

## INDIAN INITIATIVES AGAINST CHILD LABOUR

**Dr. Ajay Kumar Attri**

Assistant Professor (Education)

ICDEOL, HP University Summerhill, Shimla

***ABSTRACT:** Children have the right to a joyful childhood. Every child has the right to grow up in a safe and nurturing environment with protection and guidance from their guardians. Whether in the cities or in villages, at home or in schools, a child is always a child and deserves a childhood free from exploitation and abuse. The issue of child labour is a frontline concern in India, as early entry into labour market at formative stage of life does mean absconding from proper schooling leading to loss of future scope of better livelihood. This article deals with meaning, nature and some data related to child labour. Its main concern is to throw light on governmental and non-governmental initiatives against child labour to eradicate it from Indian society.*

***Key Words:** child, labour, poor, organization, NCLP, Juvenile Justice, UNISEF, ILO, NGO*

### INTRODUCTION

Children are the greatest gift to humanity and Childhood is an important and impressionable stage of human development as it holds the potential to the future development of any society. Children who are brought up in an environment, which is conducive to their intellectual, physical and social health, grow up to be responsible and productive members of society. Every nation links its future with the present status of its children. Child labour is work that harms children or keeps them from attending school. Around the world and in India, growing gaps between rich and poor in recent decades have forced millions of young children out of school and into work. The International Labour 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. By performing work when they are too young for the task, children unduly reduce their present welfare or their future income earning capabilities, either by shrinking their future external choice sets or by reducing their own future individual productive capabilities. 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. Under extreme economic distress, children are forced to forego educational opportunities and take up jobs which are mostly exploitative as they are usually underpaid and engaged in hazardous conditions. Parents decide to send their child for engaging in a job as a desperate measure due to

poor economic conditions. It is, therefore, no wonder that the poor households predominantly send their children to work in early ages of their life. One of the disconcerting aspects of child labour is that children are sent to work at the expense of education.

### Definition

As suggested by International Labour Organization, the term *child labour* is best 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, or work whose schedule interferes with their ability to attend regular school, or work that affects in any manner their ability to focus during school or experience healthy childhood.

UNICEF defines child labour differently. A child is involved in child labour activities if between 5 to 11 years of age, he or she did at least one hour of economic activity or at least 28 hours of domestic work in a week, and in case of children between 12 to 14 years of age, he or she did at least 14 hours of economic activity or at least 42 hours of economic activity and domestic work per week.

*Child labour involves at least one of the following characteristics:*

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

### SOME DATA REFLECTING CHILD LABOUR

- Of an estimated 215 million child labourers 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. Child labour can be found in nearly every industry.
- The International Labour Organization estimates that 218 million children ages 5-17 are engaged in child labour the world over. An estimated 14 percent of children in India between the ages of 5 and 14 are engaged in child labour activities, including carpet production. Some children are forced to work up to 18 hours a day, often never leaving the confines of the factory or loom shed.

- An estimated 60% of child labour occurs in agriculture, fishing, hunting, and forestry.
- About 14 million children are estimated to be directly involved in manufacturing goods.
- 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.
- Many children, especially girls, work in domestic service, sometimes starting as young as 5 or 6. This type of child labour is linked to child trafficking. Domestic child labourers can be victims of physical, emotional, and sometimes sexual abuse.
- Millions of children are involved in work that, under any circumstance, is considered unacceptable for children, including the sale and trafficking of children into debt bondage, serfdom, and forced labour. It includes the forced recruitment of children for armed conflict, commercial sexual exploitation, and illicit activities, such as producing and trafficking drugs.
- In 2005, an estimated 5.7 million children were in forced and bonded labour. Most of these kids work for as less as Rs. 300 to Rs. 500 a month; sometimes for no money at all as they are given food to survive.
- Government statistics say that there are 2 crore (20 million) child labourers in India, a country that has ambitions of becoming a global superpower in a few years.
- A recent report, produced by the International Confederation of Free Trade Unions, says there are as many as 60 million children working in India's agricultural, industrial and commercial sectors.
- Non-governmental agencies assert that the figure is more than 6 crore (60 million) including agricultural workers; some claim that the number could be 100 million, if one were to define all children out of school as child labourers.

*Non-governmental organizations working towards eradicating child labour in India say that:*

- Two out of every three working children are physically abused. Over 50 percent children were being subjected to one or the other form of physical abuse.
- 50.2 percent children worked seven days a week.
- 53.22 percent children reported having faced one or more forms of sexual abuse.
- 21.90 percent child respondents reported facing severe forms of sexual abuse and 50.76 percent other forms of sexual abuse.

- Every second child reported facing emotional abuse.

