Child Labour: A Case Study of Child Labourers in the Select Brick Fields of North 24 Parganas

Dr. Sujit Kumar Roy
Associate Professor
Goenka College of Commerce and Business Administration
Kolkata, West Bengal, India

Suhrita Roy
M.A. 1st Year, Madras School of Economics, Chennai, India

Abstract

Child labour is a serious socio-economic issue and has been a topic of wider debate both in the developed and poor countries. Due to the moral concern associated with the problem some opine that child labour should be banned. However, it is found that families with very low income have no option but to send their children to do hard works. One such example is brick fields where migrant, poor workers from Bihar have to toil with their children in a very harsh and uncongenial work atmosphere. In this study an attempt has been made to gauge the problem of child labour in the brick fields of West Bengal.

Introduction

Child labour as a socio-economic and political issue can be traced to the Industrial Revolution in England — perhaps even before that — when orphan children were used to be employed in the spinning mills of Manchester. As of now, child labour constitutes a substantial portion of the labour force in the underdeveloped economies around the world. Boys and girls, who are too young to work, actually end up working in unhygienic and unacceptable working conditions in the small economic units for a paltry sum for sustenance because their parents are unable to feed them with their own income. Child labour seriously interferes with their education and even endangers their health. It constitutes a violation of the human rights of the children who are entitled to enjoy this time and invest in learning and acquiring skills for gainful employment in the future.

In the poor and developing countries child labour is a gargantuan problem; it has drawn attention of the researchers, the Government, politicians and the law-makers as well. However, in the absence of a clear definition of child and work, its magnitude is difficult to comprehend.
According to the Oxford Concise English Dictionary, the word “child” refers to a young human being below the age of puberty or below the legal age of majority. According to Microsoft Encarta, the term child refers to a young human being between birth and puberty. The United Nations Convention on the Rights of the Child defines child as "a human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier". (Cited in Wikipedia). As a legal concept, the definition of a child, depending on the circumstances, may be lowered to the age of 16. For example, in the wake of the infamous Delhi gang rape case, the Government of India amended the existing Juvenile Justice Act bringing the age down to 16, in cases involving a heinous crime by a minor (Vide Juvenile Justice Act 2015).

In the socio-economic context, however, most literature on the subject (Basu and Van 1998; Bhututh, 2008), including the Planning Commission of India (Now NITI) and the Child Labour (Prohibition and Regulation) Act 1986, the term child labour refers to a person who has not completed the age of 14.

Like age, what constitutes work (i.e. child labour) is also not uniquely defined. According to the International Labour Organisation (ILO), the term “child labour” is often defined as work that deprives children of their childhood, their potential and dignity, and that which is harmful to physical and mental development. It is a sheer exploitation of the young people who are often exposed to dangerous works and longer working hours preventing them from the opportunity of leading a dignified life. It refers to work that:

♦ Is mentally, physically, socially or morally dangerous and harmful to children; and
♦ Interferes with their education by depriving them of the opportunity to attend school;
♦ Obliging them to leave school prematurely; or
♦ Requiring them to attempt to combine school attendance with excessively long and heavy work.
♦ In its most extreme forms, child labour involves children being enslaved, separated from their families, exposed to serious hazards and illnesses and/or left to fend for themselves on the streets of large cities – often at a very early age.

The term child labour is brought into sharp relief by AugendraBhukuth (2008) as he attempted to define the term from the meaning of ‘work’ under the System of National Accounts (SNA). Under the SNA, the term work has been defined in terms of economic activity. According to Bhukuth (2008, p. 385-86): “Economic activity encompasses all types of production for the market (paid work) and certain types of work carried out 'off market' (domestic chores). The definition of child labour takes into account all activities whose production is intended for the market, but also includes those goods manufactured for personal consumption. In the same way, children engaged in unpaid activity and whose production is destined for the market are considered to be economically active”.


