



## The Depiction of Child Labour in Jammu and Kashmir

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### Abstract

Children the prospect and panorama of society; require adequate development, contemplation and nourishment. Unfortunately there are number of issues and concerns related to children in Jammu and Kashmir e.g. child abuse, child labor, street children etc. The present research paper is an attempt to highlight the issue of child labor, to find the different factors responsible for child labor including poverty, family disharmony, educational constraints, unable to pay school fee, lack of education, civil war, corruption, etc. Child labor is an actual appearance of violations of a range of rights of children and is recognized as a serious and enormously complex social problem. Working children are denied their right to survival and development, education, leisure and play, and adequate standard of living, opportunity for developing personality, talents, mental and physical abilities, and protection from abuse and neglect. The research paper also tries to highlight the policies and programmes initiated by central and state government for the welfare and interests of children, tranquil the issue is looming in our society. At an age where the children need to spend time in school, studying, playing, reading etc are forced to work as labors in extremely inhuman conditions due to economic constraints. The study also makes an exertion to provide some suggestive measures to overcome or surmount the problem of child labor and to focus on the need to work collectively to abolish child labor. As a functioning member of society we have a duty to ensure that every child is in school and not at work.

### Keywords

Children, society, development, Jammu, Kashmir, labor, education, government, poverty, family.

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## **A Prologue of Child labour**

Child labour has been one of the biggest obstacles which impede the growth of social development. It is a challenge and long-term goal in many countries to abolish all forms of child labour. Especially in developing countries, it is considered as a serious issue these days. Child labour refers to children who miss their childhood and are not able to have the basic amenities which a child should have. Recently the International Labour Organization (ILO, 2013) estimated there are around 215 million children between the ages five to fourteen who work worldwide. They are often mistreated and work for prolonged hours, in very bad conditions. This can affect their health physically, mentally and emotionally. These children do not have the basic rights like access to school or health care.

The term “child labor” is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical-mental development. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children, and interferes with their schooling by depriving them of the opportunity to attend school, obliging them to leave school prematurely or requiring them to attempt to combine school attendance with excessively long and heavy work. The statistical figures about child workers in the world have variation because of the differences in defining categories of age group and engagement of children in formal and informal sector. According to ILO (2013) the largest numbers of child labourers are working in hazardous work and the total number of child workers is increasing, even though it is forbidden by law. These children are vulnerable to diseases and they struggle with long-term physical and psychological pain. The main cause that induces children to work is poverty. These children work for their survival and their families. (Mapaure, 2009).

### **Child labour in India**

As per Census 2011, the total child population in India in the age group (5-14) years is 259.6 million. Of these, 10.1 million (3.9% of total child population) are working, either as ‘main worker’ or as ‘marginal worker’. In addition, more than 42.7 million children in India are out of school.

However, the good news is that the incidence of child labour has decreased in India by 2.6 million between 2001 and 2011. However, the decline was more visible in rural areas, while the number of child workers has increased in urban areas, indicating the

growing demand for child workers in menial jobs.

**Table: 1 Child labour in rural and urban India**

Year	Percentage of working children (5-14)			Total number of working children (5-14) (in millions)		
	Rural	Urban	Total	Rural	Urban	Total
2001	5.9	2.1	5.0	11.4	1.3	12.7
2011	4.3	2.9	3.9	8.1	2.0	10.1

Source - Census 2001 and 2011

**Table: 2 Distribution of working children by type of work in 2011**

Area of work	Percentage	Numbers (in millions)
Cultivators	26.0	2.63
Agricultural labourers	32.9	3.33
Household industry workers	5.2	0.52
Other workers	35.8	3.62

Source - Census 2011

**Table: 3 States with high incidences of Child labour**

Together, Uttar Pradesh, Bihar, Rajasthan Maharashtra, and Madhya Pradesh constitute nearly 55% of total working children in India.

States	Percentage	Numbers (In million)
Uttar Pradesh	21.5	2.18
Bihar	10.7	1.09
Rajasthan	8.4	0.85
Maharashtra	7.2	0.73
Madhya Pradesh	6.9	0.70

Source - Census 2011

Child labour is not a new phenomenon in India where children has always worked. During the industrial revolution child labour increased, due to the shift of labour movements to colonial countries. Children can be found in every sector of the informal economy (Molanka,2008).The incidence of working children in India are engaged in hazardous occupations such as factories manufacturing diamonds, fireworks, silk and carpets, glass and bricks(Waghamode & Kalyan,2013). There are several factors that force children to work such as inadequate economic growth, poverty, unemployment over

population and lack of education and health care (Ahmad,2012). On school attendance in India a large number of children between ten to fourteen years of age are not enrolled in school because of household economic condition. Attendance in school or dropout differs for male and female while boys are more likely to provide financial income for the family, girls are more involved in household chores (Kakoli & Sayeed, 2013).High illiteracy and dropout rates are high in India due to inadequacy of the educational system. Even through many poor families don't see education as a benefit to society, they consider that work develops skills that can be used to earn income (Ahmed, 2012).

