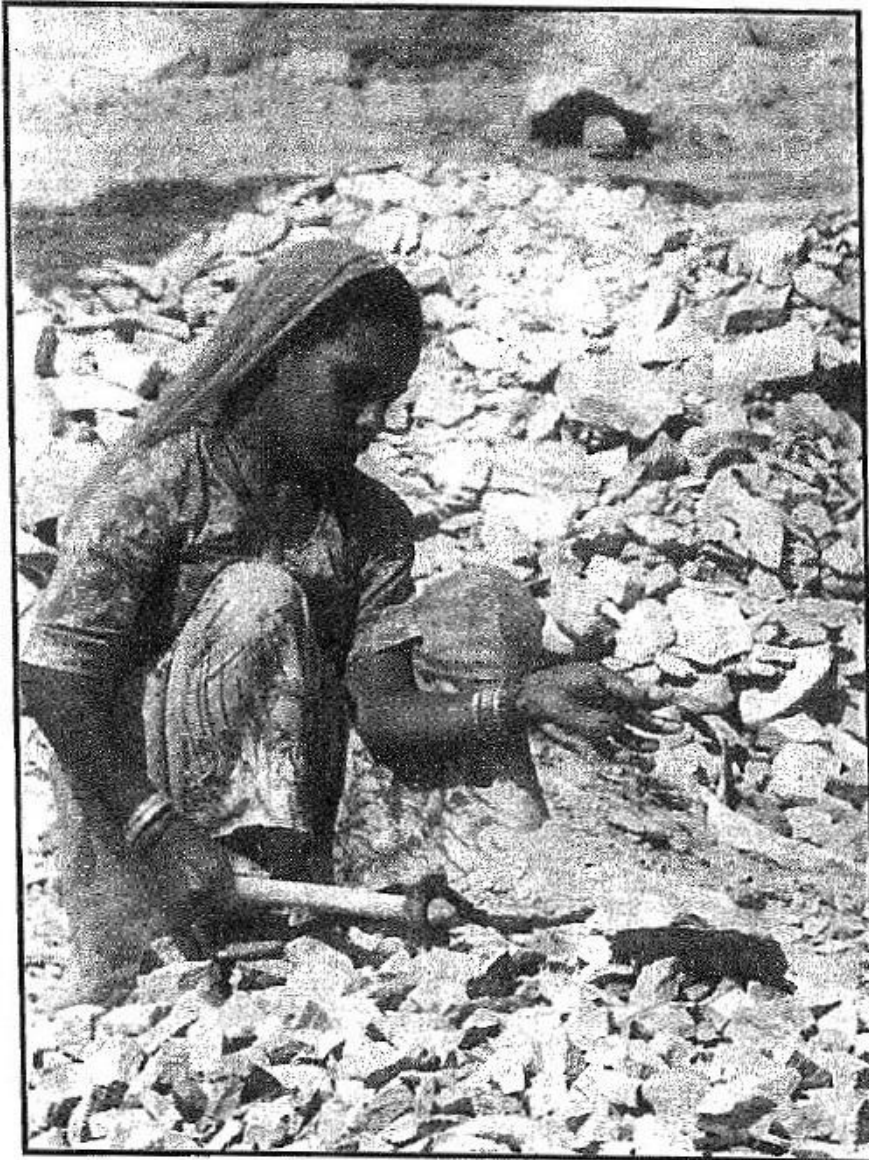


Tales of Woe

A Report on Child Labour in the Mines of Jodhpur and Makrana



Gravis

Glimpses

Jodhpur Mining Area

Makrana Mining Area



Tales of Woe

*A Report on
Child Labour in the Mines of Jodhpur and Makrana*

Gravis

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Acknowledgement

This report has been made possible by the assistance provided by International Development Exchange (IDEX). While the prevalence of child labour has been acknowledged in various other sectors, very less attention has been drawn towards its presence in the mines where the working conditions are dangerous and hazardous for health. The report represents a modest attempt to bring the plight of the child labourers working in the mines to the fore. Our special thanks are due to Mr. Balasubramanian Iyer for his constant encouragement and academic input. The significant role of data collection and survey has been completed with the support of Mr. Ganesh Ram (Zila Gramin Vikas Sansthan, Makrana) and Mr. Kalu Ram Bhati (Jodhpur Zila Patthar Khan Mazdoor Sangathan, Jodhpur). Our sincere thanks to them. We are thankful to all contributors who have given their valuable time and effort for the publication. Last but not the least, our sincere acknowledgements to all the child labourers for their assistance in providing valuable information and cooperating during the fieldwork.

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Foreword

A parent's primary concern is that their child should have a good education and an environment where the child can feel safe. It is a sad state of affairs when millions of children in the world have to work long hours, often under arduous conditions when they should be in school studying or out in the fields playing. The path to development, good-environment and safe world can never be achieved with this vulnerable state of children all over.

This report does a wonderful job of bringing out the prevalence of child labor in the mines and highlighting the conditions under which children have to work. 'Tales of woe,' effectively dispels the notion that, "economic compulsion force parents to send their child to work in the mines." It is very clear that there is a systematic and deliberate reason - child labor is cheap, children are compliant and easily molded, and they can be easily kept in control. Captured young is captured forever seems to be the compelling reason to encourage and promote child labor in the mines. The ineffective role of the bureaucracy in turning a blind eye despite the law being on their side is clearly bought out.

Children have simple desires - go to school, learn to read, sing songs, and play games. Not impossible desires to fulfill. We need to give back children their childhood. My congratulations to HEDCON for not only undertaking this survey, looking into practices in the mines, exposing the inadequacies of the law but also showing the direction we need to move. I hope this report will be taken seriously by the concerned government departments and NGOs, and steps taken to eliminate child labor in the mines.

Balasubramanian (Balu) Iyer
International Development Exchange (IDEX)

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“Child labour has serious consequences that stay with the individual and with society for far longer than the years of childhood. Young workers not only face dangerous working conditions. They face long term physical, intellectual and emotional stress. They face an adulthood of unemployment and illiteracy.”

— **Kofi Annan,**
United Nations Secretary General

INTRODUCTION

i. Overview

Millions of children across the globe are subject daily to extreme and hazardous working conditions. According to the International Labour Organization (ILO), there are 246 million working children in the world between the ages of five and seventeen, of which an estimated 179 million work in the worst forms of child labour.

In India alone, the country with the largest number of child laborers in the world, the estimates of children employed under the age of 18 range from 60 to 115 million. These children work in the informal sector, in small factories, mills, printing presses, bidi (hand rolled cigarettes) factories, mines, construction, glasswork, small handicraft concerns, agricultural farms, or in households. Working in unregulated sectors, they face the worst forms of exploitation.

Mining is one of the most hazardous industries in which children in India are employed. Surprisingly, there have been very few studies done to date on the conditions faced by children working in mines. This study is of child labour in two mine areas in Rajasthan: the sandstone mines of Jodhpur and marble mines of Makrana.

Children working in these mines are employed to do skilled and semi-skilled tasks as well as the unskilled tasks of clearing rubble. Although they are paid much lower wages than their adult counterparts, they are exposed to the equally hazardous conditions of full time work in extremely dangerous workplaces with no proper safety arrangements. Moreover, not only do these children have to endure excessive working hours, various forms of psychological, verbal and physical abuse, but most are also denied access to even the most basic formal education.

ii. Objectives of the study

The objectives of the study were fivefold:

1. To identify the scope of problems faced by child labourers in the sandstone mines of Jodhpur and marble mines of Makrana in Rajasthan.
2. To document the adverse affects on children exposed to such labor.
3. To explore the legal frameworks already in place to protect children from such exploitation.
4. To identify the factors which perpetuate the exploitation of children.
5. To offer suggestions for future actions that can lead to the elimination of child labour.

iii. Organization of the Report

The Report is discussed in four parts.

Part I forms the overview to the report and includes the methodology, the scope and limitations of the survey, the area covered under the survey, and the general profile of the children surveyed.

Part II discusses in detail the problem of child labour in the mines of Jodhpur and Makrana in detail. It includes a detailed analysis of the survey findings, bringing the problems and issues associated with child labour to the fore.

Part III presents the related legal codes and provisions that form the basis for child protection and explores the factors that contribute to their non-enforcement.

Part IV provides a summary of the report along with a discussion of the factors accounting for child labour and suggested future measures that should be adopted to end the exploitation of children.



SURVEY OVERVIEW

i. Methodology

This study was undertaken in the period between September to December, 2002. HEDCON staff drafted an initial questionnaire, in consultation with social activists, doctors, Union leaders, supporting NGOs and professionals working on labour issues. This initial questionnaire was analyzed by the surveyors and the GRAVIS team for feasibility and accuracy. The revised questionnaire was then field tested to identify the possible problems or biases in the questionnaire. Following this process the final questionnaire was drawn up.

The final survey was conducted on a random sample of child labourers under 18 years of age in the mines of Jodhpur and Makrana. The sample included children from all castes, religions, and of both sexes. The sample initially included 100 child labourers from each region. However, by the final stages of the survey, only 79 child labourers from Jodhpur

and 84 from Makrana mines were able to complete the survey.

It is difficult to give the exact number of mines from which children were surveyed as they work in different mines on different days and do not receive any regular assignments. Also, the surveyors could not enter the mines because the mine-owners did not allow them to question the workers. So, the survey had to be conducted in the evenings when the labourers were in the villages.

The final data processing, analysis and report writing was done in the HEDCON office at Jaipur.

ii. Scope and Limitations of the Survey

One limitation of the survey is that the sample collected is small relative to the geographic area covered, as well as the number of mines and child mine workers in Rajasthan. Knowing how little groundwork had been done on the thousands of children employed in the mines, the objective of the study was to bring to the fore the problem of child labour in the mines, rather than providing any gross statistical analysis. Therefore, although one cannot broadly generalize from this study, it should be taken as an important indication of the depth of the problem.

Another limitation faced by the survey was the unwillingness on the part of the child labourers to speak about their employers in the mines for fear of harassment. Many a times, the surveyors had to secretly conduct their interviews with the children in their villages in the evening or at night. Even during these secret interviews, some of the respondents were fearful and unwilling to speak about the conditions under which they are forced to work. As a result, some of the questionnaires were incomplete.

