

**AN EMPIRICAL STUDY OF SOCIO- LEGAL PROBLEMS OF
CHILD LABOUR WITH SPECIAL REFERENCE SATARA AND
KARAD CITY IN MAHARASHTRA**

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1. INTRODUCTION

The natural justice principle allows to every being in the universe to develop without any hindrance. Accordingly human being too irrespective of gender, race, caste, creed, place of birth etc. is born with all natural and fundamental rights with certain social responsibilities. This proposition reveals that today's children would be tomorrow's good citizens in all social sense. This conscience can be realized if the children would develop in balanced ways. However literatures on child development and others show that child labor is a serious social problem in all developing and under developing countries as well as under developed areas of the industrialized countries¹. India is one of the under developing country facing many social problems, child labor is one of among them. The problem of child labor in India is rooted in its caste based unequal strata of social system in varied forms and nature. Problem of child labor in Satara and Karad city also exist the ingredients by which a society like India in formed.

According to the Labor Laws in India the minimum legal age for employment is above 14 years. However, majority of child laborers work in the informal sector – in small factories, workshops, home-based businesses and domestic employment. The enforcement of labor laws is almost impossible. Long hours, low or no wages, poor food quality and hazards in the working environment can severely affect children's physical and mental health. Child laborers are also vulnerable to other abuses such as racial discrimination, maltreatment and sexual abuse. Some work such as domestic labor is commonly regarded as an acceptable employment option for children even though it poses considerable risks. Poverty of the families causes to send children to work often in hazardous and low-wage jobs such as brick-chipping, construction and waste-picking. Children are paid less than adults and work more than adult, with many working up to twelve hours a day.

¹ *Mendelievich ed., 1980; Mehta and Jaswal, 1997*

Full-time work frequently prevents children from attending school and contributing to dropout rates.

Child labor is a socio – legal issue. The problem of child labor is one of the major human right concerns and highly sensitive one. As the large population of children is deprived of their basic rights and is found working in different sector of economy. In order to protect and secure rights of children, there are various international instruments e.g. United Declaration of H.R. 1948. In our country the Indian Constitution and various labor laws provides plethora of provisions for protecting interest of children. Accordingly the Government of India has enacted the Child Labor (Prohibition and Regulation) Act, 1986. There are various gaps and loopholes or short comings in the present laws which need to be addressed. The age of the child in different Act has prescribed differentially. Various laws and policies relating to child labor, child rights appeal to work in isolation. The lacunas in the present system are the absence of any measures for rehabilitation of child labor, weak implementation and enforcement mechanism, inadequate allocation of budget for children, varied age group for childhood. The recent Right to Education Act, 2009 excludes children of age group less than six years and more than fourteen years.

The researcher sincerely studied child labor problem with reference to international commitment, Indian Constitutional mandate, Indian political interest towards child labor problem and undertaken survey of child labor at different places in Karad and Satara city and collected the data regarding existing worst conditions.

The present situation deprives children from education and it violates their rights as their physical, mental progress and therefore can never be supported. So the sheer rhetoric against child labor is that mere passing of laws won't help to remove the cause. It needs some more honest steps to be taken for implementation. The Ministry of Labor and Employment of India has funded a national program

titled the Eradication of Hazardous Child Labor in India. It is being implemented by NGOs with the view to provide working children additional skills to allow them to transition out of hazardous occupations but the situation does not changed considerably.

1.1 Notion of Human Rights and Child Labor

It is well recognized principle of human right -Protection of the inherent dignity and of the equal inalienable right of all members of the human family including children. Human Rights are those natural rights which are available to every human being since his birth. The main theme of the human right is the 'dignity', 'liberty' and 'equality' of status as enshrined in the Indian Constitution that can be made meaningful after its implementation. As Milton Said, "child shows the man, as morning shows the day." Due to their age and lack of experience children are the most vulnerable group of any society. The society has the duty and responsibility towards children. The justice neither knows father nor mother justice seeds truth only the emerging idea of justice to a child has still to evolve way and means that would adequately cater to care, protection, maintenance, welfare, training, education and rehabilitation so that child labor be prevented.

Actually, children engaged in variety of work in extensive different conditions. Some of work that is helpful, enhancing a child's development without interfering with schooling, recreation and some of that, is simply destructive, exploitative and hampering the development of the children. It is at the most destructive end where children are used as prostitutes or implied slaves to repay debts incurred by their parents or grandparents or as workers in particularly hazardous conditions, that efforts are focused to stop such abuse.

On the beneficial side there is 'light work' after school such as helping out in the family business or farm. At the destructive end is employment that is

preventing effective school attendance; hazardous to the physical and mental health of the child. A quick review of the Constitutional, Legal and Policy provisions offered by the country will facilitate better understanding of the discussions on various aspects of Child aberrations being; discussed in the following chapters.

1.2 Definition of Child

The term ‘child labor’ is defined by ILO as work that deprives children of their childhood, their potential and their dignity and that is harmful to physical and mental development. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children and interferes with their schooling by depriving them of the opportunity to attend school, obliging them to leave school prematurely or requiring them to attempt to combine school attendance with excessively long and heavy work.

Convention on the Rights of the Child 1989 defines child as every human below the age of eighteen years.² ILO Convention 182 also called the Worst Forms of Child Labor 1999 defines the term child as anyone under the age of 18 years. The definition made by India's Census 2011 office as participation of a child less than 17 years of age in any economically productive activity with or without compensation, wages or profit. Such participation could be physical or mental or both. This work includes part-time help, unpaid work on the farm, family enterprise or in any other economic activity such as cultivation and milk production for sale or domestic consumption. Indian government classifies child laborers into two groups:

Some child right activists argue that child labor must include every child who is not in school. According to them child labor means, a child, willingly or unwillingly, with or without consent of himself or his parents or guardians,

² Article 1 of Convention on Rights of the Child 1989

employed or hired to do any kind of work, on permanent or temporary basis, or casual or seasonal , daily or hourly or piece rated or any contractual or any other type of employment to do any manual, unskilled, skilled, technical, operational, agricultural, supplementary activities of agricultural work or any or any building or constructional work, or even assisting employed parents at his work site (for hire or reward either to the child himself or his parent)and due to such employment or disguised employment, chances of exploitation physical, mental, economical, social of the children an due to such employment education of the children may be affected temporarily or permanently and he may be forced by the necessity to enter avocation unsuited to either age or strength and may hence after their lives permanently or temporarily.³

1.3 Significance of the study

Childhood is a universal human experience. It inherits human right by his birth which is to be protected by a civilized society not as if a burden but future investment because welfare of the entire community, its growth and development depends on the health and well being of its children. Children are imperative for the prosper growth of a nation so there are the supremely important national assets, so I needs to undertake a search to fulfill all those above.

1.4 Objectives

Some objectives for which research is conducted

- 1) To review the concept of child labor.
- 2) To find out the existing conditions of child labor in Satara and Karad city by taking survey.
- 3) To review the applicability of children legislation or find out the loopholes in laws related to children.

³ *The Child Labour(Prohibition, Rehabilitation and Welfare) Act, 2015*

- 4) To suggest the remedial measures to the government to overcome about lacunas.

1.5 Hypothesis

The overall hypothesis of the present study is as.

- 1) Poverty is the major cause for child labor
- 2) Child labor is intertwined in the caste system and the inequality existing in India.
- 3) Child labor relates to the stratum of Indian's economy.

1.6 Methodology and Materials of the Study.

Both doctrinal and non doctrinal methods of study are used.

Universe of study - The present study was confined to different places where the child labors are working in Satara and Karad city in Maharashtra state.

Sample and sampling - hotels, restaurants, tea shops, brick kilns and construction sites etc. were selected sample by applying random sampling method which was the sample for present study. It is limited to the sample size to 26.

Method of data collection-

- I) Primary source – questionnaire, informal discussion, observation, interview with child labors , their employers and their parents who are relating to hotels, garages, brick kilns, construction work etc.
- II) Secondary source – Reference books, articles, government reports, labor legislations, children laws and reports on child labor from Satara region.

Analysis of Data- The collected data is analyzed with the help of SPSS Window based version software. Arithmetic logical reasoning was also used wherever necessary and possible.

2. CHILD LABOUR A PROBLEM

The statistical figures about child workers in the world have variation because of the differences in defining categories of age group and engagement of children in formal and informal sector.⁴

2.1 Child labor: A global problem

The issue of child labor has captured the attention of academics as well. Although it appears to be an indisputable, universal concern, in reality, it creates minefield controversies. These controversies cut to the heart of the major issues in international relations today, including, state sovereignty, economic development, international labor rights, cultural sovereignty, poverty, racism and inequality.

The efforts to eliminate child labor on a global scale have had a significant impact as was revealed in the ILO Global Report⁵.The report documents a worldwide downward trend in the incidence of child labor especially in its worst forms. In 2004 specifically 314 million children in this age group were economically active. Of these 218 million were considered child laborers with 126 million engaged in hazardous work. In the same year 191 million children aged 5 to 14 were economically active and of these 166 million were considered child laborers of whom 74 million were engaged in hazardous work. Out of the three main employment sectors agriculture industry and services-agriculture accounted for the highest rates of child labor.

Employment among children aged 5 to14 showed the most significant drops in Latin America and the Caribbean, where rates of working children decreased from 16.1 per cent in 2000 to 5.1 per cent in 2004. Such a remarkable drop suggests that the efforts on international level rather better than India. Child labor estimates cited in the 2006 Global Report suggest that the number of children

⁴ Geneva, Switzerland: ILO; 2003 ILO, *Combating Child Labor through Education*, 2003.

⁵ *The End of Child Labor–Within reach*, 2006.

engaged in hazardous work has increased in Africa, while a decline is recorded in the number of children working in the transition economies of Europe and Central Asia. These estimates indicate clearly that economic growth and poverty reduction linked with political commitment are essential to achieving significant progress in combating child labor. As per the Global Report on Child Labor published by International Labor Organization last year the activity rate of children in the age group of 5-14 years is 5.1 per cent in Latin America and Caribbean Region which is the lowest in the world. In the Asia-Pacific Region it is 18.8 per cent. In comparison to that the activity rate of children in India as per 2001 census is 5 per cent⁶.

2.2 Horror of Child Labor in India

India always remains to be hosting the largest number of child laborers in the world. There was a constant increase in the number of child laborers from 2001 to 2011 censuses. The child labors 11.3 million during 1991 (Population Census) and in 2001 there was 12.7 million economically active children in the age-group of 5-14 years. It shows an increase in the number of child laborers. A large part of the increase was accounted for by the increase in marginal workers which increased from 2.2 million in 1991 to 6.89 million in 2001. The trends between 1991 and 2001 of declining main child workers along with increasing marginal workers may indicate the changing nature of work done by children. This is also to be seen in the context of decelerating employment growth in general in the economy during the last decade. There is a considerable vast increase in child labor population (5-14) from 2001 to 2011 as the census data reveals the total number of child labor 8228481.⁷ In which the main and marginal workers counted as 4353247 and 3875234 respectively. According to Child Labor based on Employment

⁶ India, Ministry of Labor and Employment, Annual Report 2012-13, p. 91

⁷ The Census 2011 of India the age groups 5-14 years

Unemployment Survey during NSS 66th Round 4983871 children were working in different sectors all over India.⁸

In the Census 2011 of India the age groups 5-9 and 10-14 years are taken for determining the Child Labor population.

All India Child Labor population according to 2011 Census			
Age group	Main workers	Marginal Workers (3-6 months)	Total
5-9	1108808	1066910	2175718
10-14	3244439	2808324	6052763
Total	4353247	3875234	8228481

However Indian pertaining to Child Labor with combined total of main and marginal workers (3-6 months) in the age group 5-14 years according to Census 2011 was 35389898.⁹

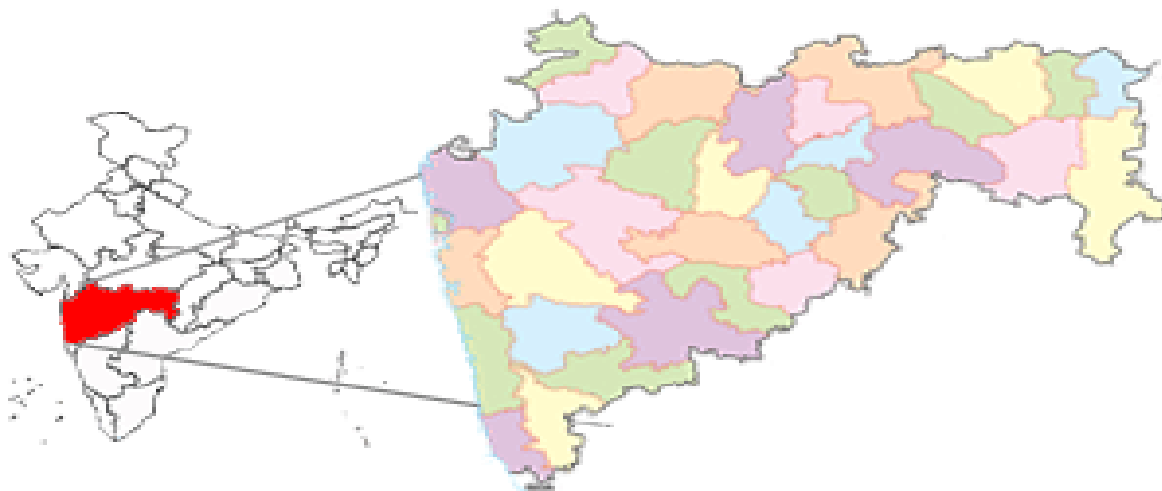


Figure 1 Place of Maharashtra State in Map of India

There is a constant increase in the child labor till today but government of India prepared a plan to improve the reduction rate from 2011 to 2015 as in Number of children enrolled in special school under National Child Labor Project (NCLP) in

⁸ *Rajya Sabha Unstarred Question No. 2128, dated 12.12.2012*

⁹ *National Commission for Protection of Child Rights 2014*

10/11- 42000, 11/12-4500, 12/13-46800, 13/14-52000, 14/15-52000.¹⁰It reveals that government is just making paper programs to show reduction in the strength of child labor and not for total eradication of it. As the most of the government programs made for the elimination of child labor from hazardous work only.

2.3 Enormity of Child Labor in state of Maharashtra

The magnitude of child labor in Maharashtra has been witnessing enormous increase in the last three decades both in terms of magnitude and workforce participation rates. Evidence drawn from Employment Unemployment Survey during NSS 66th Round 260673 children were working in different sectors all over Maharashtra.¹¹ National Sample Survey data suggest that India's child workforce during 2004-05 was estimated at over nine million (9.07 million) it is increased sharply from 1991 Census¹² as 1.13 crores economically active children in the age-group of 5-14 years in 1991 were working. Nevertheless in 2014 this number of total child laborers increased to 30, 45,476. Therefore, it is a considerable increase in the child laborers.¹³

The state of Maharashtra ranked second in Indian in Child Labor with combined total 3045576 of main and marginal workers (3-6 months) in the age group 5-9 and 10-14 years according to Census 2011.¹⁴ What interesting is that all 20 major Indian states, except for Andhra Pradesh and Karnataka, have a lower proportion of child labor than that of others? While Karnataka has 3.48 per cent, Maharashtra has 3.28 per cent, Punjab 2.59 per cent, West Bengal 2.06 per cent, Tamil Nadu 1.83 per cent, Haryana 1.46 per cent, Kerala 0.5 per cent, and so on.

¹⁰ *Results-Framework Document (RFD) for Ministry of Labor and Employment -(2012-2013)*

¹¹ *Rajya Sabha Unstarred Question No. 2128, dated 12.12.2012*

¹² *India, Ministry of Labor and Employment, Annual Report 2012-13*

¹³ *National Commission for Protection of Child Rights 2014*

¹⁴ *ibid*



Figure 2 Place of Satara district in Map of Maharashtra State

Therefore there is no effective outcome of removal of child labor.¹⁵

2.4 Extent of Child Labor in Satara

In census enumeration, data regarding child under 0-6 age were also collected for all districts including Satara.



Figure 3 Map Layout of Satara District

¹⁵ *Indian Labor and Employment Report, 2014, prepared by the Academic Foundation, New Delhi, in association with the Institute for Human Development.*

Year	1991			2001			2011		
Gender	Male	Female	Total	Male	Female	Total	Male	Female	Total
District Satara	204586	192597	397183	196241	172290	368531	167729	150156	317885

According to Census 2011 there were total 3, 17,885 children under age of 0-6 against 368,531 of 2001 census. Out of total child population 3, 17,885 male and female were 167,729 and 150,156 respectively. Child Sex Ratio as per census 2011 was 895 compared to 878 of census 2001. Therefore in 2011, Children under 0-6 formed 10.58 percent of Satara District compared to 13.12 percent of 2001. There was net change of -2.54 percent in this compared to previous census of India. But it is negligible decrease in the number of child laborers.

3. LEGAL PROTECTIONS AGAINST CHILD LABOUR

3.1 Rights of Children under International Law

The problem of child labor not only considered to eradicate in India but on international level. There are several norms in the form of covenant, agreements, standards and programs as follows.

3.1.1 The International Labor Organization (ILO) and child labor

International Labor Organization is the worldwide body administering international labor standards. It was founded in 1919, working with its member states; the ILO seeks to ensure that labor standards are respected in practice as well as in principle. Its main aims are to promote rights at work encourage decent employment opportunities, enhance social protection and strengthen dialogue.¹⁶ ILO action has been based on establishing a minimum age for admission to employment as a yardstick for defining and regulating child labor. At the very first session of the International Labor Conference in 1919 which prohibited the work of children under the age of 14 in industrial establishments.¹⁷ During the following 50 years nine further Conventions were adopted setting standards for minimum age in different sectors – industry, agriculture, maritime work, non-industrial employment, fishing and underground work. It was not until 1973 that it proved possible to adopt a comprehensive convention on the subject. This landmark convention applies to all economic sectors and to all working children whether they are employed for wages or working on their own account. It represents the most comprehensive and authoritative international definition of minimum age for admission to employment. It places on ratifying states the obligation to fix a minimum age and defines a range of minimum ages below which no child should be required to work.¹⁸

¹⁶ http://www.ilo.org/global/About_the_ILO/lang-en/index.html

¹⁷ *the Minimum Age (Industry) Convention 1919*

¹⁸ *The Minimum Age Convention, 1973*

In 1990 an agreement emerged that the highest priority should be given to eradicate the worst forms of child labor. It was in this context of increased worldwide attention and concern that the ILO prepared and adopted. It requires ratifying States to take immediate and effective measures to prohibit and eliminate the worst forms of child labor as a matter of urgency¹⁹. It defines the worst forms of child labor as:

- All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, as well as forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;
- The use, procuring or offering of a child for prostitution for the production of pornography or for pornographic performances;
- The use, procurement or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in relevant international treaties; and
- Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children such harmful work to be determined by national authorities.²⁰

ILO states that child labor may be defined in a number of different ways and different definition yields a different estimate of child labor in India as well as other countries. According to ILO children or adolescents who participate in work that does not affect their health and personal development or interfere with their schooling is not child labor rather it may generally be regarded as being something positive. He is also a man who their parents around the home assisting family or earning pocket money outside school hours and over holidays. These kinds of activities suggests ILO may contribute to children's development socially or

¹⁹ *The Worst Forms of Child Labor Convention No.182*

²⁰ *ILO, 2002*

morally dangerous and harmful to children or work whose schedule interferes with their ability to attend regular school or work that affects in any manner their ability to focus during school or experience healthy childhood.

UNICEF defines child labor differently. A child involved in child labor activities between 5 to 11 years of age he or she did at least one hour of economic activity or at least 28 hours of domestic work in a week and in case of children between 12 to 14 years of age he or she did at least 14 hours of economic activity or at least 42 hours of economic activity and domestic work per week. UNICEF in another report suggests, "Children's work needs to be seen as happening along a continuum with destructive or exploitative work at one end and beneficial work promoting or enhancing children's development without interfering with their schooling, recreation and rest at the other. Between these two poles are vast areas of work that need not negatively affect a child's development."

The idea of equality of all human beings as embodied in the Universal Declaration of Human Rights of 1948 stipulates that childhood is entitled to special care and assistance.²¹ The above principle along with other principles of the Universal Declaration concerning child were incorporated in the Declaration of the Rights of the Child of 1959. The International Covenant on Civil and Political Rights under Articles 23 and 24 and the Social and Cultural Rights under Article 10 International Covenant on Economic made provisions for the care of the child. However the International Labor Organization provides universal standards and guidelines. The ILO a specialized agency of the UN aims to provide guidance and standards for labor practices around the world. The International Convention and international instruments which deal with the subject of child labor are as follows:

- a. Convention on the Rights of the Child, 1989.
- b. Worst Form of Child Labor Convention, 1999; and
- c. Worst Form of Child Labor Recommendation

²¹ Article 25 para 2 of UDHR

3.1.2 International Program on the Elimination of Child Labor

The ILO's International Program on the Elimination of Child Labor (IPEC) 1992. It has a goal of the progressive elimination of child labor. It has to be achieved by strengthening the capacity of countries to deal with the problem. It also seeks to promote a worldwide movement to combat child labor. It is the largest program of its kind globally and the biggest single operational program of the ILO. IPEC currently has operations in over 80 countries. The number of partners are expanding over the years and now includes employer and workers organizations other international and government agencies, private businesses, community based organizations, NGOs, the media, parliamentarians, the judiciary, universities, religious groups and of course children and their families.

Child labor not only prevents children from acquiring the skills and education they need for a better future, it also perpetuates poverty and affects national economies through losses in competitiveness, productivity and potential income. Withdrawing children from child labor, providing them with education and assisting their families with training and employment opportunities contribute directly to creating decent work for adults. While the goal of IPEC remains the prevention and elimination of all forms of child labor the priority targets for immediate action are the worst forms of child labor.^{22,23}

3.2 Rights of Children under Indian Legal Framework

The child related legal and constitutional provisions are kept in view while statistics are generated for different cross-sections of children that align with specific age-groups standing for specific target groups of children such as child labors children in school education children in crimes etc. Child labor is the practice where children engage in economic activity on part or full-time basis. The

²² *The ILO Convention on the worst forms of child labor, 1999 (No.182)*

²³ *For more information about IPEC, please see <http://www.ilo.org/ipec/programme/lang--en/index.htm>*

practice deprives children of their childhood and is harmful to their physical and mental development. Poverty, lack of good schools and growth of relaxed economy are considered as the important causes of child labor in India²⁴.

3.2.1 Child Labor and Constitutional Provisions

The framers of the Constitution of India were careful to incorporate basic rights provisions in the law of land for the protection of the rights of working children²⁵. Several provisions in the Constitution of India impose on the State as the primary responsibility of ensuring that all the needs of children are met and that their basic human rights are fully protected. Following are the few rights in the immediate purview of the Indian Constitution recognizes since 1950.

The right to Education: The article 21 of the Indian Constitution reads the right to live with human dignity. Education is the means to get the measures of such dignified life. According to the article 45 it is the duty of the government to read the provisions of the article 45 with article 21 of the Indian Constitution. Accordingly Central government enacted Right to Free and Compulsory Education Act, 2009. However 50% of Indian children aged 6-18 do not go to school. Dropout rates increase alarmingly in class III to V, its 50% for boys, 58% for girls.

The Right to Expression: Children are part of nature therefore every child has a right to express himself freely in whichever way he likes. Majority of children however are exploited by their elders and not allowed to express. To overcome it Indian Constitution embodied the provision under article 19.

