

Prevalence of Child Labour: Child Rights and Implications for Social Work Practice.

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ABSTRACT

“The two tests of civilization is how well it protects vulnerable and how well it safeguards its future; children are both vulnerable and its future” UNICEF.

This paper is an attempt to study the question of Child rights in connection to scenario of prevalence of child labour in India and how the social work profession in this prevailing situation of rampant and unrelent growth of child labour has the implication in protecting and ensuring all the rights of every child. More so when it comes in interface with the question of child who has lost all his/er very right of being a ‘Child’ and pushed or pulled into the intergenerational labour market of; low income, low skill formation; hampering the physical, psychological, economical, emotional, social and educational potential with which they are born.

INTRODUCTION

“Today’s child is tomorrow’s citizens”. This is a universally accepted truth. But it is also a universal fact that today’s child forms an important section of the labour force in all sectors of employment mostly in all the less developed and developing economics. Child labour is the major cause of child abuse and exploitation in many parts of the world.

The fact however today is that at least 120 million children between the ages of 5-14years are employed full time all over the world (estimate of ILO’s Bureau of Statistics).A vast majority of these are in the developing Continents of Asia, Africa and Latin America. It is also estimated that equal number of children, if not more, are part- time employed or are part of the marginal work force. India is home to the largest child population in the world, of 420 million in the 0- 18 age group

Employment of child labour cuts across the geographic, social, national, religious frontiers etc and has become an established institution of every nation in all countries. The legislative approach for ensuring the right of the child; International,

National and even the provincial; though certainly necessary is not proving to be sufficient to combat and abolish the ugliest social problem like child labour. There must have been lot of loopholes on the parts of the legislations, its implementation/execution, active participation of stakeholders and the civil society at large. The other probable reason could be due to limited coverage and moreover the National Laws tend to exclude the informal sector and agriculture where most children work. In such scenario of prevalence

Of child labour it is therefore important to ensure that the legislation is complemented by other reinforcing mechanism. Hence; the Profession of Social Work has an edge over other profession to play the vital role of bridging a gap between the legislations/ policies and its guaranteed provisions to be implemented, executed and provided to the targeted population and each given specified area.

What is a Child and why Child Rights is quite a thought provoking question; as why the children need to have their own set of Rights when they are thought to be under a cozy care of their parent or any responsible members of their family to help, support and guide, in any situation of crisis or to

grow or develop to be a productive individual of the society. Unfortunately the reality is not a bed of roses for them due to various factors like socio-economic, cultural, political, psychological etc.; they come in face to face with unexpected and inexperienced risks and crisis and then the 'Right of the Child' becomes issue of grave concerns to the child, society, country and the globalised world.

Due to rampant Industrialization, urbanization and profit oriented economy and incredible development of technology in the globalised materialistic world; the world, no longer remains safe and the most vulnerable of all are the innocent little children. Hence given below are the few reasons as what made the international bodies to single out Children's rights in as separate human rights conventions.

- Children are individuals with different socio-economic, cultural, and psychological bent of mind who are not able to judge and decide for them.
- They start life as totally dependent beings; by virtue of being young at age and inexperience to different situations.
- They are vulnerable to abuse and exploitation due to their innocence and incapable to raise their voice.
- The actions and inactions, of government affect children more strongly than any other group in society as they are only silent recipients.
- Their views are rarely heard and considered in the political process as they are perceived to be too young and incapable to indulge in decision process for their own betterment.
- Many changes in society have a disproportionate and often negative impact on children as they are too young to comprehend the consequences of any actions.
- The healthy development of children is crucial to the future wellbeing of any society. The costs to society of failing its children are huge as they are the

foundation for making the strong Nation - state.

The International forum for ensuring the Child Rights across the world is CHILD RIGHTS CONVENTION. The basic grounds of CRC are given precisely as:

- Child – a human being below 18 years of age, inclusive of a child in the womb.
- Rights-A universally agreed set of non-negotiable standards and obligations
- Convention-An international instrument of agreement.