Despite these limitations, this study has opened up a vast scope for further investigation in this area. The report shows the inhumane and unsafe conditions these children are subjected

to daily, as well as the clear trespass of international, national and local laws.

iii. Area Covered Under the Survey

Rajasthan is rich in both major and minor mineral mines, over 95 percent of which are in the hands of the private sector. Minor minerals in Rajasthan, mainly used for construction and domestic use, include sandstone, marble, masonry stone, limestone dimensional, kankar bajri (gravel and pebbles). These industries account for three-fourths of the labour employed



in mining, a large percentage of which is constituted by women and children. Though an accurate account of the number of children working in these mines is not available, some estimates put the figure at 15 percent of the total mining workforce in Rajasthan.

The mines of two areas in Rajasthan are covered under the survey - Jodhpur (sandstone mines) and Makrana (marble mines).

Jodhpur district, located within the legendary Thar Desert, is an arid region, low in natural resources and characterized by perennial drought and water shortages. Sandstone mines stretch across an area of nearly 250 square kilometers. The pink sandstone from this belt is renowned for its aesthetic qualities and desired for its durability and resistance to heat, cold and water. According to one estimate, twenty thousand men, women and children work as mine labourers.

Makrana City, located in the Makrana Tehsil of Nagaur district of Rajasthan, is known world over for its beautiful marble. Here, according to the data supplied by the Mining and Geology Department, around 741 marble-mines stretch across an area of approximately 100 sq. km. However, this figure does not include the illegal mines in the area. The older mines are about 60 to 200 feet deep, while the relatively new mines are 30 to 50 feet deep. The number of mine workers is approximated to be between twelve to fifteen thousand.

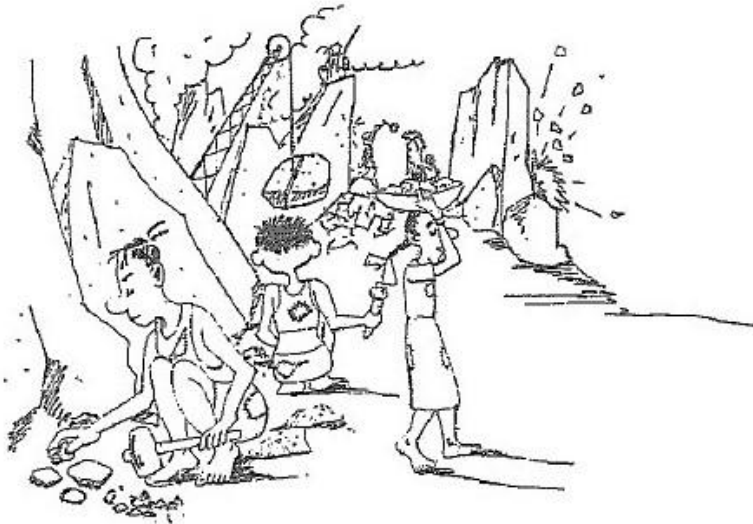
Profile of the Children Surveyed

Children's Profiles					Families' Profiles				
	Jodhpur		Makrana			Jodhpur		Makrana	
	Female	Male	Female	Male		Female	Male	Female	Male
Total	18	61	28	56	Family Members				
Age					1 to 4	3	9	4	13
10 to 14	1	3	6	7	5 to 8	9	44	20	29
14 to 18	17	58	22	49	9 to 12	6	8	4	14
Caste					Family Type				
SC/ST	18	54	27	55	Nuclear	18	52	25	38
OBC	-	2	1	1	Extended	0	9	3	18
Muslim	-	5	-	-	Father's Occupation				
Work Type					Mining	14	43	19	36
Unskilled	16	35	28	35	Labour	-	2	1	8
Semi-skilled	2	19	-	20	Agriculture	-	3	1	4
Skilled	-	7	-	1	Other	-	1	1	2
					Deceased	4	12	6	6
					Mother's Occupation				
Educational Status					Mining	7	11	21	19
Illiterate	16	40	19	10	Labour	-	7	1	5
Literate	1	12	6	16	Agriculture	-	1	-	6
Primary Ed	1	9	3	30	Household	11	42	6	26
					Agricultural Land				
Marital Status					With Land	4	17	1	15
Total Unmarried	7	37	17	42	Landless	14	44	27	41
Total Married	11	24	11	14	Families with Livestock				
Married >10 yrs	4	5	7	4	Sheep	-	-	-	2
Married 10-15 years	7	14	4	6	Cows	-	1	3	1
Married 15-18 years	-	5	-	2	Goats	10	33	22	50
Married at undetermined age	-	-	-	2	Other	-	-	-	2
					Type of House				
					Kacha/ Jompa	16	56	14	-
					kacha-pucca	2	5	10	36
					pucca	-	-	4	48



PROBLEMS AND ISSUES

i. Age



Mangali is ten years old. Her father, who used to work in the mines of Jodhpur, has been suffering with Tuberculosis for the last two years. Six months back he was hospitalized and little Mangali, barely nine then, had to go to the mines to work and earn along with her mother to support the family and for the treatment of the ailing father.

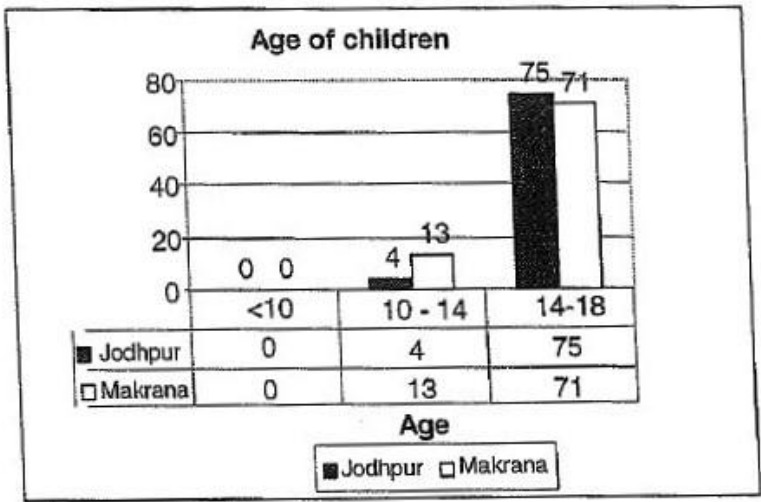
Mangali is only one of the thousands of children who started working in the mines of Jodhpur and Makrana at tender ages.

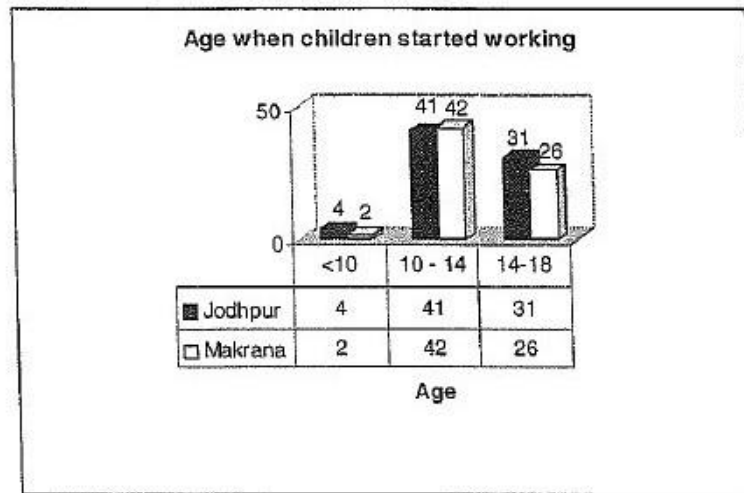
Law

Article 24 of the Indian Constitution states that no child under the age of 14 shall be employed to work in any factory or mine, nor engaged in any other hazardous employment. The Mines (Amendment) Act, 1983, lays down that no person below eighteen years of age shall be allowed to work in any mine or part thereof.

Survey Findings

We broke down the children into three age groups: 1) under ten years of age, 2) between the ages of ten and fourteen, and 3) between fourteen and eighteen years old. The vast





majority of the children surveyed fell in the last group. However, 50% of children surveyed (83 of the 163) had begun working in the mines between the ages of ten and fourteen and another 6 had started working in these dangerous conditions before the age of ten.

Implications

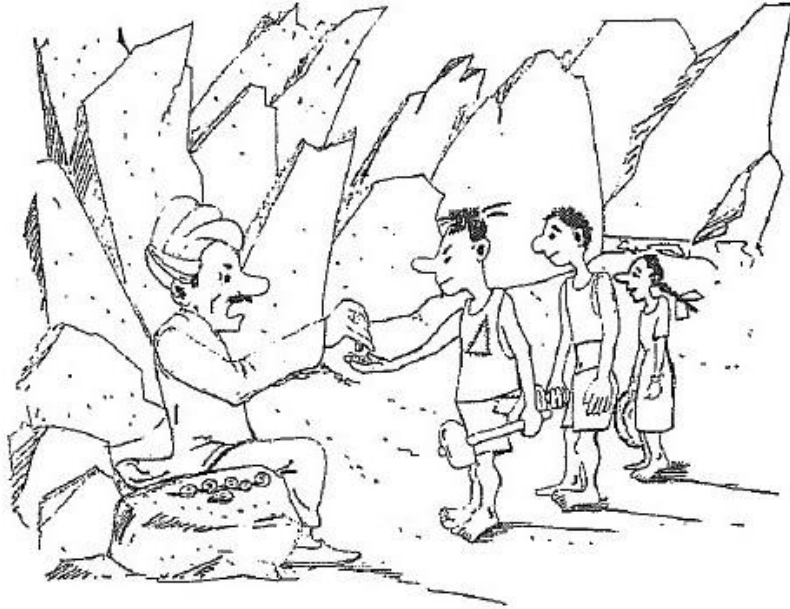
Our survey gives proof that the laws are being openly flouted. Even children below 14 are being employed, in direct breach of the constitutional provisions. Generally, children start working in these mines around the age of ten or twelve, working first as helpers, removing scrap and rubble, and then gradually learning to make holes and to break and remove slabs and rocks.

