

PERSPECTIVE OF CHILD LABOUR IN INDIA

The concern for child labour in India attracted public attention, serious debate, discussion, and research only in the late 80s, though there were some isolated efforts by few voluntary groups in different parts of the country prior to that. There had been government appointed committees in the past to look into the question of child labour and make recommendations; but these committees did not receive media coverage, nor were their recommendations discussed in public. Child labour still today is generally perceived to be the result of economic poverty or any kind of economic deprivation, which significantly contributes its perpetuation and prevalence. This would be an extremely simplistic analysis of a very complex issue. Considering the various forms of social inequality, discrimination and exploitation on the basis of caste, community, ethnic groups, gender that our country experiencing over the centuries, it is essential/imperative to look the entire issue of child labour from an alternative perspective. Our society is stratified based on caste, community, ethnicity, gender and region . The cultural plurality and regionalism divide the society further. These divisions exhibit various facts, which are detrimental to the society and also contribute to the violation of child rights .

According to the fifth education survey conducted in the later part of the eighties and the results of which were made available in the early part of the nineties, there were about 112 million children in the age group of 5-14 years who were enrolled in the formal school system in class 1-5. About seven million children were reported to have been enrolled in the NFE system. Thus, a total of 119 million children were enrolled in school and 84 million children were out of school (Mishra, 1998)

An interesting feature of the growth of the Indian population is that every year 21 million children are born in India of whom eight million die due to various infection and diseases. This means that nearly 13 million children are being added every year to the child population. In the present year, i.e. 1999, nearly 100 million would have been added to the population of children. Of course, many more would have been, by now, out of the fold of the child population, crossing the age of 14 years. However, even by conservative estimates, nearly 100 million children would be presently in the out of school category, since more children are being born in the 'below the poverty line' group compared to that in the other group. Statistics clearly reveals that almost 100 million children in the age group of 5-14 years are out of school. The crucial question is what are these 100 million children doing if they are not going to school. They could either be sitting idle, loitering around on the street or engaged in some work. In all probability, they would be working. If these children belong to families in distress, they have to earn to support their families. If they are without families and belong to the category of street children, then again they have to earn in order to survive. These children are generally in the category of "nowhere" children. According to an estimate, there are 74.6 million children in India who are in the "nowhere" category (Chaudhary, 1997) Such children are generally found in unorganized slum settlements, on railway stations, beneath fly over, etc. They spend most of the time on the streets. The main occupation of such children are domestic service, services rendered in tea stalls, road side hotels, small restaurants, shoe-shining, vending, working as porters on railway platforms, cart pushing, news paper selling, working as mechanics or helpers in motor garages, scooter repairs, book binding, envelope making, rag-picking, scavenging and a host of other activities.

Constitutional Framework and International Commitments on Child Labour

- Article 45 of the Constitution of India clearly spelt out the need for making education free and compulsory up to the age of 14 years for all children within a period of 10 years from the date of enactment of the Constitution. It is known that this provision in Part IV of the Constitution is, after the decision by a Constitution bench of the Supreme Court, in Unni Krishnan, 1993-1 SCC 645, has acquired the status of a fundamental right.
- Article 39 (e) and (f) of the Constitution clearly states: (a) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter vocation unsuited to their age or strength; (b) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.
- Article 24 states that no child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

ARTICLES	PROVISIONS
15 (3)	Enables the State to make special provisions for children
23	prohibits the traffic in human beings and forced labour
24	Forbids the employment of children below the age of 14 years in factories, mines and other hazardous occupations
39 (e)	Directs the State to safeguard the tender age of children from entering into jobs unsuited to their age and strength forced be economic necessity
39 (f)	Directs the State to secure facilities for the healthy development of children and to protect childhood and youth against exploitation and moral and material abandonment.
45	Directs the State to provide free and compulsory education to all children upto 14 years to age.

