

Child Labour in Bihar: The Concealed Phenomenon

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Abstract : This paper is a modest attempt in critically look at the official sources of information on the magnitude of child labour in Bihar. The analysis is presented in the background of the present socio economic context in Bihar which has direct impact on the lives of children, and in turn the magnitude of child labour in Bihar. In short, the term “child” does not have a universally acceptable definition because it is subject to various factors such as biological, legal and cultural. Since India is a social and cultural mosaic state, as might be expected, there would be different thresholds or social rites to put a distinction between childhood and adulthood. Child labour is a concrete manifestation of violations of a range of rights of children and is recognized as a serious and enormously complex social problem in India. Notwithstanding the increase in the enrolment of children in elementary schools and increase in literacy rates since 1980s, child labour continues to be a significant phenomenon in Bihar.

Keywords: Child Labour, Street Children, Bonded Children, Working Children, Sexual Exploitation, Migrant Children, Child Prostitution.

1. INTRODUCTION

The term “Child” is not easy to define. The biological, legal and cultural considerations or variations in the meaning of the word “Child” contribute to this theoretical complexity. Childhood can be defined in terms of age. But different communities may have different thresholds to distinguish childhood from adulthood (Fyfe, 1993: 6). In some communities, age may not be an adequate ground for explaining “Childhood”. The fulfillment of certain social rites and traditional obligation may be significant requirements in defining childhood and adulthood. The integration of children into the socio- economic life of their community may begin so early and the transition from childhood to adulthood may be almost indistinguishable (Fyfe, 1993: 6).

Child labour is a concrete manifestation of violations of a range of rights of children and is recognised as a serious and enormously complex social problem in the state of Bihar- India. Notwithstanding the increase in the enrolment of children in elementary schools and increase in literacy rates since 1980s, child labour continues to be a significant phenomenon in Bihar.

Irrespective of what is shown in the official statistics, we say that the phenomenon of child labour is significant because, the Child Labour (Prohibition and Regulation) Act, 1986 is a legislation to address hazardous industrial child labour in a limited way as the purview of the Act covers only the organized sectors of production. As it is inbuilt in the law, this Act has excluded a vast section of toiling children in the unorganized sectors, as over 90 percent of the labour force in Bihar is accounted for by the unorganised sectors of production.

The political weight behind the initiatives towards government legal intervention has been very dissimilar across states of India. Generally under the era of globalization and liberalization policies, the underlying attitude of the government is not to strictly impose labour laws that will disturb the production process. With regard to other forms of intervention, the flag ship programme of the Government of India is the National Child Labour Project (NCLP). The NCLP Scheme started in 1988, has so far covered 400,200 working children. About 3.08 lakh children have been mainstreamed into formal education system so far. The

Scheme is running in 250 districts in 14 states. Even after discounting for the inherent problems in the NCLP scheme the coverage is very low compared to the magnitude of the problem (12 million according to 2001 population census) even by the official statistics. In fact the magnitude of child labour has increased in absolute terms by about one million between 1991 and 2001.

2. NEED OF THE STUDY

“A Child is a father of the man” (This famous line quoted by William Wordsworth refers to the importance of the child in a society for the development of society as well as for the development of the whole nation.). Child labour is done by any working child who is under the age specified by law. The word, “work” means full time commercial work to sustain self or add to the family income. Child labour is a hazard to a Child’s mental, physical, social, educational, emotional and spiritual development. Broadly any child who is employed in activities to feed self and family is being subjected to “child labour”.

3. LITERATURE REVIEW

According to article 1 of United Nations Convention on Rights of the Child 1989: “A child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.”

UNICEF defines child labour as work that exceeds a minimum number of hours, depending on the age of a child and on the type of work. Such work is considered harmful to the child and should therefore be eliminated.

Ages 5-11: At least one hour of economic work or 28 hours of domestic work per week.

Ages 12-14: At least 14 hours of economic work or 28 hours of domestic work per week.

Ages 15-17: At least 43 hours of economic or domestic work per week.

In case of child labour the definition of child can be referred under Child Labour (Prohibition and Regulation) Act 1986 it states that: Child means a person who had not completed 14 years of age.

From the above point, it is clear that a person up to the age of 14 year is a child while concerning child labour. Convention 59th of International Labour Organisation lays down that –“No child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment.”

Desai, (2008) conducted his study on “Attendance of child labour at special schools under National Child Labour Project, Jayanagar” and the objectives of the study were (i) to study the provisions, particularly educational provisions, (ii) to make an in-depth study of each factor responsible for child labour through case study, and suggest measures to motivate children and their parents against child labour. From this study it was found that 70% teachers were of the view that vocational education imparted to the special schools seemed to be weak. Therefore, the vocational teacher with infrastructural facilities should be improved. 60% teachers also viewed that the special schools for child labour should provide with adequate teaching and learning materials and furniture. They suggested (i) the teachers should show positive attitude towards various policies and programmes for the elimination of child labour. (ii) The teacher - educator should organize drama, debate, essay competitions reflecting various issues of child labour to create awareness among them.

