

CHILD HOPE

Newsletter on Child Labour

Vol. 11, No. 2, April-June, 2022

CONTENTS

- **From the Director General's Desk** 1
- **Activities of National Resource Centre on Child Labour towards Prevention and Elimination of Child Labour** 2
- **Poems on the issue of 'Child Labour'** 5
- **Rural Industrialization for Reducing Vulnerability to Child Labour** 6
- **News Clippings on the issue of Child Labour** 8

From the Director General's Desk

The Constitution of independent India aims at positive intervention for systematic elimination of child labour. Article 24 banning employment of children below the age of fourteen years in hazardous industries, when combined with article 39 and 21 A in particular, gives a clear view that one foundational idea of the Constitution is to do away with child labour. Article 39 (f) requires the State to direct its policies towards securing "that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity, and that children and youth are protected against exploitation and against moral and material abandonment." Moreover, the Constitution views child in relation to wider economic and social and household welfare. Thus the thrust on adequate means of livelihood, material resources serving common good is articulated Article 39e "that citizens are not forced by economic necessity to enter a vocation unsuited to their age and strength". The prevailing laws related to children are 'protective' in nature.

The Child Labour Prohibition and Regulation Act, 1986 aims at progressively eliminating child labour from hazardous industries. The Supreme Court has been playing an interventionist role by upholding the spirit of the Constitution and by imposing penalties on those using child labour. The National Child Labour Policy of 1987 takes a comprehensive view of child labour as integrally related to poverty and takes a holistic position in relation to socio-economic structures and development and welfare programmes benefiting the child labour and their families and plans systematic reduction of child labour. The UN Convention on the Rights of the Child confers on the state parties the responsibility of creating congenial atmosphere so that the basic needs of the children are fulfilled. These rights grouped under survival, developmental, protection and participatory, are made to be the responsibilities of the family, community and the State, thus extending the scope from individual to collective rights. Government of India while ratifying the UN Convention on the Rights of the Child in 1992, clearly admitted that "it is not practical immediately" to do away with child labour. It further mentioned that the "economic, social and cultural rights can only be progressively implemented in the developing countries, subject to the extent of available resources and within the framework of 'international co-operation'. The problem of child labour is not unidimensional so as to be tackled by legislation alone.

Various reasons have been advanced for explaining the causes and consequences of child labour with implications for policy formulations. Child labour is inevitably linked to structural phenomenon of a developing economy. Poverty, illiteracy, subsistence wage, low investment, least mechanisation and related factors trap child in the labour market. The complexity and the magnitude of the problem defy easy comprehension of this social evil. If child labour is typically associated with poverty, the suggestion of Amartya Sen to reorient the foundational structure "from an income-centred to a capability-centred view" might suggest an alternative (Sen, 1992, p.151). It is pertinent to reorganize industry and business by way of evolving alternative marketing strategies; opening of cooperatives, generating awareness and empowering the stakeholders. Awareness on the legal provisions that address the social base of the industry may bring about the desired change. Social initiatives must also be encouraged, particularly in the field of education. Non-formal must be treated as a transitional phase, and emphasis should be laid on compulsory but qualitative formal schooling. Since most of the parents want their children to be educated, a serious effort must be made in proper and adequate schooling facilities. This will automatically reduce the problem of child labour.

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Activities of National Resource Centre on Child Labour towards Prevention and Elimination of Child Labour

Sensitization Programme on “Prevention and Elimination of Bonded Labour and Child Labour”

Sensitization Programme on “Prevention and Elimination of Bonded Labour and Child Labour” was conducted during 26th to 28th April 2022. The objectives of this Training Programme were to strengthen knowledge and skills for Identification of Bonded Labour and Child Labour; to impart knowledge on Standard Operating Procedures (SOP) for Identification and Rescue of Bonded Labour and

Child Labour; to understand the linkage between Human Trafficking, Bonded Labour and Child Labour; and to discuss the importance of effective and timely rehabilitation of rescued Bonded Labour/Child Labour. There were 50 participants who have attended the programme and they were drawn from 32 Districts of 10 States. Dr. Helen R. Sekar, Senior Fellow, was the Course Director of this Training Programme.



