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CHILD LABOR AS A SOCIO ECONOMIC OFFENCES: EVALUATING THE EFFECTIVENESS OF INDIAN LAWS AND INTERNATIONAL CONVENTIONS.

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Abstract

This research explores the persistence of child labour in the 21st century despite globalization, privatization, technological advances, and human rights awareness. It highlights the gap between national and international laws such as ILO Conventions, the UN Convention on the Rights of the Child (CRC) 1989 and India's Child Labour Act and their weak enforcement.¹ The study identifies poverty, cultural norms, lack of awareness and informal sector challenges as key factors sustaining child labour. Using legal analysis and empirical data it emphasizes the need for coordinated efforts by governments, judiciary, civil society, and businesses. In this study recommendations focus on stronger enforcement, education, poverty reduction and accountability to eradicate child labour. It remains one of the most pressing global issues, particularly in developing nations like India. In many instances, it is driven by the economic hardships faced by parents. A major cause of child labour is the widespread unemployment and underemployment among poor adults, often worsened by rapid growth of population day by day in today's era. Families with limited income, inadequate access to education, and a lack of awareness among parents about the value of schooling and the negative effects of child labour on children's health are key contributing factors. Over time, however, there has been a growing global awareness about the seriousness of this issue.² The Indian Constitution reflects a commitment to prioritizing child welfare over economic concerns. As a result, various committees, schemes, policy, programmes and commissions have been formed by the Indian government to address the problem of child labour, study its root causes and propose effective solutions. For any government policy on child labour and their development to be effective and it must be both practical and holistic.

KEY WORDS: *Child Labour, Human Rights, Poverty, Education, Legal Enforcement, Globalizati*

1. Introduction

Child labour remains a crucial global issue despite innumerable national and international laws came into enforcement. Millions of children are forced to work in hazardous conditions, often within informal or unregulated sectors such as agriculture, mining, domestic work and construction¹. International treaties like the ILO Conventions No. 138 and 182² and the UN Convention on the Rights of the Child (CRC) 1989 provide a robust legal framework to combat child labour. In India, laws such as the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 and the Right to Education Act, 2009 further strengthen this framework. However, enforcement gaps and socio-economic realities still hinder progress.

The tenacity of child labour is linked to several factors. Poverty remains a primary driver which compel families to depend on children's income for their survival. Poor access to quality education, especially in rural areas discourages school attendance and pushes children into work. Studies show that many government schools lack infrastructure, qualified teachers, and learning materials, it makes schooling less viable or attractive for children and their families. Additionally, cultural and social norms sometimes normalize child labour, particularly in informal family-based work³. The large informal economy in countries like India, characterized by low wages and weak regulation and it creates demand for cheap child labour.

Enforcement challenges exacerbate the problem. Many countries suffer from insufficient labor inspectors, limited resources, and corruption, which undermine workplace inspections and legal compliance. Weak institutional capacity and lack of political will further reduce the effectiveness of laws meant to protect children.

Addressing child labour requires an integrated approach. Policies must combine legal reforms with improved access to quality education, social protection for vulnerable families and economic development that promotes decent work for adults. Social dialogue involving

¹ UNICEF. 1997. Focus on Child Labour, The State of the World's Children. New York: Oxford University Press.

² C182 - Worst Forms of Child Labour Convention, 1999 (No. 182).

³ Government of India. 1994. Report of the National Authority on the Elimination of Child Labour. New Delhi: Ministry of Labour.

governments, employers, workers and communities is essential to tailor interventions to local contexts. Public awareness campaigns and strong enforcement of law can also help shift cultural attitudes that tolerate child labour.

In summary, while legal frameworks exist globally and in India also that helps to eliminate child labour, , poverty alleviation, quality education , cultural change and at last strong enforcement of effective law.

1.1. Research Gap

Even with many efforts in India and abroad, child labour is still a big problem. Laws exist but we don't know much about how well they are enforced in villages and districts. Most studies ignore the informal sector like farming, domestic work, and family businesses, where child labour is most common. We also know little about how culture and traditions keep it going, how India compares with other countries, and how rescued children are supported and brought back to school.