## GOVT. INITIATIVES AGAINST CHILD LABOUR

After its independence from colonial rule, India has passed a number of constitutional protections and laws on child labour. The Constitution of India in the Fundamental Rights and the Directive Principles of State Policy prohibits child labour below the age of 14 years in any factory or mine or castle or engaged in any other hazardous employment (Article 24). The constitution also envisioned that India shall, by 1960, provide infrastructure and resources for free and compulsory education to all children of the age six to 14 years. (Article 21-A and Article 45). India has a federal form of government, and child labour is a matter of concern for states and central governments. The major national legislative developments so called Child labour laws in India include the following:

- **The Factories Act of 1948:** The Act prohibits the employment of children below the age of 14 years in any factory. The law also placed rules on who, when and how long can pre-adults aged 15–18 years be employed in any factory.
- **The Mines Act of 1952:** The Act prohibits the employment of children below 18 years of age in a mine.
- **The Child Labour (Prohibition and Regulation) Act of 1986:** The Act prohibits the employment of children below the age of 14 years in hazardous occupations identified in a list by the law. The list was expanded in 2006, and again in 2008.
- **The Juvenile Justice (Care and Protection) of Children Act of 2000:** This law made it a crime, punishable with a prison term, for anyone to procure or employ a child in any hazardous employment or in bondage.
- **The Right of Children to Free and Compulsory Education Act of 2009:** The law mandates free and compulsory education to all children aged 6 to 14 years. This legislation also mandated that 25 percent of seats in every private school must be allocated for children from disadvantaged groups and physically challenged children.

The problem of child labour continues to pose a challenge before the nation. Government has been taking various pro-active measures to tackle this problem. However, considering the magnitude and extent of the problem and that it is essentially a socio-economic problem inextricably linked to poverty and illiteracy, it requires concerted efforts from all sections of the society to make a dent in the problem. Employing children below 14 years will now attract a maximum jail term of three years or a fine of up to Rs 50,000. In India some initiatives to eliminate child labour are:

- **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:

- A legislative action plan; Focuses on general development programmes for the benefit of the families of children; and
- 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. The number of child labourers rescued, rehabilitated and mainstreamed through National Child Labour Project Scheme during 2009 To December 2012.

- **Convergence with Programmes of Other Ministries/Departments**

Convergence of services from different government departments is one of the key components of NCLP which leads to the overall success of the programme. The NCLPs make efforts to utilize 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
- National Family Benefit Scheme
- Janani Suraksha Yojna Handloom Weavers' Comprehensive Welfare Scheme
- Handicraft Artsans' Comprehensive Welfare Scheme
- Pension to Master craft persons
- National scheme for Welfare of Fishermen and Training and Extension of Janashree Bima Yojana
- Government of India, Planning Commission, Working Group for Social inclusion of Vulnerable Group like Child Labour and Bonded and Migrant Labour in the 12th Five Year Plan (2012-17)

## **OTHER INITIATIVES AGAINST CHILD LABOUR IN INDIA**

- **Govt.-UNICEF partnership to eliminate Child Labour**

Among the UN organizations, UNICEF has supported several initiatives against child labour, which have been undertaken by the Government of India, as well as by civil society organizations. Examples of such initiatives are the Bhiwandi Project in the Thane district of Maharashtra, which aims at preventing and rehabilitating children employed in the powerloom sector. UNICEF uses the Article 32 of the Convention on Rights of the Child (CRC), which articulates child labour as “any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, spiritual, moral or social

development". In line with this framework, UNICEF India, in partnership with central and state governments, as well as with NGOs and other key groups, is implementing initiatives aimed to build a protective environment in which children can live and develop according to their fundamental rights. Translated into action, this approach led to a programme whose main scope is the progressive elimination of all forms of child labour to comply with Article 32 of the CRC ratified by India in December, 1992. UNICEF hopes the World Day against Child Labour (WDACL), which is observed worldwide on or around 12 June each year, serves as a catalyst for the growing worldwide movement against child labour. The Government of India-UNICEF partnership on the issue of child labour is shaped around the following main objectives:

1. Promoting children basic right to education. Core to UNICEF programme, is the emphasis on children's entitlement, access and retention in education as major strategy to eliminate, but most importantly to prevent child labour. Initiatives include mass enrolment campaigns, support to transitional education programmes (bridge schools), community based sensitization programmes, education quality package for formal education, as well as initiatives aimed to facilitate and strengthen strategic convergence among key institutional stakeholders.
2. Capacity building of marginalized communities towards the elimination of child labour and towards the protection/promotion of child rights. In order to address the vicious circle of poverty as a major factor surrounding child labour, as well as based on a vision of women as key catalysts for change, UNICEF India is supporting the establishment of women self help groups (SHGs) in various project areas of the country. Other initiatives to empower communities towards the protection and promotion of children rights include village planning exercises, the establishing of community level anti-child labour watching committees, as well as the regular sensitization and support to local systems such as the Panchayati Raj (village council) institutions.
3. Advocacy and social mobilization against child labour Addressing existing attitudes towards child labour and facilitate people's behavioral change towards a more protective environment for children are core components of the present GoI-UNICEF joint child labour intervention. This is addressed in the field through community-centered social mobilization initiatives, implemented in collaboration with local authorities, non-government organizations (NGOs), community-based organizations (CBOs) and by a number of local motivators operating at village level. Building on field level experiences, at central level UNICEF is also developing a National Communication strategy against child labour.

