

# Critical Role of Skill Development Mission in Addressing the Challenge of Child Labour: A Study of Uttar Pradesh

**(SUMMARY)  
DISSERTATION**

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## SUMMARY

### 1. INTRODUCTION

#### **Child labour is a social stigma.**

Children are the greatest gift to humanity. Childhood is an impressionable stage and it holds the potential to the human development. Children are vulnerable due to their age, physical power and they cannot make plans for their own future. As children are the future of the nation, they should be protected from exploitation and should be given opportunities for their physical and mental development. Children who are brought up in a conducive environment grow up to become responsible and productive members of society. Hence the protection of children is the responsibility of the nation.

Child labour however, is a complex social issue that is a concrete manifestation of violations of children's rights and remains one of the major challenges before the nation. Child labour is the employment of children in any work that deprives children of their childhood and their right to development of mental and physical abilities, leisure and play. The worst forms of child labour are those situations where children work more than nine hours in a day, earn less than a minimum wage or no wages at all, work in hazardous conditions for health and safety and work outside of their family's home. Working children do not have access to adequate standard of living, are denied opportunity for developing personality, talents, and protection from abuse and neglect.

Today millions of children worldwide are engaged in labour that is hindering their education, development and future livelihoods; many of them are involved in the worst forms of child labour that cause irreversible physical or psychological damage, or that even threaten their lives (ILO, 2002). Thus, Children are the most vulnerable group in any population and in need of greatest social care on account of their vulnerability and dependence. They can be exploited, ill treated and directed into undesirable channels by unscrupulous elements in the community. Children continue to form a sizable section of labour force in several fields of employment around the world. While in the less developed countries, the incidence of children's participation in labour force is considerably high, it is not totally absent in the more developed nations too.

The research proposal identifies child labour as a grave and extensive problem of children under 14 years of age who are forced to work due to extreme poverty conditions. While the Government of India reports about 20 million children labourers, other non-governmental organisations estimate the number to be closer to 50 million. Most prevalent in the northern part of India, the exploitation of child labour has become an accepted practice and is viewed by the local population to overcome the extreme poverty in the region.

## **2. JUSTIFICATION OF THE STUDY**

### **Child is meant to learn not earn**

To address the traditional and stereotype demand and supply factors including cheap and docile labour, illiteracy, indebtedness, unemployment and landlessness that contribute to the prevalence of child labour and to find a solution to social evil that persists as a challenge throughout history. It is of paramount importance to have gradual and sequential approach to address the issue of child labour.

Fundamental opportunities of right to life is denied as the children are engaged in hazardous conditions that adversely affect their health and safety like paan, bidi, auto-workshops, ceramics and worldwide agriculture that is the largest employer of child labour. There is a huge increase visible on the field with regard to migrant child labour, trafficked child labour, street working children, children in brick kilns, sugarcane cutting, even on construction sites examples in states such as Orissa, West Bengal, Andhra Pradesh and children working in hazardous industries such as brass factories in Uttar Pradesh and manufacture of fireworks in Tamil Nadu. Working children are increasingly being employed to meet export oriented industry demands, domestic labour in places like Delhi. Children's exploitation as labour has become the order of the day.

It forces the children to forego access and benefit of education that results in low school attendance rates and high dropout ratio which reduces their future individual productive capability and thereby the income earning capacity of the country in future. In a recent report, the National Human Rights Commission blamed societal indifference for child prostitutes whereas as per UNICEF rigidity of caste system in India has contributed to the mushrooming of child labour in the country.

India has distinct advantage of young age population with declining dependency while the industrial nations have ageing population with rising dependency ratio. This precisely gives India an advantage with huge competitive edge internationally. India can harness this potential if skill development initiatives are applied in right direction which will then be in real sense a 'population dividend'. To reap the benefit of demographic dividend, skill building has received much attention in the country.

Hence, a detailed study on incidence of child labour and remedial measures such as Skill development to eradicate the exploitation and enhance social protection and welfare measures for working children has become the call of the day. A concerted effort is required from all quarters in addressing the issue of child labour that remains grave and needs immediate attention.

