



Problems and practices of child labour in agriculture sector: An analysis

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Abstract: *The intensity of the problem was understood as early as six decades back when constitution of India was framed. Provisions have been laid down in the constitution prohibiting employment of children in factories under Article 24, it has been stated that no child below the age of fourteen years shall be employed in any factory or mine or other hazardous occupations or work. But so far there was no such provision regarding unorganized sector agriculture in which many poor children has been working as child labour.*

Key words: *untouchability, Child labour, indigenous people*

Introduction

Child labour is a social problem – who excludes in all forms in the society. Child labour in agriculture is products of untouchability and caste system. There are many studies on labour and child labour in India as well as the world. As per as Indian system concern only a few studies on agriculture and its labour regards society, public, private and NGOs has been doing a little effort to liberate them from the clutches of the village landlords and land owners in India. Why because in India land and social structure which correspondence to socio-economic, political, cultural and religious relations and practices. Child labour problem is relating to the law in rural India. The current topic is concern on child labour in agriculture and unorganized sector, unprivileged, uneducated and indigenous people who socially, economically backward classes in which mention in constitution of India (SEBC) by and large prevailing in unorganized and primary sector agriculture and its allied sectors.

Views on child labour

In the notion of Babasaheb Dr. B.R.Ambedkar a pioneer of the labour movement in India. "In India society "The people of India – not only division of labour but also division of labourers" by birth. To death so every body by born traditionally has to take charge his profession there is no option to alter his attitudes and aptitudes that is the "steel frame of the Indian Hindu –socio – economic and political system" which is lead to the division of labour and labourers in which to apply for factors of production" by birth to death till today.

"National income shares of agriculture decrease 12% labour depend on 55% every 10 labour 9 has no surety of life regular employees 15.6% casual labour 33.5% . ILO recent data 2011 in world 20 crores people have no work." Particularly agriculture sector class and taste stratified in which graded and degraded society by birth only. So every child who born in low strata who was a child labour especially in unorganized sector like agriculture. They have been



treated and continued them as bonded child labour, menial child workers

Dr. Babasaheb Ambedkar writings and speeches - Vol - I - Govt of Maharashtra, 1979. Castes in India - Annihilation of caste federation Vs. Freedom, communal deadlock and a way to solve it - stress and minorities, "small holdings in India." The subjects of Dr. B.R. Ambedkar, doctoral thesis were in disciplines of economics only, dealing with the problem of agricultural economy of the country. Amongst several problems of agricultural economy dealing with agricultural production" Dr. Ambedkar closes the subject of the size agriculture and labour.

"Small holdings in India and their remedies" published - Journal of the Indian Economic Society - Vol -1, 1918 on economic problems" our bad social economy is responsible for the ills of our agriculture; our entire dependence on agriculture leads to small and scattered farming. "How a large portion of our population which our agriculture cannot productively employ is obliged to remain idle has been made clear of this idle labour makes our country without capital" the remedies for consolidation and enlargement under the existing social economy are bound to fail". The most of the untouchable criminal tribes and shudras from child age as a child labour because of, means of production of land has been controlled by the upper caste Hindus, land lords in India.

Agriculture child labour in India, a product of the land structure and administration. Dr. Babasaheb Ambedkar writing and speeches Vol-5 - unpublished writings "untouchables or the children of India's Ghetto"

untouchables and untouchability social, political, religious education department, Govt of Maharashtra 1989, pg.9. "Slavery is a very ancient institution of the Hindus. It is recognized by Manu - it was an institution which continued through out Indian History down to the year 1843 and if it had not been abolished by the British Government by law in that year, it might have continued even today."

"I thought that there is household slavery agriculture slavery both are from child age to old age. In America slave labour was used for all kinds of work and the more intelligent of the Negro slaves were traced as artisans to be used and leased." The white man is the only real, legal, moral and civil proprietor of this country and state".

