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CHILD LABOUR IN DEVELOPED AND DEVELOPING COUNTRIES: AN ANALYSIS

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ABSTRACT

The children are the asset and the future of the nations. Therefore, it is the duty of all nations to ensure that every child gets suitable nutrition to develop. But the nations have miserably failed to arrange even the basic necessities of life. The Children are subjected to work at a early age when they require the utmost love, affection, care and proper education. They become the direct victims of the existing exploitative set up of the society. The children are being forced to do labour to support themselves instead of going to school to get education. On national and international level many efforts have been made to abolish child labour but failed to achieve the desired goal. In developed countries the child labour is mitigated to some extent while in developing countries, the position of child labour is worst.

KEYWORDS: Child Labour , abolish child labour ,humanity.



INTRODUCTION :

The children are the greatest gift of "GOD" to the humanity. They are the messengers of our ideologies, thoughts, knowledge and cultural heritage. Hidden in their innocence is the greatest potential of Scientists, Philosophers, Rulers, Administrators, Engineers, Doctors, Statesmen or the best citizen ready to serve the nation and even to dedicate their lives if need so arises. Laid in them is the foundation of the Nation and therefore, the future and stability of a society depends on the quality of its Children. The strength, prosperity, culture and dignity of a nation depend, to a great extent, upon how its Children are brought up and trained.

The Child Labour is not a recent phenomenon and that too not confined to a particular State. It has existed in one form or the other in almost all the countries of the world since time immemorial. To some extent developed countries, due to their adequate resources, have succeeded in mitigating this evil through various progressive measures but the problem is more acute and serious in developing countries with rapid industrialization and trade oriented ideology of the society. As the Child Labour ensures the continued availability of submissive, illiterate labour who do not have power to question the system, which deprived them of their basic rights, therefore, in developing countries it has become a mode of perpetuating extra-economic exploitation.

The United Nation declared the

'Rights of the Child', established UNICEF and ILO to look after the welfare of the 'Child'. The Indian Constitution has several provisions conferring rights exclusively for the Children as well as it gave several directions to the present and future Government to formulate its policies for welfare of the Children. The Indian parliament and State Legislatures have passed several enactments aiming at the welfare of the Children.

Recently, the Government of India has imposed complete ban on Child Labour and its practice has been declared as an offence punishable with imprisonment and fine. But it is astonishing that despite all these efforts at National and International level the condition of the Children is becoming bad to worse.

CHILD LABOUR IN DEVELOPED COUNTRIES

In developed countries like United States of America and United Kingdom, the child labour still existing, however, it is less than the developing countries like India Bangladesh and pakistan etc.

1. UNITED STATES OF AMERICA

(2) The child labour has been eliminated to some extent in developed countries but not fully abolished. Various legislations and regulations have been passed by the US Government governing the child labour. A brief summary of key aspects of the U.S. laws and regulations governing child labour is presented in the following table. The Child labour in the United States generally means labour by teenagers. Regulations differ by age of the youth, with tighter restrictions for those aged 14 to 15 than for those aged 16 to 17.

Table Showing limits on the hours that youths may work and the types of work that they may perform in nonagricultural industries

Age of youth	Limits on the type of work	Limits on number of hours and time of the day
16- to 17- Year-olds	Banned from performing those occupations that the Secretary of Labour determines to be particularly hazardous for this age group.	No limits.
14- to 15- year-olds	Banned from work in most industries and from various occupations. May be employed in retail, food service, and gaso line service establishments.	There are limits on the total number of hours per day and per week, as well as on the time of day, that work may be performed.
Under 14 years of age	Banned from most work. May perform tasks for which no covered employment relationship arises, such as babysitting on a part-time, irregular basis.	No limits.

