

## Child Labour in India

### COVER STORY

### Stolen childhood

JAYATI GHOSH

**India has the world's largest child labourer population, and ineffective laws and the absence of a multi-pronged strategy perpetuate the malady.**

RUPAK DE CHOWDHURI/ REUTERS



**EIGHT-YEAR-OLD MUNNA REJA with his burden of stones on the banks of the Balason river on the outskirts of Siliguri, West Bengal, on October 10.**



IT is not new for economies to use the productive labour of children. The history of capitalism is replete with such instances, especially in phases of rapid industrialisation. Dickensian stories of cheap child labour being exploited by rapacious early capitalists were some of the cultural staples of the Industrial Revolution in England. More recently, child labour has been widely associated with poverty and seen as a sign of backwardness.

Yet it is remarkably persistent and remains widespread in much of the developing world, including in the booming parts of the world economy. A 2003 survey by the International Labour Organisation suggested that there are 246 million child labourers (aged 14 years or less) in the world, and that as many as 180 million of them are engaged in hazardous activities that put them at direct physical risk. While this may be an overestimate, it should not be completely dismissed either.



**Allahabad, October 12.**

Within this, it is generally accepted that India has the largest number of child labourers in the world. The United Nations Children's Fund (UNICEF) estimates that there are more than 35 million such children, accounting for 14 per cent of the children in the 5-14 age group. Other unofficial estimates are much higher, ranging between 60 and 125 million child labourers. Meanwhile, the Census data for 2001 suggest a much lower incidence, with 12.5 million child labourers identified, which would



be less than 5 per cent of the relevant age group. This represents a declining incidence compared with the 1991 figure of 6.4 per cent of the children between 5 and 14 years.

There is of course a lot of debate about these figures. Because so much of child labour is in informal activities, and is anyway a shadowy thing that very few parents or employers want to admit to allowing, there is no way of being sure of the accuracy of any calculations. The larger estimates (which are typically derived by looking at the number of children who are out of school and who are therefore assumed to be working) give a picture of an enormous national sweatshop, with production growth based on the exploitation of children. But there are reasons to be sceptical about the much larger estimates, even though it is certainly the case that those children who have never attended school or have dropped out of school are far more likely to be drawn into the work force.



**Bangalore, October 6.**



For obvious reasons, this is a highly emotive issue. It can and should generate strong responses, but the high social tolerance of inequity and exclusion in India has unfortunately meant that some of the strongest responses have come from outside the country. The international community has become increasingly aware of some of the more egregious practices of child labour exploitation in certain export industries such as carpet weaving, which have led to calls for boycotts and sanctions on exports. Domestically, the response has been to cry foul and decry the protectionism inherent in this approach, which somehow implies that only the child labour in export industries should be dealt with.

In actual fact, export industries account for a very small proportion of the child labour in India, and the worst conditions are not to be found there but in other activities. In any case, urban child labour is by all accounts a very small proportion of the total, well below 10 per cent. According to both official data and most studies, nearly half the child labour in India is involved in agriculture. Most of the rest is involved in informal and service sector activities or in small home-based or cottage enterprises.



**Ukhrul, Manipur, October 10.**

This does not mean, of course, that such children are not exploited or deprived of both their childhood and their future prospects. But the preponderance of informal activities does create real problems for dealing with this through policy and for



eliminating child labour. However, there are other areas where the prevalence of child labour should be much easier to control and yet where it continues to persist.

The most appalling form of this is in the continuing prevalence of bonded child labour, which is completely illegal and yet persists in many regions and activities. There are certain industries that are known to be heavily reliant on bonded child labour and certain geographical locations that have become infamous for it as well. The fireworks producers of Sivakasi in Tamil Nadu, the carpet industry in Mirzapur in Uttar Pradesh, the glass bangle makers of Jaipur in Rajasthan, the brassware industry of Uttar Pradesh and the gems industry of Mumbai have all been associated with substantial use of child labour. Other activities that have been known to use bonded child labour include knitwear- and matchstick-making units, beedi-making, tea plantations and some cultivation operations in cotton and sugarcane. Bonded and other child labour is also frequently found in services, especially in tea shops and truck shops, domestic service and commercial sex work.



**Hyderabad, October 09.**

Obviously, the children working in so-called debt servitude are particularly vulnerable and heavily exploited. They are often exposed to severe occupational hazards - which can lead to stunting, deformities, other health hazards and future debilities - quite apart from working long hours in dreadful conditions for appallingly low wages. There are many recorded instances of maltreatment and corporal punishment by employers. In general, the hazards that such children and other child workers in vulnerable situations face are not only physical, but also cognitive, social and emotional; and in most cases they are damaged for life as a result. There is next to no protection for such children, despite many government laws and policies.



Another important concern relates to the children of migrant workers, who are disproportionately prone to become child labourers, often in very oppressive and personally damaging circumstances. These are in addition to those bonded or "pledged" child workers who are forced to migrate without their parents, in groups organised by contractors.



**Mumbai, October 10.**

The Indian government actually has a plethora of laws and specific policies to address child labour. While child labour *per se* is not banned in India, the Child Labour (Prohibition and Regulation) Act of 1986 regulates the hours and conditions (but not the wages) of some child workers and bans the use of child workers in specified hazardous occupations, including fireworks and chemical industries. There are separate laws governing child labour in factories, in commercial establishments, on plantations, and in apprenticeships. There are laws governing the use of migrant labour and contract labour, which would also apply to children. For children in servitude, the Bonded Labour System (Abolition) Act, 1976, strictly outlaws all forms of debt bondage



and forced labour and is an extension of a law enacted in 1933 by the British colonial government relating specifically to child bondage.

But these laws have been singularly ineffective. They have rarely been even monitored, much less enforced. A study by Human Rights Watch conducted over 1995 and 1996 in several States of India found that all of these laws were routinely flouted, with absolutely no risk of any punishment to the offender ("The small hands of slavery: Bonded child labour in India"; Human Rights Watch Asia, 1996). Many other instances of blatant violation of the laws have been documented by Neera Burra and Lakshmidhar Mishra.



**New Delhi, October 1.**

Corruption is often cited as the primary cause of such brazen flouting of the law by those who exploit child labour, but generalised social apathy is also an important contributory factor. Indian society, with its still widespread concepts of birth-determined hierarchies and the guarding of privileges by the elite, has proved to be only too willing to accept certain myths that allow for the perpetuation of child labour, both bonded and "voluntary".



For example, the argument is frequently heard that much of child labour is simply an extension of the family unit, which allows a child to learn the traditional trade in comfortable circumstances and at the "right age", usually below 12 years. This notion is not only empirically questionable but also fundamentally casteist, effectively assuming that such children only deserve training according to their social and class background, rather than equal opportunities for education and advancement as all other children.

It is taken as axiomatic in most discussions on child labour that it is a direct result of poverty and that little good will come of enforcing bans unless something is first done about the income-earning opportunities of the parents. But this is far too simple an interpretation. Obviously, it is mainly the poor who are forced to make their children go to work, but it does not follow that there is a necessary causal relation in one direction.

R.V. MOORTHY



**Children from the Bachapao Bachao Andolan performing a street play as part of its month-long nation-wide campaign 'From Work to School' outside the Labour Ministry office in New Delhi on October 10.**

In fact, it has been plausibly argued that child labour can actually lead to more poverty, by depressing wages in general and by forcing all family members to work at below subsistence wages to meet household survival needs. It can be shown that if the banning of child labour is effective and forces wages to go up in that area or activity, both parents and children will be better off even in income terms, not to mention overall well-being.



It is interesting to note that the four States that account for more than 40 per cent of all the officially recorded child labour in India - Andhra Pradesh, Karnataka, Maharashtra and Tamil Nadu - are among the richer States in India. This suggests that low per capita income is not necessarily associated with higher incidence of child labour across the States.

Especially in societies like those in India, child labour is not only (or always even dominantly) about poverty: it is essentially about social exclusion, inequality and discrimination, which allow the relative poverty of some to be exploited in this manner. Factors such as inadequate employment opportunities for adult members of the household and lack of access to credit markets and social welfare schemes to guard against hunger or illness, all clearly play a role. But segmented labour markets result from more than these features, and are deeply embedded in social processes. Indeed, the reality of discriminatory perceptions in India is directly reflected in official inaction and implicit toleration of the widespread legal violations as well as in the indifference and even complacency of society at large.



**Patna, October 9.**



This is not to say that there are no voices of protest or effective actions against child labour within India. Non-governmental organisations (NGOs) and social movements, ranging from MV Foundation in Andhra Pradesh to those fighting child bondage in particular areas across India, have shown how strategies to move children from paid or unpaid labour to school can work and how these strategies can be scaled up.

Nationally, there is no question that the most basic public intervention to eliminate child labour has got to be the provision of free, compulsory and good-quality schooling for all children. This is the most essential plank of any effective strategy. This is just one of the reasons why it is so important to ensure the adoption of a 'right to education' law that ensures universal schooling without exceptions or caveats. It is also necessary to make such legislation effective in terms of allocating sufficient public resources for this and making sure that community control and adequate teacher training allow for good quality schooling for all.

Banning child labour outright certainly appears to be a laudatory goal, but in the context of the ineffective existing laws and the less-than-half-hearted implementation described above, it is not in itself likely to have much impact. This is not an argument to accept poor legal enforcement - obviously, we have to fight for more comprehensive monitoring, regulation and enforcement of laws with respect to child labour. But it is clearly the case that the elimination of child labour requires a more comprehensive and multi-pronged strategy, with universal schooling as a key element. The experience of some other developing countries that have had some success in reducing or eliminating child labour, such as South Korea and Brazil, can be instructive.

In Brazil, in addition to a law on universal schooling, there has been a special programme - the Bolsa Escola - which provides "education grants" or school stipends based on household monthly wages, which enable poor families to send their children to school. This was accompanied by laws banning child labour and a greatly strengthened programme of labour inspections to discover and punish cases of using child labour.