### **3. OBJECTIVE OF THE STUDY**

#### **Bachpan Bachao**

- (a) To analyse the trends of child labour in India and at the global level and to identify the underlying fundamental causes of child labour.
- (b) To evaluate the extent to which, improvement in demographic profile like vocational education and technical training could effectively reduce the employment of child labour.
- (c) To provide a comprehensive base for framing policies to expand access to the school system, synchronising laws with departments and Skill development initiatives in the state of Uttar Pradesh.

### **4. RESEARCH QUESTIONS**

- (a) Child Labour - Why and how to eradicate this social evil? Is poverty the sole reason of child labour?
- (b) Determine the crucial role of Skill Building as an endeavour in U.P. to reduce the extent of child labour.

### **5. DATA SOURCE AND RESEARCH METHODOLOGY**

The study is based on secondary data. Data has been collected from different sources such as National Sample Survey Organisation, Census of India, IPEC, UNICEF, ILO and the other documentary evidences of labour department in the centre and the

district of Uttar Pradesh. General statistical tables, diagrams, percentage calculation and correlation will be used for describing the magnitude of child labour in the country and in the state of Uttar Pradesh. In addition to this some observations have been noted regarding the causes and magnitude of child labour by discussing with few households in the study region,

The data will be tabulated, analysed and presented in a meaningful manner with the help of simple mathematical tools like percentage, mean, standard deviation and correlation. The results will be interpreted in the light of the objective and contents to probe deeply into the problem of child labour and to suggest skill development as a measure for strengthening their position in the society.

The indicator used to measure the economic activity of children includes rates of participation by children in family's economic activities and an index of value of such contributions (the work index). Child labour measured by the percentage of children working is positively associated with poverty (poverty line) and Income inequality (Gini Coefficient). Child labour is expected to be negatively associated with GNP per capita, with school enrolment and adult literacy ratio.

## **6. CHAPTERISATION OF THE STUDY**

The outline of the study is as follows:-

- (a) Chapter 1- This is the introductory chapter of the study which gives the overview and includes review of literature, objectives of the study, research methodology and significance of the study.
- (b) Chapter 2- In this chapter endeavour is to link the theories of labour market with socio economic determinants of child labour and examine the constitutional safeguards and legislative provisions for protection of child labour.
- (c) Chapter 3- This chapter discusses the global trends in child labour, magnitude of child labour in the India along with child labour data analysis based on demographic profile, sectoral distribution, urban -rural divide and statewide magnitude of child labour.
- (d) Chapter 4- This chapter presents the magnitude of child labour in the state of Uttar Pradesh. It also presents some observations at field level regarding the causes and nature of child labour in the state.

(e) Chapter 5 - This chapter emphasises on skill development and capacity building as a way forward to eradicate child labour and make India a knowledge economy by providing quality education and vocational training.

(f) Chapter 6 - This chapter projects the Uttar Pradesh government's initiative of skill development, their achievements, constraints and challenges in its implementation and its linkages to eliminate poverty and child labour.

(g) Chapter 7 - This chapter summarizes the major findings, conclusion and provide suggestive measures to combat child labour in India.

## **7. FINDINGS OF THE STUDY**

It is almost three decades since initiatives for addressing child labour by government and non-government agencies have been going on. There are reports that the numbers of child labour are reducing as the enrolment of children in schools is going up. At same time there is greater informalisation of labour, and the entry into new and unregulated sectors. Child labour is becoming invisible with international norms insisting on standards of production, including the absence of child labour in production. Data on child labour will continue to be a challenge, unless a common definition of child labour that is adopted in law, and then used to collect the data, is arrived at. Not much seems to have changed in the society's attitude towards child labour. Charity for the poor continues to be the justification for employing children, despite enough evidence to show how child labour perpetuates the cycle of poverty and not the other way round.