UN CONVENTIONS on the Rights of the Child (UNCRC) was approved by the UN GENERAL ASSEMBLY on 20th. November 1989. The International agreement has been signed and ratified by 193 countries. After ratification it becomes a legal binding for countries to fulfill the commitment of ensuring all the standards lay down by the convention with an honest and dedicated spirit. The Government of India has signed and ratified UNCRC in 1992 to follow the path of standard to be developed and maintained to ensure Rights to one and all children in the country irrespective of their background. The November 20th is celebrated as International Child Rights Day to commemorate the day of approval of 'Child Rights' by the highest Global body called United Nation.

There are 54 articles in CRC describing the Rights of a Child

- Article 1, defines who is a child i.e. any person below 18 years.
- The 54 Articles are in two parts.
 - Part I covers article 1-41 describes the standard to be set for realization of Rights of the Child.

- Part II articles 42-54 describe the role of the state to ensure realization of child rights.

In May 2000 the General Assembly of the UN adopted two optional protocols to the UNCRC.

- One covers the involvement of children in armed conflicts
- The other covers the sale of children (trafficking), child prostitution and child pornography. The States are encouraged but not compelled to ratify these protocols and to enact legislation and take other measures to implement them.

THE CHILD RIGHTS CONVENTION SPEAKS OF 3 'P' which works as an anchor to all the Rights laid down in the convention. CRC also emphasizes on significance of parents and families.

- Protection (RIGHT TO PROTECTION)
- Provision (RIGHT TO CARE,ATTENTION AND UPBRINGING)
- Participation (RIGHT TO BE HEARD IN MATTERS THAT CONCERN THEM)

The UNCRC has four over-arching Rights of a Child that directly or indirectly engulfs or envelops all the Rights enunciated by the UNCRC.

- Right to Survival
- Right to Development
- Right to Protection and
- Right to Participation

BESIDES ABOVE, FOUR OVERARCHING RIGHTS, THERE ARE MANY VITAL RIGHTS ENSHRINED IN 'UNITED NATION CHILD RIGHTS CONVENTION'.

1) The Rights are 'Non-discriminatory' in nature: All rights apply to all children without exception; the state is obliged to protect children from any form of discrimination. The state must not violate any right and must take positive action to promote them all.

2) The rights are in 'Best interest of the Child': All actions concerning the child should take full account of his or her best interests. The state is to provide adequate care when parents or other responsible persons fail to do so.

3) The 'Implementation of rights' is one of the prime concerns and hence is included as one of the Rights. The State is obliged to translate the Rights in the Convention into reality.

4) The Right of every parent to provide 'Parental guidance to their children acknowledging the fact that the child is evolving capacities'. The State has a duty to respect the rights and responsibilities of parents or the extended family to provide appropriate direction and guidance to children in the exercise of their rights.

5) The Right of every child to 'Survival and Development' as an inherent right to life, and the state must ensure the maximum survival and development of the child.

6) Every child has the right to have a 'Name and Nationality' to be granted from birth.

7) The Right of a child in 'Preservation of the Identity': The State is obliged to protect and if necessary, re-establish the basics of a child's identity (name, nationality and family ties).

8) The Child Rights in case of Separation from parents: Children have a right to live with their parents unless this is incompatible with their best interests; to maintain contact with both parents if separated from one or both; and the right to be informed by the state of the whereabouts of their parents if such separation is the result of action by the State.

9) The Rights of 'Child's Family re-unification': Children and their parents have the right to leave any country and to enter their own in order to be reunited or to maintain the child parent relationship.

10) The Rights against 'Illicit transfer and non-return': The State is obliged to try to prevent and remedy the kidnapping or retention of children in another country by a parent or a third party.

11) The Right of expressing 'Child's opinion': The Child has the right to express an opinion and to have that opinion taken into account in any matter and procedure affecting the child.

12) The Right of 'Freedom of expression': Children have the right to obtain and make known information and to express their views, unless this would violate the Rights of others.

13) The Right to 'Freedom of thoughts, conscience and religion': The child has the right to freedom of thought, conscience and religion, subject to appropriate parental guidance and national laws.

14) The Right of 'Freedom of Association': The child has the right to meet with others and to join or set up associations, unless doing so violates the rights of others.

15) The Right of 'Protection of Privacy': Children have a right to protection from interference with their privacy, family, home and correspondence and from libel/slander.

16) The Right of 'Access to Appropriate Information': The media has a duty to disseminate information to children that is of social, moral, educational and cultural benefits to them, and which respects their cultural background. The State is to take measures to encourage the publication of material of value to children and to protect children from harmful materials.