Working at such a young age and under such hazardous conditions exposes these children to the worst forms of exploitation. They are forced to labour long hours with little compensation, subject to mental and physical abuse, and denied access to education. As a result, these children suffer from many physical maladies, become prone to addiction, and evidence higher rates of depression and emotional distress.

Labouring under strenuous conditions during these critical childhood years also dramatically

reduces their life span. According to Neera Burra¹, “All evidence from the field indicates that children who are working in industry from an early age burn themselves out by the time they are thirty or thirty-five years old. Most of the children will be rendered incapable of hard labour by the time they are forty”.² Exposure to numerous health hazards at such a young age also greatly lowers their longevity. Most mineworkers have a tragically short life span, averaging between 45 and 55 years.

ii. Wages



Pappudi, 14 years old, has been working in the mines of Makrana for the last year. She pushes trolleys heavy with rubble and small pieces of stone and operates the crane-rope. Working 8 hours a day, she barely gets Rs. 40 per day. Still, she is among the lucky ones. For there are many others, like Mamta (14) who gets only 10 rupees for 4-5 hours of work; and Santosh (13), who gets the stark minimum of 5 to 10 rupees for 4 to 5 hours of work in the mines.

Parsaram (17), works for 8 hours a day. In addition to taking care of much of the drudgework, like breaking stones and filling wheel barrels with rubble, he does the skilled work of operating compressors. For all this hard work, he gets barely 50 rupees a day.

These are the sub-human conditions under which child labourers are forced to work. There is evident sex-discrimination in the matters of wage, however, the condition of male

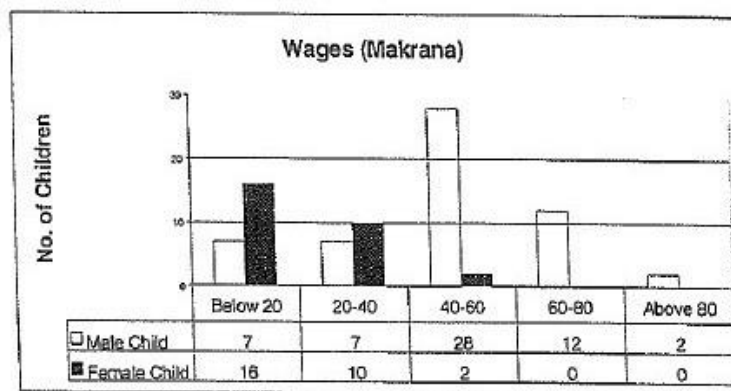
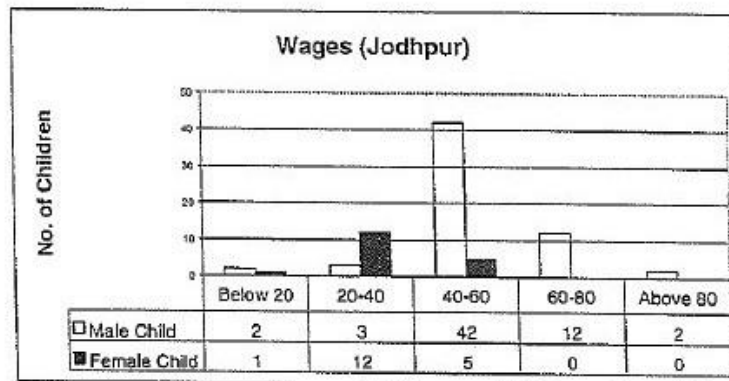
child labourers is only slightly better than their female counterparts.

Law

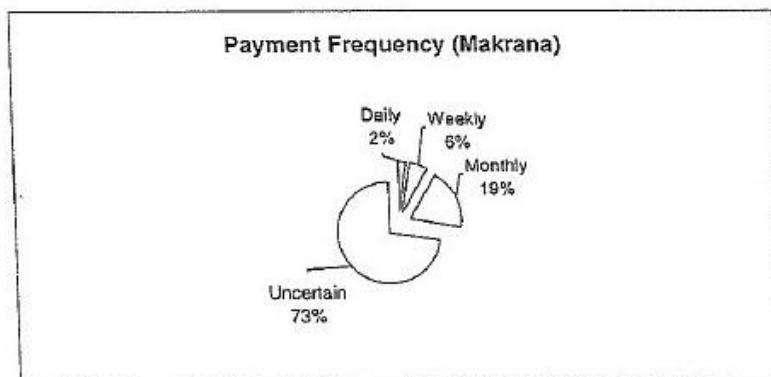
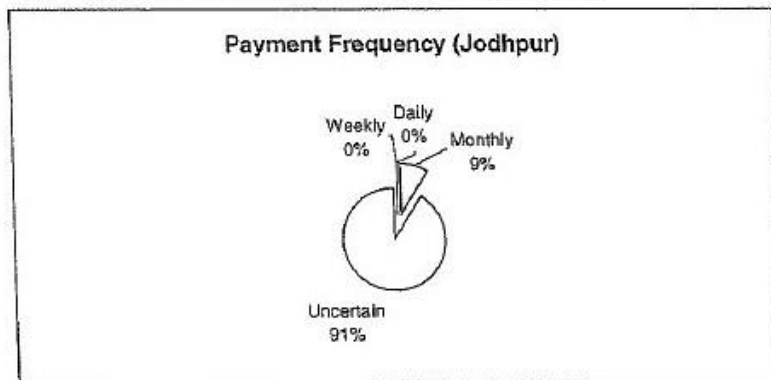
In India, the standard minimum wage for a labourer is Rs.60 per day. In addition, the Minimum Wages Act sets the minimum wage for certain enumerated occupations and requires that overtime be paid to all workers who work beyond a “normal working day.” In the case of children under fourteen, a “normal working day” is four and a half hours.

Survey Findings

After working in the mines for eight to ten hours a day, the survey shows that 47 out of 61



boys labouring in Jodhpur receive only Rs.40-60, while most of the girls get wages in the range of Rs.30-40. In Makrana, 42 out of 56 of the boys get wages in the ranges of Rs.40-60, while most of the girls receive less than Rs.20. This clearly indicates that while wages are low for all child-labourers, the sex of the child is an added determinant of the wages paid. The children obviously figure nowhere in the muster-rolls, in the mines where this practice is negligible even in the case of the adult workers.



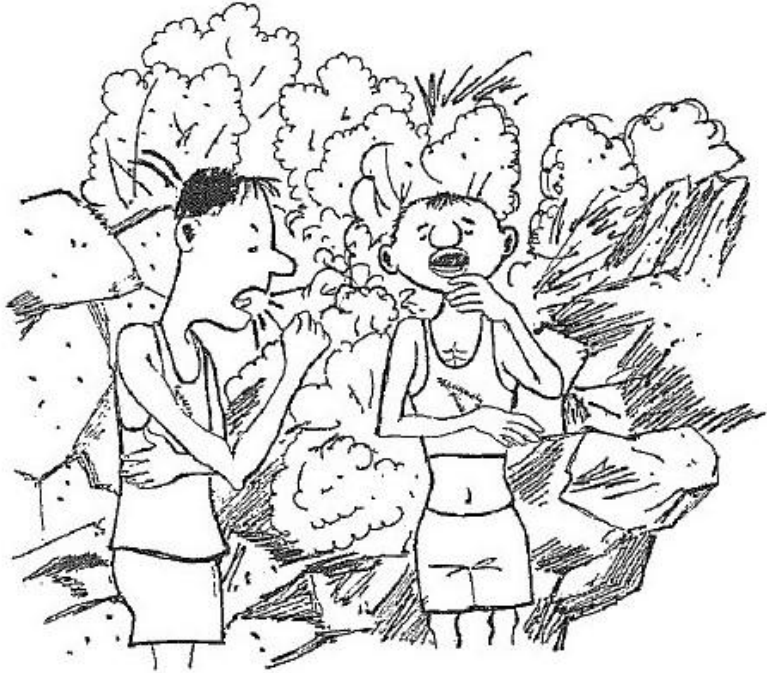
Implications

Wage is an important factor behind the employment of child labourers. Mine owners often prefer to employ children, as they can be paid much lower wages for the same amount of work as adults.

In the mines, rates generally vary for different kinds of tasks. Rs.60 represents the minimum amount that one is legally expected to be paid for a day's work of unskilled labour. Nevertheless, the children in our study, the majority of whom were actually doing semi-skilled and even skilled work, were still receiving sub-standard wages.

Given that most of these children come from families living below the poverty line, the wages these children earn barely allow them and their families to survive. Sadly, forcing these children to work below a subsistence wage greatly reduces the chance that these children will ever be able to pull themselves out of the poverty to which they were born. The risks are even greater for girls – these sub-standard wages often force young girls into much more severe forms of exploitation.

iii. Health and Nutrition



Yusuf Khan (15) is a child labourer in the mines of Makrana. His daily diet consists of a bajra (Millet) chapattis three times a day, pulses once in the evening, and jaggery once in the afternoon. His daily diet does not include any fruits or vegetables. No wonder Yusuf suffers from stomach pains, backaches, diminished eyesight, weakness, and fatigue.

The stories of many other child labourers are in fact a replica of Yusuf's story. In spite of their hard work and toil, these children are not able to get proper meals twice a day. Their imbalanced diet results in malnutrition, exposing them to several health problems.