The Right to Information: Right to know includes right to get information. Every child has a right to know as his basic rights and his position in the society. High incidence of illiteracy and ignorance among the deprived and underprivileged

²⁴ *Child labor - Causes, ILO, United Nations 2008*

²⁵ *Problems of Child Labor in India by Raj Kumar Sen and Asish Das Gupta (Editors), 2003*

children prevents them from having access to information about them and their society.

The Right to food: As per right to live as per article 21 of the Indian Constitution every child should have right to nutrition against their parent, state and society. Yet more than 50% of India's children are underfed. While one in every five adolescent boys is malnourished, one in every two girls in India is undernourished.

The Right to Health and Care: Right to life under article 21 includes right to proper health and therefore care must be taken as of a duty by their parent, state and society. Nevertheless 58% of India's children below the age of 2 years are not fully vaccinated i.e. no proper care has taken and 24% of these children do not receive any form of vaccination. Over 60% of children in India are anemic. 95 in every 1000 children born in India do not see their fifth birthday. 70 in every 1000 children born in India do not see their first birthday.²⁶

The Right to protection from Abuse: Right to protect from being trafficked and forced into bonded labor has been provided by the Indian Constitution to the children.²⁷ Any situation created by an individual or the state to lose this right is the violation of not only article 23 but it leads to infringe article 21 too. That is due to Mistreatment, violence, maltreatment, exploitation, cruelty etc. against the children resulted into abuse is the violation of basic right under article 21 of the Indian Constitution. There are approximately 2 million child commercial sex workers between the age of 5 and 15 years and about 3.3 million between 15 and 18 years. They form 40% of the total population of commercial sex workers in India. 500,000 children are forced into this trade every year.

²⁶ *Talking Issues Monthly Archives: May 2013, Child labor- slaves of poverty by Syeda Nawab Fathima*

²⁷ *Article 23 of part III of the Indian Constitution*

The Right to protection from Neglect: Every child has a right to lead a well protected and secure life away from neglect. However, children working under exploitative and inhuman conditions get neglected badly relating to hygienic food, physical care, love and affection, accompany etc. A study found that children were sent to work by compulsion and not by choice mostly by parents, but with recruiter playing a crucial role in influencing decision. When working outside the family, children put in an average of 21 hours of labor per week. Poor and bonded families often 'sell' their children to contractors who promise lucrative jobs in the cities and the children end up being employed in brothels, hotels and domestic work. Many run away and find a life on the streets. All this is protected under article 21 of the Indian Constitution.

The Right to Development: Every child has the right to development that lets the child explore her/his full potential. Unfavorable living conditions of underprivileged children prevent them from growing in a free and uninhibited way. Every child is to be developed in proper way is the responsibility of the parent, society and state.

The Right to Recreation: For the overall development of a child ie. Physical, moral, psychological, mental, every child has a right to spend some time on recreational pursuits like sports, entertainment and hobbies to explore and develop. Majority of poor children in India do not get time to spend on recreational activities. This right is too protected under article 21 of the Indian Constitution.

The Right to Name and Nationality: As per the part I of the Indian Constitution every child born within the territory of India has a right to identify himself with a nation. A vast majority of underprivileged children in India are treated like commodities and exported to other countries as labor or prostitutes.

The Right of Survival: The framers of the Indian Constitution experienced that enormous number of the children dies due to hunger and non availability of the proper means. Of course the 12 million girls born in India, 3 million do not see their fifteenth birthday and a million of them are unable to survive even their first birthday. Every sixth girl child's death is due to gender discrimination. It is the violation of fundamental right under article 21 of the Indian Constitution.

Children enjoy equal rights as adults as per Article 14 of the Constitution. Article 15(3) empowers the State to make special provisions for children. Article 21 A of the Constitution of India directs the State to provide free and compulsory education to all children during the ages of 6 and 14 in such manner as the State may by law determine. Article 23 prohibits trafficking of Human beings and forced labor. Article 24 on prohibition of the employment of children in factories etc explicitly prevents children below the age of 14 years from being employed to work in any factory, mine or any other hazardous form of employment.

Article 39(f) directs the State to ensure that children are given equal opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and guaranteed protection of childhood and youth against moral and material abandonment. That the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength²⁸. Article 45 of the Constitution specifies that the State shall endeavor to provide early childhood care and education for all children until they complete the age of 6 years.

Article 51A clause (k) lays down a duty that parents or guardians provide opportunities for education to their child/ward between the age of 6 and 14 years.

²⁸ <http://labour.nic.in>

Article 243 G read with schedule-11 provides for institutionalizing child care to raise the level of nutrition and the standard of living, as well as to improve public health and monitor the development and well being of children in the Country.

3.2.2 Analysis of Article 45 and Article 21 of the Indian Constitution

First of all in India Mahatma Jyotiba Phule asserted before the Hunter Commission about free and compulsory education to the children. Thereby Dr. Babasaheb Ambedkar embodied Mahatma Jyotiba Phule's agenda in the form of legal mandates under the Indian Constitution. Accordingly, Article 45 deserves accountability on the state to provide education to the children up the age of 14 in India. Till 2009 the mandates of this provision was not enforceable but now this will be read with Article 21 of the Indian Constitution. Therefore a guideline to the states becomes a fundamental duty to provide education to the children.

The right to education further means that a citizen has a right to call upon the State to provide educational facilities to him within the limits of its economic capacity and development. We cannot believe that any state would say that it need not provide education to its people even within the limits of its economic capacity and development. It goes without saying that the limits of economic capacity are, ordinarily speaking, matters within the subjective satisfaction of the State. The Court continued by asserting the right to education's position as being fundamental to enjoying the right to life.

Now it is considered that the right to education to be implicit in the right to life because of its inherent fundamental importance. As a matter of fact, we have referred to Articles 41, 45 and 46 merely to determine the parameters of the said right. The Court held that the right to basic education is implied by the fundamental right to life (Article 21), when read in conjunction with the directive principle on education (Article 41). The court held that the parameters of the right must be understood in the context of the Directive Principles of State Policy, including Article 45 which provides that the state is to endeavor to provide for free

a compulsory education for all children under the age of 14. Article 41 indicates that after the age of 14, the right to education is subject to the limits of economic capacity and development of the state. It was found that there is no fundamental right to education for a professional degree that flows from Article 21. According to Article 13 of the International Covenant on Economic, Social and Cultural Rights, the Court stated that the state's obligation to provide higher education require to take steps to the maximum of its available resources with a view to achieving progressively the full realization of the right of education by all appropriate means. Although the Court in Unni Krishnan stated specifically that it was not transferring Article 41 from Part IV to Part III, in the subsequent case of *M.C. Mehta v State of Tamil Nadu & Ors*,²⁹ the Supreme Court stated that Article 45 had acquired the status of a fundamental right under article 21 following the Constitutional Bench's decision in Unni Krishnan.

3.2.3 Legislation for Child Labor in India

Child labor is the buy-product of poverty and economic hardship. The children and parent are compelled to push the child for labor to earn their livelihood. This type of situation is might be out of the control of law and law will have limitation to solve this problem unless and until economic help is given to the child. However, law still has a role to play. The child labor has no scarcity to employ only children. They have the option not to employ children but due to certain reasons employer prefers children. Once they employ them, children's employment has to be regulated. Here law comes into picture. In another way law can help and that is equitable distribution of state resources. There is some legislation which deal and regulates the working conditions of child labor.

To satisfy the meaning of article 45 of the Indian Constitution the policy of curbing child labor undertaken but lack of enforcement of labor restrictions

²⁹ *AIR 1997 SC 699*

continue child labor. This reveals that variation in minimum age restriction in different types of employment. The International Labor Office reports that children work the longest hours and are the worst paid of all laborers. In India, the Child Labor (Prohibition and Regulation) Act 1986 and Rules state that no child shall be employed or permitted to work in any of the occupations set forth in Part A of the Schedule or in any workshop wherein any of the processes set forth in Part B of the Schedule is carried on. For this purpose, “child” means a person who has not completed his 14th year of age. The Act prohibits employment of children in certain specified hazardous occupations and processes and regulates the working conditions in others. The list of hazardous occupations and processes is progressively being expanded on the recommendation of the Child Labor Technical Advisory Committee constituted under the Act.³⁰

As India is a federal form of government and child labor is a matter on which both the central government and country governments can legislate. The major national legislative growth incorporates the following Acts.³¹ In Britishers during their era enacted the first protective legislation for child labor in India in the form of Indian Factories Act, 1881 providing provisions for prohibiting employment of children below 7 years, limiting the working hours for children to 9 hours a day and providing 4 holidays in a month and rest hours. Recently, it may be submitted that the labor legislations in India including protective legislation for children have been greatly influenced with the outcome of various Conventions and Recommendations accepted by International Labor Organization.

The Factories Act of 1948

Act considered the beneficiaries of the provisions of this a person below the age of 14. The Act not aimed to abolish child labor but just to regulate the

³⁰ *Child Labor and Responses in South Asia International Labor Organization (ILO) 1996-2012*

³¹ *India Code - Legislations. Department of Law and Justice, Government of India, 2012*

condition of employments in all occupations and processes.³² October 2006, the Government has included children working in the domestic sector as well as roadside eateries and motels under the prohibited list of hazardous occupations. More over diving as well as process involving excessive heat (e.g. working near a furnace) and cold; mechanical fishing; food processing; beverage industry; timber handling and loading; mechanical lumbering; warehousing; and processes involving exposure to free silica such as slate, pencil industry, stone grinding, slate stone mining, stone quarries as well as the agate industry were added to the list of prohibited occupations and processes.³³

It prescribes detailed procedures like specifying the hours and period of work for the child; a mandatory weekly holiday for the child, a mandatory notice from the employer to the inspector of his area which contains the details of his establishment, the address and the nature of occupation, maintenance of the register by the employer. Further the Rules to be prescribed by the state government for safety and health of the children working in permitted establishments so that they would be able to keep themselves workable. Moreover the Act doesn't ignore the rights of a child in working conditions. It encompasses all the major provision and the guidelines necessary for the smooth functioning of the act thus widening its scope. No doubt the Act under Section 3 read along with Schedule Part A and Part B lays down occupations and processes where child labor prohibited and where it is to be allowed. The Act also makes provision of punishment if any person who employs any child in contravention of this Section, is liable for punishment with imprisonment for a term of three months which shall extend to one year or with fine not less than ten lakh but which may extend to twenty lakh or both. This Act allows to NGO's, social workers and police to keep check on violators of this Act.

³² *These occupations and processes are listed in the Schedule of the Act.*

³³ *Amendment of 2006 and 2008 in the Child Labor (Prohibition and Regulation) Act, 1986*

Despite of several criticisms, on this Act, as social demand a new Bill of amendment is pending which envisages as follows.

The Child Labor (Prohibition and Regulation) Amendment Bill, 2012

The Child Labor (Prohibition and Regulation) Amendment Bill, 2012 was introduced in the Rajya Sabha on December 4, 2012 by the Minister of Labor and Employment.

The amendment seeks a blanket ban on employing children below 18 years in hazardous industries like mining.³⁴In any factory or mine or castle or engaged in any other hazardous employment section 12 of Child Labor (Prohibition and Regulation) Act of 1986 requires prominent display of '*child labor is prohibited*' sign boards but I never seen anywhere in Karad and Satara.

The Juvenile Justice (Care and Protection) of Children Act, 2000

This Act made a child labor as crime, punishable with a prison term, for anyone to procure or employ a child in any hazardous employment or in bondage.

Commission for Protection of Child Rights Act, 2005

In response to the UN General Assembly, Special Session on children containing goals, objectives, strategies and activities to be undertaken by the member countries for the current decade. In order to ensure protection of rights of children one of the recent initiatives taken by the government for children is the adoption of national Charter for children, 2003.

The Right of Children to Free and Compulsory Education Act, 2009

Mahatma Jyotiba Phule stressed the importance of the education in the development of a human being. It is the very ground of all other humble problems of the Indian society. Especially lack of education leads to economic distress and

³⁴ *The Assam Tribune, Guwahati dated 2.1.2013.*

which in turn result into relative problems. Therefore he established first school in India at Pune in 1848. Children who are forced to child labor are basically because of economic distress, lack of schooling and engagement of family for daily needs. Schools are the platform for early intervention against child labor as it restricts their participation in deadly labor. Hurdles in this approach are economic reasons. Unless economic change is brought about the parents, the children will not be able to attend the school. Child labor can be controlled by economic development increasing awareness and making education affordable across all levels and enforcement of anti child labor laws.³⁵

Accordingly the Central government enacted the Act with respect to the mandates of free and compulsory education to all children aged 6 to 14 years. This legislation also permits that 25 percent of seats in every private school must be allocated for children from disadvantaged groups and physically challenged children. The Act was passed by the Indian parliament on 4 August 2009 and came into force on 1 April, 2010. The present Act prescribes the provision regarding the free and compulsory education for children between 6 and 14 in resonance of Article 21A of the Indian Constitution.

The Act makes education a fundamental right of every child between the age group of 6 to 14 in elementary schools. The Act provides that no child shall be held back, expelled, or required to pass a board examination until the completion of elementary education. It also provides for special training of school drop-outs to bring them up to par with students of the same age. The RTE Act is the first legislation in the world that puts the responsibility of ensuring enrollment, attendance and completion on the Government. However it is the parents' responsibility to send the children to schools and no duty incurred by the government. A number of other provisions regarding improvement of school

³⁵ Geneva: ILO; 1992. ILO (International Labor Org). *World Labor Report 1992*.

infrastructure teacher-student ratio and faculty are made in the Act. The Act provides for a special organization of the States and National Commission for the Protection of Child Rights an autonomous body to monitor the implementation of the Act.

The act has been criticized for being hastily-drafted, not consulting many groups active in education, social workers, parents and especially the policies adopted by other developed countries not considering the quality of education, infringing on the rights of private and religious minority schools to administer their system, and for excluding children under six years of age. Are they left for the child labor?

The quality of education provided by the government system remains in question. While it remains the largest provider of elementary education in the country forming 80% of all recognized schools, it suffers from shortages of teachers, infrastructural gaps and several habitations continue to lack schools altogether. There are also frequent allegations of government schools being riddled with absenteeism and mismanagement and appointments are based on political convenience. Regarding the assessment there are no informal examinations. So how the quality performance of children in education would be reckoned? It would result into worst quality of children in education. Then involuntarily lakhs of children thrown away from the stream of education and unwillingly they would have to join as a child labor. Thus the said Act of right free and compulsory education would help the government to make more and more child laborers.

Besides all these provisions, there are several legislative enactments which provide legal protection to children in various occupations which are, The Children (Pledging of Labor) Act, 1933, the Employment of Children Act, 1938, the Minimum Wages, Act 1948, the Factories Act, 1948, the Plantations Labor Act, 1951, the Mines Act, 1952, the Merchant Shipping Act, 1958, the Motor Transport Workers' Act, 1961, the Apprentices Act, 1961, the Atomic Energy Act, 1962, the

Beedi and Cigar Workers (Conditions of Employment) Act, 1966, the Shops and Establishment Act in Various States etc.

National Policies and Program for Children³⁶

Due to the impact of all these above provisions the states and central government launching and implementing a number of Child welfare policies addressing the issues of Child Survival, Child Development and Child Protection. The important among them are-

1. National Policy for Children 1974

It is the first policy document concerning the needs and rights of children. It recognized children to be a supremely important asset to the country. The goal of the policy is to take the next step in ensuring the constitutional provisions for children and the UN Declaration of Rights are implemented. It outlines services the state should provide for the complete development of a child before and after birth and throughout a child's period of growth for their full physical, mental and social development.

2. National Policy on Education, 1986

It was called for "special emphasis on the removal of disparities and to equalize educational opportunity," especially for Indian women, Scheduled Tribes (ST) and the Scheduled Caste (SC) communities. To achieve these, the policy called for expanding scholarships, adult education, recruiting more teachers from the SCs, incentives for poor families to send their children to school regularly, development of new institutions and providing housing and services. The NPE called for a "child-centered approach" in primary education, and launched "Operation Blackboard" to improve primary schools nationwide.

3. National Policy on child Labor, 1987

³⁶ "National Legislation and Policies Against Child Labor in India". International Labor Organization -An Agency of the United Nations, Geneva 2011

It provides the action plan for tackling the problem of child labor. It envisaged a legislative action plan focusing and convergence of general development program for benefiting children wherever possible, and Project-based plan of action for launching of projects for the welfare of working children in areas of high concentration of child labor.

4. National Nutrition policy, 1993

It was introduced to combat the problem of under - nutrition. It aims to address this problem by utilizing direct (short term) and indirect (long term) interventions in the area of food production and distribution health and family welfare, education, rural and urban development, woman and child welfare etc.

5. National Population Policy, 2000

The national population policy 2000 aims at improvement in the status of Indian children. It emphasized free and compulsory school education up to age 14, universal immunization of children against all vaccine preventable diseases, 100% registration of birth, death, marriage and pregnancy, substantial reduction in the infant mortality rate and maternal mortality ratio etc.

6. National Health Policy, 2002

The main objective of this policy is to achieve an acceptable standard of good health amongst the general population of the country. The approach is to increase access to the decentralized public health system by establishing new infrastructure in deficient areas, and by upgrading the infrastructure in the existing institutions. Overriding importance is given to ensuring a more equitable access to health services across the social and geographical expanse of the country.

7. National charter for children (NCC), 2003

This charter highlights the Constitutional provisions towards the children and the role of civil society, communities and families and their obligations in fulfilling children's basic needs. Well-being of special groups such as children of BPL families, street children, girl child, child-care programs, and educational

programs for prevention from exploitation find special mention in the NCC. It secures for every child its inherent right to be a child and enjoy a healthy and happy childhood, to address the root causes that negate the healthy growth and development of children, and to awaken the conscience of the community in the wider societal context to protect children from all forms of abuse, while strengthening the family, society and the Nation. The Charter provides that the State and community shall undertake all possible measures to ensure and protect the survival, life and liberty of all children. For empowering adolescent, the Charter states that the State and community shall take all steps to provide the necessary education and skills to adolescent children so as to equip them to become economically productive citizens.

8. National Plan of Action for Children (NPA), 2005

It was adopted by Government of India in the pursuit of well-being of children. NPA has a significant number of key areas of thrust out of which the one's relating to child protection are:

- a. Complete abolition of female feticide, female infanticide and child marriage and ensuring the survival, development and protection of the girl child,
- b. Addressing and upholding the rights of children in difficult circumstances,
- c. Securing for all children legal and social protection from all kinds of abuse, exploitation and neglect. The various Schemes / Programs are implemented by different Central Ministries, following the guidance of the national policies. They are aiming to tackle the issues relating to the overall welfare of children work independently as well as hand in hand.

4. AN EMPIRICAL STUDY OF CHILD LABOR IN SATARA

4.1 Profile of Satara

Satara is the district place in Maharashtra state in western India with geographical area 8.16 of 10,480 km² and a population of 3,003,922 of which 501670 is population of Satara city 14.17% was urban.³⁷ Satara city is the place of district head quarter connecting eleven talukas or tahsils are Wai, Karad, Koregaon, Koyananagar, Rahimatpur, Phaltan, Mahabaleshwar and Panhngani including villages. This district comes under Pune Administrative Division along with Pune, Sangli, Solapur and Kolhapur Districts. The district of Pune bounds it to the north, Raigad limits it to the North-West, Solapur the east, Sangli to the south and Ratnagiri to the west.^[2] It is a historic city known for its political and cultural heritage. Once it was a capital of the famous dynasties of Chhatrapati Shivaji Maharaja. Satara is famous for its seven fort surrounded by the district. There are number of visitors spot like Thoseghar water fall, Koyana dam, Kas Plateau, Kas lake, Bannoli boat spot, Mahabaleshwar, Table land etc. The major area of Satara district covered by such hilly, vally, watered-down and by jungle. Satara is predominantly rural and agrarian with more than 80% of its populations living in villages; drought and scarcity conditions often haunt the people of the district due to its geographic positioning.

No doubt Satara is the district of Chh. Shivaji Maharaj, Savitribai Phule, Mahatma Phule and Dr. Babasaheb Ambedkar who studied up to primary school in Satara however the district has low human development indicators and is also characterized by illiteracy, blind beliefs, poor health status, dominance of upper Brahmin classes, oppression of groups like SC, STs, OBCs, poor awareness of their rights, violation of humanity. With regard to education in Satara district there

³⁷ *District Census 2011, Census 2011.co.in. 2011, Retrieved 2011-09-30*

are 3839 primary schools in which 285397 boys and 244805 girls are studying in these schools. In Satara taluka there are 473 schools are running wherein 51040 boys and 42541 girls are enrolled. In Satara nagarpalika (city) total ten schools are running, boys and girls enrolled are 2151 and 1067 respectively.³⁸ There are 50,896 Agriculture laborers are working in Satara out of which 20,695 are male laborers and 30,201 are female agricultural laborers. There are 237 Fair Price Shops in Satara and 10,804 persons are BPL ration card holders and 79,758 persons are APL ration card holders in Satara city. Satara is situated in middle of the western region of Maharashtra state and the city is continued as most backward region due to socio-economic reasons prevailing in the area since after state reorganization in 1956.³⁹



Figure 4 Layout of Satara District

According to Satara district 2001 census literacy rate of 7+ age group is 50%, dropout rate (primary) is 24.37%, out of school children (6-14) is 20.82% , infant mortality rate (IMR) is 67 % and girls married below the age of 18 years

³⁸ Source: O-DISE, 2015-16 Education Department (Primary), Zila Parishad, Satara

³⁹ H:\KC\CH\Satara\Districtsatara.Com

is 48.90% .⁴⁰ Enterprise memorandum in Satara district is –there are 1114 micro enterprises. 2049 small enterprises, 14 enterprises are medium size, large scale units are 56 and cottage and village units are 2163. There are 42616 employees are working in these units. Further there are several stone quarries are spread over around the Satara City and there is several private/public sugarcane factories have been setup. Due to the location of these factories and industries, incidence of floating and migration population is very high.

4.2 Profile of Karad

Karad is a city in Satara district in the southern part of Indian state of Maharashtra. It lies at the confluence of Koyna River and the Krishna River. The two rivers originate at Mahabaleshwar, which is around 100 km from Karad. They diverge at their origin, and travel for about the same distance to meet again in Karad. The rivers meet exactly head on, thus forming letter ‘T’ which is the only head on confluence in the world. Hence their confluence is called *Preeti Sangam*, meaning Confluence of Love. Karad is well known for sugar production and is known as the sugar bowl of Maharashtra owing to the presence of many sugar factories in and around Karad. It is considered as an important educational hub in Western Maharashtra due to the presence of many prestigious educational institutes.⁴¹

Karad has an adjoining small town named Malkapur, Karad which has its own municipal council and a population of 31,671. Karad city was awarded a prize under ‘Sant Gadagebaba Gramswachhatta Abhiyan’ started by Indian Government. The total population of Satara district is 3003900 in which rural-2433675 and urban-570225. The population of the Satara taluka is 501670 in which rural is-289681 and urban-211989⁴². There are 11 talukas and 36 Gram Panchayats with one Municipal Corporation. 136 villages are inhabited covered under Satara city. There is 1 Member of Parliament –Loksabha and 2 MLAs with Mhada constituencies. Density of population is 287 persons per sq.mts. There are 2,79,168

⁴⁰H:\KC\CH\Satara\DISTRICT AT A GLANCE,Satara.htm

⁴¹ Wikipedia

⁴² Census data of 2011

persons are literates out of which 1,59,519 are male persons and 1,19,649 are female persons .There are 63,238 children are in the age group of 0-6 out of which 33,150 are boys and 30,088 are girls. The literacy rate is 76.1 % out of which 83.8% are male persons and 67.8% are female persons. Sex ratio is 938.