17) The right of 'Parental responsibilities': Both parents jointly have primary responsibility for bringing up their children and the State should support them in this task

18) The right to 'Protection from abuse and neglect': The state is obliged to protect children from all forms of mental and physical violence perpetrated by parents or others responsible for their care, and to undertake preventive and treatment programmes in this regards.

19) The Right of 'Protection of children without families' :The State is obliged to provide special protection for children deprived of their family environment and to ensure that appropriate alternative family care or institutional placement is made available to them, taking into account the child's cultural background.

20) The Right of Adoption: In countries where adoption is recognized and /or allowed, it shall only be carried out in the best interests of the child, with all necessary safeguards for a given child and authorization by the competent authorities.

21) The right of a 'Refugee children' :Special protection is to be granted to children who are refugees or seeking refugee status and the state is obliged to cooperate with competent organizations providing such protection and assistance.

22) The right of a 'Disabled Children': Disabled children have the right to special care, education and training designed to help them to achieve greatest possible self-reliance and participation to lead a full and active life.

23) Right to best 'Health and health services': The child has the right to the highest level of health and access to health and medical services, with special emphasis on primary and preventive health care, public health education and the reduction of infant mortality. The state is obliged to work towards the abolition of harmful traditional practices. Emphasis is laid on the need for International cooperation to ensure this right.

24) Periodic review of placement: A child placed by the state for reasons of care, protection or treatment, has the right to have all aspects of that placement evaluated regularly.

25) Right of 'Social security': Children have the right to benefit from social security.

26) The Right of adequate 'Standard of living': Children have the right to benefit from an adequate standard of living. It is the primary responsibility of parents to provide this and the state's duty to ensure that parents are able to fulfill that responsibility. The state may provide material support in the case of need, and may seek to ensure recovery of child maintenance costs from absent parents and guardians.

27) The Right to 'Education': The child has the right to education and the state has a duty to ensure that primary education, at least, is made free and compulsory. Administration of school discipline is to reflect the child's human dignity. Emphasis is laid on the need for international cooperation to ensure this right.

28) Right to the best 'Aims of education': The state must recognize that education should be directed at developing the child's personality and talents, preparing the child for active life as an adult, fostering respect for basic human rights and

developing respect for the child's own cultural and national values and those of others.

29) Right of 'Children of minorities or indigenous people': Children of minority communities and indigenous people have the right to enjoy their own culture and to practice their own religion and language.

30) The right to Leisure, recreation and cultural activities: Children have the right to leisure, play and participate in cultural and artistic activities.

31) Child labour: The state is obliged to protect children from engaging in work that constitutes a threat to their health, education or development, to set minimum wages for employment, and to regulate conditions of employment.

32) The right against 'Drug Abuse': The child has the right to protection from the use of narcotic and psychotropic drugs and from being involved in their production or distribution.

33) The right against 'Sexual exploitation': The child has a right to protection from sexual exploitation and abuse, including prostitution and involvement in pornography.

34) The right against 'Sale, trafficking and abduction': The state is obliged to make every effort to prevent the sale, trafficking and abduction of children.

35) The right against 'Other forms of exploitation': The child has the right to protection from all other forms of exploitation not covered in article 32, 33, 34, and 35.

36) The right against Torture and deprivation of liberty: The article espouses prohibition of torture, cruel treatment or punishment, capital punishment and life imprisonment, arrest and any forms of restriction or of liberty must be used only as a last resort and for the shortest appropriate time. Children have the right to appropriate treatment, separation from detained adults, contact with their family and access to legal and other assistance.

37) The right against 'Armed conflicts': States are obliged to respect and ensure respect for humanitarian laws as it applies to children. No child under 15 years of age should take a direct part in hostilities or be recruited into the armed forces, and

all children affected by armed conflicts should benefit from protection and care.

38) The Right of 'Rehabilitative care': The state is obliged to ensure that children damaged by armed conflict, torture, neglect, mal treatment or exploitation receive appropriate treatment for their recovery and social reintegration.

39) The right of 'Administration of juvenile justice': Children alleged or recognized as having committed an offence have the right to respect for their human rights and in particular, to benefit from all aspects of the due process of law, including legal and other assistance in preparing and presenting their defense. Recourse to judicial proceedings and institutional placements should be avoided wherever possible and appropriate.