Events organised by participants in their respective places Post-VVGNI Training Programmes





Jalandhar, Punjab



Gorakhpur, Uttar Pradesh



Mathura, Uttar Pradesh





World Day against Child Labour

बालश्रम हटाओ | बचपन बचाओ ||



छोड़ो बच्चों मज़दूरी और श्रम, शिक्षा ग्रहण करने का हैं क्षण!

SUNDAY, 12 JUNE 2022

4 - 5 PM

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Noida, Uttar Pradesh 201301**

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Poems on the issue of 'Child Labour'

cpiu dgk g\$

अभी यहीं था कहीं मिट्टी में खेलता
कंकड़-पत्थर को ही बॉल समझकर फेंकता
तपते फर्श पर भी चैन से सो जाता,
कमियों में भी खुशियां बटोर लाता,
वो बचपन अब कहाँ है?

स्कूल के बच्चों को हैरत से देखता,
हम भी बस्ता टांग के जायेंगे ये सोचता,
रंग बिरंगी साइकिल चलाने को तरसता,
बर्फ की ठंडी आइस क्रीम खाने को मचलता,
वो बचपन अब कहाँ है?

कहीं बोरों के नीचे दब गया है,
कहीं ईंटों का बोझ उठा रहा है,
कहीं कोयले की खानों में खो गया है,
कहीं तुम जैसे और मुझ जैसे लोगों को चाय पिला रहा है,
बचपन अब कहाँ है?

कहीं वक्त से पहले बड़ा हो गया,
कहीं ज़रूरत से ज़्यादा समझदार,
कहीं मचलता है अभी भी बच्चे की तरह,
पर समझता है क्योंकि समझना ज़रूरी हो गया,
और इस सब में बचपन कहीं खो गया।

काम करते इन हाथों ने आज,
हमें भी आईना दिखा दिया,
हमने इन नन्हें बच्चों को बाल मजदूर बना दिया,
जो भी हुआ है गलत अब तक,
अब बदलाव हमें ही लाना है,
इन मासूम बच्चों को अब इनका बचपन लौटाना है।
इन मासूम बच्चों को अब इनका बचपन लौटाना है।

Poem by Ms. Sudha Vohra, VVGnLI

बाल मजदूर मजबूर हैं
कंधों पर जीवन का बोझ
किताबों की जगह हैं रद्दी का बोझ
जिस मैदान पर खेलना था
उसको साफ़ करना ही जीवन बचा
जिस जीवन में हँसना था,
वो आंसू पी कर मजबूत बना
पेट भरना होता क्या है
आज तक उसे मालुम नहीं
चैन की नींद सोना क्या है
आज तक उसने जाना नहीं
बचपन कहाँ खो गया
वो मासूम क्या बताएगा
जीवन सड़क पर गुज़र गया
वो यादे क्या बताएगा
कभी तरस भरी आँखों से
वो दो वक्त का खाता है
कभी धिक्कार के धक्के से
वो भूका ही सो जाता है
बाल मजदूरी पाप है
नियम तो बना दिया
ये उसके हित में हैं
या जीवन कठिन बना दिया
जब आज खतरे में हैं
वो क्या जीवन बनाएगा
जब पेट की भूख ही चिंता है
तो वो क्या पढ़ने जाएगा
बाल मजबूर मजबूर हैं
नियम और सताता है
अगर देश को मजबूत बनाना है
तो इस मजबूरी को हटाना है

Poem by Ms. Monika Gupta, VVGnLI

Rural Industrialization for Reducing Vulnerability to Child Labour

Dr. Ramya Ranjan Patel*

Introduction

Labour as a factor of production has life and requires different kinds of engagements as compared to the other factors of productions like land and capital. It needs decent employment consists of income, employment and social security along with certain rights and dignity. However, the lack of availability of sufficient decent employment opportunities or the lack of choice of alternative jobs forces the poor to opt for employment primarily available in the unorganized sector. The unorganized sector on the other hand fails to ensure decent employment to the workers. They suffer from massive exploitation and very often fail to generate sufficient income to keep the body and soul together. Despite both the members of the household (husband and wife) working together, the income generated is insufficient to escape poverty. Such a prolonged period of economic distress compels the poorer households to make distressed choices reflected in the form of bonded labour or child labour. There is a strong positive relationship between poverty and child labour, although the cause and effect relationship is not clearly established.

