

## **Child Labour in India –A Conceptual and Descriptive Study**

**Dr. G.L. Parvathamma,**

*Associate professor, Department of Economics, Bangalore University P.G. Centre, Kolar-563101*

---

**ABSTRACT :** *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. Of an estimated 215 child laborers around the globe: approximately 114 million (53%) are in Asia and the Pacific; 14 million (7%) live in Latin America; and 65 million (30%) live in sub-Saharan Africa. Global number of children in child labour has declined by one third since 2000, from 246 million to 168 million children. More than half of them, 85 million, are in hazardous work (down from 171 million in 2000). Asia and the Pacific still has the largest numbers (almost 78 million or 9.3% of child population), but Sub-Saharan Africa continues to be the region with the highest incidence of child labour (59 million, over 21%). There are 13 million (8.8%) of children in child labour in Latin America and the Caribbean and in the Middle East and North Africa there are 9.2 million (8.4%). Agriculture remains by far the most important sector where child labourers can be found (98 million, or 59%), but the problems are not negligible in services (54 million) and industry (12 million) – mostly in the informal economy. Child labour among girls fell by 40% since 2000, compared to 25% for boys. Child labour in India is addressed by the Child Labour Act 1986 and National Child Labour project. Today in India, there are more than 10.12 million children who are spending their childhood learning carpet-weaving, beedi-rolling, domestic labour, agriculture, firework and apparel manufacture and countless other occupations instead of going to school and receiving quality education. In this background, the present paper, in Section I, highlights the characteristic and causes for child labour, Section II, analyses the Problem of Child Labor in India, bonded child labour, consequences and exploitation of child labour. Lastly Section III mainly focused on policy initiatives of government of India to protect child labour.*

**KEYWORDS:** *Child labour, Bonded child labour, National Child Labour project, National Child Labour Policy*

---

### **I. INTRODUCTION;**

**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. This practice is considered exploitative by many international. Legislations across the world prohibit child labour. These laws do not consider all work by children as child labour; exceptions include work by child artists, supervised training, certain categories of work such as those by Amish children, some forms of child work common among indigenous American children, and others. Child labour in India is addressed by the Child Labour Act 1986 and National Child Labour project. Today in India, there are more than after 10.12 million children who are spending their childhood learning carpet-weaving, beedi-rolling, domestic labour, agriculture, firework and apparel manufacture and countless other occupations instead of going to school and receiving quality education. Child labor is work that harms children or keeps them from attending school. Around the world and in the U. S., growing gaps between rich and poor in recent decades have forced millions of young children out of school and into work. The International Labor Organization estimates that 215 million children between the ages of 5 and 17 currently work under conditions that are considered illegal, hazardous, or extremely exploitative. Underage children work at all sorts of jobs around the world, usually because they and their families are extremely poor. Large numbers of children work in commercial agriculture, fishing, manufacturing, mining, and domestic service. Some children work in illicit activities like the drug trade and prostitution or other traumatic activities such as serving as soldiers.

*Of an estimated 215 child laborers around the globe: approximately 114 million (53%) are in Asia and the Pacific; 14 million (7%) live in Latin America; and 65 million (30%) live in sub-Saharan Africa. Global number of children in child labour has declined by one third since 2000, from 246 million to 168 million children. More than half of them, 85 million, are in hazardous work (down from 171 million in 2000). Asia and the Pacific still has the largest numbers (almost 78 million or 9.3% of child population), but Sub-Saharan Africa continues to be the region with the highest incidence of child labour (59 million, over 21%). There are 13 million (8.8%) of children in child labour in Latin America and the Caribbean and in the Middle East and North Africa there are 9.2 million (8.4%). Agriculture remains by far the most important sector where*

child labourers can be found (98 million, or 59%), but the problems are not negligible in services (54 million) and industry (12 million) – mostly in the informal economy. Child labour among girls fell by 40% since 2000, compared to 25% for boys.

