

ELIMINATION OF CHILD LABOUR IN ANDHRA PRADESH

Dr Mahesh Dabheti

*Asst. Professor (Part-time) Dept. of Political Science
University PG College, Subedari, Telangana State*

Sridar Basikala

*Research Scholar, Department of Political Science
Kakatiya University, Warangal, Telangana State*

Abstract: Children are the future citizens. The degree and welfare and well being of children is indicative of the people of Community. Neglect of the Children's welfare seriously handicaps the prosperity of the Nation. They need our love affection and understanding. The Indian Constitution recognizes the duty of the State for the proper upbringing of a child. The Constitution has laid down the special objective of protection of children from unsuitable employment and moral and material abandonment, so that their tender age may not be abused).

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Introduction: Child means a person (i.e. a boy or girl) who is not completed his/her fourteenth years of age. Children are considered as supremely important asset of nation. It is on them the humanity can build a foundation of bright future. Today firm foundation of a just and happier world, we have to take care of generation of Children, who need to be nursed and nourished helped and equipped to play their role in a world of tomorrow. The welfare of the entire community depends on the health and welfare of the child. Their betterment is also the betterment of the community as whole. As Milton has rightly pointed out child shows the man as morning shows the day¹.

Children are the future citizens. The degree and welfare and well being of children is indicative of the people of Community. Neglect of the Children's welfare seriously handicaps the prosperity of the Nation. They need our love affection and understanding. The Indian Constitution recognizes the duty of the State for the proper upbringing of a child. The Constitution has laid down the special objective of protection of children from unsuitable employment and moral and material abandonment, so that their tender age may not be abused².

Children of both sex attend the work along with their parents in house, in field and in artisan work. This type of working is not considered as Child Labour. If the children work for consideration or for wages in kind or cash, then only it is considered as Child Labour, poverty makes parents to send their children to work. Child Labour is an age long problem employers prefer to employ children as they are available cheaply. In addition they can exploit them by making work for longer period as they cannot raise their voice. Child Labour is not only concerned to India, it is a global problem³.

The problem of Child Labour has never been English or an America or an Indian problem. It has been world-wide problem. Industrialization on large scale leads to much maladjustment and one such maladjustments is the employment of children in factories, workshops and in other unregulated occupations. The practice of Child Labour in India, thus dates back to the Industrial Revolution in the country, since then the demand of Industry for Cheap Labour grew so rapidly and the poverty of the masses became so acute that the tendency to explicit Child Labour among the employers increased in an unprecedented manner and consequently children began to be employed in organized factories and other industrial establishment in large numbers⁴. Constitution of India Prohibited the employment of children in factories etc., in its Article: 24 by standing 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". It is a right against exploitation.⁵

The 31st International Labour Conference held in 1948, adopted a Convention concerning Night Work of Child persons employed in Industry. This Convention prohibited the Employment of child persons during the night in Factories, Mines, Railways and Ports. According to that Convention, Child persons between 15 and 17 years

of age should not be employed for a period of at least 12 consecutive hours including an interval of at least seven consecutive hours between 10 p.m. and 7 a.m. India ratified that convention. Accordingly the government amended the Employment of Children Act, 1938, The Factories Act, 1948. In addition to this, the Central Government enacted The Child Labour (Prohibition and Regulation) Act, 1986. This enactment is a Social Legislation which is intended to protect the interest of children because they deserve some protection. The object of this Act is to prohibit the engagement of children in certain employments and to regulate the conditions of work of children in certain other employments. The Act extends to the whole of India.⁶

The first step in the direction of child protection was taken by 'Geneva Declaration of the Rights of the Child, 1948', where in Article 25 declared that mother hood and children childhood are entitled to special care and assistance including illegitimate child. Art 26 of the Declaration provided for free and Compulsory Elementary Education to Children.⁷

Basic rights to the child are denied not because of any perverse social system or lack of bonds of love and affection from those who have brought them into this world, but due to hunger, poverty, malnutrition and large scale unemployment. Majority of these unwanted children are born out of sexual needs of the parents who lack any scientific knowledge of family planning and as soon as they survive beyond the age of 5-10 years they are sold out as commodity, to supplement family income, to provide resources to adults, to bring more such hapless creatures into this world and the cycle goes on.