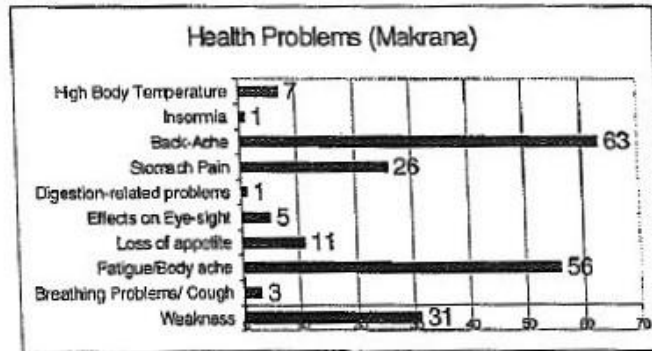
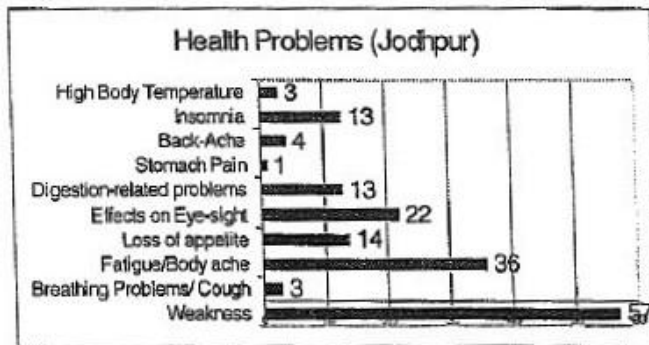
Law

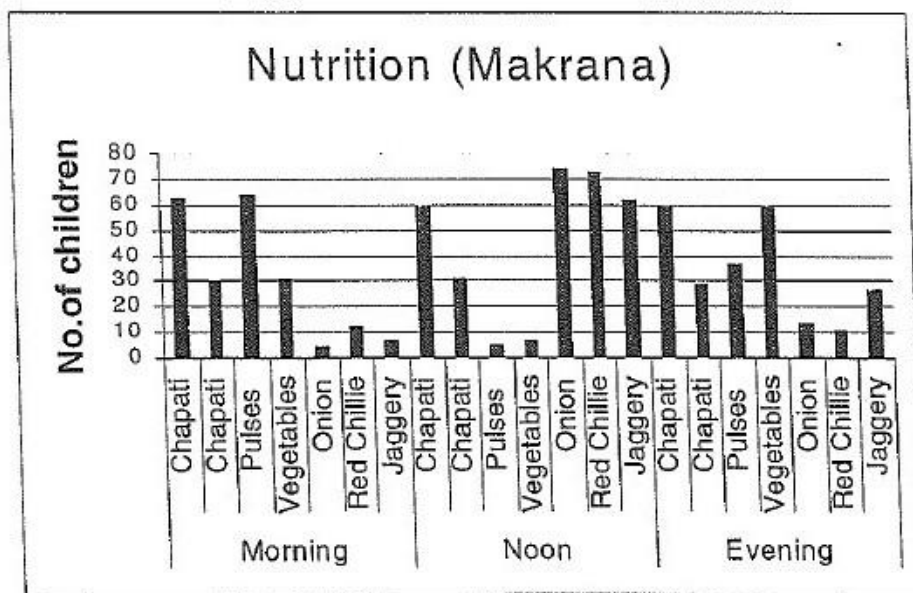
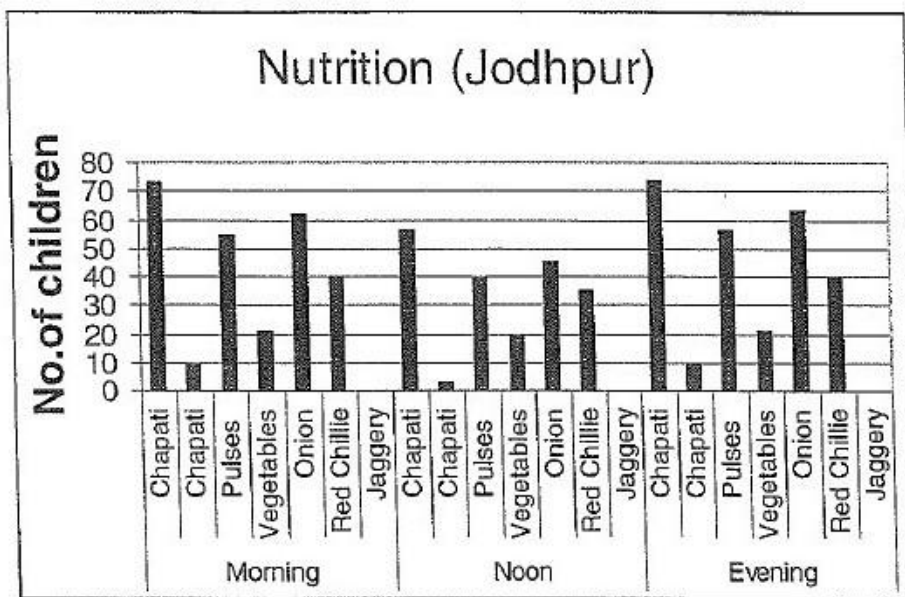
Article 24 of the International Human Rights Convention, Convention on the Rights of the

Child, 1989, to which India is a party, recognizes the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. Article 39 (e and f) of the Directive Principles of the Indian constitution prescribes that the tender age of children should not be abused and citizens should not be forced by economic necessity to enter avocations unsuited to their age and strength; also, that children should be given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity; also, that childhood and youth shall be protected against exploitation and against moral and material abandonment.

Survey Findings

The majority of the children in Jodhpur experience continuous fatigue and/or body aches. 22 of the children working in Jodhpur have eye infections, quite a few suffer from insomnia, a loss of appetite and digestion related problem. In Makrana most of the children complained





of backaches, body aches and a general weakness. Here again, many of the children complained of stomach pains and a loss of appetite. A significant number of children also have continuous coughs and upper respiratory problems directly associated with specific

mining processes, like dry drilling, that the children are exposed to daily.

During our survey, it became clear that these children are suffering from malnutrition. For most of the children surveyed bajra chapattis form the basis of their diet, eaten with onions, pulses, jaggery or in some cases merely red chillies. Very few of these children get vegetables or even wheat flour chapattis, and none of them are getting fruits, or dairy products. At a critical age, these children are being denied a balanced and full diet, which restricts their growth and their full mental development.

Implications

The study reveals that there are two major factors that adversely affect the health of these children: malnutrition, and working in extremely hazardous conditions.

Our analysis of the health of the children sampled is based on the symptoms the children reported. Under the confines of this survey, it was not possible for us to corroborate these reports with a thorough medical examination for each child. Yet, the observations made by our surveyors and the reports of the children themselves amply testify to their chronic ill health.

These symptoms indicate a generalized state of poor health, which should be taken as warning signals. They portend to the fact that if these children remain exposed to hazardous working conditions, coupled with chronic malnutrition, they will be highly susceptible to developing serious health problems in the future. The low socio-economic status of their families and the nominal wages paid to them account for the persistence of malnutrition among these children.

iv. Safety Arrangements



Chukabai is a sixteen years old girl working in the mines of Makrana. One day, while she was working in the mine, a blast was done during the day without any warning signal. She was badly hurt by a stone, which hit her on the forehead making her unconscious immediately. She also incurred a wound and as there was no first-aid box available, she had a severe blood loss. In spite of all this, no compensation was paid to her and she had to go for the treatment on her own expenses.

Working in the mines is unsafe. It is so even in the case of the adult mineworkers, and more so in the case of children who are exposed to risks of accidents due to long hours of work in hazardous conditions.

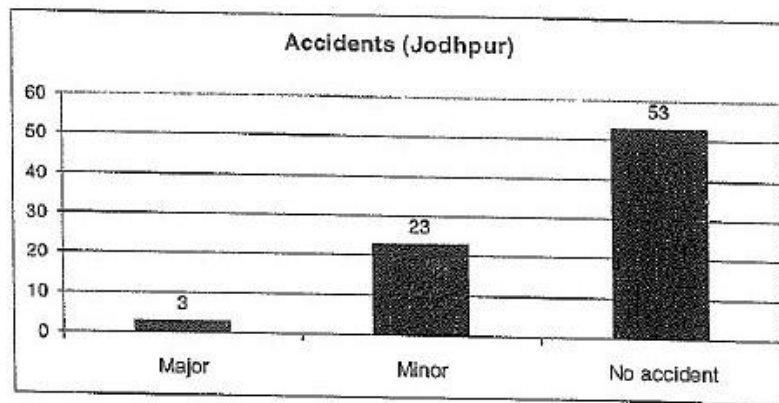
Law

Mandatory safety arrangements have been legislated for all mines. All operational mines are legally bound to provide:

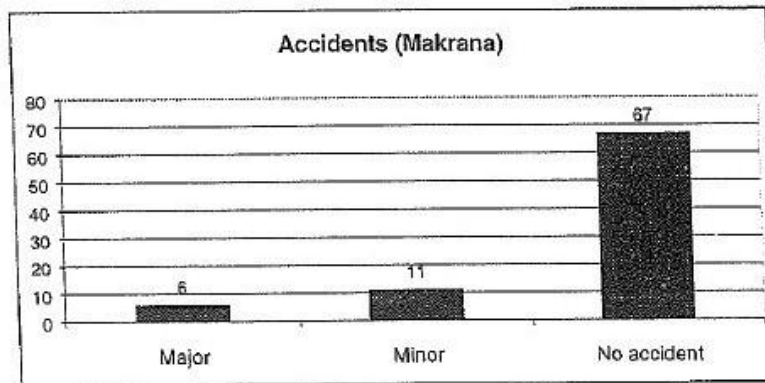
- First-aid boxes
- Dust-masks, helmets, eyeglasses and shoes for all the mineworkers.
- An early warning signal before an explosion.
- Insurance for every mineworker.
- Accessible steps for entering the mine.
- Availability of a trained supervisor at all times in the mine.

Survey findings

During the course of the survey, it was observed that none of these rules were being followed in the mines. 23 of the respondents in Jodhpur and 11 of the children from



Makrana reported having been in minor accidents, 3 of the children from Jodhpur and 6 from Makrana had faced major accidents. Without dust masks, 13 of the children reported problems of dust-inhalation. In the absence of safety provisions and/or early warning signals

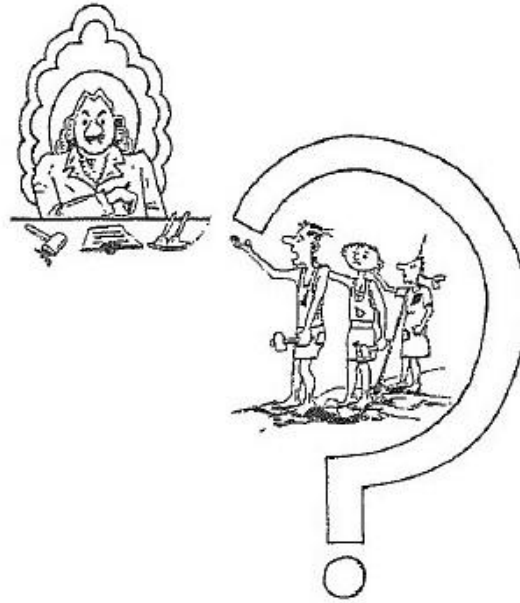


10 were afraid of being hurt by falling stones, and 16 reported being afraid of explosions. Despite this, there were no First-aid boxes available in any of the mines.

