

A STUDY ON ILL EFFECTS OF CHILD LABOUR IN INDIA

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Abstract: The main aim of this study is to “Study the Ill Effects of Child Labours in India”. The issues of child labour have gained prominence since the 1980's, though its origin can be traced to the period of industrial revolution in Britain, where the children of the poor were forced to work in textile industries, iron and coal mines, gas works, shipyards, construction, match factories, nail factories, and the business of chimney. The problem arose when children, many below the age of 10, were employed by factories and mines. The Children were forced to work long hours under dangerous and unhealthy conditions, and their wages were very small. Child workers were often deprived of the chance to attend school.

Child labour is most prevalent in the developing countries. The growth of the service sector with an increase in the demand for more flexible and part-time workers have contributed to the expansion of child labour market in the developing countries. The problems of child labour are acute in many of the developing countries. Many millions of these children work in occupations and industries which are dangerous, hazardous and exploitative. Many of the working children here face serious hazards, such as cuts, fractures, loss of body parts, crushing injuries, burns, skin diseases, sight or hearing loss, and respiratory illness and many are unpaid workers.

In this study, an attempt has been made to find out the issues and owes of child labour and how Industrial Social Worker handle the situation. Also the socio-economic factors, which play a significant role in pushing children into the labour force and the repercussions of early employment, have been studied in detail. The study also examines the attitude and the priorities of the Government and the society in dealing with the issues of child labour. The study also analyses in detail the effectiveness of the tools used by the Governments in resolving the problems of child labour in India.

The study will be made by referring several other literatures on “Child Labour” published by various sources. In the above context, a Conceptual study will be conducted on “A STUDY ON ILL EFFECTS OF CHILD LABOUR IN INDIA”. This being a non-empirical study the analysis will be made from the data and contents collected from various articles published by various authors and released through various sources. The references of the same will be given in reference part. The hypothesis of the analysis is Implementation of our Laws protecting Child Labour in Stringent manner by Industrial Social Worker will only curb the Ill Effects of Child Labour in our Country.

Keywords: WHO - World Health Organization. UNICEF - United Nations Children's Fund. ILO - International Labour Organisation. UNDP - United Nations Development Programme, EU - European Union, NGO - Non Governmental Organisations, NPE - National Policy of Education.

1. INTRODUCTION

The issues of child labour have gained prominence since the 1980's though its origin can be traced to the period of industrial revolution, where the children of the poor were forced to work in textile industries, iron and coal mines, gas works, shipyards, construction, match factories, nail factories, and the business of chimney sweeping. The problem arose when children, many below the age of 10, were employed by factories and mines. The youths were forced to work long hours under dangerous and unhealthy conditions, and their wages were very little. Child workers were often deprived of the chance to attend school. Many children worked 16 hours a day under atrocious conditions, as their elders did. In Iron

and coal mines (where children, both boys and girls, began work at age 5, and generally died before they were 25), gas works, shipyards, construction, match factories, nail factories, and the business of Chimney Sweeping, where the exploitation of child labour was more extensive. The first Factory Act called 'The Factory Health and Morals Act of 1802' did not mention anything about child labour. Though the Factory Acts of 1833 and 1844, 1850, 1867, 1874, 1891 stipulated the working hours for the children employed in the factories, it did not recommend the ending of the usage of child labour in the factories. However it took another 50 years for the official banning of the usage of child labour employed in the factories.

Why Child Labour?

The causes of child labour are numerous and varied. No single factor alone is responsible for the social problem. The various causes of the child labour are all intrinsically interrelated. Some of the causes of the child labour are: (i) Poverty; (ii) Increased profits; (iii) Easily amenable; (iv) Lack of educational facilities; (v) Illiteracy and ignorance of parents; (vi) Laxity in enforcement of protection labour legislation; (vii) Un-organised nature of job.