Accepting bonded labour or child labour, the exploitative forms of labour, the poor severely compromised on their security, freedom and rights. These work arrangements are better categorized as forced labour or slavery existing in the present form. The Supreme Court in its judgment of 18th September 1992 (Writ Petition 8143 of 1981, People's Union for Democratic Rights vs. Union of India) where it clarified that, when a person provides labour or service to another, against receipt of remuneration which is less than the minimum wage, he is acting under some force of some compulsion which drives him to work, though he is paid less than what he is entitled under law to receive. The freedom lost to the children working as child labour is a huge concern. As long as child labour exists development remains a distance realization. The grave concern of child labour raises questions with regard to the gap in creation of sufficient decent employment opportunities.

Problems of Insufficient Decent Employment Opportunities

In India the economic growth has been less employment intensive or growth has been jobless and jobs have been growth less. It created the process of duality in the economy i.e. a few are engaged in much lucrative jobs earning better salary, social protection, whereas the majority remains engaged in casual or informal sector which may be because of the exclusion of majority from the growth process leading thereby growing inequality of income.

The primary condition of employment generation is development of industry and particularly manufacturing. Kaldor (1984), puts the role of 'manufacturing as the engine of growth' and employment. The problem of unemployment in Indian context is basically the failure of growth of manufacturing (see the Table and Figure). In the whole process of 'Structural Transformation' the sector (industry and particularly manufacturing) that could have absorbed the vast majority of 'reserve army', remains stagnated, unlike the case of the 'East Asian Miracles' and the world manufacturing house of China (TVES).

Secondly, there is over emphasis on capital intensive heavy industries during the entire industrialization process. Kochar et al. (2006) noted that, the paradox of Indian manufacturing is that a labour-rich, capital-poor economy using too little of the former and using the latter very inefficiently. Probably that is why the very regions in which the 'temples' of modern India are established (Rourkela in Odisha, Bhilai in Chhattisgarh, Bokaro in Jharkhand and Durgapur in West Bengal) are still known as the most backward states in India. In Chotanagpur area, though the tribals constitute more than 50 per cent of the total population, not more than 5 per cent of the tribals are employed in the industrial working force (Saxena, 2005). Unfortunately, the penchant for heavy industries still continue. On the other hand, the Indian growth story is mainly explained by the growth of service sector that is less sensitive to employment growth.

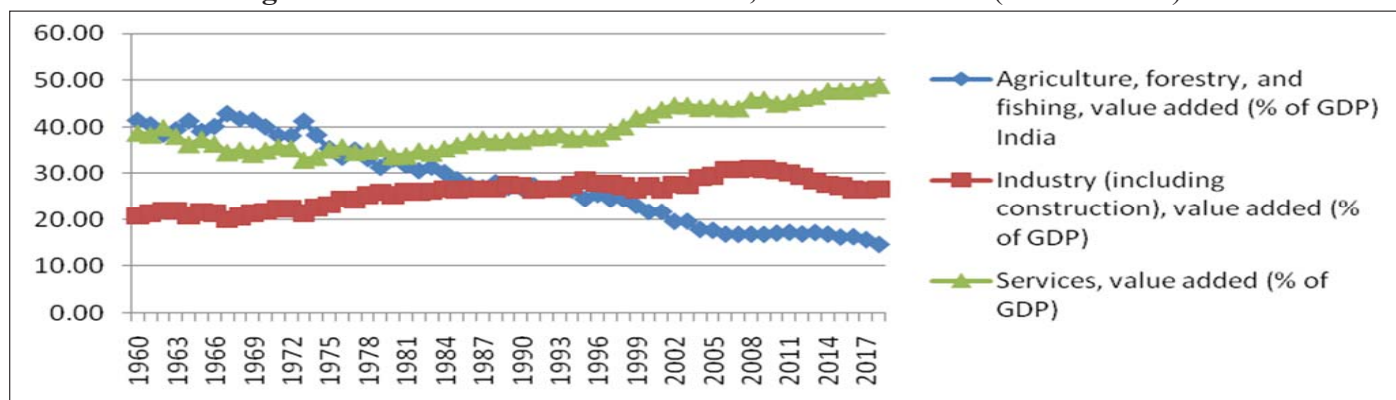
* Associate Fellow, V. V. Giri National Labour Institute, Noida

