



**Rehabilitation of Child Labour among Muslims in India:
Dynamics and Consequences**

Ph.D. Thesis

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CONCLUSION

In ancient times, system of slavery was in vogue where every member of the slave's family is at the disposal of their masters. Therefore, naturally, children were part of the labour force as "slaves". The evolution of civilization liberated children from the clutches of slavery, but they were once again forced to comply with the modern version of enslavement practices i.e. capitalistic mode of production. Thus, the genesis of child labour can be attributed to the aftermath of industrial revolution as it is difficult to prove its presence before the industrial revolution.

Until four decades ago, the discourse on the child labour is predicated on the view that the process of industrialization led to unprecedented use and exploitation of child labour, producing working condition for children comparable to those of slavery. Children were ultimately rescued from their fate by campaigner on their behalf and above all by the passage of effective child labour laws. But these views has been challenged by several scholars during the last quarter of 20th century. In the last decade of 20th century, a book "The Child and State in India" written by Myron Wiener turned out be highly debated piece of work with regard to the relation of the structure of modern state with practice of child labour. He establishes that the state policy of compulsory education should be considered a prerequisite for the elimination of child labour, not only in India but also other countries. But Weiner's emphasis on law as the instrument for ending child labour contrasts with another recent interpretation on the historical evidence, which highlights the family strategy as the key to an understanding the history of child labour.

According to International Labour Organization, there are 215 million children working as a child labour in 2008. As per ILO estimates, the number of all children (the age group of 5-17) is 1.586 billion in 2008. ILO has enumerated roughly 306 million children engaged in employment. The estimate of child labour in India was done by numerous agencies with more or less same numbers. The census of 2011 reads that number of child labour in India is 43.53 lakh. The Government of India disclosed this number to the Indian Parliament that cases

of child labour in the country have come down from 1.26 Crores in 2001 to 43.53 lakh in 2011¹.

According to National Sample Survey Organization (NSSO), in 1979, the total number of working children was 16.6 million. Here the definition of child labour was different to other agencies. The NSSO of 27th round has defined “work” as gainful activity pursued for pay, profit, or family gain or, in other words the activity which adds value to the “National Product”.

A Bangalore based organization namely “Concerned for Working Children (CWC)” has also estimated the figure of child labour based upon its own definition of Child Worker”. It has described the child worker as “a person who has not completed his/her 15 years of age and who is working with or without wages/income either on a part time or full time basis”. With definition for child labour, the CWC estimates the figure of child labour to be a hundred million which seems to include all children below 15 years of age who are not going to school.

The National Sample Survey of 1983 estimated India’s child labour population as 17.63 million. According to the 43rd round of NSSO (1987-88), 2 per cent of the total urban male workers and 5 per cent of the total urban female worker were 5 to 14 years of age which represents a decline in the percentage of child workers from the 1983 findings. 2011 census reads that there were 1108808 children between the ages of 5 to 9 years who were put in the category of Main Workers while 1066910 children of the same age group were enumerated as marginal workers who contributes their labour only for the period of 3 to 6 months in a year.

If we look at the number of child labour in different states in India from 1971 to 1981, there was a trend of increase, but 1981 onwards there was a declining trend, but it was not uniform in all the states in the country. For example, in Bihar child labour never decrease during the period of 1971 to 2001. In Haryana it decreased in 1991 but again but again increased in 2001. Same is the case with the Himachal Pradesh. But, Uttar Pradesh, where the largest population of Muslims reside, never saw decreasing trend during this period. Number of child

¹ http://www.firstpost.com/india/number-of-child-labour-cases-declined-between-2001-and-2011-govt-2673776.html?utm_source=FP_CAT_LATEST_NEWS

labour in the state was 1326726 in 1971, 1434675 in 1981, 1410086 in 1991 and in 2001 it rise up to 1927997. Same is the case with West Bengal where Muslim population live in a significant number i.e. 27 percent. Number of child labour in West Bengal was 511443 in 1971, 605263 in 1981, 711691 in 1991 and in 2001 it rise up to 857087.

For the purpose of eliminating child labour, Constitution of India has several provisions to enjoin upon the state for that direction. **Article 23** of the constitution of India is about prohibition of traffic in human beings and forced labour. It says that traffic in human beings and beggar and various types of forced labour are prohibited and violation of this provision will be deemed an offence punishable in accordance with law. **Article 24** says that no child under the age of fourteen years shall be hired to work in any factory or mine or involved in any employment which is categorized as hazardous. **Article 39 (e)** and (f) enjoins upon the state to follow some principles of policies to prevent the defencelessness of the children.

Acting upon various constitutional provisions and directive principles, government of India drafted "Child Labour (Prohibition and Regulation) Act 1986" and enforced it on the same year. This act defines child as "a person younger than fourteen years of his/her age. Some salient features of this act are- It lays down a procedure to bring about modifications to the Schedule of prohibited occupation or processes.

It aims to regulate working condition for child labours in those professions where they are allowed to work.

It has provisions to penalize the employers for hiring children in contravention of the clauses of not only this Act but also other Acts meant for forbidding the employment of children.

It attempts to bring about standardization in terms of the definition of child in other laws.

Act mentions in Part A and Part B the specified occupations and processes wherein employment of children of is totally prohibited.

Consequences of child labour are extremely detrimental to the society as a whole which ultimately end up limiting productivity potential of labour in the long run

resulting the smothering of economic growth. In Indian society, the double whammy of lack of education and child labour results into low level of awareness about their rights. The scenario affects the development of a nation as a whole both in terms of economic growth as well as social development. Child labour limits the chances of growth in human capital accumulation. It was also observed that due to child labour, fertility rate of a family increases which leads towards the decline of growth of a country in the long run. The practice of child labour also restricts a country's long term growth by virtue of health. Due to their involvement into hazardous occupation and unsatisfactory level of hygiene, children engaged into practice of child labour ultimately grow up into a less healthy and less productive adult labour therefore knocking down the prospects of a healthy economic growth. Hence, the proper rehabilitation of those children who are rescued from hazardous occupations becomes extremely relevant.