Poverty is the main reason for child labour in India. The children contribute significantly to the household income. It is estimated that they contribute upto 20 - 25 per cent of the family income. It is obvious that the survival of certain families depends on the children's earnings. Poor households that are in need of money, substitute their children to earn the money. The reason for which children are hired for labour is because of their low wage cost and their great work in return. They are also less organised unlike the regular work force. Since the beginning of the 1990s the issues of child labour have gained significant attention of social scientists. The issues have also become the cause of concern for many development economists. Three factors are contributing to this development. *First*, a general realisation that the exploitation of child labour has become more serious and could well continue to do so in several parts of the world as economic conditions deteriorate and hamper social development, especially in the areas concerning employment and education. *Secondly*, an increasingly worrying concern that by employing children at an age and in conditions that do not conform to universally accepted standards, some countries try to gain a comparative advantage in international trade over those that are more strict about applying such standards. *Finally*, a strong public opinion on issues concerning human rights, particularly those of the children, have generated the realisation that the issues of child labour are not specific to any geographical boundaries confined to national sovereign rights as they are considered global issues.

The growth of the service sector with an increase in the demand for more flexible and part-time workers have contributed to the expansion of child labour market in the developed countries. Unlike the developed countries, where the use of child labour is random, the use of child labour is a widespread phenomenon in many developing countries. However, with the rapid urbanisation of most developing countries, the demand for the use of child labour has also been steadily increasing. The children, in the developing countries, are also employed in export industries, such as textiles, clothing, carpets and footwear. Participation rates of children in economic activity are much higher in rural areas than in urban centres.

2. GENDER ISSUE IN CHILD LABOUR

Child labour force consists mainly of unpaid family workers. Although it is a common practice everywhere, child labour in family enterprises is more prevalent in rural than in urban areas. The children are active as own-account workers and these are far more often boys than girls. Likewise, children employed as wage-earners usually account for a relatively small percentage of total child labour. Though the issues of child labour are not discriminated on the basis of gender there is a wide belief that boys are engaged more than the girls. The ratio of boys to girls employed on an average is three to two. It should, however, be borne in mind, that the number of working girls is often underestimated by statistical surveys which usually do not take into account unpaid economic activity carried out in and around the household, including household enterprises. The children in many of the developing countries often work long hours with little or no incentive. It is suggested that more than half of the working children are toiling for nine or more hours per day, with cases where up to four fifths of them are working seven days a week including work on public holidays, especially in the rural communities. There are cases, where children work 56 hours or more per week.

Though more boys are working than the girls, on an average, girls work more hours than boys and are paid less than their working brothers doing the same type of work. Larger numbers of girls work as paid domestics where they are usually paid low. Generally, children are not paid for overtime work although many of them work additional hours and often they are required to do so when demand for various services reaches its peak or due to labour shortages. The problems of child

labour are a cause of embarrassment for many developing countries. This is particularly true in the case of India, where children are trusted upon the unequal role in the development of their families. Many of these children are exposed to risks and abuses while working in hazardous conditions exposing them to chemical and biological hazards. Being tender physically, children are susceptible to various work-related injuries and illnesses more than adults doing the same kind of work. Because they are not yet matured mentally, they are less aware, even completely unaware, of the potential risks involved in their specific occupations or at the workplace. As a result, a large number of working children are affected by various hazards. A World Health Organization (WHO) report on a district in India attributes epidemic epilepsy to chronic exposure to the Benzene Hex chloride, which is used as a food preservative.

3. CHILD LABOUR COMPARISON

Another study carried out over a period of 17 years in India on both school-going children and working children in agriculture, small-scale industries and the service sector showed that working children grow up shorter and lighter than school children. In studies carried out in Bombay, the health of children working in hotels, restaurants, construction and elsewhere was found to be considerably inferior to that of a control group of children attending school. Symptoms included muscular, chest and abdominal pain, headaches, dizziness, respiratory infections, diarrhoea and worm infection. Similar findings were observed in the carpet-weaving industry in Mirzapur. Many of the working children suffer injuries or illnesses with some of them stop working permanently. For example, studies in India describe how children are exposed to intrinsically dangerous processes such as firing ceramics and drawing molten glass. In the brassware industry in Moradabad, Uttar Pradesh, they work under exposure to extremely high temperature while rotating the wheel furnace, and use sharp and heavy hand tools. The working children are also subjected to physical, intellectual and emotional abuses in the unacceptable work environment.