Along with this, there have been strategies of using NGOs and federations of industrialists and employers to implement codes of conduct in activities that have a high incidence of child labour, such as automobile manufacturing, steel, shoes and citrus and sugar plantations. As a result of this, UNICEF has estimated that the incidence of child labour in Brazil fell by half over the decade up to 2003, even though it still accounted for 7 per cent of children in the 7-14 age group.





**Jammu, October 10.**





**Coimbatore, October 26.**

The recent experience of China is also interesting. China experienced a rise in child labour from the mid-1990s, to the point where the estimates of child labour ranged from 10 to 20 million for 2005. Most analysts agree that the partial dismantling of the once free and universal socialist school education system has been critical. Thus, the decline in public educational spending and the increase in school tuition fees have been important proximate causes of the increase in child labour. There have been many cited instances of parents who cannot any more afford to send their children to school without some additional income from their paid labour. It has also been noted that the system of examinations and progression through school also creates disincentives against continuation for children from poor families who perform poorly in any one year.



# Child labour – a fact file



## Government policy

- National Child Labour Policy, 1987, envisaged a multi-pronged approach:

- ▶ Strict enforcement of legislation
- ▶ General development programmes for families of child labourers
- ▶ Project-based plan of action for elimination of child labour, following a sequential approach

## Numbers of child labourers

State/Union Territory	Census 1991	Census 2001
Andhra Pradesh	16,61,940	13,63,339
Assam	3,27,598	3,51,416
Bihar	9,42,245	11,17,500
Chhattisgarh	--	3,64,572
Gujarat	5,23,585	485,530
Haryana	1,09,691	2,53,491
Jammu & Kashmir	**	1,75,630

## Child labour in India



## Child labour trends in India

Economically active children in India (5-14 years, in crores)

1981	1.30
1991	1.13
2001	1.26

## International scenario

Global trends in children's economic activity by region



In addition, rapid rural-urban migration and lack of social protection to migrants have been important. It has been found in China, as in India, that the children of migrant workers are particularly vulnerable to becoming child labourers, not least because they do not have access to the urban public education system on equal terms.



**Landmark case:**  
M.C.Mehta vs. State of Tamil Nadu & Ors, December 10, 1996.  
A Bench comprising Justices Kuldip Singh, B.L. Hansaria, and S.B.Majumdar issued several directions:

1. Payment of compensation of Rs.20,000 by the offending employer for every child employed in contravention of the Act.
2. Constitution of a Child Labour Rehabilitation and Welfare Fund.
3. Alternative employment to an adult member of the family in place of the child withdrawn from the hazardous occupation, or payment of Rs.5,000 for each child employed in hazardous employment by the appropriate government (Central or State) to the family of the child withdrawn from work.
4. Provision of education in a suitable institution for the child withdrawn from work in hazardous and prohibited categories of employment. In the non-hazardous category, the court permitted children to work for 4-6 hours a day and receive education for two hours a day with a clear direction that the cost of such education should be borne by the employer of the establishment concerned.
5. Constitution of a separate cell in the Labour Department of the appropriate government to monitor the implementation of these directions.

Information: V. Venkatesan in New Delhi  
Graphics: Surajit Patra

The Chinese government has begun to act against the rise in child labour, particularly after some highly publicised cases of physical hazards and even death of working children in factories. There were already laws that criminalised child labour in potentially hazardous situations or in bonded form. A new law makes the hiring of a minor punishable by a fine of 5000 Yuan per worker, cumulative over the months of employment. There is some evidence that this law is actually being implemented, although with regional differences, and this has already created strong disincentives against the hiring of child labour.

It is obvious that child labour is neither socially desirable, nor is it a necessary outcome of a particular stage of development. But strategies to combat it require more than pious expressions by policy-makers. Ultimately, in India, as in other developing



countries, a greater degree of public outrage and social action is required to make any counter-strategies really effective. For that, all of us as citizens are collectively responsible.



**COVER STORY**  
**Primary lessons**

T.K. RAJALAKSHMI

**The link between compulsory education and elimination of child labour was underscored at the time when the SSA was launched.**

RAJEEV BHATT



**Attending a school run by the National Child Labour Project as part of the INDUS project in Delhi. Most of these children were rag-pickers. Now they get their mid-day meal every day and Rs.100 every month.**

INSIDE a dim-lit room in a resettlement colony in New Delhi, some 50 children aged between nine and 14 are seated on the floor, each holding a notebook and a pencil. This is their classroom, a classroom without a blackboard. A few blocks away,



another set of children in school uniform, residents of the same resettlement colony, are returning home carrying their schoolbags and lunch boxes. The former attend a school run by the State Labour Department for "working children" under the National Child Labour Project (NCLP) while the latter go to a regular municipal school, where children of lower-income groups study. A third category of children in the national capital go to public schools, some of which have air-conditioned classrooms and school buses. These children are in a small minority.

The policy document on the rehabilitation of working children brought out by the Ministry of Labour and Employment seeks to make a distinction between 'child labour' and 'child work'. It quotes the M.S. Gurupadaswamy Committee Report (1979), which emphasised that in all future actions dealing with child labour, the basic difference between 'child work' and 'child labour' would have to be taken note of. Supporting this argument, the document quotes a well-known researcher, G.K. Lietaer, whose main thesis is that in a country where a major proportion of the workforce is still employed in agriculture and related activities, children assist parents in ancillary tasks and hence, there is a need to make a clear distinction between 'child labour' and 'child work'.

The current understanding of the government on this subject, therefore, is not different from the Gurupadaswamy Committee's findings or from the views expressed by independent researchers. It can be construed that the government does not recognise the fact that the majority of the working children are not working out of choice; they are deprived of education and childhood.

The government's stand, as exemplified in the Child Labour (Prohibition and Regulation) Act, 1986, and several other State laws, does not advocate a complete ban on all forms of child labour. Shahid Meezan, Director of the Child Labour Division, says it is futile to get into a definitional debate.

The issue is not a definitional one, said R. Govinda, Professor of Education at the National Institute of Educational Research and Planning (NIEPA). "It is clear that if a child is not in school, then the child is a child worker or a labourer. By excluding the child from school, we are including the child in the category of child labour," he said. To prohibit child labour on the one hand and to exclude the child from school does not make any sense. Govinda was doubtful whether the goal of 'Education For All' would be achieved by 2015. Even the Sarva Shiksha Abhiyaan's (SSA) commitment to universalise elementary education by 2010 appears impossible to attain, he said. He felt that the government's claim that 1.26 crore children were economically active was incorrect as there were some flaws in the methodology adopted to arrive at the data. The dropout rates in the upper primary stage were high and the definition of out-of-school children was also not correct, he argued. Neither is the government proactive, nor is there a clear-cut programme, according to him.



SHAJU JOHN



**At a school in Chennai, Kalaivani is engaged in construction work. A file picture.**

Govinda served on one of the committees of the reconstituted Central Advisory Board on Education (CABE). The committee's mandate was to draft a Right to Education Bill. He said it was surprising that despite the committee's recommendations for a strong Central Act to implement the constitutional obligation of providing free, compulsory and quality education, the government had shifted the onus to the State governments by drafting a model Bill. The committee had recommended that mere legislation was not enough; the government had to set up institutional mechanisms to enable children to realise their entitlements. A blueprint of the National Commission for Elementary Education was also prepared. The model Bill prepared by the Central government falls short of all the significant interventions suggested by the CABE committee. Govinda said: "We are talking about some 40 million children who have been incapacitated to access resources." Nowhere in the world, he said, were children treated in such a cavalier fashion by the state as in India. "The state should ideally claim guardianship of all children," he said.



Is the government in a position to take guardianship of 1.26 crore economically active children? It does not seem to be in a position even to claim moral responsibility given the present state of the mainstream government schools. Most government schools do not even have the pre-primary component built in them. By contrast (to quote "EFA Progress: Where do we Stand?" a UNESCO report of 2005), at least one year of pre-primary education is compulsory in Denmark, Israel, Latvia, Myanmar, the Netherlands, the Republic of Moldova and 10 Latin American and Caribbean nations.

Most of the pre-primary component is built through the Integrated Child Development Services (ICDS) scheme where the main onus of imparting education is on the already burdened and underpaid ICDS worker. According to the UNESCO report, nearly 19 countries have more than one million out-of-school primary school children, including 10 in sub-Saharan Africa and the three South Asian countries of India, Pakistan and Bangladesh.

A recent analytical report on "Elementary Education in India: Progress towards UEE", authored by a NIEPA Professor, Arun C. Mehta, made interesting observations. The report is based on a survey of around 581 districts in 29 States and Union Territories. It assessed, mainly in quantitative terms, the state of elementary education in these areas. It was found that more than half the primary schools were located beyond 10 kilometres from the block headquarters. Only 16.35 per cent of the schools in rural areas were located within a distance of 5 km from the block headquarters as compared with 71.29 per cent in urban areas. Evidently, to a great extent the distance affected the attendance of girls and enrolment in rural schools.

The report observed that nearly 30,048 primary schools were running without any building and the majority of these were in rural areas and run by the government. Irrespective of the type of school, a school imparting elementary education in 2005 had an average of 3.7 rooms and the average of all the districts under survey showed that a good number of schools were without classrooms. The strength of the teaching staff was also found to be very low; a fairly good number of schools, both in urban and rural areas, had only one teacher. Remarkably, Chandigarh had no single-teacher primary school while Delhi and Kerala had only 10 and 13 such schools, respectively, in 2005.

Something as basic as a boundary wall was missing in most government schools. Many primary schools (55.62 per cent) and upper primary (34.21 per cent) schools did not have boundary walls; the highest percentage of schools with boundary walls was in Delhi. Even drinking water was not available in all the schools. Only some 80 per cent of the government schools had some kind of drinking water facility while nearly 93 per cent of the private schools had such facilities. The report did not go into the question of the quality of water.

Gender parity in enrolment is a serious issue. According to the NIEPA report, enrolment of girls remains lower than that of boys. Not much improvement was seen in the primary and upper primary classes in 2004 and 2005. In primary classes, the share of



girls' enrolment in 2005 was 47.52 per cent as compared with 47.47 per cent in the previous year. It was even less in the upper primary sections.

