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Cite this article as:

SAYED MOHAMMAD ABU DAUD, "Assessing the Validity and Remedies of Child Labor in the Vehicle Sector: A Critical Analysis of Chittagong," Vol.5 & Issue 6, Law Audience Journal (e-ISSN: 2581-6705), Pages 148 to 155 (29th Nov 2024), available at https://www.lawaudience.com/assessing-the-validity-and-remedies-of-child-labor-in-the-vehicle-sector-a-critical-analysis-of-chittagong.

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Publisher Details:

Law Audience Journal (e-ISSN: 2581-6705),

Sole Proprietorship of Mr. Varun Kumar, Kharar, District. S.A.S, Nagar, Mohali, 140301,

Phone No(s): +91-8351033361 (WhatsApp),

Email ID(s): <u>lawjournal@lawaudience.com</u>, <u>info@lawaudience.com</u> or lawaudience@gmail.com.

Website: www.lawaudience.com.

Contact Timings: 10:00 AM to 8:00 PM.

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ABSTRACT:

"Children are the most precious human capital of any country. However, in developing countries like Bangladesh, economic constraints limit opportunities to fulfill children's fundamental needs. As a result, children are often deprived of essential necessities, love, affection, and a nurturing environment, contributing to a rise in child labor. In Bangladesh, child labor is a significant issue, with approximately 4.7 million children aged 5-14 years identified as economically active in 2002-03, and a labor force participation rate of 13.4% for this age group, according to the National Child Labor Survey (NCLS).

Child labor in Bangladesh has increased notably in recent years, with children traditionally involved in agriculture now moving into other sectors, including the vehicle industry. Existing laws in Bangladesh prohibit child labor in all sectors, yet many working children still miss the opportunity to attend school and are treated as inexpensive labor. They often endure harsh conditions, including inadequate food, poor clothing, unsafe work environments, inconsistent wages, and limited recreational opportunities. Many also face physical, mental, and sometimes even sexual harassment. This research aims to examine various aspects of child labor in the vehicle sector in Chittagong, including the socioeconomic and cultural consequences and the need for adequate relief and support for child workers. The objective is to analyze trends and provide insights that could inform policies and interventions to protect the rights and well-being of child laborers in the region".

Keywords: Child Labour, Vehicles, Consequences, Chittagong City.

I. INTRODUCTION:

Child labor is one of the most critical issues worldwide, and in Bangladesh, the situation is particularly concerning. Child labor refers to employing children before they have passed the age of childhood. According to the *National Labor Law of Bangladesh (2016)*, "Children

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under the age of 14 may not be employed in any work." Similarly, the United Nations Convention on the Rights of the Child (UNCRC, 1989) defines a child as an individual under the age of 18. This definition is also supported by the Bangladesh Children Act of 2013, which considers anyone below 18 as a child.

Child labor is especially prevalent in developing countries, such as Bangladesh, where an estimated 7.4 million children are engaged in work across various sectors, including the transport sector. In this sector, child workers are part of an especially vulnerable group employed informally, often without formal agreements. These children face significant risks, including exposure to accidents and potential physical abuse from drivers and passengers. In 2013, the Government of Bangladesh classified 38 types of work as hazardous for children through official notification, with vehicle-related labor included among these high-risk activities. (*The Daily Star, 2013*) It is a common hypothesis in Bangladesh that child labour is mainly an outcome of extreme poverty aggravated by the prevalent ignorance of the tradition bound society. (*Humayun Reza Khan and others, 2014*)

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Children employed in the transport sector, particularly those aged 7 to 14, often work for 10 to 12 hours a day under dangerous conditions that threaten their health, safety, and moral development. Some work up to 65 or 75 hours per week, despite Section 41 of the Labor Act, 2006, which states that children should not work more than 5 hours a day. In the case of <u>M.C.</u> <u>Mehta vs. State of Tamil Nadu and Others (1996)</u>, the Supreme Court of India ruled that "Employers should not be permitted to take work from children for more than six hours a day." Given this context, this study aims to assess the current state of child labor within the vehicle sector in Chittagong City. This research will provide insights into the conditions faced by child workers in transport, contributing to a better understanding of this issue in a specific urban context.

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I.I LITERATURE REVIEW:

To develop a comprehensive understanding of the child labor issue in Bangladesh, various relevant literature sources have been reviewed, including published reports, journal articles, government policy documents, and international conventions. These sources provide insights into the dimensions and underlying factors of child labor, as well as challenges faced by vulnerable children in urban areas.