Implications

There is no denying the fact that working in the mines is unsafe. All our respondents made it amply clear that there is a serious lack of proper safety arrangements. Further, the safety provisions that do exist are geared towards adult mineworkers. No warning signal is blown before conducting a blast. No helmets and eye-glasses are provided to the labourers, and so they are at a risk of injury due to blasts. Further, no dust-masks are provided and this makes them vulnerable to breathing problems and associated diseases. Besides all this, there are no first-aid facilities to be used in case of an accident. The lack of specific safety arrangements for children working in the mines exposes these children to several health hazards like respiratory problems like tuberculosis, silicosis etc. and places them at higher risk of serious and minor accidents.

v. Basic Facilities



Basic facilities like provision for safe drinking water, toilets and shade etc. must be provided to the workers as a matter of basic right. Law also lays down that there should be such provisions. However, our survey findings indicate that the picture shows that the reality is totally converse to this.

Law

Basic facilities, such as safe drinking water, toilets and shade, are supposed to be provided in the mines for all of the workers.

- **Drinking Water:** Article 19 of Mines Act, 1952 lays down that “In every mine effective arrangements shall be made to provide and maintain at suitable points conveniently situated a sufficient supply of cool and wholesome drinking water for all persons employed therein...”
- **Toilets:** Article 20 of the 1952 Mines Act not only makes it mandatory that separate toilets be provided in every mine for males and females, but also that

they should be adequately lit, ventilated and maintained. It also lays down that the number of the latrines and urinals can be specified by the central government in proportion to the number of males and females employed in the mine.

Shade: The provision of shade and protection from the sun is not merely a matter of law; it is a basic human right.

Survey Findings

Our surveyors observed that there were no arrangements at all for any of these basic facilities in any of the mines they visited.

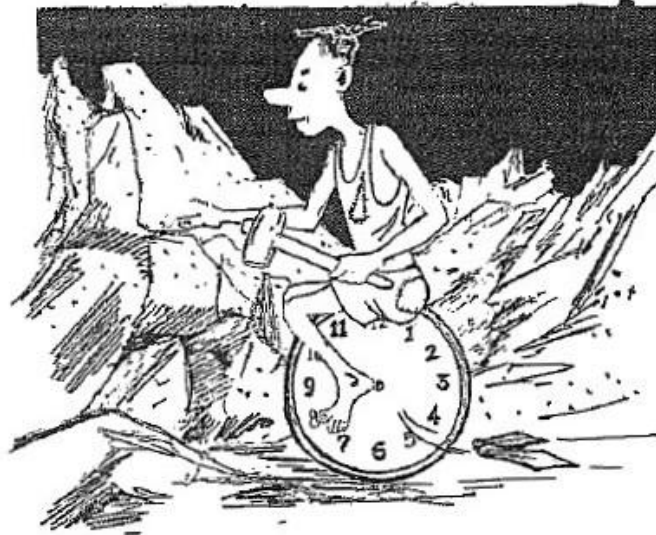
Not a single individual out of the 79 respondents in Jodhpur and the 84 in Makrana combined, testified to the provision of shade or any kind of basic facility to alleviate over exposure to the sun.

Implications

As a result of the total lack of any proper drinking water arrangements in the mines, generally, mineworkers have to go outside the premises for drinking water, to handpumps or tankas (ponds) located nearby. In some instances, as in the mines of Makrana, where leaving the mine every time one is thirsty is not possible, mineworkers are forced to drink the very unhygienic, stagnant water stored in the mine.

There is also no provision for a single toilet. Although this poses a problem for all the child labourers working in the mines, the girls face the harshest inconvenience. Over exposure to sun also causes physical inconvenience and may give rise to health problems among the child labourers in the long run.

vi. Working Hours and Other Facilities



Baburam is ten years old. He works in the mines of Jodhpur from nine in the morning to seven in the evening, i.e. for around ten hours a day. For this he gets twenty-five rupees as the wage. What forces him to accept a daily toil of so many hours is the economic compulsion due to a large family with seven members, where the father earns bare amount being an unskilled labourer himself.

In general, mineworkers work in the mines for long hours. This stands true for the child labourers as well. However, there are laws regulating not only the working hours but providing other benefits like extra wages for overtime, limiting the weekly days of work, compensatory holidays etc.

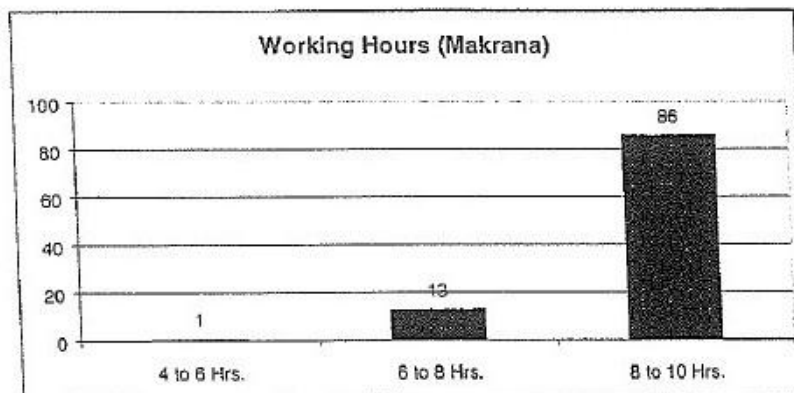
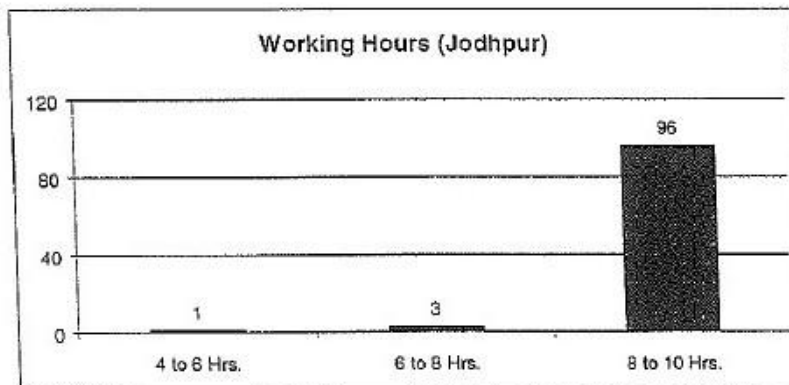
Law

The 1952 Mines Act lays down laws regulating the working hours, days of rest, compensatory

days of rest, extra wages for overtime, limitation of daily hours of work including overtime work etc. According to this act, a mineworker's hours of work, including overtime, should never exceed 10 hours a day. Further, no person is to be allowed to work in a mine for more than six days a week, and if, for some reason, any person is at some time deprived of holiday/s, then he should be provided with compensatory holiday/s within 2 months following that month.

Survey Findings

Our surveys in both Jodhpur and Makrana show that the children work 7 days per week with no extra wages for overtime. They also do not get paid leave for accidents, vacation, and national and religious holidays. Also, common methods for employing children are



through task-oriented verbal contracts, like filling a truck with debris, or by daily work. Further, the hours these children work are grueling. The vast majority of the children, 76 out of the 79 child labourers surveyed in Jodhpur and 72 of the 89 in Markana, work 8 to 10 hours a day. Even in those areas where child labour is permitted and regulated, 4.5 hours of work is usually stipulated as the maximum number of hours to employ a child per day.

Implications

The provision of a weekly day off is intended not only to provide rest, but also to give mineworkers relief from the monotonous, dehumanizing routine of the mine, as well as to allow them some time for their household work. Child labourers need these provisions even more than adults. A daily toil of so many hours, with no provisions for any holidays, leaves, or overtime wages or insurance can in the long run be derogatory to the physical, emotional and psychological well-being of the child labourers.

vii. Addiction



Seventeen year old Omaram Meghwal is working in the mines of Jodhpur. He is addicted to alcohol, opium, bidi and gutkha at such a young age. In his words, "Khan mein kaam karte hue itne thak jaate hain ki bina piye neend nahin aati hai" (I get so tired working in the mines that I can not sleep without drinking). However, though this is no excuse for getting addicted, it reflects the mental and physical toil the children are put to in the mines.

Another issue of major concern associated with child labour is addiction. The long hours of hard work, and the resultant physical and mental fatigue and exhaustion, as well as the lack of entertainment in their lives; makes these children prone to acquiring the habits which gradually make them addicts. Another reason may be that they tend to be influenced by their peers and acquire these habits from their co-workers.

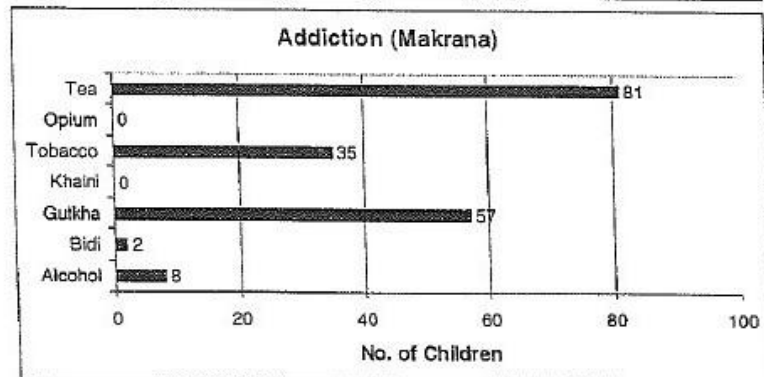
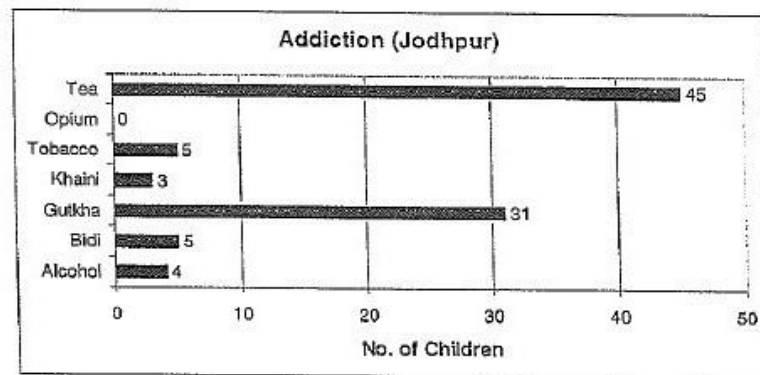
Law

Article 32 of Convention on the Rights of the Child, 1989 recognizes 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.

