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## **CHILD LABOUR IN INDIA**

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### **ABSTRACT**

This research paper discusses child labour in India. It has always been a less discussed topic. In the world, children are taken as the greatest gift of humanity. Human development's important stage is childhood, and it takes the potential to the future of any society. The parent links the future to the present status of the children. Child labour is a rising crime which forces small children to do paid work on the small industry, factories, illegal business, household etc. Child labour affects the development of children in every direction that is physically, socially and mentally. Child labour is growing rapidly in underdeveloped and developing countries; it is a national issue. Child labour takes away the basic rights of education, health, independence of children etc. The main reason behind child labour is poverty, lack of education and facilities, family problem.

**Introduction**

Child labour can be considered as such scenario in which children are employed as the consequence children are deprived of their childhood. It also affects their schooling they are not able to attend the classes because of them being employed in factories. It also has a major effect on their mental being and they also sometimes succumb to physical injuries. It is also not morally appropriate to allow children in child labour activities as a result they often lack in educational facilities and also risk to their health. Child labour is similar to exploitation because it takes away education of children from them. And it puts them in hazardous situations. If any one for that matter any child is put in any hazardous activities at a very young age and it results in a vulnerable situation. If they are employed at a very young age. They open themselves up to their development as a being. It has been seen at many times that the big employers make fake promises with children that they will give lots of money and also give false assurance that they will be provided with all the luxuries etc. and the children fall into these traps. The rich employers don't care for children's health they are even least bothered about their mental being. All they just care about their money which convinces deprived children of their wholesome enjoyment of their childhood.

**Who is a Child?**

If we talk about the term child labour then it is derived from two words that is child and another is labour whenever a child is put into labour then that can be considered as a child labour. In India whoever below the age of 14 years is considered as a child under the Indian law.

**What is child labour?**

Child labour indicates to the children's exploitation through many forms of work that deprives children of their childhood, interferes with their school attendance, it is harmful for children physically, morally, mentally and socially.

Worldwide a total number of 152 million children aged 5 to 17 are in child labour of which 64 million child labour are girls and 88 million child labour are boys.

**In India-** According to the data from the census of 2011, in India the number of child labour is 10.1 million of which 4.5 million child labour are girls and 5.6 million child labour are boys.

**The World Day Against Child Labour** on 12 June it is first launched by the International Labour Organization (ILO) in 2002 to raise awareness and to prevent child labour.

**Nelson Mandela-**

***“There can be no keener revelation of a society’s soul than the way in which it treats its children”.*** **Law related about child labour**

According to the article 23 of the constitution of India prohibited any type of force labour. Article 24 of the constitution of India state that a child underage of 14 years cannot be employed at any hazardous work. Similarly, Article 32 Convention Right of the Child and Article 39 state that “the health and strength of workers, men and women, and tender age of children are not abused”. Similarly, Child Labour Act (Prohibition and Regulation) 1986 is amendment Child Labour Act (Prohibition and Regulation) 2016 this act prohibits children under the age of 14 years to be working in hazardous industries and processes.

**National child labour project scheme**

Santosh Kumar Gangwar is union minister of state (IC) for labour and employment informed to Lok Sabha. During the last three year the total of 1,44,783 child labourers were rescued, rehabilitated and mainstreamed under NATIONAL CHILD LABOUR PROJECT.

During the period of 2017-18 there are 30979 child labour were rescued, rehabilitated and mainstreamed, 47635 in 2017-18 and 66169 in 2018-19.

He said the government is following a holistic and multipronged strategy for elimination of child labour completely, which is an outcome of various social economic problems such as poverty, economic backwardness and illiteracy.

According to the report of **UNICEF** (united nations children’s funds) in India the higher number of child labour in Uttar Pradesh (UP).

According to the **3<sup>rd</sup> end of child index 2019**, a part of changing lives in our lifetime-Global Childhood Report 2019, this index talks abouts childhood condition of the country and India was ranked 113 in 176 countries. The index was released on May 28, 2019 by ‘save the children’. Organization of United Kingdom (UK) which works for rights of children and childhood condition of the country show by this index.

The law talks about Child Labour prohibited in India the government has amended the Child Labour (Prohibition & Regulation) Act 1986, and enacted Child Labour (Prohibition & Regulation) Amendment Act, 2016 which complete prohibition on employment of children whoever below the age of 14 years at the all occupations and processes. This act amendment in 2016 prohibits the employment of adolescents (14-18 years) in hazardous processes and

occupations. The adolescents free to works at non-hazardous places and adolescents also help in family processes.

Government is carryout the national child labour project (NCLP). This scheme for the rehabilitation of child labour in India. Under the NCLP scheme, children in the age group of 9-14 years are rescued form work and enrolled in the NCLP special training Centres, where they are provided with mid-day meal, bridge education, vocational training, stipend, healthcare etc. before being mainstreamed into the formal education system.

The age group of the 5 to 8 years children are directly linked to the formal education system through a close coordination with the Sarva Shiksha Abhiyan (SSA), it was launched in 2001, to provide free and compulsory education to children this is the dream of the Atal Bihari Vajpyee Government.