#### **Characteristics of Child labour;**

Child labour involves at least one of the following:

- Violates a nation's minimum wage laws
- Threatens children's physical, mental, or emotional well-being
- Involves intolerable abuse, such as child slavery, child trafficking, debt bondage, forced labor, or illicit activities
- Prevents children from going to school
- Uses children to undermine labor standards

*Child labour can be found in nearly every industry. An estimated 60% of child labor occurs in agriculture*, fishing, hunting, and forestry. Children have been found harvesting: bananas in Ecuador, cotton in Egypt and Benin, cut flowers in Colombia, oranges in Brazil, cocoa in the Ivory Coast, tea in Argentina and Bangladesh, Fruits and vegetables in the U.S. Children in commercial agriculture can face long hours in extreme temperatures, health risks from pesticides, little or no pay, and inadequate food, water, and sanitation. **Manufacturing; About 14 million children are estimated to be directly involved in manufacturing** goods, including: Carpets from India, Pakistan, Egypt, Clothing sewn in Bangladesh; footwear made in India and the Philippines, Soccer balls sewn in Pakistan, Glass and bricks made in India, Fireworks made in China, the Dominican Republic, El Salvador, Guatemala, India, and Peru, Surgical instruments made in Pakistan. **Mining and Quarrying; Child laborers suffer extremely high illness and injury rates** in underground mines, opencast mines, and quarries. Children as young as 6 or 7 years old break up rocks, and wash, sieve, and carry ore. Nine-year-old work underground setting explosives and carrying loads. Children work in a range of mining operations, including: Gold in Colombia, Charcoal in Brazil and El Salvador, Chrome in Zimbabwe, Diamonds in Cote d'Ivoire, Emeralds in Colombia, Coal in Mongolia.

According to HAQ, centre for Child rights, child labour is highest among schedule tribes, Muslims, Schedule castes and OBC children. The persistence of child labour is due to the inefficiency of law, administrative system and because it benefits employers who can reduce general wage levels. HAQ argues that distinguish between hazardous and non hazardous employment is counter-productive to the elimination of child labour. Various growing concerns have pushed children out of school and into employment such as forced displacement due to development projects, special Economic zones, loss of jobs of parents in a slow down, farmers suicide, armed conflict and highest cost of health care. Girl children are often used in domestic labour within their homes. There is a lack of political will to actually see to complete ban of child labour.

## **II. CAUSES FOR CHILD LABOUR**

**Primary causes:** International Labour Organisation (ILO) suggests poverty is the greatest single cause behind child labour. For impoverished households, income from a child's work is usually crucial for his or her own survival or for that of the household. Income from working children, even if small, may be between 25 to 40% of the household income. Other scholars such as Harsch on African child labour, and Edmonds and Pavcnik on global child labour have reached the same conclusion. Lack of meaningful alternatives, such as affordable schools and quality education, according to ILO, is another major factor driving children to harmful labour. Children work because they have nothing better to do. Many communities, particularly rural areas where between 60–70% of child labour is prevalent, do not possess adequate school facilities. Even when schools are sometimes available, they are too far away, difficult to reach, unaffordable or the quality of education is so poor that parents wonder if going to school is really worth it.

**Cultural causes :** In European history when child labour was common, as well as in contemporary child labour of modern world, certain cultural beliefs have rationalized child labour and thereby encouraged it. Some view that work is good for the character-building and skill development of children. In many cultures, particularly where informal economy and small household businesses thrive, the cultural tradition is that children follow in their parents' footsteps; child labour then is a means to learn and practice that trade from a very early age. Similarly, in many cultures the education of girls is less valued or girls are simply not expected to need formal schooling, and these girls pushed into child labour such as providing domestic services. Child labour in Brazil, leaving after collecting recyclables from a landfill. Agriculture employs 70% of the world's child labour.

**Macroeconomic causes:** Biggeri and Mehrotra have studied the macroeconomic factors that encourage child labour. They focus their study on five Asian nations including India, Pakistan, Indonesia, Thailand and Philippines. They suggest that child labour is a serious problem in all five, but it is not a new problem. Macroeconomic causes encouraged widespread child labour across the world, over most of human history. They suggest that the causes for child labour include both the demand and the supply side. While poverty and unavailability of good schools explain the child labour supply side, they suggest that the growth of low paying informal economy rather than higher paying formal economy is amongst the causes of the demand side. Other scholars too suggest that inflexible labour market, size of informal economy, inability of industries to scale up and lack of modern manufacturing technologies are major macroeconomic factors affecting demand and acceptability of child labour. Other causes are;

d). have or increase the income of a poor family

e).To reduce the labor cost in a production organization

f). reasons for engaging as domestic aid as the children are less doubtful about dishonesty or less liable to misbehave or be violent.