After the arrival of National Child Labour Policy in 1987, a programme to rehabilitate the rescued child labourers was started under the title of National Child Labour Project Scheme (NCLP). Scheme was fundamentally focused to rehabilitate the child labour involved in the occupations and processes which are hazardous. Children involved in hazardous occupations and processes are identified through a survey carried out by the District Office in the specific area. Child workers in the age group of 9-14 years are taken out of the workplace and put into NCLPs special training centres. In the NCLPs special training centres, the withdrawn children are imparted a bridge education and vocational training along with the mid-day meal, stipend, health care etc. Taking the cue from national child labour policy, National Child Labour Project (NCLP) was first started in 1988 as a plan of action. Since then, it is operational as a key project to eradicate child labour in India. NCLP functions with the collaboration with various government and non-government agencies at the district level. The guidelines of the Ministry of Labour and Employment reads that the implementation of NCLP will be done under the Project Society (PS) formed at the district levels and registered under the Registration of the Societies Act 1860. The overall chairman of PS is the respective District Magistrate (DM). The DM is assisted by the members of the PS who could be drawn from the relevant departments of the government at the district levels, trade unions,

employers' association and voluntary organizations. The parents of the child labours are also eligible for becoming the member of the PS. A part time/full time Project Director is assigned with the complete implementation of the project while day to day events under the project are done by the PSs with the participation of local NGOs, Self-Help Groups (SHG) and Trade Unions etc. The PSs gets monetary support from the Government of India.

The data related to NCLP implementation suggests that there is always a gap between the sanctioned project and the actual implementation at the ground. The data provided by website www.indiastat.com reads that in 1996, in 76 districts. A total 2571 schools were sanctioned for providing free education to 155250 child labourers. The actual number of schools that were opened was 1810 where 104615 child labourers were getting education with monthly stipend. But it did not improve significantly even after four years later. It was also observed that some states like Andhra Pradesh, Orissa and Tamil Nadu got special attention in the sanction of schools and its implementation. States like Uttar Pradesh, West Bengal and Bihar did not get the appropriate attention for the same. The number of students accommodated by comparatively bigger and poorer states like Uttar Pradesh, West Bengal and Bihar were disproportionately far less than the other states like Andhra Pradesh, Orissa and Tamil Nadu.

But despite all these, the aggregate number of children rescued and rehabilitated was not satisfactory given the enormity of the problem in a country like India. The number of rehabilitated children went on decreasing in every succeeding year as revealed by a data which was provided in the Lok Sabha while answering a question in November 2014. As per the data, in 2011-12, number of children rescued/ withdrawn from work and rehabilitated under the scheme of National Child Labour Project (NCLP) was 125716 and in 2012-13 the figure for same was 72976 and in 2013-14 again came down as low as 64050. This trend depicts an alarming picture as these numbers are not in consonance with the number of child labour during these period. In spite of all these issues, the limited amount allocated to the NCLP scheme seems a major bottleneck in realizing the optimum result of the rehabilitation. If we go by the data provided in the Lok Sabha while answering a question in 2010 and 2014, we will find a decreasing trend in the grant of NCLP not only for the poorer states like Uttar

Pradesh, Bihar and west Bengal but other states also experienced the same. The pathetic financial state of NCLP is actually belying the efforts and objectives of the scheme

Child is the future of a nation but the onus of securing the heritage of the nation for the better future rests on the present generation. To ensure the preservation of our rich heritage, is very much conditional to the policy of our treatment to the children who are the prospective stake holder of those inimitable legacies. For eradication of child labour, there is a dire need of long term planning which should involve various stakeholders and government. The involvement of Non-Governmental stakeholders like educational institutions, mass media, Non-Governmental Organizations (NGOs), community-based organizations, trade unions and factory owners or employers are relatively more important.

After the passage of the Child Labour (Prohibition and Regulation) Act 1986, Government of India came up with a National Child Labour Policy in August 1987 which comprehensively encompasses various important issues concerning Child Labour. There were three important cornerstones which defined the National Policy if Child labour- (a) Legislative Action Plan (b) convergence of government developmental programmes and (c) Project based plan of Action. Under that policy, a scheme was started to rehabilitate the rescued child labourers namely National Child Labour Project Scheme (NCLP). Scheme was essentially focused to rehabilitate the child workers engaged in the occupations and processes that were regarded as hazardous. Under the scheme, children engaged in hazardous occupations and processes are identified through a survey conducted by the District Office in the identified area. The identified child workers in the age group of 9-14 years are taken out of the workplace and put into NCLPs special training centres. In the NCLPs special training centres, the withdrawn children are imparted a bridge education and vocational training along with the mid-day meal, stipend, health care etc. National Child Labour Project Scheme (NCLP) was first initiated in 1988 as a plan of action in the backdrop of national child labour policy that came up in the same year.

Apart from NCLP, Government of India also started another scheme namely Grants-in-Aid Scheme. For the elimination of Child Labour in districts not

covered by NCLP Scheme, funds are directly sanctioned to NGOs under Grants-in-Aid Scheme. Under the said scheme, funds are transferred to those voluntary agencies which have been recommended by the respective State Governments to the extent of 75% of the project cost for the purpose of rehabilitation of child labours. Funds are being given to Voluntary organizations since 1979-80. Currently, number of beneficiary voluntary agencies is seventy.

INDUS child labour project is a sequence of multitudes of efforts for the elimination of child labour. INDUS started in 2004 as a result of an agreement between government of US and India. INDUS child labour project came into existence on 31st of August 2004 as a result of signing a joint statement on INDUS-US cooperation on elimination of child labour. It was started in 21 districts cutting across 5 states. The project was unique as it seeks to develop a comprehensive child labour elimination model for India by proposing three relatively new but immensely positive aspects in the elimination of child labour which are following-

- It advocated a strong system of public education as a tool to check the recurrence of child labour.
- It vouched for vocational skill training to adolescents of the age group of 14-17 years.

It also emphasized on providing employment opportunities for the parents and adult members of the family of child labour.