In Indian social system some shudras and untouchables are trained them as compulsory artisans and menial professions (caste, colour) a varnas, till today intelligent persons/children trained them as white collar whores) bureaucrats through the commissions. Some says "child is the father of the man." In India Jawaharlal Nehru said that "today children are tomorrow citizen civilians" "today children of rulers tomorrow rulers". 'Today child - labour tomorrow - slave or bonded labour'. That is a hereditary hierarchical caste, class system in all sectors which have been prevailing even today in Agriculture. So child labour in agriculture is a hereditary. M.K. Gandhi said that very fashionately "India lives in villages" he believed in Swarajya - Ramarajya in self-home rule in Indian villages administration- administration and controlled factors of productions by the tri varnas and caste - Hindus. The Shudras, Ati - shudras who have been



excluded from the society and treated and make them as child-labourers.

"The Indian villages is not a single social unit it consists of castes but for our purposes, it is enough to say the population in the village is divided into two sections –(i) touchables and (ii) untouchables. Pure – impure -peoples and workers.

(2) the touchables form the major community and untouchables a minor community.

(3) The touchable live inside the village and the untouchables live outside the village in separate quarters.

(4) Economically, the touchables form a strong and powerful community while the untouchables are a poor and a dependent community.

(5) socially, the touchable occupy the position of a ruling race, while the untouchables occupy the position of a subject race of hereditary bondsmen, what are the terms of associated life on which the touchables and untouchables live in an Indian village? In every village the touchables have a code which the untouchables are required to follow. This code lays down the acts of omissions and commissions which the touchables treat as offences (1) live separately, in south to acquire wealth, land, or cattle, tiled roof house no clear dress put on gold ornaments, to give high sounding names to their children, sit on in the presence of a Hindu to ride on a horse, or a palanquin and to take procession through the village not to salute to Hindu, to speak a cultured language "not to come village, sacred day, to speak."

Thus an untouchable must conform to the status of an inferior and

he must wear the marks of his inferiority for the public and to known and identify and excluded them. "On certain festivities, the untouchables must submit their women, and children, to members of village community to be made the subject of indecent fur." How do the untouchable live? How do they earn their living? Without knowledge of the ways of earning a livelihood which are open to the untouchable labour it would not be possible to have a clear idea of their place in the Hindu society. "In an agricultural country, agriculture can be the main source of living. But this sources of earning a living a generally not open to the untouchable. This is so far a variety of reason. In the first place purchase of land is beyond their means. Secondly even if an untouchable has the money to purchase land he has no opportunity to do so. In most parts of the Hindus would resent an untouchable coming forward to purchase land and thereby trying to become the equal of the touchable class of Hindus. In some parts they are disabled by law from purchasing land. For instance in the province of Punjab there is a law called the Land Alienation Act. This law specifies the communities which can purchase land and the untouchables (Sikhs) are excluded from the list. The result is that in most parts the untouchables are forced to be landless laborers. As labourers they cannot demand reasonable wages. They have to work for the Hindu farmer for such wages as their markets choose to give on this issue the Hindu farmers can combine to keep the wages to the lowest level possible for it is to their interests to do so. On the other hand the untouchable have no holding power. They must not earn or starve nor have /they any bargaining power. They must submit to the rate fixed or suffer violence"² .



This is the conditions which have been continuing even today. Their children as palegars, child-palegars, bounded children girls in household's worker and house-maids. The wages paid to the untouchable agricultural labourer are withering paid in cash or in earn." The right to beg for food from the touchable is now the principal means of livelihood for 60 million of untouchable in India."³ The untouchable begging within in villages from landlords, touchable families even in town and urban street as children or elder it is hereditary order both in status as well as in function. All untouchables are inferior to all touchables irrespective of age or qualification. A touchable boy and youth is above an aged untouchable and an educated untouchable must rank below an illiterate touchable even today either in public or private institution which has been practicing in all forms to obey and respect it to established orders is the law made by the touchables.

Dr. Babasaheb Ambedkar writings and speeches – Vol-10. Dr Ambedkar as member of the governor – generals executive council – 1942 – 46 AD.

In the world, all most all the colonial – impediments and colonial countries - struggling for their political power and supremacy over each other. At that time Dr. B.R.Ambedkar striving for the liberation of the depressed sections in the society those who have been excluding exploiting socially, economically, politically and culturally for centuries in the Indian society particularly Shudras, Atishudras women and their children as labour who are indigenous peoples, or Moolnivasis, Adi-andhras and Adi-Hindus.

