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**A REVIEW OF CHILD LABOUR PRACTICES AND REGULATIONS****Kamna Abohari (Research Scholar)**  
GUNTUR, INDIA.**ABSTRACT**

*The minute division of labour and the mechanical and simple methods of performing an operation have made both possible and profitable utilization of child labour in the modern productive system. Children are future citizens of the nation and their adequate development is utmost priority of the country. Recognizing the importance of educating the future citizens and empowering them with their fundamental rights, the Government of India enacted the Child Labour (Prohibition & Regulation) Act, 1986 to prohibit engagement of children in certain employments and to regulate the conditions of work of children in certain other employments (MoLE, GoI, 2012). Government of India, with the enactment of Right to free and compulsory education act, passed the resolution to completely ban child labour for the children aged between 6 – 14 years by making necessary amendment in the Child Labour (Prohibition and Regulation) Act, 1986 (The Times of India, 2012). Hyderabad is one of the fastest growing cities in India today. However, as in most of the Indian cities, child labor remains a challenge for the city administrators as much as for the voluntary agencies working for the protection and rehabilitation of children. The present aims to analyze the present situation of child labour in Hyderabad city of Andhra Pradesh, India which is fast increasing its urban agglomeration resulting in migration from different parts of the state and country for education, employment, better living conditions, etc.*

**Introduction**

Child labour is one of the major challenges faced by the government because child labour not only deteriorates the development of child but is an impediment in overall development of the nation. Children are future citizens of the nation and their adequate

development is utmost priority of the country. It is a perennial problem since independence and it still continues to pose a challenge despite the fact that government has taken various proactive measures to tackle this problem through free education, scholarship, etc. Recognizing the importance of educating the future citizens and empowering them with their fundamental rights, the Government of India enacted the Child Labour (Prohibition & Regulation) Act, 1986 to prohibit engagement of children in certain employments and to regulate the conditions of work of children in certain other employments (MoLE, GoI, 2012). However the recent Right to Free and Compulsory Education Act states that all children aged between 6 and 14 years must be in school which contradicts with the polices mentioned under Child Labour Act, 1986 wherein some form of child labour is permitted. Government of India, with the enactment of Right to free and compulsory education act, passed the resolution to completely ban child labour for the children aged between 6 – 14 years by making necessary amendment in the Child Labour (Prohibition and Regulation) Act, 1986 (The Times of India, 2012). The present aims to analyze the present situation of child labour in Hyderabad city of Andhra Pradesh, India which is fast increasing its urban agglomeration resulting in migration from different parts of the state and country for education, employment, better living conditions, etc.

**Child Labour**

The minute division of labour and the mechanical and simple methods of performing an operation have made both possible and profitable utilization of child labour in the modern productive system. The child always used to help his parents either on the farm or in the work-shop (Das, 2006, p.111). The presence of child in the factory has given rise to several serious problems. The greatest assets of society are the resources of human faculties, on the

conservation of which, depend both its progress and prosperity. The child is the future member of the society and the highest welfare and the greatest wealth can, therefore, be assured only by the fullest development of the body and the mind of the child (Das, 2006).

Child labour is both an economic and social problem. The problem with child labour is that it can hardly be legislated away as its roots lie in abject poverty. Mustafa and Sharma (1996) mention that where social and economic conditions have improved children go to school and child labour has virtually disappeared. It is further noticed that a large percentage of children start working because of being orphaned, rejected by parents or because of broken families and other domestic problems (Saran, 2006). As this paper is devoted towards analyzing the status of child labour in Hyderabad City, it is noticed, in regard to urban areas, that when whole families move from rural to urban setting, they face the traumas of lack of shelter, hunger, joblessness, etc. which results in young children starting to help their father in petty jobs on the streets and later they start to work on their own or from somebody else (Mustafa and Sharma, 1996). And with the advent of industrialization, the situation has turned worse as more number of children are entering factories, small scale industries to support their families so that they could manage to survive in expensive urban areas.

### **Child Labour – Definition**

The decennial Census and the National Sample Survey are the two major official sources of data on child employment. Work has been defined in the Census 2001 as 'participation in any economically productive activity with or without compensation, wages or profit. (Baland and Robinson, 2000). Such participation could be physical and/or mental in nature. Working children are counted as workers only if they contribute towards the national product based on economic accounting model. This definition of labour is narrow, as it is modeled in respect to monetary contribution to national product, so far as analysis of child labour is concerned. Child labour is not just an economic issue but an issue of human rights (Sharma, 2006).