Table: Manufacturing, value added (% of GDP)

	1965	1970	1975	1980	1985	1990	1995	2000	2005	2010	2015	2018
Bangladesh	5.45	5.8	7.04	14.49	14.5	13.24	15.9	14.04	14.74	16.1	16.79	17.96
India	15	14.46	15.8	16.75	16.4	16.6	17.9	15.93	15.97	17	15.58	14.82
Nepal	3.28	3.68	4.01	4.01	5.39	5.76	8.92	8.84	7.62	5.95	5.59	4.99
Pakistan	13.4	14.58	15.6	14.31	14.3	15.46	14.6	13.66	17.49	13.1	12.79	12.18
Sri Lanka	17.5	16.08	19.4	16.61	13.5	13.4	14.1	15.05	19.51	18.1	16.26	16.22
Korea, Rep.	17	17.17	19.9	21.58	23.9	24.6	25.2	26.01	25.52	27.8	27.09	27.23

Source: World Development Indicators

Figure: Sectoral Contribution of GDP, India 1960-2017 (Source: WDI)



Rural Industrialization as a Solution: Gandhian Understanding

The town-dwellers have believed that India is to be found in its towns and the villages were created to minister to their needs (*Harijan*, 4-4-'36, p. 63). Gandhiji had a plan which was focused on rural and moreover on village industries. He always emphasized that villages must be self-sufficient and self-reliant (*Hindustan Standard*, 6-12-'44). He suggested that India could be industrialized not by introducing machine industry particularly when there are many hands lying idle ... India could be industrialized only when people could become industrious (*Gram Swaraj* p. 34) and therefore the village communities should be revived.

Gandhiji wanted rural industries because he believed in the realization of human potential. The central importance of use of hands or physical labour was central to his economic freedom. Any plan which exploited the raw materials of a country and neglected the potentially more powerful man-power was lop-sided and could never tend to establish human equality. Real planning therefore consists of the best utilization of the whole man-power of India (*H.*, 23-3-'47, p. 198). Thus he suggested 'Khadi' as the beginning of industrialization of India that could bring in economic freedom and equality of all people in the country. It better utilizes the labour and intellect of the villagers. The same has been reflected from the history of the first developed

country (U.K.) which shows that the textile industry has made a notable contribution during the first phase of industrialization. Modern cities like Liverpool, Bristol, Manchester, Glasgow, and Lancashire were flourished because of the cotton and textiles mills. Rostow (1959) noted that cotton textile is a leading sector for many countries, including Britain and New England, at the early and 'take-off' stages of development.

Moreover, Khadi mentality means decentralization of the production and distribution of the necessities of life. The revival of hand-spinning and hand-weaving will make the largest contribution to the economic and the moral regeneration of India. The millions must have a simple industry in the form of spinning to supplement agriculture. He suggested that if the millions are to be saved from starvation, they must be enabled to reintroduce spinning in their homes and every village must repossess its own weaver (*Y.I.*, 21-7-'20, p.4).

The disease of the masses is not want of money so much as it is want of work. Gandhiji said labour is money. He, who provides dignified labour for the millions in their cottages, provides food and clothing, or which is the same thing, money. The Charkha provides such labour (*Y.I.*, 18-6-'25, p.211) and the Charkha is the symbol of non-violent economic self-sufficiency. India will then not be known by her cities like Bombay and Calcutta, but by her 400 millions inhabiting the seven lakhs of villages (*Khadi – Why*

and How, 1959, p.150). The only way to remove poverty and hunger is, the villagers to grow their own food (development of agriculture) and produce their own clothes (development of industries required more hands). If this happy consummation could be achieved, the eyes of the whole world would be turned towards India (H., 22-9-'46, p.322).