Even in urban areas, the enrolment in both primary and upper primary sections has not crossed the 50 per cent mark. Without bringing girls under the education system, the goal of Universal Primary Education (UPE) would not be attained in the near future, the report pointed out.

The report found that in many States, the dropout rate in Class I was found to be alarmingly high. Tamil Nadu, Kerala, Chandigarh and Mizoram had a below 5 per cent dropout and repetition rate while Uttar Pradesh, Rajasthan, Andhra Pradesh and Meghalaya had a dropout rate of above 15 per cent for primary classes. Therefore, on the one hand, a large number of children were getting enrolled and on the other, 10 out of 100 children who enrolled dropped out from primary classes in a single year. The report has recommended serious intervention to curb the high dropout rate.

But where were these out-of-school children? Were they absorbed into the labour market or did they find their way into alternative school systems where the facilities are worse than those available in government schools?



## Central Acts

**1.Children (Pledging of Labour) Act, 1933.** Prohibits parents and guardians from pledging the service of a child in return for advances.

**2.The Employment of Child Act, 1938.** Ambiguous in its scope and content, it classifies children into two age groups for prohibition and regulation of their employment.

**3.The Child Labour (Prohibition and Regulation) Act, 1986.** Prohibits employment of children below 14 in 7 occupations and 18 processes. Also regulates the working conditions of children in other employment. This the principal enactment on the employment of children.

**4.Notification issued on June 26, 1993.** Regulates working conditions of children in all employments which are not prohibited under the CLA 1986.

**5.Section 67 of Factories Act,1948.** Prohibits employment of children below 14.

**6.Plantation Labour Act, 1951.** Section 24 prohibits employment of children below 12 in any plantation. Section 26 prohibits employment of any child over 12 without a certificate of fitness granted under Section 27. which must be in the

and forbids their presence in any part of a mine.

**9. Motor Transport Workers Act, 1961.** Section 21 prohibits employment of children in any capacity in any motor transport undertaking.

**10. Apprentices Act, 1961.** Section 3 qualifies an apprentice as a person who is over 14, with such standards of education and physical fitness as may be prescribed.

**11.Beedi and Cigar Workers (Conditions of Employment) Act, 1966.** Prohibits employment of children in any industrial premises.

**12.Minimum Wages Act, 1948.** Fixes, reviews, revises and enforces minimum rates of wages relating to scheduled employment notified under the law by the appropriate State government. The Act fixes minimum wage rates in employments in which the labour force is vulnerable to exploitation, is not well organised, and has no effective bargaining power.

**13.Contract Labour Act, 1970.** Regulates the employment of contract labour in certain establishments and provides for its abolition under certain circumstances.

**14.Bonded Labour System (Abolition) Act 1976.** Frees bonded labourers with simultane-



The SSA was launched in 2001 with the objective of achieving UPE by 2007 and Universal Elementary Education (UEE) by 2010, neither of which seems to be possible given the current situation.

In 2002, the second National Commission on Labour observed in its voluminous report that child labour was largely prevalent owing to illiteracy among the poor sections and recommended that compulsory primary education, as mandated in the Constitution, be provided to children in the 6-14 age group.

That there was a link between eliminating child labour and compulsory education was underscored around the same time as the launch of the SSA.

While the government has appropriated feel-good jargon such as 'convergence', little seems to be happening on the ground. It is now close to two decades since the launch of the NCLP. The main objective of the policy was to rehabilitate children who had been withdrawn from employment, thus reducing instances of child labour. There are still no clear-cut directives on rehabilitation in terms of who will bear the cost.

The project believes in the educational and economic rehabilitation of working children and that is why it has some convergence of activity with the SSA. The rehabilitation of children under the NCLP has been almost non-existent and now, with the addition of two more categories in the list of occupations in which children cannot be employed, the task has become even more difficult.



**COVER STORY**

**`We see good results'**

T. K. RAJALAKSHMI

**Interview with Shahid Meezan, Director, Child Labour Division.**

V.V. KRISHNAN



**Shahid Meezan, Director, Child Labour Division, Ministry of Labour and Employment.**

SHAHID MEEZAN, Director, Child Labour Division in the Ministry of Labour and Employment, spoke to *Frontline* on the challenge of eradicating child labour and on the initiatives taken by the Labour Ministry. Excerpts:



**In the wake of the recent notification banning the employment of children under 14 as domestics and in the hospitality sector, how would you rate the efforts of the Labour Ministry and, specifically, those of your Department in dealing with child labour in occupations mentioned in the Child Labour (Prohibition and Regulation) Act, 1986?**

The notification is an important step in the overall strategy of eradicating child labour. We listed and emphasised these two major categories in the hazardous work segment as these occupations are fairly widespread and also visible. Most of the other occupations where we find children working are confined to certain areas. That is one reason why a countrywide campaign was needed. The minute we decided to issue the notification, we started involving State governments and asked them for their action plans for the implementation of the notification and also for the rehabilitation of the children using other government schemes as well. The State Labour Departments, as the nodal agencies, were supposed to give the action plans. They gave us their action plans for child labour in these two occupations in particular.

We generally don't rate our efforts, but wherever there is a better administration by the project societies we see good results. The proposals to run special schools are given to the State governments and after approval, given to non-governmental organisations (NGOs). In 99 per cent of the cases, NGOs are running the schools. People implement projects, so if there are officials at the district level who are enthusiastic and take it up as a priority, the schemes work well. There are individual cases of excellence and cases where the delivery has been average. In some cases, State governments have been regularly monitoring the prevalence and rehabilitation of child labour. For instance, Tamil Nadu produced an action plan for different districts for the elimination of child labour, setting up timelines and targets. As a result of this, the districts in the State have begun taking interest. State-level monitoring has to be taken up and we presume that State governments are regularly monitoring the situation.

**The government had resolved to eliminate child labour in the hazardous sector by the end of the 10th Five-Year Plan. But that has not happened.**

We are proposing more focussed monitoring by the States in the 11th Plan. We feel that it should be monitored at the level of the Chief Secretary. We have told all States to prepare plans with district-level targets. Hopefully, it will bear results as it has done in the case of States like Tamil Nadu, Andhra Pradesh and, to some extent, Karnataka. In our proposal for the 11th Plan, we plan to focus on the hazardous industries and we hope to achieve something tangible by the end of the Plan period. Given our focus and commitment, we should be able to do it. Why I say this is because there are many districts in Tamil Nadu that have come to the stage where they want to declare themselves 'child-labour-free' and feel that by March 2007, or by the end of this year itself, they will be able to do so. We will, of course, evaluate them before authenticating their claim. That gives us the hope that it is possible. Some other State governments are also committing themselves. The Deputy Chief Minister of



Maharashtra has also committed himself to making Mumbai free of child labour in hazardous occupations. And Uttar Pradesh has developed its own action plan. I am confident that within the 11th Plan period we will be able to achieve this target.

**There seems to be a lot of mention of convergence right from the time of formulation of the National Child Labour Policy in the late 1980s. What is your assessment of this?**

The action plans of State governments need help from Departments other than the Labour Department. There is a need to associate other Departments as well. For example, the most important Department for the rehabilitation of working children and those in the hazardous sector is Education. We have the Sarva Shiksha Abhiyaan in place. But a special scheme is needed and that is why we have the National Child Labour Project. Opening a school for these children is not enough; we need to provide vocational training to the children and to target their families under various development schemes.

**There seems to be this distinction between "child work" and "child labour" and sections within the government also subscribe to the view that not all "working children" constitute "child labour". Why is the government still reluctant to label all out-of-school children as child labourers?**

I don't see any reason to get into the semantics of the issue. The commitment of the government is to get all children under the fold of education and Article 21 A provides for free and compulsory education for children up to 14 years.

Now we look at what is doable immediately. We have the SSA campaign, but we recognise that certain children, for whatever reasons, have difficulty in getting covered under the scheme. So even within the SSA, we need alternative schools. The target is to include all such children, who are not either in the SSA or in mainstream schools. That is why there has to be a greater convergence with the Department of Education; but then, it has to be with other Departments such as Welfare and Women and Child Development as well. It has to be a concerted effort. The families also have to be supported with supplementary income or employment, so that they are not compelled to send their children to work.

**You have often stated that child labour is mainly a socio-economic problem. It has been observed that parents, despite their poverty, are keen to send their children to school but somehow the infrastructure does not seem to be there to satisfy this need.**

Yes, child labour is mainly the outcome of a socio-economic situation. However, there could be other reasons as well. There are families who believe that their child can get some skills in Mumbai. There are artisan families who feel that the traditional skills have to be learnt as well. As part of our sensitisation programme, we try to tell them that skill acquisition should not be at the cost of education. As for the infrastructure present, there is a strong mechanism like the SSA. If there is a problem about the



quality of education or lack of infrastructure, these issues are being looked into. The Labour Department is working in tandem with the Education Department. There has to be convergence at every level.

**Do you feel that State governments have taken eradication of child labour as a challenge, because in actual terms the numbers of working children have gone up?**

Many States have come out with their action plans. A few examples are Maharashtra, Uttar Pradesh and Tripura. There is a larger awareness, especially after we started consulting States in the context of the present legislation. There is no need to tell States what to do; if there is a problem, they will take it up.



## **COVER STORY**

### **Long way to go**

**The problem of child labour, which varies from State to State, must be fought on many fronts. Here is a progress report on the National Child Labour Project.**



**AT A DHABA in Lucknow on October 10, the day the notification banning the employment of children in eateries and as domestics come into effect.**

### **UTTAR PRADESH**

*Venkitesh Ramakrishnan in Varanasi and Mirzapur*



TRAVEL through the districts of Varanasi and Mirzapur, rated as the hotbed of child labour rackets and anti-child labour activism in Uttar Pradesh, and it is evident that the October 10 notification of the Union Labour Ministry with enhanced provisions against employment of children has had little effect in the region. The Grand Trunk Road, one of India's first national highways, passes through both these districts, and one can see children employed in *dhabas* (roadside eateries), restaurants, hotels, motels and teashops situated along the road. In fact, most of the *dhaba* owners are not even aware that the latest notification under the Child Labour (Prohibition and Regulation) Act extends the ban on employing children below 14 years to enterprises such as restaurants, hotels, resorts, spas and recreational centres.