Indian government make a platform to stop the child labour it is known as **PENCiL** (Platform for Effective Enforcement for No Child Labour). It launched by Indian Government in 2017 if anyone see any child work at hazardous and any other place than they are made a complain on PENCiL portal. This Platform for Effective Enforcement for No Child Labour (pencil) portal very less complaints being registered.

Indian Government has also 86<sup>th</sup> Amendment to the Constitution, 2002, aims to provide free and compulsory education to children of age group of 6 to 14 years.

Indian Government setting up of the **National Commission for Protection of Child Rights** (NCPCR) was yet another big move. This aegis works under the women and child development ministry.

As per census data 2011, the number of working children in the age of group of 5-14 years is 1.01 crore and there are 22.87 million children in Indian between 15-18years. In India 80 percent of the child labour is Concentrated in rural areas.

According to the **International Labour Organization** (ILO) 2016, there are 152 million children are working in the worldwide between age of 5 to 17 years, of which in India there are 23.8 million children are working.

India ratified International Labour Organizations Convention (ILO) no138 (minimum age for employment) and convention no 182 (worst forms of child labour) in June 2017, to symbolize its commitment and initiatives for the eradication of child labour and attainment of Sustainable Development Goal related with restrain of child labour.

ILO (International Labour Organizations) Convention no 138, which requires country to set a minimum age child labor under which no one shall be admitted to employment or work in any

occupation, except for light work and artistic performances like child actors in movies, serial, drama etc.

ILO (International Labour Organizations) Convention no 182, India reaffirmed its commitment for the prohibition, force labour and trafficking; the use of children in armed conflict; use of small girls for Prostitution, pornography, use children for smuggling illegal things, drug trafficking; and hazardous work.

### **Difficulty in countering child labour**

- To effectively combat child labour, the Centre, in 2016, amended the child labour (Prohibition and Regulation) Act, 1986. This amendment completely ban child labour, children are allow to render help in “family enterprises” and adolescents children are allow to work in certain occupations not considered hazardous.
- Change in the nature of Child Labour, it is becoming more homebased, difficulty in regulation.
- India for a long time ignored the provision of the ILO (International Labour Organizations) Convention 138 that occupation (in which minors cannot be employed) should also include those which can endanger the safety and morals of children.
- Some children are not understand the work is harmful for us and employers are also not clear about the hazardous works because they are only make own profit.
- Adolescents are not aware of the industries that are safe to work in. Lot of children are susceptible to diseases as they do waste collection without any safety gear.

Disbursal of the rehabilitation fund is very timely, and the number of cases where disbursal takes place is also very minimal due to the small number of cases that are registered under the law against child labour.

### **How to control child labour**

A very important part of childhood development is education. Children who are child labour are basically driven because of economic deprivation, not proper schooling and to full feel the basic need of the family. Due to the increase child employment studies have found low enrollment. The most important platform for intervention against child labour is school. With the help of economic development child labour can be control and awareness programe can be increase or making education affordable across all levels, enforcement law for antichild labour. The Indian government has take many initiatives to control child labour. Government launched the scheme of The National Child Labour Project (NCPL) in 9 districts of the country where

the higher number of child labour activities. According to this scheme District Collectors take the fund from government and establish and running the special school for child labour and NGOs are also running special school for child labour. According to this scheme of government and NGOs provide formal and informal education to the children along with the stipend 100 per month, vocational training and health checkup also done by doctors.

### **Way Forward**

- Better implementation of legal provisions.
- Institutions of local government like Panchayati Raj institutions should be sensitized and empowered towards prevention of child labour in their jurisdictions, as well as rehabilitation of former child labourers.
- Actual counselling of parents to take very crucial step for children. Awarenessbuilding program should be conducted with communities and parents, through which at large people can understand the ill effects of child labour.
- Implementation of livelihood schemes like MGNREGA and other with all sincerity.
- The private sector has play a very important role in protecting children from harmful work, in improving working conditions and removing hazards from harmful work in improving working conditions and removing hazards from the environment of young workers. We also believe that employers that are aware of the risks of harmful work for children and what is acceptable and not acceptable for a child or adolescent worker to do, are important for the protection of children.

### **Panchayat members also play an important role in mitigating child labour**

- Awareness program Generate about the ill-effects of child labour.
- Panchayat members support the parents to send their children to school.
- Ensure that children have sufficient facilities available in school.
- Inform industry owners about the law prohibiting child labour and the penalties for violating these laws.
- Activate the Aanganwadis and Balwadis in the village so that working mothers do not leave the responsibility of younger children on their older siblings.
- Motivate Village Education Committees (VECs) to improvement the conditions of the schools.

**Conclusion**

if we talk about major causes of child labour than poverty is one of them. Poverty could be considered as sole reasons why labour among children has grown at such a rapid rate. In addition to this the poor level of literacy is also a major cause and they are not aware about their rights. The people in power often miss use this and tries to take undue advantage of the illiterate of children. Now if we have to find the solution of child labour so that we can eradicate this problem of child labour which is growing in are society as far as it could be. Then we will have to first make sure that are government provide the people with adequate amount of money and resources that their children are not force to do child labour because if that low economic level. There are also many NGOs example CARE India, Child Right and You etc. which are working day and night hard to eradicate this problem from the Indian society. Now what is requirement from government that it should take inspiration from these NGOs and should try to establish much institution like these so that the problem of child labour can be curbed down.

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- You Tube videos also help in this research paper