Children are victims of droughts, famine, disease, lack of organs etc. They are economically exploited by putting them into dangerous jobs on a minimal salary. Deprived of the care-free innocence of childhood and brought up in the atmosphere of fear, beaten and sexually exploited, they are sold to unscrupulous vagabonds to be turned into beggars, camel riders, domestic servants and hazardous jobs like stone quarrying, fireworks units, match factories, carpet weaving diamond cutting, etc. In spite of the resolve the governments of the world and voluntary organisations, the things have not changed and Conventions of United Nations have only created a little awareness.

Government of Andhra Pradesh Steps towards Child Labour: The government of Andhra Pradesh has recently initiated a number of steps to address the problem of child labour in the state. The State Legislative Assembly in March 2001 passed a resolution to end all forms of child labour and achieve Universalisation of Elementary Education (UEE) in the state by 2004.

The state government policy on child labour recognises the linkage between child labour and compulsory education up to class 10. In a report prepared by the Education Department, Government of Andhra Pradesh, it stated that 'the state's plan of action significantly views the entire process of universalising elementary education and elimination of child labour as simultaneous processes. In view of this, the strategies for enrolling children into school invariably incorporates strategies for withdrawal of children from work also. The basic premise governing the programme for universalising elementary education in the state is that parents, even in rural areas, are not only willing but are also capable, in economic terms, of sending their children to formal schools. This implies that elimination of poverty is not a pre-condition for universalisation of education.

Various programmes initiated by the state government to achieve its goal of total elimination of child labour in the state include the Back to School Programme, Residential and Non Residential Bridge Course Centres for 9-14 age group children under DPEP (District Primary Education Programme) and DPIIP (District Poverty Initiative Programme), the National Child Labour Project Scheme and Early Child Education Centres. In the year 2002-03, the state government under DPEP and DPIIP programmes supported 3,376 Non-Residential Bridge Course (NRBC) centres and 385 Residential Bridge Course (RBC) Centres. The state government has also launched a midday meal programme in 2002 in all the primary and upper primary schools in the state covering 700,000 (7 lakh) children. This programme is meant not only to increase enrolment but also to enhance retention through better nutrition levels and improve the quality of education in the schools.

The present policy stand of the government on child labour looks at the problem and its solution from the right perspective, the necessary efforts have not been made to translate this policy into effective implementation at the ground level. In the implementation of most of the recent programmes launched by the Government, there is a high emphasis on the enrolment of children in schools rather than retaining them. Community

motivation and mobilisation are given secondary importance and it is undertaken as a one-time event. The dry ration (of grains) and midday meal programme have encouraged fictitious enrolment in several places. Due to the fact that less attention is given to community motivation and mobilisation, the residential and non-residential bridge course centres opened by the government on the lines of the 'MV Foundation approach' are not functioning very effectively. The high targets set by the higher officials encouraged lower bureaucracy to report wrong statistics. Several local NGOs who came forward to partner with the government in community mobilisation efforts and mainstreaming of child labour through bridge course centres discontinued their partnership with the government due to non-co-operative attitude of the bureaucracy.

MV Foundation: The MV Foundation, based in the state of Andhra Pradesh, Southern India, has done pioneering work on the issue of child labour. It has developed a unique and powerful approach to address the twin problems of child labour and lack of access to full time education.

MV Foundation works with the basic understanding that. Any child out of school is a child labourer' and the only way to eliminate child labour is through full formal education. A set of interlinked strategies have been implemented to liberate children and to enroll them into schools. As part of its overall strategy, MVF mobilises all those concerned with the process of withdrawing children from work and enrolling them in schools: parents, teachers, youth, employers, women's groups, elected representatives and the children themselves. This massive mobilisation effort is done with a view towards transforming attitudes and creating an environment that is supportive of children's education. Motivation centres have been established at villages which serve as the nerve centre to bring working children into school. Bridge courses, camps and residential programmes are conducted as part of a process to encourage children to attend schools.

The success of the MVF model can be gauged by the fact that since 1991 up to now the Foundation has worked in over 4,330 villages. In 1,500 of these villages, every child in the age group of 5-11 is attending full time school. In 600 villages all children up to 14 are attending school. Nearly 250,000 children have been enrolled and retained in schools, while more than 7,000 bonded labourers have been released. With regard to the issue of child labour in cottonseed production, the contribution of MV Foundation is significant. The exploitation of child labour in cottonseed fields was first brought into light in 1998 by this organisation.