According to the Labour Ministry's estimation, Uttar Pradesh has the largest number of child workers in the country - 19 lakhs in the 5-14 age group. The evaluation essentially covers the carpet and silk-weaving industry of the Mirzapur-Varanasi belt, the lock-and-key manufacturing units of Aligarh, the brass vessel industry of Moradabad, the sports goods units of Meerut, the fireworks production units of Jhansi and the brick kilns spread across the State. According to informal estimates of social activists who have been campaigning against child labour, with the Act covering more areas the figure could well touch 30 lakhs.

This speaks volumes about the socio-economic backwardness of a large number of communities in the State as also the indifference of successive governments in addressing this backwardness. According to Shruti Raghuvansh, a Varanasi-based social activist who has been involved in efforts to rescue child workers for close to a decade, the exploitation of children is inextricably linked to social inequities and the communal and caste discrimination that has existed in the region. "The majority of child labourers," she pointed out, "belong to the socially backward communities, Dalits and the Muslim minorities." This, according to her, is no accident as these communities have been historically denied opportunities to better themselves socially and economically.

According to political analyst Indra Bhushan Singh, the last couple of decades, marked by social and political assertion by Dalits and other backward communities, should have naturally brought about a change in the situation, but this has not happened on account of two factors. First, the lack of focus on the part of the political leadership of the "newly assertive communities" on the overall economic advancement of the oppressed communities and specifically on issues such as child labour. Secondly, the gargantuan dimensions of the exploitation and the expanse of industries that employ child labour.

Social activists are hopeful that the enhanced Act would strengthen governmental and non-governmental initiatives to address the problem. However, the situation in Uttar Pradesh gives no such indication. Government agencies that are supposed to enforce the law have not come up with any fresh initiatives. Officials of the Labour Department in Varanasi admitted that no action had been taken in the district on the basis of the new provisions. Many officials cited the conduct of local body elections in October and early November as a reason for the lack of "forceful advancement" of the law.



Anil, a co-coordinator of the Project Mala schools initiative, which has a commendable record in rescuing children from exploitation and abuse in the carpet-weaving industry, told *Frontline* that the effect of government action was not very perceptible. "If they are claiming to have taken some measures, then we have not experienced their effect." Anil added that Project Mala ran six schools and provided education to over 1,000 child labourers "rescued" from the weaving industry. "Right now," he said, "our basic focus is on this area [weaving industry]." This industry alone is said to employ five lakh children.

However, a handful of social activists have started addressing the new provisions as part of their social and developmental initiatives. Efforts to provide informal and formal education to rescued child labourers form the core of their interventions. "Our initiatives," Shruti Raghuvansh told *Frontline*, "are not centred around any particular industry and we are trying to rescue children from *dhabas*, the carpet and silk industries and even from domestic abuse." According to her, domestic abuse and industrial exploitation are entwined in many cases. Commercial enterprises such as silk and carpet-weaving or production of sports goods are basically run as small-scale industries relying on household units. "Economically deprived parents make use of their children in these units, naturally without giving them any remuneration."

But some of these "parent employers" in Varanasi's silk manufacturing units told this correspondent that some of the non-governmental organisations (NGOs) involved in child labour rescue operations were only doing a cosmetic job. Mushtaq, a weaver who employs two children aged 11 and 14 in his 'unit' at Lallapura, said that an NGO had taken away the older child on the pretext of giving him an education. But it returned the child after three months, saying that he was "incompatible with studies". Mushtaq also said that the NGO had promised financial compensation for taking away the services of the child, but never kept the promise.

Clearly, the child labour problem in India's most populous State has multifarious dimensions. It can be addressed only through a concerted effort combining social and political empowerment of distressed communities, considerate enforcement of the law that differentiates between commercial exploitation and compulsions of poor "parent employers", and promotion of grassroots projects to spread elementary education through formal and informal means.



## **ANDHRA PRADESH**

*K. Venkateshwarlu in Hyderabad*

U. SUBRAMANYAM



**AT A COTTON-SEED field in Kurnool district in Andhra Pradesh.**

ANDHRA Pradesh, which had the dubious distinction of having the largest number of child labourers in the country, has now bequeathed this honour to Uttar Pradesh. But this is poor consolation for the State, which has a long way to go before attaining the goal of becoming "child-labour-free". The State Assembly adopted a unanimous resolution way back in March 2001 to eradicate the scourge and achieve universal elementary education by 2004. But the problem of child labour remains in all its pernicious forms - from those employed in roadside garages to adolescent girls in hybrid cotton-seed farms - persists though the actual number has come down, if one were to make a comparison of the Census reports of 1991 and 2001.

Notwithstanding the all-pervasive existence of child labour, the State government comes up with tall claims that give the impression that it is on the verge of being eradicated. The Labour and Education Departments claim to have brought down the number of child labourers from "29 lakh in the 1990s to two lakhs now", adding that many child labourers have been enrolled in schools. NGOs working in the area of child labour, however, dismiss the claim as "unbelievable" and "fictitious".



"Can the government reveal the concrete steps it has taken so far to bring about such a dramatic change?" asks Shantha Sinha, Magsaysay award winner and child rights crusader, whose M.V. Foundation has mainstreamed over four lakh children through a string of bridge schools. The Foundation works on the basic premise that "any child out of school is a child labourer" and the only way to eliminate child labour is through a formal education. This premise has now been adopted by the government.

Like her, many people feel that the issue of child labour is not given the priority it deserves, though it could impinge on a State's economy and the overall gross State domestic product, add to existing disparities and threaten the functioning of a democracy.

"The government responds only when there is public outrage or media pressure following a gross violation - such as the rape and murder of two Scheduled Tribe girls working on hybrid cotton farms. It has characteristically been a knee-jerk response. It wakes up to a crisis and then goes back to sleep," Shantha Sinha says.

Not surprisingly, the employment of adolescent girls in hybrid cotton-seed farms in Kurnool and Mahbubnagar districts continues unchecked. Cotton-seed production, a labour-intensive industry, is prevalent in backward areas where cheap labour is available. Lured by the higher wages, food and shelter, many parents send their wards to cottonseed fields. Farm-labour families consider work in these fields highly remunerative, but the trade has an exploitative angle too.

Only girls in the pre-puberty stage are engaged to work in the fields, the myth floated being that only flowers handled by minor girls will bear fruit. The fact is that the nimble fingers of young girls are more suited to the work. Besides, young girls can be easily disciplined and made to work longer hours. Their wages are also lower than what adults would demand.

This year, cotton seed is cultivated on 7,000 acres (one acre is 0.4 hectare) in Allagadda and Yemmiganur of Kurnool district and 8,000 acres in Gadwal and Ieeja areas of Mahbubnagar. Industry sources say that the area under cultivation has been shrinking owing to various factors; a decade ago, the two districts alone met 50 per cent of the cotton-seed requirement of the entire country.

Of the Rs.80,000 investment for an acre, nearly 50 per cent involves labour cost. Each acre generates 1,000 man-days' work, requiring the services of six to ten children daily. The peak season lasts 80 days, during which time children are required to emasculate the flowers and puff the pollen collected from male plants on to the emasculated flowers. The exercise ensures cross-pollination to make the seed hybrid. This laborious process is not required for other crops for which male sterile lines are available.



The cotton seed industry operates in a multi-tier system. The large companies operate through mediators known as organisers, who in turn work with farmers by supplying them inputs and money. Seed giants such as Monsanto, Proagro, Tulasi, Rasi, Nuzvid and JK have contracted middlemen for sourcing seed material. Each acre of seed plot yields 300 kg.

Monsanto was the first company to sense the magnitude of the problem of child labour involved in the industry. Besides launching a campaign, it paid a higher price to farmers who did not engage child labour.

Checking the problem seems to be hampered as there is no law banning agricultural labour of children. An effort to rope in seed companies has had a limited effect.

The official estimate is that around 25,000 children would have worked in these fields this year. Campaigns such as "Chaduvula Panduga" (festival of studying) have been taken up in a major way for a week or a fortnight but there was never any follow-up to cater to the demand generated by such campaigns to open more schools, improve their infrastructure and post enough teachers.

Nevertheless, if the Statewide situation is considered, there have been some positive results of the increase in general awareness and the combined efforts made by the government and the NGOs on children's education. According to the 1991 Census, 81,92,094 children in the 5-14 age group (34,11,831 of them girls) were in school, leaving 84,63,562 children out of the school system. In 2001, 1,30,78,287 children were attending school and 46,35,477 (26 per cent of the total child population) were out of the school system. In terms of percentage, while only 49 per cent of children were attending school in 1991, 74 per cent attended school in 2001. So it can be said that during the ten-year period, school attendance in the State increased by 25 per cent against the all-India figure of 16 per cent.

Census 2001 ranks the State as the fourth best in terms of absolute increase in educational attendance of children; the State had ranked 10th in 1991. The State was ranked second best (Uttar Pradesh being the first) in terms of educational attendance of girls.

The Comptroller and Auditor General's (CAG) report for the financial year 2003-04 pointed out though the State government claimed to have abolished child labour in 2004, it also said that it had "rescued" three children from hazardous occupations. Describing the claim as hollow, the CAG also exposed the diversion of funds earmarked for child labour abolition schemes flouting of Supreme Court guidelines, and other irregularities.

For the record, the government policy recognises the linkage between child labour and compulsory school education. The policy initiatives include the Back to School Programme, Residential and Non Residential Bridge Course Centres for the 9-14 age group



under the District Primary Education Programme (DPEP) and the District Poverty Initiative Programme (DPIP), the National Child Labour Project Scheme and Early Child Education Centres.