Figure 5 Layout of Satara City

Karad is a Municipal Council city in district of Satara, Maharashtra. The Karad city is divided into 26 wards for which elections are held every 5 years. The Karad Municipal Council has population of 53,879 of which 27,134 are males while 26,745 are females as per report released by Census India 2011.⁴³

Population of Children with age of 0-6 is 5444 which is 10.10 % of total population of Karad (M C). In Karad Municipal Council, Female Sex Ratio is of 986 against state average of 929. Moreover Child Sex Ratio in Karad is around 912 compared to Maharashtra state average of 894. Literacy rate of Karad city is 89.05

⁴³ Karad Population Census 2011

% higher than state average of 82.34 %. In Karad, Male literacy is around 93.05 % while female literacy rate is 85.03 %.⁴⁴

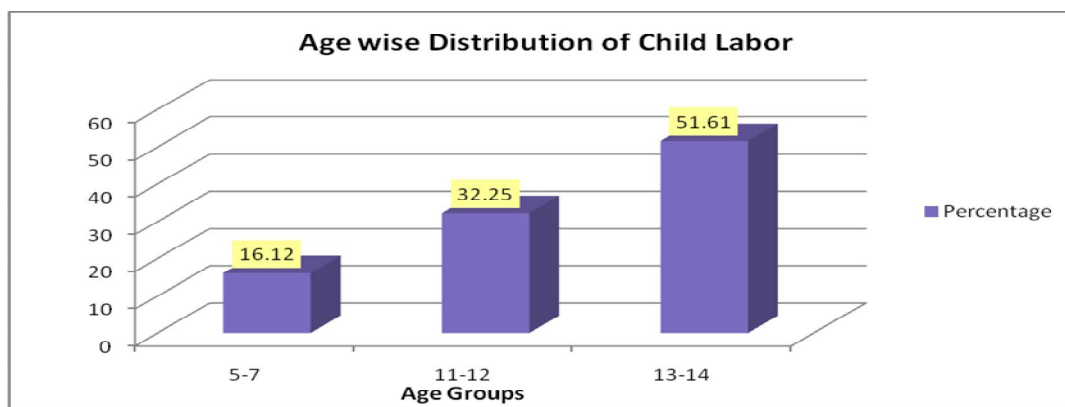
4.3 Analysis and Interpretation of Data

4.2: I- Data of Child Laborers

The different types of data on child labor I have collected from diverse sources and analyzed as follows.

1. TABLE : Age wise distribution of child labor

Age(years)	No. of Respondents	Percentage
5-7	5	16.12
11-12	10	32.25
13-14	16	51.61
Total	31	100.00

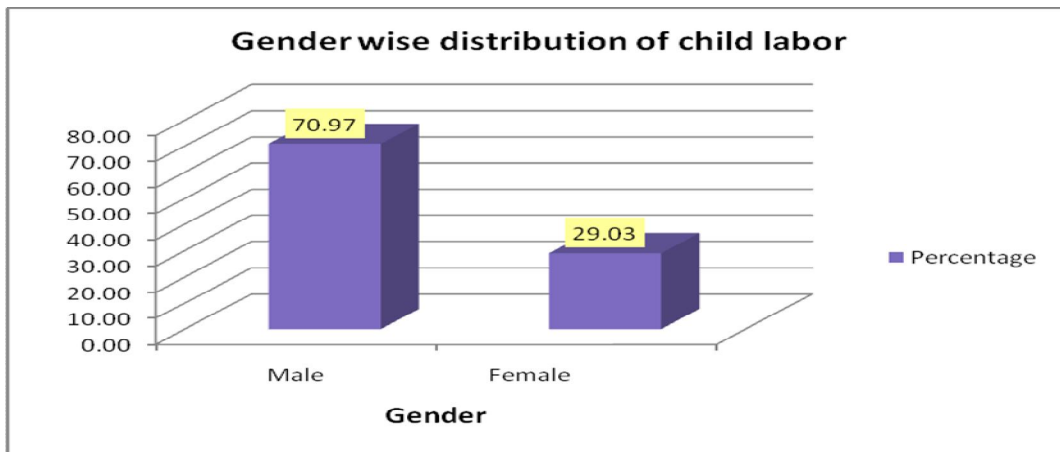


This graph shows that minimum numbers of child labor works in age group 5-7 years and maximum numbers of child labors working in age group 13-14 years. Concluded to above graph, age group is simultaneously increasing proportionately to the requirement of child labor.

2. TABLE: Gender(sex) wise distribution of child labor

Gender	No. of Respondents	Percentage
Male	22	70.97
Female	9	29.03
Total	31	100.00

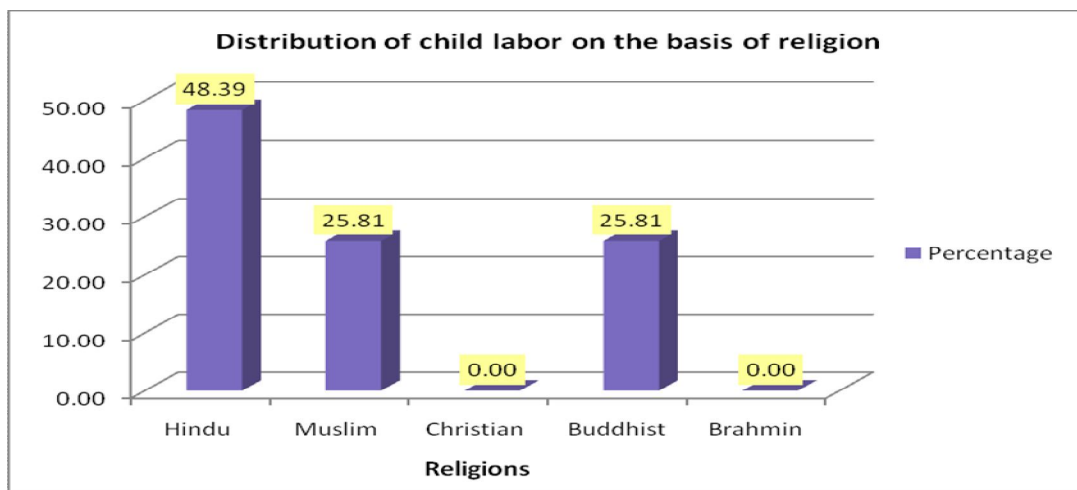
⁴⁴ H:\KC\CH\Satara\DISTRICT AT A GLANCE,Satara.htm



This graph shows that the proportion of male child labor more than females child labor.

3. TABLE: Distribution of child labor on the basis of religion

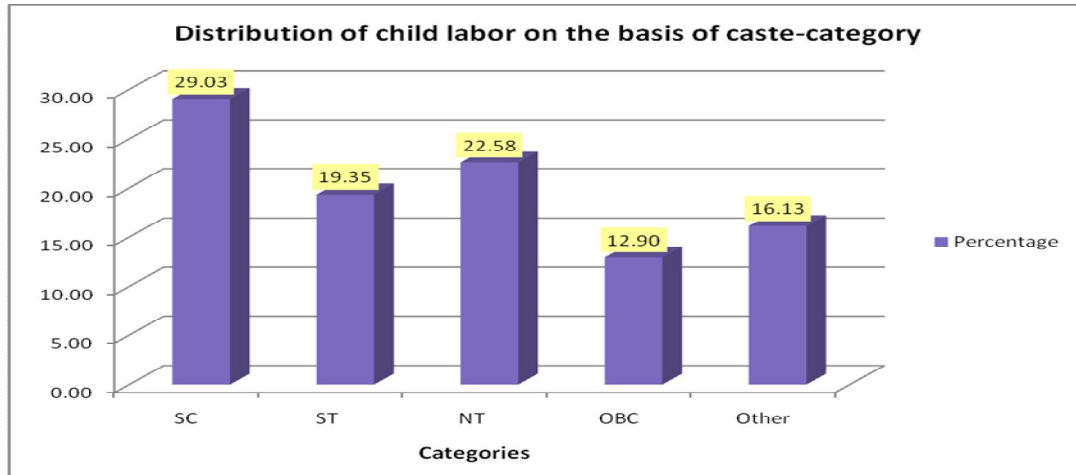
Religion	No. of Respondents	Percentage
Hindu	15	48.39
Muslim	8	25.81
Christian	0	0.00
Buddhist	8	25.81
Brahmin	0	0.00
Total	31	100.00



Maximum respondents in the sample belong to Hindu religion i.e. 48.39% and 25.81% respondents belong to Muslim and also Buddhist religion. There was no child labor found belonging to Christian and Brahmin religion. So it clearly shows that working children only belonging to Hindu, Muslim and Buddhist religion.

4. TABLE: Distribution of child labor on the basis of caste-category

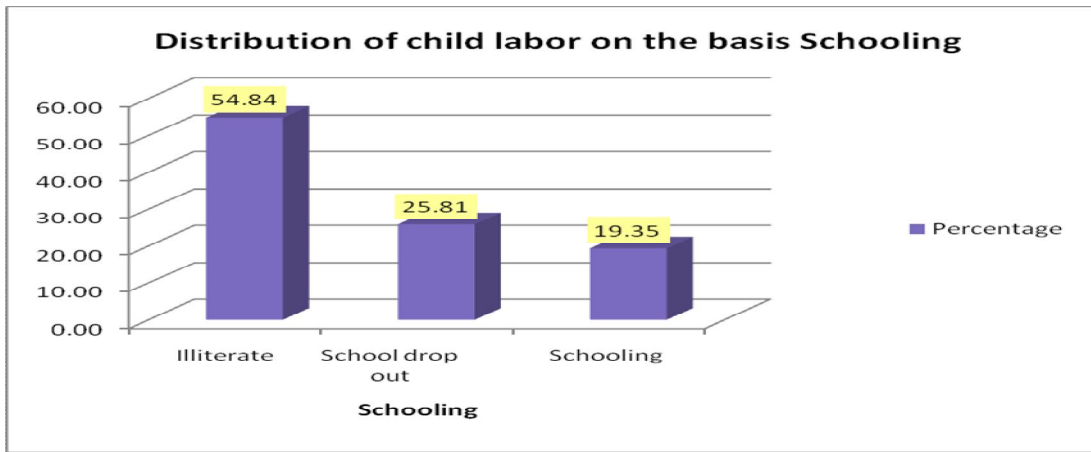
Categories	No. of Respondents	Percentage
SC	9	29.03
ST	6	19.35
NT	7	22.58
OBC	4	12.90
Other	5	16.13
Total	31	100.00



29.03% respondents in the sample belong to SC which is very high percentage compared to others. 19.35% respondents belong to ST, 22.58 % respondents belong to NT, 16.13% respondent belongs to other category & minimum respondents are belongs to OBC which is least number in all categories.

5. TABLE: Distribution of child labor on the basis Schooling

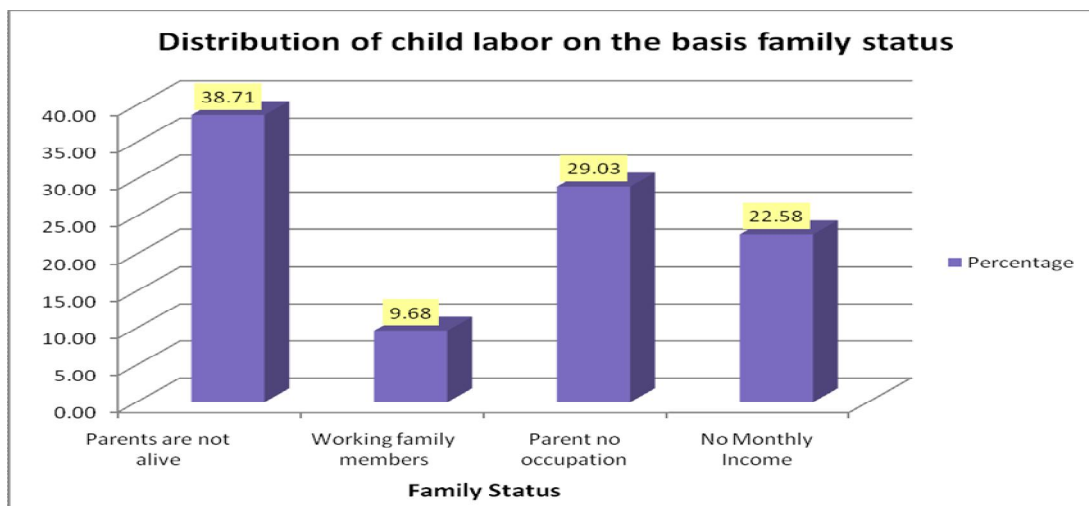
Schooling	No. of Respondents	Percentage
Illiterate	17	54.84
School drop out	8	25.81
Schooling	6	19.35
Total	31	100.00



In the above table, 54.84% respondents are illiterate, 25.07% respondents are drop out from school, 19.35% respondents are still schooling. The analysis clearly shows that children, who are laborers, are most from illiterate category compared with others.

6. TABLE: Distribution of child labor on the basis family status.

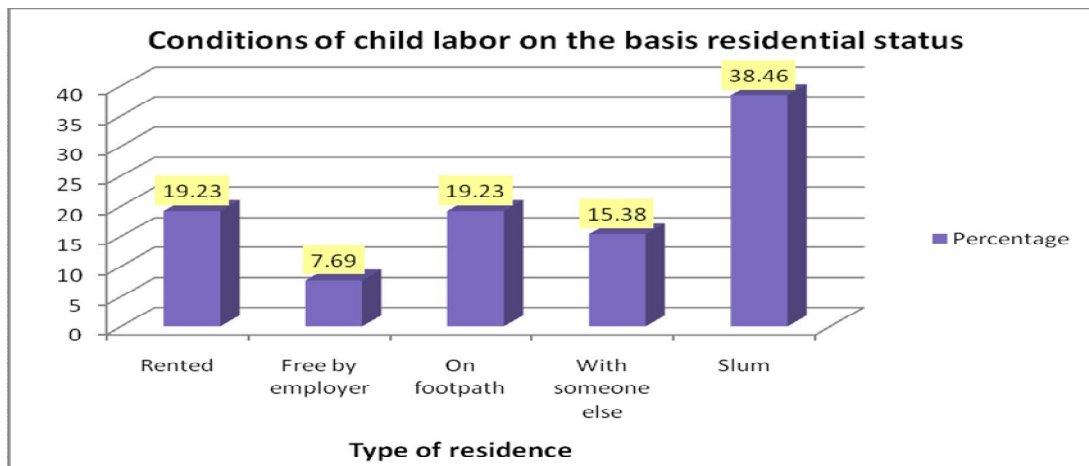
Family Status	No. of Respondents	Percentage
Parents are not alive	12	38.71
Working family members	3	9.68
Parent no occupation	9	29.03
No Monthly Income	7	22.58
Total	31	100.00



38.71% respondents in the sample whose parent were not alive, 9.68% respondents are working family members which are least number in the sample, where 29.03 is the number in parents who doesn't work.

7. TABLE: Conditions of child labor on the basis residential status

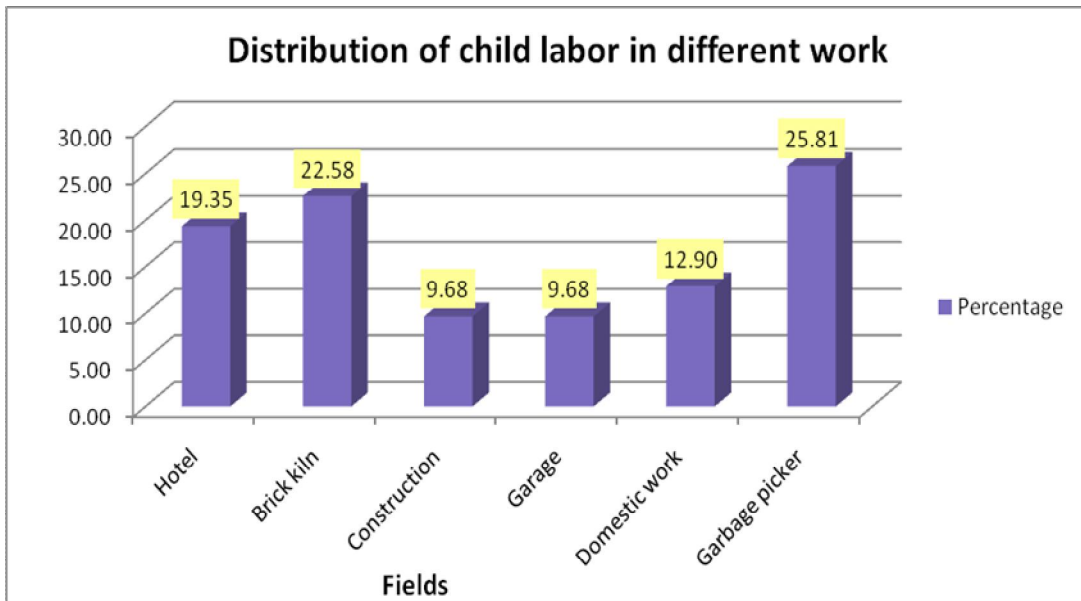
Type of residence	No. of Respondents	Percentage
Rented	05	19.23
Free by employer	03	7.69
On footpath	05	19.23
With someone else	06	15.38
Slum	12	38.46
Total	31	100



Respondents residing in rented house are 19.23%, respondents who are living in free residence provided by employer is 07.69%, respondents who reside on footpath are 19.23%, respondents who depend on others for their living are 15.38% whereas slum residents out of respondents are 38.46%. The analysis shows that majority of child laborers are residing in slums.

8. TABLE: Distribution of child labor in different work .

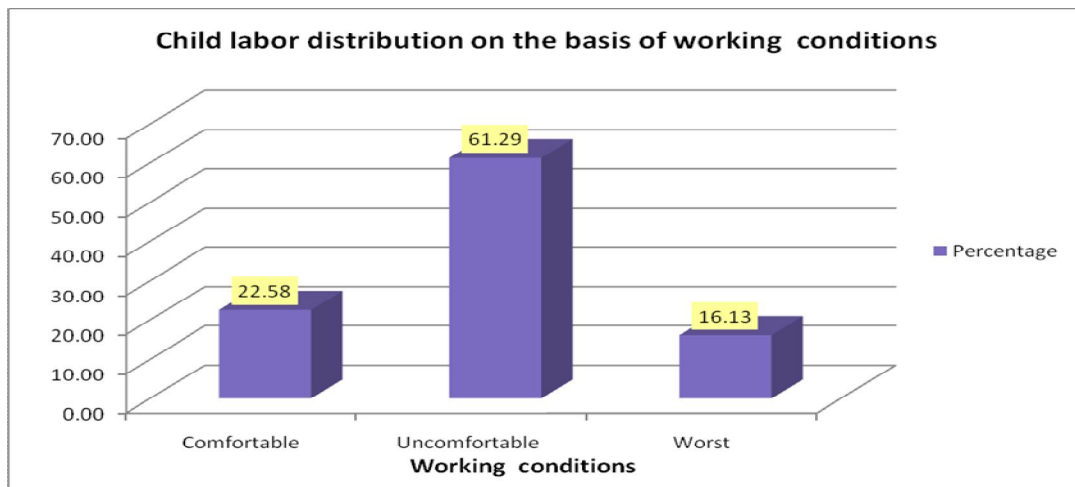
Fields	No. of Respondents	Percentage
Hotel	6	19.35
Brick kiln	7	22.58
Construction	3	9.68
Garage	3	9.68
Domestic work	4	12.90
Garbage picker	8	25.81
Total	31	100.00



In the above graph, 19.35% of child labors are from hotel industry, 22.58% are working in Brick kiln, and 9.68% child labors are from construction as well as from garage industry. Garbage picker were found 25.81% and 12.90% were belongs to domestic works. The analysis shows that the majority child labors were found in garbage picking.

9. TABLE: Child labor distribution on the basis of working conditions

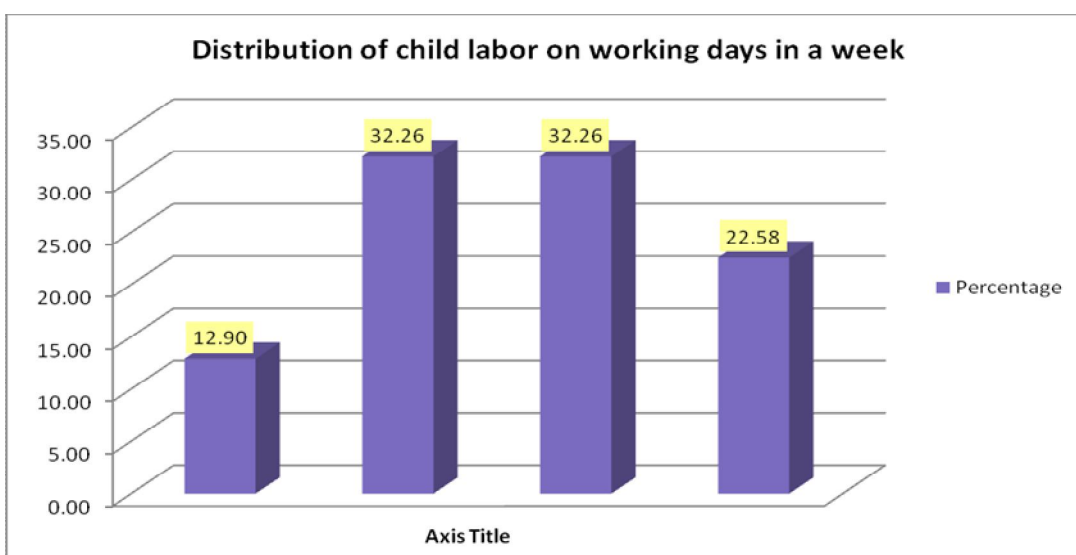
Working conditions	No. of Respondents	Percentage
Comfortable	7	22.58
Uncomfortable	19	61.29
Worst	5	16.13
Total	31	100.00



22.58% child labors are found in comfortable working conditions where as 61.29% were found uncomfortable conditions. 16.13% child labors were observed in worst working conditions. The analysis shows that majority that is 61.29% of child laborers were working under uncomfortable labor conditions.