Bara, Daisy(2013), carried out her study on “Socio – Economic Problems of Child Labour and their Education, Gauhati”. This study was based on Descriptive data- based research. Objectives of her study were (i) to study the factors responsible for child labour (ii) to study the educational problems of child labour at schools. It was revealed from the self developed questionnaire that 80% teachers of the special schools viewed that most of the teachers were having only HSLC (High School Leaving Certificate Examination) passed. They were of the view that the teachers should be trained up in any of the vocational training. Based on the results of the study the teacher’s suggestions were found that the special school for child labour be made

residential with a strong component of vocational education. Vocational education should form an integral part of special schools program.

The analysis of research findings made above reveals the fact of different aspects of necessary provisions other than teaching learning facilities which can be resumed that educational attainment of the child labour in special schools is utmost important. Keeping view of this matter some of the opinion of the teachers appointed in special schools opined very important suggestions on some immediate needs of the child labour and special schools where they studied. These suggestions are reflected in research studies conducted by Bura, Bajpei (2006) , Desai (2008) and Bara , Daisy (201

4. CATEGORIES OF CHILD LABOUR

Child labour is a term that needs to be unpacked: it cannot be used in a sweeping manner but covers a range and variety of circumstances in which children work.

a. Child Labour: Those children who are doing paid or unpaid work in factories, workshops, establishments, mines and in the service sector such as domestic labour. The Ministry of Labour, Government of India has employed the term “child labour” only in the context of children is doing “hazardous” work.

b. Street Children: Children living on and off the streets, such as shoeshine boys, rag pickers, newspaper-vendors, beggars, etc. The problem of street children is somewhat different from that of child labour in factories and workshops.

c. Bonded Children: Children who have either been pledged by their parents for paltry sums of money or those working to pay off the inherited debts of their fathers. Bonded child labour is an acute problem in the state. Bonded children are in many ways the most difficult to assist because they are inaccessible. If the carpet owner has bought them, they cannot escape.

d. Working Children: Children who are working as part of family labour in agriculture and in home-based work. If children are working 12-14 hours a day along with their parents at the cost of their education, their situation is similar to that of children working for other employers.

e. Children used for sexual exploitation: Many thousands of young girls and boys serve the sexual appetites of men from all social and economic backgrounds. Direct links between the commercial sexual exploitation of children and other forms of exploitative child labour are numerous. Factories, workshops, street corners, railway stations, bus stops and homes where children work are common sites of sexual exploitation. The physical (health, danger of HIV/AIDS, sexually transmitted diseases) and psycho-social damage inflicted by commercial sexual exploitation makes it one of the most hazardous forms of child labour.

f. Migrant children: The state faces a huge challenge with “distress seasonal migration”. Thousands of families are being forced to leave their homes and villages for several months every year in search of livelihoods. These migrations mean that families are forced to drop out of schools, something that closes up the only available opportunity to break the vicious cycle generation after generation.

g. Children engaged in household activities: Apart from children who are employed for wages (either bonded or otherwise) as domestic help, there are a large number of children (especially girls) who are working in their own houses, engaged in what is not normally seen as “economic activity”.

5. FACTORS OF CHILD LABOUR :

There are many causes of child labour :

(i) Poverty: - The most important cause of child labour is widespread poverty. Poverty forces the parents to send their children to seek the job. Disease and other contingencies may need extra money. And the employment of children is resorted to as an easily accessible method to earn the money. The problem of child labour is related to the problem of living wage of adult worker. The very inadequacy in wages of adults

compels them to send their children to work and employers also take benefit of this weakness by providing work to children on low wages.

(ii) Illiteracy and ignorance of parents: - In India the lower socio-economic group is largely illiterate. They think only about the present survival which is their sole concern and worry. They never think of the future. They ignore the fact that their children may participate in educational opportunities. Child Labour deprives the children of all educational opportunities and minimizes their chances for vocational training. It also affects their health and they are converted into labourers of low wages for their life-time.

(iii) Large Family Size: - Large families with comparatively less income cannot rise above subsistence level. As a result cannot give protection and encouragement to their children. If a family is limited and well planned there will be no scope for sending their children to the labour market and the children can be carefully educated. Thus, if parents have a small family, they can provide certain facilities to the children which are necessary for their mental, physical and social growth.

(iv) Child Labour is Cheap: - With the advent of industrialization the tendency among employers is to maximize profits, at low costs. Hence, in every country there was the employment of children in large numbers in factories. The kids got very low wages for excessive hours to work in terrible condition. Thus, preference for child labourer by many employers is mainly due to the fact that it is cheap, safe and free of problem.

(v) Absence of scheme for family allowance: - In India there is conspicuous absence of a scheme for family allowances as can be given to families so that people may have adequate standard and may not be forced to send their children to the labour market. This type of scheme comes under social security measures which are in practice in many developed countries.