Muslims as a community has risen to prominence with the conflation of their religious ascriptions with the social identity. The community consists of as more diversified social groups as Hindus do. Way back in early 1960s, S Mishra revealed that there were a whopping 130 communities in Gujarat alone. In India, community is also heterogeneous in terms of sects. Despite many complexities, which has several bearings in the process of policy making for the socio-economic development of the entire Muslim community, the scholarly works to address those complexities were not adequately done. Muslim scholars are of the opinion that research work on Indian Muslims after independence was not done sufficiently because of many ideological, methodological and conceptual reasons. They point out the trauma of partition as one of the prominent reasons

for the neglect of Muslims. Due to partition, a tangible apprehension prevailed in the academicians about working with the categories of Hindus and Muslims which resultantly prompted the trend of avoiding the researches on such issues, lest it should lead to foment the communal environment. Muslims as a community in India, apart from practicing the cardinal pillars of their faith just like Muslims residing in other countries do, are also characterised with the cultural traits and values which are derived from local environment and sometimes it is contrary to the fundamentalist interpretation of the religion done by conservative scholars. Many of these rituals, customs and social institutions embedded in the lifestyle the general folk of Muslims can be attributed to the result of diffusion from Hindu customs. Since partition heavily toppled the elite status in the Muslim society as migration of elite to Pakistan depleted them in India. Thus a leadership vacuum appeared within the ranks of Muslims. The ensuing environment proved inhospitable for the nurturing or encouragement of any such scholarly feat which can address the plight of Muslims as a community. Muslims are the most backward socio-religious community in India due to various historical and cultural reasons. They are unique in their pattern of socio-religious activities. Their children are more prone to get affected with the feeling of otherness. The mainstreaming of a rescued child labour belonging to the Muslim community does not go similar to that of a Non-Muslim child. There are various factors which are bound to propel the child into economic activities some way or the other. There are several bottlenecks in the way of accessibility and availability of educational opportunities for the rescued children among Muslims. Therefore, opportunities for fixing the problem of child labour prevalent in Muslim community are also not similar to those for other socio-religious communities. An Annual report of Ministry of Statistics and Programme Implementation namely Periodic Labour Force Survey (July 2017-June 2018) corroborates the poor socio-economic condition of Muslims while depicting the workers population ration, unemployment rate among various socio-religious groups in India. One of the objectives in the study was to explore the level of child labour practices among Muslims in India. Table 53 of the Chapter Four illustrates the estimate of child labour among Muslims. Table gives the data of out of School Children in India among various socio-religious communities i.e. Muslims, Hindus, Christians and Children from other

religions. It very explicitly establishes that the trend of out of school children is more prevalent in Muslim community than other fellow socio-religious communities.

It is widely known that all the professions which Muslims are involved in, come under semi technical and non-technical category of unorganised self-employment. The low grade unorganised jobs like Tyre puncture, mechanics, and rickshaw pulling and begging, predominately consist of Muslims. The small scale industries dominated by Muslim craftsmen and artisans are either struggling or perished as lack of education and institutional support for the research and development made their products less-competitive and archaic. Even in that scenario, these industries are dominated by the exploitative mode of production where a lion's share of profits are taken away by the middlemen and exporters whereas the artisans remain deprived of their due share of profits. The consistent disillusionment with education has put a cap on the innovations and creative advancement in the industries where Muslim community is the principal stakeholder. Innovation is the key for keeping oneself competitive in the world where cut throat competitions has made the market ruthlessly formidable. The environment of traditionalism and conservative approach has also degenerated the fate of Muslims at the personal level. For instance, in India, in most of the hotels the chefs are mostly Muslim. But due to some reasons they couldn't not break the barrier and could not venture for making their own enterprise. Apart from education, problem in getting employment is also major cause of concern for the Muslim community as a whole. Low participation in the government jobs is the testimony of this trend. Globalisation has benefited the multinational corporations the most. In order to maximize their profit, they are tirelessly competing each other for shifting their production processes overseas, especially in the developing and labour abundant countries like India. By subcontracting portions of the production process, particularly labour-intensive manufacturing and assembly to smaller firms, resulting the demise of local enterprises. Globalisation and liberalisation have adversely impacted on the Muslim occupation as Muslims are mostly involved in semi-technical and non-technical self-employment activities. Muslims occupation is mostly home-based and globalisation has marred their bargaining power to a great extent. Non-availability of credit constrains the community to venture into developing

their enterprises. Discussing on the question of Muslims plight in the economy of India, Omar Khalidi argues that it started with the introduction of permanent settlement and a change of official language from Persian to English as a medium of instruction and administration. But scholars always blame the attitude of government for the deterioration of Muslims backwardness. Khalidi further argues that Muslims are inordinately lagging behind in the trade and industrial sectors although their representation in the fields which can be clubbed under traditional, non-technical and semi technical such as artisanal and handicraft sector, is quantitatively more. He also figured out that Muslims are substantially hewers of wood and drawers of water. Book holds responsible to the faulty and discriminatory public policy which results in the conspicuous absence of Muslims in the industrial production while they are very much involved in the domestic and home-based production. Khalidi also highlighted the aspect of physical insecurity which determines the extent of growth of Muslim's economy and enterprises. The physical insecurity, which is ensued after communal conflict, is actually bound to have an adverse impact on business development plans of Muslim entrepreneurs.

Sachar committee report observed on the limited availability of Urdu schools because Urdu schools are crucial for the community in the Urdu speaking areas like Uttar Pradesh, Bihar, Rajasthan, Madhya Pradesh, Haryana and Maharashtra. In most of these areas, education in the mother tongue is generally preferred. Madrasa education in these areas can play an important role but their reach is limited as less than 4 percent school going children can go to madrasas. Consequently, mainstream schools become utmost important in catering education in the community. The limited supply of such schools may be one of the reasons for lower educational attainments. Another study also reveals that there is a stark difference in terms of performances of schooling with a similar characteristics between that of Hindus and Muslims. Report found that two similarly endowed household (In terms of wealth, educational attainment, household size and composition) one Hindu and one Muslim, the result of educational performance will differ. But these differences may vary from State to State as regional characteristics also play a role in determining the Human Development Outcome. But regional factor does not deny the fact that households of Hindus and Muslims both endowed with the same characteristics