### **Child Labour Act:**

Child Labour (Prohibition and Regulation) Act (1986) was the culmination of efforts and ideas that emerged from the deliberations and recommendations of various committees on child labour. Significant among them were the National Commission on Labour (1966-1969), the Gurupadaswamy Committee on Child Labour (1979) and the Sanat Mehta Committee (1984). The Act aims to prohibit the entry of children into hazardous occupations and to regulate the services of children in non-hazardous occupations. In particular it is aimed at (i) the banning of the employment of children, i.e. those who have not completed their 14th year, in 18 specified occupations and 65 processes; (ii) laying down a procedure to make additions to the schedule of banned occupations or processes; (iii) regulating the working conditions of children in occupations where they are not prohibited from working; (iv) laying down penalties for employment of children in violation of the provisions of this Act and other Acts which forbid the employment of children; (v) bringing uniformity in the definition of the child in related laws.

### **Methodology:**

The Research is based on Descriptive and Empirical, for analysis this study is based on mainly secondary data on the different census issues of India. Methodology applied in the study is totally depends on statistical analysis and represented by various cartographic techniques. The data and the content regarding child labour is mostly based on research papers of different scholars and reports provided by UNICEF, ILO and World Bank in terms of international labour standards and human rights conventions.

### **Objectives of the study:**

The following objectives has undertaken for the study;

- i. To find out the causes, effect and present condition of child Labour.
- ii. To find out the present distribution of child labour.

- iii. To find out the current patterns of child labour.
- iv. To suggest remedial measures to solve the problem of child labour.

### **Child Labour in Jammu and Kashmir**

In spite of many strict laws existing against child labour in Jammu and Kashmir, the number of minor children, i.e., less than 14 years of age, working as labourers is increasing. According to a report on 'child labour in Jammu and Kashmir (2011 Census)' there are 2.5 lakh child labourers in Jammu and Kashmir, majority of whom work in the handicrafts sector, automobile workshops, brick kilns, agriculture and as domestic servants in homes.

Thousands of children even below 14 years of age can be seen working as vendors, bus conductors, and in the carpet weaving factories and in workshops. The existence of Child Labour Act and other laws regarding prevention of child labour appear not to be effective at all because child labour is quite common everywhere. Moreover, there is no social security system nor any NGOs working against child labour and government also appears to be indifferent and oblivious of taking serious and punitive action in preventing this. The lives of innumerable children are ruined because of the poverty and misery of parents.

**Table: 4 Distribution of Working Children according to 1971,1981, 1991, 2001 and 2011 Census in the age group 5-14 years**

<b>Jammu &amp; Kashmir</b>	<b>1971</b>	<b>1981</b>	<b>1991</b>	<b>2001</b>	<b>2011</b>
	70489	258437	**	175630	25528

\*\* Census could not be conducted.

### **Factors responsible for child labour in Jammu and Kashmir:**

There are several factors which are considered responsible for child labour in Jammu and Kashmir, significant are as follows:

#### **1. Poverty as root cause**

There are several circumstances that affect child labour. Studies have demonstrated that the most notable reason being poverty (Bhat & Rather, 2009). Decisions about child labour and schooling are generally made by parents. If the family live below the poverty line, parents see children as part of contributor in their family income. Basu (1998) used a theoretical model of child labour, where he showed the only reason parents send children to labour is because of their low income. Consequently poor parents cannot afford schooling for their children. Thus, mainly poor households are to send forced their children

to labour instead of sending to school. Rena (2009) shows that that poverty and underdevelopment drives child labour. She found that the high prevalence of poverty amongst countries, including India, China, Bangladesh, Pakistan, Sri Lanka, Papua New Guinea, Ethiopia, Uganda, Mozambique, Malawi, Sudan, and Chad increases the child labour.

## **2. Family sizes**

Indeed, large poor households usually have more children involved in child labour than children from smaller households, which demonstrates family size have an effect on child labour. Parents oblige their children to work because they are not able to manage the demands of a large size family. There is also gender differences among household size. Not everyone and of all age in the family are working as child labour, which depends on the child's age and gender, for example boys are more likely to attended to school than girls. Older siblings often contribute more to the family income (Ahamd, 2012; Boyden J and Myers, 1998).

