
The Hidden Factory: Child Labour in Bihar (India)

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ABSTRACT:

Child labour is a concrete manifestation of violations of a range of rights of children and is recognized as a serious and enormously complex social problem in India. Notwithstanding the increase in the enrolment of children in elementary schools and increase in literacy rates since 1980s, child labour continues to be a significant phenomenon in Bihar.

Irrespective of what is shown in the official statistics, we say that the phenomenon of child labour is significant because, the Child Labour (Prohibition and Regulation) Act, 1986 is a legislation to address hazardous industrial child labour in a limited way as the purview of the Act covers only the organized sectors of production. As it is inbuilt in the law, this Act has excluded a vast section of toiling children in the unorganized sectors, as over 90 percent of the labour force in Bihar is accounted for by the unorganised sectors of production.

Keywords: *Child Labour, Street Children, Bonded Children, Working Children, Sexual Exploitation, Migrant Children, Child Prostitution*

1. INTRODUCTION

Child labour is a concrete manifestation of violations of a range of rights of children and is recognised as a serious and enormously complex social problem in the state of Bihar- India. Notwithstanding the increase in the enrolment of children in elementary schools and increase in literacy rates since 1980s, child labour continues to be a significant phenomenon in Bihar.

Irrespective of what is shown in the official statistics, we say that the phenomenon of child labour is significant because, the Child Labour (Prohibition and Regulation) Act, 1986 is a legislation to address hazardous industrial child labour in a limited way as the purview of the Act covers only the organized sectors of production. As it is inbuilt in the law, this Act has excluded a vast section of toiling children in the unorganized sectors, as over 90 percent of the labour force in Bihar is accounted for by the unorganised sectors of production.

The political weight behind the initiatives towards government legal intervention has been very dissimilar across states of India. Generally under the era of globalization and liberalization policies, the underlying attitude of the government is not to strictly impose labour laws that will disturb the production process. With regard to other forms of intervention, the flag ship programme of the Government of India is the National Child Labour Project (NCLP). The NCLP Scheme started in 1988, has so far covered 400,200 working children. About 3.08 lakh children have been mainstreamed into formal education system so far. The Scheme is running in 250 districts in 14 states. Even after discounting for the inherent problems in the NCLP scheme the coverage is very low compared to the

magnitude of the problem (12 million according to 2001 population census) even by the official statistics. In fact the magnitude of child labour has increased in absolute terms by about one million between 1991 and 2001.

2. NEED OF THE STUDY

This paper is a modest attempt in critically look at the official sources of information on the magnitude of child labour in Bihar. The analysis is presented in the background of the present socio economic context in Bihar which has direct impact on the lives of children, and in turn the magnitude of child labour in Bihar.

“A Child is a father of the man” (This famous line quoted by William Wordsworth refers to the importance of the child in a society for the development of society as well as for the development of the whole nation.). Child labour is done by any working child who is under the age specified by law. The word, “work” means full time commercial work to sustain self or add to the family income. Child labour is a hazard to a Child’s mental, physical, social, educational, emotional and spiritual development. Broadly any child who is employed in activities to feed self and family is being subjected to “child labour”.

3. LITERATURE REVIEW

Who Is A Child?

According to article 1 of United Nations Convention on Rights of the Child 1989: “A child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.”

UNICEF defines child labour as work that exceeds a minimum number of hours, depending on the age of a child and on the type of work. Such work is considered harmful to the child and should therefore be eliminated.

Ages 5-11: At least one hour of economic work or 28 hours of domestic work per week.

Ages 12-14: At least 14 hours of economic work or 28 hours of domestic work per week.

Ages 15-17: At least 43 hours of economic or domestic work per week.

In case of child labour the definition of child can be referred under Child Labour (Prohibition and Regulation) Act 1986 it states that: Child means a person who had not completed 14 years of age.

From the above point, it is clear that a person up to the age of 14 year is a child while concerning child labour. Convention 59th of International Labour Organisation lays down that –“No child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment.”

CATEGORIES OF CHILD LABOUR

Child labour is a term that needs to be unpacked: it cannot be used in a sweeping manner but covers a range and variety of circumstances in which children work.

a. Child Labour: Those children who are doing paid or unpaid work in factories, workshops, establishments, mines and in the service sector such as domestic labour. The Ministry of Labour, Government of India has employed the term “child labour” only in the context of children is doing “hazardous” work.

b. Street Children: Children living on and off the streets, such as shoeshine boys, rag pickers, newspaper-vendors, beggars, etc. The problem of street children is somewhat different from that of child labour in factories and workshops.

c. Bonded Children: Children who have either been pledged by their parents for paltry sums of money or those working to pay off the inherited debts of their fathers. Bonded child labour is an acute problem in the state. Bonded children are in many ways the most difficult to assist because they are inaccessible. If the carpet owner has bought them, they cannot escape.

d. Working Children: Children who are working as part of family labour in agriculture and in home-based work. If children are working 12-14 hours a day along with their parents at the cost of their education, their situation is similar to that of children working for other employers.