Child labour is a very common and glaring issue in developing countries and is a global issue. It is mostly seen in the countries of South Asia where the number of child labourers is the highest in the world. It is more a rural than an urban issue. Acute poverty in the rural areas forces a family to send children to work. At present the problem of child labour is so prevalent that globally over 79 million children have been employed to full-time work. As noted by an ILO study of 1990, India has the highest number of child labourers in the world, with a credible estimates ranging from 60 to 115 million. Poverty in Indian villages forces the children to succumb to harsh labour, the harshest form of labour being bonded labour. Millions of children in India have turned to child labourers due to various socio-economic problems. According to a study more than a quarter of the World’s total number of child labourers are in India and every third household in the country has a child labourer.

According to an estimate by the Ministry of Labour and Employment (www.labour.nic.in) as per the 2001 Census figures, there are 1.26 crore working children in the age group of 5-14 as compared to the total child population of 25.2 crore. There are approximately 12 lakhs children working in the hazardous occupations/processes which are covered under the Child Labour (Prohibition & Regulation) Act i.e. 18 occupations and 65 processes. As per survey conducted by National Sample Survey Organisation (NSSO) in 2004-05, the number of working children is estimated at 90.75 lakh. As per Census 2011, the number of working children in the age group of 5-14 years has further reduced to 43.53 lakh. It shows that the efforts of the Government have yielded the desired fruits.

The problem and motivation for research

Child labour is an important research issue today because its prevalence around the world is quite substantial. In India, poverty is the sole reason behind child labour. The meagre income of the children is absorbed in the families. The paucity of organized banking in rural areas creates a void in taking facilities, forcing parents to push their children to harsh labour, the harshest form of labour being bonded labour. A number of scholarly works have delved into this issue because of the legal and moral concern associated with this issue. It interferes with their physical and mental health, stunts their mental growth, hampers their basic education and violates human rights. In Britain, usually thought to be a place of large-scale employment of child labour since the beginning of the Industrial Revolution, Parliament had to interfere by limiting the working hours around 1847 (Microsoft Encarta: The Scourge of Child Labour).

Child labourers are found in various segments of the society — mostly in the informal sector. They often work as domestic help, in small scale unorganized industries like fireworks, jewellery cutting, in agricultural fields, car-washing, etc. The children are employed in various kinds of dangerous jobs in unprotected and unsupervised environments. This is not only illegal, but it often causes deadly diseases.

Several other reasons exist for the occurrence of child labour. Simple greed is yet another cause of child labour. Unscrupulous employers will always be tempted to hire the group of workers that is easiest to exploit children. The most vulnerable and weakest workers, children
can usually be paid less than adults and are considerably less likely than adults to know their rights or to protest against working conditions.

In several states of India, including West Bengal, child labour are found to be employed in abundance in the brick fields and in many other unorganized sectors, notwithstanding the legal restrictions against employing the children.

This research is planned in order to understand the problems of employment of child labour in the brick fields of North 24 Parganas where a good number of brick kilns are located.

**Objectives**

The objective of this project is to:

- explore the concept of child labour, definitional aspects and the prevalence of child labour in select brick fields of North 24 Parganas
- answer why the problem of child labour exists-why do people send their children to work
- gain some idea about the working environment
- identify the risks that the children are exposed to while at work
- analyse the role of the state in curbing the cruel practice of employing children for selfish gains

**Literature Survey**

Children are perhaps the greatest gift of humanity. But this very gift is often misused for personal gains by using them as child labour. Also, the socio-economic condition of India forces many parents to send their children to work. Child labour is often seen as a moral and ethical issue without looking at the economic aspects of the problem.


As seen in Basu and Van (1998), defining Child labour is fraught with numerous problems as the words “Child” and “work” are not unanimously defined even by those who have the authority. AugendraBhukuth (2008) has attempted to define these words along with other terminologies like hazardous work, decent work, and the various forms in which child labour occurs. He concluded that, Child labour is not a homogeneous phenomenon. The strict economic definition given by the ILO does not encompass all forms of child labour, but it does enable a distinction to be made between light work and hazardous work.

This paper also suggests that light work is tolerated by the international organisations because it does not compromise the physical or moral development of the child. It may even be a beneficial experience in the transition from childhood to adulthood. This acceptance of light work can be explained by the fact that, taking account of the socio-economic reality of developing countries, a policy of completely eradicating child labour is all but unattainable.
Light work has a dual impact: it enables the standard of living for households to be sustained, and it facilitates access to the adult world. Consequently, the international organisations are focusing their attention on combating the worst form of child labour.