## SECTION-II

**Problem of Child Labor in India:** Child Labor has become a big problem in India. It is no doubt, a socio-economic problem. A national survey had shown that more than 16 million children between eight to fourteen are largely appointed in hotels and boarding houses, in tea-shops, restaurants, in commercial firms, in factories and fisheries. They are engaged into all sorts of work for the sake of earning something for the family. As a result, they are also deprived of primary education, without which chance of success in life is remote. Children are employed in agricultural labor; they drive carts and take care of cattle. Girl children have to act as maid servants and baby sitters. They cook and clean, they wash clothes and collect fuel. It is true that a number of laws have been imposed to prevent child labor. But they are more flouted than obeyed. The ban has been imposed to save the children from hazardous works and to restore their care-free childhood. But some opines that if the ban is imposed without the arrangements of proper rehabilitation of the child workers, it would be of no effect. There is no state which is free from the evil of the curse of child labor is not continued to India alone. It has widely spread to such developing countries as Nepal, Pakistan, Bangladesh, Burma and Sri Lanka. Poverty is not the only factor responsible for children being engaged as labor. They came cheaper and their parents don't have employment opportunities. Appropriate social security measures should be adopted for ensuring the enactment of the law. Indian Government must come forward to remove this curse with adequate financial help to the poor family. The Government must arrange for free education and treatment for the children. Child Labor Act must be properly maintained and followed to protect child labour.

**Bonded child labour :** Bonded child labour is hidden phenomenon's as majority of them are found in informal sector .Bonded labour means the employment of a person against a loan or debt or social obligation by the family of the child or family as a whole. It is a form of slavery. Children who are bonded with their family or inherit debt from their parents are often found in agriculture sector or assisting their families in brick kilns, and stone quarries. Individual pledging of children is a growing occurrence that usually leads to trafficking of children to urban areas for employment and have children working in small production houses versus factories. Bonded labourers in India are mostly migrants' workers, which open them up to more exploitation. So they mostly come from low caste groups' .Bonded labourers are at very high risk for physical and sexual abuse and neglect sometimes leading to death .The often is psychologically and mentally disturbed and have not learnt many social skills or survival skills. In 2000 the ILO estimated 5.5 million children had been forced in labour in Asia. While the bonded labour liberation Front placed 10 million bonded children in India alone. In 1998 the government of India labeled bonded child labour as marginal problem with only 3000 or so cases. A survey in Tamilnadu in 1995 found 125,000 bonded labourers in the state alone. child bonded labour in India is mostly in the agriculture sector but has recent times been moving into other sectors such as beedi-rolling,brick kilns, carpet weaving ,commercial sexual exploitation,construction,fireworks and matches factorie,hotels hybrids cotton seed production ,leather ,mines ,quarries ,silk and synthetic gems etc

Srivastava describes bonded child labour as a system of forced, or partly forced, labour under which the child, or usually child's parent enter into an agreement, oral or written, with a creditor. The child performs work as in-kind repayment of credit. In this 2005 ILO report, Srivastava claims debt-bondage in India emerged during the colonial period, as a means to obtain reliable cheap labour, with loan and land-lease relationships implemented during that era of Indian history. These were regionally called *Hali*, or *Halwaha*, or *Jeura* systems; and by colonial administration the *indentured* labour system. These systems included bonded child labour. Over time, claims the ILO report, these traditional forms of long-duration relationships have declined.

In 1977, India passed legislation that prohibits solicitation or use of bonded labour by anyone, including children. Evidence of continuing bonded child labour continues. A report by the Special Rapporteur to India's National Human Rights Commission, reported the discovery of 53 child labourers in 1996 in the state of Tamil Nadu during a surprise inspection. Each child or the parent had taken an advance of Rs. 10,000 to 25,000. The children were made to work for 12 to 14 hours a day and received only Rs. 2 to 3 per day as wages. According to an ILO report, the extent of bonded child labour is difficult to determine, but estimates from various social activist groups range up to 350,000 in 2001. Despite its legislation, prosecutors in India seldom use the Bonded Labour System (Abolition) Act of 1976 to prosecute those responsible. According to one report, the prosecutors have no direction from the central government that if a child is found to be underpaid, the case should be prosecuted not only under the Minimum Wages Act, 1948 and the Child Labour (Prohibition & Regulation) Act, 1986, the case should include charges under the Bonded Labour Act of India. The few enforcement actions have had some unintended effects.