An unfortunate thing is that they are neither protected by the State nor by their families. They do not even get the protection of their parents or other close relatives and they have to stay away from the warmth and filial atmosphere of their families. Though there have been State legislations preventing the employment of child labour, they are not effective in their implementation. The woes of child labour in the developing countries have gained significant attention in recent times. The plight of the young children working in the hazardous industries with little or no protection has widely been emphasized by the intergovernmental organisations such as UNICEF (United Nations Children's Fund) and the ILO (International Labour Organisation). They have been assisted by the global media coverage bringing the memories of working children in the periods of industrialisation. The ILO's efforts to combat child labour began to elicit broader international support with a proliferation of publications on the subject, more systematic media coverage of abuses and violations, and a growing involvement by concerned individuals, global consumer groups and nongovernmental organizations. The response of the global consumer for the working children in the unknown parts of the world is often overwhelmingly positive with significant pressure applied on the countries where the children are found working.

4. CONVENTION ON THE RIGHTS OF THE CHILDREN

Since the major determinant of child labour is significant financial contribution from the children for the household expenditure, the State which is a major actor, is less willing to involve itself in eradicating the usage of child labour as it would certainly mean increasing the suffering of millions of families depending on the contribution of their children. Many countries are the signatories of the 'Convention on the Rights of the Children' and have agreed to implement **Article 32**, which recognises the rights of the child to be protected from economic exploitation. Though many countries have enacted legislations, incorporating humanitarian values and a concern for social rights, prohibiting the usage of children in work places highlighted in the 'Convention on the Rights of the Children', they have not been effectively implemented, as the States remain silent when it comes to the issues concerning the household economy.

5. CONTRIBUTION OF NGOS

It is in this regard, the role of the non-state actors is gaining significant attention. The role of the NGOs, both national and transnational, in fighting the problems of child labour assumes greater significance. Historically the non-state actors have been consistently playing an important role in challenging the unacceptable social behaviour of the Indian society. The role of the leading non-state actors - the NGOs - is multiple in a civil society. **Primarily** the NGOs assume the role of regulatory agencies ensuring adherence to social and moral codes and rights. **Secondly** the NGOs are an important source

for subcontracting governance. They are: also being used increasingly as subcontractors for the global and multinational agencies such as the United Nations Development Programme (UNDP); the World Bank, the European Union (EU) and other bilateral donors. They have also become: major players in the delivery of aid and technical assistance in forming important social policies such as health and education.

The efforts of the non-state actors, particularly the NGOs, are of immense value in identifying, preventing, reducing, and eradicating the problems of child labour. They are also effective in reintegrating the working children back into society. The NGOs have good experience of accessing child labourers in the informal sector, which is generally difficult. They also have better access to information on child labour. They are responsible for most of the research documents on child labour, which facilitate the social policy formation of the State. They are also successful in creating the social awareness through their community meetings and discussions at community level. The NGOs are more effective in dealing with the issues of child labour as they are familiar with the territory in which they are dealing with. They work in the regions where the problem is highest. They also provide 'comprehensive' services - short and long term services that prioritise the child workers themselves.

Moreover they are also involved in projects that raise parental income, reducing poverty cycles. The NGOs also provide basic legal advice and support extending from basic workers' rights to more general human and child rights. This is particularly true in India, where the intervention of the NGOs in directly confronting the problems of child labour which is of immense value

6. SOCIAL INEQUALITY AND CHILD LABOUR

The discourse on child labour often revolves around the argument that social and economic inequality causes the child labour in India. It is often argued that social inequality prevents the access to opportunities, resulting in economic inequality. This is particularly true in the case of the arguments on the child labour in a stratified society such as India. In a stratified society, the mobility across the strata has been controlled by the vested interests, which prevent access to the factors of mobility such as education and employment. This argues that the family being an origin and the cause of the child labour, the solution could be found only at the family level. It also suggests economic incentives for the poor parents and their families will more likely to increase the wages of poor parents, who with enhanced economic conditions, would no longer be in need of their children's labour and wages. In this scenario the parents will come to realise the advantage of sending their children to schools. However child labour is the product of capitalism and the technologies it creates. The new technologies increase the demand for cheap, unskilled labour and the decrease in the profit margin lead capitalists to increase their exploitation of labour. As profits decline, the capitalist buys with the same capital a greater mass of labour power, as he progressively replaces skilled workers by less skilled, mature by immature, male by female. In the same process they replace the adults by young persons or children. The children, according to Marx, are part of the industrial reserve army.

