

INDIAN CHILD LABOUR LAWS AND THEIR TREATMENT BY THE INDIAN TELEVISION INDUSTRY

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ABSTRACT: : *Television is present in almost all aspects of our lives. Children and teenagers alike switch on their television in their spare time and watch different kind of programmes to entertain themselves. We are not just inclined towards visual media but also in a state of deep dependence upon it, in order to gratify our personal needs and emotions. One watches television if one is depressed, sad or just bored. Television is not a tool of luxury in our households. It is a mandatory communication tool for news, entertainment and fulfils a larger social role of dispersing information and forming opinions. However it is to be noted that child actors form a large portion of Children are the future of tomorrow and India possesses a large market of children to cater to. The reality shows offer lucrative fame to children and they are attracted because of their want of the five minutes of fame syndrome. The research will consist of an analysis of Indian child labour laws and whether the Indian film and television industry adheres to the same.*

Key Words: *Indian child labour, labour laws, children, talent hunt show*

INTRODUCTION

As India came under the influence of the global economic revolution, a new wave of entertainment-television came to the forefront. The television had captured; and continues to captivate the attention of the audience. This was a direct result of globalization and liberalization, which has led to the expansive growth of the Indian television industry in India. With several entertainment channels coming to the forefront, the race for maximum viewership between them has also increased. With reality shows, daily soaps and dramas and special programming for children, these television channels are willing to go to any lengths to capture the attention of the audience. They are creating new and engaging content on a daily basis to attract more viewers. All the channels are carrying similar content with slight modifications, in order to stay ahead in the race for TRP supremacy. Reality television is the latest fad of the television industry. TRPs are effectively increased due to reality shows and therefore, it has become the most sought-after genre by producers. Most of the reality shows being broadcasted in India right now are related to music, dance and singing. Each channel is currently airing a minimum of two reality shows. Most of them are Indian versions of shows popular in the United States of America (USA.) Indian reality television is flourishing at an exponential rate, with different types of shows being aired.

History of reality shows- Western development

The genre of reality television was first explored by George Schlatter, who delivered an unexpected hit for NBC, named "Real People" in 1979. He benefited from the advent of the video tape and created this series which focused on the lives of different people who were shot on camera by Schlatter. This was quickly replicated by ABC who came up with the show "That's Incredible" and CBS who produced "That's My Line," which was hosted by the popular Bob Barker. Canada came up with its own reality show, named "Thrill of a Lifetime" which ran from 1982 to 1988. It was revived again between 2001 to 2003. Reality television saw an explosion of worldwide fame in the late 1990s and mid- 2000s, with the accomplishments of the Big Brother and Survivor/Expedition Robinson franchises. In the United States, reality television programs encountered a temporary decrease in viewership in 2001, driving some media outlet columnists to speculate that the genre was a temporary trend that had run its course. Reality TV dramas that had low ratings included The Amazing Race, Lost and The Mole. However, this turned out to be the situation for stronghold shows Survivor and American Idol, which both topped the U.S. season-average TV ratings during the 2000s: Survivor drove the ratings in 2001- 02, and Idol has the longest hold on the No. 1 rank in the American TV ratings, dominating over all other prime time programs and other TV series in the overall viewership counts for eight consecutive years, from the 2003- 2004 to the 2010- 2011 TV seasons.