**Consequences of Child labour :** The presence of a large number of child labourers is regarded as a serious issue in terms of economic welfare. Children who work fail to get necessary education. They do not get the opportunity to develop physically, intellectually, emotionally and psychologically. In terms of the physical condition of children, children are not ready for long monotonous work because they become exhausted more quickly than adults. This reduces their physical conditions and makes the children more vulnerable to disease. Children in hazardous working conditions are even in worse condition. Children who work, instead of going to school, will remain illiterate which limits their ability to contribute to their own well being as well as to the community they live in. Child labour has long term adverse effects for India. To keep an economy prospering; a vital criterion is to have an educated workforce equipped with relevant skills for the needs of the industries. The young labourers today will be part of India's human capital tomorrow. Child labour undoubtedly results in a trade-off with human capital accumulation. Child labour in India is employed with the majority (70%) in agriculture some in low-skilled labour-intensive sectors such as sari weaving or as domestic helpers, which require neither formal education nor training, but some in heavy industry such as coal mining. According to the International Labour Organisation (ILO), there are tremendous economic benefits for developing nations by sending children to school instead of work. Without education, children do not gain the necessary skills such as English literacy and technical aptitude that will increase their productivity to enable them to secure higher-skilled jobs in the future with higher wages that will lift them out of poverty.

**Child labour and exploitation :** Nearly a quarter of a million children, or 16 out of every 100 children worldwide, are engaged in exploitative child labour—in violation of Convention on the Rights of the Child and international labour standards. Almost three-quarters of them work in hazardous environments, such as mines or factories, or with dangerous substances, such as chemicals. The majority of child labourers are “invisible” – hidden from sight and behind the reach of the law. Many of these children are not only being exploited, they are often being denied education, basic health care, adequate nutrition, leisure time and the safety and security of their families and communities. In general, girls' domestic work is the most invisible of all and there is some evidence that girls may constitute the majority of child workers. UNICEF regards education as a powerful means of preventing child labour. Children who are in school are at less risk of exploitation. Conversely, children who are working and have an opportunity to learn are in a better position to improve their situation. Since 1986 UNICEF has sponsored an inter-regional programme called "Education as a Preventive Strategy," which seeks to respond to three main challenges:

- Access. Getting working children into the classroom. Strategies to achieve this include early childhood programmes, distance learning, bilingual education and flexible scheduling of classes, so that children who are working can also attend school.
- Second chance opportunities. Getting working children in school often requires transitional arrangements, including non-formal education and accelerated classes.
- Retention. Keeping children at risk of dropping out because of economic, cultural and social reasons, in school. Interventions include financial incentives to families, and improving the quality of education by integrating life skills and livelihood components.

Among the 35 countries where the programme is operating is India. In Firozabad in Uttar Pradesh, for example, children are often employed in the glass bangle industry to help their families make ends meet. Although child labour is strictly prohibited by law, enforcement rarely occurs in the homes or small informal enterprises where most of these children can be found. Making a bangle involves 32 steps, many of which can be hazardous to children: heating and joining the ends of the bangle over a kerosene flame; cutting designs in the bangles using fast moving blades; and using chemical-based silver and gold polish for decoration. Project

Chiragh, supported by UNCEF and other partners, uses education as a lever to support children and their families who depend on this trade. Raising awareness about the dangers of child labour and the value of education is carried out through street plays, door-to-door canvassing, folk songs, dances and magic and video shows. Following such campaigns, children between the ages of six and 14, especially girls in hard-to-reach areas, are encouraged to attend Alternative Learning Centers after work, as a stepping stone to formal education. In Benin, children from impoverished families are often sent to urban areas to become domestic workers or to find employment in other areas. Some of these children are illegally “trafficked” within and between countries. The lucky ones are intercepted at border crossings and sent home. Others, mostly the poorest children with the lowest levels of education, slip through the cracks. To prevent this from happening in the first place, UNICEF sponsored training for 170 village committees in Benin in subjects including child labour, child trafficking and child rights. Committee members, in turn, alerted parents to the dangers of trafficking and of the value of education. Radio broadcasts and TV spots—many of which were produced with or by children—also helped to spread the word. As a result, trafficking of children in areas governed by village committees has declined dramatically over the last three years, in part because of vigilant monitoring and surveillance efforts by committee member’s themselves. In Lebanon, 128 teachers and school advisers were trained in counseling techniques to identify potential dropouts and to keep them in school. While most children in that country attend primary school, dropout rates for secondary school tend to be high in northern and southern regions and in the Bequaa Valley. The “sentinel system” programme has been so successful that a similar training module for teachers will be integrated into the pre-service training of all teachers in Lebanon. Another aspect of the programme provided “second chance” vocational training for children 14 to 18 years old. Through the project, vocational instructors from private and public schools and social workers linked children in training with employment opportunities in their communities.