and located in the same State will show different results in terms of enrolment rate wherein Muslim always turns out to be under-performer. Report also concludes that positive attitude towards education among Muslim is lesser than the lower-caste Hindus also who are also facing the problem of low participation in education due to the factors like poverty, social discrimination etc. As per census of Indian 2011, a person aged seven or above shall be considered literate if he or she can read and write with an understanding in any language. It should also be noted that in the census prior to 1991, children with the age of less than five years were essentially regarded illiterate. It is not necessary that to be considered as literate, a person must have got any formal education or passed any minimum educational standard. Adult Literacy Classes and Non-Formal Education are also the medium through which literacy can be achieved, therefore a person having attended the non-formal education or Adult Literacy Classes will have to be treated as literate. As per 2011 Census of India, out of total Muslim population of 172245158, only 98658922 persons were literate which means there were 57.28 percent literacy among Muslims in 2011. Among the population of 172245158, only 4752855 could reach upto the level of graduation against the total graduates of 68288971 in the country. Muslims graduates are only 6.96 percent of total graduates of the country. The 2011 Census of India also says that Jammu & Kashmir, the only State where Muslims are in majority, has the literacy rate of 68.74 Percent which is markedly lesser than the national literacy rate of 74.04 percent. Assam, where Muslims have highest percentage of population after Jammu & Kashmir, also has lower literacy rate than that of the national average. Uttar Pradesh is the state where largest number of Muslims reside, has showed the literacy rate 69.72 percent, which is again far less than the national average of 74.04 Percent. The decadal growth of population at national level was 21.5 percent and 17.6 percent during 1991-2001 and 2001-2011 respectively.

Uttar Pradesh is the State where highest number of Muslims reside. The 2011 census reveals that State is the land of 38483967 Muslims. Districts of Saharanpur, Muzaffarnagar, Bijnour, Rampur, Moradabad, Jyotiba Phule Nagar, Meerut, Baghpat, Ghaziabad, Bareilly, Baharaich, Shrawasti, Balrampur, Sidharth Nagar, Pilibhit are the ones where Muslims are concentrated in a significant number. But these are the ones where the indicators

related to the development in terms of education are not so good as compared to others districts of the states and the country. For example, percentage of New Government Schools since 2003 is pegged at 16.1 for Primary schools and 59.9 for Upper Primary schools whereas in Bahraich the ratio for the same is 32.5 and 74.8 respectively. It must be noted that Rampur has the highest percentage of Muslim population in the State which is 50.57 per cent and Bahraich is far behind with a 33.53 percent Muslims in the district. Other districts are also establishing a similar trend with respect to the educational infrastructure in the Muslim Concentrated districts which means a district with high percentage of Muslim population is likely to be lagging behind in terms of the educational infrastructure.

With 2.39 per cent of the Uttar Pradesh's population, Moradabad boasts of a remarkably important district of Uttar Pradesh. Total population of the district is 4,772,006. Scheduled castes and scheduled tribes form 15.33 and 0.01 per cent of the district's population, respectively whereas Muslims are 2248392 which make up 47.12 of the district population. District ranks fifth in terms of the absolute number of Muslim population after Murshidabad, South 24 Parganas Malappuram, and South 24 Parganas. The level of urbanisation of the district is 32.98 per cent (1573623) while rural population is 3198383. Whereas the same figure for Muslims reads as 43.41 % rural (1388330) and 54.59 % (860062) are urban among Muslims. The distribution of population across village size classes is important, for instance, for the provision of those services whose cost of provision declines as the number of consumers increases. In the District, 37.82 per cent of the population comprise children aged 0-14, 54.48 per cent are in the working age group 15-59, while 5.82 per cent are 60 and above in age. Muslims are 2248392, wherein males are 1172051 and females are 1076341. There are six tahseel in the district as against 306 in the state of Uttar Pradesh. Six tahseel in the district are Kanth, Moradabad, Thakurdwara, Bilar, Sanbhal and Chandausi. There are 12 development blocks in the district. In 2001, total population in the district was 2647292. Muslim population accounts for 47.12 percent. In 2003-04, number of the registered factories was 18 in Moradabad district, while number of workers to 2567. Number of small scale units was 6852, while that of workers 28769. Literacy rate in Moradabad in 2001 was 54.91% among males and 33.01% among the females, which is much lower

than to that of the state economy of 68.82% among the males and 42.22% among the females. Apart from all these factual informations about the district, report also came out with survey conclusion which they conducted with the samples devised according to their methodology. It conducted in depth investigations of 900 selected households spread over 30 villages. Report suggested a concerted effort by pursuing rural development programme in order to raise the educational level of children which was abysmally low as against the literacy rate of the State. Since work participation was also found to be lower as compare to that of the state it was suggested that considerable jobs should be created in the District.

Moradabad is one of those districts of Uttar Pradesh where National Child Labour Project (NCLP) is being implemented. Taking the cue from national child labour policy, National Child Labour Project (NCLP) was first started in 1988 as a plan of action. The impression of unfair treatment towards Muslims concentrated districts can be gauged from the fact that Government has sanctioned the National Child Labour Project Scheme in three districts of Haryana viz. Faridabad, Gurgaon and Panipat based on the 2001 Census. This scheme is being implemented for the rehabilitation of Child Labour (lok Sabha Unstarred questions no-1705 answered on 12.03.2007), ignoring Mewat which is a predominately Muslim populated district with a sizeable number of Child labour and illiteracy.

Moradabad experience was s bit surprising as over there NCLP is only involved imparting part time formal education. There was no programme for vocational training as such which was being run in Karnataka as studied by MAYA. The said vocational training programme was meant for the youth aged 15-18 years who had earlier been child labour and now they are derived of skills as well as opportunity of earning their livelihood due to their poor educational background. At the first place, the scheme is in a state of suspended animation and secondly, scheme only entails rescuing the children from the labour process and put them into Labour Schools along with giving some minimal stipend which is not enough to prevent them from rejoining their earlier involvement. Children who were enrolled in comparison to the comprehensive implementation of NCLP programme in six districts in Karnataka namely

Bijapur Bangalore Urban, Bangalore Rural, Bellary, Chitradurga and Mysore. All these districts does not have any significant population of Muslims (All of them have less than 20 Percent Muslim Population). There were different kind of vocational training being provided to the child labourers in about 19 trades such as- printing, craft, paper mache, bamboo, candle making, tailoring, Mat work, flower making, woolen work, sticker, doll making, paper bag making, cover making, pottery, paper making, vermiculture, Goobar gas, file making and book making. But in Moradabad, NCLP office had no clue about this.