e. Children used for sexual exploitation: Many thousands of young girls and boys serve the sexual appetites of men from all social and economic backgrounds. Direct links between the commercial sexual exploitation of children and other forms of exploitative child labour are numerous. Factories, workshops, street corners, railway stations, bus stops and homes where children work are common sites of sexual exploitation. The physical (health, danger of HIV/AIDS, sexually transmitted diseases) and psycho-social damage inflicted by commercial sexual exploitation makes it one of the most hazardous forms of child labour.

f. Migrant children: The state faces a huge challenge with “distress seasonal migration”. Thousands of families are being forced to leave their homes and villages for several months every year in search of livelihoods. These migrations mean that families are forced to drop out of schools, something that closes up the only available opportunity to break the vicious cycle generation after generation.

g. Children engaged in household activities: Apart from children who are employed for wages (either bonded or otherwise) as domestic help, there are a large number of children (especially girls) who are working in their own houses, engaged in what is not normally seen as “economic activity”.

4. DISCUSSION

Child labour in Bihar (India) is a human right issue for the nation and whole world. It is a serious and extensive problem, with many children under the age of fourteen working in

carpet making factories, glass blowing units and making fireworks with bare little hands. According to the statistics given by the Bihar government there are more than half a Million child labourers in the State, while other agencies claim that it is 1.5 million.

Child labour is a conspicuous problem in Bihar. Its prevalence is evident in the child work participation rate, which is more than that of other developing countries. Poverty is the reason for child labour in state like Bihar. The meagre income of child labourers is also absorbed by their families.

Bonded labour traps the growing child in a hostage like condition for years. The importance of formal education is also not realized, as the child can be absorbed in economically beneficial activities at a young age. Moreover there is no access to proper education in the remote areas of rural Bihar for most people, which leaves the children with no choice.

Some common causes of child labour are poverty, parental illiteracy, social apathy, ignorance, lack of education and exposure, exploitation of cheap and unorganized labour. The family practice to inculcate traditional skills in children also pulls little ones inexorably in the trap of child labour, as they never get the opportunity to learn anything else.

Absence of compulsory education at the primary level, parental ignorance regarding the bad effects of child labour, the ineffectively of child labour laws in terms of implementation, non availability and non accessibility of schools, boring and unpractical school curriculum and cheap child labour are some other factors which encourages the phenomenon of child labour. It is also very difficult for immature minds and undeveloped bodies to understand and organize themselves against exploitation in the absence of adult guidance.

The problem of Child Prostitution - Some eye- opening facts in this regard:

- The average age of girls supplied to the brothels in the last two years has decreased from 14 and 16 years to 10 and 14 years. A girl between **10** and **12** years fetches the highest price.
- There is the myth that a man can rid himself of sexually transmitted diseases if he sleeps with a virgin hence the fear of **HIV/AIDS** has increased the demand for virgins and children.
- Trafficking is another problem which Bihar (India) faces- About 7,000 sex workers cross over from Nepal into Bihar every year. 66% of the girls are from families where the annual income is about Rs.5000. They may be sold by their parents, deceived with promises of marriage or a lucrative job or kidnapped and sold to brothel owners. Between **40 – 50%** are believed to be under 18 years which is the age of consent in India, some are as young as 9 or 10 years old.
- Child sex workers are not confined to big cities. A survey in Bihar revealed that roadside brothels for truck drivers in the Aurangabad and Sasaram districts offered sex workers aged between 6 and 18 years.
- Everyday girls and women in Bihar enter prostitution and 80% of them against their will. At the current rate of growth by 2025, **will be quite alarming.**

5. CONCLUSION

Developing a precise definition for the term ‘obscenity’ is difficult. What may be considered as obscene in one country may not be considered as obscene in another. It mainly depends on the moral and ethical values of the people who belong to a specific country. However, the generic definition of obscenity refers to an act or speech or item that is likely to corrupt the morality of the general public because of its indecency or lewdness in content or form. The exhibition of something offensive to modesty or decency or expression of unchaste or lustful ideas or being indecent or lewd is considered to be obscene, in most countries. In my opinion to control child pornography in India we should completely ban porn sites. This stringent action can solve the problem to a larger extent. This would give us time to think and plan some new ways to eradicate child pornography from India. Depiction of minors, both real and virtual, as well as adults appearing to be minors, in electronic child pornography should be prevented by Indian law. Stringent measures must be taken to combat such heinous abuse.

About one quarter of India’s population comprises of girl children up to the age of 19 years. However, they are discriminated socially, psychologically, economically and sexually. This gender discrimination is socially defined and continues from cradle to grave. One of India’s most striking characteristics is its material poverty. An estimated 40% of India’s population lives in poverty. In a patriarchal set up, the section in families in societies that is affected is women and girl children. Violence against women, assault, and rape of women are not individual sexual or physical crimes. Desperation seems to characterize the lives of India’s poor. This desperate poverty is often cited as the root of India’s growing prostitution problem.

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