Kaushik Basu and Pham Hoag Van, in their seminal paper, titled, “The Economics of Child Labour” (The American Economic Review, Vol. 88, No. 3 (Jun., 1998), pp. 412-427) have offered a more logical and penetrating discussion on the subject rather than being carried away by sympathy to bring the subject to sharp relief. The major arguments of this great work are underlined below:

a) **Definitional problem:** Basu and Van point out at the definitional problem, such as how work is defined; how the term “Child” is defined so that we can arrive at the magnitude of the problem.

b) **Magnitude:** The magnitude varies with the source one uses. For example, in the case of India, in 1983, the national Sample survey had put the number to 17.4 million, while according to another estimate by the Operations Research Group of the Ministry of Labour, Govt. of India the number of child workers were close to 44 million (p. 414). On global basis, according to an estimate by the ILO, the participation rate of the children between the age group of 10-14 is around 13.7 percent, with regional variation of 32.9 percent in the case of central Africa. Basu and Van traced the genesis of Child labour to the Industrial Revolution when as much as 36.6 percentof young boys and 19.9 percentof young girls constituted the labour force at that time, notwithstanding the deterrence in the English factories Act of 1833 and 1844 (p. 414).

c) **Penury is the main reason for child labour:** One of the insights gained from Basu and Van (1998) is that child labour is driven by insufficiency of parents’ income. They found that non-poor people in poor countries do not send their children to work. They concluded that, “The first and foremost evidence is the contemporary fact that the children of the non-poor seldom work even in very poor countries. This phenomenon is best explained by supposing that parents withdraw their children from the labour force as soon as they can afford to do so. In other words, children’s leisure or, more precisely, non-work is a luxury good in the household’s consumption in the sense that a poor household cannot afford to consume this good but it does so as soon as the household income rises sufficiently”. (ibid p. 415). Further evidence to this hypothesis is derived by Basu and Van from Claudia Goldin’s analysis (cited in Basu and Van, 1998, p. 415) from the nineteenth century data from Philadelphia where it was found that, “The higher the father’s wage, the lower the probability of child participating in labour force” and that “Father’s unemployment sent both boys and girls into labour force, with stronger impact on the former (p. 415).

Sayan Chakraborty, in his paper A Nexus Between Child Labour and Microfinance: An Empirical Investigation, (Economic papers, Vol 34, No 1-2, June 2015, 76–91) has shown how access to microfinance and micro investment has a considerable impact on the occurrence of child labour. According to Chakraborty, micro insurance does not determine the figures in moderately poor households. However, for families near to or below the
poverty line, such schemes have been found to create significant results. Such families have been benefitted by microcredit and child labour has decreased as a result.


Ercelawn and Nauman have, among many problems of the brick field workers in Pakistan, also discussed the problem of child labour. The major findings of this paper are vis-à-vis the child labour is that both male and female child are used in the brick kilns and they are mostly engaged for a paltry sum.

In another study titled “Labour in Brick Kilns: A Case Study in Chennai” by Guirin Isabelle, Bhukuth, Augendra, Parthasarthy, Venkatasubramanian G (Economic and Political Weekly, Feb 17, 2007, PP. 599-606), it was found that use of child labour in brick kilns are frequent. The workers bring with them their children because back home they have none to look after these children and that 75% of these workers work alongside their parents. Most revealing fact that has drawn our attention from this study is that the productivity of the child worker at the age of 15 is equivalent to that of an adult worker and those in between 8-15 years are capable of producing half of what an adult can do. A child, being a source of additional income for the family, can fetch a handsome advance which is around Rs. 1000 per child. The task of moulders in the brick kiln are often performed as a family comprising men, women and one or more child/children.

Sumanta Banerjee (1979) Child Labour in India (Anti-Slavery Society): The major argument of this small (only 50 pages) but penetrating work is that given the current social and economic conditions and the poverty it generates, child labour cannot be avoided. Banerjee took up a few case studies involving brick kilns and found that the children are paid not only low wages, but they are exposed to serious health hazards too.