7. CHILD LABOUR, STATE AND EDUCATION

Three features of child labour in India are especially striking. **Firstly** child labour in India is not the product of large-scale capitalist industrialization. In 19th century England and the United States the children were employed to work in large factories. However in India the children are predominantly in the small-scale sectors and agriculture. The child labour in India is considered to assume the dualistic role. While they take up the traditional role of the child as a worker for a family as a source of family income, they are also promoted by the State as a means of strengthening the small-scale sector. **Secondly**, most child workers in India are illiterate. In 19th century England and the United States, child workers were able to read and write since they were generally in school for six to nine years, the years of compulsory schooling. But in India, most child workers never attend school. Even if they attend they drop out before completing four years of schooling, the minimum needed to acquire literacy. **Thirdly**, children in India work at all ages. One can see a very small children like three year old child assist her older sister who would be again a child of some eight or nine years of age to stack match boxes in a cottage industry workshop in South Indian town of Sivakasi, where an estimated 50,000 children, mostly girls', are employed. Young children work alongside their parents in tea plantations, picking the leaves to add to their mother's basket. Since school is not compulsory for any age group in India there are no restrictions as to when children can enter the labour force.

8. CHILD LABOUR AND COMPULSORY EDUCATION

Among the greatest ideas that have transformed the world, the idea that education as an instrument of social mobility in India was accepted by several Indian officials serving in India. They argued for introducing compulsory education but the proposal was never seriously considered. Though the role of education in individual freedom was highly appreciated, nothing had been done to make education compulsory. The international experience with policies to end child labour suggests the making of education compulsory. There is one important generalisation that can be drawn from the experiences of both developed and developing countries. Everywhere, the establishment of compulsory education was a necessary condition for the reduction and abolition of child labour. Without compulsory education governments are unable to enforce child labour laws. If the school leaving age is lower than the age of admission to employment, children are likely to illegally seek employment and the enforcement of child labour laws is more difficult. It is administratively easier to monitor school attendance than to monitor children in the work place and easier to force parents to send their children to school than to force employers not to hire children.

No country has successfully ended child labour without first making education compulsory. So long as children are free not to attend school, they will enter the labour force. Today most governments agree that children should be removed from the labour force and required to attend school. They believe that employers should not be permitted to employ child labour and those parents, no matter how poor they are, they should not be allowed to keep their children out of school. The parents are required to send their children to school; children are required to attend school while the State is obliged to enforce compulsory education. India is an exception as it has not made education compulsory and banned the child labour. Indian policy makers have argued that the Indian government lacks the financial resources for universal compulsory primary school education and that it lacks the administrative resources to enforce child labour laws. For many in the administrative machinery, the economic concern of the family takes precedent over the ethical and moral issues involved in employing the children. They argue that poor families need income of their children and therefore should not be coerced into sending their children to school. Moreover, they say, children and their parents find the schools irrelevant to meet their needs and expectations.

Finally, it is argued that the poor quality of primary schools is thus used to justify the removal of children from schools by their parents. Neither the central government's ministry of education nor the State governments' departments of education have taken on task of improving the quality of primary schools. They have, instead, created an alternative system of non-formal education for working children. Non-formal education with its emphasis on literacy training, health promotion and presumably more useful is a part-time educational system intended to enable children to remain in the workplace. It is not a system of alternative compulsory schooling for the children of the poor, or for children in remote area. Nor does non-formal education address the most serious problems in Indian primary education-the frequent absence of teachers, their low morale, lack of adequate training and unsatisfactory motivation. With the passage of the new amendment to the constitution it is possible that teachers in primary schools can be held accountable to the community rather than, as at present, exclusively to the state departments of education. As primary school is made universal and compulsory a variety of measures will need to be taken to improve their quality; but to wait until the central and state governments tackle the issue of quality education before making primary education universal and compulsory is a formula for doing nothing.