History of reality shows- Indian scenario

In India, reality television came with the arrival of Bournvita quiz in the 1980s and SA Re Ga Ma. As a result, the floodgates unfastened and reality television has swamped our television screens and lives identical. All a similar these shows unit created for attention-grabbing viewing; they find yourself to be uninteresting and impractical. It's apparent that the show has been scripted, albeit loosely. If one channel boasts of "Jhalak Dikhla Ja", a copy of the celebrity dance reality show "Dancing with the Stars", then the other one has "Nach Baliye" to counteract its TRP. These shows provide opportunities to the prodigies residing in the interiors of the country to showcase their talent. These shows haven't exclusively changed the destinies of the numerous television channels but collectively of the numerous traditional people. Celebrity reality shows are another facet of reality television that has become very dear to the audience. There is very little doubt that these shows offer a platform to talented youngsters but this fame comes with a price. The participants are exposed to stress, anxiety, unhealthy aggressiveness, pressure and maturity. Today, the commercialization of children reality shows has overshadowed their basic objective of promoting the talent. These shows place children into various situations where emotional stability is very fragile and lots of the children are victims of depression. Perhaps, the parents collectively have to be compelled to be controlled with such behaviour, because in many cases it's seen that the parents themselves fail to deal with the child's failure. The parents have to be compelled to be told concerning their child's temperament and therefore the method they need to emotionally prepare their child for every success and failure. The exposure of children to the adult content these shows directly or indirectly offer is another serious concern. In dance shows the youngsters unit seen humanities on item songs whereas in comedy shows, the youngsters share adult jokes. Promotion is created once adult content is served through movies or television reality shows like 'Boogie Woogie'; but what about the youngsters on these shows who serve adult content and are asked to be praised by guest celebrities on these shows. This not exclusively deprives youngsters of their innocence but collectively raises a problem on the supposed Indian values and systems. The problems do not end with the participation or winning but continues even once the show is over. Child labor is prohibited in our country, but we have a tendency to still practice it in various forms. As presently as these youngsters appear on television, they are celebrated. As a result, kind of event management corporations in their city begin giving them performance opportunities on occasions like marriages, parties, non secular gatherings, and complete launches etc. The producers offer large sums of money and this develop a lure in people, more in case of the youngsters. The children eventually stop going to school and start earning at an extremely tender age. The minors have to be compelled to exclusively be allowed to participate in competitions. Performance within the alternative sponsored event for money has to be compelled to be thought-about as child labor.

REVIEW OF LITERATURE

The paper "Reality and its Effects on Society" depicts what number of individuals are under the conviction that unscripted TV dramas are another pattern in TV. Numerous individuals like to think unscripted TV dramas are another thing that begun inside the most recent two decades. In any case, unscripted television began the radio in 1947, with a program called "Candid Microphone." The idea was, utilizing a hidden microscope ; the maker would set up amusing situations with common individuals, recording their reactions. In the end, the show made into TV, changing the name to Candid Camera, which remained broadcasting live for very nearly five decades. Reality television shows have been a hit since. Be that as it may, inside the most recent decade or so they've overpowered the wireless transmissions. ("REALITY TV AND ITS EFFECTS ON SOCIETY - Research Paper," n.d.)

Despite the fact that there are beneficial outcomes of reality tv, the negative impacts appear to out way the great ones. Reality stars are getting to be good examples to adolescents instead of their friends or guardians. "TV can easily take the place of a parent, teaching kids the 'acceptable' ways of society." ("The Negative Effects of Reality TV on Todays Female Youth," n.d., "Website," n.d.) When youngsters guardians are unreasonably occupied for them, they more than likely will look to another person as their good examples. Generally their examples may be somebody from perhaps a favorite TV program. Another point that Tom Green states in his article for the Huffington Post is that once upon a time you get pregnant at 16, you cause harm. (Striepe, 2013)

Reality singing and dancing challenge programs like Indian Idol Junior, Sa Re Ga Ma Pa Junior, Nach Baliye Kids all exhibit beginner ability and outline the intensity of "self", and "battling for what you trust." That goes for modeling programs like Project Runway as well. While these shows now and again uncover the monstrous side of "cruel" rivalry, the viewer still leaves with a more profound regard for "extraordinary dangers, get incredible prizes" mindset. Reality television is the most seen genre of the present TV

programming, which is as it should be. Despite the fact that it professes to be apparently "unscripted," we are not excessively guileless. In any case, we do identify with the "Average Joe" status, and we need to root him on. We have confidence in the human soul. Maybe we get tied up with the dramatization, yet at last, we likewise become familiar with the exercises of individual clash and respectability. (Perritano, 2011)