Supreme Court Judgment: On 10th December 1996 in Writ Petition (Civil) No.465/1986 on MC Mehta verses state of Tamil Nadu the Supreme Court of India, gave certain directions on the issue of elimination of child labour. The main features of judgment are as under:

- Survey for identification of working children;
- Withdrawal of children working in hazardous industry and ensuring their education in appropriate institutions;
- Contribution @ Rs. 20,000/- per child to be paid by the offending employers of children to a welfare fund to be established for this purpose;
- Employment to one adult member of the family of the child so withdrawn from work and if that is not possible a contribution of Rs. 5,000/- to the welfare fund to be made by the State Government;
• Financial assistance to the families of the children so withdrawn to be paid out of the interest earnings on the corpus of Rs. 20,000/25,000 deposited in the welfare fund as long as the child is actually sent to the schools;

• Regulating hours of work for children working in non-hazardous occupations so that their working hours do not exceed six hours per day and education for at least two hours is ensured. The entire expenditure on education is to be borne by the concerned employer.

• The implementation of the direction of the Hon’ble Supreme Court is being monitored by the Ministry of Labour and compliance of the directions have been reported in the form of Affidavits on 05.12.97, 21.12.1999, 04.12.2000, 04.07.2001 and 04-12-2003 to the Hon’ble Court on the basis of the information received from the State/UT Governments.

Research methodology and data analysis

There is a never-ending need for research on the various aspects of child labour. The problems of child labour has been discussed in many research works vis-a-vis the problems of the informal workers in India. However, to understand the problem of child labour, in this brief research an analytical methodology has been used by gathering data from some brick fields in North 24 Parganas.

Description of the field of the study:

Having gained an insight from the survey of literature mentioned above, this study has been carried out of the primary data gathered from the survey of four brick fields in the Basirhat area (Dandir Hat; Sola Dana and Dhalta) of North 24 Parganas in between November 2015 and 15th January 2016. A socio-economic study being carried out by a group of senior researchers had accorded me the opportunity to be a member of their survey team for gathering the data from the brick fields. The purpose of their survey was different from mine, but I was encouraged to make my own study and gather the data accordingly. The cost and my personal security (going alone in a brick field is not exactly a nice idea) being on their shoulders, it was golden opportunity to gather some primary data from the remotely located brick fields.

Brick making involves a network of activities that need an army of workers to perform multifarious jobs in a sequence of gathering the clay to burning and transporting the finished bricks for market, usually the nearest city and townships. Coals, being the main source of input for burning bricks in the kiln, are procured from Bihar.

In order to understand how child labour fits into the scheme of things in the brick field and where does the demand for child labour arise, it is necessary to have some idea about the operations carried out by the various players. As such, brick making involves:

• **Dock**: Brick requires alluvial soil and in the Basirhat area most brickfields being located in the riverside, the alluvium is collected from the dock where monsoon water is let in. When the water dries up in the winter, it leaves a layer of sediment, about 2-3 feet high, and these alluviums is collected for making bricks.

• **Soil cutting**: generally, from October to February soil is collected. Depending on the size and number of units, 20-40 labourers are employed for about 10 days.
- **Mixing**: The alluvium so collected is to be softened with water and carried to the pock mill with the help of wheelbarrow. In the pock mill the alluvium is to be finely kneaded for the next step. About 8-10 workers are involved in the process.

- **Moulding**: The most important step in brick making is moulding where unbaked bricks are moulded into dice. It requires huge space and large number of workers for dicing and sun-baking the bricks before they could be burnt into the kiln as finished brick. It requires 3-5 days of sun-baking. When the bricks are properly sun-dried, these are then stacked up vertically and counted by the ‘Munshi’ or a supervisor. It is a team work, and men, women and children as part of family work and wages are paid on piece basis (on the number of bricks produced/diced).

- **Carrying bricks to the kiln**: When the bricks are sun-dried, these are to be taken to the furnace or kiln where they need to be stacked up in a specific order before setting fire. For a standard brick field, about 10-15 workers are needed in the process. These workers are called loaders or ‘Reza’ in local parlance.

- **Arranging bricks in kiln**: Before fire is set in the kiln for burning the bricks, it must be seen that the bricks are arranged in a specific order. It is a skilled job on which the quality of bricks depends. Usually 15-20 people work in the process.