Survey Findings

Our survey found that 77% of the children were addicted to mild stimulant such as tea. A startling 60% of the children are dependent on stronger substances such as ghutka (a chewable form of tobacco), tobacco and alcohol. Out of the 79 child labourers surveyed in Jodhpur, 4 consume alcohol, 5 smoke bidi (tobacco smoked in tendu leaves), 34 consume Khaini (tobacco mixed with lime), 5 chew tobacco, and 45 drink tea. Out of the 84 child labourers surveyed in Makrana, 5 consume alcohol, 2 consume bidi, 57 consume gutkha, 35 chew tobacco, and 81 drink tea.



Implications

It is quite obvious that the majority of these children are consuming tea and gutkha, and that many others are addicted to yet more harmful substances. Once addicted to harmful substances these children are at greater risk of developing fatal diseases. In addition, to the deleterious physical effects of addiction, there are the equally serious psychological and emotional effects known to be caused by some of these substances, and the moral degradation an addicted child undergoes.

The reasons for the children's addiction and its effects, however, need to be further explored and may form a subject of a separate study.

viii. Psychological and Emotional Effects



A life of drudgery, with no dreams, hopes and entertainment, is likely to have severe psychological and emotional implications on the children working in the mines. In fact, the answers these children gave when questioned about their perception of their future and how they felt upon seeing better-educated children reveal the prevalence of depression and hopelessness among these children.

Law

Article 31 of Convention on the Rights of the Child, 1989 recognizes the right of the child

to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in the cultural life and the arts.

Survey Findings

Most of the children couldn't even perceive a future beyond the drudgery in the Jodhpur mines; while many others exhibited mental fatigue. In some cases, suicidal tendencies were observed. Many offered pessimistic answers and evidenced a fatalistic attitude towards life. Almost all of them were afraid of the hazardous working conditions in the mines, which make them vulnerable to injury and disease.

The answers given by of some of the child labourers in Makrana provide a glimmer of hope for these children. Two of the boys spoke of wanting to make soap; one of becoming a grocer, while most of the girls said they wanted to stitch clothes. Five of the children expressed an interest in rearing livestock; one wanted to make statues. There were at least seven who thought that, had they had an education, they would have had better futures. However, none of these children had any hope of fulfilling their wishes and dreams of the future.

Implications

There are several issues involved with child labour that are obvious in their manifestations. However, there are some issues that are less obvious, and hence less focused upon and less explored. A childhood passed in the misery of grueling labour leaves children with emotional and psychological scars. It dulls their ability to envision a future and often leaves a child listless. Too often, these children's potential remains unrealized. In due course, a normal child will emotionally waste away.

Further and more detailed study needs to be undertaken into the emotional and psychological effects of child labour in this field.

ix. Education



Padma Kumari (14) works in the mines of Jodhpur. In her words, "School jaate bachchon ko dekh kar mujhe bhi padne ka man karta hai. Main bhi school jati to yeh patthar nahin phodne padte. Zindagi bekaar mehsoos hoti hai". (I too feel like studying when I see children going to school. If I could go to the school too, then I would not have to break the stones. Life seems to be useless.)

Education is necessary for the refinement of an individual's personality and his overall growth. However, the children who have to start working in hazardous conditions at a young age, find no such circumstances which prove conducive to be able to start or carry on with education.

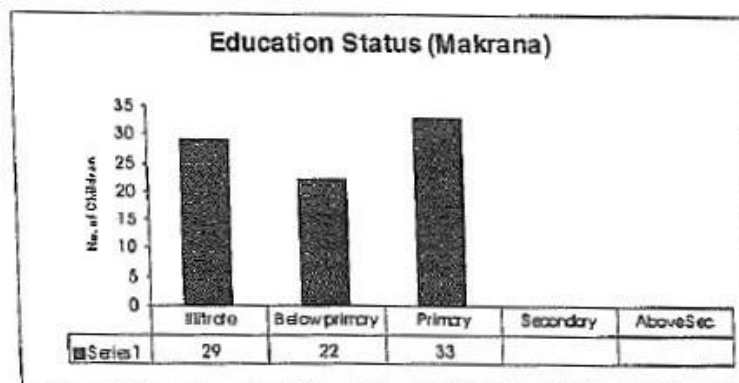
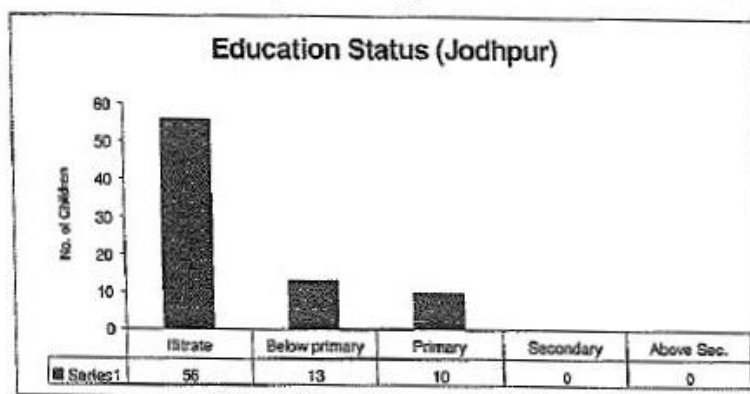
Law

Article 28 of the Convention on the Rights of the Child, 1989 recognizes the right of the

child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, expects the State parties to make primary education compulsory and available free to all. Article 45 of the Indian constitution stipulates that the State shall endeavour to provide, within a period of ten years from the commencement of the constitution, free and compulsory education for all children until they reach age of 14 years.

Survey Findings

More than half of the children surveyed in Jodhpur and one-third of the children in Makrana



are illiterate. Only 43 of all the children surveyed have primary education, while none has received secondary education or beyond. Almost half of the children, 70 out of 163 reported

that they are willing to study at all.

Implications

Working during these critical years, clearly, has an adverse effect on the education of these children. At a time when these children should be attending school, they are submerged in the day-in, day-out drudgery of mine work.

Affecting their education equally is the structure of the system of education followed in India. In India, all children are required to enter school at the same age and then expected to follow sequential institutional instruction offered by full-time, professional teachers. Such a system offers no place for a child labourer. Noted educationist, the late J.P. Naik says,

“Despite the advantages of the single point entry method such as the creation of the homogeneous age-group cohort which rises, year after year, to successively higher classes, it means that the child who is unable to enter school at class I at the age of six years remains outside it forever. Though in principle the same child could enter class I at age eleven years, he would have to be with much younger children and despite his readiness to go faster, he would have to learn at the same speed. Most likely he would become a drop out”³.

The most common explanation for parents not sending their children to school is that they are too poor. According to Neera Burra,

“It is argued that the economic contribution of the child to the income of the family—whether by bringing in a wage or by doing household maintenance work and thus releasing adults for productive work is so important that the family cannot afford to lose this economically productive time for his or her schooling. Clearly, there is some substance in such reasoning, as poor families exist on the margins of survival”⁴.

Whatever be the reasons, these children remain devoid of an important aspect of life which seems necessary for the overall growth of an individual.

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x. Debts and Bonded Labour



Saudanram Meghwal was a worker in the mines of Makrana. For some reason, he had to take an advance of ten thousand rupees from the mine-owner. It gradually became impossible to pay the loan back because of the interest which kept cumulatively accumulating, also as a result of the cheating by the mineowner. This forced Saudanram into bonded labourhood, and slowly also his wife and daughter aged eleven and son aged fourteen years.

Many of the children surveyed in these mines are working out of economic consideration for nominal, sub-standard wages.

Law

According to the Bonded Labour System (Abolition) Act, 1976, a "bonded labour system"

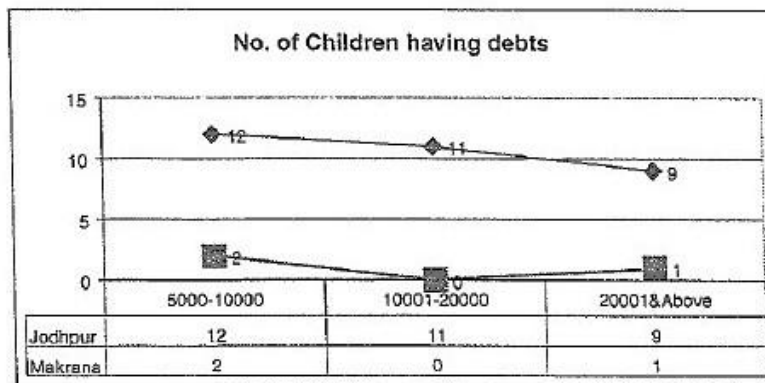
is a system of forced or partly forced labour under which a debtor enters, or is presumed to have entered, into an agreement with the creditor to the effect that:

- (i) in consideration of an advance obtained by him or by any of his lineal ascendants or descendants (whether or not such advance is evidenced by any document) and in consideration of the interest, if any, due on such advance, or
- (ii) in pursuance of any customary or social obligation, or
- (iii) in pursuance of an obligation devolving on him by succession, or
- (iv) for any economic consideration received by him or by any of his lineal ascendants or descendants, or
- (v) by reason of his birth in any particular caste or community, he would-
 - (1) render, by himself or through any member of his family...labour or service to the creditor, or for the benefit of the creditor, for a specified period or for an unspecified period, either without wages or for nominal wages, or
 - (2) forfeit the freedom of employment or other means of livelihood for a specified period or for an unspecified period, or
 - (3) forfeit the right to move freely throughout the territory of India,
 - (4) forfeit the right to appropriate or sell at market value any of his property or product of his labour or the labour of a member of his family or any person dependent on him...