Although this report concentrates on child labour in the United States, it is both important and appropriate to mention the circumstances of child workers in other countries. The dichotomy that exists between industrialized countries and developing countries is especially apparent when one looks at child labour. As previously noted, child labour in industrialized countries almost exclusively means adolescents who are full-time students with part-time jobs. But child labour often wears a much different face in developing countries.

"The International Labour Organization (ILO) estimates that more than 250 million children are working around the world, often in occupations that are detrimental to their physical, mental and

emotional well-being.”

The Fair Labour Standards Act of 1938 (FLSA) is the framework for Federal child labour provisions. The Wage and Hour Division of the U.S. Department of Labour’s Employment Standards Administration is charged with the enforcement of the FLSA. To be subject to the provisions of the FLSA, an employee must be employed by a covered enterprise or individually engaged in interstate commerce or in the production of goods for interstate commerce, or in any closely related process or occupation directly essential to such production. Not all employment of young workers is covered under the FLSA. In addition, some jobs held by youths, such as delivering newspapers and performing in motion pictures and theatrical, radio, and television productions are specifically exempted from the child labour provisions of the FLSA.

Under the FLSA, 16 is the minimum age for nonagricultural employment, but 14 and 15 year olds may be employed for certain periods which do not interfere with their schooling in jobs that the Secretary of Labour has determined will not interfere with their health and well-being. Children under 14 years of age are generally too young for formal employment unless they meet a specific exemption.

However, these youths may perform tasks where no covered employment relationship arises such as baby sitting on a part time, irregular basis or performing minor chores around private homes. The Secretary has promulgated child labour provisions governing the employment of 14 and 15 year olds.

There are some exceptions to these provisions for students enrolled in a State Work Experience and Career Exploration Program (WECEP) that have been authorized by the U. S. Department of Labour. The teenagers 16 years of age and older may work at any time of the day and for unlimited hours. The FLSA prohibits workers less than 18 years of age from performing those nonagricultural occupations that the Secretary of Labour declares to be particularly hazardous for the employment of children under 18 years of age or detrimental to their health or well-being. There are currently 17 Hazardous Occupations Orders (HOs), which are contained in Subpart E of Regulations, 29 CFR Part 570 (Occupations Particularly Hazardous for the Employment of Minors Between 16 and 18 Years of Age or Detrimental to Their Health or Well-Being).

Unlike the rules governing nonagricultural employment, most of the child labour provisions applicable to agricultural employment are statutory. Under Federal law.

(a) A child working in agriculture on a farm owned or operated by his or her parent is exempted from Federal agricultural child labour provisions.

(b) Young farm workers who are not the children of the farmer employing them are subject to Federal child labour provisions that differ by age:

(c) Youths are no longer subject to the Federal agricultural child labour provisions when they reach 16 years of age.

(d) Children aged 14 or 15 may perform any nonhazardous farm job outside of school hours, and, with proper training and certification, they also may perform certain hazardous duties.

(e) Children aged 12 or 13 may be employed outside of school hours in nonhazardous jobs, but only on the farm on which their parent works or with the written consent of a parent.

(f) Children less than 12 may be employed outside of school hours in nonhazardous jobs on Farms not subject to the Fair Labour Standards Act (FLSA) minimum wage if their parent also is employed on that farm, or with parental consent.

(g) Children aged 10 or 11 may be employed to hand-harvest short season crops outside of School hours under special waivers granted by the U.S. Department of Labour. As directed by the FLSA, the Secretary of labour has found and declared certain agricultural tasks to be particularly hazardous for

employees below the age of 16.

The Rules limits the hours and times of day during which 14 and 15 year olds youth in outside school hours may work.

1. Not more than 40 hours in any one week when school is not in session
2. Not more than 18 hours in any one week when school is in session
3. Not more than 8 hours in any day when school is not in session
4. Not more than 3 hours in any day when school is in session; and
5. Between 7 a.m. and 7 p.m., except during the summer (June 1 through Labour Day), when the evening work limit is 9 p.m. Limited exceptions to the hours and occupations standards are permissible for students participating in bona fide Work Experience and Career Exploration Programs.