10. TABLE: Distribution of child labor on working days in a week

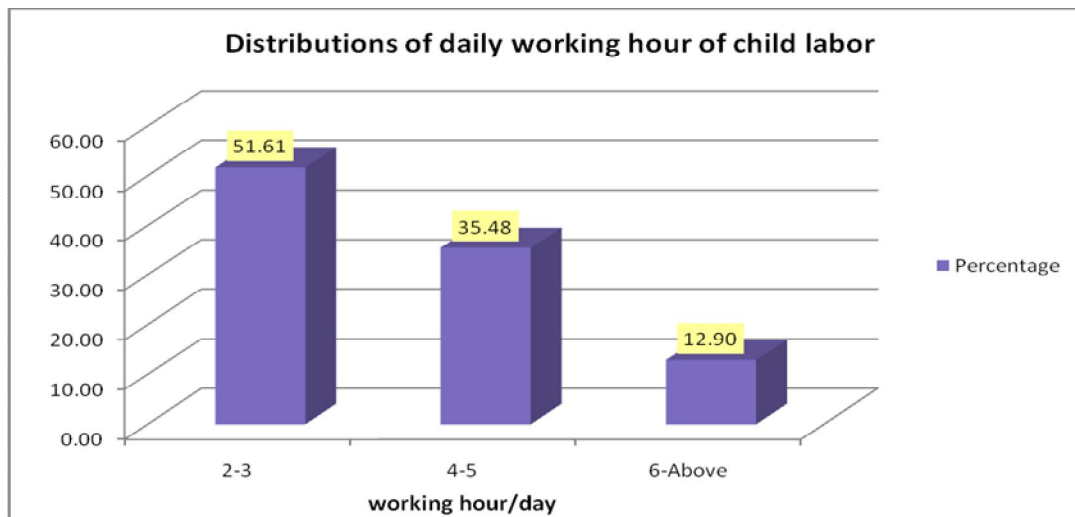
Working days/week	No. of Respondents	Percentage
7	4	12.90
6	10	32.26
5	10	32.26
4	7	22.58
Total	31	100.00



12.90% respondents were found working for whole week, 32.26% respondents were found working for 6 days, 32.26% respondents were found working for 5 days. 22.58% respondents were found working 4 days only. Thus the analysis indicates that more number of Children are work for 5 to 6 days in a week.

11. TABLE: Distributions of daily working hour of child labor

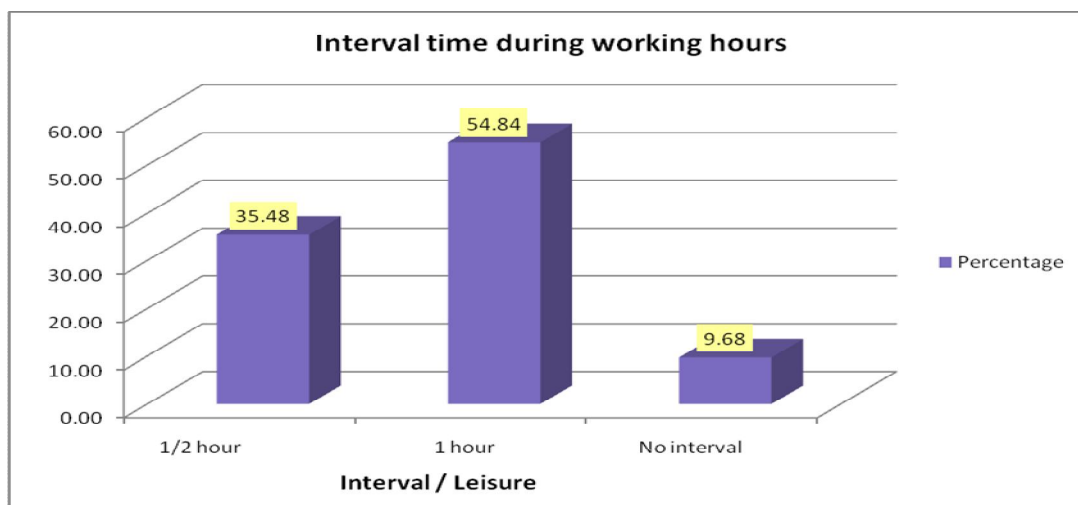
working hour/day	No. of Respondents	Percentage
2-3	16	51.61
4-5	11	35.48
6-Above	4	12.90
Total	31	100.00



51.61% child labors are works daily 2-3 hours and 35.48% child labors works 4-5 hours a day. There are child labors who work more than 6 and more hours each day.

12. TABLE: Interval time during working hours

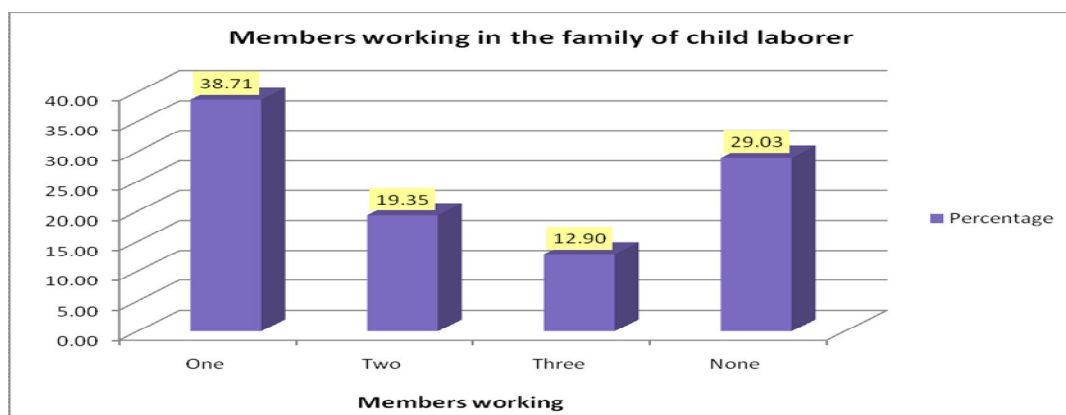
Interval / Leisure	No. of Respondents	Percentage
1/2 hour	11	35.48
1 hour	17	54.84
No interval	3	9.68
Total	31	100.00



35.48% child labors who get 1/2 an hour as Interval/break hours during their working hours and 54.84% child labors gets 1 hour as interval / leisure time between working hours. This table clearly shows that children were exploited to certain extent by their employers and forced to work without leisure time which is 9.68% of child labors.

13. TABLE :Members working in the family of child laborer

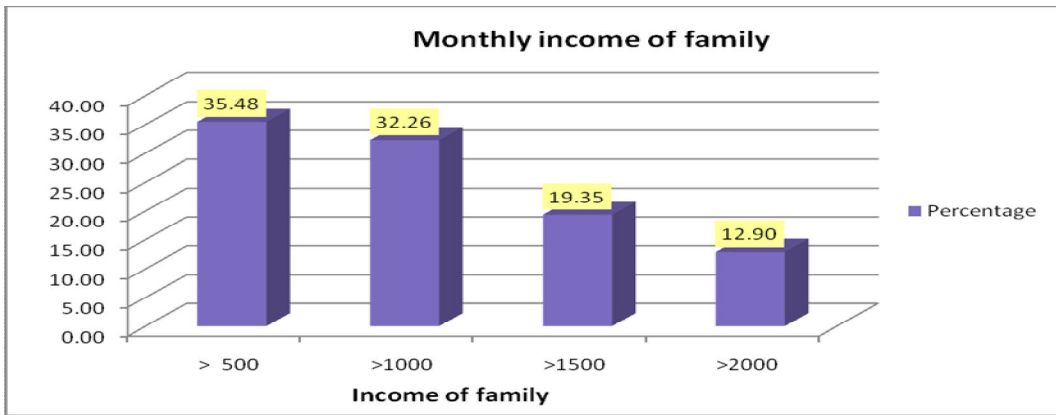
Members working	No. of Respondents	Percentage
One	12	38.71
Two	6	19.35
Three	4	12.90
None	9	29.03
Total	31	100.00



38.71% families having one family working member, 19.35% family members having two family working members. Whereas 12.90% of families having three family working members. In 29.03% of family members no one works other than child laborers. That means majority of child laborers are from families where no other members are working.

14. TABLE: Monthly income of family

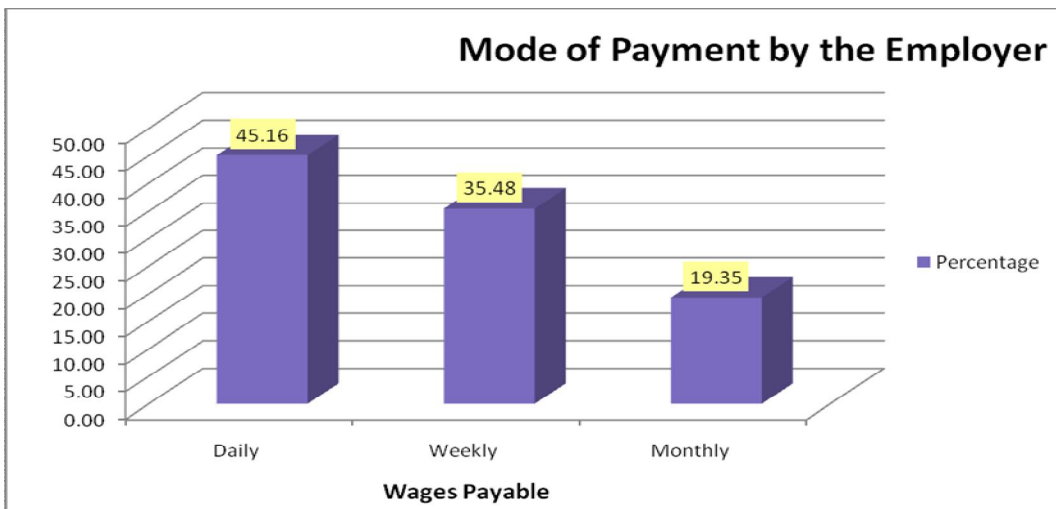
Income of family	No. of Respondents	Percentage
> 500	11	35.48
>1000	10	32.26
>1500	6	19.35
>2000	4	12.90
Total	31	100.00



35.48% child laborers have less than Rs. 500 as family income, 32.26% of families have less than Rs.1000 as family income, 19.35% child laborers have their family income up to Rs.1500 and 12.90% child laborers having below Rs.2000 as a family income. The analysis shows that average income of families is between Rs. 500 to 1000 by their children's as child laborers.

15. TABLE: Mode of Payment by the Employer

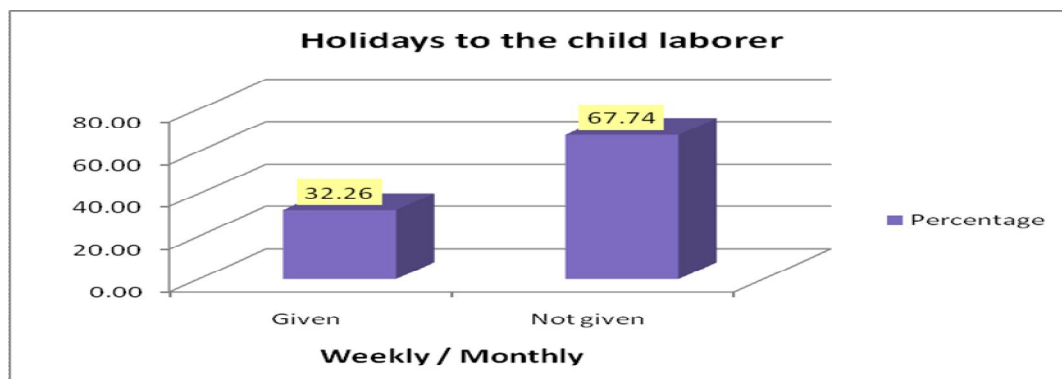
Wages Payable	No. of Respondents	Percentage
Daily	14	45.16
Weekly	11	35.48
Monthly	6	19.35
Total	31	100.00



45.16% child labors are paid wages on daily basis by their employer, 34.62% respondents are paid wages on weekly basis and 19.23% respondents are paid wages on monthly basis. The analysis shows that majority of children get their wages on week end.

16. TABLE: Holidays to the child laborer

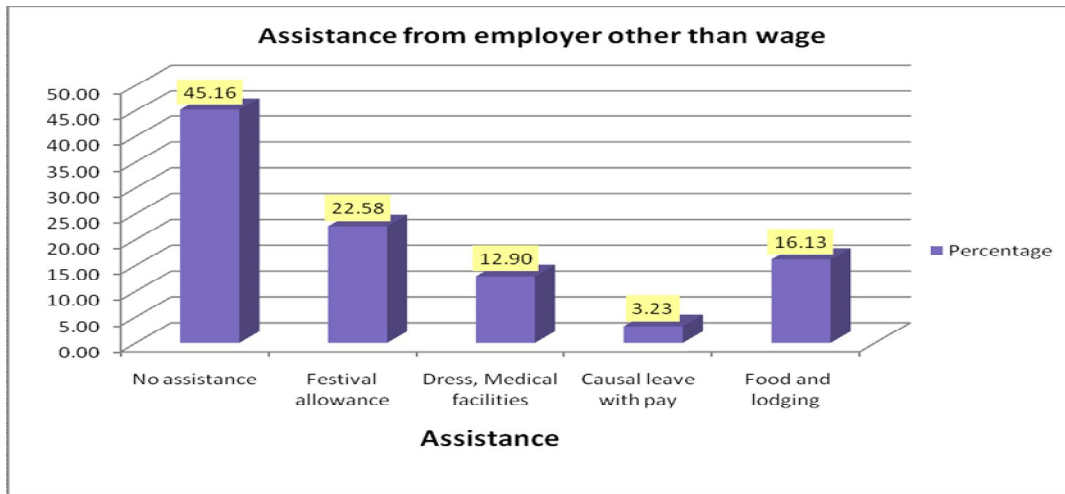
Weekly / Monthly	No. of Respondents	Percentage
Given	10	32.26
Not given	21	67.74
Total	31	100.00



Only 32.26% respondents are given weekly/monthly holidays and 67.74% respondents were not given the weekly/monthly holidays. This analysis clearly shows that, children are forced to work continuously without holidays. This is a clear exploitation of child laborers.

17. TABLE :Assistance from employer other than wage

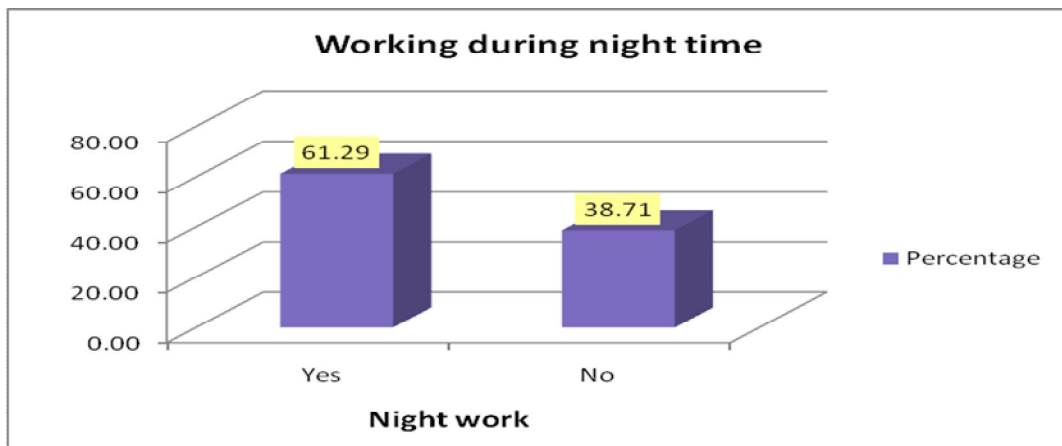
Assistance	No. of Respondent	Percentage
No assistance	14	45.16
Festival allowance	7	22.58
Dress, Medical facilities	4	12.90
Causal leave with pay	1	3.23
Food and lodging	5	16.13
Total	31	100.00



There are 45.16% child laborers that don't get any assistance other than salary/wage, whereas 22.58% child laborers get Festival allowance with their basic wage/salary. Other than this, there are 12.90% of child laborers get assistance in the form of dress and medical facilities other than their wage/salary. Food and lodging are provided to 16.13% child laborers other than their basic wage. All the above analysis clearly interprets, a huge number of child laborers are work with their basic wage/salary and doesn't get any additional assistance from their employer.

18. TABLE: Working during night time

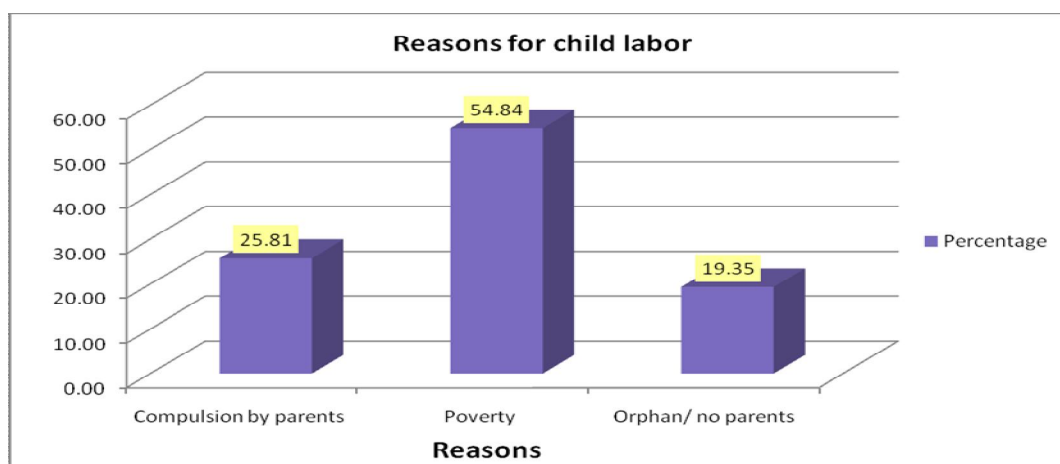
Night work	No. of Respondents	Percentage
Yes	19	61.29
No	12	38.71
Total	31	100.00



61.29% child laborers are work during night time /shifts. 38.71% of child laborers do not work at night. The graph shows that, 61.29 % of children are forced to work at nights which deprive their right to rest leisure which affects on their health.

19. TABLE: Reasons for child labor

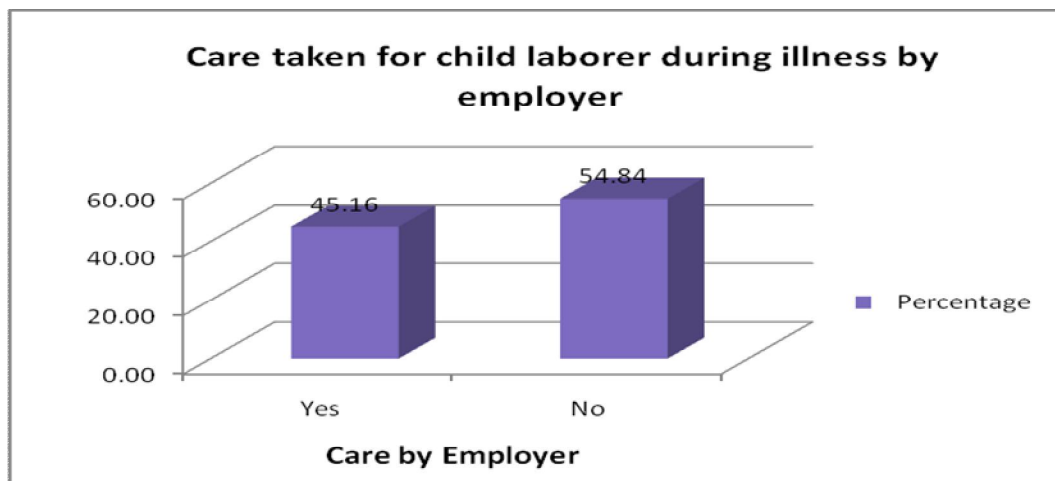
Reasons	No. of Respondents	Percentage
Compulsion by parents	8	25.81
Poverty	17	54.84
Orphan/ no parents	6	19.35
Total	31	100.00



25.81% child laborers are working as child laborers due to the pressure of their parents, 54.84% respondents are working due to poverty and need of money. Whereas 19.35% children are working as their parent is not alive or they may be orphan. Thus the analysis reveals that, majority of children are working as child laborers due to poverty, money and for basic necessities which may be root cause for this problem.

20. TABLE: Care taken for child laborer during illness by employer

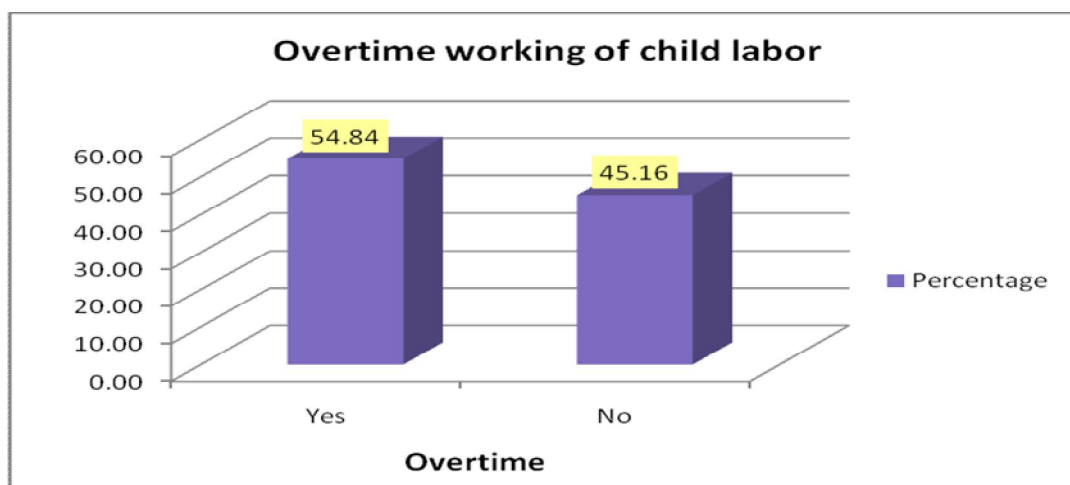
Care by Employer	No. of Respondents	Percentage
Yes	14	45.16
No	17	54.84
Total	31	100.00



45.16% child labors said they found their employer as care taker during illness, whereas 54.84% child labors don't have such employers during illness. This is another instance of exploitation and inhuman treatment of child laborers by their employers.

21. TABLE: Overtime working of child labor

Overtime	No. of Respondents	Percentage
Yes	17	54.84
No	14	45.16
Total	31	100.00

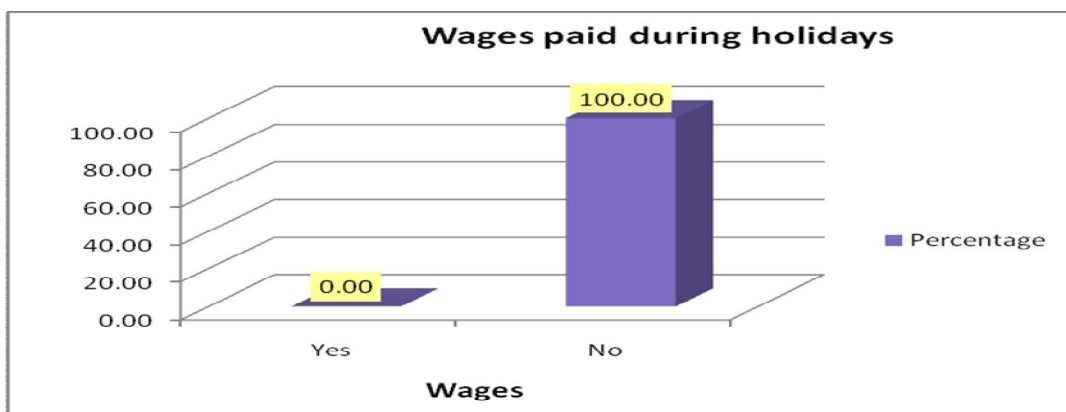


54.84% respondents have expressed their opinion that they work more than their regular time as overtime whenever required by employer and 45.16% respondents said they do not do overtime. The Table shows that, more than 54.84% of children are

unwillingly have to overtime, which deprive their right to rest/leisure which affects on their health.