9. MYTHS SURROUNDING CHILD LABOUR

There have been many myths surrounding the arguments on child labour. These myths have been planted to derive sympathies by various vested interests to support their arguments defending the use of children in work places.

Some of these myths are that,

- (a) The employers are obligating children by employing them;
- (b) Poverty is the single major cause of child labour;
- (c) If children do not work, they and their families will starve;
- (d) The child labour is the result of the poor having more children than they can provide for;
- (e) The parents would rather send their children to work than to school;
- (f) The children themselves want to work;

- (g) If children work, they become equipped with skills for the future;
- (h) The child labour is necessary to preserve traditional arts and crafts;
- (i) The children work faster and have nimble fingers needed in certain types of work, especially knotting carpets;
- (j) The industry will collapse if child labour is not available; and
- (k) The legislation prohibiting the child labour is sufficient to resolve the problem.

10. ROLE OF THE STATE

It is not poverty that prevents India from investing more in its children but the prejudices and values of those who create and implement policy in India. When it comes to child labour, the government has an impressive number of protective laws, government decrees and orders, national polices and projects, standing and special committees and commissions, and reports and recommendations. Unfortunately, the laws are rarely enforced and the recommendations are rarely carried out. Based on the facts - what is done rather than what is said - one must conclude that the government is either unwilling to or uninterested in seriously tackling child labour. Now the arguments is to look at how and why the government says so much about child labour while doing so little to combat it. It includes an overview of government programs and initiatives, efforts and omissions in implementing those initiatives and the blatant failure of the government to protect its children by enforcing the law.

11. INDIAN GOVERNMENT POLICY ON CHILD LABOUR

From the time of its independence, India has committed itself to be against the child labour. Articles 24 and 39 (e) of the Indian constitution clearly state that

.. ... no child below the age of fourteen years shall be employed to work in any factory or mine or employed in any hazardous employment. .. "

"... That the health and strength of workers ... 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 ..."

These two articles show that India has always had the goal of taking care of its children and ensuring the safety of its workers. The Bonded Labour System Act of 1976 fulfils the Indian Constitution's directive of ending forced labour. The act frees all bonded labourers, cancels any outstanding debts against them, prohibits the creation of new bondage agreements and orders the economic rehabilitation of free bonded labourers by the state. In regard to the child labour, the Indian government implemented the Child Labour Act in 1986. The purpose of this act is to prohibit the employment of children who have not completed the fourteen years in specified hazardous occupations and processes. The ILO convention 138 suggests that the minimum age for employment should not be less than fifteen years and thus the Child Labour Act of 1986 does not meet this target.

12. THE CONSTITUTION OF INDIA

The Constitution of India is the basic document of the country that makes special provisions for certain selected classes of people like women, children and disadvantaged. One of the important features of the Constitution of India is that while it recognizes the principle of equality before law, it provides for protective discrimination. For example, under Article 15(3) of the Constitution, it is provided that

" ... Nothing in this article shall prevent the State from making any special provision for women and children ..."

The Constitution of India safeguards the safety of the children. The Constitution of India lays down that,

- (i) The child labour in factories, mines and any other hazardous occupations should be prohibited (Article 24);
- (ii) The children below the age of 14 years should get free and compulsory primary education (Article 45);
- (iii) The children, because of their tender age, should not be abused and they are not forced to enter a vocation unsuited to their age and strength (Article 39-c);

(iv) The children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood is protected against moral and material abandonment (Article 39-f).