Then there are programmes taken up by local NGOs, industries and international agencies such as the International Labour Organisation (International Programme on the Elimination of Child Labour), United Nations Children's Fund (UNICEF) and the United Nations Development Programme (UNDP).

"What is required is a concerted and constant intensive campaign and close monitoring of programmes. We need to involve gram panchayats, mandal and zilla parishads and municipalities in this effort, as is being done in Kerala," Dr. Sinha says.

*With inputs from D. Sreenivasulu in Kurnool*



## **DELHI**

*T.K. Rajalakshmi*

RAJEEV BHATT



**AT THE SWAROOP Nagar extension in Delhi on October 3.**

IN 2001, rag-picking and scavenging, along with four other occupations, were added to Part B (list of prohibited processes) of the Child Labour (Prohibition and Regulation) Act, 1986. But these activities continue unabated and an estimated three lakh child rag-pickers "work" in the resettlement colonies of Delhi.

Child labour rehabilitation centres are too few to accommodate the huge number of working children. There exist no disaggregated data on the sector-wise distribution of children in the various occupations, both hazardous and non-hazardous.



There are 20 Transitional Education Centres (TECs) in the National Capital Region under the Indo-United States project for rehabilitation of working children, with each catering to around 50 children. These projects are monitored by officials of the Labour Department. Children are entitled to a stipend of Rs.100 under the National Child Labour Project (NCLP).

Kiran Sharma runs a TEC from her home for rag-picker children rehabilitated under the NCLP, at Swaroopnagar, a semi-authorised colony in north Delhi. She started the TEC in June and employed two teachers and a helper, but no money has arrived. The teachers are to be paid Rs.1,500 each a month and the helper Rs.800. The children have to be paid Rs.100 as well. "I can get a thousand children from this locality but where can I keep them? Today a mother came and took her child away, saying that the child would return to the centre when the money comes," she said.

There were other problems too. The NCLP centres are supposed to cater to children in the 9-14 age group. Children below this age group are supposed to be "mainstreamed" into schools directly. But the younger siblings of the "working children" end up in the NCLP centres in the absence of pre-primary school facility and creches.

"Labour Department officials tell us not to keep younger children at the centres. But where will they go when the older siblings are with us and the parents are at work?" asks Beena Jaiswal, who runs Kirandeep, an NGO, in Jahangirpuri in north-west Delhi..

Ashok Agarwal, a High Court lawyer fighting for the right to education of children, said children in the NCLP centres who did not belong there should be mainstreamed directly into government schools. "Nobody is interested in these children."

In 1988, the Centre launched the NCLP in nine districts with a high concentration of child labour. Later, it extended the programme to 250 districts. In Delhi, it was launched in June this year. Although on paper there appears to be a lot of convergence with universal education programmes such as Sarva Shiksha Abhiyan, nothing much is happening on the ground.

The NCLP societies run special schools for children in the 9-14 age group. These societies are required to conduct surveys and identify children working in hazardous occupations and processes. Those in the 5-8 age group are to be mainstreamed directly to formal educational systems through the Sarva Shiksha Abhiyaan (SSA) and the working children are to be rehabilitated, through the special schools, under the project.

A visit to the TEC at Bhalaswa, a large resettlement colony in north-west Delhi, spoke volumes of the rehabilitation efforts. There are six TECs for a population of nearly 2.5 lakhs in this colony.



Beena Jaiswal said mainstreaming of children in schools was difficult as there were reluctant parents and hostile school principals. Since January, the teachers under the SSA in her area had not been paid salaries. "How can you expect them to teach?" she asks.

Most of the children at the Bhalaswa TEC are girls, though not all of them are child workers. Savita, who had completed Class V from a municipal school, was unable to seek admission in the local municipal school when her family was relocated to Bhalaswa from central Delhi. She joined the TEC.

The NCLP scheme envisages educating children on personal hygiene and sanitation, besides giving them vocational training. But right opposite the Bhalaswa TEC lies a huge mass of sewage. Amid an overpowering stench, the mid-day meal is cooked and served to the children.

A State Labour Department official said that the demand for education was huge. But there was not much clarity on the roles to be played by persons at different levels under the NCLP. Tarannum is a young community worker. When asked about the response from the community, she said she had not spoken to the community but only to some parents. When told by the Labour official that the parents were also part of the "community" concerned, she looked embarrassed.

Evidently, Tarannum is a victim of this top-down jargon. She probably knows that the NCLP is not a permanent entity, her services are not permanent and there is no regular scheme of pay but only an honorarium. With such meagre incentives and great expectations of community service, she is aware that she can bring about only cosmetic changes.

According to Department of Education figures, the number of out-of-school children in Delhi in the 6-10 age group is 98,097, of which 46,474 belong to the Scheduled Castes and Scheduled Tribes. Similarly, 2,20,658 children in the 11-13 age group are out of school, of whom 34,061 are from the S.C. and S.T. communities.

The present child labour rehabilitation schemes are not enough. Last year, an NGO rescued 500 children from *zari* factories but most of them found their way back into the labour market. There needs to be permanence of structures from where the children are not trafficked. Secondly, the teachers should be given proper and regular salaries so that they are more committed and do not become part of a third tier of education, contributing merely to the creation of a third category of citizens - out-of-school children.



## TAMIL NADU

T.S. Subramanian in Chennai

S. THANTHONI



**AT A MOBILE school set up by the Central Municipal Corporation for children who sell snacks on the Marina beach, on November 2.**

DARKNESS has descended early on the Marina beach in Chennai on October 30 as the deep depression in the Bay of Bengal, which dumped several centimetres of rain for two days, threatens to let go again. Yet, strollers and couples are aplenty on the vast sands of the 4.5-km-long beach. Many of them are sipping ginger coffee, sold in plastic cups by an emaciated-looking boy. "I am selling ginger coffee today because the weather is chilly and people would prefer hot ginger coffee to *sundal* (channa)," says S. Soundararajan, who is a school dropout from Pudukottai. Asked where the other boys selling *sundal* were, he said many of them had not turned up because of the bad weather. He added: "Many have gone back to their villages because their employers were warned that they would be fined Rs.20,000 and jailed for a year if they employed children."

Some distance away is Khader Meeran, who is selling toy rockets. A school dropout, he lives with his parents in Mylapore, Chennai. His skill with the rocket, which when released from a catapult speeds away and returns like a boomerang, was perhaps gained from years if not long months of practice.

Another boy, selling sugar candy, firmly refuses to reduce the price. "The price of sugar is ruling high," he says. He is from Bihar.



They are among the 461 child workers on the Marina. They earn a living by selling *sundal*, *murukku*, *vadas*, water packets, balloons, kites and ice-creams from 3 p.m. to 9 p.m. or by working as dishwashers in the mobile eateries that sell *bhel puri*, *paani puri* and other fast food. There are 800 such shops behind Anna Square on the beach road and another 200 behind the Light House. Many of these boys are migrant, seasonal workers. About 70 per cent of the boys belong to the southern districts of Tamil Nadu such as Madurai, Sivaganga, Ramanathapuram and Tirunelveli. Of the rest, many belong to Chennai and the others are from Andhra Pradesh, Karnataka, Bihar or Madhya Pradesh.

They are bonded labourers, their parents having pledged them to *sundal vyaparis* for Rs.5,000. They stay with their "owners" and their day usually begins with a pre-dawn trip to the market to buy groundnuts and vegetables. They then prepare the *sundal* and other snacks to sell on the beach. Each boy has to sell 10 kg of *sundal* a day. Anything less than that would mean beatings and no meal at night. Some employers give them Rs.20 or Rs.30 a day, while others just provide them food. Some of these children have had no education at all, but the majority are school dropouts. Those from Chennai go to school and in the evenings sell on the beach.

In 2004, the Chennai Corporation implemented the NCLP, which aims, among other things, to eliminate child labour in non-hazardous occupations by 2007. It came up with an innovative initiative called "School on Wheels", which is a bus painted on the outside and inside with cartoon characters and so on and equipped with a blackboard, play materials and stationery that schoolchildren need.

Six teachers travel on the bus along with NCLP field officers. At first the children ran away, thinking that it was "a police bus" on a roundup mission. The teachers and field officers slowly encouraged them to board the bus and introduced them to learning in a free atmosphere. Soon the children came in on their own when the bus arrived and it was easy to motivate them to join regular schools. Now, two years later, 104 of the 461 children are regular pupils in mainstream schools in the city.

Explaining the rationale of the project, K. Dillibabu, Project Director of the NCLP in Chennai, said: "We thought, if child labourers on the Marina did not go to school of their own volition why can't the school go in search of them?" To make the learning materials and the teaching methods exciting, the Corporation chose the activity-based teaching and learning methodology developed by the Rishi Valley School near Madanapalle in Andhra Pradesh. This included play-way methods and learning through music and dance.

But the "owners" of these children were livid. "Their parents have borrowed Rs.5,000 from me. Will you give us that money?" one of them asked the field officers. "So we decided to target the employers," said Dillibabu. Field officers, factory inspectors, labour inspectors and teachers set about convincing them to allow the children to study. The Joint Commissioner (Education) of



Chennai Corporation, Sandhya Venugopal Sharma, also informed traders that employing children was illegal and punishable. "Parents, too, had to be motivated because they feared loss of income," said N. Revathi, a field officer.

Trained officials met the employers individually and the stall-owners through their associations. They persuaded them to send the children, including some girls who sold flowers, to the mobile school for half an hour in the evening. "Some traders agreed. Many were reluctant because they had given money to the children's parents. We tried to change their mind by meeting them every day," said S. Chinnachamy, a field officer. Finally, they said they would relent if their association agreed to allow the children to study. Every day the bus arrived at two designated places at a given time and remained there for half an hour.

Today one of the children, Mahesh, 14, from Ramanathapuram, is a first-ranker in the 8th class in the Corporation Middle School on Mundakanni Amman Kovil Street, Mylapore. He has an appetite for learning: earlier he used to visit the bus and learn for extended hours, not minding the beating he got from his employer. Ganesh is another bright spark, who is now a resident of Saranalaya, an orphanage.