Moradabad experience also made me believe that due to rehabilitation initiatives by various NGOs, children are enrolled in the schools but they also have to toil hard to supplement their family income after the schools hours. One important harm the children have to face is that due to their engagement with the work after school, they don't meet with their classmates despite their being living in the neighboring locality. They don't have any friend and their life revolve around the work and study. Though, their attitude is leaning towards study but their performance is apparently compromised due to their over engagement with the study and work. Their social and recreational needs remains unfulfilled. Rehabilitation projects and policies must focus in that aspect also and their module must include the recreational and socialization aspect of affected children in the process of their rehabilitation.

Women labour has been one of the most underrated concept in our society due to its being confined to the household only. The amount of labour and dedication exerted on part of the women, demands both respect and recognition due to its inevitability for ensuring the formation of a developed and civilized society. Modernity has brought forward the sense of equal role for the women in the collective life of a society by giving opportunities to participate in the economic activities at par with the male labour. Still, due to family responsibilities and child bearing and other social roles, women are generally involved in part time employment after having discharged from the family responsibilities. Though, it gives some respite to women in terms of financial emancipation, part time work does not come under the gamut of such type of employment in terms of hours, remuneration, and other facilities. A study by ILO reads that apart from cleaning and related works in the private households or institution, women are

generally involved in agriculture, commerce and manufacturing especially in consumer's goods industries. Among the issues associated with the women, Muslim women also have to face multitude of problems. The arrival of neoliberalism in our economy coupled with the right wing tinge in politics, impacted adversely on all women and made the fight for gender justice more difficult in the past two decades. In that backdrop, attention that should have given to the issues of Muslim women was not done. Educational backwardness and poverty as determinants of status will show much in common between Dalit and Muslim women while a lower participation in employment may reflect commonalities with caste Hindu women in certain regions and castes. Invariably, class situations cut across religion in determining status. There is a very real discrimination against Muslims women as part of the very real discrimination against Muslims in general. The consequence of this is not merely that Muslim women are more firmly tied with their communities in the sense of their rights getting subsumed within those of the community or their religious identity getting foregrounded. There is more to it than just this communal closure. Apart from that media coverage of the Muslims community invariably assumed its complete insulation from larger processes and trends in Indian society. A study based on the Madrasa education and rural Muslim girls in western UP belies the prevalent propaganda by showing the data about the increasing trend of girl's enrolment in rural areas owing to rising cost of education in other schools and that given a choice most Muslim would prefer other option. It convincingly shows that Muslims do want to educate the girls, but due to the limitation of resources they prefer to use those resources to enroll boys elsewhere and the girls in madrasas. As far as the backwardness of Muslims is concerned, other cultural factors are secondary and could be overcome if the major obstacle of costs is fixed.

It was strongly observed that due to ignorance or some other reasons, Muslim families are more susceptible to diseases and chronic illnesses like Asthma, Tuberculosis, Cancer, Diabetes, Heart problems etc. Their inability to the access of health facilities aggravates their plight, which ultimately factors into the vicious cycle of child labour. Agwanpur was also not an exception. The health benefits through government schemes are somehow squandered away either due to the corruption and insensitivity of government officials or the lack of

awareness among the general population themselves. Most of the family is patriarchal where woman has little say in the decision making process of the family matters like health, education, marriage etc. The male members are very much diffident in front of the government machinery thus easily get duped by the prevarications of government officials. During the conversation with the Ward Member, it was revealed that no one in the area has got benefit in any form through the mega government health scheme namely Jan Arogya Yojna. There was no survey conducted to determine the rightful beneficiaries of the scheme. The list of the beneficiaries is the same which was prepared for the scheme of National Rural Health Mission long time back. Most of the beneficiaries enumerated in the list of Jan Arogya Yojna either do not exist or they have married off or migrated to somewhere else. The genuine claimants are absent from the list, making the whole effort futile. Apart from the general temperament of government machinery which is almost ubiquitous throughout the country irrespective of caste, religion, region and language, the factor of biasness is also felt in the area particularly towards Muslim community. In the entire Gram Panchayat of Agwanpur, Muslim makes up a huge majority i.e. more than 80 Percent. In spite of the fact that Muslims make up a major part of population in the area, all the Anganwadis and ASHA workers are Non-Muslims.

The practice of child labour among girls was far more prevalent in Muslims community in the district. It was seen that there were scores of the work plant where number of girls (majority of them being teenage girls) were involved in curtailing the larger sized clothes into a smaller size suitable for kids. This seemingly non-hazardous work was rampant in the whole area of Aghwanpur wherein girls have to supplement their family income for various reasons. The nature of their work is both as a part time or full time worker.

Aghwanpur is a Gram Palika coming under the sub district of Kanth in Moradabad District. Moradabad has six Sub-Districts namely Thakurdwara, Kanth, Moradabad, Bilari, Sambhal and Chandausi. In sub district of Kanth, the percentage of female labour (both as a main and marginal worker) is the highest i.e. 14.53 percent while in Thakurdwara, Moradabad, Bilari, Sambhal and Chandausi the ratios are 8.33 percent, 9.05 percent, 9.69 percent, 10.79 percent,

9.91 percent, respectively. Interestingly the number of female population is lowest among all of the six sub districts. Female population in absolute terms is 144216 while the same figures for Thakurdwara, Moradabad, Bilari, Sambhal and Chandausi are 240242, 784879, 31029 and 472145 respectively. The percentage of female participation in cultivation and agricultural labour denotes that there is a large number of female population which is involved on agricultural labour apart from various unorganized household based works related to brassware industry (see table- 9). Since Aghwanpur is a Muslim concentrated Nagar Panchayat of the sub district, it was chosen as the suitable case for sampling. There were 100 odd girls aged between 9-14 years which have been chosen for interview. These girls belong to various wards of Aghwanpur Nagar Panchayat. The majority of the population involved in the box making works for the factory owners of brass items. Apart from box making, there are other auxiliary works for the brassware industry which are household based, are being done in the area. The Ward No-5 member Mr Javed suggested that almost whole of the household based work related to brassware is done by the Muslim families of the area. The official caste wise classification for the Nagar Panchayat was not available, but he Mr Javed told me that area is predominately populated by Muslim Dhobis, Turks, Ansaris and Sheikhs. Among these, Dhobis, Turks and Ansaris are mostly engaged with household based works including box making, refurbishing of second hand branded clothes and footwear.