**Magnitude of Child Labour in India :** The magnitude of child labour in India has been witnessing enormous decline in the last two decades, both in terms of magnitude and workforce participation rates. Evidence drawn from the National Sample Survey data suggest that India’s child workforce during 2004-05 was estimated at little over nine million (9.07 million) as against twenty-one and half million (21.55 million) in 1983. During this period, the number of child employment has declined sharply by 12.48 million. There is considerable fall in child workforce is observed among boys than girls. The corresponding fall in boys and girls workforce during 1983 to 2004- 05 is observed to have decreased from 12.06 to 4.76 million, and 9.49 to 4.31 million, respectively. In effect, the gender difference that existed between boys and girls (adverse against boys) during the early 1980s has almost dissipated in recent years, the difference being slowed down from 2.57 million to roughly 0.45 million. However, in absolute numbers, the problem is large. As per the Census 2001, there are 1.26 crores economically active children in the age-group of 5-14 years. It was 1.13 crores in the 1991 Census. As per NSSO survey 2009-10, the working children are estimated at 49.84 lakh which shows a declining trend. As per the Global Report on Child Labour published by International Labour Organization last year, the activity rate of children in the age group of 5-14 years is 5.1 per cent in Latin America and Caribbean Region, which is the lowest in the world. In the Asia-Pacific Region, it is 18.8 per cent. In comparison to that, the activity rate of children in India, as per 2001 census is 5 per cent<sup>3</sup>

**Table-1, Data on Child Labour based on Employment Unemployment Survey During NSS 66th Round (2009-10)<sup>16</sup>**

Sl no.	Major states all India	RURAL		Age group 5-14		URBAN	
		Male	Female	Male	Female	Male	Female
1	Andhra Pradesh	88156	110191	20767	15548		
2	Assam	144655	31909	11833	757		
3	Bihar	224292	38665	11017	2548		
4	Chhattisgarh	3669	7321	636	0		
5	Delhi	-----	-----	- 18576	0		
6	Gujarath	150487	207973	15945	16282		
7	Haryana	22664	17471	28073	3988		
8	Himachal Pradesh	2300	2942	21560	0		
9	Jammu & Kashmir	11274	16872	1139	0		
10	Jharkhand	63684	14661	4123	0		

11	Karnataka	89796	<b>113429</b>	<b>20763</b>	<b>2479</b>
12	Kerala	1182	<b>0</b>	<b>0</b>	<b>1583</b>
13	Madhya Pradesh	91454	<b>32812</b>	<b>57688</b>	<b>9063</b>
14	. Maharastra	<b>66370</b>	<b>127996</b>	<b>54230</b>	<b>12077</b>
15	Orissa	<b>54390</b>	<b>38288</b>	<b>36522</b>	<b>5363</b>
16	<b>punjab</b>	<b>16802</b>	<b>6433</b>	<b>15664</b>	<b>9937</b>
17	<b>Rajastan</b>	<b>93055</b>	<b>261871</b>	<b>43184</b>	<b>7826</b>
18	<b>TamilNadu</b>	<b>0</b>	<b>13880</b>	<b>3471</b>	<b>0</b>
19	<b>UttarKand</b>	<b>14810</b>	<b>7239</b>	<b>3219</b>	<b>2103</b>
20	<b>Uttar pradesh</b>	1012294	<b>546320</b>	<b>147820</b>	<b>68899</b>
21	<b>West Bengal</b>	<b>357265</b>	<b>134657</b>	<b>31946</b>	<b>27716</b>
	<b>All India</b>	2511101	<b>1727271</b>	<b>546897</b>	<b>198602</b>

India, Ministry of Labour and Employment, Annual Report 2012-13, p. 91

### SECTION-III

## Government Initiatives

### Child Labour and Constitutional Provisions

The framers of the Constitution of India deemed it necessary to include special Provisions in the Constitution for the protection of the rights of working children<sup>4</sup>

Article	Title	Description
21 A	Right to Education	The State shall provide free and compulsory education to all children of the age of 6 to 14 years in such manner as the State, by law, may determine
24	prohibition of employment of Children's in Factories	No child below the age fourteen years shall be employed in work in any factory or mine or engaged in any other hazardous employment
39	The state shall in Particular direct its policy towards securing	That the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength.