UN Convention on the Rights of the Child

The United Nations Conventions on the Rights of Child mentions about the rights of the child to survival, protection, development and participation. The Convention has 54 Articles. Article 32 of the Convention states:

1. "State parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development".
2. "State parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present Article. To this end, and having regard to the relevant provisions of international instruments, State parties shall, in particular, provide for: (a) a minimum age or minimum ages for admission to employment (b) appropriate regulation of the hours and conditions of employment (c) appropriate penalties or other sanctions to ensure the effective enforcement of the present Article."

Having ratified the Convention in 1992, it is obligatory on the part of India to provide these rights to children. The instrument contains the following declaration:

“While fully subscribing to the objectives and purposes of the Convention, realizing that certain rights of the child, namely those pertaining to the economic, social and cultural rights can only be progressively implemented in the developing countries, subject to the extent of available resources and within the framework of international cooperation; recognizing that the child has to be protected from exploitation of all forms including economic exploitation; noting that for several reasons children of different ages do work in India, having prescribed minimum ages for employment in hazardous occupations and in certain other areas; having made regulatory provisions regarding hours and conditions of employment and being aware that it is not practical immediately to prescribe minimum ages for admission to each and every area of employment in India, the Government of India undertakes to take measures to progressively implement the provisions of Article 32, particularly paragraph 2 (a), in accordance with its national legislation and relevant international instruments to which it is a State Party”.

Apart from the Constitutional provisions and international obligations, legal provisions also exist in the form of various laws for children, important among which are the following:

- The Children’s Pledging of Labour Act, 1933
- The Factories Act, 1948
- The Plantation Labour Act, 1951
- The Beedi and Cigar Worker’s Conditions of Employment) Act, 1966
- The Bonded Labour System (Abolition) Act, 1976

The Child Labour (Prohibition & Regulation) Act, 1986, bans the services of children in processes and occupations detrimental to their normal physical growth. Presently there are eight occupations and 54 processes, which prohibits the services of child labour. Protection and support of children who are homeless is also provided through short stay and long stay homes for juveniles, shelter homes for orphans, drop-in-centres, etc., for which the Juvenile Justice Act was formulated in 1986. In fact, there has been a plethora of legislation meant for the care and protection of neglected street and working children.

Child Labour (Prohibition & Regulation) Act, 1986

The Child Labour (Prohibition & Regulation) Act is the most comprehensive legislation in the country. It was for the first time that this Act brought about uniformity in the definition of child in related laws. It bans the employment of children, that is, those who have not completed their fourteenth year, in specified occupations and processes. There are presently eight occupations and fifty-four processes in which children’s work is prohibited. The Act lays down the procedure to make additions to the schedule of banned occupations and processes. The Act regulates the working conditions of children in occupations where they are not prohibited from working. It lays down penalties for employment of children in violation of the provisions of this Act, and other Acts which forbid the employment of children.

Although the Act is a comprehensive legislation, it does suffer from a number of limitations. It tries to combine prohibition and regulation in a manner, which calls for a serious debate whether children should actually be allowed to work in any situation. The advocates of this Act justify the Act on the ground that in a country like India where poverty is in a rampant form and where families languish in a state of complete deprivation and destitution, it is but natural that children would be sent by their parents at a very tender age to work in order to provide income support to them.

In the present context, education is made free and compulsory for all children up to the age of fourteen years, as envisaged in Article 45 of the Constitution and subsequently under the **93 rd. Amendment on Education** , there is no reason why child labour should be allowed in certain occupations. According to them, child labour should be banned totally through a single point programme of free and compulsory education.

The term hazardous has not been properly defined in the Act. Some of the hazards are intrinsic to given occupations, like in the glass industries, brassware industries, etc., where workers have to work near furnaces for molding the glass. There are hazards in work situations caused due to the work environment where there is no provision for adequate light and ventilation, where the work place is over crowded, etc, as in the case of carpet weaving, match box making, etc. Hazards are also caused due to nature as in the case of agricultural work like grazing of animals in scorching heat or collecting garbage from dirt and filth during the rainy season. These are all hazards, which may cause physical damage to the body. Working under situations of stress and listening to the abuses of employers may lead to psychological hazards. The very fact that children are deprived of their freedom and leisure because of work and have no opportunities for education, being a part of the work force, may entail a situation of extreme psychological trauma in a child, which the Child Labour (Prohibition & Regulation) Act fails to consider.