Enforcement of the law is a key strategy. But in the case of the Child Labour (Prohibition and Regulation) Act 1986, there are a number of loopholes, which makes the law ineffective. For instance, the Act says that children working as part of family labour are exempt from the purview of the Act. Research studies have proven that this provision is widely abused by employers who are passing of child labour as family labour. Given the increasing informalisation of the labour market with more and more sectors using the sub-contract modality, work is being given to workers at home. Given the dispersed nature of work, provisions such as the one mentioned above allow all sorts of child labour to be passed of as family labour and thus condoned by the authorities. The Child Labour Act must be non-negotiable and the word "Regulation" should be removed from its title so that child labour abolition becomes non-negotiable. In the same spirit the penal provisions must be enhanced and the enforcement machinery strengthened several times over so that the message is clear that child labour will not be tolerated under any circumstances.

Social Mobilization: Given that eradication of child labour is not an easy task, preventive strategies are more sustainable in the long run. One of the major preventive strategies, which must feature in any national child labour eradication policy, is the role of social mobilization and community participation. If children can be prevented from joining the work-force through the counselling of parents, children and the employers, much of the task of various government departments and ministries would be reduced. It is vital to ensure that children stay at home and go to formal government schools rather than leave home to work full time. Since the prevailing social norm justifies the working of children using the 'poverty argument', sustained social mobilization is required to change this societal norm.

Social Mobilisers: Child labourers are spread across the country; working in dispersed villages and slums. The eradication of child labour cannot be done by the labour department alone, as it is so under-staffed. Labour department needs to have a cadre of youth volunteers who can be trained as '**Social Mobilisers**' who will be responsible for withdrawing children from work as well as monitoring school dropouts and children with irregularity of attendance. It is understood that if such children are not tracked they would join the labour force as child labour.

1. Identify and establish contact with child labourers
2. Motivate parents not to send their children to work but to school
3. Persuade employers to release child labourers
4. Organize mobilization programmes at the local levels by organizing street theatre, public meetings and rallies, house-to-house surveys to build up a social norm and a consensus that children must not work.
5. Assist local community groups to organize child rights protection committees which can be the watchdogs of various government departments dealing with child labour eradication.
6. Liaise with local officials in the education, labour, police and social welfare departments and bring problems and identify solutions.
7. Assist locally elected bodies to be vigilant about children's rights and to monitor and review the prevalence of child labour in their areas.
8. Strengthen school education committees (SEC) so that school functioning improves and drop-outs (potential child labourers) are reduced.
9. Bring rescued children to transitional educational centres from where they can be mainstreamed into the formal school system.
10. Follow up of the regularity of attendance of all school going children and establish processes of reviewing through the gram panchayats.

It is proposed to have 5 Social Mobilisers in each of the 6202 Blocks in the country. Each of the Social Mobilisers would be responsible for 200 children and it is envisaged that through their activity the status of more than score children would be monitored. The resources of the Nehru Yuvak Kendras could be garnered for this. They could also be trained as education instructors to assist in the transitional educational centres.

Conclusion: Government's policies from several quarters and their and their consistent failure to provide any solution to the problem of child labour, there has been no effort on the part of the Government to modify its approach or to change the policies. In fact, policy makers have gone one step further and announced further plan to eliminate child labour by 2000 A.D., on the same lines as the earlier action planes. This situation obtains because the thought processes of those involved in making the policies have got stuck in a narrow groove defined by the assumption regarding child labour. As long as these assumptions are held valid the policies and strategies will continue to remain the same. It is only when they are abandoned and the problem is observed from a different view point, that of the parent and the child, that a new strategy will emerge.

In the long run it is to the rural areas and in particular the agriculture sector to which we have to ultimately turn. In other words, what is essentially required is to adopt Article 32 of the convention on the Rights of the Child in its true spirit and recognize the fact that any non-school going child is an exploited child. In artificially categorizing some of these children as 'mere' child workers instead of exploited child workers it is often forgotten that it takes very little to convenient the former into the latter. Given these facts, any planned to deal with child labour has to deal with the 90 million non-school going children.

The starting point of any strategy dealing with the issue of child labour can't lie in children engaged in hazardous occupations alone. While this section of children does constitute the most glaring example of the failure of our child labour and education policies they too are only results of a large phenomenon-taking place in the countryside. 80 percent of the child labour and consequently, illiteracy exist in families engaged in agricultural work and we can't afford to ignore this fact. Further, a significant proportion of even these children engaged in hazardous occupation in the urban areas belong to families who have migrated from rural areas. With a large reservoir of working children available in the rural areas any attempt to deal with the problem of child labour only in specific industries and areas of concentrations can at best yield marginal results.

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