The NCLP officers are in touch with the children who have left the special schools to join mainstream schools. The officers and teachers monitor the children's progress. "They write tests and examinations regularly. We evaluate them with the help of their schoolteachers," said Dillibabu.

Building on the success of the 'education bus', the Corporation is planning more mobile schools in areas such as Besant Nagar, Ashok Nagar, Kodungaiyur and Koyambedu in the city, said Chinnachamy.

A major component of the NCLP was the elimination of child labour in hazardous occupations by 2005. In Tamil Nadu, the NCLP targeted, among other occupations, the tanneries in Dindigul and other places. According to NGOs, some units in Dindigul once employed children, mostly school dropouts whose parents were tannery workers, but not any more. Labour officials also say that the tanneries, which use corrosive chemicals to process foul-smelling wet leather, do not have any child labourers. But the Dindigul Tannery Workers' Union is conducting a survey of the leather processing units on the basis of information that children have been working as helpers, says K. Ganesan, district secretary of the Centre of Indian Trade Unions (CITU). He added that tannery workers, mostly Dalits, sent their children for this work.

"Children cannot do such work as it requires skill and experience. Even minor changes in processing would spoil the finished product," says K.A.R. Mohideen, a leading exporter in Dindigul.



The closure of tanneries - down to 45 now from 87 in 1984 - undoubtedly aided the process of ending child labour in them. Unhealthy competition in the purchase of raw materials and the slump in demand, including in the global market, led to many of the smaller units shutting down, leaving hundreds of workers jobless.

In the matchstick units of Vellore district, as also in tanneries and the handloom and beedi industries, a focussed response helped. In April 1995, District Collector M.P. Vijayakumar, now the Commissioner of the Chennai Municipal Corporation, initiated a district-wide child labour census with financial assistance from the United Nations Children's Fund (UNICEF) and the help of 10,000 volunteers of Arivoli Iyakkam (Literacy Campaign).

The door-to-door survey, conducted in two phases and covering seven lakh households, revealed that the district had 15,421 child labourers, of whom 7,511 were engaged in hazardous occupations and 7,910 in non-hazardous occupations. It also found that child labour was most rampant in the beedi industry, which is essentially home-based. There were also many instances of bonded labour, where parents pledged their children to beedi contractors for money that would meet family expenses. These children toiled in beedi *mundis* for 10 to 14 hours a day with only a break for lunch.

To root out the practice, the administration initiated the process of sensitising all the stakeholders - parents, employers and opinion-makers - about sending the children to school. The Collector and the Additional Collectors visited and spoke to employers in the matchstick and beedi industries, among others, and to parents of child labourers. Many child labourers were freed in raids and their employers were arrested.

The administration then set up 251 special schools under the Child Labour Abolition Support Scheme (CLASS) with the active participation of the Indian Council for Child Welfare. The intention was to educate the children in a non-formal environment before they could be admitted to regular schools.

The Chennai Corporation, too, has set up 20 special schools, which function from Corporation schools, community centres or Ambedkar Manrams in the city. Here one-time child workers of restaurants, tea stalls, automobile workshops, vegetable markets, units where steel utensils are polished, and small factories making steel almirahs and tables, were introduced to activity-based learning.

"Each special school has 50 children. They are child labourers whom we have rescued. They don't go to work anymore. They are studying full-time, from 9.30 a.m. to 3.30 p.m.," said Chinnachamy. They are given basic education for four months and then introduced to textbooks, depending on each child's capability.



In Tiruchi district, special schools under the Child Labour Elimination and Effective Rehabilitation Society (CHEERS) have helped reduce the number of child workers in the past decade in the beedi and textile units and quarries. More than 1,500 children have been brought into the mainstream and many of them have even become graduates.

That the special schools serve their purpose well is clear from the fact that of the 251 schools in Vellore district only 93 are functioning now. The rest have been closed for want of pupils. A total of 2,470 children - 1,077 boys and 1,393 girls - are currently studying in the 93 special schools.

In order to keep the momentum going, District Collector Dharmendra Prasad Yadav said the administration would adopt a multi-pronged strategy, involving village administrative officers (VAOs), headmasters, teachers, block development officers (BDOs), panchayat presidents and village leaders, to persuade parents and employers not to encourage child labour. Parents would also be given loans and other forms of assistance under a rehabilitation programme so that they do not have to pawn their children to contractors.

Child labour is not a serious concern in western Tamil Nadu at present. Thanks to the NCLP launched in Coimbatore district in 1995, as many as 13 of the 19 panchayat unions have been declared "child-labour-free". S. Jayakumar, Project Officer, DRDA, who holds additional charge as Project Director, Kovai Child Labour Abolition Support Society, says child labour in hazardous industries has been abolished in the district, and the administration is focussing on the remaining blocks and industrial sectors. Between 1996 and 2006, as many as 14,128 child workers were rescued and enrolled in special schools in the district. Of them 7,416 have joined regular schools. Children work in some restaurants, shops and bakeries in Udhagamandalam. Nilgiris Collector Santosh K. Misra claimed that child labour was not a cause for concern in the district.

In Salem district, despite the district administration rescuing about 17,000 children, including 8,343 under the NCLP (Project Smile) and 5,967 through the SSA, since 1995-96, there is an allegation that steps are yet to be initiated by Project Smile to rescue children from domestic labour and also from work in restaurants, tea shops, roadside eateries, dhabas, holiday resorts and so on. However, Project Smile officials said that they had planned to undertake a number of measures to make people aware of the ban. The Salem Childline had rescued six children found employed in hotels on October 10. In Erode, the main hazardous industries are tanneries and dyeing units. Only a few children worked there; they have already been rescued by the Labour Department. Over 900 child workers in textile units and automobile workshops were rescued in 2005 and admitted to the special schools. During 2006, about 30 child workers of automobile workshops, hotels and brick kilns were rescued and action has been initiated against the employers. According to District Collector D. Karthikeyan, there is no child labour in the district. In Krishnagiri district, 3,060 child workers have been enrolled in regular schools. Of them 2,126 were brought into the school system through the SSA and 934 by the NCLP. In Dharmapuri district, more than 11,000 child workers have been enrolled in regular schools.



*With inputs from K. Raju, P.V.V. Murthy, Syed Muthahar Saqaf, G. Satyamurty, M. Soundariya Preetha, D.Radhakrishnan, R. Sundaram, S. Ramesh and S. Prasad*

## **KARNATAKA**

*Ravi Sharma in Bangalore*

K.BHAGYA PRAKASH



**VENKATESH ADINARAYAN WORKING at a Garage on Hains Road in Bangalore on October 3.**

THE amendments to the Child Labour (Prohibition and Regulation) Act, 1986, banning the employment of children in restaurants and *dhabas* and as domestics has not meant anything new for Karnataka. "It only changes the nature of prosecution; it certainly does not change the nature of inspections," says State Labour Commissioner K.S. Manjunath. "While earlier no prosecution was possible under the Act, now the Labour Department can directly prosecute violators."



Karnataka had evolved its own legal mechanism to rescue and rehabilitate children and penalise their employers. As far as children employed in domestic work are concerned, the Labour Department, Childline or NGOs have *suo motu* taken up cases under the Minimum Wages and Juvenile Justice Acts ever since the Minimum Wages Notification for Domestic Workers came into effect in April 2004. Violators were hauled up before child welfare committees, with the Labour Department mobilising relief packages for the wronged child.

In the hospitality industry, cases of child labour are dealt with under the provisions of the Karnataka Shops and Commercial Establishments Act, which prohibits the employment of children under the age of 14.

But neither measure has helped Karnataka become a "child labour-free State", a status that the S.M. Krishna government hoped to achieve by 2007. The State has not been able to eradicate child labour in sectors like mining, construction and sericulture and in activities like rag-picking, which were declared hazardous years ago. Besides, while children earlier went to factories and workshops and received a meagre daily wage, today in many industries, such as *agarabatti* rolling and chilli packaging, factories have gone to the homes with work handed out on a piece-rate basis to the entire family.

In 2001, the Krishna government initiated a timebound "Action Plan to Eliminate Child Labour". With over one million children in the six to 14 age group out of school (and involved in labour), Karnataka hoped that the action plan would, within a six-year period, ensure that all children under 14 were enrolled and remained in mainstream schools.

While the plans were grand, the funds never materialised; just Rs.8 crores was given out of the promised Rs.36 crores. The lack of political will, the absence of convergence between key government Departments such as Education, Women and Child Welfare and Labour, and the almost non-existent coordination between government bodies and NGOs did not help, either.

But Manjunath is not unduly worried: "The Action Plan has not been a failure. The incidence of child labour has certainly come down. But child labour is a social problem, which has to be tackled by society at large. You can't draw a plan, mark a date and try to eradicate it. The Labour Department is at best a catalyst and an enforcement agency."

Awareness of the problem has grown, says Suchitra Rao, coordinator for the Domestic Child Labour Elimination Project (DCLEP) set up by the State government with UNICEF assistance. "The number of children working in the sericulture industry in Magadi [near Bangalore] has come down from 8,000 in 1999 to hardly 200. Similarly, in Davengere district's jewellery-making industry, the number of child workers has come down drastically."



In Davengere district, the local police run a rehabilitation centre for rescued children, while the Education Department manages another. Officials are, however, unable to tell how many children in the six to 14 age group are employed. While some government sources put the number at 100,000, NGOs believe the figure is around 600,000.

Joint Labour Commissioner S. Manjunatha Sastry feels that numbers do not give the true picture: "The number of children in work is a dynamic figure, it keeps changing. Migrants also cause fluctuations. In some areas and occupations, especially *beedi*-making and *agarabatti* rolling, children work along with the family in their homes. The law cannot be enforced in these cases. In my estimate around 78,000 children are out of school."

According to the Commissioner, the frequency of raids has increased exponentially in the recent past. Between April and October this year the Labour Department inspected over 28,000 premises, rescued over 1,100 child labourers and rehabilitated all of them. Rescued children and their families are counselled and attempts are made to unite each child with his or her family. Children are also admitted to the NCLP special schools or placed at the State Child Labour Project (SCLP) residential schools.