The Act does not give protection to the most vulnerable sections of child labour, that is, the girl child domestics, child prostitution, child trafficking, child beggars, child scavengers, children in conflict situations, etc.

National Child Labour Policy, 1987

It is indeed an irony that the National Child Labour Policy was drafted only after the Child Labour (Prohibition & Regulation) Act was formulated, although it is generally the policy which guides the formulation of certain legislation. The basic objective of this Policy was to deal with the situation of child labour in the country and prepare programmes of action to tackle the issue of child labour. The three main components of the Policy are the legislative action plan, the focus on general development programmes for the benefit of working children and the project based plan of action.

Under the project based plan of action, the **National Child Labour Projects (NCLP)** were launched for the first time in areas of high concentration of child labour. The NCLPs are area specific, time bound projects where priority is given to withdrawal and rehabilitation of children engaged in hazardous employment. The strategy of NCLPs is to implement model programmes consisting of key elements such as:

- Stepping up the enforcement of the prohibition of child labour.
- Providing employment to parents of child labour.
- Expanding formal and non-formal education.
- Promoting school enrollment through various incentives, such as payment of stipend.
- Raising public awareness.
- Survey and evaluation.

The Special Schools Programme was started with a view to enrolling working children. However, in order to increase enrollment, many schools started admitting children who were not working and even those who could afford to go to corporation schools. In many of the States like Uttar Pradesh and Madhya Pradesh it so happened that children from corporation schools started shifting to the special schools for the simple reason that there was a provision for stipend in the special schools. This defeated the very purpose for which the special schools were set up. Most of the project functionaries were just interested in enrolling students and were not particular about admitting working children

The child labour survey, conducted in 133 child labour endemic districts, turned out to be another exercise in futility. A sum of Rs. 1.95 lakh was earmarked for each district for the conduct of survey. The distribution of funds for the survey, once again, was uniform. Larger districts thus faced immense problems in the conduct of the survey compared to those, which were smaller in area and/or population. Since this was a door-to-door survey, it required a lot of orientation to be given to people who were involved in the conduct of survey. In the absence of such an orientation, the survey could neither be carried out during the stipulated time nor was the quality of survey up to the mark. Only a few districts actually completed the survey. Others conducted either a sample survey or partial survey. The resultant output from the exercise did not result in any meaningful policy change at the macro level.

Supreme Court Judgement on Child Labour

Even before the survey on child labour was completed, the Supreme Court of India passed a judgement on child labour on the petition of M.C.Mehta (No. 465 of 1986) which sought to involve the court's power under the Article 32 of the Constitution in the matter of gross violation of the Article 24 by the employment of children in the match factories of Sivakasi. The salient features of the judgement were as follows:

- Provision of alternative source of income to the family is a pre-requisite to eradicate child labour
- Employers of children must pay a compensation of Rs.20,000 as per the provisions of the Child Labour (Prohibition & Regulation) Act, 1986, for every child employed.
- The fine is to be deposited in the Child Labour Rehabilitation-cum-Welfare Fund.
- The inspectors appointed under the Act should do the job.

- The State shall have to provide employment to an adult in the family in lieu of the child working in a factory or mine or any other hazardous work.
- In the absence of an alternative employment, the parent/guardian will be paid the income earned on the corpus fund, the suggested amount being fixed for each child. The payment will cease if the child is not being sent for education. In case of non-hazardous employment, the employer will bear the cost of education.
- The States' contribution/grant is fixed at Rs.5,000 for each child employed in a factory or mine or any other hazardous employment. The sum shall be deposited in the aforesaid fund.
- The district is determined as the unit of collection.

The Supreme Court judgement on child labour is indeed historical. It is for the first time in the country that a judgement has been delivered on a sensitive issue like child labour by the highest Court in the country.