40) The Right of 'Respect for highest existing standards' to be followed in concern for children: If any standards set in national; laws or other applicable international instruments are higher than those of the Conventions, it is the higher standard that applies.

41) The 'Right to Play' is also a fundamental right of the child as enshrined in the Convention on the right of the child

THE BRIEF HISTORY OF FORMULATION OF LEGISLATIONS, POLICIES AND PROGRAMMES FOR ESTABLISHING THE CHILD RIGHT FORUM IN INDIA

The Indian Constitution has a framework within which ample provisions exist for the protection, development and welfare of children. There are a wide range of laws that guarantee children their rights and entitlements as provided in the Constitution and in the UN Convention. As part of the various Five Year Plans, numerous programmes have been launched by the Government which aimed at providing services to children in the imperative areas of health, nutrition and education. The Indian State guarantees all children their rights and entitlements under the Constitution of India

through its various provisions. The Directive Principles of State Policy in the Constitution specifically guide the State in securing all children from abuse and ensuring that children are given opportunities and facilities to ensure optimal growth and development in conditions of freedom and dignity. It is an obligation of the State to ensure that children are protected from exploitation and moral and material abandonment throughout the period of growth and development.

The Indian constitution also recognizes the right of all children 6-14 to free and compulsory education (article 21A), prohibits forced labour (article 23), prohibits the employment of children under 14 in hazardous occupation (article 24) and establishes that the policies should be in place to protect children from exploitation (article 39,e-f). The Right to Education Act, 2009, further develops article 21A of the constitution on the right to free and compulsory education, establishing the right of out of school children to be admitted to age appropriate classes. The constitution of India recognizes the vulnerable position of children and their rights to protection Article 15; the constitution guarantees special attention to children through necessary and special laws and policies that safeguard their rights.

Child rights to protection are addressed in a number of International conventions and standards on child protection. The government of India ratified the UN convention on the Rights of the child (UNCRC) in 1992. The convention prescribes standards to be adhered by all state party in securing the best interest of the child. The Integrated Child Protection Schemes are expected to significantly contribute to the realization of Governments both central /state responsibility for creating a system that will effectively and efficiently protect children. It is based on the cardinal principles of 'protection of child rights' and 'best interest of the child'.

In 1974, the Government of India adopted a 'National Policy for Children', declaring the Nation's children as 'supremely important assets'. This policy lays down recommendations for a comprehensive health programme, supplementary nutrition for mothers and children, nutrition and education for

mothers, free and compulsory education for all children up to the age of 14, non-formal preschool education, promotion of physical education and recreational activities, special consideration for the children of weaker sections of the population like the scheduled castes and the schedule tribes, prevention of exploitation of children and special facilities for children with handicaps. The policy provided for a 'National Children's Board' set up in 1974 to act as a forum to plan, review and coordinate the various services directed toward children. The 'Department of Women and Child Development' was set up in the 'Ministry of Human Resource Development' in 1985. The Department, besides ICDS, implements several other programmes, undertakes advocacy and inter-sectoral monitoring catering to the needs of women and children. In pursuance of this, the Department formulated a 'National Plan of Action for Children in 1992'.

The Government of India ratified the Convention on the Rights of the Child on 12 November 1992.

By ratifying the Convention on the Rights of the Child, the Government is obligated to review National and State legislation and bring it in line with provisions of the Convention. The Convention revalidates the rights guaranteed to children by the Constitution of India, and is, therefore, a powerful weapon to combat forces that deny these rights. The 'Ministry of Women and Child Development' has the nodal responsibility of coordinating the implementation of the Convention. Since subjects covered under the Articles of the Convention fall within the purview of various departments/ ministries of the Government, the Inter-Ministerial Committee set up in the Ministry with representatives from the concerned sections monitor the implementation of the Convention. The 'National Charter for Children' 2003; adopted on 9th February 2004, emphasized the need for State obligation, underlined the intent to secure for every child its inherent right to be a child and enjoy a healthy and happy childhood, and need to adopt a rights-based approach in protecting and promoting the rights of all children.

The State Governments have to assimilate - in letter and spirit - the articles of the Convention on the Rights of the Child into their 'State Plans of Action for Children'.