**Legislation for Child Labour in India :** The first protective 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 for children to 9 hours a day and providing 4 holidays in a month and rest hours. This was actually made by the ruling British Government to decrease the production in Indian industries through some legal restrictions. It may be submitted that the labour legislations in India including protective legislation for children have been greatly influenced with the result of various Conventions and Recommendations adopted by International Labour Organisation. Besides Constitutional provisions, there are several legislative enactments which

Provide legal protection to 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 Workers' Act, 1961
- ✓ The Apprentices Act, 1961

- ✓ The Atomic Energy Act, 1962
- ✓ The Beedi and Cigar Workers (Conditions of Employment) Act, 1966
- ✓ The Shops and Establishment Act in Various States, and
- ✓ 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 them were the National Commission on Labour (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 is aimed at (i) the banning of the employment of children, i.e. those who have not completed their 14th year, in 18 specified occupations and 65 processes; (ii) laying down a procedure to make additions to the schedule of banned occupations or processes; (iii) regulating the working conditions of children in occupations where they are not prohibited from working; (iv) laying down penalties for employment of children in violation of the provisions of this Act and other Acts which forbid the employment of children; (v) bringing uniformity in the definition of the child in related laws. The Child Labour (Prohibition and Regulation) Amendment Bill, 2012 was introduced in Rajya Sabha on 4 December, 2012 further to amend the Child Labour (Prohibition and Regulation) Act, 1986. The amendment also seeks a blanket ban on employing children below 18 years in hazardous industries like mining. The Bill is referred to Standing Committee on Labour and Employment<sup>8</sup>

### **Judicial Efforts towards the Problem of Child Labour**

On 10th December 1996 in Writ Petition (Civil) No.465/1986 on MC Mehta verses State of Tamil Nadu, the Supreme Court of India, gave certain directions on the issue of elimination of child labour. The main features of judgment are as under

- ✓ Survey for identification of working children;
- ✓ Withdrawal of children working in hazardous industry and ensuring their education in appropriate institutions;
- ✓ Contribution @ Rs.20,000/- per child to be paid by the offending employers of children to a welfare fund to be established for this purpose;
- ✓ Employment to one adult member of the family of the child so withdrawn from work and if that is not possible a contribution of Rs.5,000/- to the welfare fund to be made by the State Government;
- ✓ Financial assistance to the families of the children so withdrawn to be paid -out of the interest earnings on the corpus of Rs.20,000/25,000 deposited in the welfare fund as long as the child is actually sent to the schools;
- ✓ Regulating hours of work for children working in non-hazardous occupations so that their working hours do not exceed six hours per day and education for at least two hours is ensured. The entire expenditure on education is to be borne by the concerned employer.
- ✓ The implementation of the direction of the Hon'ble Supreme Court is being monitored by the Ministry of Labour and compliance of the directions have been reported in the form of Affidavits on 05.12.97, 21.12.1999, 04.12.2000, 04.07.2001 and 04-12-2003 to the Hon'ble Court on the basis of the information received from the State/UT Governments

**National Child Labour Policy: Constitutional** and legislative provisions providing protection to children against employment has been elaborated in the National Child Labour Policy announced in 1987. The policy addresses the complex issue of child labour in a comprehensive, holistic and integrated manner. The action plan under this policy is multi-pronged and mainly consists of:

- 1, A legislative action plan;
- 2, Focuses on general development programmes for the benefit of the families of children; and
- 3, Project-based action plan in areas of high concentration of child labour.