Extensive reforms by India's state and local governments needs implemented to make education compulsory, to educate girls and to move toward the removal of children from the labour force through the gradual expansion and enforcement of child labour laws. Also, the country as a whole needs to be persuaded that skill development for the entire population can have far-reaching consequences for national economic growth.

India has an increasingly vigorous civil society, but as we have noted earlier few groups pay attention to the condition of children. The ministry of human resources has shown little interest in promoting mass education or reforming the inadequate primary school system. Trade unions have focused on preventing privatisation of the public sector and preventing the creation of an exit policy, not with restricting the

employment of children. Employers have no interest in ending child labour since large firms subcontract to the small-scale industries to obtain goods at lower costs, and small manufacturers are looking for low-cost, pliable, and easily dismissible labour. The actors that have mattered elsewhere are not sufficiently engaged in India. There is a need for a considerable expansion in public and official knowledge on the magnitude and consequences of child labour in India.

Over the years, one of the biggest gains has been increased government and civil society engagement on the child labour issue, resulting in involvement of government agencies and statutory bodies such as the National Commission for Protection of Child Rights in the movement against child labour and as advocates for change in the child labour law.

Yet the more we come together, the more we drift apart. There is duplication of efforts between all the stakeholders who have expended their energy on rescue and rehabilitation measures without addressing the situation holistically. Follow-up of rescue and restoration of children to their families has remained weak, strengthening families and linking them with poverty alleviation programmes has been poor, demand for child labour continues to be high, the network of traffickers has proved to be better at its job as trafficking of children for labour remains unaddressed. Thus children continue to fall within the cracks.

One of the biggest challenges in addressing child labour is the fact that the issue falls between several ministries and departments. Child is the mandate of the Ministry/ Departments of Women and Child Development and/or Social Welfare (in States); Labour is the mandate of Ministry/Departments of Labour. Education of children rescued from labour should ideally be the responsibility of Ministry of Human Resources/Departments of Education. But ultimately who is responsible for the individual child labourer? Even as governments struggle to bring inter-departmental synergy in their actions, the very fact that child labour elimination programmes continue to rest with the Ministry of Labour and Employment requires rethinking. The guiding question has to be whether child labour needs to be addressed as a child protection issue or a labour welfare measure.

To overcome the challenge of child labour, Skill development is considered central to improving productivity and is an important source of growth and improved living

standards (ILO 2008, OECD 2013). Effective skill development system should connect education to technical training, further to labour market entry and lifelong learning to sustain productive growth and translate child labour into skilled labour with better job opportunities to alleviate poverty.

## **8. CONCLUSION**

Child labour is dangerous, pernicious and detrimental to the growth of the children concerned, and it should face total prohibition. Watered down provisions which seek to regulate instead of outlawing, and creating artificial distinctions between ‘children’ and ‘adolescents’ and ‘hazardous’ and ‘non-hazardous’ show a regressive attitude and one that actively harms the interests of children. Needless to say, this distinction between hazardous and non-hazardous work is unnecessary, arbitrary and dangerous. For children, all work is hazardous and perilous. Agriculture work and house work, often interpreted as non-hazardous work, engage the full time and attention of the child, thus providing an impediment to the pursuit of the child’s right to education, health and development. Legal sanction of child labour however, measured and regulated runs against the very philosophy of child rights. There needs to a paradigm shift in the very approach to eradication of child labour, one that moves away from a labour welfare issue to viewing it as a child protection issue.

An extensive research on household with child labour and study of specific industries that employ children would contribute both to public understanding and to public policies. Among the policy issues that need to be addressed are the establishment of compulsory education in cities and districts, the creation of programmes to eliminate the employment of children in selected local industries, the establishment of pension schemes for widows to enable their children to attend school and the creation of improved local enforcement mechanisms for child labour laws and skill education programmes. NGOs can also play a more active role within local communities in dealing with these issues, especially by helping to establish community-based parent/teachers associations to promote school attendance and to reduce the number of drop-outs. India has signed the UN Convention on the Rights of the Child which contains provisions (Articles 32 and 36) calling for the banning of child labour.