A number of schemes for the welfare and development of children have been strengthened and refined with a view to ensuring children their economic, political and social rights. The Convention has been translated into most of the regional languages for dissemination to the masses.

The mobilization and greater involvement of NGOs in programmes for the development of children and women has increased the potential to accelerate the development process in achieving the national goals for children, as outlined in the National Plan of Action. Accordingly, their involvement in dissemination of information of children's rights as well as in preparation of the Country Report was considered vital by the Government. In order to facilitate an open consultative process, a three day National Consultation Workshop was held in Delhi during December 1994 on CRC. India's first country report drawing extensively from these discussions was enriched with constructive suggestions given by the experts for full implementation of the 'Rights of the Child'. Most of the rights detailed in the Convention are guaranteed in the Constitution of India. Since 1950, these rights have been expanded through the process of judicial interpretation and review. The ratification of the Convention has made efforts more coordinated and sustained. The priority areas of action identified in each section of the country report present a long and serious agenda for government, its departments, NGOs and society in general. The Convention has added legal and moral dimensions to child's rights and the obligation to fulfill children's basic needs. The current 'National Policy for Children' 2012; affirms the State's commitment to the rights based approach, to ensure that all children grow in an environment with respect for their dignity and are free from any discrimination, violence, exploitation, exclusion and have equal opportunities for developing to their fullest potential.

In spite of the Constitutional provisions and formulation of Acts , targeted and integrated legislations, policies and programmes at National and International and even at state levels for the achievement of the 3 'P's for the children; there have been numerous critical problems that is inflicting the life of children around the world and more so in developing countries like India; due to impinging problems of improper implementation, lack or weak monitoring, rampant corruption, callous attitude, lack of awareness and non-involvement of the civil society and children themselves etc Rights can be declared; policies can be formulated, but unless the life of the child in the family and community gets improved all efforts may be meaningless. The problem of child labour is one of such complex social problems as it not only deals with a child and their rights but also a worker.

CONCEPT OF A CHILD AND CHILD LABOUR

ILO defines Child Labour as work that deprives children of their very 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 their school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work. India continues to host the largest number of child labourers in the world today.

Child labor refers to work undertaken by children below the appropriate legal minimum working age. This is based on the ILO Minimum Age Convention 1973, No.138 (ILO, 2006a) the minimum age for entry to employment or work is generally 15 (But it could be fixed at 14 by developing countries); and 18 years is the minimum for work considered hazardous to health, safety and morals. In addition, ILO classifies that not all work performed by children under the age of 18 is necessarily child labor. Child

labor is unacceptable form of children's work. It is work that exposes children to harm or exploitation (ILO, 2006b). Based on ILO (2006a) the notion of child labor in this study refers to the concept of economic activity and covers all activities undertaken by child labor below the age of 14 years, in the production of goods and services, whether

- for the market
- Paid or unpaid.
- Part time or fulltime.
- Performed on a casual or a regular basis
- In the formal or informal sector.
- The activities are legal or illegal.

The term 'Child Labour' means different things to different societies. A universally accepted definition of child labour is not available. A distinction is often made between child work and child labour.

Child Work	Child Labor
Light work(children learn to take responsibilities)	Hard & hazardous work, exploitation
Respect of Children's right to health & education	Deprivation of rights to health & education
Occasional	Constant & for long hours
Legal	Illegal

The problem of Child Labour has assumed paramount importance globally, with the setting up of the WTO and with the developed countries emphasizing on minimum labour standards for accepting the goods originating from the developing countries. The United States had taken the initiative by passing the Harkin's Bill (U.S. Congress, 1999), also known as the Child Labour Deterrence Act of 1999, banning the import of goods from developing

countries manufactured by using the Child Labour. In order to reinforce the cry against the child labour (June 12) is commemorated as the 'world day against Child Labour'.

Characteristics of child labour

Considering the wide variation in different definitions of child labour and the absence of commonly accepted definition, the following characteristics may be considered as the distinguishing marks of child labour whether it is within the family or outside the family, paid or unpaid etc

1. Employing children of tender age who have not completed the age of 14 years.
2. Exploitation of children adversely affecting their physical, mental, emotional and social development
3. Deprivation of the right of the children to health, education and the happy childhood.

Work by children in the family would be considered 'child labour' if the family labour interferes with child's education, recreation and has physical, mental or moral health.