The Constitution of India, thus, seems to be of a clear view that childhood is meant to be spent in schools and not in hazardous work environs. Although Article 24 comes under the Part-III (the Fundamental Rights) of the Constitution and others come under Part-IV (the Directive Principles of State Policy) of the Constitution, the Supreme Court has creatively read the two parts together on a number of occasions. Though the concept 'hazardous' used in the Constitution has liberally been interpreted in the policy as well as the statute on the child labour, it lacks any legal definition. Only the Factories Act defines what constitutes hazardous and that too from the point of view of the adult workers. The fact that it is so vague leaves scope for wide interpretation, especially when it is read along with the provisions of Directive Principles of State Policy i.e. Articles 45, 39(e) and 39(f). The Article 24 of the Constitution is also written in an absolute manner and does not leave room for any regulation or exemption of certain sectors. Thus if the constitutional provisions related to the child are read together, they have a potential for laying down very comprehensive guidelines for a total elimination of the child labour and the protection of children from any form of exploitation.

13. NATIONAL EDUCATIONAL POLICIES AND PROGRAMMES

After independence India inherited the problem of low educational spread which saw the total exclusion of various groups like women and marginalized sections from the educational process. In the process of addressing the problem, a number of educational programmes and policies were instituted over the years. The present section attempts to brief overview of these different programmes. In the post-independence India, the problems of the educational reconstruction were reviewed by a number of commissions and committees like the University Education Commission (1948-49) and the secondary Education Commission (1952-53). An important process in educational reconstruction was set in motion with the setting up of the education commission (1964-66), which was set up to advise the government on the national pattern of education and on the general principles and policies for the development of education at all stages and in all aspects.

The right to education was placed under Part IV of the Indian Constitution, under the 'Directive Principles of State Policy'. The Article 45 of the Constitution envisaged the States endeavour to provide, within ten years of the commencement of the Constitution for free and compulsory education for all children until they complete the age of fourteen years. If this provision had been brought into effect, the magnitude of the educational problem and the low levels of literacy and schooling as is being witnessed today would not be present. The compulsory education laws require surveys to identify children who should be in school, for notices to be sent to parents informing them that a seat has been allotted to their children in a school, followed by enquiries whether the child is going to school and if not, the reason for such non-compliance. If such a concern had been actualised along with sufficient financial allocations, the problem of the universalization of education would be non-existent today.

With the submission of the report of the education commission, the National Policy of Education (NPE) of 1968 came about. The NPE of 1968 laid emphasis on the importance of education for national development. It stressed upon the fulfilment of the Directive Principle under Article 45 and the need to improve the status, emoluments and education of teachers recognising the importance of teachers in determining the quality of education. It emphasised on the equalisation of educational opportunity and stressed the importance of the education of girls. Following the NPE, 1968, a common educational structure came to be accepted in all parts of the country. This was the 10+2+ 3 model, which involved 10 years of elementary schooling (5-years of primary education, 3-years of upper primary and 2 years of high school). Two years of secondary schooling was to be a stress on technical and vocational education. This was the structure of a formal educational system in India. However, this formal educational structure failed to include in its fold a number of disadvantaged children (in rural and urban areas).

14. IMPLEMENTATION AND PROBLEMS IN ENFORCING THE CHILD LABOUR ACT

Enforcement of child labour act is a responsible task for the government and for the machinery set up under the act. Issues of child labour have, in recent times, assumed importance and many voluntary and non-government organisations have taken up the causes of the child labour. Their agenda consists of sensitising the people and also establishing the questions of child labour. Also the trade unions depreciate the idea of the child labour unless the union leaders and employers are hand-in-glove on employment of child labour. In certain industries the notions of child labour have yet to be seriously

taken. This leads to a discussion on two important aspects namely, the problems in enforcement of child labour act and their solutions.

Ignorance about the child labour act:

The ignorance prevails amongst the people in general, amongst employers, industries, parents of children make the implementation of any child labour act difficult. This also makes enforcement and prosecution difficult by the authorities. No concerned effort has been made to dispel this ignorance by adopting effective measures.

Non-sensitisation of the society:

The issue of child labour is yet to be a sensitive issue in Indian society. The employers, the NGOs and those who are active on child labour issues have yet to be active in sensitising the issues of exploiting the children in work places. Unlike the developed countries, no planned concerted actions to sensitise the issues relating to child labour have been initiated by the Indian government.