Meng and Lugalambi (2003) found that respondents did not see reality programs as practical. Seen credibility of the program interceded the connection between the kind of program saw and the apparent utility. The creators contend that the best way to analyze apparent the truth is by the level of individual utility that the watcher gets from the truth program. Since unscripted tv is a configuration of programming that is generally new, there is restricted research with respect to this type of TV programming. Nonetheless, the examination that exists around there discloses to us some imperative things to direct in the investigation of this marvel. To begin with, unscripted tv lumped together under one umbrella may mutilate the impacts of each subgenre inside reality programming. Second, analysts must consider the dimension of duty of the watcher.

Corridor A. (2009) researched whether watcher impression of the truth projects' credibility were related with inclusion, delight, and saw learning. Four elements of saw realness were recognized: thrown erraticism, representativeness, authenticity, and maker control. Recognitions that the cast was not erratic, that they were illustrative of individuals the respondents could meet, that they were carrying on sincerely, and that the makers were controlling the show were related with subjective inclusion. Cast representativeness was likewise decidedly connected with social inclusion. Each type of contribution was related with happiness. Impression of the cast individuals' representativeness, authenticity, and absence of unconventionality were related with apparent learning.

METHODOLOGY

Content analysis could be an analysis tool to verify the presence of bound words or ideas at intervals texts or sets of texts. Researchers quantify and analyze the presence, meanings and relationships of such words and ideas, then build inferences regarding the messages at intervals the texts, the writer(s), the audience, and even the culture and time of that these are a section. Texts can be defined broadly as books, book chapters, essays, interviews, discussions, newspaper headlines and articles, historical documents, speeches, conversations, advertising, theater, informal conversation, or really any occurrence of communicative language. Texts in an exceedingly single study may additionally represent a spread of various forms of occurrences, like Palmquist's 1990 study of 2 composition categories, during which he analyzed student and teacher interviews, writing journals, room discussions and lectures, and

out-of-class interaction sheets. To conduct a content analysis on any such text, the text is coded, or softened, into manageable categories on a variety of levels. Historically, content analysis was a time consuming process. Analysis was done manually, or slow mainframe computers were wont to analyze punch cards containing information punched in by human coders. Single studies could employ thousands of these cards. Human error and time constraints created this methodology impractical for big texts. However, despite its inutility, content associate degree analysis was already an usually utilised analysis methodology by the 1940's. Although at the start restricted to studies that examined texts for the frequency of the prevalence of known terms (word counts), by the mid-1950's researchers were already commencing to take into account the need for a lot of refined ways of study, specializing in ideas instead of merely words, and on linguistics relationships instead of simply presence (de Sola Pool 1959). While each traditions still continue nowadays, content analysis now could be conjointly utilised to explore mental models, and their linguistic, affective, cognitive, social, cultural and historical significance. rd, word sense, phrase, sentence, or theme- and then examined using one of content analysis' basic methods: conceptual analysis or relational analysis. Additionally, content analysis reflects a detailed relationship with socio- and cognitive psychology, and is playing an integral role in the development of artificial intelligence.

There are 2 general classes of content analysis: abstract analysis and relative analysis. Conceptual analysis will be thought of as establishing the existence and frequency of ideas – most frequently diagrammatic by words or phrases – in an exceedingly text. For instance, say you've got a hunch that your favorite author usually writes regarding hunger. With abstract analysis you'll be able to verify what percentage times words like "hunger," "hungry," "famished," or "starving" appear in a volume of poems. In distinction, relative analysis goes one step any by examining the relationships among ideas in an exceedingly text. Returning to the "hunger" example, with relational analysis, you could identify what other words or phrases "hunger" or "famished" appear next to and then determine what different meanings emerge as a result of these groupings. Conceptual analysis begins with distinctive analysis queries and selecting a sample or samples. Once chosen, the text should be coded into manageable content classes.