PREVALENCE OF CHILD LABOUR IN THE WORLD AND IN INDIA

Child labour in the World

Child labour is a global phenomenon. There is no precise data on the magnitude of child labour and all the estimates fall short of the actual figure. Due to multiplicity of definition, there are different methods of computation and the collection of data at different points of time; there are variations in the data on child labour. In the context of global incidence of child labour, a recent report of the US Labour Department has pointed that more than 50% of world's estimate 100 million to 200 million child labour are in Asia, and constitutes a large part of the work force in part of Latin America and Africa.

Child labour and the worst forms of child labour, as defined by international labour organization (ILO) Conventions, damage children's health, threaten their education and lead to further

exploitation and abuse. UniCeF does not oppose work that children may perform at home, on the family farm or for a family business – as long as that work is not a danger to their health and well-being, and if it doesn't prevent them from going to school and enjoying childhood activities. In 2004, there were 218 million children engaged in child labour, excluding child domestic labour in the world. Some 126 million children aged 5–17 are believed to be engaged in hazardous work. It is estimated that children represent 40–50 per cent of all victims of forced labour or 5.7 million children are trapped in forced and bonded labour. Children working in the home of a third party or 'employer' are extremely vulnerable to exploitation and abuse. ilo estimates that more girls under age 16 are in domestic service than in any other category of work or child labour. Between 2000 and 2008 the number of child labourers worldwide fell by some 30 million. Notwithstanding this progress, at the end of that period there were still over 215 million child labourers, and over half of them were doing hazardous work (World Reports on Child Labor; Hague Global Child Labour Conference of 2010). Moreover, the overall downward trend masked rising numbers of children in economic activity in sub-Saharan Africa from 2004 to 2008 (ILO, 2010d). It conveys a clear message of hope and progress against child labour, which is possible with sound policy choices and substantial national and international commitment. In Sub Saharan African 1 in 4 children aged 5-17 work, compared to 1 in 8 in Asia Pacific and 1 in 10 in Latin America (ILO 2010 Facts on Child Labour). ILO estimates that throughout the world, around 215 million children under 18 work, many full-time. Although aggregate numbers suggest that more boys than girls are involved in child labour, many of the types of work girls are involved in are invisible. It is estimated that roughly 90 per cent of children involved in domestic labour are girls. (UNICEF 2011 State of the World's Children). Even though the prevalence of child labour has been falling in recent years everywhere apart from Sub Saharan Africa where it is actually increasing with regard to children aged 5-14 (ILO 2010 Facts on Child Labour), it continues to harm the

physical and mental development of children and adolescents and interfere with their education (UNICEF 2011 State of the World's Children and UNICEF Child Info webpage on child labour). UNICEF estimates that around 150 million children aged 5-14 in developing countries, about 16 per cent of all children in this age group, are involved in child labour (UNICEF 2011 State of the World's Children).

National Scenario

Number of children working in India has declined 60% from 12.6 million in 2001 to 4.9 million in 2010. But yet India continues to host the largest number of child labourers in the world today. In India as in many other countries obtaining accurate, detail information about children working in different sectors is a major challenge because in many cases children work are mostly in non- regulated and informal sectors like agriculture, domestic servants etc. The rapid urbanization in our country has opened new avenues for employment of children below 14 years like rickshaw pulling, shoe shining, car cleaning, cycle repairing, garage work, hotel boys, domestic servants etc. and also in many black trends like smuggling, drug trafficking, begging as well as traditional occupation like beedi work, carpentry, laundry, match, fire work, agarbattis, etc. Therefore there is absolute truth in the statement that there is no sector where child is not employed. Inter-state differences in the incidence of child labor suggest that more than 50% of child workers (6.7 million) are concentrated in the 5 states – UP, Andhra Pradesh, Rajasthan, Bihar and Madhya Pradesh. The incidence seems to be less in states like Punjab and Haryana. Uttar Pradesh has an estimated 1.7 million children working in various sectors. These children include those working in "hazardous" and non- hazardous industries, receiving low wages and are reportedly out of school. The Children are involved in number of industries in UP including metal ware, glassware, carpet industries etc. West Bengal and Rajasthan also show high numbers, although the estimated number of working children in UP is three times that of West Bengal

If laws intend to abolish child labour from the Indian soil the legislation not only has to target

the amelioration of social problems but has to follow integrated approach of attacking the breeding ground of the causes of the problem of child labour.