This definition is meant to, and does, cover all the many permutations of the bonded labour system in modern India.

Survey Findings

Our findings in Jodhpur, were that relatives of 32 child labourers had debts. Out of these, 12 had debts range between 5,000 to 1,0000 rupees, 11 between 10,000 and 20,000 rupees, and 9 above 20,000 rupees. In Makrana, relatives of only three child labourers had been found to have debts, two in the range 5,000 to 10,000 rupees, and one above 20,000 rupees.



Implications

The three elements at the core of bonded labour are: working for an advance, being paid low wages, and working under compulsion. In determining whether the children surveyed were working under bonded status, we used the following criteria: were they working for nominal wages in consideration of an advance, and were they not free to discontinue their work.

Though the survey findings are inadequate to establish conclusive relationship between debts taken and bonded labour among children, they do indicate that there is a significant correlation between the two, and that there is a need for further, more detailed study in this direction. Although, at the present stage, and due to the limitations of the survey, we are not able to make absolute claims about prevalence of bonded labour among these children, our study does indicate that this issue warrants special consideration.



LEGAL AND CONSTITUTIONAL FRAMEWORK

i. Overview

The incidence of child labour in India is undeniably high. However, despite the high levels of child labor in India, there are a number of legal frameworks that exist to protect children from this terrible form of exploitation. In fact, there are International, Constitutional and State legislations that restrict the practice in different ways. Again, however, how much these laws have remained successful is doubtful.

ii. International Law

The practice of child labour violates the International Human Rights Convention-Convention

on the Rights of the Child, 1989; to which India too is a party. The following Articles of the Convention hold significance in the context of the problem:

Article 24 recognizes the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health.

Article 28 recognizes the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, expects the State parties to make primary education compulsory and available free to all.

Article 31 recognizes the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in the cultural life and the arts.

Article 32 recognizes 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.

The Convention on the Rights of the Child is not at all heeded in the mines.

- Article 24 fails the children working in the mines who are deprived of basic health facilities despite having to endure circumstances that lead to loss in terms of health. The human rights of the children are blatantly denied.
- Again, Article 28 fails these children who are denied education due to lax enforcement of free and compulsory primary education on part of the State. This despite research by scholars and social activists that education is the best way out for children involved in child labour.
- The right recognized in Article 31 is totally denied to the child labourers in the wake of the toil and drudgery involved in their lives.
- And finally, Article 32 is grossly violated as children are employed in the mines primarily

to exploit them economically, physically and mentally.

iii. Domestic Law

A number of laws have been passed to protect the working children from exploitation. These include:

- (1) The Children (Pledging of Labour) Act, 1933
- (2) Employment of Children Act, 1938
- (3) Minimum Wages Act, 1948
- (4) Factories Act, 1948
- (5) Plantation Labour Act, 1951
- (6) Mines Act, 1951
- (7) Merchant Shipping Act, 1958
- (8) Motor Transport Act, 1961
- (9) Apprentices Act, 1961
- (10) Atomic Energy Act, 1961
- (11) Beedi and Cigar Workers (Condition of Employment) Act, 1966
- (12) Shops and Establishments Act in various States and Union Territories
- (13) Child Labour (Prohibition and Regulation) Act, 1986

(1) Children (Pledging of Labour) Act, 1933

The Royal Commission on Labour in India was established in 1929 to report on the existing conditions of labour in industrial settings and plantations in British India, with respect to the health of the workers, their standard of living, their relations with their employers, as well as to make recommendations. The Commission traveled all over British India, visited various industries, interviewed employers, workers and children, looked into the health hazards in different industries, modes of recruitment of children, conditions of work, wages etc, and finalized its report in 1931. Though its canvas was much larger, the Report brought to light many inequities and the shocking conditions under which children were working.

The recommendations made by the commission were subsequently discussed in the Legislative Assembly debates and the Children (Pledging of Labour) Act, 1933 was passed on the basis of the Commission's findings. This act, though it predates independence, still remains in force. However, it is rarely used or referred to now, perhaps because of the framing of more recent laws.

The act calls for penalties to be levied against any parent, middleman, or employer involved in making or executing a pledge of a child's labour. Such a pledge is defined as an "agreement, written or oral; express or implied, whereby the parent or guardian of a child, in return for any payment or benefit received or to be received by him, undertakes to cause or allow the services of the child to be utilized in any employment." Lawful labour agreements are limited to those made in consideration of reasonable wages and terminable at seven days' or less notice. The fines for violating this law are fifty rupees against the parent and two hundred rupees against either the middleman or the employer.

(2) Employment of Children Act, 1938

The Report of the Royal Commission on Labour also formed the basis for this law, which had a number of provisions for the protection of children. All the industries that the Commission members visited and in which children were found to be working under appalling conditions were listed as banned in the schedule appended to the Act. Two amendments to this Act were made in 1951 and 1978.

(3) Minimum Wages Act, 1948

The Minimum Wages Act, sets the minimum wage for certain enumerated occupations and requires that overtime be paid to all workers who work beyond a "normal working day". In the case of children under fourteen, a "normal working day" is four and a half hours.

(6) Mines Act, 1952

The 1952 Mines Act explicitly prohibited the employment of children less than 15 years of age in the mines. The Act stipulated two conditions for underground work:

- (i) the workers must have reached 16 years of age; and
- (ii) a certificate of physical fitness must be obtained from a medical doctor.

However, after the commencement of the Mines (Amendment) Act, 1983, no person below eighteen years of age shall be allowed to work in any mine or part thereof.

(13) Child Labour (Prohibition and Regulation Act, 1986

The Child Labour (Prohibition and Regulation) Act came into force towards the later half of 1986. It defines a child as “a person who has not completed the fourteenth year of age.” It does not prohibit child labour per se, nor does it set a minimum age for the employment of children. Instead, it regulates the hours and conditions of work for child labourers, while prohibiting the employment of children in twenty-five hazardous industries.

For first convictions under the hazardous industries prohibition, the Act prescribes imprisonment of three to twelve months or a fine of Rs.10,000 to 20,000. Second offences are to be punished with a mandatory six months to two years in prison. There are no standing requirements for the filing of a complaint under the Child Labour Act. Any person, including but not limited to any police officer or government inspector, is authorized to file a complaint before any court of competent jurisdiction.

Certain glaring problems and inconsistencies are found in the Child Labour Act. According to Neera Burra, “The Child Labour (Prohibition and Regulation) Act of 1986 was not preceded by or based upon empirical investigation. The Schedule in the 1986 Act of processes banned for children is virtually identical to that of the 1938 Act. Surely, in a span of nearly fifty years there would be other industries to be added and perhaps some to be

deleted.”⁶ Further, a Report by Human Rights Watch Children’s Project, “The Small Hands of Slavery”, criticizes the Act in the following words:

“The implementation of the regulatory provisions of the act require each state to formulate an act-specific set of rules and regulations; the majority of states have not done so as of 1996, ten years after passage of the act. The act also authorizes central and state governments to appoint inspectors charged with securing compliance with the Act. Rather than do this; most states have added responsibility for the enforcement of the Child Labour (Prohibition and Regulation) Act on the already existing ranks of the labour inspectors.

This is an undesirable arrangement for two reasons. First, requiring the labour inspectors to also investigate violations of the Child Labour (Prohibition and Regulation) Act saddles them with an unrealistic work burden...Furthermore, a 1995 government mandated report on child labour found that many inspectors were unclear about the import of laws. In addition to being overextended, factory and labour inspectors in India are notoriously corrupt and susceptible to bribery.... Even if inspection were reliable, glaring loopholes in the Child Labour (Prohibition and Regulation) Act allow manufacturers to escape application of the law quite easily.. Another major loophole in the Child Labour (Prohibition and Regulation) Act concerns the proof of age of the Child Worker.”⁷

iv. Constitutional Provisions

India is one of the few countries whose Constitution itself provides for prohibition of the employment of children. The issue has been addressed in the Fundamental Rights as well as in the Directive Principles of State Policy.

Article 15(3) of the Fundamental Rights enables the State to make special provisions for children (provisions relating to restriction of the employment of

children in certain areas on the grounds of the nature of the work).

Article 23 stipulates that traffic in human beings, beggary and other similar forms of forced labour is prohibited and that any contravention of these provisions shall be an offence punishable in accordance with the law.

Article 24 states that no children below the age of 14 years shall be employed to work in any factory or mine nor engaged in any other hazardous employment.

Article 39 (e and f) of the Directive Principles prescribes that the tender age of children should not be abused and citizens should not be forced by economic necessity to enter avocations unsuited to their age and strength; also, that children should be given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity; also, that childhood and youth shall be protected against exploitation and against moral and material abandonment.

Article 45 stipulates that the State shall endeavour to provide, within a period of ten years from the commencement of the constitution, free and compulsory education for all children until they reach age of 14 years.

The Indian Constitution includes provisions as well as a number of laws regarding child labour and other aspects associated with children's lives. But, the Human Rights, Fundamental Rights and Directive Principles of State Policy enshrined in the Constitution, and the various Acts hold little, if any, meaning for the millions of working children who have no access to proper food, safe drinking water, shelter, medical facilities, or education. The truth is that these Rights and Acts have remained irrelevant to the lives of this vulnerable, ignorant, neglected, exploited and deprived section of the society. To quote the Supreme Court, "They [the deprived section of our society] have no faith in the existing social and economic system of India." In the words of Mahaveer Jain (Coordinator, Child Labour Cell, National Labour Institute, Noida), "In such a situation, the enforcement of Rights and Acts having the main objective of protecting children from exploitative and hazardous employments has remained a myth."⁸

v. Factors Behind Non-Enforcement

A number of complex and intertwined factors explain the non-enforcement of these Acts. According to Human Rights Watch Report, *The Small Hands of Slavery*, there is an endemic apathy among government officials charged with enforcing India's Labour laws at all levels - national, state and district. Further, it is not uncommon for those accused of violating labour laws to engage in overt obstruction of the legal process. Corruption among government officials charged with enforcement of the laws is notorious and widespread. The best illustration to prove this fact is that in spite of the presence of Labour Enforcement Officer in Jodhpur and the Mining Department in Makrana, the presence of children in the mines is quite obvious.