The Supreme Court Judgement has, however, over looked the changes that need to be brought about in the Child Labour (Prohibition & Regulation) Act, 1986. In fact, the Court seems to have given a clean chit to the Act, without realizing its inherent limitations because of which it is not being implemented in letter and spirit.

The ranking of hazardous employment, as envisaged by the Court, was to be based on the list of priority industries announced by the Government of India under the National Child Labour Policy. These constituted a miniscule proportion of the total child labour in the country. The agricultural sector, having the largest number of working children, has not been included in this list. Children working in cities, who form a part of the invisible work force, have also been left out. Apart from this, the industries that have been included in the list provided by the government are mostly those where children work as part of family labour and are not within the purview of law.

While going through the entire judgement, it appears that the Supreme Court was in haste to deliver the judgement. The honorable judges probably got carried away by Myron Wiener's observation " India is a significant exception to the global trend towards the removal of children from the labour force and the establishment of compulsory, universal primary school education. Many countries of Africa like Zambia, Ghana, Ivory Coast, Libya, Zimbabwe, with income levels lower than India, have done better in these matters.

NGOs Responses in eliminating Child Labour

NGOs have been working towards the goal of elimination of child labour either independently or in partnership with the government for quite some time. Some of the NGO initiatives have been a landmark in this area. The areas of NGO intervention to eliminate child labour are:

- Provision of alternative education, in the form of NFE, inclusive education but with modifications, depending on the needs of children.
- Community participation and involvement.

- Sensitizing various groups of people like employers, parents, community leaders, youths, volunteers, activists, teachers, bureaucrats, police, students, academicians, etc.
- Mainstreaming children into regular schools after completion of three years at the NFE stream, or through bridge courses, by providing accelerated learning techniques.
- Organising teachers' training to enable the teachers to increase their productivity
- Setting up drop-in-centres, gali schools, night schools or platform schools for special categories of child workers.
- Generating public awareness on the issue of child rights through various forms of media, that is, the print, electronic and folk media.
- Setting up shelter homes in the form of night shelters, drop-in-centres, short stay homes, etc.
- Providing mid-day meals, recreation, counseling and vocational training to working children.
- Ensuring placement of children in jobs after completion of vocational training and assisting them to start their own vocations.
- Arranging sponsorship for the needy and deserving children in order to help them grow up into responsible citizens.
- Conducting meetings, workshops, and seminars on issues related to child abuse and neglect.

Forestry, livestock etc. As per the National Sample Survey (1987-88), the number of child labour in the rural areas was 8.186 million males and 6.9 million females. In the urban areas, the male child labour population was 1.155 million and female child labour is 0.794 million. Thus, we have found that the child labours are coming mainly from some specific social groups and noticed largely in the rural areas.

In a recently published article, Niti Mohanti stressed the technique of poverty mapping” as one of the most effective tools in tracking down the various factors, related to child labour (Niti Mohanti, 1997). This tool assumes that only economic poverty does not generate child labour. Several Southeast Asian studies have come out with five main categories of poverty. They are economic, geographical, social, cultural, and political poverty. We now examine the relevance of these aspects in the Indian context.

I. Economic Poverty: This is the most visible factor for the growth of child labour in any parts of the globe and can be distinctly identified in any civil society. Our country, India is a classic example of this economic poverty. India is rich in terms of its economic resources. However, majorities of Indian population are poor and struggling hard for their survival. This is largely due to uneven distribution of resources. The unequal distribution of wealth is leading to poverty, hunger etc., which ultimately contributing only rapid growth of child labour. The little income of the family is very often found to be inadequate and burden the family. It puts pressure on all family members including the children to work and support the family financially. With the implementation of liberalization, privatization, and globalization (LPG), the situation of the

marginalized sections of the Indian society, who constitutes the major population of the country, are deteriorating at a fast pace. Now that our Prime Minister, after elected for the second time as the leader of the ruling combine, has already hinted for some hard decisions. This is going to affect the common people financially and in the process more and more people will suffer from the economic poverty in the future days to come.