Key findings from these sources are outlined below:

Taher (2006) examined the prevalence of child labor in Dhaka and its socio-economic implications, noting that child labor in Bangladesh is a widespread phenomenon like other developing regions. Taher argues that child labor is primarily driven by extreme poverty, which is further exacerbated by deeply ingrained social traditions and a lack of economic opportunities (Taher, 2006). Children from low-income families are often unable to meet their basic needs due to a lack of familial support, pushing them into the labor market for survival. Taher's study highlights the complex cycle of poverty and social norms that compel children into labor, emphasizing the need for targeted interventions.

Khan (2008) provides a survey-based estimate from the Bangladesh Institute of Development Studies, indicating that approximately 380,000 street children live in Bangladesh, with over half residing in Dhaka. The survey reports that by 2014, the number of street children was expected to exceed 930,000 (Khan, 2008). This vulnerable population faces significant challenges, including exposure to physical and sexual abuse, harassment by law enforcement, limited access to education and healthcare, and a lack of employment opportunities. To address these issues, the study suggests an age-specific approach to education, recommending two groups: children up to 11 years and those aged 12 and above. This approach, Khan suggests, would help tailor educational and training programs to their developmental needs.

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These studies provide essential insights into the socio-economic context of child labor in Bangladesh, especially highlighting the role of poverty, social norms, and the vulnerability of street children. This literature review serves as a foundation for analyzing the conditions of child labor in the vehicle sector in Chittagong, with a focus on both the drivers of this labor and potential interventions.

II. CHILD LABOR IN VEHICLES IN CHITTAGONG:

Child labor in vehicles in Chittagong remains a significant issue, where children are involved in various tasks within the transport sector. These children are often employed in hazardous conditions, working in vehicles such as rickshaws, auto-rickshaws, buses, trucks, and other forms of public and goods transport. The persistence of child labor in this sector reflects both socio-economic challenges and gaps in the enforcement of labor laws. *Rickshaw and Auto-Rickshaw Work:* Children in Chittagong often work as rickshaw pullers or auto-rickshaw conductors. In some cases, they assist adult rickshaw owners by collecting fares or guiding vehicles through dense traffic. This work is physically taxing, and the children face long hours under unsafe conditions.

Although these children are not driving, they play critical roles in the operation of these vehicles, exposing them to traffic accidents, fatigue, and poor air quality (*Rahman*, 2018). Street Vending and Vehicle Assistance: Another common scenario involves children working as street vendors or helpers in vehicles. Children may sell food items, drinks, or newspapers from vehicles in heavy traffic, often with little regard for their safety. Children are seen riding along in vehicles to sell items to passengers or assist their parents in vending goods (*Bangladesh Bureau of Statistics [BBS]*, 2019). Labor in Goods Transportation: Children in Chittagong also help with the loading and unloading of goods in trucks, vans, and other goods carriers. These children assist in transporting items around the city, including in busy

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areas like the Chittagong Port. The work often involves handling heavy goods, and there is little oversight or regulation regarding the safety of these children (**Islam, 2017**). Bus and Truck Conductors: Some children take on roles as conductors in public buses or trucks, where they help collect fares from passengers or assist with the transportation of goods. These children are exposed to the dangers of busy roads and long working hours, often neglecting their education.

III. CAUSES OF CHILD LABOR IN VEHICLES IN CHITTAGONG:

<u>Poverty:</u> One of the main drivers of child labor in Chittagong is poverty. Families struggling financially often rely on their children's income to meet household needs. The need to survive forces many children to work in unsafe environments, such as in vehicles, to support their families.

Lack of Education: Inadequate access to education is another critical factor. In many low-income neighborhoods, schools may not be easily accessible, and families often cannot afford the costs associated with education (**UNICEF**, **2019**). As a result, children are left without educational opportunities and are pushed into the workforce, especially in sectors like transport.

<u>Weak Enforcement of Laws</u>: While the Bangladesh Labor Act, 2006 prohibits child labor in hazardous work, enforcement remains weak. Much of the transport sector in Chittagong operates informally, and children are often employed without proper legal oversight (**ILO**, **2020**). The absence of strong law enforcement allows child labor to continue unchecked.

<u>Social Norms:</u> In some communities, child labor is normalized. Parents may feel it is necessary for their children to contribute financially, especially in families dependent on informal transport work. This culture of child labor often leads to the perpetuation of the practice across generations.

