



PROBLEMS OF CHILD LABOURS IN HYDERBAD KARNATAKA REGION

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ABSTRACT The children belonging to meagre family income are compelled to join the labour force to supplement the family income. Generally, people from lower strata of our society send their children for work instead of sending them to school for education. Hence the children's intellectual growth is hampered by depriving them of educational opportunities, minimising their chance for vocational training and condemning them to low wage all their lives as unskilled labourers. The growing number of child labourers all over the globe causes serious concern to those who are interested in the child welfare both in developed and developing countries. It is recognised that during the process of industrialisation child labour grows in a big way in the unorganised sectors and it is intensified more with rapidly growing population. The employment of child is more or less a global phenomenon. In every country irrespective of its economic system, children are working in one form or the other to contribute significantly to the income of their families in all countries.

KEYWORDS : labour, Child, Problems, Global, Judicial

Introduction:

Child labour is a global phenomenon. The world recognises it as a burning problem warranting international attention. Undoubtedly, this increased attention is due to the fact that child labour has serious social, moral, economic and demographic implications for children, households, societies and the world. Therefore, the elimination or reduction of child labour has been the aim of democratic governments in different parts of the world. The problem of child labour has also engaged the minds of jurists, legislators, social thinkers, politicians, economists and philanthropists from time immemorial. The problem has changed its venues and from public platforms, it has reached the inner circle of legislative, executive and judicial chambers.

DEFINITIONAL ASPECT OF CHILD LABOUR

Child Labour means the employment of children (5 to 14 years of age) in gainful occupations, which are injurious to their physical, mental, moral and social development. The child labour is, at times, used synonym for 'employed child' or 'working child'. But a working child is one who subjects himself or herself to work, unpaid or free, instead of being at the school at a tender and formative stage of his or her life. The Operation Research Group (ORG) in India defines working children as a child falling within the 5-15 age bracket and who is at remunerative work, may be paid or unpaid and busy at any hour of the day within or outside the family. The children belonging to meagre family income are compelled to join the labour force to supplement the family income. Generally, people from lower strata of our society send their children for work instead of sending them to school for education. Hence the children's intellectual growth is hampered by depriving them of educational opportunities, minimising their chance for vocational training and condemning them to low wage all their lives as unskilled labourers.

The judiciary in the country has shown its great concern for the working children by bringing occupations or processes under the judicial scrutiny by directly applying the constitutional provisions relating to children.

In *People's Union for Democratic Rights Vs Union of India*¹⁵⁰ the court held; apart from the requirement of ILO Convention No. 59, we have Article 24 of the Constitution which even if not followed up by appropriate legislation must operate proprio vigore and construction work being plainly and undoubtedly a hazardous employment, it is

clear that by reason of constitutional prohibition no child below fourteen years can be allowed to be engaged in construction work. There can, therefore, be no doubt that notwithstanding the absence of specification of construction industry in the Schedule to the Employment of Children Act 1938, no child below fourteen years can be employed in construction work and the Union of India as also every state government must ensure that this constitutional mandate is not violated in any part of the country. In a civilized society, the importance of child welfare cannot be over emphasized, because the welfare of the entire community, its growth and development, depend on the health

and well-being of its children. Children are a supremely important national asset and the future well-being of the nation depends on how its children grow and develop. The great poet Milton put it admirably when he said—'Child show the man as morning the day!' and the Study Team on Social Welfare said much to the same effect when it observed that the physical and mental health of the nation is determined largely by the manner in which it is shaped in the early stages. The child is a soul with a being, a nature and capacities of its own, who must be helped to find them, to grow in their maturity, into fullness of physical and vital energy and the utmost breadth, depth and height of its emotional intellectual and spirituality being; otherwise there cannot be a healthy growth of a nation. Now obviously children need special protection because of their tender age and physique, mental immaturity and incapacity to look after the usefulness. That is why there is growing realization in every part of the globe that children must be brought up in an atmosphere of love and affection and under the tender care and attention of parents so that they must be able to attain full emotional, intellectual, and spiritual stability and maturity and acquire self-confidence and self-respect and a balanced view of the role which they have to play in the nation-building process without which the nation cannot develop.

Review of literatures

Asha Bajpai made an attempt to integrate the law in the history and field practice. She examined the important legislation and judgments on the subject, along with the initiatives for legal reform, interventions by some non-governmental organizations (NGO), and international legal trends. She also highlighted various relevant regional and international mechanism and international standards of behavior towards children. She examined the inadequacies in laws and procedures and looked at some examples and approaches of current NGO interventions and strategies in the field to enhance and protect the rights of the child. She also focused on some legal strategies and law reform recommendations to be carried at all levels—from local and national, to regional and international.

V.K. Dewan presented the global scenario of child labour and highlighted their problems. He also analysed the national laws on child labour and action plans and programmes being followed for the elimination of problem of child labour in India. He critically analysed child labour rules and related initiatives vis-à-vis various attempts being made towards elimination of child labour globally.