The proceeding of the legislature in the 40's when Dr. Ambedkar was labour member of the Government of India, who piloted and introduced measures for labour welfare. "The spirit of this philosophy could be summed up in his own words from the speech delivered on September 15,1943 in the first session of the plenary labour conference." For a long time the conviction had gained ground that the industrial labour welfare problems could not be solved unless the three parties government employees and employer-developed a sense of responsibility towards one another, showed more respect of give and take and that there was not much chance of such a sense of mutual respect and responsibility growing up "a plan to bring them together and to let them talk to each other across the table was felt to be necessary for the realization of this purpose."

Labour "from child labour" who has been in India largely exploited. The efforts of Dr.B.R.Ambedkar were directed towards bringing the workers under the protective umbrella of social scarcity his contribution to the discussions on Workmen's Compensation Act. Maternity Benefit Act. This concern for the working classes and laborer welfare ordinance in 1944.

"Dr.B.R.Ambedkar is rembered as the maker of the Indian Constitution. His contribution to economic policy are not known generally to the present generation of his contrymen." Sharad Pawar – Chief Minister of Maharashtra June 10,1991). "In India – wrong organizations, a wrong ideologies which ruined parliamentary democracy. "Social and economic democracy are the tissues and the fiber of a political democracy, the



toughter the tissues and the fiber, the greater strengthen of the body-Democracy is another name for equality. Parliamentary democracy developed a passion for liberty.⁴ (Delhi – September, 1943 – Indian Federation of Labour Camp). “The first aims is the to put labour in charge of government, mere establishment of trade unions as the final aim and object of labour in India. For this it must organize a labour party as a political party. Such a party will no doubt cover trade unions in its organization. The communal or capitalistic political parties such as the Hindu. Mahasabha or the congress – dissociate with Labour.”⁵.

“The labour government cannot be a government of Laissez – faire”.⁶ In the light of globalization, privatization and liberization(LPG). The child and labour plight has been increasing till today due to the congress capitalist, landlords. Government was following the foot steps of the capitalist policies.

“Million of children from poor families are compelled by economic consideration to join the labour force.”⁷ According to an ILO survey in 1995 after Africa with 26.3% Asia has the highest percentage 13% of children labourers in the age group 10-14 years in the world. “In India nearly 15 per cent of the children are child labourers. (The Hindustan Times, June 22, 1996), 17 million (9.5 billion males and 7.5 millions females “every eighth child (in 5-14 years age group) in the country is a worker. “44 million working as child labour in India”⁸ most of the child labour working in the agriculture mainly hailed from Socially Economic Backward Classes (SCBCS).

“A man keeping and another man in perpetual bondage for his selfish and personal designs is the type of man’s cruelty to man which is not confined to particular country or a particular region but is found as a global phenomenon for hundreds years.”⁹ In India this type of exploitation in agriculture remain. Despite the abolition of the zamindari system, land reforms, bhodan movement, enactment of legislation Bonded Labour Abolition Act, 1976 without wages and establishment of Panchayat Raj. We have not been able to scrap this evil from our society.

The magnitude of bonded labour is just babbling as lakhs of adults, males and females as well as children are condemned to be suffering under its yoke. The commissioner for SCs, STs explained the term bonded labour in its 24th report as “persons who are forced to work for the creditors for the loan incurred either without wage or no nominal wage “ (Sharma – 1990: 52).

The two basic features of bonded labour are indebtedness and forced labour. The forced labour can hereditarily descend from father to son child labour of SC, STs in all most all the villages in India. This has been passed on for generation together.” The bonded labour system is mostly found among in villages, though today it has extended to workers working in stone quarries, brick kilns, bidi factories, glass factories and in detergent, carpet, gem stones and many other factories “

Causes of Bonded child labour in Agriculture

All the factors of production have been control and regulating by the upper caste Hindus. They are called Tri varnas by excluded the fourth and fifth varnas



(Panchamas). The main causes of origin, growth and perpetuation of bonded child labour system are economic but the social and religious factors to support the custom and tradition. The social causes caste – system. The economic causes include: extreme poverty of the people, inability to find work for livelihood, landless, inadequate size of the landholdings to support family, lack of alternative small scale loans for the rural and urban-poor, natural calamities, like drought, floods, destruction of the standing crops diseases leading to death of men, children and animals. Crop-holidays, absence of rains, drying away of wells, and meager income from forest produce, man-made, caste based discrimination, lack of concrete social welfare scheme to safeguard against hunger and illness. Non compulsory and unequal education system towards children in villages and indifference and corruption among government officials. Some times, the exploitation by some attacks ex-communicate from the villages also compels people agricultural labour (child labour) to migrate to some other place with their children for employment. “The child labour originates mainly from economic and social pressures.