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IV. EFFECTS OF CHILD LABOR IN VEHICLES:

<u>Health and Safety Risks:</u> Children working in vehicles face significant health risks, including traffic accidents, exposure to harmful exhaust fumes, and physical injuries from lifting heavy goods. Additionally, the long hours and strenuous work can lead to fatigue and poor health outcomes.

Educational Setbacks: Working in vehicles means children are often unable to attend school, which severely limits their educational and social development. Without access to education, these children are more likely to remain in low-wage jobs throughout adulthood, perpetuating the cycle of poverty (Khan & Sultana, 2018).

Psychosocial Effects: The physical demands of child labor, coupled with the exposure to hazardous work environments, can have negative effects on a child's emotional and psychological well-being. The stress and lack of playtime can stunt their social and cognitive development.

V. REMEDY TO ADDRESS THE ISSUE:

Government Actions: Bangladesh passed the Labor Act of 2006, also known as the Labor Code 2006, which includes a chapter on child labor. The Act prohibits the employment of any child under the age of 14 and also bans hazardous forms of child labor for anyone under the age of 18. However, the Act allows children aged 12 years and above to engage in "light work," provided it does not pose a risk to their physical or mental development and does not interfere with their education. Despite these provisions, the law lacks a strong enforcement mechanism to address child labor effectively. Moreover, the vast majority of child laborers (around 93%) work in the informal sector, which makes enforcement of the relevant legislation particularly challenging. In 2010, the Ministry of Labour and Employment adopted the National Child Labour Elimination Policy, with the goal of eliminating all forms of child labor by 2015. The policy's objectives include removing children from hazardous work, creating more income opportunities for poor families to reduce their reliance on

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children's earnings, providing incentives for working children to attend school, ratifying necessary laws, and improving law enforcement to combat child labor. As part of this policy, a Child Labor Unit was established with responsibilities such as collecting and disseminating data on child labor. However, enforcement is often weak, particularly in the informal transport sector, where much of the child labor takes place.

NGO and Civil Society Interventions: Several NGOs, such as BRAC and Save the Children, are working to combat child labor by providing education, raising awareness, and offering alternative livelihoods for families (Save the Children, 2018). These organizations help raise awareness of the risks associated with child labor and provide support to families to reduce their reliance on children's earnings. Community-Based Programs: Local initiatives focus on educating parents and communities about the dangers of child labor and promoting the importance of education. These programs encourage families to send their children to school rather than to work in the transport sector.

VI. CONCLUSION:

Child labor in vehicles in Chittagong is a critical issue, with children working in rickshaws, buses, trucks, and other vehicles under hazardous conditions. The primary causes are poverty, lack of education, and weak law enforcement. Although there are efforts from both the government and NGOs to address this issue, much remains to be done to break the cycle of child labor. Strengthening legal frameworks, improving access to education, and raising awareness are essential steps in protecting children and ensuring their right to a safe and healthy childhood.

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References:

- *The Daily Star.* (2013, June 26). Speaker: Child labour will create skilled labour. https://bangladesh.savethechildren.net/sites/bangladesh.savethechildren.net/files/
- M.C. Mehta v. State of Tamil Nadu and Others, (1996) 6 SCC 756.
- Khan, H. R., et al. (2014). Diversity of child labour in two wards of Dhaka city. Dhaka University Journal, 23.
- Khan, N. A. (2008, June 26). Educating street children. The Daily Star, Dhaka, Bangladesh.
- Taher, M. A. (2006). Child labour in Dhaka city: Dimensions and implications. University of Dhaka, ISWR.
- Rahman, M. (2018). Health and safety risks of child labor in transportation sectors in Chattogram. South Asia Health Review, 32(2), 87-98.
- Bangladesh Bureau of Statistics (BBS). (2019). Statistical yearbook of Bangladesh.
 BBS.
- Islam, M. (2017). Children in hazardous work: A study of transportation-related child labor in Chattogram. Child Development Review, 23(4), 334-349.
- International Labour Organization (ILO). (2020). Child labor in the informal economy: Challenges and opportunities for Bangladesh. ILO.
- UNICEF. (2019). Children and child labor in Bangladesh: A situation analysis. UNICEF Bangladesh.
- Khan, R., & Sultana, S. (2018). Economic pressures and child labor in Bangladesh: A focus on Chattogram. Journal of Economic Development, 14(1), 82-98.