



THE SOCIAL STIGMA CALLED CHILD LABOUR AND INITIATIVES THAT NEEDS TO BE TAKEN TO CURB THIS MENACE

MS. PAROMITA MUKHERJEE OJHA*

*Assistant Professor, Department of English and Humanities,
Anil Neerukonda Institute of Technology and Science,
Visakhapatnam, India.

ABSTRACT

SIGNIFICANCE OF THE STUDY- *This paper aims to highlight the plight of child labour in the world and especially in India. According to ILO, 2003 report the world has 211 million child laborers between the age of 5 and 14. Out of these 61 percent are in Asia, 32 percent in Africa and 7 percent in Latin America. The hazards that the child laborers are exposed to worldwide ,ranges from physical, mental, moral to economical. In modern times despite advancement in all other spheres child labour is becoming a grave issue. It is a matter of socio-economic concern and needs to be tackled unitedly by all sections of the society. Legislations alone cannot curb this menace until the basic needs of the poor which is the root cause of child labour is eradicated.*

METHODOLOGY OF THE STUDY- *This is an exploratory research, main data is to be collected through secondary sources. The data will be collected from various company records, bulletins, other official documents as well as internet resources. The adoption of these tools would help to collect both quantitative and qualitative data.*

KEYWORDS- *child labor, proper planning, joint effort, access to education.*

INTRODUCTION

Children are revered as a source of hope and inspiration for a brighter future. UN convention on the Rights of child has stressed that every child on this Earth has the right to survive with dignity, develop fully and get adequate protection from exploitation of all forms. In reality,

however a vast majority of children are denied even their fundamental rights. Children in the third world countries and the developing nations with special emphasis on India live and work in deplorable and inclement conditions. Children are continually exploited and abused here physically, mentally, socially and off course economically. According to UNICEF any work done by a child between the age of 5 and 17 which affects his/her physical, intellectual, emotional and moral development is considered as 'child labour'. Employment of children has continued to be a problem since the early years of industrialization. Industrialization led to many malpractices and one such malpractice is the employment of children in factories, workshops etc. Due to poverty, employers rampantly exploited and are still exploiting child laborers due to lack of adequate state control and lack of comprehensive legal protection of children.

The child laborers are made to work for excessively long hours in deplorable working conditions and for meager wages. There are very less inspection staff for enforcement of the provisions of the law which facilitates in exploitation of children by employers.

CAUSES OF EMPLOYMENT OF CHILDREN

- Extremely low level of earnings of the adult workers.
- Absence in India of any state sponsored scheme of family allowance to enable poor parents to provide food for their children.
- Slow advance of protective labour legislation.
- Evasion of existing laws for protection of children due to inadequacy of the inspection machinery.
- Children are sent to work to supplement family income
- Stringent social customs.
- Chronic poverty
- Migration to urban areas.
- Preference of employers to engage children as they are more amenable to discipline and control.
- Children offer labour at cheaper rate

EXTENT OF CHILD LABOUR

As per ILO report, worldwide one child out of six are working, most of them involved in dangerous jobs. The greatest number of working children aged between five and seventeen live in Asia and Africa. About 8.4 million children are caught in the web of 'unconditional' forms of labor including slavery, trafficking, debt bondage and other forms of forced labor, forced recruitment for armed conflict, prostitution, pornography and other illicit activities.

ILO cites that natural disaster, economic downturns, wars and the HIV/AIDS pandemic draws the young into work, drug trafficking and pornography. Child labor assumes serious proportions in commercial agriculture associated with the global markets for cocoa, coffee, cotton, rubber, sisal, tea and other commodities. Studies in Brazil, Kenya and Mexico have shown that children under 15 make up between 25% and 30% of the total labor force in those commodities.

Poverty is a major factor behind child labor along with political instability, discrimination, migration, criminal exploitation, traditional cultural practices, lack of decent work for adults, inadequate social protection, lack of schools and the desire for consumer goods may also play their part.

In India, children are mostly employed in the unorganized sector. Child labour refers to the employment of children in gainful occupation or material contribution to the income of the family. The majority of the child labor is engaged in agriculture or farm related works, domestic servants in homes, canteens, wayside shops, vendors, porters, scavengers, bidi factories, carpet weaving industry, glass bangles industry, leather industry, construction sites, match stick factories, fire-works industries etc. The working conditions in most of the work areas are unsatisfactory and unhygienic. The children are forced to work in ill-ventilated, congested and dirty working areas. The child workers are openly abused and beaten by their employers. The wages are also 30% to 50% less than the wages of the adults. Indian child laborers also withstand another feature 'bonded child labour' which is a phenomena where children are forced to work as servants in order to pay off debts of their parents and sometimes even of ancestors.