The process of committal to writing is largely one in every of selective reduction. By reducing the text to classes consisting of a word, set of words or phrases, the researcher can focus on, and code for, specific words or patterns that are indicative of the research question. An example of a conceptual analysis would be to examine several Clinton speeches on health care, made during the 1992 presidential campaign, and code them for the existence of certain words. In watching these speeches, the analysis question would possibly involve examining the quantity of positive words wont to describe Clinton's projected set up, and the number of negative words used to describe the current status of healthcare in America.

ANALYSIS AND FINDINGS

“Child” as outlined by the child Labour (Prohibition and Regulation) Act, 1986 may be a one who has not completed the age of fourteen years. a toddler of such tender age, is predicted to play, study and be carefree concerning his life. however as a reality of nature, expectations hardly meet reality. Children, by can or by force are utilized to figure within the harsh conditions and atmosphere that becomes a threat to their life. child labour results in underdevelopment, incomplete mental and physical development, that successively ends up in feeble minded growth of youngsters. International Labour Organisation (ILO) defines the term child labour as, “work that deprives youngsters of their childhood, their potential and their dignity, which is harmful to physical and mental development. It refers to figure that's mentally, physically, socially or virtuously dangerous and harmful to youngsters, or work whose schedule interferes with their ability to attend regular faculty, or work that affects in any manner their ability to focus throughout faculty or expertise a healthy childhood.”

UNICEF defines child labour otherwise. A child, suggests UNICEF, is concerned in child labour activities if between five to eleven years archaic, he or she did a minimum of one hour of economic activity or a minimum of twenty eight hours of domestic add per week, and just in case of youngsters between twelve to fourteen years archaic, he or she did a minimum of fourteen hours of economic activity or a minimum of forty two hours of economic activity and domestic work per week.

India's Census 2001 workplace defines child labor as, “participation of a toddler but seventeen years archaic in any economically productive activity with or while not compensation, wages or profit. Such participation may be physical or mental or each. This work includes part-time facilitate or unpaid work on the farm, family enterprise or in the other economic activity like cultivation and milk production available or domestic consumption.

Today, there are many laws and acts inculpative and prohibiting child labour. Are these laws adhered to within the sets of reality shows? The solution may be a resonant “no”. it might be estimated however this employment of youngsters are affecting them in terms of morality, human rights and behavior. Several folks bring their youngsters into these shows only for the sake of name, fame and for financial benefits. Within the sets and backstage, youngsters are working for long hours, in some cases, even for a full day, before their audition or turn to perform comes. Some children are forced to abandon their education so as to require participate in such shows. What's worse is that, they're forced and made to act or create a scene repeatedly till the director of the show feels happy with the take. In an evident consequence, these youngsters are exposed and subjected to tons of adult content, that they're typically forced to enact. this could even be termed as regulatory offence. as an example, an eight year old girl sporting a lean dress and performing a provocative item number before of a live audience for a dance-based reality show will be place inside the bracket of indecent exploitation.

Recently director Shoojit Sircar, in a tweet, asked authorities to get rid of reality TV shows that have child participants. These shows don't seem to be solely tearing down the youngsters emotional stability, it's conjointly ruining their innocence at a young age, he said. Employment of child actors was common in tv channels back within the day, however the quantity has drastically augmented within the last 10 years about. Although tv channels claim that such activities and participations in point of fact shows are another branch of extra-curricular activities, it's been exploited as a money- minting theme by several producers. It's quite common for upper class parents to pressurise their youngsters to participate in such tv shows. The parents ignore the development of their children, and equate these talent shows as a primary supply of fame within the tv business. They are not taking into thought the power of the child. the parents are liable for swing the youngsters besieged to perform well in these reality shows, that are step by step changing into symbols of a status and boast. Students are forced to practise for hours so as to refine and excellent their performances, that leaves them each mentally and physically stressed and exhausted.

There are specific coaching centers, that concentrate on making ready and coaching youngsters for reality shows. This has solely physically and showing emotion burdened the children, forcing them to divide time

between these strenuous shoots and teachers.

Then comes the implications of rejection. Children never like to face rejection and defeat and such reality shows expose a large number of children to such emotions.