2. UNITED KINGDOM

The first general laws against child labour, the Factory Acts, were passed in Britain in the first half of the 19th century. Children younger than nine were not allowed to work and the work day of youth under the age of 18 was limited to twelve hours.

The incidence of child labour in the world decreased from 25 to 10 percent between 1960 and 2003, according to the World Bank.

The Victorian era became notorious for employing young children in factories and mines and as chimney sweeps. Child labour played an important role in the Industrial Revolution from its outset, often brought about by economic hardship; Charles Dickens for example worked at the age of 12 in a blacking factory, with his family in debtor's prison. The children of the poor were expected to help towards the family budget, often working long hours in dangerous jobs for low pay, earning 10-20% of an adult male's wage. In England and Scotland in 1788, two-thirds of the workers in 143 water-powered cotton mills were described as children.

National statistics shows that in the year 2000, the ILO projects that there will be 0 economically active children between the ages of 10 to 14. Recent figures published by Save the Children concluded around 30% of 12 year olds and about 20% of 11 year olds were being illegally employed in low paying jobs. This figure was backed by a similar survey carried out by MORI for the Trades Union Congress (TUC). Contemporary research also suggests that the figure is likely to increase by about 10% each year. For the year 2000, 1821857 children between 16 to 19 years were economically active. (ILO, Yearbook of Labour Statistics, 2001)

About 1,787,617 teenagers' between 16-19 are economically active (ILO, Yearbook of Labour Statistics, 1999). More than a million children are working illegally in Britain, according to research by Child Poverty Action Group and the Save the Children Fund. Focusing on children around 14 and 15 years of age, studies have shown that, at the time of answering, between 35 and 50% of children were currently employed.

A Government sponsored report estimates that up to 1,500 women and girls are trafficked into the UK annually for purposes of sexual exploitation from Eastern Europe and the Balkans, South America, Nigeria, Thailand, and Vietnam. The national statistics shows as under.

- (a) There are an estimated 287 children in prostitution.
- (b) In Britain in 1996 between 3,000 and 5,000 children were in the sex trade.
- (c) Child prostitution is a major problem. A survey estimated that in 1995 there were 369 children aged 11-14 engaged in prostitution.

CHILD LABOUR IN DEVELOPING COUNTRIES.

1. IN BANGLADESH

The problems of child labour have been worst in developing countries like Bangladesh. Because of its developing, third-world state, child labour abounds in Bangladesh. A 1995-1996 survey by the Bangladesh Bureau of Statistics found that approximately 6.6 Million children worked as child labour in Bangladesh (this is approximately 2.6% of the world's child labour; it is also 19% of the entire child population in Bangladesh) most in exploitative jobs that prevented them from getting a good education. Of these children, 30,000 worked in jobs classified by UNICEF and the Ministry of Labour and Manpower as "hazardous" (These jobs include shrimp processing, auto repairs, and electrical work). Children, however, can be found working in almost every type of job found in Bangladesh though most work in the agriculture industry, which employs around 65.5% of the child labour in Bangladesh.

Most child labour in Bangladesh work around 48 hours per week. They make around 500 taka per month. This amount is equivalent to about U.S. \$8.30 (the current exchange rate is around 60 taka to the dollar). A large (but unknown) number of children in Bangladesh work as domestic servants, mainly in cities. For example, approximately 300,000 children work as domestic servants in Dhaka (the capital) alone. Also, most domestic servants are estimated to be 11 to 13 years old. Many of them work 15 to 18 hours every day.

Trafficking of children also occurs in Bangladesh. Children are smuggled out of the country and sold elsewhere, sometimes into lives of virtual slavery. Girls can be sold to different owners over and over again; child boys are sometimes transported to the Middle East, where they become camel jockeys in races.