### **Status of Child Labour**

Child labour is a concrete manifestation of violations of a range of rights of children and is recognized as a serious and enormously complex social problem in India (Weiner, 1991).

Working children are denied their right to survival and development, education, leisure and play, and adequate standard of living, opportunity for developing personality, talents, mental and physical abilities, and protection from abuse and neglect (Sen and Dasgupta, 2003). Notwithstanding the increase in the enrolment of children in elementary schools and increase in literacy rates since 1980s, child labour continues to be a significant phenomenon in India. The Ministry of Statistics and Programme Implementation in its publication titled 'Children in India 2012 – A Statistical Appraisal' reports that the Census found an increase in the number of child labourers from 11.28 million in 1991 to 12.66 million in 2001. As of 2001, 10.76% of the total child labourers were from Andhra Pradesh after Uttar Pradesh which shows that there is considerable increase in absolute number of child labour between 1991 and 2001. The recent round of the National Sample Survey (NSSO) estimates suggests that the child labour in the country is around 8.9 million in 2004/2005 with a workforce participation rate of 3.4 per cent (NSSO 2004/05). As regards to Andhra Pradesh, National Sample Survey Organisation (NSSO) in its survey during 2004-05 estimated that 12,01,000 children are employed as child labourers contributing about 13.2% of the total child labours in the country while the recent 66<sup>th</sup> round of survey on child labour estimates reveal that the number of child labour has come down drastically as compared to earlier survey of 2004-05 from 13.2% to 4.71% in 2009-10. The number of child labours have come down from 12,01,000 in 2004-05 estimates to 2,34,662 in 2009-10 survey.

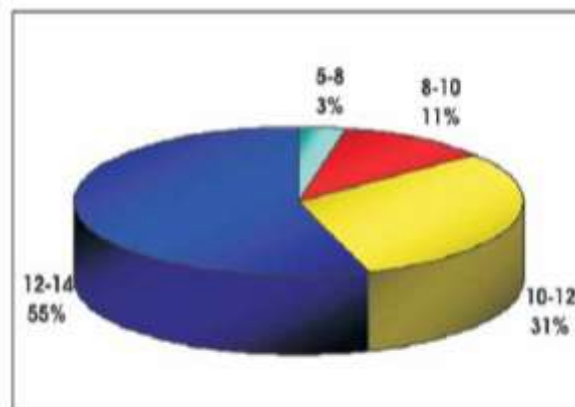
It is important to note that the situation pertaining to child labour at national level is alarming because since census 1971, the number of children aged between 5 – 14 years working as labourers has increased from 1,07,53,985 to 1,26,66,377 in 2001. However in case of Andhra Pradesh, the numbers have come down from 16,27,492 in 1971 to 13,63,339 in 2001 (Ministry of Statistics and Programme Implementation, 2012). Though the numbers have come gradually over four decades, the situation of child labour in Hyderabad is worsening considering the fact that anti child labour legislations such as Child Labour (Prohibition & Regulation) Act, 1986 and Right to Free and Compulsory Education Act have been enacted and yet the impact has been found to be on lesser extent.

### **Child Labour in Hyderabad**

Hyderabad is one of the fastest growing cities in India today. However, as in most of the Indian cities, child labor remains a challenge for the city administrators as much as for the voluntary agencies working for the protection and rehabilitation of children. As part of study carried out by Centre for Good Governance, Government of Andhra Pradesh, it was revealed that 3.72% children in 5-14 years age group i.e. 13118 out of total 352642 children living in 1016 slums in Hyderabad city were out of school and nearly half of the out of school children parents stated that they could not send their children to school as they could not afford to pay for their education (CGG, 2008). Around 11178 children (3.17%) were found to be involved in an economic activity of some kind. Shops and construction were the industries found to employing the majority of the children. About 65% of the working children (7299 out of 11178) were found to be engaged in 'light work'. The children engaged in hazardous work were mostly boys (64%). Over 3/4th of the working children worked for over 20 days a month, which indicates very little rest and leisure (CGG, 2008). The study also collected reasons from the respondents for the child to do an economic activity instead of attending school. About 87.5% of the respondents said that the child was working as this would help in supplementing the family income. About 5.2% said that the child was working as the family could not afford school fees and related expenditure. About 7% said that the child was working because the family had to repay old outstanding debts. Of those who said so, 69.6% currently had debts (CGG, 2008).