Aghwanpur was 20 kilometers away from the city of Moradabad. It was felt that all the auxiliary works to sustain the brass ware industry are sub-contracted to the suburbs of the city located at peripheries of Moradabad like Kanth, Thakurwdara, Bilari, Sambhal etc. In the town of Agwanpur, the boxes used for packaging the brass items are predominately made. After visiting every nook and corner of the town and getting stocks of the situations through credible community leaders and political workers, it was concluded that these household based works involved every member of the family, and most necessarily the female member of the family. Interestingly this observation was corroborated by the most of the family heads themselves. The delicate nature of the work entices the elders of the family to make involved the teenage female member as well which apparently results into the high ratio of drop out among Muslim girls.

The burden of arranging the dowry for themselves prompts the girls to get engrossed into the earning activity. Various powerful social, economic, political and cultural factors also determine the level of child's involvement into work force. Apart from pull factor that works to force the girl to forgo the school, the education system of the country also plays a major role in pushing the girls away from the education resulting into the drop out girls in general and for Muslims in particular. Far away location of schools from the Muslims localities and overcrowded strength of the school propels the family to wean away the girl from education. The security concerns for Muslim girls in particular is a very critical issue for the family as well as the community as a whole, which also helps in moving the girls out of educational activities.

Because of the prevalence of Muslim community in the whole area and availability of female labour due to above mentioned reasons, various small entrepreneurs of the locality started these ventures where second handed items of footwear and woolen clothes are cut short and readjusted according to the size of local customers. As of then, there were some 30 work centers where these works are done, totally dependent on the female labour. When visited, it was observed that the majority of the workers are teenage girls while senior women are working only as a supervisor or team leaders to get the target met. The educational profile of the workers is given in following table, which speaks volumes of the dreaded effect of child labour on the potentials of human resources of the country.

Reasons responsible for the girl child labour

- 1- The burden to be get married also makes them to arrange a deposit so that their marriage expenses could be met and moreover a skilled lady may be more economically productive for the “in-laws”
- 2- Most of the work is subcontracted to the family and availability of the girls and their involvement to the works is highly likely. The phenomenon of the high drop out among girls substantiate this assumption more convincingly as their permanent availability at the home makes them more prone to child labour
- 3- There are some specific works where girl's abilities are more suited. Therefore, their demand is more than the male child labour

4- Girl demands lesser amount as compare to her male counterpart

The most popular explanation by all and sundry about the reason responsible behind girl child labour is undoubtedly the financial pressure from the family. But when asked to the girls for further clarification, they didn't outrightly approve this assumption. They said that no pressure was behind them to work for supplementing the income, but it seems that monetary factor is the most important part in family dynamics. Teenage girls began to feel pressure of their marriage which has become quite costly due to societal changes. The competition of giving off exorbitant dowry for marrying off their daughter with the expectation of reciprocity on part of the in laws of their sons has become deep rooted since the last two decades. Therefore, girls succumb to the pressure. This makes them to supplement their family income for maximizing the surplus that to be earmarked for the dowry.

When it was examined the items that had been gifted to the daughters in the garb of dowry, most of them were not basic necessities of their daughters. This practice is in vogue just to maintain the vanity and social status. Interestingly, this obnoxious practice can be very easily checked if religious authorities come forward and join the bandwagon against the dowry. But our community development leaders and social activists are ignoring this very critical aspect of eradicating a social problem that may result into minimizing the dropout rate among Muslim girls.

It was observed that most of the girls who have been doing the labour in the cloth cutting workshops and box making works are not involved in their works after marriage. The feeling of self-respect in terms of financial sovereignty after marriage is also there in the minds of girls which makes them motivated to do some extra efforts for the rainy days.

After examining most of the works, it seems that participation of girls as a labour seems almost inevitable. The works of cloth cutting and footwear cutting are so delicate that adult male labour is unable to perform those works that too at a very less remuneration. Girls are easily hired on a very easy terms. The abundance of female labour in the area makes the entrepreneurial venture viable paving the way for flourishing of the household based industry which bodes ill for the prospects of education in the district of Moradabad in general and in

Gram Palika level sub towns like Aghwanpur in particular. After having conversation with girls working in these workshops, a large number of girls admitted that they have left the studies out of disenchantment towards studies and temptation of earning money had given them opportunity to forgo studies and resort to earning activities. The cloth cutting work and box making marks needs professional delicacy and dexterity for the cutting and sewing the cloths for the local customers. These factors sum up the demand of female labour and socio-cultural dynamics ensures the supply unabated.

The structure of the brassware industry, just like other unorganized sector medium scale and small industries, is very fragmented. Many auxiliary works of the industry are done outside the factory. Box making for the finished brass items is one them, which is bound to be subcontracted due to its being labour intensive work which requires dexterity and delicacy as well. These works are done at household level and availability of the girls and their involvement to the works is highly likely. The phenomenon of the high drop out among girls substantiate this assumption more convincingly as their permanent availability at the home makes them more prone to child labour.

The household based works are encouraged by the factory owners themselves. It's pretty natural to understand the motive behind this practice. The abundance of female labour at the home is ultimately bound to diminish the bargaining power of the worker. The remuneration demanded by the female labour is less and that suits the owner of the factory at its best. Owners are apprehensive about the involvement of male child labour to a great extent as its overt practice could be troublesome for them. But the involvement of girl child labour within the fences of a house is cent percent safe deal for the owner. This practice is very much latent. The subterranean nature of the girl child labour is very much hospitable for the profit making lust of entrepreneurs thus giving the practice continue unabated.