(vi) Family Circumstances: - There is a notion that the child labour problem has no relationship with the prevailing poverty in a community but it is mainly a problem of mind set. In case of India, mind set accompanied by poverty are the reasons for phenomenal growth of child labour. In case of South Asia relative deprivation caused by the social hierarchical system is important push or pull factors for child labour. Organized deprivation occurs in South Asia due to stratification of population on account of descent or occupation. Poverty within the family, large size of family and father's alcoholism force the girl children to take up work.

(vii) Illiteracy: - Low literacy levels of the parents lead the children to enter the work force. Illiterate parents are not able to enter any remunerative skilled jobs and their economic status will be too low to educate their children. Moreover the education of girl children is considered to be of no use for the parents as they leave their maternal home after their marriage. Thus female children are left with no better choice than entering the labour force.

(viii) Family Trade/Crafts: - A very common justification persecuted as child labour. The girl child does many chores, be it working at home or in the field, yet her world remains small with few opportunities and facilities. In spite of the fact that the girl child is an 'immense' economic asset, her education and health are only secondary to those of her male counterparts, both in rural and urban areas. Though girls may be physically busy, the whole day their work remains unrecognized and unpaid.

6. DISCUSSION

Child labour is a conspicuous problem in Bihar. Its prevalence is evident in the child work participation rate, which is more than that of other developing countries. Poverty is the reason for child labour in state like Bihar. The meagre income of child labourers is also absorbed by their families.

Child labour in Bihar (India) is a human right issue for the nation and whole world. It is a serious and extensive problem, with many children under the age of fourteen working in carpet making factories, glass blowing units and making fireworks with bare little hands. According to the statistics given by the Bihar

government there are more than half a Million child labourers in the State, while other agencies claim that it is 1.5 million.

Bonded labour traps the growing child in a hostage like condition for years. The importance of formal education is also not realized, as the child can be absorbed in economically beneficial activities at a young age. Moreover there is no access to proper education in the remote areas of rural Bihar for most people, which leaves the children with no choice.

Some common causes of child labour are poverty, parental illiteracy, social apathy, ignorance, lack of education and exposure, exploitation of cheap and unorganized labour. The family practice to inculcate traditional skills in children also pulls little ones inexorably in the trap of child labour, as they never get the opportunity to learn anything else. Absence of compulsory education at the primary level, parental ignorance regarding the bad effects of child labour, the ineffectiveness of child labour laws in terms of implementation, non availability and non accessibility of schools, boring and unpractical school curriculum and cheap child labour are some other factors which encourages the phenomenon of child labour. It is also very difficult for immature minds and undeveloped bodies to understand and organize themselves against exploitation in the absence of adult guidance.

The problem of Child Prostitution - Some eye-opening facts in this regard:

The average age of girls supplied to the brothels in the last two years has decreased from 14 and 16 years to 10 and 14 years. A girl between **10** and **12** years fetches the highest price.

There is the myth that a man can rid himself of sexually transmitted diseases if he sleeps with a virgin hence the fear of **HIV/AIDS** has increased the demand for virgins and children.

Trafficking is another problem which Bihar (India) faces- About 7,000 sex workers cross over from Nepal into Bihar every year. 66% of the girls are from families where the annual income is about Rs.5000. They may be sold by their parents, deceived with promises of marriage or a lucrative job or kidnapped and sold to brothel owners. Between **40 – 50%** are believed to be under 18 years which is the age of consent in India, some are as young as 9 or 10 years old.

Child sex workers are not confined to big cities. A survey in Bihar revealed that roadside brothels for truck drivers in the Aurangabad and Sasaram districts offered sex workers aged between 6 and 18 years.

Everyday girls and women in Bihar enter prostitution and 80% of them against their will. At the current rate of growth by 2025, **will be quite alarming.**

7. CONCLUSION

Developing a precise definition for the term „obscenity“ is difficult. What may be considered as obscene in one country may not be considered as obscene in another. It mainly depends on the moral and ethical values of the people who belong to a specific country. However, the generic definition of obscenity refers to an act or speech or item that is likely to corrupt the morality of the general public because of its indecency or lewdness in content or form. The exhibition of something offensive to modesty or decency or expression of unchaste or lustful ideas or being indecent or lewd is considered to be obscene, in most countries. In my opinion to control child pornography in India we should completely ban porn sites. This stringent action can solve the problem to a larger extent. This would give us time to think and plan some new ways to eradicate child pornography from India. Depiction of minors, both real and virtual, as well as adults appearing to be minors, in electronic child pornography should be prevented by Indian law. Stringent measures must be taken to combat such heinous abuse.

About one quarter of India's population comprises of girl children up to the age of 19 years. However, they are discriminated socially, psychologically, economically and sexually. This gender discrimination is

socially defined and continues from cradle to grave. One of India's most striking characteristics is its material poverty. An estimated 40% of India's population lives in poverty. In a patriarchal set up, the section in families in societies that is affected is women and girl children. Violence against women, assault, and rape of women are not individual sexual or physical crimes. Desperation seems to characterize the lives of India's poor. This desperate poverty is often cited as the root of India's growing prostitution problem.

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