22. TABLE: Wages paid during holidays

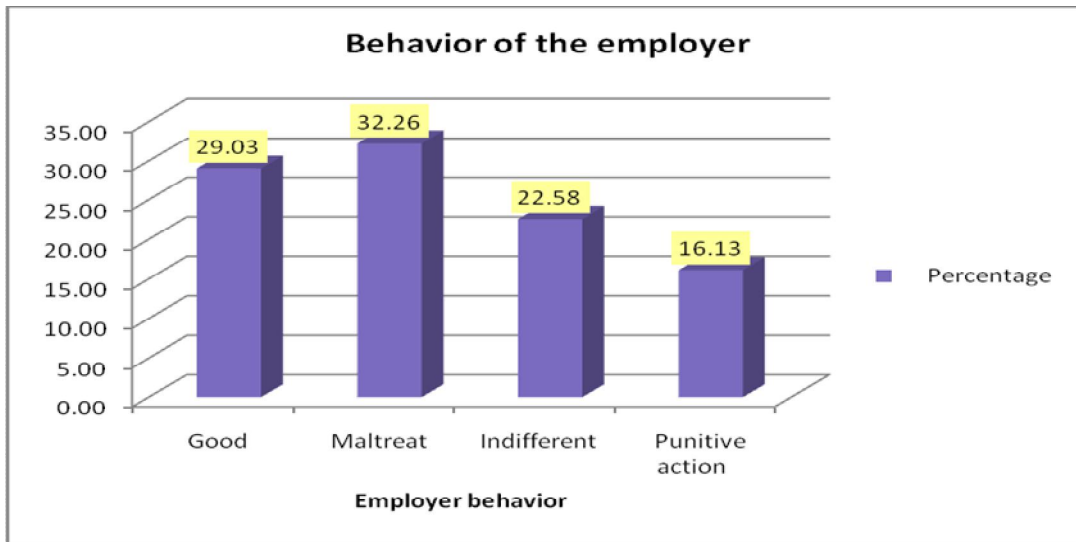
Wages	No. of Respondents	Percentage
Yes	0	0.00
No	31	100.00
Total	31	100.00



No respondents get their wages when they worked during holidays as well as in their rest time although they worked during holidays. The analysis shows that, children are exploited, first, they are not given holiday and secondly, they are forced to work during holidays. Conclude to above, children are not given any wages when they worked during holidays which indicate exploitation and abuse of children.

23. TABLE: Behavior of the employer

Employer behavior	No. of Respondents	Percentage
Good	9	29.03
Maltreat	10	32.26
Indifferent	7	22.58
Punitive action	5	16.13
Total	31	100.00

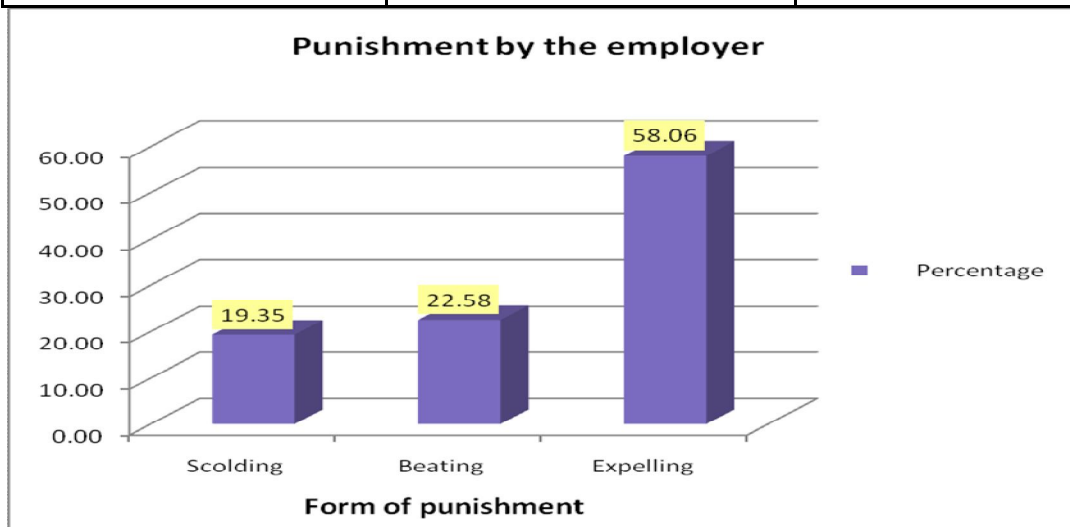


29.03% respondents expressed their opinion that employer behavior is good whereas 32.26% respondents said that employer does not treat them properly, 22.58% respondents said that employer behavior is indifferent and 16.13% respondents said employers do take punitive action. This clearly established that the child laborers are not properly treated by their employers.

24. TABLE: Punishment by the employer

25.

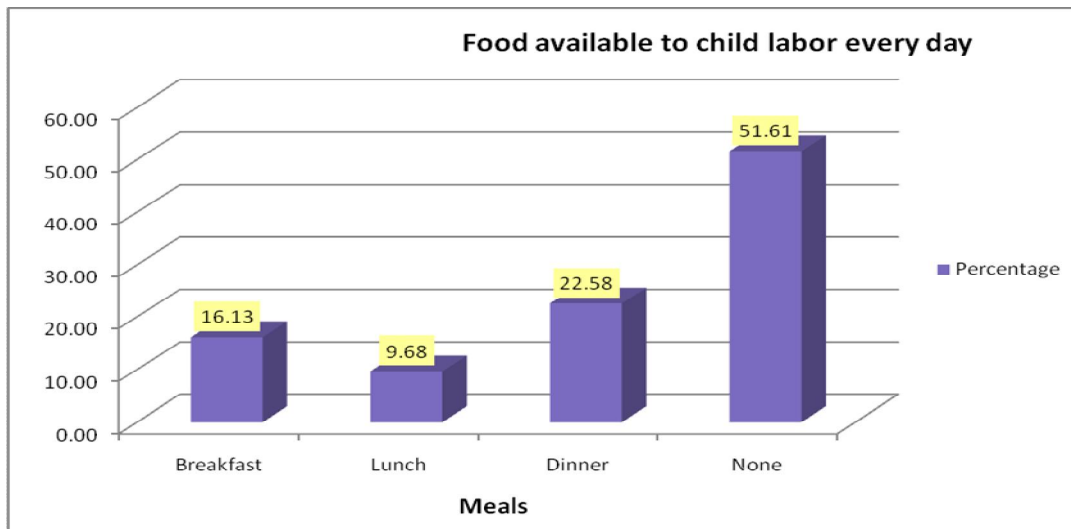
Form of punishment	No. of Respondents	Percentage
Scolding	6	19.35
Beating	7	22.58
Expelling	18	58.06
Total	31	100.00



19.35% respondents informed that their employer punished by scolding when they fail to work satisfactorily, 22.58% respondents informed that their employer beat them as a punishment and 58.06% respondents informed that their employer by expel them from work as a punishment.

26. TABLE: Food available to child labor every day

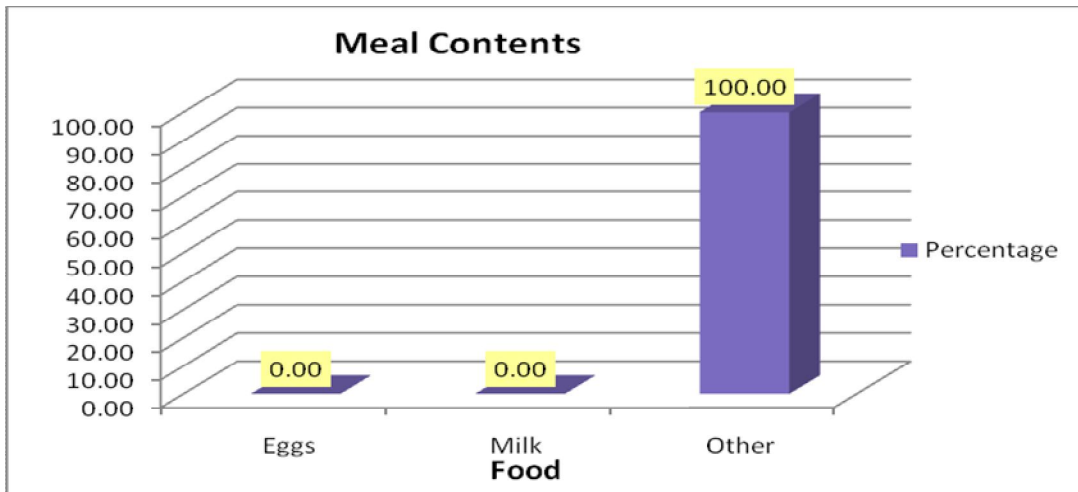
Meals	No. of Respondents	Percentage
Breakfast	5	16.13
Lunch	3	9.68
Dinner	7	22.58
None	16	51.61
Total	31	100.00



16.13% respondents said that they enjoy breakfasts; only 9.68 respondents opinioned they have lunch and 22.58% respondents informed that they enjoys dinner. Overall analysis of the table suggests that no 100% child labor respondents have had three time food i.e. breakfast, lunch and dinner in a day.

27. TABLE: Meal Contents

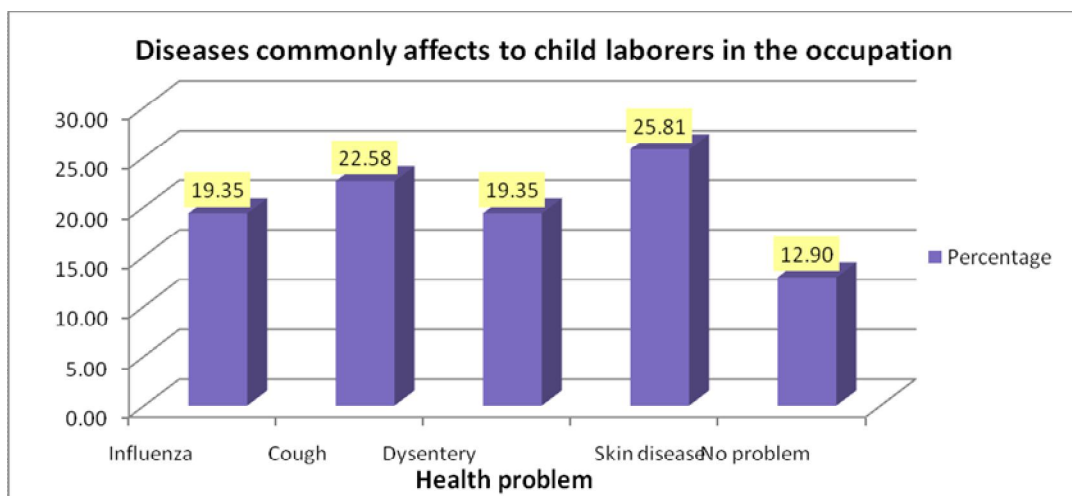
Food	No. of Respondents	Percentage
Eggs	0	0.00
Milk	0	0.00
Other	31	100.00
Total	31	100.00



Respondents informed that they enjoy meal without having eggs or milk. Concluded to above chart, 100% child labor respondents don't get an energetic meal so as to maintain their physical efficiency.

28. TABLE: Diseases commonly affects to child laborers in the occupation

Health problem	No. of Respondents	Percentage
Influenza	6	19.35
Cough	7	22.58
Dysentery	6	19.35
Skin disease	8	25.81
No problem	4	12.90
Total	31	100.00

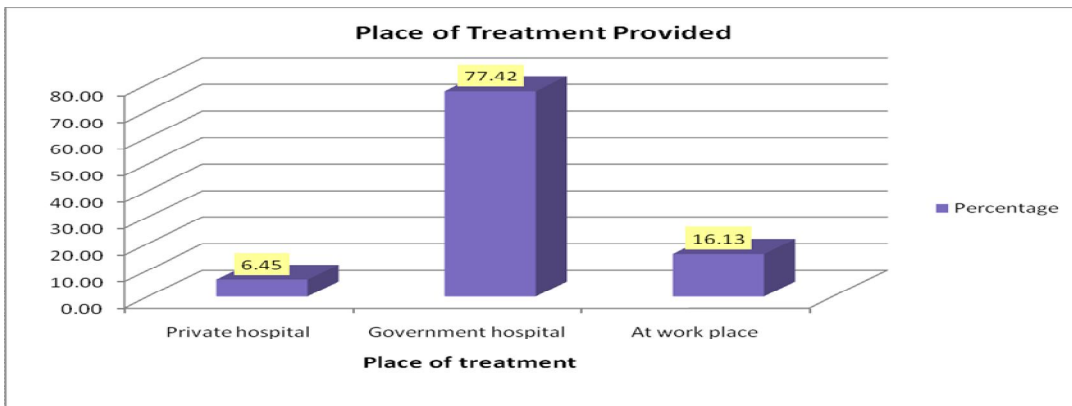


19.35% respondents informed that they are suffering from influenza. 22.58 % respondents said about their cough whereas 19.35% respondents expressed that they suffered

dysentery. 25.81% respondents noted that they suffered skin diseases whereas 12.90% respondents noted healthy and without diseases.

29. TABLE: Place of Treatment Provided

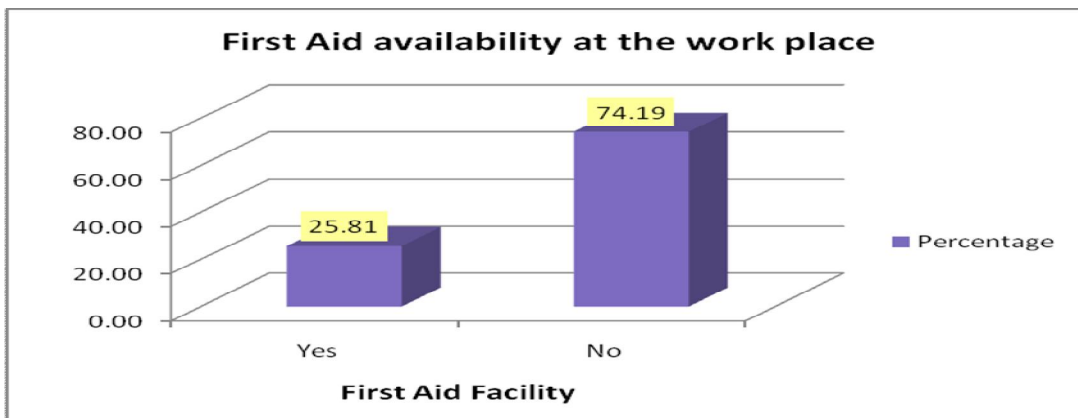
Place of treatment	No. of Respondents	Percentage
Private hospital	2	6.45
Government hospital	24	77.42
At work place	5	16.13
Total	31	100.00



Only 6.45% respondent's availed access of private hospitals, majority of respondent's i.e. 77.42% child labors take their treatment in government hospital and there is availability of medical treatment at work place, 16.13% respondents replied.

30. TABLE: First Aid availability at work place

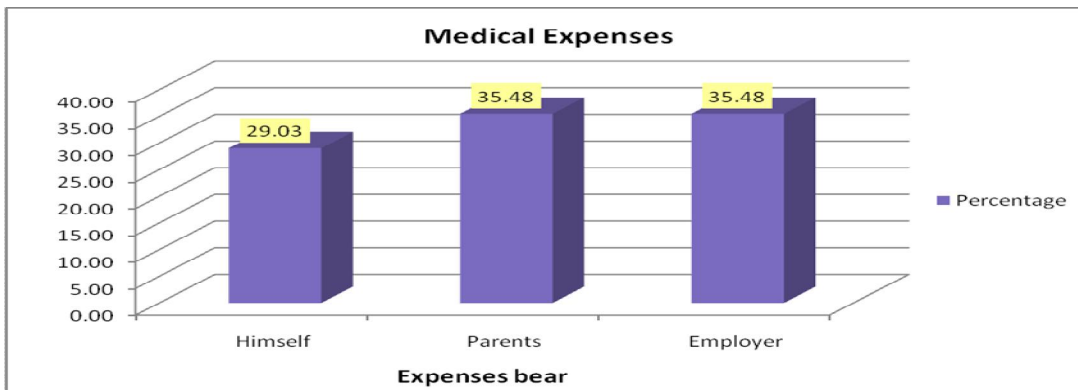
First Aid Facility	No. of Respondents	Percentage
Yes	8	25.81
No	23	74.19
Total	31	100.00



74.19% respondents expressed their opinion that they had no First Aid facilities in the work place whereas 25.81% respondents opinion that they have First Aid facilities at work place. These shows the employers are not following the labor legislation towards child labor.

31. TABLE: Medical Expenses

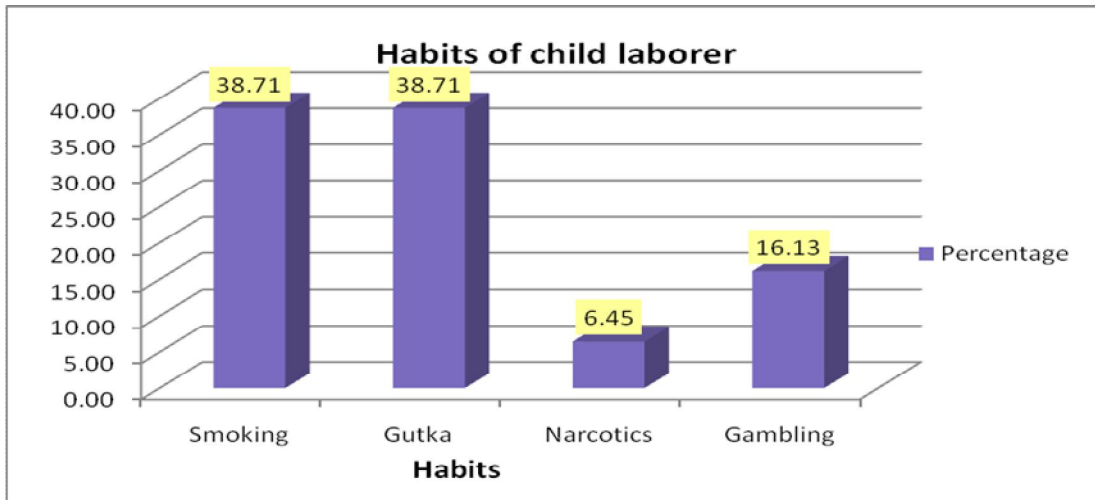
Expenses bear by	No. of Respondents	Percentage
Himself	9	29.03
Parents	11	35.48
Employer	11	35.48
Total	31	100.00



29.03% respondents expressed their opinion that medical expenditure are borne by them whereas 35.48% respondents stated that their medical expenditure borne by parents as well as employer. These show that employers are not ready to take responsibility of medical expenditure of their child labors.

32. TABLE: Habits of child laborer

Habits	No. of Respondents	Percentage
Smoking	12	38.71
Gutka	12	38.71
Narcotics	2	6.45
Gambling	5	16.13
Total	31	100.00

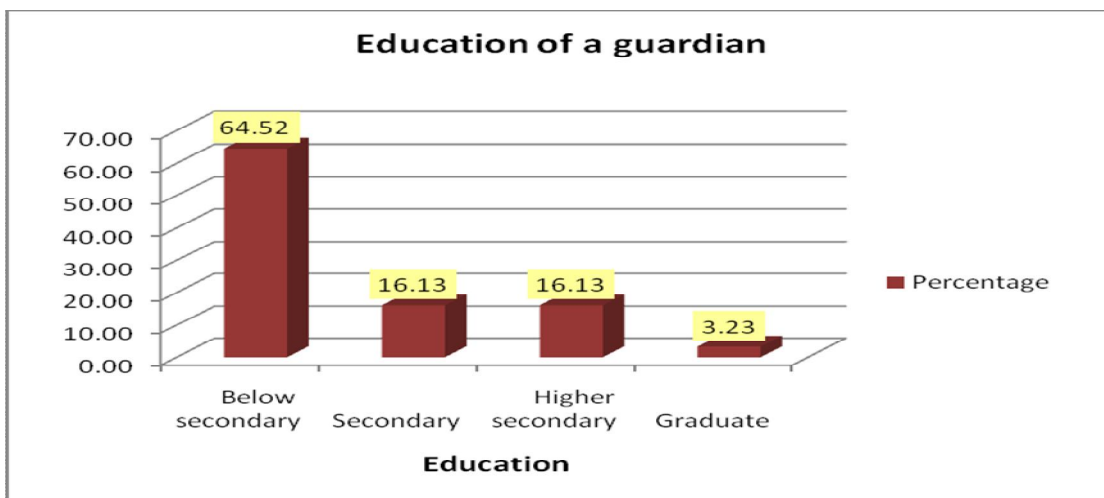


38.71% respondents had the habit of smoking as well as chewing gutka, 6.45% respondents had the habit to take narcotics and 16.13% respondents had the habit of indulge in gambling. The analysis shows that child laborers have fallen as victim to bad habits. These habits affect the health and development of children which are socially disapproved. Further, numbers of children are engaged in gambling which is dangerous to the nation itself.

4.2- II. Analysis of Data of Guardian

33. TABLE: Education of a guardian

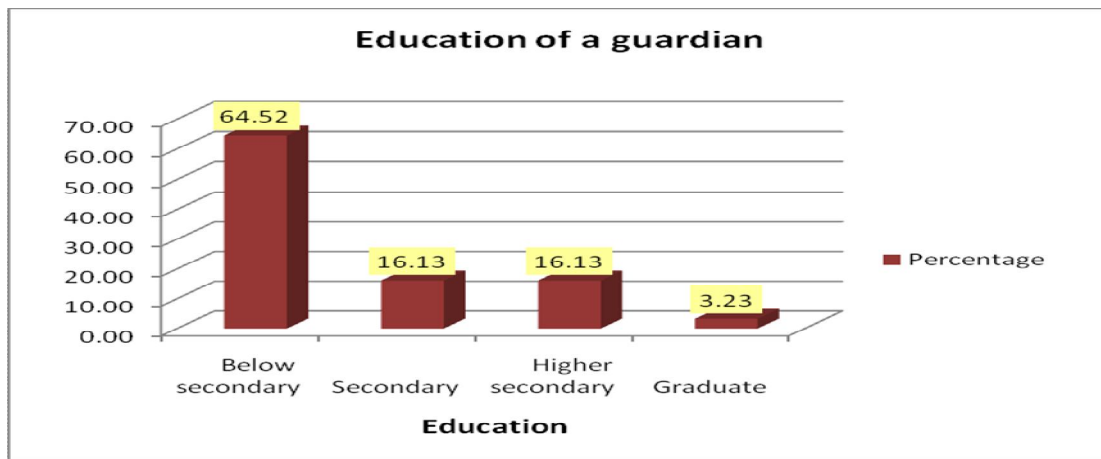
Education	No. of Respondents	Percentage
Below secondary	20	64.52
Secondary	5	16.13
Higher secondary	5	16.13
Graduate	1	3.23
Total	31	100.00



64.52% respondents say that guardians are below secondary level of qualification. 16.13% respondents say that guardians have secondary level qualification as well as higher secondary level of qualification where 3.23% respondents say guardians are graduated.