II. Geographical Poverty: Certain areas are deprived, under developed and there exists the regional variations. The families, communities, living in those areas are deprived by the state power. The people in those areas lack access to natural resources and supportive infrastructure for economic development. The interior rural areas of our countries and the forest areas constitute the geographical overt zone. Himalayan and sub-Himalayan regions could be cited as example. In these areas, seasonal migration and child labour are considered integral part of survival strategies of such communities. There are some draught prone areas in our countries. The draught affected people, for their survival even sold their son/daughter. We have several instances of such type of cases from Kalahandi and Bolangir districts of Orissa.

III. Social Poverty: Social poverty is a product of the discrimination, based on caste, community, ethnicity, and gender. These elements are very strong in all Asian countries and India in particular. Indian society is divided on the basis of caste, community, ethnicity, and gender. It is so deep rooted in the minds of Indians that almost fifty years after the adoption of untouchability Act, the country is still witnessing discrimination on the basis of caste. We still debate as to reservation is to be given to our women or not? Neither the dalits, nor the tribals or the women are given their due status in the society. Caste bias, gender bias etc. are still very strong in Indian society. The dalits, the tribals, and the women are deprived from the basic education and other basic services because of their inferior social status. The children belonged to these communities, therefore, could be forced into child labour situation due to this social vulnerability. The caste, ethnic and gender factors thus affecting the growth of child labour in India. Absence of social democracy, which is very much inter related to social poverty is one of the important reason for the perpetuation of child labour. We might have succeeded in establishing political democracy (that also I am not sure) in our country, but we have failed miserably as far as establishment of social democracy is concerned. A small country like Sri Lanka has succeeded in achieving it. In this connection, we must ask ourselves as to what prevents us from achieving social democracy. Should we blame our traditions, customs or our social order based on caste hierarchy?

IV. Cultural Poverty: This is one of the direct products of liberalization policy. With liberalization, the Asian markets are now flooded with consumer goods and one can notice the craze of common people, mostly residing the urban or semi-urban areas to acquire more and more such goods. This element of consumerism has obsessed human life. It has also manifested in the form of increasing violence and aggression towards young children and women; largely contributing to emergence of child labour. Studies from South-East Asian countries (mostly Thailand and Indonesia) reveal that this is one of the major reasons for sending young girls to work as sex workers. Though it is not an established fact in India, the study by Gathia discusses about

prostitution as ‘family occupation’ among certain communities in Pink Triangle. There is blatant trafficking in women and children in this triangle (Gathia, 1999,81). In fact, such practices are followed in some other parts of India. In this context, child sex workers are products of the socio-economic factors rather than cultural poverty.

V. Political Poverty: Political poverty can be looked into from two aspects. First, the marginalized sections of our country lack political access and representative voice to address their problems. On the other hand, the political leaders, who are emerging from the marginalized groups are either co-opted in the power structure, or sidelined. When the voice of the marginalized is not heard in the power corridor of the state structure, their situation continues to remain the same or even starts deteriorating further, which has its bearing on the growth of child labour. Secondly, the children of our country do not have a voice. They just follow the instruction that they receive from their parents/elders. They do not have any access to any forum, where they can register their plight or protest. As they do not have voting power, the politicians also neglect them. In the recently concluded Lok Sabha election, none of the political parties have included child labour question in their election manifesto. It reflects the commitment of our politicians for the eradication of child labour. Needless to mention here that political will is one of the pre-requisites for stopping children to get into this dark world as well as to save them from its jaws.

Now the crucial question comes as to how this problem of child labour is to be dealt in the present given socio-economic and political situations? We cannot stop the liberalization of Indian economy at this point of time. Hence, unequal distribution of wealth is going to stay in our country. In course of our discussion, it has been pointed out that the root of child labour in our country lies largely with the social, economic, political and geographical poverty. Hence, the solution to the problem of child labour has to be seen in these contexts. Both government agencies and voluntary organizations have to play a very crucial role in this regard. However, before addressing those issues, it is essential to have a look into the various steps taken by the government for the eradication of child labour and stopping children from getting into the job market.