It is important to notice that child labor laws build no special provisions for the inclusion of child actors in any style of audio-visual amusement, be it films, short films, T.V Serials, Reality Shows, etc.

Child actors are regularly exposed to unsuitable, dangerous conditions while working in the entertainment industry. Whether in daily soap operas or reality shows, children are subjected to hazardous situations where they have to handle emotional and physical stress. In the absence of a dedicated monitoring mechanism, there is every likelihood of child actors being exploited when it comes to the number of hours worked per day, and short-changed in terms of educational and safety provisions.

The issue of child labour or concerns over the participation of child actors in Indian Television industry has existed since long. But the recent social media post by Indian film director Shoojit Sarkar has once again brought the issue in broad daylight, highlighting the need of sensitising the way child artists are treated.

The researcher discussed this issue at length with a professor from CHRIST School of Law, Mr. Jarripothula Adinarayana.

Q 1: Does the Indian Constitution acknowledge the minors working in the Indian television industry as child labor?

A: The Indian Constitution does not have a particular specification for the Indian television industry. The child labor laws do not consider children working in the television industry as child laborers. There is where the loophole lies. The programmes which are shown can not be charged with child labor because the existing laws do not consider the television industry as child labor institutions.

Q 2: Why doesn't the Indian television industry come under the purview of the existing child labor prevention laws?

A: Entertainment has never been considered as a hazardous or stressful job. Therefore, it is natural that employees under the entertainment sector will not be considered in danger per say. But what the governments do not understand is the mental and physical stress child participants go through in the entertainment industry. Therefore they need to make amendments to the laws soon.

Q 3: Don't the parents have a moral responsibility towards the children?

A: Well the parents are the ones to blame most of the time. They are the ones who create pressure on their children to excel at everything. They force the child to participate in such shows and expect them to win all the time. Without caring about the child's well-being they rush on for them to participate in such competitions.

Q 4: Will raising awareness amongst parents help in the society realizing that such extreme work hours for children is also a form of child labor?

A: Definitely. More than making them aware of the working hours, the parents need to be made aware of the social and psychological pressure that the child participants face. They need to realise that childhood is for all round development and not just aiming at momentary fame.

Q 5: What should be the ideal way forward to raise awareness?

A: Proper counselling and one on one talks to the parents are the only way to create awareness on these issues. Parents have hopelessly high expectations from their children and want them to fulfil it in any way possible.

CONCLUSION

Child actors are often exposed to dangerous and hazardous conditions, while working in the Indian television industry. Be it reality television shows or soap operas, children are subjected to various emotional and physical stress. The children are exploited and made to work for numerous hours a day. Their well-being and academic life is made secondary in lieu of their work. The issue of children working in the television industry has long been feuded over, with many activists clamouring to call it child labor. A recent tweet by Bollywood director Shoojit Sarkar has once more drawn light to the issue, highlighting the need for serious regulations on child labor in the Indian television industry.

The issue of child labor or issues over the participation of child actors in Indian tv business has existed since long, however the recent social media post by Indian movie maker Shoojit Sarkar has once more brought the difficulty in broad daylight, highlight the necessity of sensitising the means through which child artists are treated. When it involves the law that regulates operating of child actors, the recently amended Child Labor (Prohibition & Regulation) Act, 1986 puts a complete ban on all children from pursuing occupations with exceptions of them serving to their family.

The consent of every child's guardian beside the signature of people who'll be in control of the participants' safety and security should also be submitted beside the consent application. One person for five children should be appointed by the production house to make sure the care and protection of each child.

The labor wages for children remains low despite the fact that the work involves rigorous labor and being dangerous. Work beats out education for many children. From the angle of assorted social issues prevailing in our country, the mass media have a decisive role to play in compelling the parents for exploiting the children and forcing them into labor.