While the study was conducted long back, the situation has not changed since the enactment of Right to free and compulsory education act, 2009 because it mandates that children between the age group of 5-14 years must be in the school. As per the survey carried out by Centre for Good Governance, it is revealed that 55% of children start working between 12 – 14 years while 31% start working between the age of 10 – 12 years. It is alarming to note that children as young as five years work as child labourers and the age group of 5 – 10 years constitute about 14% of starting age (Figure 1),

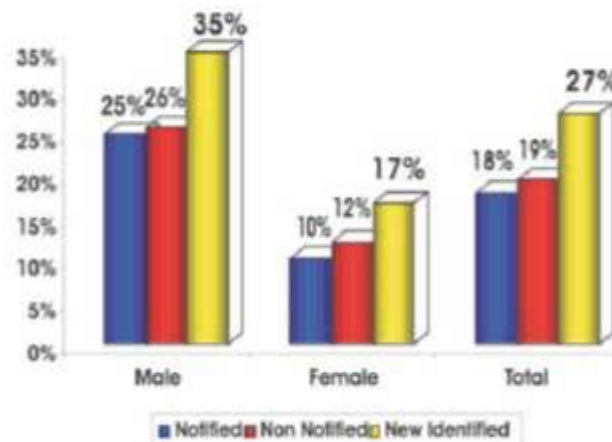
**Figure 1; Distribution of children by age of starting the work**



Source: CGG (2008) Survey of Child labour in Slums of Hyderabad, CGG, Hyderabad

The figure below further reveals that child labours are more from newly identified slums. This is an interesting finding as urbanization is increasing at alarming rate in India and Hyderabad and this has encouraged migration from rural to urban areas for employment, education, etc. While the data below indicates that 27% of child labour is prevalent in newly identified slums, as per 2008 study, it is noteworthy that the number of slum dwellers has increased by 264% as per Census 2011 (Rohit, 2013).

**Figure 2; Prevalence of child labour in slums (2008)**



Source: CGG (2008) Survey of Child labour in Slums of Hyderabad, CGG, Hyderabad

The reason for high slum concentration is attributed to increasing rural to urban

migration and lack of effective urban planning which has seen rise of slums. While Government of Andhra Pradesh through National Child Labour Project (NCLP) and various other poverty alleviation missions strives to eliminate child labour but the impact has not been satisfactory apart from being ranked second behind Uttar Pradesh.

It is evident from the fact that many employers have been arrested over the last year in 2012 for employing children below 14 years. One such employer of child labour in RangaReddy district was sentenced to one year rigorous imprisonment while another owner of a sweet company was directed to pay a fine of Rs. 2000 besides undergoing imprisonment on pleading guilty to the offence (The Hindu. 2012). The labour department of Andhra Pradesh had made enormous efforts to crack down people employing children has labourers but it has shown lesser impact in areas like Yousufguda, Krishna Nagar and Rehmanthnagar where large number of children under 14 years of age are working in welding and mechanic shops. Khan (2012) reports that there are many children performing various jobs along with adults in tiny houses that doubles up as workshops.

### Conclusion

Poverty and lack of social security are the main causes of child labour. The increasing gap between the rich and the poor, privatization of basic services and the neo – liberal economic policies causes major sections of the population out of employment and without basic needs. The growing phenomenon of using children as domestic workers and workers in small scale industries has increased with the pace of urbanization which has resulted in increased migration and emergence of new slums. While Hyderabad is getting rapidly urbanized, the issues of child labour needs to be addressed. The situation of child labour in Hyderabad city can be understood from the fact that every now and then, new cases of child labour, sexual assault on girl children in form bonded labour, domestic servants, etc. appearing in media reveal that awareness is needed not only to the children, their parents but also to the shopkeepers, owners of the small scale industries, families explaining them the need to avoid child labour and consequences of disapproving the ban on child labour.

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