**National Child Labour Project Scheme :** For rehabilitation of child labour, Government had initiated the National Child Labour Project (NCLP) Scheme in 1988 to rehabilitate working children in 12 child labour endemic districts of the country. Its coverage has increased progressively to cover 271 districts in the country presently. As on date the Scheme is in operation in 266 districts. Under the NCLP Scheme, children are withdrawn from work and put into special schools, where they are provided with bridging education, vocational training, mid-day meal, stipend, health-care facilities etc. and finally mainstreamed to the formal education system. At present, there are around 7,000 NCLP schools being run in the country with an enrolment of three lakh children. Till date more than 9 lakh working children have already been mainstreamed to regular education under the NCLP Scheme. The NCLP scheme is a Central Sector scheme. Under the scheme, project societies are

set up at the district level under the Chairpersonship of the Collector/ District Magistrate for overseeing the implementation of the project. Instructions to involve civil society and NGOs have also been issued

**Table-2 Number of child labourers rescued, rehabilitated and Mainstreamed through national child labour project scheme during the last three years and current year, state-wise**

SL.NO.	State	2009-10	2010-11	2011-12	2012-13
1	Assam	3685	274	227	10848
2	Andhra Pradesh	13689	1858	13202	7840
3	Bihar	7998	8552	19673	1162
4	Chhattisgarh	1063	5164	4914	2004
5	Gujarat	1437	2129	609	569
6	Haryana	1354	1293	1895	1722
7	Jammu & Kashmir	nil	43	184	132
8	Jharkand	1816	1015	2216	4003
9	Karnataka	3217	135	3761	742
10	Maharashtra	5150	5113	4532	4328
11	Madhya Pradesh	9,692	13344	17589	5044
12	Orissa	10,585	14416	13196	10309
13	Punjab	1,023	123	168	0
14	Rajasthan	12,326	4415	1020	4155
15	Tamilnadu	6,321	6325	5127	3537
16	Uttar Pradesh	40,297	28243	29947	10617
17	West Bengal	13,187	2215	7456	3117

**India, Ministry of Labour and Employment, Annual Report 2012-13, p. 91**

**Convergence with Programmes of Other Ministries/Departments:** Convergence of services from different government departments is one of the key components of the NCLP which leads to the overall success of the programme. The NCLPs make efforts to utilise the services of other departments at various levels. Most important among the different departments has been the Department of Education. Since different forms of child labour cannot be ended only by improving school enrolment and educational rehabilitation, efforts for improvement of socio-economic environment of the child labour families will be strengthened. Some of the prominent schemes of these Ministries/department, which could have an explicit component for child labour and their family are given below and could be utilized for government interventions for elimination of child labour. This is however, only an indicative list and could be extended to others programmes to:

**a) Schemes of Department of Education**

- ✓ Sarva Shiksha Abhiyan (SSA)
- ✓ Mid Day Meal Scheme

**b) Schemes of Ministry of Women & Child Development:**

- ✓ ICPS scheme For providing food and shelter to the children withdrawn from work through their schemes of Shelter Homes, etc
- ✓ Balika Samridhi Yojana and admission of children withdrawn from into residential schools under SC/ST/OBC Schemes.

**c) Schemes of Ministry of Rural Development**

- ✓ Mahatama Gandhi National Rural Employment Guarantee Act (MGNREGA).
- ✓ Swarnjayanti Grameen Rozgar Yojana (SGRY)
- ✓ Indira Awas Yojana (IAY)

**d) Scheme of Ministry of Labour & Employment**

- ✓ Rashtriya Swasthya Bima Yojana (RSBY)
- ✓ Skilled Development Initiative Scheme (SDIS)

**e) Other Social security schemes**

- ✓ Indira Gandhi National Old Age Pension Scheme-9-
- ✓ National Family Benefit Scheme
- ✓ Janani Suraksha Yojna



- ✓ Handloom Weavers' Comprehensive Welfare Scheme
- ✓ Handicraft Artisans' Comprehensive Welfare Scheme
- ✓ Pension to Master craft persons
- ✓ National scheme for Welfare of Fishermen and Training and Extension of Janashree Bima Yojana

As poverty and illiteracy are the prime reasons for child labour, a combined and coordinated effort of the various departments would greatly help to mitigate this problem. The National Policy on Child Labour prescribes the need to focus on general development programmes for the benefit of the families of child Labour. Providing income generation opportunities to the parents of child labour would enable them to send their children to school rather than work. Moreover, encouraging the parents of the working children to form Self Help Groups (SHGs). This would also help to bring children from these families to the fold of education