B. S. Rao and M.R.S. Babu conducted a case study of Pedrakani Village in Guntur District of Andhra Pradesh to examine the impact of the poverty upon child labour. They observed that the economic problems of the poor people is the main factor for compelling the parents to send their children to employment. Denial of opportunity to children for their proper physical development and education should be considered as an issue of a serious nature. They suggested that effective implementation of programmes for eradication of poverty, providing free and compulsory education for all children below 14 years, effective implementation of labour acts, and fixing minimum

wages are required for the eradication of child labour.

M.C. Naidu and K.D. Ramaiah observed that the prevalence of child labour was one of the most important problems confronting the world at large, especially developing countries such as India. They expressed the view that child labour was mainly necessitated by economic compulsions of the parents. The main reason which gave rise to child labour was widespread unemployment and underemployment among the adult poor strata of the population, inter India, due to sharp growth of population. They also observed that large families with low income and often lack educational facilities. Such families are illiterate ignorant about the importance of education as well as about the impact of labour on the health of their children.

Objectives of the study

To examine the constitutional provisions provided in the Indian constitution for the protection of child labour in India.

To examine the magnitude of the problem of child labour in Hyderabad Karnataka Region.

SCOPE OF THE STUDY

Scope of the study was confined to analyse the gravity of the problem of child labour in Hyderabad Karnataka Region with special reference to Gulbarga and Raichur districts. Few research studies have been made to throw light on the issue of child labour but these attempts have been made in organised and industrial sector. The present study was conducted to cover children working in unorganised sector. Endeavour was made to classify the child labour as school going children, child labour, nowhere children (non-labour and non-school goers). The study examined the constitutional framework relating to child labour. The study also analysed the response of judiciary against the practice of child labour.

RESEARCH METHODOLOGY

The data for the present study was collected through primary as well as secondary sources. The primary sources include Annual Reports of Ministry of Labour, parliamentary debates on enactment of child Labour Legislations like Juvenile Justice (Care and Protection of Children) Act, 2000, the Commissions for Protection of Children Act, 2005 and Right to Education Act, 2009 etc. The secondary sources include books, articles published in journals and newspapers.

As the child labour is available in different professions as household servants, Brick kiln, In Hotels, Dhabhas, shops, agriculture etc. So a list of professions was prepared, where the children are working in maximum numbers. The house-hold, the agricultural and Hotel workers are more in the villages. So the sample was selected on the basis of the nature of work. The child workers were divided in the following categories:

- Household Workers and Domestic Servants
- Work in Hotel
- Agricultural
- Others

Four blocks from Gulbarga district and three blocks from Raichur district were chosen and two villages from each block were chosen on random basis as is shown in the following table:

Districts	Block	Villages
Gulbarga	Gulbarga	Ankalga . Aurad
	Sedam	Mudhol , Malkhed
	Jewargi	Andola Ainapur
	Abzalpur	Ghangapur ,Chaudapur
Raichur	Raichur	Appandoddi , Agrahar
	Lingasur	Maski Maraldinni
	Devadurga	Akalkumpi Alkod

320 child labour respondents (160 from Gulbarga District and 160 from Raichur District) have been chosen on random basis who are working as Domestic Workers, Hotel Workers, Agricultural Workers and Others. 40 child respondents were chosen in Gulbarga district from each Block and 20 from each village on random basis. Raichur is comparatively a small district and is comprised of three blocks only. The number of child labour respondents chosen from each block of Raichur District is more than four blocks of Gulbarga District. This has been done so as to choose equal number of respondents from each district.

Information was collected from the children and their parents by applying personal interview to elicit their views on the issue of child labour. Information was also collected from NGOs through Questionnaire method on various issues relating to child labour.

Suggestions;

There is a need for building effective mechanism and structural pattern to ensure that all the laws framed by the Government for the eradication of child labour must be implanted. If the laws are effectively implemented, the rights of the children shall not remain on paper but shall be translated into action.

The action plans for the eradication of child labour must be multifaceted and multidimensional and have diversity of approaches so as to provide solution to the complex and deep-rooted problem of child labour. Several issues like the child's perspective, context and environment must be incorporated and properly addressed to meet the growing challenge of child labour.

A campaign to promote awareness of the Convention, the constitutional provisions and the situation of children in Karnataka must be launched. The campaign should focus on information dissemination on child rights at the State, District and village levels. It should also demand the implementation of the commitments made by both Union and the Government of Punjab. The campaign must undertake initiatives at national level through awareness building, networking, and child- centered policy advocacy, for building a conducive institutional environment wherein all the internationally agreed and accepted child rights are fully practiced and promoted. One of the objectives of the campaign must be to mobilize public opinion for the protection and promotion of child rights through information dissemination, awareness.

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