The causes can be broadly divided into push and pull factors which is a vicious cycle of poor or low socio-economic, cultural, political and psychological web. Following are few common causes of child labours given below:

- Existing social issues based on caste and social stratification exclusion, indebtedness of families to money lenders, ineffective functioning and poor social protection mechanism.

- Social norms that perpetuate cultural practices around children sending to work because of lack of understanding of the harmful effects of child labour and the benefits of education.

- Lack of quality of education, its relevance and retention of children enrolled into schools. This becomes especially true for girls who often do not find the support to continue beyond primary education and get drawn to labour instead.

- Child labor is preferred because they are cheaper to hire, more submissive/docile and easier to control.

- Migration of communities and families in search of employment and the demand in rich states of India for cheap laborers from poorer states create such condition for children also to be pulled into this labor market.

- Girls in particular continue to be in high demand for domestic labour; which is also hidden from public gaze and purview of law. Lack of adequate enforcement of child labor legislation, conviction, rigorous implementation and monitoring has meant that the deterrent impact of the law has not been felt. The families of the children involved in child labor need whatever little money their children earn due to underemployment and unemployment of adults in the family.

Implications for social work practice for child Rights against the Child Labor.

The prevalence of child labour and its unrelentless intergenerational growth, low income, poverty, low standard of living, lack or low skill formation, large

number of children, ignorance has been the matter of deep concern for the world particularly a developing Nation like, India. Millions of children the world over are growing up in circumstances under which they will never be able to fulfill the mental and physical potential with which they are born. It is high time to attend the needs and rights of children not as “a mere by –product of progress but an end and means of progress itself”. Child labour remains one of the most neglected human rights issues of our time. Children are not little adults-their rights are to childhood itself.

The examination of some of the important aspects of causes of the child labour which circle around the vicious circle of Push and Pull factors by innumerable multidisciplinary teams, individual researchers, Government and NGOs etc. have produced a spectrum of study regarding its possible prevention, amelioration, rehabilitation of child labourers and their families and total eradication of this inhuman practice from the face of the earth ushering towards a beautiful and secure life for the ‘little stars of our land’-The Children.

The role of Social Work Professional; in the whole process of identifying, rescue, rehabilitation ensuring the ‘Rights of the children’ through the ‘double edge technique’ by even working towards its prevention/relapse become too crucial.

The field of Social Work has largely not contributed much in the area of eradication despite having a distinction of greater community focus, intensive community based work involving individuals, institutions and public policy (cox,2006).

This unique position of social work discipline offers an opportunity and advantage of playing these crucial roles in awareness generation, sensitization and providing information on the legislation for the child Rights, against the Child Labour, consequences of Child Labour regarding the whole aspects; for the rescue, rehabilitation and its complete eradication.

A great variety of social workers are engaged in highly divergent field, nevertheless sharing some common strands of strategies that include-increasing the awareness amongst the affected and the civil society against the child labour

and its ill effects on the child in all possible aspects of his/her development and in a long run on the whole family, society and the country as a whole. The empowerment or rehabilitation of the child labour and their families and capacity building based on the principle of self-help and community based approaches has been the thrust area of the Social Work Profession in this line.

The social work professionals along similar lines perceive the necessity for communities and societies to pull together as far as possible to help the potential communities to pull out their children from these fierce labour markets where their children are toiling. In this context, the community as an institution in itself is emerging as the most powerful stakeholder in the entire mechanism of Protection of Rights of the Child. The generation of awareness on prevailing legislation against the child labour, RTE Act of 2009 and other child rights issues and helping the potential communities of child labour to link with different economic generation activities and motivate them to form the self help group become very significant. Networking and liaising with the stakeholders like schools, police, child labour enforcement office, Government and NGOs Programmes and support from political and community leaders and Media demonstrates the perspective roles that social work professional can take as the responsible Professional.

Starting from first phase of prevention, protection or rescue of child labour and their families who have been succumbing to the vicious circle of poverty, ignorance, illiteracy or low education level, large family size, low income through unskilled jobs in unorganized sectors has to be the dire concern of the professionals.