Children at NCLP schools are given food and shelter, imparted basic learning skills and, at the end of a period, which could vary from a few days to a year, sent to regular schools. Karnataka has over 250 NCLP schools spread across 17 of its 27 districts, with around 40 children in each of them. There are around 30 SCLP transit/residential schools where children are housed for periods ranging from a week to three months. Under the 2001 Action Plan, the State envisaged making all the NCLP schools residential, but that has not happened owing to the lack of funds. In a recent development, Deputy Commissioners have been asked to "reserve 25 per cent of seats in general hostels of the government" for rescued child workers.

The government has also started tent schools in regions such as Bellary where entire families are engaged in mining or construction activity. Children stay in the schools only until the mid-day meal is served. But the fact that they come is reason to be optimistic.



## MAHARASHTRA

*Anupama Katakam in Mumbai*

K. BHAGYA PRAKASH



**SUTHANA, AGED 13, and Ameena, aged 12, are among the many child labourers rescued from domestic work at Nammamane, Karnataka on October 5. Their arms are scarred from injuries inflicted by their employers.**

"THE State will be child-labour-free by August 15, 2006," Maharashtra's Deputy Chief Minister R.R. Patil declared in February. "Moreover, we don't just want to rescue them, we want to give them freedom and an opportunity to enjoy childhood."

Of course, the State is nowhere near reaching this goal, but the mission is a move in the right direction, say NGOs and activists. Mumbai has been a hub of working children, in cottage industries that flourish in the city's numerous slums. Most of these "factories" are hovel-like structures, where children live and work for 20 hours a day seven days a week. Typically, the rooms are ill-lit, have a small stove in a corner, a small bathroom that smells in another corner and some nails on the wall where clothes are hung.

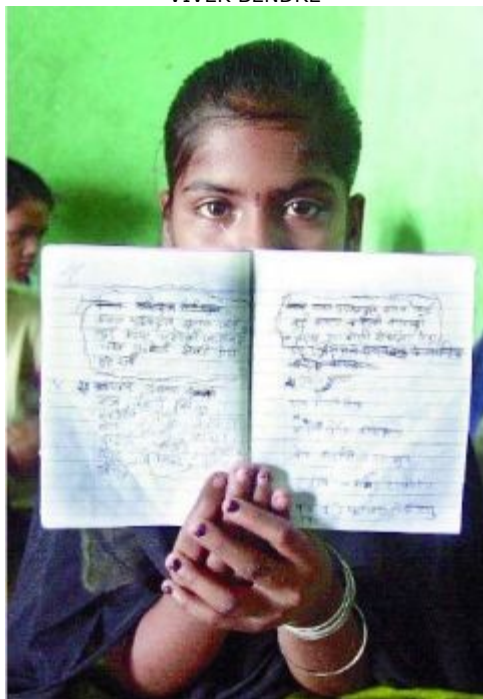
The employer arranges two meals and two cups of tea a day for the children and usually locks them in at night. In 2002, an LPG cylinder burst in a locked room where three boys lived and worked for a jewellery unit. All three died. Some rooms have a



trap-door through which the children go into hiding in case there is a raid. This situation has been common knowledge for years, but little has been done to end it.

Patil was driven to take action when the media publicised the deaths of two boys working in *zari* units. Afzal Ansari, 12, died of hepatitis in April 2005 after his employer denied him treatment. Three months later, Ahmed Khan, 11, died after he was beaten by his employer. The post-mortem revealed physical and sexual abuse on the boy.

VIVEK BENDRE



**RENUKA RATHORD, AGED 12, previously employed as a domestic help in Kalwa, Thane district, Maharashtra, on November 2.**

Children are employed in garages, powerlooms and in units manufacturing *zari*, leather goods, garments, jewellery and plastic goods in Mumbai and other parts of the State.



Aurangabad, Nasik and Pune also record high numbers of child labourers, most of whom are locals, says the State Labour Department. According to the Department, 90 per cent of the children in *zari* units in Mumbai are migrants from Uttar Pradesh and Bihar.

In April, the government set up a task force with the aim of eradicating child labour in Mumbai. It includes members of the Labour Commission, the police, the Women and Child Welfare Department, the Municipal Corporation, the Shops Department and NGOs. The task force has conducted raids regularly to free children working in sweatshops. The government has since ordered the setting up of task forces at the district level under the District Collectors and set apart Rs.18 crores for the campaign. In several districts they have conducted raids and rescued child workers.

Additionally, it has launched an awareness drive and publicised telephone numbers where people can report cases of child labour. At present the offence is bailable. Patil has been pushing for it to be made non-bailable, to deter those who employ children.

According to official data, in the past one year, 1,846 children working in various industries in Mumbai were freed in raid and rescue operations and around 320 people were arrested for employing children. "Once the district groups become active, the number of children rescued and rehabilitated will increase," says B.D. Sanap, Labour Commissioner.

The number of children rescued is a minuscule percentage of the numbers that are working, say NGOs. It is estimated that there are 34,000 children working in the *zari* industry in Mumbai alone. Informed sources said that following the raids by the task force, about 23,000 children under 14 had been freed and sent home. Many of those above 14 are either working or working part-time and going to school under government programmes.

Pratham, an NGO, says that a recent survey by it of 12,000 eateries showed that 21 per cent of these establishments employed children. "It is going to be a massive task to get these children out of these places," says Farida Lambhay, director of Pratham. A few months ago the NGO rescued 399 children from 79 railway stations in Mumbai.



PAUL NORONHA



**A SEVEN-YEAR-OLD BOY polishing shoes on a railway platform in Mumbai on October 11.**

"The challenge now is rehabilitation. Rescue operations have been mastered. In fact, it is done in the most child-friendly manner. But what happens to the child once he is rescued?" says Lambhay. "We now need to be able to provide a quick response once the child is rescued. For instance, residential facilities for those who have no home to go," she says. "The present arrangement of sending them to juvenile homes as a temporary measure does not work. They are not delinquents to be sent to such places."

A grey area in the urban context is children working as domestics. Pratham estimates that there are at least 40,000 children working in the domestic sector. Since it is impossible to check every house, Pratham has suggested that each housing society be asked to give a letter declaring that its members do not employ children.

"While we welcome the ban on child labour, we need to work much more on the follow-up. Furthermore, we need to address the other layers of this issue, such as reasons why children end up working, the economic condition of parents and the income options for them, and most important the provision of education for all," says Lambhay.



At least some of this is being attempted under the INDUS (Indo-U.S. Labour Department) project being implemented in four districts, including Mumbai suburban, in the State. The INDUS school in Govandi has 30 children who attend various sessions through the day. It has been fairly effective, says Kishore Bamre, a field worker.

When the NCLP was launched in 1988, two districts were identified in Maharashtra - Solapur and Thane - to be covered under the project, along with seven other districts in the country. Now the project covers 13 districts in the State. Two years ago, another 11 districts were identified. Of them, five have been granted funding for special schools and six have completed their surveys to set up these schools. At present there are 170 special schools with 8,500 children.



## COVER STORY

### Fireworks and some truths

K. GANESAN



**Children making dummies for fireworks at a residential colony in Keezha Kothainachiarpuram near Sivakasi, Tamil Nadu.**

AFTER gaining notoriety for employing children in its matchstick and fireworks units, Virudhunagar in Tamil Nadu is struggling to become 'child-friendly'. The National Child Labour Project (NCLP) has contributed significantly to bringing down the number of working children - from 9,808 in the first official survey in 1999 to 4,513 in 2005.

Since 1999, the thrust has been on luring children back to school. The strategy was to induct identified children into special schools run by the NCLP or the INDUS (Indo-U.S. Department of Labour) project. Between 1987 and 2004, 7,200 children were brought into mainstream schools from special schools. Now, 1,600 children study in 54 special schools run by the INDUS project.

In order to improve the economic condition of families whose children were removed from work, 63 special self-help groups were formed in the district to engage in income-generation activities. Education committees were formed at the village level to



improve enrolment in schools. A campaign to get one lakh signatures on a one-kilometre-long cloth was launched to create awareness against employing children.

Despite all this, children in the district continue to work. Registered manufacturers of fireworks claim that they do not employ children. The Tamil Nadu Fireworks and Amorges Manufacturers' Association (TANFAMA) certifies that products made by its members are child-labour-free. But District Collector S.S. Jawahar concedes that unregistered units employ children. This year, owners of 150 manufacturing units have been fined for this offence. The Labour Department lacks the manpower and vehicles required to organise factory checks.

It is not unusual to see children involved in hazardous and non-hazardous work in the manufacture of fireworks and matchsticks. Even schoolchildren around Sivakasi, Sattur and Vembakottai are in an "all-work-no-play" situation. Preparing dummies for crackers, making wicks and packing matchsticks are some of the activities of children in the cottage industry sector.

The market is flooded with fireworks manufactured by children and marketed by unlicensed manufacturers when the demand goes up during the festival season. Children exposed to chemicals live with lung and uterine diseases. The myth of nimble hands, cheap labour, work discipline and easy availability encourage the employment of children.

In the 2005 survey, 4,513 children were identified as workers in the district. Of them, 635 were involved in domestic work, 53 in fireworks manufacture and 103 in matchstick making. Contrary to popular belief, poverty is not the major factor that drives children to work. A survey conducted by the district administration in 2000-01 indicated that among 4,441 "child labour homes", 74 owned tractors, 127 owned refrigerators, 227 owned a bicycle and a motorcycle, 249 owned two LPG cylinders and 119 owned television sets.

However, lack of alternative employment for parents means that even when there is easy access to schools, many parents are not sensitive enough to choose education instead of work. As a result, in many villages, the home becomes a workshop and the child an apprentice. After basic schooling, he or she decides to join a matchstick or fireworks factory. This lack of alternative employment for adults is attributed to the absence of guaranteed water supply for irrigation. The Alagar dam and the diversion of west-flowing rivers are two key projects hanging fire. Their implementation will rejuvenate farm activity and also invite agro-based units to this arid district.