Conclusions

Lack of decent employment opportunities in the absence of adequate ownership of assets is primarily responsible for poverty. Poverty forces the poor to make distressed livelihood options including child labour. With regard to the location from where child labour primarily originates, it is in the backwards villages of less developed regions. Villages, particularly in the backward regions of India, are the primary source of origin of child labour.

Prevalence of Child labour is primarily due to non-availability of decent livelihood and employment opportunities to the adults. Resolving the issue of employment of adults would be the best of strategies to end the problem of child labour. Village industries/ small scale industries that require more hands in this context play a crucial role in resolving the larger employment problem. Employment creation in the rural industries and the consequent raising of the income of the rural poor households will surely contribute substantially towards bringing down the

magnitude and incidence of child labour and make our country totally free from child labour.

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News Clippings on the issue of Child Labour

4 दैनिक जागरण आगरा/गधुरा, 12 मई, 2022

बाल श्रम कराने वाले प्रतिष्ठानों पर दर्ज होगी एफआइआर

सवाद सहयोगी, गधुरा : नाबालिग बच्चों से भीख मंगवाने व उनसे काम कराने वाले लोगों पर श्रम विभाग शिकंजा कसेगा। श्रम विभाग ने इसके लिए शहरी क्षेत्र में बाल श्रम से जुड़े बच्चों की तलाश शुरू कर दी है।

अिन स्थानों पर वे बाल श्रमिकों को ढूँढेंगे, उनके संचालकों को नोटिस भेजा जाएगा। नोटिस का सही जवाब नहीं मिलने पर उनके खिलाफ रिपोर्ट कराई जाएगी। उनको बिना वारंट के गिरफ्तार किया जाएगा।

शहर से लेकर देहात तक के क्षेत्रों के होटलों, छावों व दुकानों पर 14 वर्ष की उम्र से कम के बच्चे बाल मजदूरी करते देखे जा रहे हैं। वहीं 14 वर्ष की आयु वर्ग के बालक विभिन्न फैक्ट्रियों-कारखानों, दुकानों-प्रतिष्ठानों पर और 18 वर्ष आयु वर्ग

बाल श्रम कानूनी अपराध है। ऐसा कार्य कराने वालों पर रिपोर्ट दर्ज कराकर बिना वारंट के गिरफ्तारी व जुर्माना का भी प्रयोजन है। अभी हाल ही में शहरी क्षेत्र में 13 बाल श्रमिकों को शिन्धित किया गया है, उन्हें नोटिस भेजे गए हैं। जवाब न देने पर कार्रवाई की जाएगी।

एमरल पाल, सरायक बम अदालत के बच्चे खतरनाक मशीनों व उद्योगों में कार्य नहीं कर सकते हैं। श्रम विभाग, पुलिस व चाइल्ड लाइन के संयुक्त तत्वावर्यान में हाल ही में थाना हाईवे व कीतवाली क्षेत्र में अभियान चलाकर 13 बच्चों को चिन्हित किया गया है। अब इनके स्वजन की आर्थिक स्थिति का पता लगाया जा रहा है।

दैनिक भास्कर जालंधर भास्कर 10-03-2022

शहीद अजीत सिंह नौजवान सोसायटी



जालंधर | नेहरू युवा केंद्र भारत के महिला दिवस नेशनल चाइल्ड लेबर जिला युवा अधिकारी नित्यानंद यादव के दिशा निर्देश पर शहीद अजीत सिंह नौजवान सोसायटी ने इंटरनेशनल

महिला दिवस नेशनल चाइल्ड लेबर स्कूल में मनाया। इस मौके पर प्रेसिडेंट दीपक महेंद्र, रिचा, प्रियंका, जसविंदर कौर, सुनीता, आर्यन मौजूद थे।