34. TABLE: Religion of the Guardian

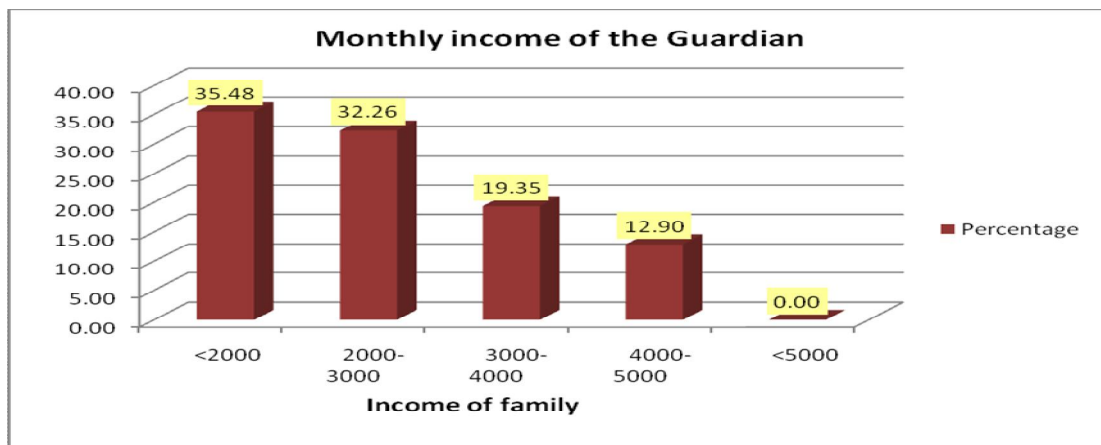
Religion	No. of Respondents	Percentage
Muslim	9	29.03
Hindu	14	45.16
Christian	0	0.00
Buddhist	8	25.81
Brahmin	0	0.00
Total	31	100.00



29.03% respondents said that guardian belongs to Muslim religion and 45.16% respondents say guardian is Hindu. Brahmin and Christian community guardians are none whereas 25.81% respondents found guardians are from Buddhist community. The analysis shows that majority employer respondents are belongs to Hindu and Muslim.

35. TABLE : Monthly income of the Guardian

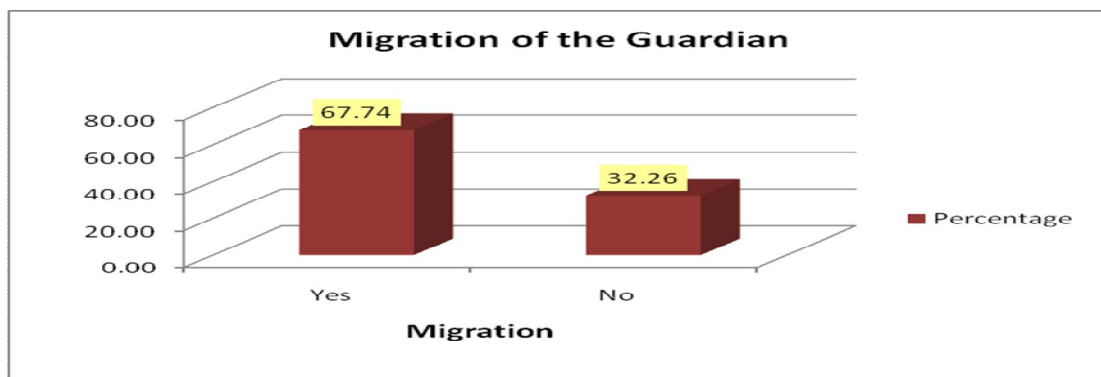
Income of family	No. of Respondents	Percentage
<2000	11	35.48
2000-3000	10	32.26
3000-4000	6	19.35
4000-5000	4	12.90
>5000	0	0.00
Total	31	100.00



35.48% respondents are having their monthly income less than Rs. 2000/-, 32.26 % of respondents say guardian's income are in the range of Rs. 2000 to 3000 per month. 19.35% of respondents say guardian's income is in the range of Rs. 3000 to 4000 per month. 12.90 % of respondents says guardian's income are in the range of Rs. 4000 to 5000 per month. Conclude to above, guardians are having their per month income range between Rs. 2000 to 5000/- but not more than Rs.5000/-.

36. TABLE : Migration of the Guardian

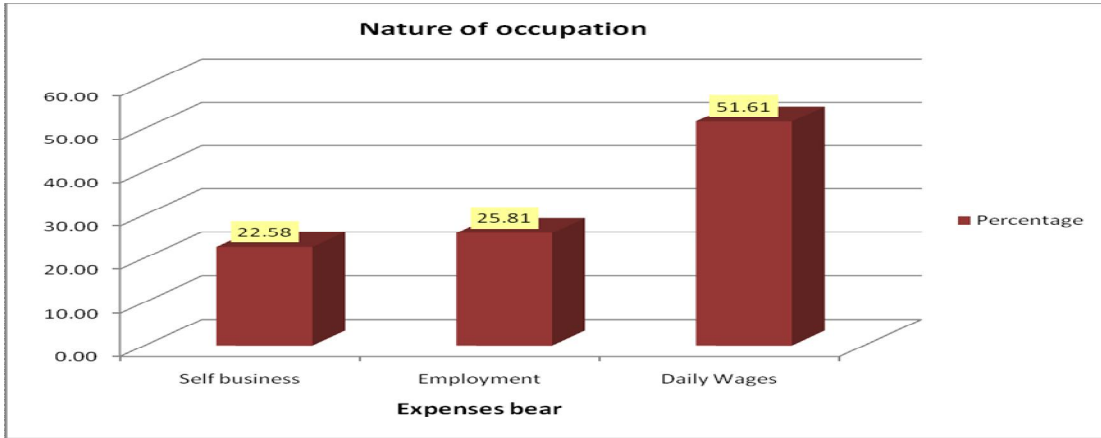
Migration	No. of Respondents	Percentage
Yes	21	67.74
No	10	32.26
Total	31	100.00



67.74% respondents said that guardians do migration whereas 32.26% respondents conveyed they are local. Thus the majority of respondents are migrated.

37. TABLE: Nature of occupation

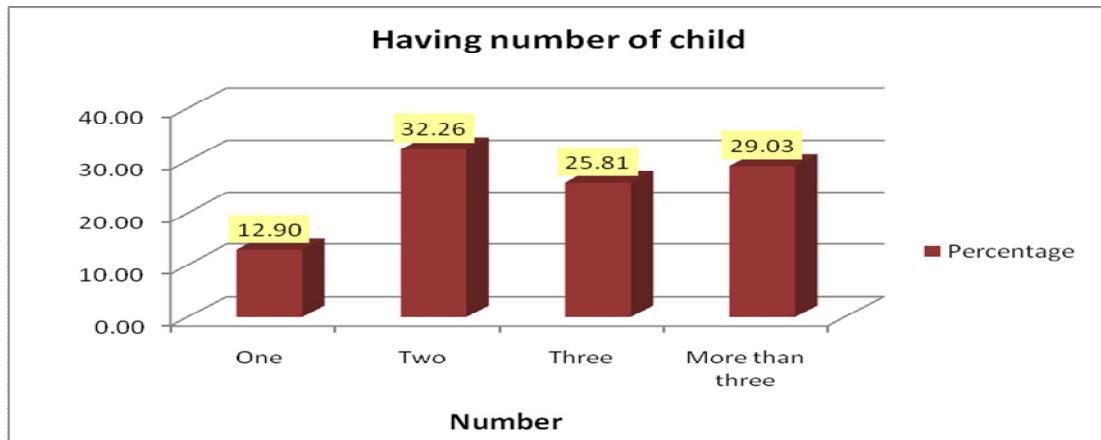
Expenses bear by	No. of Respondents	Percentage
Self business	7	22.58
Employment	8	25.81
Daily Wages	16	51.61
Total	31	100.00



22.58% respondents said that their guardians having self business whereas 25.81% respondents say that guardians are under employment. 51.61% of respondents says that guardians working on daily wages basis.

38. TABLE: Having number of child

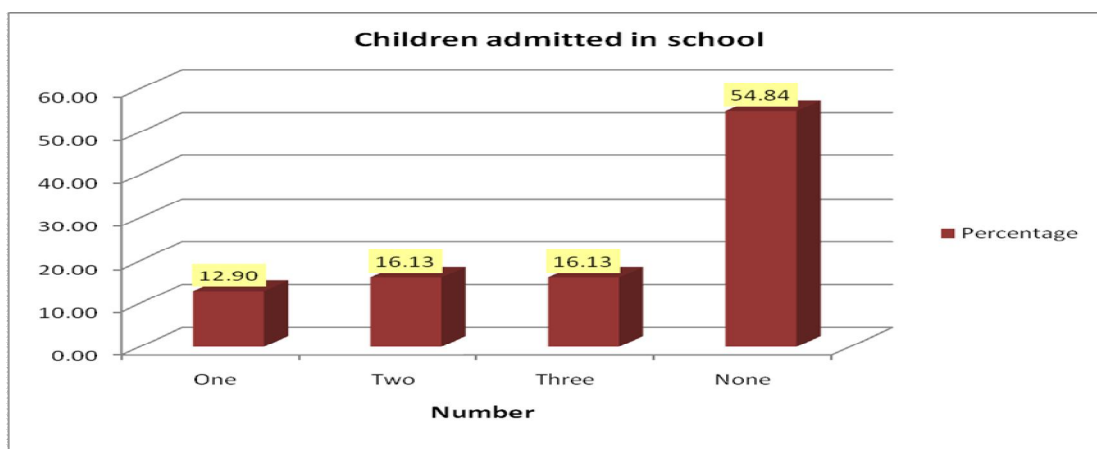
Number	No. of Respondents	Percentage
One	4	12.90
Two	10	32.26
Three	8	25.81
More than three	9	29.03
Total	31	100.00



12.90% respondents say that guardians have one child where 32.26% respondents say guardians have two children. 25.81% respondents say guardians have three children whereas 29.03% respondents say guardians have more than three children.

39. TABLE: Children admitted in school

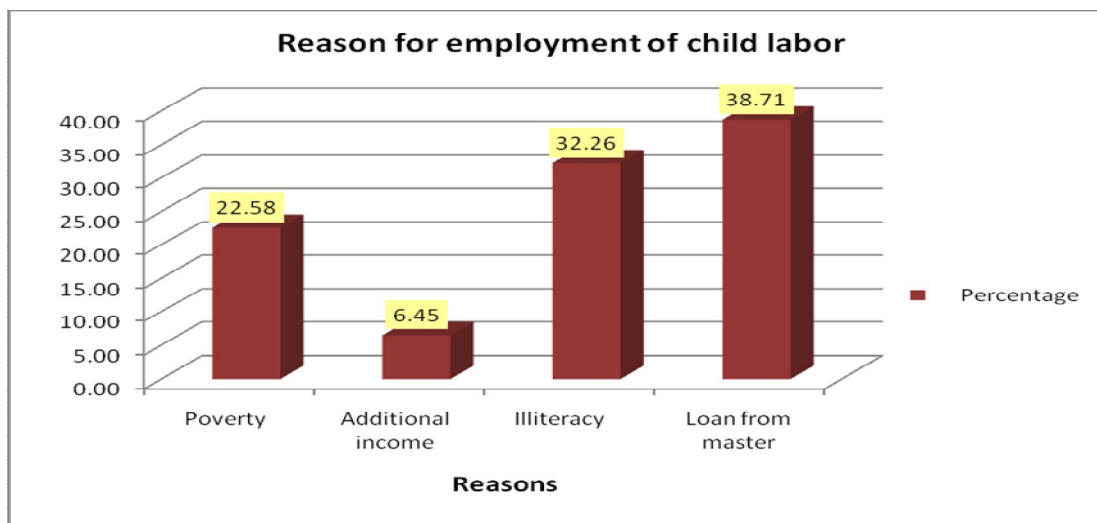
Number	No. of Respondents	Percentage
One	4	12.90
Two	5	16.13
Three	5	16.13
None	17	54.84
Total	31	100.00



12.90% respondents say that guardians admitted their first child in school, where 16.13% respondents say guardians admitted their two children in school, 16.13% respondents say guardians admitted their three children in school whereas there are 54.84% respondents who say guardians haven't admitted their children in schools.

39: Reason for employment of child labor

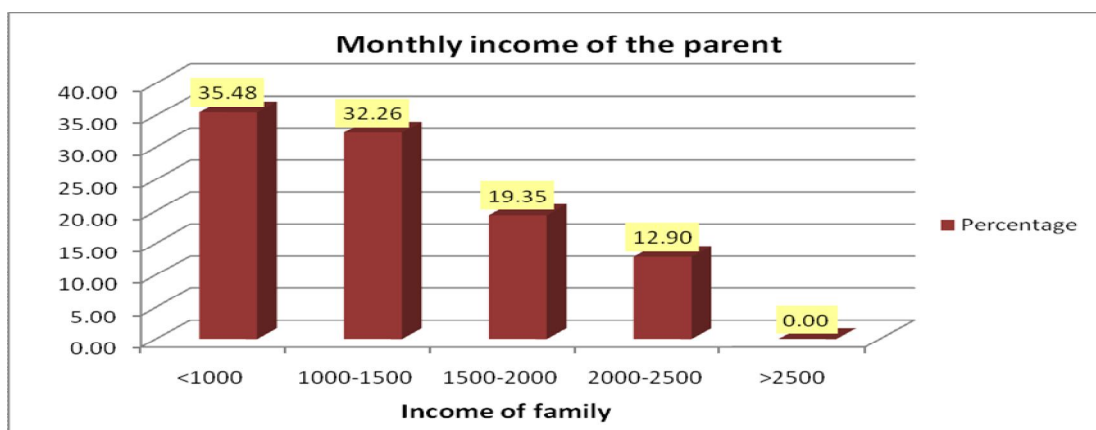
Reasons	No. of Respondents	Percentage
Poverty	7	22.58
Additional income	2	6.45
Illiteracy	10	32.26
Loan from master	12	38.71
Total	31	100.00



22.58% respondents say that poverty is the cause of child labour, 6.45% respondents say that additional income requirement is the cause of child labour, 32.26% respondents noted that illiteracy is the cause of child labour whereas 38.71% respondents say loan from masters are the cause of child labour. Overall analysis shows that child labour having basic roots of illiteracy and loans due to which majority of children's works and supports.

40. TABLE : Monthly income of the parent

Income of family	No. of Respondents	Percentage
<1000	11	35.48
1000-1500	10	32.26
1500-2000	6	19.35
2000-2500	4	12.90
>2500	0	0.00
Total	31	100.00



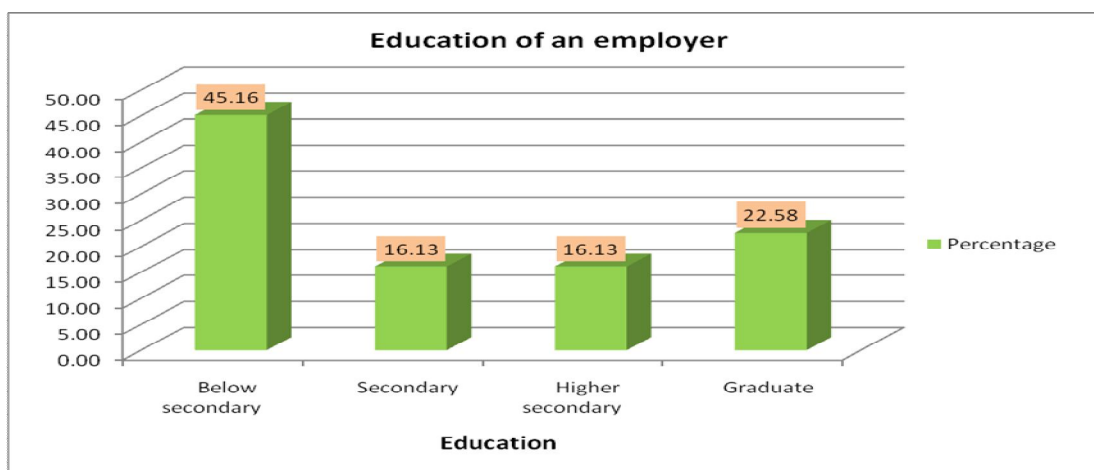
35.48% respondents says their parents have monthly income of parents are less than Rs.1000/-. 32.26% respondents say their parents' income is in the range of Rs.1000-

1500/-Per month. 19.35% respondents say that their parents having income in the range of Rs. 1500-2000 Per month. 12.90% respondents say that their Parents having monthly income in the range of Rs. 2000-2500/- whereas parents doesn't having income greater than Rs. 2500/- Per month.

4.3- II. Analysis of Data of Employer

41. TABLE: Education of an employer

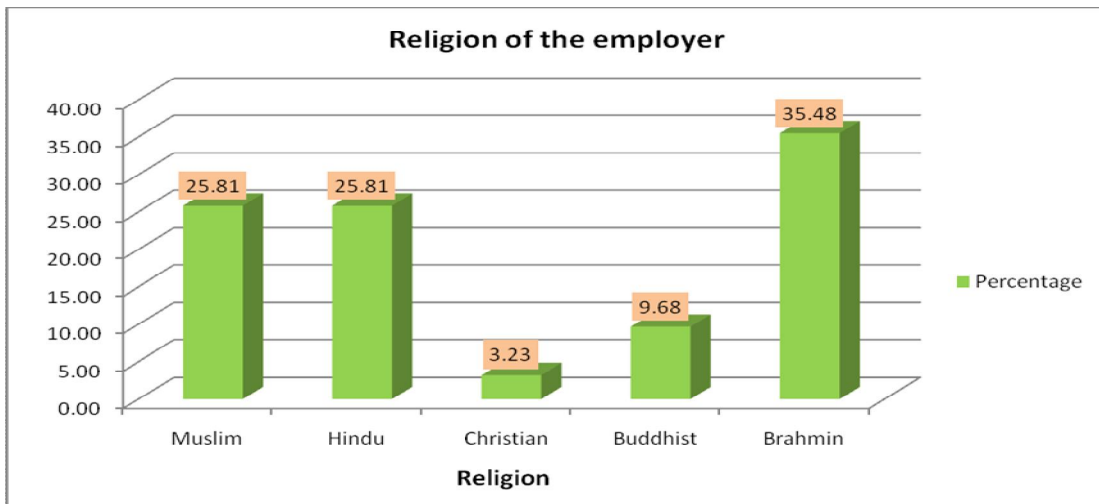
Education	No. of Respondents	Percentage
Below Secondary	14	45.16
Secondary	5	16.13
Higher Secondary	5	16.13
Graduate	7	22.58
Total	31	100.00



45.16% respondents says employer had a qualifications under secondary school, 16.13% respondents say that employer had qualifications up to secondary school. 16.13% respondents say that employer have qualifications up to Higher secondary whereas 22.58% of respondents noted that employer having qualifications up to or as a graduate. The analysis shows that majority employer respondents are in the range of Secondary to Graduate and not more than that.

42. TABLE: Religion of the employer

Religion	No. of Respondents	Percentage
Muslim	8	25.81
Hindu	8	25.81
Christian	1	3.23
Buddhist	3	9.68
Brahmin	11	35.48
Total	31	100.00



25.81% respondents say that employer belongs to Muslim religion as well as Hindu. 3.23% respondents say that employer belongs from Christian whereas 9.68% respondents say employer is from Buddhist community. 35.48% respondents says that employer are from Brahmin community. The analysis shows that majority employer respondents are from Brahmin.

43. TABLE: Nature of the organization

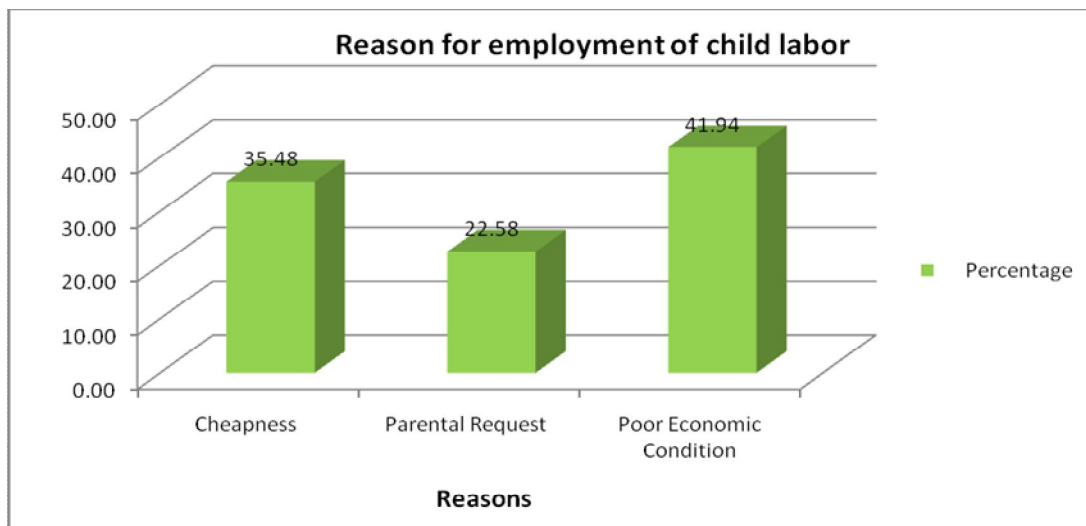
Organization	No. of Respondents	Percentage
Mill	6	19.35
Workshop	10	32.26
Shop	6	19.35
Household owner	9	29.03
Total	31	100.00



19.35% respondent's organizations are Mill whereas 32.26% respondents' organizations are Workshop. 19.35% undertakings are shops, 29.03% respondents organizations are Household owners. The analysis of the table shows that the child employee's are indifferently distributed in different undertakings.

43. TABLE: Reason for employment of child labor

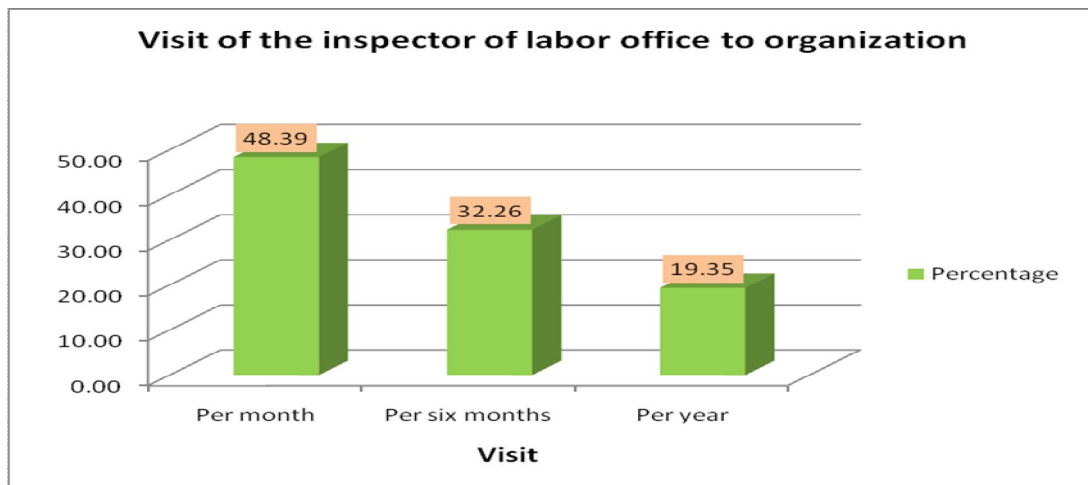
Reasons	No. of Respondents	Percentage
Cheapness	11	35.48
Parental Request	7	22.58
Poor Economic Condition	13	41.94
Total	31	100.00



35.48% respondents say that employer choose/prefer child labor as an employee because they are cheap, 22.58% respondents says that due to parental request child become labor/employee. 41.94% respondents get employed due to their poor economic conditions. From the analysis it is evident that, majority of employers employ children as an employee due to poor economic condition and poverty.