There are about 32 lakh bonded labourers in India of these 98% are said to be bonded due to indebtedness and 2% due to customary social obligation. The highest number is believed to exist in three states of Andhra Pradesh, Karnataka, and Tamil Nadu followed by orissa, Uttara Pradesh, Bihar and Madhya Pradesh as per Supreme Court direction. Tamil Nadu has the maximum number of 24,000 bonded in the country, engaged in 30 different occupations including children.(The Hindustan

Times, May 13,1997). “It has been pointed out that the majority of the bonded and child labourers work as agricultural labour in villages and belong to the outcastes or tribal communities of those who work as agricultural labourers 48% belong to SCs and 33% to STs being unskilled and unorganized. The bonded agricultural labourers occupy the lowest rung of the rural ladder the bonded and child labourers their link with land and caste, the social and economic status in villages. These labourers thus live in pitiable and miserable conditions. “In 1982, the Supreme Court declared” Forced labour as violation of Fundamental Rights. The plight of the bonded and child labourers classes continues to be a serious social problem and a matter of concern for public, government, judiciary social scientists and social workers. In “Indian population child labour 42% among them 72% have been living in below poverty line who have not life security and protection.”¹¹ (1) As a result they become criminals and anti-social elements in the society. “Traditional child labour in Indian Society has been accepted as artisians, untouchables, beggars, criminals tribes and menial child labourer classes within in rural India or unorganized sectors in urban and semi-urban pockets “any child not going to school is a child worker” M.V. foundation NGO Child Labour Regulation and Abolished Act 1986 that is not implementation in agricultural rural India. There is no machinery for the implementing of this act. “Child labour is a land problem which is the axis of Indian economy the poor people their entire family works according to the dictates of the landlords.”¹² They live a life worse than animals.



Child labour is a becoming a major problem in India with serious social, economic and moral consequences" panchayats after 73 amendment (Articles 24 and 32) Constitution Amendment have acquired a lot more power and social political legitimacy to launch this intervention towards elimination of child labour.¹³ (1) "Any child between the age 5 and 14 who is out school, is a potential or real child labourer" majority of child labour is located in rural areas. Children are working in all the three sectors of Indian economy the agrarian, industrial and service sectors. "These several forms of child labourer migrant labour, invisible labour, and bonded labour, wage-based labour, self-employed and so on." ¹⁴ UNICEF has classified child work into three categories within the family; children helping in domestic chores or family occupations like agricultural, pastoral work, handicraft, Khadi and Cottage industries; within the family but outside home children do local agricultural work help in harvesting crops, unskilled occupations, informal sector work, shoes shining, car washing, begging, prostitution and so on. "Children constitute cheap labour and they are not able to organize themselves against exploitation." ¹⁵ The new millennium, the problem of child labour stands as one of the most important global challenges billions of children in the world today.

"The intensity of the problem was understood as early as six decades back when constitution of India was framed. Provisions have been laid down in the constitution prohibiting employment of children in factories under Article 24, it has been stated that no child below the age of fourteen years

shall be employed in any factory or mine or other hazardous occupations or work."¹⁶ But so far there was no such provision regarding unorganized sector agriculture in which many poor children has been working as child labour.