With 90 million of its children outside the educational system, India clearly has a long way to go to build a mass human resource base that can contribute to its present

efforts to move from the state-led autarchic industrialisation policy to a market-oriented model in which India competes in a global economy.

Child labour is everybody's problem and getting children to school a shared responsibility. This means that the effort put in by the stakeholders needs to be multiplied manifold by the contributions of the community. Widespread acceptance of the norm that children should be in school and not at work would help the government sponsored programmes to spark off a ripple transmission effect. Delegating responsibility in villages to local groups ranging from youth groups, School Education Committees and women's groups, linking together in a movement against child labour and in favour of universal education can be quite significant. Villages that have succeeded in becoming child labour free can become an example and a source of healthy competition for other villages driven to achieve the same status. An equally important development is the impact on the state government's policies and programmes. This is visible both at the local level, where the education bureaucracy interfaces with the working child and its family, as well as at the state-wide level, where the residential camp model can be used as a strategy for preparing drop outs, out of school children and working children for entry into the formal school system. This model has been developed by MV Foundations and adopted by the World Bank's District Poverty Initiatives Programme. This remains squarely focused on universalisation of education, vocational training and elimination of child labour.

The critical role of skills to improve productivity, income and equitable access to employment opportunities seems particularly obvious in capacity building in the development process especially in the fight against poverty and child labour. Knowledge, skills and competencies of all children have become the cornerstone of personal growth and employability for society's economic and social sustainable development.

## **9. RECOMMENDATIONS FOR ACTION**

### **Amendment in CLPRA Bill**

To bring the child labour law in harmony with the new National Policy for Children 2013, it is a must that the provision of home based work and work after school hours in Child Labour (Prohibition and Regulation) Amendment Bill, 2012 be removed. With more and more work coming into the unorganised, home-based sector, this

provision in the law will ensure that children continue to be employed and deprived of their rights. Additionally, since the new National Policy for Children 2013 recognises all persons below the age of 18 years as children, the ban on employment of children below the age of 14 years in all occupations and processes carried out outside the home should extend to 'adolescents' too. Attention has also been drawn to the fact that there are many child domestic workers in the 14-18 year age group who continue to be exploited at the hands of traffickers as well as employers, especially girls from tribal areas. Keeping domestic work out of the list of hazardous occupations these girls are denied their basic right to freedom from exploitation.

### **Research and Documentation**

In the absence of overall data, there is a need to carry out micro-studies on Primary sector such as mining, secondary sector such as bangle industry, carpet industry, beedi industry i.e the manufacturing sector. This would help to understand the new dimensions of the problem and the changing patterns better.

### **Elementary Education as a Right to Every Child**

Investment for Education is investment for nation as education is the most important investments that any developing country can make for its future and is the most effective tool for reducing child labour. Education needs to be seen as an essential and indispensable tool for the eradication of this problem as education is a preparation for a living and for life. It is precisely for this preparation for a dignified, equitable and just life, that children need to be taken out of work and put in classrooms. And again it must be reiterated that this must be done without distinction. The issue of girl child labour is a much serious issue and unless preventive measures are taken to ensure that girls do not fall out of the protective net and into exploitative situations, there is little that can be done to reduce their vulnerability. Girl child education is one such preventive measure.

Sarva Shiksha Abhiyan, endeavour should not only increase the school enrolment ratio but also improve the school attendance ratio. The school management committee needs to monitor attendance very closely in vulnerable villages. The SMC register in use in UP has a provision of tracking children's attendance through listing the children who were absent for five days or more in the previous month that is shared and discussed for follow up action by the SMC members at the monthly SMC

meetings. In case children are irregular to school their families should be contacted and counselled.