The various steps taken by the government so far to deal with their problem of child labour is more towards its regulation rather than abolition of child labour. Though there are legal protections to the child labour from exploitation at work through various labour laws, the government realized only in the 1980s that the problem of child labour needs more focused attention. It constituted Central Advisory Board on Child Labour on March, 1981 to review the implementations of legislation, suggest and review legislative and welfare measures; and recommend hazardous occupations and processes. Towards these objectives, both the Ministry of Labour and Ministry of Welfare at the grassroots level have sanctioned several projects. The Ministry of Education also came out with its strategies for universalization of primary education to combat the problem of child labour. However, the most significant step in this direction, as pronounced by the government reports, was the adoption of National Child Labour Policy in 1987. This policy aimed at successfully rehabilitating child labour withdrawn from the employment and reduces the incidence of child labour progressively through a number of measures. The three main ingredients of the policy are: i. Legal action plan- emphasis would be laid on strict and effective enforcement of legal provisions relating to child labour under various labour laws; ii. Focusing on general development programmes – utilization of various ongoing development programmes of other ministries and departments for the

benefit of child labour wherever possible; iii. Project based plan of action- launching of projects for the welfare of working children in the areas of high concentration of child labour. Prior to that, by means of Child labour (prohibition and Regulation) Act, 1986, the government prohibited the employment of children in hazardous industries, while regulating the conditions of work in other jobs. Children are prohibited from employment in bidi making, carpet weaving, match manufacturing, glass industries, explosive and fire work industries and few other industries. The prohibition applies only to children below the age of fourteen. The Central government is given the right to add the list. It further restricts the number of hour of work for a child, number of days and restricts the time of work. This Act is a controversial Act in the sense that through this Act, the government legalized the child labour in the country and it is a violation of the ILO Convention on Child Labour. The government also launched the national Child labour Projects in 1988 with a thrust to reduce the incidence of child labour in the project area. The project activities include stepping up enforcement of child labour laws, non-formal education, adult education, income and employment generation, special schools, rising public awareness and survey and evaluation. A high power National Authority for the Elimination of Child Labour (NAECL) was set up on 26th June, 1994. Consisting of ten secretaries of the Government of India, the main function of the NAECL are to lay down the policies and programmes to monitor and to co-ordinate implementations of child labour projects of different ministries of the government. It adopted a scheme on "Identification, Release and Rehabilitation of child labour". The authority has identified the areas of concern, which includes non-formal education, integrated child development services schemes, welfare, health, rural development and information. Our former Prime Minister P.V. Narasingha Rao soon after the formation of NAECL declared on August 15th, 1994 from the Red Fort that the government would withdraw an estimated two million-child labour from hazardous employment by AD 2000. Now we are about to enter into AD 2000, but all of us know the situation. Though child labour is prohibited in hazardous occupations and the government is committed to release two million children by 2000 AD, child labour are seen at various places at Firozabad, Sivakasi and many other places and involved in hazardous jobs. Joseph Gathia, in his recently published book, Child Prostitution in India has highlighted some important emerging trend in sexual commercial exploitation of children. Moreover, in the rural areas, the expectation from the girl child is found more and they are very often send to the urban areas as domestic workers. There is no law in this country to regulate the domestic workers' conditions. Very often, they face physical and sexual abuses. Thus, the ground reality on children at work only speaks the hallowness of government's commitments to eradicate child labour. The initiatives by the government indicate that it is more concerned with regulation of child labour or their rehabilitation, but not interested in stopping the entry of children into the market economy.