Non-co-operation on the part of the employer:

It is well known that most employers engage the children because of the advantages that accrue to them by engaging children in work places where adults could be engaged. Non-payment of appropriate wages to children and subjecting them to work in exploitative conditions are easy options for the employers. This is particularly true in the case of industries like carpet manufacturing and fireworks, where they prefer children because the work involves the nimble hands of the children. Given the advantages the children provide for the employers, it is natural for employers not to co-operate in the enforcement of law. For example, the employers would not maintain any record about employment of children. Even if he possesses the records, the employers would misrepresent children as adults before the inspector thereby frustrating the inspector and his staffs during raids and searches. In cases the employers, during the raids, let the children escape from back-doors. It shows that the employers are less likely to co-operate with the State in implementing the child labour acts as the engagement of children suits their interests.

Non-co-operation of the parents:

The poverty has always been accepted by many as the primary cause for existence of the child labour. It is also well known that parents, because of poverty, turn their children into the child labour to supplement family income. The parents therefore have developed a hardened approach on the question of sending their children to schools instead of to their place of work. The parents also lie to the inspector about the correct or actual age of the child when they are confronted. The parents are more inclined to declare their children as adults so that they could continue their labour and bring home earnings.

Administrative difficulties in enforcement:

Many inspectors responsible for monitoring the violation of the child labour act complain that they are too busy as they are under-staffed. They complain that they have no convenient facilities for carrying out raids such as government vehicle and they do not have ready facility to verify the facts of a case on which they are usually misled by the employers and their agents. They also complain that facilities for verification of age with the help of prescribed medical authorities are not always available at all places. These administrative problems greatly contribute to the problems of enforcement of the child labour act.

Leniency shown in prosecution:

The leniency shown on employers is one of the reasons responsible for the failure of the enforcement of the child labour act. Very often prosecutions are successfully conducted against erring employers to be convicted. However the employers are convicted on payment of small amounts of fine, which the employers could pay easily and get away with it. If major penalties are provided in the law and such penalties are imposed, it would act as deterrent to other wrong doers and violators of the law.

Political interference:

It is not unusual to see, in a politically unconscious society like India, that employers, against whom the actions are initiated, are able to manipulate the situations by using their political influence from local legislators and party leaders.

Unless the access to political interference is checked by suitable measures, most prosecutions against employers will continue get interfered. This is particularly true at the Panchayat, city and municipal levels.

Legal problems in enforcement:

Though there have been laws aimed at preventing the employment of children at work places, the enforcement machinery often gets inter-locked with employers on issues of legal interpretation of law. For example, there are differences of opinion on the applicability of a section, rule and notification or there may be a case where there are no rules made by the appropriate government. There may also be cases where it becomes doubtful as to whether the law applies to a particular employer or industry or not. This leads to a loss of time in correspondence between various parties involved in the cases. Getting divergent legal views on one legal issue ultimately delays the resolving and enforcing many child labour cases.

Court delays in prosecution:

Many inspectors who have launched prosecutions for violation of law, those prosecutions remain pending for a long time due to cumbersome procedures. Unless the procedures are altered to quicken the process of prosecutions, there will be no deterrent effect of any punishments for disobeying the legal requirements.

15. CONCLUSION

A sense of urgency and mission is evident in the nation's resolve to eradicate child labour. Initiatives have been launched by the Government of India, the State governments, Industrial Social Workers and voluntary agencies towards stopping Child Labour. The Government of India having realised the resource constraints and the difficulties involved in changing the people's attitude set the deadline of 2020 to remove all children from occupations. While setting in motion an action plan, the conceptual shift is seen to be effected in effecting the merging of services to working children and their families and in social mobilisation of parents, community and voluntary organisations. Serious challenges have been witnessed despite pronounced political will and commitment of the Central and State governments, determined administrative action and the enhanced allocations. India, in terms of absolute numbers, has the largest number of child labour in the world and hence withdrawing them from work place and ensuring rehabilitation is a major challenge. Thus by enacting our Child protection laws in stringent manner and execution of the same by Industrial Social Workers will put an end to Child Labour permanently.

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