. The main workers of the zardozi are usually teenage girls and their younger sisters or brothers, who are part time workers, are enrolled in the school that is up to 5th standards. Sisters of the children have studied only upto 2nd standard and they told that their involvement with the work was due to the financial condition of the family. Fathers of those children usually sell vegetables, catch

fish and other allied works available in the rural economy. Their income seems to quite meagre. One important phenomenon of the village was that some families have taken loan from a private financial company, for the construction of their houses. For example, one drop-out girl Shifa (14)'s family has taken loan of Rs.30000 from a firm namely "Bandhan Financial Services Private Limited" and they have to pay its weekly instalments that amounts to Rs 647. This additional burden of expenditure is seemingly a catalyst that propels the family to engage their children to contribute in the income-supplementing work which is already available inside their own house, thus girls fall prey to the process of supplementing the income. The orthodox mindset of the family also responsible for making children disenchanted towards education which results in the form of drop-outs. In the locality, majority of the girls who have studied in the nearby school which offers education only up to 5th standard, stopped their further studies because of the resistance from the society, as they have to travel a bit to the senior secondary school which is 2 kilometers from the village. It was highly observed that antipathy for education among the girls in the area was lesser than the boys but this problem still exists in the area and girls are not passionately interested in studies. I was accompanied by a school teacher of the nearby government school located in Bidhau village, and he told me that no survey from the National Child Labour Project has been conducted yet. He also unaware of any NGO initiative that works for propagating awareness towards education and its importance. These contributory factors along with the several demand and supply factors like poverty, indebtedness, lack of resources, large family size, employment structure of unorganized sector, proliferation of informal sector etc. are responsible for the occurrence of child labour.

There are evidences which established that women empowerment has been a key factor in reducing the supply of child labour in the market. Any move to make women enable to get access to resources or making them influential in household decision making process has actually translated into reduction of child labour. Women are seen to be utilizing the benefits of household affairs in favour of children's health and education in an efficient way when cash transfer is done directly to women than men. Though it was theoretically proven that whenever women are subjected to increasing bargaining power through financial empowerment, it somehow will translate into the scope of better

educational and health benefits for children which will ensue a reduction in child labour supply. But there are various complexities and vulnerabilities in the fragile society of Indian Muslims. Cultural limitations in the Muslim society will create the scope of empowerment of women only through getting the money from household production. This practice can provide some surplus income into the hands of a mother, but there is a strong likelihood that household's production system may also engage children into labour work. It will rather be more vulnerable for girls as the shift of household chores usually performed by a mother will actually be replaced by girl child of that family. It could further complicate the situation. Muslim society is such developed through years in India that most of the North Indian families are dependent on household production system. In eastern belt of UP there are industries of textiles, carpet, Bidi making, Machis making and Chikan work while in western belt, carving, brassware, embroidery, Zardooszi are prominent. It may magnify the incidence of child labour more both directly and indirectly. Directly children will be engaged more in the production process. Indirectly also it may negatively harm the children as due to the enormity of the work, parents will not be able to do household work thus children will have to exert their labour into these areas.

High level of poverty, illiteracy, large family size, low asset base and marginal and no access to basic services like heath education, family welfare are the salient features of a family from where a child labour is bound to emerge. An empowered and aware woman with better training of managing household affairs and having an opportunity to get the income through her economic activity, is likely to undo these obstacles. One more NGO founder told the researcher on the condition of anonymity that cycle of poverty-Illiteracy - oversized family-poverty is the main factor behind the perpetuation of child labour problem. People have still not come over it and the concept of more hand more power still persists in the Muslim families. Most of the families, out of complacency, don't plan about the future of their family as well as their children on their part rather they are dependent on the mercy of God.

As far as the implementation of anti-child labour laws is concerned, it is fully implemented in organised sector factories, but they are not effective in the unorganised sector which employs more than 90 percent workers. The

implementation plan should be oriented towards making it operational effectively in the unorganised sector. The demand side of the child labour only exists in the unorganised sector work processes which is mostly subcontracted to the households. Globalisation has increased this trend further. NGOs are working in for the purpose of eradicating the menace but they are only limited to bring about some insignificant changes.

RECOMMENDATIONS

Uttar Pradesh, Bihar, West Bengal and Karnataka are the States where major share of Muslim population resides. These states also accommodates a large number of illiterate or out of school Muslim children. Educational infrastructure is also in a dilapidated condition in these states. It is a prerequisite to establish a better educational infrastructure to absorb the rescued child labour into mainstream of the society. Incidentally, the above-mentioned states in particular and other states of India in general, have abundant of Waqf properties. *The Times of India* reports on 8th February 2020 that there are more than 6.1 lakh immovable properties owned by various State Waqf Board, more than 25 percent of which i.e. 1.6 lakh are in Uttar Pradesh. Reports also states that most of the properties are in UP, West Bengal and Karnataka. The profits drawn from these resources can be channelized to establish a better infrastructure for education close to the localities of Muslims with a handsome amount of stipend. In the whole length and breadth of India, WAQF owns the land only less than Railways and Defense Department. The corruption in the Waqf properties has actually squandered away the prospects of development. Waqf can be used to start the educational institution and alternative employment to the needy families if government intends to utilize these assets for the sake of development. By equipping Madrasas with syllabus of modern education can also be instrumental in reducing the high drop-out of Muslim children from schools. The establishment of professional training institutes must also be linked with the school at the secondary or higher secondary level so that the apprehension of dying out the traditional cultural heritage of Muslims can be allayed.

Zakat money also can be utilized for the development of Muslims in special way given the fact that India collects zakat to the tune of Rs. 40000 crores. There must be made a fund which can oversee the rehabilitation drive of child labour by providing with the necessary mechanism like schools, hospitals, alternative employment to parents.