44. TABLE: Visit of the inspector of labor office to organization

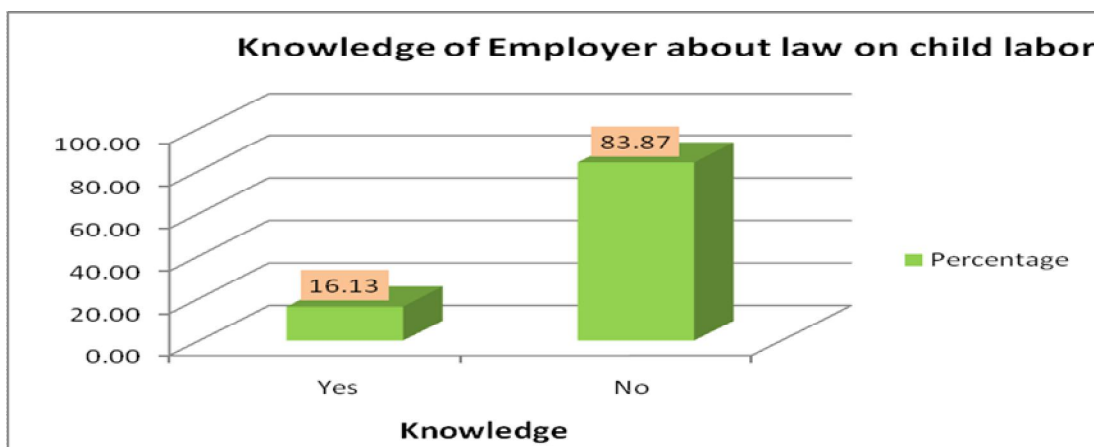
Visit	No. of Respondents	Percentage
Per month	15	48.39
Per six months	10	32.26
Per year	6	19.35
Total	31	100.00



48.39% respondents say that labor Inspector visit organizations on monthly basis whereas 32.26% respondents say Inspector do visits in every six month. 19.35% respondents said that Inspector visits per year. From the inference of above graph analysis is evident that, in most of the organization Inspector visits per year.

46. TABLE: Knowledge of Employer about law on child labor

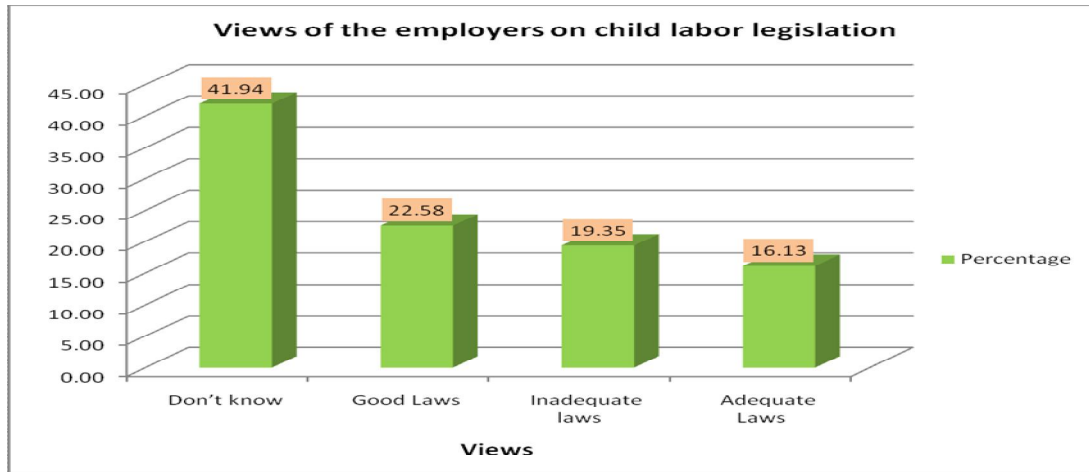
Knowledge	No. of Respondents	Percentage
Yes	5	16.13
No	26	83.87
Total	31	100.00



16.13 % respondents are aware about child labor laws, 83.87% of respondents are not aware about child labor laws. The analysis clearly shows that, more than 83% employers are ignorant about child labor legislation which equally contributes for the cause of perpetuation of child labor.

47. TABLE: Views of the employers on child labor legislation

Views	No. of Respondents	Percentage
Don't know	13	41.94
Good Laws	7	22.58
Inadequate laws	6	19.35
Adequate Laws	5	16.13
Total	31	100.00



41.94% respondents are not aware about Child labor laws, 22.58% respondent says child labour laws are good enough, 19.35% of respondents says child labor laws are inadequate. 16.13% respondents say child labor laws are adequate in nature. The analysis shows that, more than 41.94% employers aren't updated with child labor legislation which equally contributes for the cause of continuance of child labor.

4.2- III. Data of Non-Governmental Organizations (NGOs)

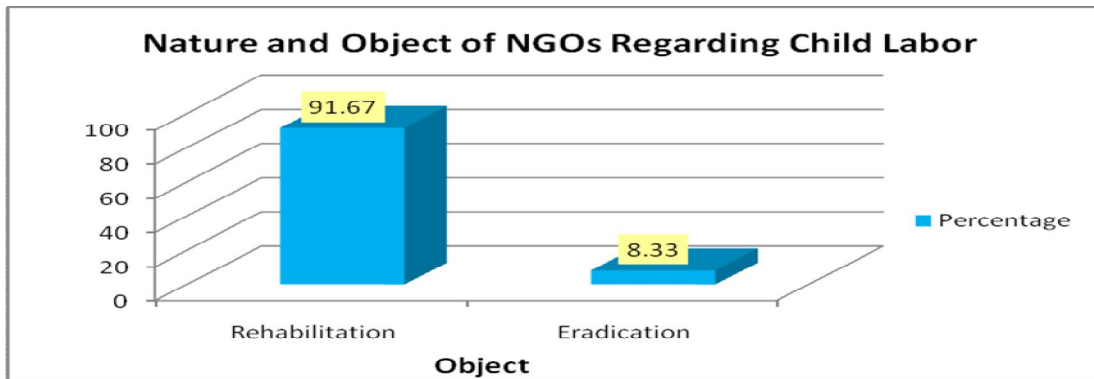
48. TABLE: Registration of NGOs

Registration	No. of Respondents	Percentage
Yes	12	100.0
No	00	-
Total	12	100.0

The above table shows that 100 % respondents (NGOs) are registered.

48. TABLE: Nature and Object of NGOs Regarding Child Labor

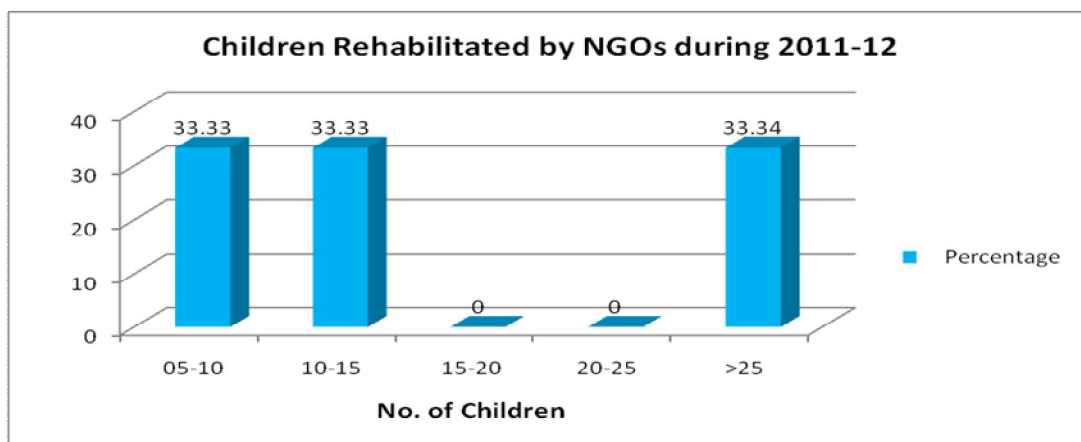
Object	No. of Respondents	Percentage
Rehabilitation	11	91.67
Eradication	01	08.33
Total	12	100.0



The table shows that 91.67% respondent's (NGO) nature and object is for rehabilitation of child labor and 08.33 respondent's (NGO) nature and object is for eradication of child labor.

50. TABLE: Children Rehabilitated by NGOs during 2011-12

No. of Children	No. of Respondents	Percentage
05-10	1	33.33
10-15	1	33.33
15-20	-	0
20-25	-	0
>25	1	33.34
Total	3	100.00



33.33% respondents rehabilitated 05-10 number of Children, 33.33 respondents rehabilitated 10-15 number of children, No respondents rehabilitated between 15-20 and 20-25 number of children but 20% respondents rehabilitated 25 and above number of

children. Table shows that during 2010-11, 40% NGOs rehabilitated the children from 20-40, and rest of NGOs 20% each rehabilitated children from 15-20 to 20-25 and 25 and above respectively.

51. TABLE: Children rehabilitated by NGOs during 2012-13

No. of Children	No. of Respondents	Percentage
05-10	-	-
10-0	1	25
61-80	2	50
81-100	-	-
>100	1	25
Total	4	100

No respondents rehabilitated from 20-40 numbers of children, 25% respondents rehabilitated 41-60 numbers of children, and 50% respondents rehabilitated 61-81 numbers of children and 25% children were rehabilitated above 100- Table shows that total 04 children were rehabilitated during 2012-13.

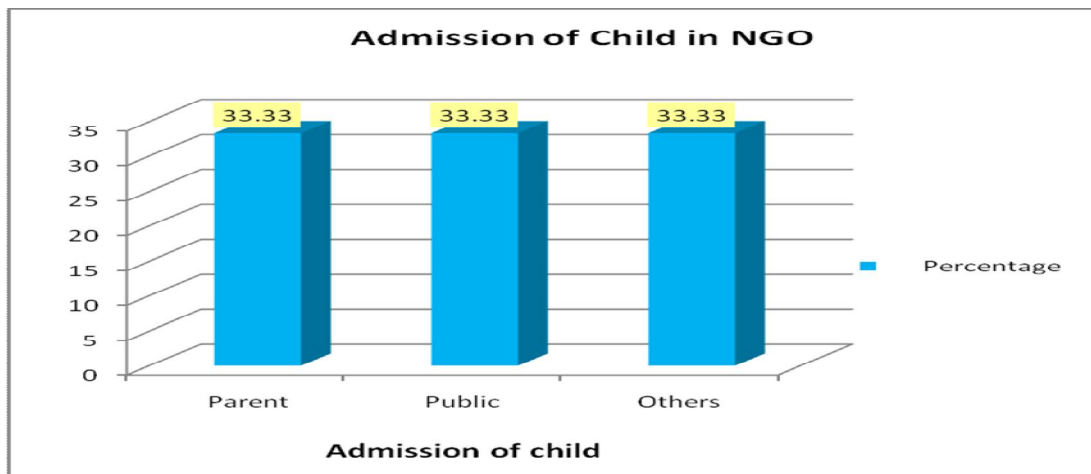
52. TABLE: Children Rehabilitated by NGOs during 2013-14

No. of Children	No. of Respondents	Percentage
20-40	2	40.00
41-60	1	20.00
61-80	1	20.00
81-100	1	20.00
>100	0	0.00
Total	5	100.00

40% respondents rehabilitated 20-40 number of children, 20% respondents rehabilitated 41-60 number of children, 20% respondents rehabilitated 81-100 number of children, 20% Respondents rehabilitated 100 and above number of children.

53. TABLE: Admission of Child in NGO.

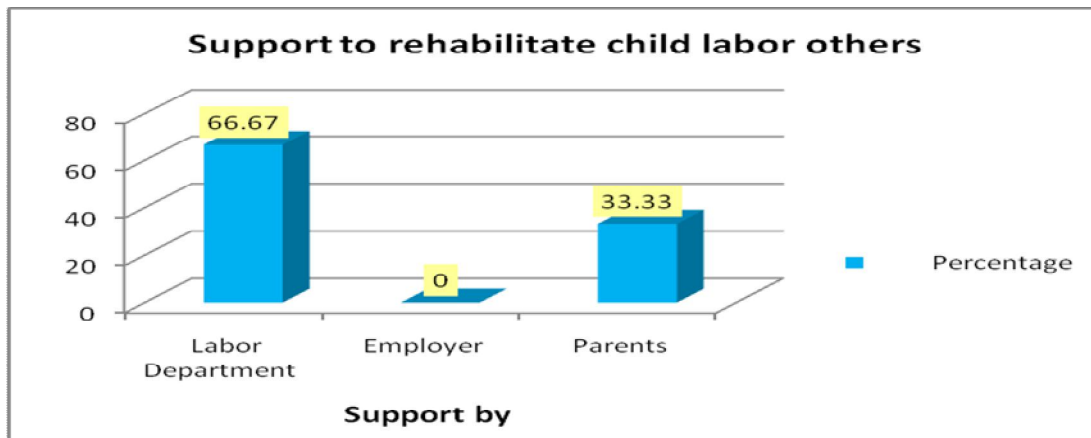
Admission of child	No. of Respondents	Percentage
Parent	1	33.33
Public	1	33.33
Others	1	33.33
Total	3	100.00



33.3% respondents said parent will admit the child in NGO, 33.33 % respondents informed public will admit the child in NGO and 33.33 % respondents said others will admit the child in NGO. The Table shows public response is very good in admitting children in NGOs than the parent and others.

54. TABLE: Support to rehabilitate child labor others

Support by	No. of Respondents	Percentage
Labor Department	2	66.67
Employer	0	0
Parents	1	33.33
Total	3	100



66.67 % respondents get the co-operation/support for rehabilitation of child labor from Labor Department, no respondents get the support from the employer and 33.3 % respondents get the support from the parents. The analysis of table indicates that Labor Department bears more supportive responsibility for rehabilitation of children than the parents.

5. SURVEY FINDINGS

5.1 Nature of Child Labor

A majority of the working children found in rural area around the city are especially engaged in agriculture and brick kilns. In urban areas, they are found in canteens or restaurants or are engaged in picking rag and hawking goods on foot-path. Some children are working in hazardous conditions. For examples sugarcane cutting, brick kiln, construction site and fabrication work in and around the city Satara.



Children engaged in garbage picking

Literature shows different categories of child labor activities in which children involved⁴⁵.

In present survey I find generally children engaged in 5 categories as below.

- 1 Domestic work;
- 2 Non-domestic
- 3 Wage labor
- 4 Marginal economic activities

⁴⁵ *Rodgers and Standing (1981)*

5 Schooling

Let us analyze these categories of child activities as bellow.

1. Domestic Work

In orthodox social system of India so called higher class societies require the assistance of child work in various domestic jobs.



Children engaged in domestic cooking

The nature of the work to be provided to the children are like cleaning utensils, washing clothes, sibling-care, fetching water, collecting firewood depending on the nature of household needs. Various child labors work at houses throughout the day. They may be engaged in one or more tasks in each household. They may clean floor in one house, chop vegetables in another and wash clothes somewhere else. They often visit these households twice a day though the requirements in some families may be limited to only once a day. Most of the activities amongst these are not considered as child labor but they are considered as child work nonetheless often they are 'actively' promoted in the name of child- rearing process. The reason stated behind it is that these tasks mostly do not come under the definition of 'economic activities' therefore are rarely reflected in the official statistics. Therefore the children performing domestic tasks are not even categorized as child labor, although they may be spending a long time on performing these tasks every day.



Children engaged in vegetable selling

These domestic works might lead to deprivation of child rights, child education especially for girls. The child's right to development and protection is generally ignored because of the assumption that exploitative relations do not exist within the family⁴⁶.

2. Petty work

The children employed in employment by an employer to do various work in



Children engaged in trivial work

an office or at working place. The works provided to children includes like cleaning tables, chairs, phones and computers etc, swiping floor, walls, gardening, transfer of files, providing water, wiping the vehicles and other instruments etc. In return of the work of children they may get wages from employer which has been agreed or discretionary.

⁴⁶ Goddard and White 1982, p. 467

Some children work under such conditions even on just limited food provided by their masters. Therefore they may be called as food earners.



Children engaged in seasonal occupation

3. Outdoor work



School children engaged in work affecting education

The several forms of child activities are in continuation in communities⁴⁷, involving farm work, grazing of cattle, collection/transfer of goods, distribution of newspapers etc. Though these activities are non-domestic, non-remunerative as well and therefore do not qualify for being part of the conventional definition of ‘labor’ or ‘work’. NSSO included these activities of children as well.

⁴⁷ *The report of ILC, 1983*

4. Self employed activities

The child labor activities like serving fast foods, selling of newspapers, sweets, fruits, garland, shining shoes and sorting rubbish and other small items. Generally these activities are presumed that irregular and short-term nature, though some of those practicing on a regular, long term basis. No doubt such activities are trivial practiced by street children as part of their livelihood needs come under this category. In most of the cases, street children are 'self employed', in the sense that children are not under one employer. Nevertheless, that does not affect the intensity of exploitation as child laborers are part of risky condition.



Migrated Children engaged in self employment



Migrated Children engaged in self employment

The children under this category also involves in theft, prostitution and smuggling activities but due to its illegal nature it may be treated as a different category altogether. Especially significant is the case of prostitution, sex workers.⁴⁸

5. Migrant Workers

Due to the globalization and industrialization the self employment or craftsmanship of the village people has been reduced and it has been resulted in unemployment of those people. The members of such families migrated from their respective native places to the cities where the industries were located. On moving to the city, they mainly reside in the unhygienic conditions of slum area.



Children engaged in furniture industry

They begin work at one or two houses depending on their individual capacities. They also send their children on available work to meet the daily errand. So in lieu of school the children joins to some labor.

6. Agency Employment

The working force may be acquired through agents. Some private person acts for their masters to supply the workers.

⁴⁸ Palriwala and Neetha (2009)



Children engaged in livelihood earnings

Agents collect the wages from employer and distribute among employees, often withholding a substantial part. The agents bring a large number of full time workers including girls from villages, other districts or out state to the employers.



Children engaged in hocking due to poverty

Some agents provide basic training and certain amount in advance prior to assign the work.

There is no legal control to check these agency activities. These child workers may be the victims of their employer of verbal, physical or sexual abuse. Sexual exploitation by recruiting agents has also been reported. They have no option to any form of assistance when they face harassment.



Migrated Children engaged in furniture industry,

It is important to point out that most agencies are commercial in nature and do not focus on the welfare of workers. The condition of domestic workers has not improved with the growth of placement agencies.⁴⁹ These studies also note that only a few workers get a weekly off; paid leave is often the result of difficult negotiations with the employers. Getting sick leave also depends on the good will of the employer. Instances of workers losing their jobs due to long leave taken at time of childbirth or ill health are often reported. Some also lose their jobs when they visit their villages. Deduction in wages for extra leave is a common practice among employers. Part-time workers are not allowed access to a toilet in the employers' homes. Many commute long distances and thus have no time to cook and carry food with them. They are often not provided with any tea or snacks and stay hungry till they get back home where they have to cope with difficult living conditions in urban slums.

There are no standard norms that decide working conditions. Wages also depend on the bargaining power of the domestic worker and workers' desperation for work. Experienced workers may be able to bargain for more while those desperate for work may be willing to work at lower rates. Other factors that influence decisions about wages include the type of tasks performed and the neighborhood. Rates vary according to the task (for example, cooking attracts more wages than cleaning) and the socio-economic

⁴⁹ Neetha, 2009.

profile of employers. These factors are not cast-in-stone as workers are made to perform extra work with no additional compensation, especially during festivals or when employers have guests. There is no guarantee of employment as employers can ask workers to leave with no prior notice or financial compensation.⁵⁰

Livelihood of child Labor

Most of the child laborers migrated from villages to the cities have no definite shelter so they may reside across the road, surround the city or under the bridge. They also live in different types of slum settlement and work in the informal sector. The house types are generally pergola s made by raw waste material. At such places there are no facilities like sanitation, drainage, pure water, light, good roads. No domestic workers conditions, rights and responsibilities of them to even earn sustainable livelihood. In this context, it has been well documented that the process of relocation has led to problems of sustained access to livelihood, education, basic services and healthcare where women suffer the lot. In this area, women spend a large part of their time accessing essential services such as water and toilets. This has been having no access to any form of childcare services. Besides this their children too alone go to take care of others children.

Making even a hut in the resettlement area is not within the capacity of family's income. So they prefer to reside along the roadside, living on the margins of the city implies that work will mostly be in areas that are far. Such transformation becomes a major issue both in terms of cost and time⁵¹.

Deplorable figures of child labor discovered in brick kilns at Satara

In Satara and Karad region near about the 100 brick kilns are running. Out of which 15 are located around the city Satara and remaining situated at Karad region. Most of the brick kilns are unregistered with the district administration. It means they have any legal control on their functioning. Hundreds of children belonging to families of migrant laborers at the brick kilns were involved in the work along with the elders. Most of these laborers come to Satara during the work season region especially from Beed, Osmanabad and Gulbarga of Maharashtra and Karanataka.

⁵⁰, Menon 2011

⁵¹ Menon-Sen and Bhan 2008

Dr. Shailendra Pol⁵² said, several brick kilns were functioning on agricultural land and also causing air pollution. There is no arrangement for registration of laborers hired by contractors nor is there any provision of social security for thousands of workers. There are no rules governing inter-state migration of the work force. He has held a meeting with prays centre for Labor Research and Action and other nongovernment organizations working for children in distress and later met Sarara district collector and other officers of departments such as Labor, police, women and child development, health, home and education to discuss the action plan for eradication of child labor. He prepared a draft of child labor.

Preliminary estimate reveal that nearly 50 children are working as laborers in the brick kiln industry in Satara. Dr. Pol has asked the district administration to submit a report on the issue to NCPCR within 14 days and instructed the labor department to take urgent action and conduct raids to rescue child laborers. In his meeting with the officers, Assistant district labour commissioner suggested construction of a hospital for migrants, cluster schools under Sarva Shiksha Abhiyan and hostels for children of pastoral communities to ensure rehabilitation of rescued child laborers.

Dr. Raidurgam Narayanan⁵³ suggested that the Labor Department must carry out a fresh mapping of child labor and take stringent action to stop violation of laws, he said. Besides, action should be taken to strengthen primary health centers, Anganwadi centers, Child Welfare Committees and Integrated Child Development Scheme, while the closed schools under the National Child Labor Project must be reopened, he said. Children should also be provided with vaccination and pulse polio drug facilities. He noted that a child labor survey launched by the State, during which 50 inspections were carried out in a year, had found only 30 to 35 child laborers. He said “This was eyewash. The survey only revealed the negligence of government authorities towards their responsibility.”

5.2 Causes of Child Labor in the Satara

In India 80% people are economically, socially and politically backward, they always faces financial crisis.⁵⁴ To meet their livelihood all the members in the family

⁵² Assistant Labour Commissioner, Satara

⁵³ Chairperson in National Seminar on Child Labor in India

⁵⁴ Arjun Sengupta's Report, 2010

have to contribute their efforts. That is the factor of the poverty leads to engage the children in different work. The children less than 14 years old have assists to family benefit in a variety of ways.⁵⁵ The report also notes that in rural and broken parts of developing and undeveloped parts of the world, children have no alternative. Child labor is the unwilling result. UNICEF finds girls are two times more likely to be out of school and working in a domestic role than boys.

International Labor Organization (ILO) suggests poverty is the greatest single force driving children into the workplace.⁵⁶ Income from a child's work is felt to be crucial for his/her own survival or for that of the household. For some families, income from their children's labor is between 25 to 40% of the household income.