Social Work professionals owing to their proximity to the community can be crucial to the Prevention, protection and rehabilitation of child Labour. Further during these processes they can develop strategies, coordinating the activities or programmes of the government, NGOs, voluntary organization, and international aid agencies.

During the rehabilitation and reintegration into the mainstream socio-economic phase, social work professionals can act as an important interface

between the government and the potential communities with high incidences of child labour; advocating and communicating community's priorities.

In the mitigation or eradication phase, Social Work Professionals can transmit the lessons learnt from rescue, rehabilitation and reintegration to the future generations so as to cope effectively with the problem of relapse or revival. The key role of social work professionals can also be to create collaboration among the state, civil society, other stake holders and the affected people -without which it is impossible to ensure sustainability.

Professional social work as an "applied discipline or a helping profession" is vested with a wide range of functions which keeps multiplying. One of the important functions that are performed by a social work professional working with children is advocating for the proper and effective legislation policies and programmes, ensuring the proper implementations of legislations, execution of the policies, its provisions and programme for the prevention, protection and rehabilitation of children who are under the grip of pull and push factors of Child Labour.

The Profession of social work has an edge over other discipline by virtue of being human-centric that is for the people by the people and of the people emphasizing on getting the people participate by arousing discontentment among the people affected; through awareness generation and their active participation, mobilize all the available resources and link the stake holders to bring about some necessary change through formulation of new or modification or alteration of laws, policies/ programme/ provisions targeting the concerned group and people and environment around them by adapting the integrated and inclusive approach not only for the amelioration/eradication of the problem but even work towards the prevention and relapse.

The social work profession is such powerful discipline that it does not only work in connection with the affected people and the people who are concerned to address the issues to find the possible solution(stakeholders) but also the large arena of people who are unaware of the problem, if aware

are indifferent, people who are emphatic but do not know to move forward to extend their concern into service or to reach to the targeted group, the most important of all are the people who in spite of knowing the legislation against the issue still for their selfish motive waive off and deny to abide the tenets of constitution just for little or big margin of profits they are making by employing large number of children.

In spite of having piles of International and National forum to reinforce the child Rights and the available legislative approach, though certainly necessary, is not sufficient to combat child labour. Legislation can also unintentionally make the situation worse by driving child labour underground into the mushrooming unregulated sector, where detection and therefore protection are more difficult. Hence for this reason Child labour is the major cause of child abuse and exploitation in many parts of the world.

Today we are living in an era of the welfare state, which emphasizes on promoting the prosperity and well being of the people especially the disadvantaged and downtrodden. The growing use of social legislation as an instrument of social change is one of the characteristics of modern society. In this context, professional social workers have a great role to play in the effective and vigilant formulation and implementation of legislation related to child abuse.

Professional social work, by virtue of its philosophy, principles, sanction, methods and techniques is welfare oriented, community based and human-relations centered. Social legislations call for planned collective action, otherwise called social action, which is the proficiency of the Profession like social Work, to play a vital role. The skills of Professional social workers, when proportionately mixed with the knowledge of social legislation give rise to socially relevant and useful programmes in the community. The social worker with his knowledge of various social legislations, which have been enacted to promote the rights of the children, can help in raising the consciousness/awareness of the various laws and in strengthening the efforts of the Government in the promoting legal protection to

children. Legal awareness is one of the neglected areas. Without legal awareness, there cannot be effective social legislation.

Professional social worker along with the government and non-governmental organizations can organize legal awareness programmes for promoting welfare of children. This can be impacted by 1.charts, posters, flash cards and slides 2.handouts, folders, booklets, 3.lectures and talks. 4. Articles in newspapers and periodicals, 5. Books 6.skits and plays. 7. Short films. 8. Social legislations exhibition and social legislation weeks. Wherever there are instances of child abuse the social work professional intervenes and helps them to seek protection through enforcement of the law for which it is meant.

Although there are many legal provisions to protect and safeguard the interests of the children, we still come across children being victims of exploitation, oppression, and injustice. On paper we find specially stern punishments are prescribed for abusing children. Children continue to be abused in many forms even today. At this juncture, social work professionals have a great role in dealing with children who are victims of abuse.. Here the social work professional plays a vital role as a team member along with social activists, the advocates, judiciary, government, non-governmental organizations and even the Media in fighting against abuse of children so as to ensure protection and promotion of child rights.

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