There is an ambiguous predicament in front of a researcher to decide the culprit on the supply side of this menace which fortifies the unabated practice of child labour. Whether parents forces the child into labour or the children themselves responsible for their fate? It was generally observed that while talking to the parents (especially father), they complained about the antipathy and disenchantment of children towards education which ultimately land them up into the category of child worker (most of the Muslim parents justify this on the pretext of apprenticeship). But when confronted with the children themselves, they don't explicitly corroborate their father's explanations. The tacit disapproval to their fathers' clarification insinuates towards the incriminating substance against the parents. The complexity gets worse when we are made to believe an ostensibly unscientific but morally correct proposition that parents cannot think bad of their offspring's future. This absurd assumption seems both unpragmatic and fundamentally problematic, given the gravity of the problem in Muslim society in particular. The religious agencies who confer sanctity to the status of father while balancing it with putting the absolute responsibility to manage the affairs of the family to the shoulders of father. In case of anomaly in the management of household affairs, ideally, father should be made answerable. The practice of child labour is solely an outcome of anomaly in household affairs. The monopoly over decision making process, makes father autocratic and psychologically pervert man. Having talked to several parents, it was felt that religious agencies are repeatedly imposing an impression on the minds of male parents that he is the only sovereign authority in the family because of the sanctity he enjoys under the religious jurisdiction. This unbridled and autocratic control over family is not balanced with any mechanism of intense accountability commensurate to the degree of power he wields as the head of family. The recent amendment of child labour law 1986 is the testimony to the fact that government still stick on the conservative notion that authority of parents (for all practical purposes) is sacrosanct. This dogmatic attitude leads

to the passage of this amendment which exempted the hazardous category for several occupations and processes with the condition of its household based operation. This notion forces us to accept that presence of parents, relatives, grandparents, aunts, uncles will make these hitherto hazardous occupation safe for children's health. In the backdrop of the deep rooted sanctity to the parents and fathomless character of the conservative society in India, it has already made the life of children vulnerable owing to the eventual exoneration to the father in the case of exploiting the child.

Muslims reside mostly in urban areas in a relatively congested localities where extra land is scarce due to the higher density of the population. When the primary school teachers were asked about the low frequency of school in the Muslims areas they told that department of education allots funds only for the construction of school building. The funds for purchasing the land for schools are not allotted by the department of education. Thus, this difficulty restricts the process for the construction of government schools in Muslim areas. This phenomenon can be replicated at all India level as the share of Muslim population living in urban areas are comparatively much higher than their other socio-religious counterparts.

Apart from warding off the menace of child labour among the children of less than 14 years, there should also be the security for continuing the education upto higher level for the potential child labour or rescued children from the factory or mills. The semi-literate or literate mothers from the lower classes are often stick to their resolve that they will not allow their children to get involved in the brassware or other processes of small scale industries so that their child does not develop iota of interest into the industrial activities. The absence of additional labour at their household activities due to the study of child, family often find itself clueless after the completion of child's intermediate exam. They don't have enough saving to finance the study of that promising child and thus Human Resource Development gets a major hit due to a slight lack of strategy on part of the parents especially Mothers. Thus, it becomes inevitable to strive for supplementing the income of the family as a saving to fund the higher studies to the potential promising child. Thus it becomes imperative to involve the child in the economic activities apart from their education, so that family get the

capital secured for the future plan of the child. Our rehabilitation efforts should also include this aspect into their agenda so that rehabilitation could be optimally realized.

The debt servicing exercise eventually land up the families in to debt trap due to the exorbitant amount of interest. It was observed by the researchers working in the issue of child labour that children who works in the household even for a mere 2 hours labour minimum are prone to be dropped out of the school. Therefore, policymakers should ensure that microfinance reach out to the areas dominated by small artisans, non-technical and semi technical labours.

The most striking observation made by the one of the most vocal activist for the elimination of child labour in the country i.e. Swami Agnivesh was that working children belong to only a particular group that is Dalit and Adivasi's and to some extent Muslims. Hindu upper caste is negligible in the category of working children. The most savage part of the story is that many of these child labour activities are overtly done and can be seen in the projects of Public Works Department. Officers turn a blind eye on the incidences of child works in the constructions contracts granted by PWDs itself with little regard for these children. The insensitivity of these officers who are mostly Non-Dalits, Non-Adivasis and Non-Muslims, insinuates the gravity of discrimination prevalent in our Indian society which is traditionally marked by rigid stratification.

In the process of policy making, state should also review the centralized nature of its policy making approach. There are schemes and policies which are country based made at the centralized way, ignoring the objective situations of each districts of the country. Its high time to think about district wise planning for the eradication and rehabilitation and even go further at block level. Thus, the objective situation of the districts concentrated by Muslims or Dalits may pave the way for a better strategy and the resultant implementation of that particular strategy could be effectively realized.

It is observed that most of the rehabilitation works which are being conducted through trade unions or big NGOs dominated by Hindu Upper caste. BMS, INTUC, and many other trade unions and NGOs usually run rehabilitation work for the rescued child labourers through Non Formal education centers, but in Muslim dominated areas its presence is nominal. The representation of Muslims

and Hindu lowers caste in the trade unions organizations are very less. Efforts should be made to sensitize the trade unions towards this point. There has to be a study exploring the representation of Muslims and marginalized classes in INTUC, AITUC, BMS, and other Trade Unions. It is also observed that there are some works which exerts both the parents so much that the residual or marginal works has to be completed by the children. For instance, in the bidi industry, male members are engaged in bringing the leaves from the agents. Then, women of the family soak it in the water only to be dried up for the later process. Then women give it the appropriate shape to make them ready for rolling. And then it comes the collective involvement of both the parents to make rolled into the final products. Having done that, parents shifts the work to children who would close the beedi ends and tie them with the threads. An especial emphasis should be put towards this aspect and these type of strenuous works should be restricted so that weary parents are not forced to involve their child into child labour.

In short, authorities who are at the helm of affairs also take note of following points for making rehabilitation a success.

To develop understating on the Pedagogical methodology for enabling joyful learning

To generate awareness on the root causes of child labour and socio-economic-cultural conditions of child labour families

To impart skills of identifying children at work for effective rehabilitation

To equip them with abilities to ensure retention of children in school

To develop understanding on the objectives and various aspects of NCLP

To share successful experiences of child labour prevention and elimination

To facilitate mainstreaming of child labour into formal schools.