This can be supported by the fact that due to an increase in the number of talent shows, the number of participants in these shows has also increased. As parents see child prodigies on screen, they too have aspirations to see their child on-screen. Therefore they start pressurizing the children to ace in certain hobbies like dancing or singing. The child's consent and welfare is often not considered. The Constitution however, lacks in providing and protection to children below the age of six years. The laws that defend the exploitation of child artists within the show biz and guarantee their protection and education, fail to safeguard the child's rights to recreation and leisure.

It's necessary that the child artists don't seem to be treated as commodities to garner higher ratings and tight norms concerning the participation of children in reality shows is required. It's been 70 years since India gained Independence. Despite guarantees by varied governments over the years to prevent the utilization of children in business, and even laws against child labor, very little has changed on the inside. This increase in reality show participants is apparent in the upper middle-class families of India. The prevalence of child labor in India isn't new, however it's positively taking a new form. Slowly and subtly, child labor is changing into an integral part of our life, even with us not realizing it. A look into the post-Independence statistics of child labor in India reveals a high rate of child labor throughout the late 1980s. With a substantial amount of the population below the poverty level, low economic progress and inadequate laws to deal with the difficulty of child labor, these factors led to the rise of hazardous child labor. In today's era, child labor maybe perceived as non-hazardous, but that certainly is not the case. Most industries rely on local labor, who in turn employ children in dangerous factories, producing fire crackers, glass, beedi, incense sticks and carpets. Even today, a large number of children are engaged in these industries despite government laws in situ. No doubt, the figures have come back down, however still a major crisis exists.

Because of reality shows, the quantity of children participating in such shows has increased manifold. What is going to be the consequence of the channels continuing to feature reality shows with children? The alarm bells haven't rung amongst us however. Of late, there has been a surge of shows with children taking part, in the genres of music, dance or stand-up comedy shows. Some serials being broadcast even have children in lead roles. A number of shows currently have children as their anchor- an upcoming trend. Participation of children in an exceedingly increasing number of TV reality shows might not be thought of being wrong. It may be argued that it's like every competition, however if you rigorously watch the show its apparent the type of pressure it puts on children is immense. It's extremely possible that such pressure creates negative impact on the participants' psychology. Another possible event is that the reactions of the children and their families are often scripted, in order to attract more TRPs and grab eyeballs. If such is the case, future study could be done to assess the impact these fake emotions have on the children. On the other hand, if the emotions are real, it creates a "win at any cost" situation for the children. The parents become so emotional that they want their child to win anyhow. Therefore, the children are forced to work hard and toil in order to win. Therefore, because the children are working so hard and tirelessly, then why is this not termed as child labor? The recognition and reach of the tv programmes have deep penetrations in the society and therefore, parents are forcing children to participate in such talent or comedy shows. Yes, children have taken part in films and television shows in the past, but what's dangerous is the fast momentum in which parents are pushing their kids into the show biz.

Fardeen Azim Sheikh, a ration shop owner in Koramangala, dreams of his five-year old son to become a model. "I want my son Farookh to one day appear on the covers of world-famous magazines. I could not make it big so it's my dream to see my son being acknowledged by the entire world."

Such is the thinking of today's parents. They are putting the weights of their failure on their children's shoulders. Children like Farookh are being forced to venture into the entertainment industry at ages where they are not capable of understanding anything going around them. Child labor laws do little or nothing to prevent them from being exposed to the television industry.

There are two concluding aspects. The government needs to amend their child labor laws so that the entertainment industry comes under its jurisdiction. There are no concrete laws right now focusing on the participation of minors in television entertainment industry. It is grueling and tiresome for the children to

sometimes work for more than 18 hours a day. The second point of contention is the way in which Indian parents think. It is perfectly fine for them to engage their children in extra- curricular activities but it should be for the overall development of the child. The glitter and glamour of the television industry should not drive parents to force a career of modeling or television on a child, against the latter's wish. The Indian Constitution does provide for child rights and security, bringing lots of hazardous occupations under its purview. The television industry however, has been left from consideration and it is essential that this industry wakes up and recognises the illegal treatment it is doling out to the children of India.

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