"Article 31 provides that the state shall endeavour to provide in its policy specially to ensure that youthful age of the children is not abused and they are not forced to accept an employment detrimental to their age and physical ability owing to any economic compulsions. Article 45 provide for free and compulsory education for children under the scheduled of the " child labour(Prohibition and Regulation Act, 1986 and employment of children is prohibited in 12 occupations and 51 hazardous processes"¹⁷ The government of India formulated the National Child Labour Policy in 1987 "to tackle the child labour problems." The latest report of the world reveals that child labour in India are forced to join the works ranging from prostitution to hazardous occupations." ¹⁸

In India mainly agricultural sector in rural India sexual abuse of children is one form of crime that has of late become a regular feature in news papers and magazines, the problem seems to be universal, combined to neither any particular region or strata of society. "The statistics presented by WHO that one is every ten children is sexually abused". Srijata Sanyal. A social worker in 'Sakshi' "a Delhi based NGO specifically working in the field of child abuse"¹⁹ (1) Orissa which is high on the list in crimes against is not free from this malady particularly tribal women and Dalit children, "A minor girls working as a maid servant was raped by her employer's son."²⁰ Those rules, and laws



made for rulers not for labour, particularly children – sexual abuse.

“In Andhra Pradesh around 43% of the children engaged in agriculture, domestic and constructional work.”²¹ Most of the weaker sections are illiterates; unskilled and unorganized depended on agriculture.” Around 55% the respondents opined that “the child domestic labour” worker originated from villages”²² I thought that majority child labour are belong to SCs and STs.

Child labour in agriculture in many countries is an agricultural issue world wide 60% of all child labourers in the age 5-17 years working in agriculture, including farming, fishing, aquaculture, forestry and livestock. This amount to over 129 million girls and boys. The majority (67.5%) of child labourers are unpaid family members. By birth at the early age 5 and 7 year of age entry into work” (ILO 2010) Agriculture is one of the three most dangerous sectors in terms of work-related fatalities, nonfatal accident occupations. About 59% (or 70 Millions) of all children in hazardous work aged 5- 17 are in agriculture.

Poverty is the main cause of child labour in agriculture together with limited access to quality education, inadequate agricultural technology and access to adult labour, high hazardous and risks and traditional attitudes towards children’s participation in agricultural activities cross-cutting issues, progress in eliminating child labour in agriculture has been slow due to the sector specific limited coverage of agriculture and family undertakings in national labour legislation, limited unionization, fragmentation of the labour force, majority of child labourers working as unpaid family labour without formal

contracts, gender role age, and cultural contracts norms distinguish the type of work performed by girls and boys. The number of hours worked. In many cases girls work more hours than boys when domestic chores are taken into account occupational safety and health (OSH) and hazardous work of children in agriculture.

Dr. B.R.Ambedkar was a great economics and social reformist who is a pioneers labour welfare in British India as well as free India, basically agriculture country. Majority of child labour in the sector, due to “this diminutive size of holding is said to be greatly harmful to Indian agriculture”²³ who observed agricultural labour the socio-economic development could be achieved through the development agriculture in rural areas, and agriculture should declared as industry’ children belong to Dalits and Adivasis facing problems in schools in many ways. They are facing penetrative sexual assaults from the teachers and staff. These all things are playing major role in keeping children out of school “our government of India has taken an attempt to protect children against sexual abuse the cabinet on 4th March, 2011 cleared a first of its kind legislation which threatens stringent action against the offenders.” This is to raise voice on children’s rights and inclusion of children into the main stream of the society.

In India predominantly child labour in agriculture are depressed classes untouchables to remove their plights Dr. Babasaheb Ambedkar envisaged in Sept 1, 1943. “The problems of the untouchables of India which resolution passed at A is a conference at Nagpur in July 18-19, 1942. We failed in separate electorates due to gandhian village, gram swaraj(Ramraj) but ever in



new constitution to create separate settlements but Nehru opposed. "To the better protection SCs from like tyranny and oppression of the caste Hindu." Which develop to their fullest manhood to give them economical and social security as also to pave the way for the removal and untouchability" ²⁴ which means to remove the untouchable child labour in agricultural in India.

Conclusion

The international partnership for co-operation on child labour in agriculture is a global initiative bringing together ILO, FAO, IFAD, CGIAR and IUF since. The partnership recognizes that agriculture needs to become a priority area in child labour elimination at national and global level understanding the root causes of child 'labour identifying and addressing the constraints that rural people face in agriculture production such as insufficient labour force, so used the children as labour, requires collaboration between agriculture and labour stakeholders. Addressing these root causes will be possible through a better integration of child labour issues into agriculture and rural development policies and actions particularly law enforcing authorities and of agriculture into national labour policies and legislation which immensely help to the children to include the human society, if we protect their constitutional privileges in India.

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