LEGISLATIVE MEASURES IN INDIA

1. The Employment of Children Act, 1938- This act prohibits employment of children below 15 years in transport of goods, railway, port authority etc. This act prohibits employment of children below 14 years in workshops connected with beedi-making, carpet weaving, fireworks and explosives etc.
2. The Factories Act, 1948- This act prohibits employment of children below 14 years of age. A person who has completed 14 years of age but has not completed 18 years can work in the factory provided a certificate of fitness is granted to him by a certifying surgeon. The child has to carry a token to that effect while at work. All certificates in this regard are valid for a year. Children cannot be employed between 10 pm and 6 am. The hours of work of children is limited to 4 ½ hours on any day which can spread over to 5 hours a day. The manager of a factory has to maintain a register of child workers. Adolescents below 17 years cannot be employed at night.
3. The Plantations Labor Act, 1951- This act is applicable to all tea, coffee and rubber plantations. It prohibits employment of children less than 12 years. A child worker can be made to work only between 6 am and 7 pm and not more than 40 hours in a week. A child worker has to be certified fit by a duly appointed certifying surgeon.
4. The Mines Act, 1952- This act prohibits employment of children below 18 years and their presence in any part of underground mine or in open-cast mines. An adolescent

cannot be forced to work for more than 4 ½ hours on any day and between 6 pm and 6 am.

5. The Merchant Shipping Act, 1958- This act prohibits employment of children in a ship below 15 years.
6. The Motor Transport Workers Act, 1961- This act prohibits employment of children below 15 years in a motor transport undertaking. An adolescent can work with a certificate of physical fitness granted by a certifying surgeon.
7. The Shops and Establishments Act (varies from state to state)- This act prescribes different age limit in various states ranging between 12 to 14 years. The maximum hours of work for children is 5 per day or 30 per week, while for adolescents it is 7 hours per day and 42 hours per week. Work hours are fixed between 6 am or 7 am to 7 pm or 8 pm.
8. The Apprentices Act, 1961- As per the provisions of this Act, an apprentice has to be 14 years or more to undergo training in an industrial establishment.
9. The Beedi and Cigar Workers (conditions of employment) Act, 1966- This act prohibits employment of children below 14 years in any industrial premises and they are not to work between 7 pm and 6 am.
10. The Child Labour (Prohibition and Regulation) Act, 1986- This act seeks to achieve the basic objective of the Government to employment of children below 14 years in factories, mines and hazardous employments and to regulate the working conditions of children in other employments. Section 5 of the act provides for formation of a Child Labour Technical Advisory Committee to advise the Central Government in the formulation of further provisions.

THE INDIAN SCENARIO

In India children due chronic poverty, lack of awareness and inadequate enforcement of law children work in mines of private companies. The unhygienic conditions, long working hours, low wages leads to health problems for the children. They suffer from anaemia, eye problems, respiratory diseases, muscular skeletal problem, unwanted pregnancies and stunted physical growth. The prime examples are the children working in glass factories of Firozabad (U.P), match making factories of Sivakasi (Tamil Nadu), diamond cutting units in Surat, balloon factories, power loom industries in Biwandi, slate industry in Markapur, brass industry of Moradabad (U.P). The children working here regularly and repeatedly endure physical, psychological and sexual abuse. The turmoil of child labor in India has become a cause for serious concern and seeks immediate redressal. Andhra Pradesh in recent times has registered the highest number of child labor despite the Government launching several schemes like the Back to School, Mid-day meals etc. There is a dearth of law and absence of political pressure to eradicate this menace completely in Andhra Pradesh. The ILO-IPC project initiated in Andhra Pradesh in 2001-2003 had identified four districts-Anantpur, Chittoor, Prakasam and Visakhapatnam for initiating projects to eliminate child labor which was partially successful. This project revealed that if law enforcement machineries, NGOs and other organizations work

together to spread awareness among people it would be possible to return the children of our country their lost childhood, innocence and their future.

ROLE OF INTERNATIONAL LABOUR ORGANIZATION

The ILO'S international programme on the Elimination of Child Labor (IPEC) was created in 1992 with the overall goal of the progressive elimination of child labour, which was to be achieved through strengthening the capacity of countries to deal with the problem and promoting a worldwide movement to combat child labor. IPEC currently has operations in 88 countries, with an annual expenditure on technical co-operation projects that reached over U.S \$ 61 million in 2008. It is the largest programme of its kind globally and the biggest single operational programme of the ILO. The preamble of ILO states as its goal "total abolition of child labor".

The number and range of IPEC's partners have expanded over the years and now includes employers' and workers' organizations, other international and governmental agencies, private businesses, community based organizations, NGOs, the media, the judiciary, universities, religious groups, children and their families.

IPEC's work to eliminate child labor is an important facet of the ILOs decent work agenda. Child labor not only prevents children from acquiring the skills and education they need for a better future, it also perpetuates poverty and affects national economies through losses in competitiveness, productivity and potential income.

While the goal of IPEC remains the prevention and elimination of all forms of child labour, the priority targets for immediate action are the worst forms of child labour as per Convention No 182, 1999.

The worst forms of child labour are:

*All forms of slavery or practices similar to slavery.

*Trafficking and sale of Children

*Debt bondage, serfdom and forced or compulsory labour.

*Use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances.

*Use, procuring, offering of a child for illicit activities, in particular to produce and traffic drugs as defined in the relevant international treaties.

*Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

IPEC is operational in 88 countries, with 61 countries having signed a Memorandum of Understanding with the ILO. The remaining 27 countries are yet to sign a MoU. IPECs aim is the progressive elimination of child labor worldwide, with major thrust on eradication of worst

forms of child labor. Since it began operations in 1992, IPEC has strived to achieve this aim in several ways like initiating country based programmes to promote policy reform, build institutional capacity, put measures to end child labor, changing social attitudes through imparting knowledge, ratification and implementation of child labor conventions such as ILO convention No. 182 on the worst forms of child labor, ILO convention No. 138 on the minimum age for admission to employment and work etc. The various initiatives that ILO has launched to eradicate child labor are as follows:

- Educational Programmes- ILO has initiated the growth of various vocational education and training programmes so that the children may develop the requisite skills for gainful employment and in the process contribute towards the growth of nation.\
- Child Labor Monitoring (CLM)- Under this programme IPEC identifies, protects child laborers from exploitation at work through development of a co-ordinated multi-sector monitoring system that aims to cover all children living in a given geographical area.
- Labor Inspection- IPEC works to develop the capacities of the labor inspectorates and other enforcement agencies so that the Inspectors can take legal action against employers engaging in child laborers, the child laborers can be withdrawn from hazardous workplaces and transferred to schools offering education and skills training programmes.
- Time bound programmes (TBP) for the elimination of the worst forms of child labor- ILO convention No. 182 stresses upon time bound measures to eliminate the worst forms of child labor. The measures suggested are- prevent engaging children in the worst forms of child labor, provide assistance for removal of child laborers from worst forms of child labor and help in their rehabilitation as well as social integration, arrange for free basic education to children rescued from worst form of labor and take special care of girls. Under time bound programmes devise comprehensive framework with specific time-bound targets which can be used by the governments to chart a course of action. While devising the time-line for a specific country the availability of resources in that country, level of available local expertise and other prevalent conditions are taken into account.

CAMPAIGNS ON CHILD LABOR

1. World Day- ILO launched the first world day against child labor on 12th June, 2002 as a measure to draw world attention towards the plight of the working children.
2. SCREAM- (Supporting children's rights through education, the arts and the media) is an education and social mobilization drive to promote worldwide understanding and awareness about the plight of child laborers amongst the youth of the world.

3. 12 to 12 Partnership Initiative- strives to bring together UN agencies, governments of various countries, employers' as well as workers' organizations, NGOs, municipalities, academic institutions and others to fight against child labor.
4. Youth in Action against Child Labor- under this programme, youth worldwide are speaking against child labor and raising awareness amongst the masses about this social evil. They are acting as a voice for those children whose rights are not respected and urging people to protect children from exploitation.
5. Red Card to Child Labor- In various sporting arenas red card implies exclusion from the game. In 2002, ILO and IPEC decided to symbolically use the red card to raise awareness amongst the masses about the need to eradicate child labor worldwide. The Red card campaign is initiated during the International soccer championships with the aim to encourage a worldwide movement in favor of elimination of this social evil. Soccer legends Pele, Zidane, Ronaldo, and Rai are members of the Red card campaign.
6. The other organizations of ILO that are linked with the eradication of child labor are – UNICEF, World Bank Child Labor program, UNESCO, World Food Programme, UNDP, WHO, World Tourism Task force to protect children from sexual exploitation in tourism.

ILO is taking massive strides to remove child labor and stresses upon the need of the Governments of various countries to ensure that the basic needs of the poor are addressed urgently by taking steps to empower the poor especially women, improve educational facilities, the society should be sensitized through media campaigning in order to eliminate child labor. If the citizens are self-sufficient and are able to generate income through productive employment they would not be forced to send their children to work and bar them from accessing quality education.

CONCLUSION

The eradication of child labor is not the responsibility of few world or local organizations; neither can it be removed in one day. The eradication of child labor is a social issue and needs to be combated with worldwide commitment. The guidelines of Amartya Sen – Protection, Prevention and Promotion should be adopted as the driving force to contain this malady. The government needs to strengthen the existing legislation and enforcement machineries so that the young can be protected and their entry in to the labor force and their subsequent exploitation can be prevented in a more effective manner. The government, academicians, social workers and the private agencies need to collaborate and don a more proactive role to wipe out the menace of child labor from the society. It is definitely in our hands to make this world a better place for the children our world to grow, develop and mature as free individuals enjoying all the fundamental rights due to them as citizens of a progressive world.

REFERENCES

1. urra, N. (1995). Born to Work- Child Labor in India. OUP, New Delhi. Pp 42-43.
2. International Labor Organization: <http://www.ilo.org/global/lang--en/index.htm>.
3. ILO-IPEC 2003 “Every Child Counts-New Global Estimates on Child Labor”, Geneva. www.ilo.org/public/endlish/standards/ipec/simpoc/others/globalest.pdf.
4. Malik, P.L. (2009). Handbook of Labor and Industrial Law. Eastern Book Company, New Delhi.