Among the most important factors pushing children to harmful labor is the lack of availability and quality of schooling.⁵⁷ In India too particularly in rural areas no availability of adequate school facilities. Even when schools are sometimes available, they are too far away, difficult to reach, unaffordable or the quality of education is so poor that parents wonder if going to school is really worth it. In government-run primary schools, even when children show up, government-paid teachers do not show up 25% of the time. The 2008 ILO study suggests that illiteracy resulting from a child going to work, rather than a quality primary and secondary school, limits the child's ability to get a basic educational grounding which would in normal situations enable them to acquire skills and to improve their prospects for a decent adult working life.⁵⁸

According to the UNICEF 90% of child labor in India is in its rural areas, the availability and quality of schools is weak; in rural areas the primary schools which do not have a building, 40% lack a blackboard, few have books and 97% of funds for these publicly funded school have been budgeted by the government as salaries for the teacher and administrators.⁵⁹ Article reports while the enrollment in India's school has dramatically increased in recent years to over 96% of all children in the 6-14 year age group, the infrastructure in schools, aimed in part to reduce child labor, remains poor -

⁵⁵ UNICEF REPORT

⁵⁶ "Child Labor - ILO", United Nations. 2011

⁵⁷ The ILO report

⁵⁸ *ibid*

⁵⁹ *Child Labor and Education - Digest 28 UNICEF. 1990*

over 81,000 schools do not have a blackboard and about 42,000 government schools operate without a building with make shift arrangements during monsoons and inclement weather.⁶⁰

They focus their study on five Asian nations including India, Pakistan, Indonesia, Thailand and Philippines.

The inference of earlier literature indicates that, the economic condition of the parents is the prime factor which leads to problem of child labor. The worst economic situation is also due to several other reasons. Apart from these economic reasons there are a number of cultural and social reasons responsible for this malady. A few of them are as follows.⁶¹

Extreme poverty

Poverty is the main cause of child labor. Near about 80% of the people in India are below poverty living below poverty line. They have no their own means for their livelihood. The survey report shows that, the parents of the child labors including all members were striving for their just livelihood.

So it was compulsory to involve by all members of the family in certain work to meet their livelihood.

Unemployment or under employment of the Parents of the Child

Recently due to the advanced technologies adopted by the industrialist reduces the manual working force. The unemployment is the serious problem in entire India. Thereby it is difficult to meet their livelihood. Therefore it necessitates to assists by all the members of the family to increase the income. That is the result of child labor. Thus this is the result of unemployment which leads to low income that leads to child labor.

Illiteracy of Parent

It is the common problem of widespread illiteracy in developing countries including India. It is difficult for illiterate parents to fully understand the welfare and wellbeing of their children through education. They always prefer to send their children

⁶⁰ *Wall Street Journal*, 2012

⁶¹ *Dijo Child Labor Wednesday, September 15, 2010*

on work rather than to school. It is due to their economic crisis. They often choose the one with the more immediate benefits. Also, a child's willingness to learn is influenced by the attitudes of those around him. In the absence of an environment that encourages him to study, the child loses interest.

Helplessness to avoid family work

In India social structures have acquired a rigidity that makes it very difficult for an individual to break free of the strictures that direct him from the time he is born. People expect their progeny to follow in their footsteps. They are trained from their childhood in the profession that the family has been following since ages.

Children are forbidden from exploring other avenues, as the children start working with their parents at a very young age as of laborers, craftsmen etc. They are thus unable to avail of a formal education.

Lack of effective Education Policy

Though governments of India enacted the free and compulsory education Act it has no true and genuine object behind it. The logistics of implementation are often daunting in a country with a population as large as India's. Compulsory primary education does not guarantee the elimination of child labor as it does not guarantee the true education and employment. Actually large number of child laborers goes to school and work in the hours after the school timing.

Ineffective Labor Legislations

The legislative authority of our country has passed many laws which would help in the abolishment of child labor but these laws have largely remained only on paper. Some of these legislations are Employment of Children Act in 1938, The Juvenile Justice Act of 1981, The Shop and Establishment Act of 1996, The Child Labor Prohibition Act, 1986, The Free and Compulsory Education Act, 2009. Due to large scale corruption and general apathy of the law enforcement agencies, these laws are very rarely as well as adversely implemented.

Spurious School curriculum

In India the school curriculum prepared by the educational authority is especially emphasizes on the Hindu religion, its culture, dominant political parties and their leaders,

the God and Goddess, festivals and blind faiths etc. Amongst which no event is relevant to earn their food, natural and basic needs. The curriculum of schools is not designed to create the employment to the student after the completion of their education. Moreover a heavy emphasis on rote learning, children are bored very soon and the opportunity to go out and work somewhere seems to be more appealing. Nevertheless very little technical training is imparted in schools. Even after devoting many years of their lives to schooling, the child is not equipped with any technical skills that will fetch him a decent wage in the market. Without some immediate benefits accruing to the children from their education, the objective of the education remains fruitless.

Advance Loan

There are many cases of child labor where a child has to work against the repayment of a loan which was taken by his father who was unable to pay it back. Bonded child labor normally happens at brick kiln, sugar cane cutters etc. They send their children to their masters. Such children work like slaves in order to pay the loan taken by their parent.

No child labor Unions

Most of the adult workers have a platform of trade union to express their grievances and through the might of collective action, fight against injustice. But child laborers are incapable of organizing themselves into such unions. However, almost all trade unions are the puppets in the hands of political parties who use them only for vote bank in election. This entire situation forces them to work at the lowest of wages, in the worst possible conditions.

Orphans

Due to the serious unemployment problem, inadequate wages, drought in agriculture recently resulting in suicides of parent or any mishaps of parent, children may become orphan. Also children born out of wedlock, children with no parents and relatives often do not find anyone to support them. Automatically they are forced to work for their own living. Employers might take disadvantage of their helpless situation.



Orphan children

5.3 Consequences of Child Labor

The involvement of child in labor activities can impact adversely on his/her well being and welfare. This chapter explores the impact of child labor on education, health and activities for fun that is the overall development.

1. On Education

Tables 05 and 10 shows the distribution of children aged 5 to 14 years involvement in economic activity of child labor. About 57.69% respondents in the sample illiterate are not going to school but they were joined somewhere in work. Those who are admitted but 65.38 percent children dropped out from school are too engaged in child labor activities.

From the survey tables it shows that the children who were in both economic and non-economic child labor that were not in school, 26.93 percent were female. 53.85 percent of children in both economic and non-economic child labor were in the age group 12 to 14 years. Of the children aged 5 to 14 years who were in both economic and non-economic child labor, 38.46 percent resided in slums areas. In the 00 to 14 age group, 80.76 percent of children were out of school.

The impact of child labor on a child's right to education can also be distinguished by analyzing the hours a child works per day.

The table 05 illustrates that 19.23 percent of children who were currently attending school worked for between 3 and 4 hours per day while 57.69 percent of children not in school worked for the same number of hours. A child laborer diverts from school and remains uneducated. He would not be able to make his own earning resource. He will not be able to create his required earning source.

Accordingly he is unable to take care of his own family when he grows up. This forces him to make his children work and thus the cycle is perpetuated.

2. On Health and Hygiene

Table 27 presents the percent distribution of children in economic child labor by injury or contracted diseases in the course of work. The survey results show that 73.08 percent of children in economic child labor were suffered from different diseases at their work place during the 12 months prior to the survey. By employment of child labor children may contacts with different physical and mental disease. This may lead to many psychological imbalances which are often expressed in the form of increased aggressiveness, low self esteem etc. Child laborers don't get proper and hygienic food which would not nourishes them for proper growth. Therefore growth deficiency is prevalent among working children, who tend to be shorter and lighter than other children; these deficiencies also impact on their adult life. As we are saying that, the children are the assets of the nation and if they are such a poor quality physic and brain, how they will contribute to the nation? Therefore it is the serious setback to nation's development.

3. Fun Activities

During the childhood the children should enjoy the fun activities for their healthy development. Fun activities included playing with friends, sisters or brothers, watching television and reading entertainment books. Most of the children engaged as child labor have fun playing with friends, sisters or brothers. Some indicated that they had nothing to do for fun.

4. Human Rights

The directive principles of state policy under the Indian Constitution empower the government to protect the tender age of the children. Moreover it is the implied duty of the government to take care of children. On other hand the Indian Constitution recognizes the fundamental rights as human rights to the children. Owing to child labor it envisages that it is the violation of human rights of the Child laborers. As that deprives the child of a proper childhood. He is not able to get the nurture and care that is essential for his all round development. That snatches away the childhood which is the natural gift to them. Where he would have to receive enjoy all human rights fully the natural life.

The literature reveals that children have been working under very unhealthy and hazardous conditions. Their working environments were so unsafe that fatal accidents were an everyday routine. Presently, there are about 250 million children under the age of 15 who are a part of the labor industry. Definitely we are losing mental caliber and brain potential of those child laborers from utilizing in development of the nation.

6. SUGGESTION AND CONCLUSION

6.1 Suggestion

Recommends are as follows.

- 1 A common and uniform definition of child is required. As to the certain extent law allows to child labor activities as non hazardous one but it is highly difficult to distinguish between hazardous and nonhazardous work before the court.
- 2 We find enormous problems in finding the child labors. So there should be a separate organization to investigate and to undertake the search of children engaged in hazardous bounded labor.
- 3 We needed the special body to be constituted with absolute functions of rehabilitation.
- 4 Separate and adequate fund must be raised for the purpose of rehabilitation.
- 5 There should be a separate machinery to deal and dispose these reported cases referred by above separate body.
- 6 There should be requirement of hard and stringent provisions in law against offender of child labor so that nobody would dare to do child labor activities.
- 7 Actually, in India there is a jungle of law but desert about implementation so the proper implementation of child labor laws including the free and compulsory education Act of 2009 is the priority task, so that they should develop educationally and be able to become a good citizen.
- 8 Rather than imposing irrelevant works on teachers they should compel on overall development of children only.
- 9 As poverty is the root cause of child labor, so at first stage to eradicate the child labor poverty should be eradicated. It needs to cover these children and their families under various poverty alleviation and employment assurance schemes of the Government.
- 10 The parents of the child labor too extended education regarding awareness of child education and insignificance of child labor for their welfare and wellbeing.

- 11 As the child labor Act allows the child labor in nonhazardous activities to those child laborers the provision of special schools providing formal and non-formal education so that he can be able to create his own employment.
- 12 The present survey reveals that there is a common problem of health and hygiene of child laborers. It is necessary to enlist those child laborers and provide regular health care. As a precautionary measures toward these child labors supplementary nutrition and food to be provided.

6.2 Critical Appreciation

Karl Marx was an outspoken opponent of child labor saying British industries, "could but live by sucking blood and children's blood too," and that U.S. capital was financed by the "capitalized blood of children" pace. The situation in India is not less than what the Karl Marx uttered.

1. No doubt the economic problem is the main cause of the child labor but there no substantive legal policy is made to solve this problem.
2. As to the certain extent law allows to child labor activities as non hazardous one but there is no any distinction between hazardous and nonhazardous work. As difficult to identify before the court and employer may take disadvantage to escape from liability.
3. The Indian parliament has enacted the Act in 1986 for Prohibition and Regulation of child labor but it does not prohibit absolutely also it permits child labor in certain work.⁶²
4. The law embodies enormous provisions and policies imposing duties on concern but there is no provision against violator.
5. Parliament has made various provisions for prohibition of child labor lacking equally strengthened implementing machinery.
6. Lack of education to get aware about the laws, legal machinery and procedure by employer, parent and members of society.

⁶² *PIL on child labour, The Tribune, India. By Social activist Hemant Goswami, 12 January 2012*

7. Even though the government is guardian of all the members of the Indian society but there is not a single provision making accountable to the government.
8. Generally, working children avoid the school due to several affecting factors via, schools are not available or are of poor quality; where the direct and indirect costs of schooling are high; where the teachers are engaged in other irrelevant activities rather than to emphasis on overall development of children; where there is no any check on teachers that to what extent that the students have developed; where the curriculum prepared for the school children having no utility base; so parents consider that to have a child work is more important than for the child to go to school; and where there are number of social and cultural factors discourage education.

6.3 Conclusion

From the above analysis it is evident that, the most of the child laborers belong to school dropouts and they are forced to child labor by their parents. The parent pushes them unwillingly to mitigate the family livelihood. They are helpless due to their own unemployment, landlessness, drought, extreme poverty. Generally all these problems are found in low caste people. Therefore the child labourers are only from these lower castes family. Moreover the other reasons which contribute child labours are orphan children, bonded child labours, useless education system. The employers do not treat the child laborers properly and it has also been found that, the enforcement agencies and NGOs in their field are not showing a commendable work in rescuing and rehabilitation of child labors. The lower the income of the head of the family, the more likely it is for children to engage in child labor, possibly to supplement family income.

The present survey findings and analysis shows the conditions of children very clear. It reveals that to certain extent children are suffering from their human rights. It is a problem that closely intertwined with some of the greatest challenges faced by the world such as poverty, illiteracy, unemployment etc.

One cannot dare to say that there no efforts are made by the state; no doubt efforts are made to eliminate the problem. However the result of state efforts is not satisfactory.

Regarding the state responsibility once, Dr. B. R. Ambedkar, Chairman of the Drafting Committee of the Constituent Assembly had stated, “*By independence we have lost the excuse of blaming the British for anything going wrong. If hereafter things go wrong, we will have nobody to blame except ourselves*”. Earlier we blamed the colonial government; today we blame the Indian State. Are we blaming ‘ourselves’ for all the wrongs happening in the society? Poverty compels the low income poor households to depend primarily on children’s work. Moreover to provide opportunities to students to avail education and avoid child labor requires the extreme political will. As the education is a major means of keeping children out of the labor market.

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Appendix

Questionnaire

Questionnaire No. 1 for Child Labour

Title: An Empirical Study of Socio- Legal Problem of Child Labour with Special Reference Satara and Karad City in Maharashtra

Purpose: A survey conducted in connection with a Minor Research Project Sponsored by UGC.

Name of the interviewee:.....

Date of interview:.....

Demographic Variables

1. Sex: Male Female
2. Age (in years): 05-06 06+-08 08+-10 10+-12 12+-14
3. Place of birth: Satara Outside Satara
4. Religion: Muslim Hindu Christian Buddhist Brahmin
5. Caste: SC ST NT OBC OTHER
6. Schooling
Illiterate Drop out from school
Primary Secondary

The Residence

7. About parents :
Parents are alive only father is alive Only mother is alive No one alive
8. Number of member(s) in the family Male.....Female.....
9. Parent(s) education:
Father: Illiterate literate level-----
Mother: Illiterate literate level-----
10. Parent(s) occupation
Father-----, age-----no response-----
Mother-----, age-----no response-----
11. Parent(s) monthly income (approximately)
12. Type of residence:
Rented Free by employer Other's house
On footpath On footpath
13. Physical condition of the house:
Kacha Bamboo Tin shed
Others -----
14. Whether your house provided with electricity facility or not? Yes No
15. Your living area :
Slum Road side Others -----

About Work

16. Nature of job.
Hotel Brick kiln Construction
Garage Domestic work Garbage picker
17. Working conditions
Comfortable Uncomfortable Worst
18. Daily working days
7 6 5 4
19. Working hours :

- 2-3 4-5 6.>
20. Interval during work :
 1/2 hour 1hour No interval
21. Members working in family
 1 2 3 None
22. Monthly Income
 >500 >1000 >1500 >2000
23. Mode of Payment by the Employer.
 Daily Weekly Monthly
24. Holidays
 Given Not given
25. Causal leave with pay Food and lodging
26. Do you work at night?
 Yes No
27. Do you work overtime?
28. Yes No
29. What is the reason for work?
 Compulsion by Parents Poverty Orphan
30. Care taken by employer during illness
 Yes No
31. Is your wages paid during holidays?
 Yes No
32. How is the behavior of the employer?
 Good Maltreatment Indifferent Punitive action
33. Whether your employer Punish you?
 Yes No

Food Availability to the child labour

34. How many meals do you have every day?
 One Two Three
35. Any food available at workplace?
 Breakfast Lunch Dinner None
36. Have you had any milk during last week?
 Yes No
37. What is the meal content?
 Eggs Milk Other

About Child's Health, Education and Child Labour

38. Whether vaccinated your children?
 Yes No
 Whooping cough Tetanus Diphtheria
39. Where do you get treatment?
 Private hospital Government hospital At work place
 Whether the First Aid Box is available? Yes No
40. Who bears the expenses? Himself Parent Employer
 Do you have any habit?
 Smoking Gutaka Narcotics Gambling

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## Questionnaire No.2 for Guardian of Child Laborers

**Title:** An Empirical Study of Socio- Legal Problem of Child Labour with Special Reference Satara and Karad City in Maharashtra

**Purpose:** A survey conducted in connection with a Minor Research Project Sponsored by UGC.

Name of the interviewee:.....

Date of interview:.....

### General Information

1. Sex: Male  Female
2. What is your educational?  
Below secondary  Secondary   
Higher secondary  Graduate  Others -----
3. What religion do you belong?  
Muslim  Hindu  Christian   
Buddhist  Brahmin
4. What is the monthly income?  
>2000  2000-3000  3000-4000   
4000-5000  <5000
5. Whether you are migrated or local?  
Migrated  Local
6. What is your job or occupation?  
Self business  employment  Daily wages
7. How many children do you have? 1.....2.....3
8. How many goes to school? 1.....2.....3...none
9. Why do you engage your children in child labor...?  
Poverty  Additional income  Illiteracy  Loan from master
10. How many rupees your children earn per month?  
>1000 1000-1500 1500-2000 2000-2500 <2500
11. Do you have other source of income?  
Agriculture  Govt. scheme  Self occupation  nothing
12. Whether your child engaged in bad habits?  
Yes  No
13. Do you have any knowledge about child right?  
Yes  No

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### Questionnaire No.3 for Employers of Child Laborers

**Title:** An Empirical Study of Socio- Legal Problem of Child Labour with Special Reference Satara and Karad City in Maharashtra

**Purpose:** A survey conducted in connection with a Minor Research Project Sponsored by UGC.

Name of the interviewee:.....

Date of interview:.....

- 1 Sex: Male  Female
  
- 2 What is your education?  
Below secondary  Secondary   
Higher secondary  Graduate  Others -----
  
- 3 What religion do you belong?  
Muslim  Hindu  Christian   
Buddhist  Brahmin
  
- 4 What is the nature of the organization?  
Industry  Mill  Workshop  Shop  Household
  
- 5 What are reasons behind employment of child labour in your organization?  
Cheapness  Parental Request  Poor Economic Condition
  
- 6 How many times the labour department's inspectors or law enforcing agencies visited your organisation during last year?  
Per month  per six months  per year
  
- 7 Do you have any idea about child labour legislation?  
Yes  No
  
- 8 What is your overall impression about child labour legislation?  
Don't know  Good laws   
Inadequate laws  adequate laws
  
- 9 Do you justify child labour? Yes  No
  
- 10 What do you want about child labour?  
Eradicate  Continue as is  Continue with modifications

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## The Questionnaire No.4 for NGOs

**Title:** An Empirical Study of Socio- Legal Problem of Child Labour with Special Reference Satara and Karad City in Maharashtra

**Purpose:** A survey conducted in connection with a Minor Research Project Sponsored by UGC.

Name of the interviewee.....

Date of interview.....

1. Name of the NGO.....

2. Name of the coordinator.....

3. Educational qualification.....

Whether your NGO is registered not? Yes  No

4. What is the object of NGO?

Rehabilitation  Eradication

5. How many child laborers rehabilitated by your NGO during 2011-12?

05-10  10-15  15-20  20-25  25<

6. How many child laborers rehabilitated by your NGO during 2012-13?

05-10  10-15  15-20  20-25

7. How many child laborers rehabilitated by your NGO during 2013-14?

05-10  10-15  15-20  20-25

8. Is there any interference from parents to stop child labour?

Yes  No

9. Who admits the child in the NGO?

Parent  Public  Others

10. What is the other department for supports to rehabilitate the child labour?

Labor Department  Employer  Parents

11. Do you have any government cooperation to NGO?

Yes  No

12. Do you have any social cooperation?

Yes  No

13. Any difficulties do faced?

Yes  No

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## **Executive Summary**

Childhood is a universal human experience. It inherits human right by his birth which is to be protected by a civilized society not as if a burden but future investment. The welfare of the entire community, its growth and development, depends on the health and well being of children. That is the children are the assets of the nation. So they should be cared, worried, sheltered, protected, maintained, preached and what not? Moreover every child has the right to receive the best that the society can offer. But unfortunately large population of children is deprived of their basic rights and is found suffering in different sectors of society.

There is a growing realization in every part of the world that children must be brought up in an atmosphere of love and affection and under the tender care and attention of parents. So that they may be able to attain full emotional, intellectual and spiritual stability and maturity and acquire self confidence and self respect and a balanced view of life with full appreciation and realization of the role which they have to play in the nation building process without which the nation cannot develop and attain real prosperity. In this regards the efforts have been made to minimize or eradicate the problem on national and international level. The legislative and administrative bodies made the rules and regulation for the same.

Despite those efforts the latest estimates by the International Labor Origination observed 250 million children working between the age group of 5 to 17 years, which endangers his/her physical mental and moral well being. India is the largest example of a nation plagued by the problem of child labour. Estimates cite figures between 13.6 to 14 million children working in India, the highest number in the world (Human Rights Watch 1996, 122)

So I involved over reviewing the historical background by reading the literature on child labour and I felt to see what actual scenario in city of Satara. Therefore I need to undertake a search to fulfill all those above so as to possible to try to protect their natural and human right.

First of all I have gone through the literature available on child labour at national and international stratum. I came to know that various law, enactments, legislations, agreements; covenants are available imposing ban and restrictions on government, employers as well as parents too. It is concluded that, there is no uniform definition of child labour in the existing literature.

The present study is conducted in Satara and Karad city of Maharashtra state. Hence it is limited to child labour problems within the boundaries of Satara and Karad

city. The respondents were selected randomly by applying simple random sampling method. Questioner, Interview and observation techniques have been used for collection of data. A questioner sheet was given to selected respondents i.e. persons directly related to child labour are the parents, employers, and governmental and nongovernmental organizations. The responses gathered in the form of data and analyzed.

The inferences came out from the analysis are the majority of the employers and organizers don't know their legal counterpart. They are easily ignoring the same. Accordingly they are employing the child labors at their employment. Moreover they are employing the children as they chief and peaceful labour force. It means that there is minimum application of the existing laws and legislation on child labour. It means that in satara and Karad city child labour is not eradicated. The child laboures who were found working in very worst conditions, losing their human rights.

The main reasons came out from the analysis with respect to the parent is the extreme poverty, illiteracy, unemployment of parent, lack of effective education, and victims advance of loan from the employer. Sometimes they are helpless themselves to avoid child labour due to poverty. Other reasons found that the poor school administration and their curriculum.

Due to these reasons child labour has been remaining and affecting on the education, health, fun activities including the human rights of children.

Nevertheless the majority of the child laboures observed that they belongs to the SC and ST category of Hindu religion

As poverty is the root cause of child labor, so at first stage to eradicate the child labor poverty should be eradicated. It needs to cover these children and their families under various poverty alleviation and employment assurance schemes of the Government. There should be a separate organization for investigation, rehabilitation and funding, education, health, supervisory system; disposal machinery. It also requires hard and stringent penal provisions to the defaulter.

Principal Invigilator