Progress is being made, however, to eliminate child labour in Bangladesh. In 1992-93, legislation was passed that banned the import of several items that were made using child labour. These items included garments made in factories employing child labour in Bangladesh. This caused garment factory owners to fire most of their child labour immediately. However, this made a "bad situation even worse" by stranding approximately 45,000 children without a job or income. But collaboration between UNICEF, the garment industry, and other organizations has allowed the industry to gradually replace its child labour with adults and rehabilitate the children, by putting them in schools. As a result, the Bangladeshi garment industry now employs virtually no child labour.

The U.S. has also helped the child labour situation in Bangladesh. In March 2000, President Clinton gave Bangladesh \$1 million to combat child labour, including \$8.6 million to remove children from hazardous jobs, and 1.7 million to stop trafficking of children.

In 2002-03, the Bangladesh Bureau of Statistics (BBS) conducted the second National Child Labour Survey (NCLS). This survey has been designed and conducted in the context of the commitments made by the Government of Bangladesh, following the ratification of the International Labour Organization (ILO) Worst Forms of Child Labour Convention (No.182) 1999. According to the survey, there are 4.9 million working children 14.2 percent of the total 35.06 million children in the age group of 5 to 14 years. The total working child population between 5 and 17 years old is estimated at 7.9 million.

Millions of children are reported not to attend school, however estimates vary among children aged 5 to 14, about five million, and are economically active. "Child labour" is a narrower concept than "working children". According to the International Labour Organisation definition, there is about 3.2 million child labour in Bangladesh. Certain groups of children are more likely to work than others, for instance boys comprise about three-quarters of all working children.

To provide legal protection to the children, the Bangladesh government enacted the Labour Act in 2006, which includes a chapter on child labour. This new law prohibits employment of children less than 14 years of age, as well as prohibiting hazardous forms of child labour for persons under age 18. However, children who are ages 12 and above may be engaged in "light work" that does not pose a risk to their mental and physical development and does not interfere with their education. The law does not provide a strong enforcement mechanism for the child labour provisions. Additionally, the vast majority of children (93 percent) work in the informal sector which makes enforcement of the relevant legislation challenging.

2. IN INDIA

India is one of the countries having largest numbers of child workers in whole Asia. However, many steps have been taken so far to combat the child labour on international and national level but failed to achieve desired result. Many attempts have been made to estimate the child workers but an accurate and detailed statistics relating to number of children employed in agriculture, trade industry, mining, transport, etc. Are not available but it is a matter of common knowledge that a great portion of country's children is engaged in earning a living instead of receiving education general as well as vocational, which is so necessary to equip them for their future lives.

An UNO study "The child in India", in 1979 points out that if workers less than 18 years of age could be withdraw from the labour force and divert to educational institution. Some 15 to 20 million unemployed adults would be able to find jobs in standard wages.

The 1981 census estimated India's total population at 656.8 million of which 38.4 percent were children below the age of 15 years and those age group of 5-15 were 26.2 percent of total population. In our allowedly welfare state, the number of child labour in the total labour force of the country has been increasing over the years. Today about 52 out of 1,000 children are wage earners, supplementing their family income. Their number comes to about 44 million children constituting a sizable proportion of total labour force engaged in various sectors and all types of odd jobs.

In the urban areas, the unorganised sector accounts for the employment of a large number of children where they work as domestic servants as workers in hotels and building construction newspaper sellers, coolies, loaders, breakers of stones at quarries and soon. Nearly 8.7 percent of child labour is engaged in agriculture including livestock, fishing, plantation, orchards etc. some of them are employed as helpers during showing weeding and harvesting periods. In factories they are usually engaged for packing, posting, labelling etc. While they work in other occupation also like tea garden, beedi rolling stone breaking, transport, carpet weaving, crackers making and what have you.