- **Elimination of Child Labour in India – Coordination with ILO**

The International Labour Organization (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 and 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).

- **Non-governmental organizations**

Several renowned and committed NGOs are working to improve the situation in this field. These NGOs, both local and international, focus on different problems concerning child labour. A great number of NGOs, both local and international, work in the field of child labour in India. Let's have a look at some of the top NGOs dealing with menace of child labour:

- Action Aid India: One area of focus of Action Aid India is education and 'left out' children (including street and working children). The NGO has 12 regional offices (in Bangalore, Bhopal, Bhubaneswar, Kolkata, Chennai, Delhi, Guwahati, Hyderabad, Jaipur, Lucknow, Mumbai and Patna).
- Butterflies: Butterflies provides alternative education as well as basic services to street children and working children in the New Delhi area.
- CARE India: One of the main areas of activity of CARE in India is girls' education. The NGO works in 11 Indian states.
- Child Relief and You (CRY): CRY targets underprivileged Indian children, including child workers. The NGO carries out child development initiatives all over India. It is based in Maharashtra.
- CINI ASHA: The NGO seeks to improve the quality of life of socially disadvantaged children living in urban areas through education, health and social mobilization. The primary beneficiaries of CINI ASHA programmes are street children, children living in slums and squatter colonies, and children of sex workers. The NGO is based in West Bengal.
- Concerned for Working Children (CWC): CWC works in the field of child labour in Karnataka.
- CREDA (Centre for Rural Education and Development Action): The NGO's work focuses on child labour related activities. It has undertaken projects for the elimination and rehabilitation of child labour around Varanasi (Uttar Pradesh).

- Global March Against Child Labour: The Global March Against Child Labour is a global movement against child labour. It has partners in over 150 countries and is based in New Delhi.
- Prayas: Prayas works with destitute, street, and working children. It addresses issues related to lack of sensitivity and infrastructure for their rehabilitation, education, and reintegration. Prayas covers Delhi, Bihar and the earthquake affected areas of Gujarat.
- Salaam Baalak Trust: This NGO works with street and working children in and around New Delhi railway station. It provides basic services to the children, including formal and non-formal education.
- Save the Children (UK) in India: Save the Children works for the elimination of the worst forms of child labour. Currently, the international NGO runs three projects with working children in Rajasthan, West Bengal, and Jammu and Kashmir.
- M. Venkatarangaiya Foundation: One of the primary goals of the Foundation is to eliminate child labour by universalising school education. The Foundation mainly works in Andhra Pradesh.
- World Vision India: World Vision conducts nine special initiative programmes, targeting in particular street children, bonded child labourers and child victims of sexual exploitation

We cannot undermine the huge role played by NGOs in handling child labour issues. Specific NGOs focus on certain areas of improvement. For instance, if Action Aid India concentrates on child education and on street and working children then CRY targets underprivileged children who don't have basic resources to sustain themselves. NGOs are carrying child development activities all over India. Some children educational NGOs engage themselves in offering free education to poor kids. They teach children living in slums.

## CONCLUSION

Today millions of children work as labourers in various businesses in India. These kids are forced to work to help their poor families, but this robs them of their right to childhood and all its associated joys. Child labour also crushes their right to normal physical and mental development, to education and thus to a healthy, prosperous life. Seven days a week, these children toil as hard as their tender bodies can allow them to, working in inhuman conditions in cramped, dim rooms, breathing toxic fumes, and every now and then being subjected to verbal and physical violence by their employers. These young children work for hours on end, suffering from constant fatigue. The Indian Constitution says that child labour is a wrong practice and standards should be set by law to eliminate it. The Child Labour Act of 1986 implemented by the government of India makes child labour illegal in many regions and sets the minimum age of employment at 14 years. Due to economic factors, many of the law's goals are difficult to meet. The law, for example, does nothing to protect children who perform domestic or unreported labour. India formulated a National Policy on Child Labour in 1987. This Policy

seeks to adopt a gradual & sequential approach with a focus on rehabilitation of children working in hazardous occupations. It envisioned strict enforcement of Indian laws on child labour combined with development programs to address the root causes of child labour such as poverty. In 1988, this led to the National Child Labour Project (NCLP) initiative. This legal and development initiative continues targeted solely to eliminate child labour in India. Despite these efforts, child labour remains a major challenge for India. The problem of child labour in India is so huge that it demands support and contribution from every part of society to completely eradicate this problem. In recent times, government has taken some concrete steps for improving the situations of child labour. Providing free education, encouraging parents to send their kids to schools with awareness campaigns and allocation of funds towards child health and development etc are some of the steps taken by the govt.

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