*M. Annamalai*



**COVER STORY**

**`It's the government's legal responsibility'**

T.K. RAJALAKSHMI

**Interview with Ashok Agarwal, adviser, Social Jurist.**

ANU PUSHKARNA



**Ashok Agarwal, senior lawyer of the Delhi High Court.**

ERADICATION of child labour is not possible without strong Central intervention, believes Ashok Agarwal, senior lawyer of the Delhi High Court and founder-member of Social Jurist, a lawyers' group involved with social issues. Agarwal, the main advocate of Social Jurist, deals with cases relating to child labour and enforcement of a freeship quota and guaranteeing of 25 per cent admissions to children from the weaker sections in public schools in Delhi. Excerpts from an interview he gave *Frontline*.



**As a campaigner for the right to education and child rights in general, how do you view the recent notification banning child labour in domestic work and in the hospitality sector?**

It is a step in the right direction, but this is not enough. Unless child labour in all its forms is legally prohibited, it will not be possible to eradicate it completely. The Gurupadaswamy Committee Report had in 1979 underscored the presence of a huge number of children in the conduct of agricultural operations involving sharp machinery and pesticides. The situation is still the same today. Minor girls are employed in the hybrid cotton-seeds industry in Andhra Pradesh and elsewhere. Unless the government addresses the issue of employment of children in agriculture, any ban will be meaningless. The government is not at all sensitive to the issue of children. The Education Bill, which was mandated by Article 21 A of the Constitution which lays down that the State shall provide free and compulsory education to all children in the six to fourteen age group, has not seen the light of day. The Central government has now started asking the States to legislate the law. The Centre is shying away from its financial obligation, which is bound to arise if a Central Bill on the right to education is legislated. The State governments are already facing a resource crunch, so even if they were to legislate such a Bill, it would not work in the absence of an appropriate allocation of resources both by the Centre and by the States. If the government is serious about eradicating child labour, it should enforce the right to free and compulsory education.

**As one advocating the elimination of all forms of child labour, how would you assess the government's performance on this front?**

The position today is that the government is solely responsible for the growth and survival of child labour as far as the present system of schooling is concerned. Government schools, instead of attracting children, are pushing them into the labour market. There is no system in place to put rescued children in the school system. Any rehabilitation has to cover parents so that they are not compelled to send their children to work. In the case of destitute children, it is the government that has to provide the facility of residential schools so that they can develop their abilities to the fullest.

**A lot of work towards rehabilitating child labourers is being done by non-governmental organisations. Also, there are a lot of parallel systems of schooling like the Sarva Shiksha Abhiyaan. Do these systems work?**

NGOs should be used more as motivators. It is the government that has to be the main service provider. It is the legal responsibility of the government to prevent child labour and ensure quality schooling for all children. All parallel systems of education are in fact child labour breeding centres. One way or the other, these schools deprive the children of equal and good opportunities for education. All out-of-school children and dropouts should be made part of the mainstream system of schooling. If these schools are allowed to function, more doubts will be cast on the intentions of the government to eradicate child labour.



## COVER STORY

### The Kerala difference

S. MAHINSHA



**A boy working in a hotel in Thiruvananthapuram. Though child labour is declining in the State, children of school-going age still work as domestics and street vendors, in hotels and in various other occupations.**

AS Kerala celebrates the 50th anniversary of its formation, it can be proud of an important facet of its society: the determination among all sections of people to send children to school.

Consider this anecdote quoted in a recent survey report titled "Kerala Study: How Kerala Lives, How Kerala Thinks" by the Kerala Sastra Sahitya Parishad (KSSP), the people's science movement. It says: "Joseph is a labourer. He got a house and a small piece of land [from the government] during the decentralisation campaign. But the building is incomplete. He works hard as a habit. But his home does not have basic amenities. Asked why, Joseph said: 'I work hard for the educational progress of my children. Other things can wait.'"



All over the State, one can see such people, especially among the poor, belonging to all castes and religions, proclaiming the prime reason behind their everyday toil: the education of their children, the one factor that often gets priority over almost all other needs.

Such a pervasive determination in society finds most of the children in the 6-14 age group in schools rather than in places of hazardous, menial occupations. Kerala has a very low incidence of child labour, in spite of widespread poverty and the growing gap between the rich and the poor.

Census figures show that there were 1.11 lakh child labourers in Kerala in 1971, 92,854 in 1981, 34,800 in 1991 and 26,156 in 2001. A State government survey in 1996 concluded that there were only 10,067 child labourers; another one, conducted in 2004 by the State Statistics Department, said there were only 375 children, but it was rejected by the Labour Department as "unreliable".

The Department is about to organise a survey that will aim at providing a reasonable estimate of the number of children still involved in hazardous jobs after the amended law came into force on October 10.

#### Eradication not total

The trend is declining, all agree, but children of school-going age in the State still work as domestics and street traders and in wayside restaurants and hotels, the construction sector, the cashew industry, brick kilns, railway yards, marble-polishing and prawn-peeling sheds and in the fisheries sector.

"Poverty, broken families, sick parents, poor educational attainments and destitution still drive children to work for a living in Kerala. Some are there to learn a family trade. A silent lot work as maids. Most are migrants to the urban centres and many come from neighbouring States," says Celine Sunny, chief coordinator of the Research Institute of the Rajagiri College of Social Sciences in Kochi, which has conducted studies on child labour in Kerala, including one sponsored by the International Labour Organisation (ILO).

Fr. Philip Parakatt of the Don Bosco Society (an agency engaged in the rehabilitation of children) and director of Childline in Thiruvananthapuram told *Frontline* that the number of child labourers in Kerala today would definitely be "over 10,000" but 90 per cent of them, significantly, are migrants from States such as Tamil Nadu, Andhra Pradesh, Karnataka, Maharashtra, Rajasthan and Bihar.



According to Prakash S. Oliver, Additional Labour Commissioner and Nodal Officer for the Prevention of Child Labour in the State, children below the age of 14 are still employed as domestics and in dhabas, restaurants, hotels, motels, teashops, resorts and recreational centres. Raids conducted by the Labour Department since the amendment to the 1986 Act came into force on October 10 have indicated that the case of boys and girls engaged in domestic work is especially rampant and well established through a network of agents in the Muslim-dominated northern districts.

In south Kerala, migrant businessmen from neighbouring States bring with them children "of relatives" to work 12 to 18 hours in restaurants or as attendants in provision shops. About 5,000 such children from Tamil Nadu, Andhra Pradesh and Karnataka have returned home in the first two weeks after the raids began in the southern districts, according to the official.

Only 22 children were "rescued" by the Department, mostly in Thiruvananthapuram, and were sent home to their parents.

Traders who descend on tourist centres such as Kovalam from Kashmir, Andhra Pradesh and Karnataka similarly bring groups of children to work for them in massage parlours and in handicraft and petty trades during the peak tourist season. They invariably refer to the children as "relatives" but most of them are "physically, mentally and sexually exploited". In an inquiry conducted in early October, the Department identified 300 such children in the tourist resort of Kovalam, Prakash said.

There are a sizeable number of children working in cashew factories, brick kilns and mosaic-polishing units too. However, in most cases, the government finds it hard to rehabilitate rescued children, even though the State has, in addition to the juvenile homes and welfare centres run by the government, a variety of support structures run by non-governmental organisations (NGOs) and religious groups. For example, there are over 2.5 lakh cashew workers in Kollam district, and in most cases, since women too are employed in the factories, they find it safer to take their children - especially the girls - along when they go to work, rather than leave them alone in the housing colonies. In the case of migrant children, though temporary shelters may be available, education is a problem as most of them do not understand the local language, Prakash said. They are forced to return to poverty and hunger in their native States.

According to Fr. Philip, among the most paying options available to children is beggary organised by agents or families, especially on trains, in railway stations and at bus stops.

Day-long 'labour' on seven or eight crowded trains, with 10 to 12 bogies, that shuttle between two major stops would fetch a child a total of at least Rs.200 to Rs.300 a day. Back-breaking work in hotels fetches Rs.40 to Rs.70 a day. In many cases where agents are involved, a bulk amount is paid to the child's family in advance after deducting the agent's commission. The children earn nothing for themselves.



Street children have been found to spend their entire day's wages immediately on food, watching adult movies, or buying drugs, alcohol and other addictive substances; they feel insecure carrying money on them. These children are a challenge to those involved in their rehabilitation, he said. But such a microscopic, critical view of the child labour scene in Kerala should not deflect attention from the larger picture that the State offers in comparison to other regions in India.

#### Reasons for low incidence

Kerala's low incidence of child labour undoubtedly presents a lesson on how an entire society can be tuned to send its children to school even though it may still be struggling with poverty and relatively low family incomes.

The State achieved it by dismantling extreme forms of gender and caste discrimination and class oppression that had all along been a curse of universal education. It is the result of a historical process that is at the very root of all the acclaimed social and development achievements of Kerala. It includes the late 19th century activities of Christian (mainly Protestant) missionaries that bore the seeds of educational and social reforms, the wholehearted support that they received from the enlightened rulers of the State, the importance that a largely matrilineal society gave to the health and education of women, and the various social reforms and Left movements that had helped demolish social and class barriers and eventually led to a revolutionary transformation of agrarian relations in the State.

At the centre of all this is the progressive attitude Kerala society had displayed towards the survival and education of women. Today, Kerala has achieved a demographic transition (low birth rate-low death rate) that has effectively reduced the school-age population. The State has one lower primary school for every square kilometre and a high school for every 4 sq. km.

Enrolment at the primary level is near universal, and there has been an impressive growth in the average years of schooling, with parents showing no gender bias in educating their children.

"What the State needs is a committed resolve not to rest on its laurels. It requires a concerted effort from the various agencies involved to weed out the vestiges of the evil practice of child labour in Kerala. It also needs to find solutions to new problems, especially of those of migrant child labourers. That is no easy task," Fr. Philip said.

*R. Krishnakumar*