- **The fireman**: The firemen play a crucial role as the quality of brick depends on appropriate amount of heating in the kiln. A standard brick field would need 4-6 firemen.

**Data Collection**

In keeping with the objectives of the study, and in light of experience gathered from the survey of literature and counselling of the senior researchers, a questionnaire was prepared for interviewing: (a) the owners of the brick fields; (b) the workers; and (c) the supervisors/labour contractors. Since child labour is a sensitive issue and there are legal restrictions for employing them, I had to be extremely cautious. My questions to the owners were rather indirect. Some direct questions were made to the female workers, who seemed to be more candid in their answers than their male counterparts. The sample questionnaire is given below:

**Questionnaire for collection of data:**

**A. Questions addressed to the owners**

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<table>
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<tbody>
<tr>
<td>1</td>
<td>Name of the owner / Owners</td>
</tr>
<tr>
<td>2</td>
<td>Location of the brick field</td>
</tr>
<tr>
<td>3</td>
<td>Number of years the business of brick field carried on</td>
</tr>
<tr>
<td>4</td>
<td>How many labourers employed during the year</td>
</tr>
<tr>
<td>5</td>
<td>Description of workers according to works</td>
</tr>
<tr>
<td>6</td>
<td>Break-up of workers according to male, females and children</td>
</tr>
<tr>
<td>7</td>
<td>Do you employ child workers?</td>
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<tr>
<td>8</td>
<td>If yes, type of work carried out by them</td>
</tr>
<tr>
<td>9</td>
<td>Do you provide the workers accommodation in the</td>
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</table>
BF?
10. Do the children live in such accommodation?
11. How the wages of different categories of workers are fixed?
12. Do you have any crèche for children?
13. Is there any canteen for workers?
14. Are there separate toilet facilities for workers?
15. Is there any school in the vicinity of the brick field?

B. Questions addressed to the workers:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>1.</td>
<td>Name of the worker</td>
</tr>
<tr>
<td>2.</td>
<td>Where do you come from (WB / outside WB)?</td>
</tr>
<tr>
<td>3.</td>
<td>Do you work alone or your family has also come with you?</td>
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<tr>
<td>4.</td>
<td>Members who accompany you</td>
</tr>
<tr>
<td>5.</td>
<td>Age of the children accompanying you</td>
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<tr>
<td>6.</td>
<td>Do they go to school here in WB?</td>
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<tr>
<td>7.</td>
<td>Is there any school nearby the brick field?</td>
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<td>8.</td>
<td>What is the highest qualification of you, your children and your spouse?</td>
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<tr>
<td>9.</td>
<td>What type of work you do here?</td>
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<tr>
<td>10.</td>
<td>How are your wages fixed? (Time/ piece rate)</td>
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<tr>
<td>11.</td>
<td>How much do the children earn?</td>
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<tr>
<td>12.</td>
<td>What type of work do the children do?</td>
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<tr>
<td>13.</td>
<td>How many days per week children work?</td>
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<tr>
<td>14.</td>
<td>How many hours do the children work per day?</td>
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<tr>
<td>15.</td>
<td>Are the children exposed to hazardous operations?</td>
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<tr>
<td>16.</td>
<td>Are there any medical facilities available in the BF or nearby?</td>
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<tr>
<td>17.</td>
<td>Do you live in the brick field?</td>
</tr>
</tbody>
</table>

C. Questions addressed to the labour contractors

|   |   |
1. How many contractors supply labour in the BF?
2. How many workers you have supplied?
3. How many of them are male, female and children?
4. Do you employ child labour?
5. How the wages of men, women and children are fixed?
6. Are you aware of legal restrictions against employment of child labour?