### **Ensuring Right to Food**

Malnutrition of children is one of the biggest public health problems facing the country. It adversely affects the growth and development of children including their learning ability, and the capacity to cope with the problem of daily living. Female children are more undernourished than male children. Malnourishment is higher in rural areas. Food is the first among the hierarchical need of human being, and a lack of it forces children to work instead of being in school. Food Security is the “access of all people including children to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life”

### **Child centric preparedness programmes**

Children groups can be formed with the disadvantaged local communities providing information and awareness regarding children’s rights and the importance of education for them. Child centric preparedness programmes to find solutions to issues like child abuse, neglect, exploitation, child trafficking and child marriages.

### **Ban Heinous Act of Child Trafficking**

Specific provision regarding trafficking for child labour needs to be provided for in the child labour law to address the serious issue of trafficked children. While the proposal to make child labour a cognizable offence is a positive development and will help in increasing the rate of prosecution of offenders, non-recognition of ‘trafficking’ of children for labour as an offence will continue to allow the traffickers to flourish. With specialization in every field, human trafficking cases are to be dealt with by a separate unit of the police called the Anti-Human Trafficking Units (AHTUs), while the Child Labour Act largely falls within the purview of the Labour Department, who are not trained in criminal law.

### **Mobilising Community in both Source and Destination**

Prevention of child trafficking through Vigilance at the village level ensured by the Integrated Child Protection Scheme under which child protection committees are constituted and made functional in each village. The committee at the Panchayat level to maintain a record of all children and their movement e.g. In case of any child going

out of the village, the purpose for such visit, details of the place of stay and local guardians, the person accompanying the child should be recorded.

### **Certification of age of children**

The child sometimes produce or been issued a certificate for class 8 as proof that he has completed 14 years of age. This practice seriously hampers the rescue of child labour. The Education Department needs to ensure that such false certificates are not issued by private institutions. without creating unnecessary red tape for genuine cases (as has been mandated in the Right of Children to Free and Compulsory education Act 2009). and black listing of institutions that are indulging in such dubious practices.

### **Educational rehabilitation**

Schooling of rescued children needs to go beyond enrolment of children. For a specified period, which should be atleast one year, a regular report on the child should be sent to the department, so that it can be ensured that the child is attending school and has not gone back to work. After their rescue, very few children were found to be attending school regularly and almost universally authorities are told that they were attending Madarsas. Only modernised Madarsas qualifying under RTE should be accepted as a school substitute.

### **Law enforcement and Justice**

The weakest area in combating child labour has been enforcement of the existing laws. Besides advocacy initiatives, organisations working against child labour need to be encouraged to monitor law enforcement and take legal action to create a deterrent effect. The lack of priority for abolition of child labour is reflected in the paltry punishment and fines, offences under the various child labour laws attract, which are treated as civil offences and not criminal offences. The CLPRA prescribes a penalty of imprisonment for three months to a year, and/or a fine not less than ten thousand rupees but not more than twenty thousand rupees, for people who employ children. The offences are non-cognizable and bailable. There is no recognition of the plight of female child labourers. Very often, girls have to carry out the tasks of cooking, cleaning, fetching fuel, working in the fields. The legal sanction of this kind of labour only serves to further compound the violations and deprivations faced by girl children. There is thus a problem of weak punishment and tardy enforcement which

needs to be eliminated by substituting it with stringent laws and its strict compliance ensuring that the existing laws have a deterrent effect.

### **Economic rehabilitation**

Apart from wage employment and self employment, skill building should also be introduced as a part of the economic rehabilitation package. Follow up reports could be given to the core committee on the progress made by the family. Special efforts will also need to be made to link families with social protection schemes for which they may be eligible. An information campaign also needs to be designed to educate parents and children on the importance of education and skill training on the health, safety and future of children.

### **Creation of a fund**

Rehabilitation of Children would need to be done on a more concerted basis. While the education Department is mandated to follow up educational rehabilitation and a core committee under the chairmanship of the Chief Development officer in each district of UP mandated to ensure rehabilitation of the rescued child labour and economic rehabilitation of their families, the protocols for rescue and rehabilitation need to be strengthened by creating a dedicated fund for the same.