Table Showing employment of children in different areas according to census 1981

<u>Ser No</u>	<u>Nature of Activity</u>	<u>No of Child Workers in age group 0-14 in thousand</u>	<u>Percentage</u>
1.	Cultivation	4,013	35.95
2.	Agricultural Labour	4,774	42.76
3.	Livestock forestry, fishing, hunting, plantation	704	6.30
4.	Mining and Quarrying	27	0.23
5.	Manufacturing, processing serving, repairs etc.	965	8.63
	(a)Housing industry	425	3.79
	(b)Others	540	4.84
6.	Construction	79	0.72
7.	Transport, storage and communication	34	0.29
8.	Trade and Commerce	246	2.20
9.	Other Services	326	2.92
TOTAL		12,133	108.63

In India majority of child labour is engaged either in agriculture or farm related work or in a unorganised sector. This sector accounts for children working as domestic servants in homes, canteens, way side shops and as vendor, porters, scavengers and show shine boys.

The National Commission on labour comments in its report.

“Our evidence reveals that employment of children is almost non-existent in organised industries: It persists in varying degrees in the unorganised sector such as small plantation restaurants and hotels cotton ginning and weaving, stone breaking, brick kiln, handicraft and road building”.

The following table represent the rank wise Indian states pertaining to child labour with combined total of main and marginal workers (3-6 months)in the age group 5-9 and 10-14 year according to census 2011

Table

S.NO.	States	Numbers	Rank
1.	Jammu & Kashmir	78405	18
2.	Himachal Pradesh	47773	20
3.	Punjab	165528	15
4.	Chandigarh	4226	31
5.	Uttarakhand	55120	19
6.	Haryana	99635	17
7.	NCT of Delhi	35322	23
8.	Rajasthan	549996	4
9.	Uttar Pradesh	1850566	1
10.	Bihar	912879	2
11.	Sikkim	5934	29
12.	Arunanchal Pradesh	13550	26
13.	Nagaland	29082	24
14.	Manipur	26905	25
15.	Mizoram	4531	30

Tripura	11050	27
Meghalaya	35337	22
Assam	230336	14
West Bengal	461974	6
Jharkhand	253717	13
Odisha	254081	12
Chhattisgarh	144978	16
Madhya Pradesh	532036	5
Gujarat	408932	7
Daman & Diu	862	35
Dadra & Nagar Haveli	1725	33
Maharashtra	673260	3
Uttar Pradesh	315107	9
Karnataka	386032	8
Goa	9822	28
Lakshadweep	77	36
Kerala	43469	21
Tamil Nadu	275186	11
Puduchery	2112	32
Andaman & Nicobar	1565	34
Telangana	307371	10
Total	8228481	

At present, the Child labour accounts for 22% of the work force in Asia, 32% in Africa, 17% in Latin America, 1% in US, Canada, Europe and other wealthy nations. The proportion of child labour varies a lot among countries and even regions inside those countries.

CONCLUSION

It can be concluded that the child labour is acute problem throughout the world, however mitigated in developed countries to some extent but in developing country the position of child labour is worst. On the international level many steps has been taken to eliminate Child Labour. The Universal Declaration of Human Rights was finally adopted by the General Assemble by a vote of 48 to nil. The Declaration has been hailed as an historic event of the profound significance and as one of the greatest achievements of the United Nations. The Declaration on Human Rights was prepared by the Commission on Human Rights in 1947 and 1948 and was adopted by the General Assembly on December 10, 1948 when the Universal Declaration of Human Rights was adopted it was most eloquent expression of hope by a world emerging from the most devastating history of human race. The united nations have established UNICEF and ILO to look after the welfare of the 'child'.

Now, it is clear that the Universal Declaration of Human Rights played significant role in the elimination of Child Labour. After making various efforts Child Labour exists now a days. In India, the position of Child Labour is so miserable in comparison of other countries India has largest Child Labour in the world. Many efforts have been made on the national and international level to abolish child labour but the result is not satisfactory, however it is less in the developed countries.

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