D. Questions addressed to the workers

| 1. Name, gender and age  |
| 2. How many years you have been working?  |
| 3. How many years in the present brick field?  |
| 4. District of origin  |
| 5. What type of work you do?  |
| 6. Do your children also work?  |
| 7. Are they paid separately or they work as part of a team?  |
| 8. How much do you earn per month?  |
| 9. Do your children live with you?  |
| 10. Age and gender of the children  |
| 11. Whether the children are staying with both parents?  |
| 12. Whether children are staying with mother only?  |
| 13. Do your children go to school?  |

**Analysis of data**

A total of 3 owners, 2 labour contractors and 12 workers were interviewed. In accordance with my plan, the questions were asked to them, and the answers were noted in my diary. After completion of the interviews, these data were further analysed and the results are noted hereunder as major findings:
Major Findings

Facts revealed from interview with the owners:

1. The owners are well informed about the legal restrictions on employing child labour. And this explains why the owners are hesitant to discuss about the issue in details. Two out of the four owners in my sample said that they do not employ child labour, while the other owners indirectly admitted to the fact that brickfields need to use some child labour.

2. The incidence of child labour is found in many stages of brick making. But the incidence of child labour is highest in the process involving moulding. Out of the total work force about 58% is used for moulding. These moulders usually work as a family of men, women and 2-3 children, and they are paid on the basis of 1000 bricks moulded (piece rate).
3. There are clear restrictions under the Child Labour (Prohibition and Regulation) Act 1986. But enforcement of law being rather slack, it becomes possible to employ child labour. The real trick is that, as remuneration is paid on piece rate and the head of the family is given the employment or contract directly, the owner of the brick field does not bother how the work is done. One owner candidly said that if the parents use children to work for the family, it is not his headache. The reality is that, these children and, in some cases the women, work in the brick field, but they are not even recognised as workers. They are thus deprived of the welfare benefits under the law.

4. The problem of child labour is induced by poverty of the parents who are unable to support the children with meagre incomes. A perusal of the income data shows that with individual earnings it is impossible to support a family of three or four. Themouldersare usually paid Rs. 150 -160 per 1000 bricks diced. The earnings of the labourers are so low that they are able not more than keeping their body and soul together. For example, the average salary of a worker in brick fields will not be more than Rs. 4000 p.m. With such low incomes, it is impossible for a worker to run the family. Child labour in such a condition is inevitable.

5. The workers have to put in labour for 10-11 hours. Work usually begins at 5 am and continues till 12. And after a recess of nearly 2 hours, they return to work till 6 pm. Depending on the nature of works, the child labourers also work for almost the same hours. This is clearly against the provisions of the Child Labour Act, where it is provided that, where child labour is permitted, a child shall not work for more than 3 hours at a stretch.

Facts revealed from interview with the workers:
1. Most literatures on the subject have suggested that brick fields are entirely run by the migrant labourers. It’s however, not true. In my samples I have found that docking, soil cutting and partly in some other cases local workers also work. The incidence of child labour in this case is very negligible. But in the case of moulding and subsequent operations, the labourers are mostly migrants from Bihar. The incidence of child labour, as noted above, is also most in this case.
2. The reasons for child labour, as said by the workers, are many. First, back home they cannot leave their children alone. Second, sending money for their maintenance is also not possible. In consequences, the children follow their parents, and since the income of the parents are very meagre, they have no option but to use the children to generate income.
3. Very few children go to schools. This is because the nearest school is a Bengali-medium one and the children of the migrant labourers don’t understand the local language.
4. 50% of the migrant labourers have family members accompanying them. Of these, 25% have underage children.
5. 25% of the labourers are illiterate while 75% have not completed their primary education.
6. The children working here are subject to health hazards like limb deformities, burns, scalding and so on. Young girls are frequently victims of sexual exploitation.
7. Adequate medical facilities are unavailable.
Conclusions

Brick kilns are the basic inputs to the booming construction industry in India. However, these brick fields are really the sweat shops where both women and children end up toiling from dawn to dusk. The plight of these hapless people escapes public attention because these brickfields are located in the remote areas.

There are many heart-rending tales of miseries, but getting an account of these are very difficult because the owners of the brickfields do not want them to tell it to the outsiders and the law enforcement agencies in particular. They do not get their fair wages. Children are forced by the poverty of their parents to end up their childhood and future in the dusty brick fields. These child workers face many physical and moral hazards. What is surprising is that in India child labour is not prohibited absolutely, it is banned in some hazardous works only. Brickfield is one such place where child labour is prohibited. But in spite of that child labours are found overtly and covertly in the brickfields in West Bengal. The problem of child labour in brickfields needs serious investigation.

References