**Elimination of Child Labour in India – Coordination with ILO:** The International Labour Organisation (ILO) launched the International Programme for Elimination of Child Labour (IPEC) in the year 1991 with the objective to end child labour globally. India was the first country to sign the Memorandum of Understanding (MOU) in the year 1992. During the 11th Plan Period, three Projects viz., INDUS Project, Andhra Pradesh Phase-II & Karnataka Project were implemented in the country under ILO-IPEC. Jointly funded by the Ministry of Labour, Government of India and the Department of Labour, United States of America (USDOL), the INDUS Child Labour Project was implemented in ten hazardous sectors in 21 districts across five states viz. Delhi (NCT Delhi), Maharashtra (Districts of Amravati, Jalna, Aurangabad, Gondia and Mumbai Suburban), Madhya Pradesh (Districts of Damoh, Sagar, Jabalpur, Satna and Katni), Tamil Nadu (Districts of Kanchipuram, Thiruvannamalai, Tiruvallur, Nammakkal and Virudhunagar) and Uttar Pradesh (Districts of Moradabad, Allahabad, Kanpur Nagar, Aligarh and Ferozabad). The project adopted a participatory method to identify beneficiaries and enrolling child workers in schools, transitional education centres and vocational training centres was seen as a key strategy for rehabilitation of child and adolescent workers withdrawn from work. The project was instrumental in the operationalising the public education component in the field. The Project also developed income generation strategies for child labour elimination by linking child labour families with the ongoing government schemes that provide access to micro credit and subsidies. The project has systematically worked at developing a comprehensive multipronged communication strategy. A variety of tools have been developed to aid awareness raising efforts at the field level. Through its Action Programmes, the INDUS project worked towards sensitizing and building capacities of key government agencies and civil society partners in project states on child labour. The project, through an action research to study the occupational health and safety made efforts to develop interim solutions to protect adolescents and young adults from hazards at work places. The project has also operationalised a beneficiary tracking system, for tracking and following up on the progress of all project beneficiaries. Through this project, an estimated 103,152 children and adolescent workers were withdrawn and rehabilitated. The Project was concluded in March 2009.

### III. CONCLUSION

Government has accordingly been taking proactive steps to tackle this problem through strict enforcement of legislative provisions along with simultaneous rehabilitative measures. State Governments, which are the appropriate implementing authorities, have been conducting regular inspections and raids to detect cases of violations. Since poverty is the root cause of this problem, and enforcement alone cannot help solve it, Government has been laying a lot of emphasis on the rehabilitation of these children and on improving the economic conditions of their families

### REFERENCES

- [1] Child Labour in India – Rights, Welfare and Protection by Dipak Das, 2011
- [2] Government of India, Planning Commission, Working Group for Social inclusion of Vulnerable Grouplike Child Labour and Bonded and Migrant Labour in the 12th Five Year Plan (2012-17)
- [3] India, Ministry of Labour and Employment, Annual Report 2012-13, p. 91
- [4] Problems of Child Labour in India by Raj Kumar Sen and Asis Das Gupta (Editors), 2003
- [5] Child Labour in India – Rights, Welfare and Protection by Dipak Das, 2011
- [6] The Assam Tribune, Guwahati dated 2.1.2013
- [7] Aditya Kumar Patra and Sujana Nayak (2009), "Child labour: An uglyface of the civilized society" JSOC. 19(3) 201-203. Bremner, Robert.
- [8] M (1974) "Child and youth in America: A documentary History": Vol
- [9] I and I Cambridge, MA: Harvard University pres. Danlabotz (2009)
- [10] "The World crisis, capital and labour: The 1930s and Today". Economic & political Weekly. March 28, 2009, 179-185. Dhurjati
- [11] Mukherje (2008), "Change of societal attitude imperative" Yojana vol. 34 No. 1 May 2008, 28-30
- [12] Gawai B.E (2008) "Child labour problems in Marathwada: A critical Study". Southern economist. August 15, 2008, 41-42
- [13] Kailash Satyarthi (2008), "No more tools in tiny hands" Yojana vol 34. No. 1 May 2008.13-15.
- [14] Kiran Sharma (2008), children as change makers Yojana vol 34(1) May 2008, 2-23.

- [15] Lindenmeyer, Kriste (1997) "A Right o childhood": The US ChildrensBureau and child May 2008,  
[16] . Rasvirs. Dhaka and Jagbir Narwal (2005) "Childlabour in the city of Rohtak: A study". The Indian instiute of publicadministration  
Januar& March 2005, 38-47.  
[17] Saho U.C. (1995), "Childlabour in agrarian society" Rawat publications Jaipur and New Delhi195, 9-15.