## **3. Family conflicts**

Family conflict or disharmony in family is also another factor responsible for child labour. When a child witnessed frequent conflict in a family, he found himself in the state of depression which directly effects his education and personality, and at the end he caught in the vicious circle of child labour.

## **4. Traditional or cultural factor**

Culture is another factor which is driving children into labour market. Different cultures of many societies make children start work at very young age which are related to traditions and cultural factors. They assumed that children need to learn skills that can be good for their future. According to Tauson (2009) in rural Guatemala; parents prefer their children to work because consider it beneficial for them as they learn work skills.

## **5. Corruption**

Corruption is the one of main reason for abusing resources, wherever there is poverty; there is also corruption(Murphy,2005).According to United Nations Development Programme(UNDP) (2012)“Corruption exacerbates poverty and inequality, undermines human development and stability, encourages and sustains conflict, violates human rights, and erodes the democratic functioning of countries”. Onyemachi(2010) points out that corruption among government officials is another reason that hinders social and economic growth and increases poverty. Corruption can have hugely negative effect on children's right that deprives basic services such as health care, education and infrastructure.

## **6 Civil war**

The civil war is another factor contributing to child labour. The war destroys the economy of the country, people become much poor and all resources go to the war. The effected families of war send their children to work to earn money for basic necessities of life. These children are exposed to exploitation.

## **7 Urban migrations**

Many rural families migrate to urban areas because of rural push and urban pull factors. As a consequence of that, they are often forced to live and work in the street as they lack access to basic requirements such as food; shelter etc. and these children become street workers as vendors. Mostly street workers are vulnerable to violence and become more susceptible to illegal works, such as stealing, trafficking drugs and prostitution (Yadav & Sengupta ,2009). These children live in urban poverty, many child labourers live in unhealthy poor conditions slum areas and work in poor environment such as domestic work, or work in hotels and restaurants etc. (Serwadda-Luwaga,2005)

## **8 Globalization**

Globalization is another cause of child labour. Globalization has positive and negative impacts, nevertheless; globalization might give developing countries the opportunity to increase their gross domestic production (GDP) per capita via new trade possibilities and ascend their foreign direct investment (FDI) inflows. Globalization also has brought adverse impacts on child labour in developing countries. Mishra(2012) claims that in India, globalization has obliged more children to work in hazardous occupations like brick kiln , motor garage, hotels, shops, transportations, manual loading work etc.

## **9 Lack of education**

Lack of education or poor quality education is another factor that contributes to high incidence of child labour. Education is considered one of the main alternatives to abolish child labour, unfortunately our educational system is outdated and irrelevant. A child doesn't find any meaning and relevance in such institutes and also family income affects children's education and poor parents cannot afford to pay for children however, children are compel to work and are less enrolled. education.

## **Recommendations:**

1. Economy is considered the prime cause of child labour, efforts should be made to assist and help the poor and needy children so that they are not caught in the circle of exploitation.

2. Efforts should be made to enhance and boost the educational system, so that the child feel interested in the school environment and special attention and significance should be given to poor and needy children's.
3. The welfare schemes and programmes of government related to child labour should be implemented in a proper and strict manner so that they reach the needy ones.
4. Government Authorities have to identify all the hazardous sectors and have to take appropriate measures for preventing the child labour in their working place.

The prevalence of child labour in our society is not because of poverty, family size, family disharmony and illiteracy alone. It is also because of apathy of the government because it does not take serious action to implement the policies and programmes related to child labour in such a way that those who require and deserve these benefits. Government has accordingly been taking proactive steps to tackle this problem through strict enforcement of legislative provisions along with simultaneous rehabilitative measures. State Governments, which are the appropriate implementing authorities, should have been conducting regular inspections and raids to detect cases of child labour violations. Since poverty is the root cause of this problem, and enforcement alone cannot help solve it, Government has been laying a lot of emphasis on the rehabilitation of these children and on improving the economic conditions of their families

### **Conclusion**

Child labour refers to the exploitation of the labour of children who are either too young to work, or are of working age but work under conditions that subject them to risk. It is an unfortunate reality that children worldwide are often forced to undertake work that is physically, psychologically and morally damaging to them. 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. Working children are denied their right to survival and development, education, leisure and play, and adequate standard of living, opportunity for developing personality, talents, mental and physical abilities, and protection from abuse and neglect.

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