Prevention is better than cure. Keeping this object in mind, the issue of child labour should be looked into. It is a well established fact that those are out of school system are getting into the labour market. Although Supreme Court in his judgment has already made right to education a fundamental right, the government has so far not made any progress in this regard. Needless to mention here that our Constitution makers in Article 45 clearly mentioned about state's endeavour to provide free and compulsory education to all children until they complete the age of fourteen. They also gave a time frame to achieve this goal (ten years from the commencement of the Constitution). However, almost five decades after that, it still remains a distant dream. The failure in the part of government to provide education to all children up to the age of fourteen and no sincere efforts to fill up this deficiency is closely related to the perpetuation of child labour. While

ordering the setting up of a corpus fund for the rehabilitation of child labour, the apex court of the country directed the government to ensure compulsory primary education. Our rulers and policy makers, since the judgment of 1993 have done practically nothing to protect the fundamental right of our children, except organizing meetings, seminars and workshops. The New Education Policy, 1986, which practically offer nothing new in relation to universalization of primary education or free and compulsory education of a child up to the age of fourteen. This realization probably came at the time of formulating Plan of Action in 1992. However, the Plan of Action is never implemented in its spirit. Amartya Sen has very rightly observed that education is one of the odd subjects in India, to the importance of which tribute has always been paid only in theory and never much in practice. Therefore, the attention of all concerned - the supreme Court, the various international agencies, the government, human rights groups and activists and groups working in the field of eradication of child labour is drawn here to the utter insensitivity on the part of successive governments during the last fifty years. The United Front government initiated a move to enact a Constitutional Amendment Bill to make free and compulsory education a fundamental right. However, with the coming of NDA government to power at the centre, the bill has now in the cold storage. Our HRD minister and his ministry feel that it is not feasible to implement such a constitutional provision (Pal & Bhargava, 1999,262). We hope that our leaders, policy makers and implementing bodies will take up the issue of education a little more seriously and honesty of purpose it deserves. In this context, it can be suggested that following the social and geographical poverty perspective, the government should launch free and compulsory education of all children below the age of fourteen. Here I would like to mention that one more thing that free education in India is a myth. Each and every child including the unprivileged like SC and ST children pay some money for their primary education in this country.

Besides education, the area of priority and that needs intervention is the health of the child labour as well as health education. The children, those who are already trapped in this practice are facing health problems at a very tender age, besides the psychological pressure. Most of the rehabilitated child labour as well as the child labour I came across have serious psychological problems and are highly depressed. Even one can notice clear sign of fear on their faces. They suffer from many serious diseases that they do not know. Even most of the parents are also not aware of the poor health conditions of their children. Now with the globalization of health, our government has started charging heavily on the poor for their medical treatment in the name of quality though hardly one can notice any change in the health care facilities or health education in this country. In this situation, who really cares for the health of the child labour? The health aspect of child labour is hardly covered by any body. Forget about the employers of those young children, even the activities of national child labour projects do not include this aspect. Many of the child rehabilitation centers in India generally neglect this aspect. Those who are already in the profession are also list bothered about their health situation or are ignorant about it. There is no mechanism to understand the psychology of the child labour and more precisely on the psychology of the child prostitute. The plight of the child prostitute and those in hazardous professions like match, crackers, glass industries, and agricultural sector is really a matter of serious concern. They need not only proper medical care, but also a psychological support. While the role of the government, so far, in dealing with the health aspect is negligible, one can expect some thing from different funding agencies and international agencies like World Health Organization.

It has been pointed earlier that the problem of child labour has to be viewed in the context of economic, social, cultural, political and geographical poverty that existed in our country. The magnitudes of the poverty cover a wide range of issues. It needs both short term as well as long-term strategies to address the problems. However, one of the pre-requisites to combat the child labour is political will, which our country is seriously lacking. It is only the political will, which can bring all children into the school system. Once the children will be in the classroom till they attain the age of fourteen, the number of child labour will fall drastically- may not be absolutely. The fall in their number will make the concerned people/government agencies job much easier to handle the problem. But to bring the required political will in this country is not an easy task. It needs lot of networking, building of pressure groups,, social awareness, which can be done only by the voluntary groups. Unfortunately, different groups working for the abolition of child labour appear to have some vested interest. While some of them are seriously concerned about the cause, some seem to conduct their activities from the ivory tower. There are differences in approaches and ideologies, hence there is a lack of unity. What is needed is a greater co-ordination at the levels of government agencies, the voluntary sector, international bodies and funding agencies in identifying problems and formulating strategies and their implementation.

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