Yet another obstacle to enforcement is the failure to devote sufficient resources to the issue of child labour. This failure includes inadequate training of labour inspectors, an insufficient number of inspectors, and the overburdening of the district magistrates. At both the state and the district level, the number of personnel devoted to enforcement of child labour laws is grossly inadequate.

In the absence of willingness of enforcement authorities and given the socio-economic and educational status of the families to which working children belong, it is sheer presumptuousness to expect that working children or their parents will have enough knowledge of the existing Acts and legislations aimed at protecting them from exploitative and dangerous employment. Even if they were aware of the Acts, the families of these children, for obvious economic reasons, are unable to approach the law when their fundamental rights are breached.

Moreover, because of the complex and ambiguous nature of these Acts, those who have approached the law have not succeeded in protecting their rights. This becomes evident if we look into the *Asiad Project* case of 1982, in which the Supreme Court observed that:

“The only solution for making civil and political rights meaningful to this large section of our society [working children] would be to remake the material conditions and restructure the social and economic order so that they may be able to realize the economic, social and cultural rights.”



CONCLUSION

i. Summary

This Report, in spite of the limitations of the scope of the survey, amply testifies to the prevalence of child labour in the mines of Makrana and Jodhpur and brings several issues related to child labour to light. Equally important, this study shows how the laws are being openly contravened.

Analysis of the sample surveyed reflects that most of the children working in the mines start working before they are fourteen years old, work for eight to ten hours a day, and are paid nominal wages in return for the hard work. Further, the working conditions in the mines are hazardous and the safety arrangements are poor, putting the health and safety of these children at risk. In the mines, there is lack of basic facilities like safe drinking water, toilets and shade. Moreover, the children are denied a weekly day of rest, compensatory days of rest, extra wages for overtime, etc. As a result of these trying conditions, these

child labourers are prone to addiction which further worsens their psychological and physical health.

In addition to all of these concerns, a major issue which emerges that has been given little attention is that a life of daily toil and drudgery, with no hope for a future, deeply affects the psyche of a child, leaving them emotionally dried-up. This leads to listlessness, depression, and in some extreme cases suicide. Another major concern is that the education of the child labourer suffers very badly. Most of these children remain illiterate, while only a few are able to get primary education. Further, though the present report is not equipped to make any general claims regarding cases of bonded labour, our findings are indicative of a prevalence of bonded child labour in the mines. The agony of these innocent children, suffering for sins entirely not of their making, is beyond any measure.

While the list of issues and problems related to child labour gets longer and yet more painful; one starts wondering at the sources of the problem: What causes child labour?

To gauge the factors behind such a deep-rooted problem as this is not easy. However, one thing is certain, that most or all of these children are working under some form of compulsion, whether from their parents, or the expectations attached to their caste, or from simple economic necessity.

When asked about their reasons for working in the mines, most of the children cite poverty and resultant economic necessity. To quote Professor Errol Mendes, one of the sources of the problem is, "unrelenting poverty which mandates in the logic of the prisoners of such poverty larger chances of economic survival, further enlarging the potential pool for exploitation."⁹ In the context of mine work, in many cases, children are forced to work because of the death or illness of their fathers, causing an economic crisis in the family. Even in cases where the father is alive and healthy, children are forced to work, as the father's earnings is not sufficient to fulfill the requirements of the whole family. Also, large family size indirectly accounts for the problem.

However, there is an ongoing debate about whether poverty is the cause of child labour or its effect. Often, poverty is in fact, 'a classic defense' offered by apologists for child labour. As Richard H Young of UNICEF India, says, "There is no economic argument that justifies the labouring of a child. Because if there is no money in the family, it's not the fault of the child, it's because the adults have failed them."

The truth is that, "the persistence of child labour itself reinforces, if not creates, poverty."¹⁰ Children are employed while a large number of adults remain unemployed. Thus child labour, in fact, multiplies the number of unemployed adults, reinforcing the circle of poverty. Taha Husein questions this in these words: "How is it that in a country where there is such widespread adult unemployment there are job opportunities for more than 50 million children?"¹¹ Moreover, once a child starts working to support the family, by the time he or she is legally old enough to work, he is no longer in a position to do so because of serious work-induced ailments. The vicious circle continues with the younger siblings being forced to work in order to support their parents and sick older siblings. This complex problem needs to be looked at in a larger perspective.

While there is no denying the fact that poverty is one of the root causes behind the prevalence of child labour, the importance of other factors cannot be ignored. The following offer some of the reasons behind the prevalence of child labour:

- Children are often employed and exploited because, compared to adults, they are more vulnerable, cheaper to hire, and are less likely to demand higher wages or better working conditions. In the words of Neera Burra, "Simply put, employers prefer child labour because it is cheaper than adult labour and because children, unlike adults, cannot question the treatment meted out to them".¹² This is quite evident on an analysis of the wages paid to the child labourers in these mines; which is much less than that paid to the adult workers for almost the same work. The wages are lesser in case of girl-child labourers, indicating a gender bias here. Further, many children start working because their parents need money for one-time expenses such as marriage or even health-care. So in order to pay back the money they make an

arrangement with the moneylender to let their children work for a specified period of time. This gives rise to a form of contemporary slavery- bonded child labour.

- For many children, school is not an option. Education can be expensive. Moreover, education seems to be irrelevant for the child in the long run in the context of the realities of their everyday lives and futures. It is a failure on the part of the State not to make education attractive enough for the child to long to go to school. In many cases, school is also physically inaccessible. The most significant factor seems to be the lack of effective enforcement of the right to free and compulsory elementary education.
- Cultural expectations of children as an integral part of the socio-economic survival of the family and community are another factor.
- One is bound to think at this point whether if ignorance and apathy are not equally significant factors. There is a general lack of sympathy towards the plight of this section of child population, quite evident everywhere, from government, to NGOs and common people. Coupled with this is the ignorance to which the poorer sections of the society are a subject because of illiteracy, lack of awareness, etc.

ii. What Can Be Done?

Amidst all the debates and studies regarding the causes and consequences of child labour, what emerges as a yet more significant question is: What can be done for this problem? Some of the solutions to the problem of child labour are:

Poverty alleviation

As discussed earlier, poverty seems to be one of the major causes for the prevalence and propagation of the practice of child labour. Hence, one of the ameliorative solutions seems to be poverty alleviation. At least this much can be assured that it is not economic compulsion

which forces these children into a life of drudgery.

Free and Compulsory Primary Education

Though in some of the states including Rajasthan, steps have been taken to make the primary education free, and even schemes like mid-day meal were implemented to increase the interest and improve the nutrition level of the children; nothing is done as yet to make education compulsory. This seems to be necessary in the light of the fact that even making education free has not been able to evoke interest among the lower classes to send their children to schools instead of for work.

Non-formal education

Non-formal education, if provided, can work as one of the effective mediums for providing the child labourers a means of getting rid of the vicious circle of poverty that they get trapped into as a result of the lack of any options. Also, it can be in the form of some kind of vocational training.

Strict Enforcement of Laws

It is clear after a study of the laws that what we lack in is a strict enforcement of the laws. This issue if taken care of, will prove to be a major step in solving the problem. An argument often surfaces whenever a talk on the strict enforcement of laws prohibiting child labour is initiated. It is believed by many that if this practice is prohibited completely, it will amount to a loss of livelihood to the child labourers and they may find it difficult to sustain their lives. However, one needs to see this in the light of the fact that the total number of child labourers employed in the country far exceed the total number of unemployed. So it can be inferred that it will not amount to a loss of living for the people when seen in realistic terms.

Social Services

Social Services that help children and families survive crises, such as disease, or loss of home and shelter, should be provided so that children can be saved from getting into the trap as a result of circumstantial exigency.

Awareness Generation

Awareness regarding family control of fertility should be generated among the people, so that families are not burdened by children. In many cases, one finds that the children are forced to work because there are so many children in the family that the head of the family finds it difficult to support with his bare income.

There is also a need to aware workers on their rights provided by the constitution of India. This will prepare them to fight for their own rights and will even aware parents that employing their children in mines is contempt of law.

Further, there is also a need for raising social consciousness on the values and rights of children.

Regional Development and Social Security Systems

Regional Development and Social Security Systems in areas of high concentration of child labour should be developed.

There is a need to target the abuse and discrimination of the female child.

While these are the major steps to be taken, there are undoubtedly many other solutions to the problem too. At present, there is a need to carry out focused action. A sincere and concentrated effort along these lines is sure to bring a solution to these painful "Tales of Woe".

Notes and References

1. Neera Burra has worked extensively on the issue of Child Labour. She is basically a social anthropologist, works for the United Nations Volunteers, and is part of the United Nations.
2. Burra, Neera. *Born to Work: Child Labour in India*. Oxford University Press, New Delhi, 1995, p 243.
3. Naik, J.P., *Equality, Quality and Quantity: The Elusive Triangle in Indian Education*, Allied Publishers, New Delhi, 1975, p117.
4. *op.cit.*, p 224
5. The same Act defines “nominal wages” as those that are less than minimum wages or, where no minimum wage has been set, less than wages normally paid for the same or similar work in the same locality.
6. *op.cit.*, p 9
7. Whitman, Lois; Gossman, Patricia; Jones, Sidney and McClintok, Michael (eds.); *The Small Hands of Slavery: Bonded Child Labour in India*, Human Rights Watch Children’s Rights Project, Human Rights Watch/ Asia, 1996.
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10. Burra, Neera. *Born to Work: Child Labour in India*. Oxford University Press, New Delhi, 1995, p 243.
11. Husein, Taha, *Child Labour in India*.
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