerous sign.
4. Child labor creates and perpetuates poverty.
5. It condemns the child to a life of unskilled, badly paid work.
6. It leads to criminalization of children & an increase in criminal activities in the society.
7. Ultimately this leads to child labor with each passing generation of poor children.

## **5. MEASURES TO ERADICATE CHILD LABOR**

### **Enhance the penal provision**

We must take concrete steps in order to solve the problem of child labour. As the imprisonment is very less and even the fine is meagre under section 14 (1). There must be enhancement of imprisonment and of fine as well.

Section 14 (2) there must be insertion of fine and enhancement of imprisonment.

Section 14 (3) here also there must be enhancement of the fine and imprisonment.



### **Consumer should boycott the service of child labour**

This is the best way to eradicate the child labour. It is convenient to do so. People will not use or go to that place where child is doing work. It will affect the producers' earnings and or honour; consequently they will drop child labour

### **Proper check by government**

The states should form the child labour Vigilance committee which would raid the suspected places at regular interval. There must be committee at lower level such as District or Block level to be looked after by the Central Committee.

### **Ban on agricultural labour of children**

None of the Act prohibits child to do work in agricultural sector. So, the agricultural sector should also be included under the purview of the Act.

### **Amendment to the child labor (prohibition and Regulation) act 1986**

The Child Labor (Prohibition and Regulation) Act 1986 suffers from a number of loopholes, which makes the law ineffective. The Child Labor Act must be non-negotiable. Employment of child labor must be deemed as a cognizable offence and the enforcement machinery strengthened so that the message is clear that child labor will not be tolerated under any circumstances.

## **6. CONCLUSION AND SUGGESTIONS**

It is, hereby, logically concluded that the problem of child labor has become a national menace. Children's exploitation as labor has become order of the day. Working conditions they work in is below par from all the standards. This calls for immediate attention to address it forthwith by carefully crafted approaches to take head on all the three major dimensions responsible for child labor in our society, namely

1. Greedy nature of employer;
2. Poverty and illiteracy of child labor and their parents; and
3. Ineffective government machinery responsible for child labor eradication.

India is home to more than 12.6 million children who are forced to work in order to survive. Following remedial measures can be of great help to save children from their exploitation:

1. Modify parents' attitudes with respect to child education, recreation for children, rights of children and vocational skill training.
2. Strengthen compulsory education.



3. Provide neighborhood child care, crèche services so that girls are not retained at home for baby sitting when the mothers go out for work.
4. Some amount that is collected in the form of tax by government can be used for the education & they should also be given for family support.
5. Strengthen employment generation, minimum wage and such other programmes to provide employment to men and women in the family.
6. Cooperation of govt. and Voluntary organization is needed to eradicate child labor completely.
7. Once the children are educated the whole problem of the child labor may get eliminated.

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