### **Sustainable Movement**

How does it take root and come to be owned and driven by the initiative of local stakeholders? One crucial feature is the conscious rejection of a hierarchical structure that is imposed from outside. All efforts to build consensus and overcome opposition take place at the local level and their aim is to create new societal norms about children that are universally accepted. Also it should reflect the organisation's belief in following a socially inclusive approach leading to locally embedded interactions with a wide range of stakeholders: parents, teachers, employers, government officials and above all the children themselves.

### **Creating Local Ownership**

While many agencies are effective in mounting rousing mobilisation campaigns and in uncovering the latent demand for education, few succeed in converting this advantage into a programme that is sustainable and on a scale that is significant enough to make an impact on child labour and education statistics. It would happen as

a consequence of its philosophy of inclusion. It works to create a consensus on the issues of child labour and education that includes the entire village and not just the parents of working children. This kind of genuine and wide ownership is perhaps the best guarantee for the sustainability of any development projects.

### **Crèche or Day Care Centres for children**

There is a need for care centres for children of working women in rural and urban areas. Concerning health, nutrition, and social development, childhood is a period of care. Most working women are in low paid jobs as casual workers or self-employed. In urban areas, a large number of women are employed in low-income service sector and processing industries. Their problems have been aggravated with the aggravating trend of nuclearization of families, leaving the parents with the responsibility to take care of their children, even while they are fighting their daily battle for survival. Crèche needs to be organised with facilities under charge of trained personnel for education, supplementary nutrition etc. The Central Social Welfare Board and women and Child Development Ministry are providing assistance to Non- Government Organization to organize crèche services for children below 6 years from low income families.

### **Child Friendly Spaces during Disasters**

Creation of friendly space during calamities and disasters as children are vulnerable in such situations from the constant eye of child traffickers who seek to swoop in from refugee camps. Children need to be protected from abuse, neglect, exploitation, physical danger and violence and should be provided a safe environment.

### **Going beyond Traditional Stakeholders**

An approach that goes beyond poor parents and wins over and incorporates the key 'adversaries' i.e. the local employers of child labour, teachers, the education bureaucracy and policy-makers and makes them advocates for the rights of the child. Putting children's issue on the political agenda is likely to be crucial in ensuring the acceptance of the programme that aim at dissemination through grass root initiatives.

### **Uniting Youth against Child Labour**

Village youth are involved in politics through their membership in youth clubs, each of which is linked to a specific political party. It is also a traditionally left leaning

area, the population is extremely vocal and topics such as privatisation, globalisation and WTO make up the stuff of everyday discourse of these actively involved youth. Village youth have long proved to be among the best allies in mobilising around issues such as dalit rights, land rights, bonded labour and wages and can conduct a sustained the fight against child labour. As first generation literates, they have had to undergo a similar struggle to get educated and are therefore in the best position to reach out to the community and convince them of the dignity that formal education can give.

### **Recognition of Child Labour as a protection issue**

This requires investing in training of the functionaries involved in rescue and rehabilitation of child labour and a clear tie-up between the Labour Ministry and the Ministry of Women and Child Development to ensure that every child is protected and benefitted under the Integrated Child Protection Scheme (ICPS). The linkage between the juvenile justice system and the child labour elimination programme has to be recognized to provide the necessary mechanism and the infrastructure to deal with children in difficult circumstances.

### **Skill learning Programmes**

Working with the schools, parents and the community to define the concept of vocational education based on acquiring skills to improve human resource and show tangible results in the children and their families. There is a shift in community perceptions about what constitutes quality education. At first, it simply meant a school with regular teacher attendance; then a school that was successful in retaining children, particularly older children, and more recently, attention is shifting to whether the learning that takes place in school leads to any worthwhile employment. Not surprisingly, the push for vocational education quality is most evident in villages where the community has been mobilised. This drive for skill based education is likely to stand a better chance of success than any other top-down attempts to improve education in the government school system. What sets this experience apart is that the demand has evolved from stakeholders who come to share a common philosophical approach to child labour and education.