1.2. Novelty of the research

This research contributes uniquely by:

- 1. Integrated Framework:** Offering a comprehensive evaluation that combines constitutional mandates, legislative measures, judicial interpretation, and international conventions to assess effectiveness against child labour.
- 2. Mixed-Methods Approach:** Proposing a mixed-methods methodology that blends quantitative prevalence data with qualitative insights from affected children, families, NGOs, and government officials, thus capturing both structural and lived realities.
- 3. Focus on Informal Economy:** Addressing the informal sector explicitly, which employs the largest proportion of child labourers in India but is often overlooked in existing research.
- 4. Comparative Global Lens:** Conducting a comparative analysis between India and other nations (e.g., USA, Germany, Sweden, Japan, South Korea), providing policy lessons and practical models for reform.
- 5. Policy-Oriented Outcomes:** Beyond diagnosis, the study aims to deliver actionable recommendations on law enforcement, education access, poverty alleviation, and cultural change, contributing directly to India's commitment to the UN Sustainable Development Goal of ending child labour by 2025.

1.3. Research objective

The primary goal of this study is to understand why child labour continues to exist despite strong legal measures. The specific objectives are:

1. To define child labour and its various forms
2. To study international legal measures against child labour
3. To analyse child labour laws and policies in India
4. To identify causes behind the continuation of child labour
5. To evaluate the role of stakeholders in addressing child labour
6. To offer recommendations for ending child labour

1.4. Research Methodology

To investigate the persistence and prohibition of child labour in the 21st century, particularly in light of evolving international laws and national regulations, with the help of primary and secondary data.

1.5. Hypothesis

Primary Hypothesis (H1):

Stronger legal frameworks, when effectively enforced, significantly reduce the prevalence of child labour in India.

Secondary Hypotheses:

H2: Poverty, unemployment, and lack of access to quality education are the most critical drivers sustaining child labour despite legal prohibitions.

H3: Cultural norms and social acceptance of child labour in family enterprises weaken the impact of existing laws.

H4: Countries with robust welfare schemes and strict enforcement (e.g., Sweden, Germany, South Korea) demonstrate lower child labour prevalence compared to India.

H5: Post-rescue rehabilitation, if comprehensive (education, psychological support, vocational training), reduces the likelihood of children re-entering the labour force.

1.6. Research Questions

1. Why does child labour continue to tenacity in India despite constitutional safeguards and multiple legislative measures?
2. How effective are India's laws (such as the Child and Adolescent Labour Act, Factories

- Act, Mines Act and the Right to Education Act 2009) in comparison with international conventions like ILO Conventions No. 138 & 182 and the CRC 1989?
3. What socio-economic and cultural factors contribute most significantly to the tenacity of child labour in India?
 4. What role do statutory actors (courts, government agencies) and non-statutory bodies (NGOs, civil society, media) play in addressing child labour?
 5. How effective are rehabilitation programs in reintegrating rescued child labourers into education and society?
 6. What lessons can India draw from international best practices (e.g., Brazil, Bangladesh, South Korea, Sweden) in combating child labour?
 7. What policies recommended to the government for implementation of law which helps to bridge the gap between law and practice for eliminating child labour?

1.7. Literature Review

1. The Constitution of India

The Indian Constitution provides a strong foundation for child protection. Article 24 prohibits the employment of children below the age of 14 years in any factory, mine, or hazardous occupation⁴. The intention is to prevent exploitation, safeguard the health and development of children, and ensure their access to education. The article allows for certain exceptions where child labor may be permitted, such as engaging children in non-hazardous family-based work, work as part of a school's curriculum, or in any other harmless or innocent occupation. Additionally, Article 39(e) and (f) of the Directive Principles of State Policy obligates the state to ensure that children are not abused and are provided conditions that support their healthy development⁵. These constitutional provisions reflect the nation's commitment to safeguarding children's rights and dignity.

2. The Child Labour (Prohibition and Regulation) Act, 1986 (Amended 2016)

This act is one of the most significant legal tools for combating child labour in India. It completely bans the employment of children below 14 years in all sectors and restricts adolescents (14–18 years) from working in hazardous occupations. The 2016 amendment added stricter penalties for violators and broadened the definition of hazardous work, though critics argue that exceptions for family enterprises still create

⁴ The Constitution of India, Article-24.

⁵ The Constitution of India, Article- 39 (e) & (f).

loopholes⁶.

3. Factories Act, 1948

The Factories Act regulates the working conditions of labourers and prohibits children under 14 from being employed in factories. A year after India became independent, the Factories Act, 1948 was enacted. The Act prohibits the employment of children below the age of 14 years in factories⁷. It lays down that a child or adolescent cannot be employed in a factory unless he/she has certified to be fit by the certifying Surgeon and carries a token to that effect at factory⁸. The Act also prescribes four and a half hours of work per day for children aged between 14 and 18 years and prohibits working during night hours. It also includes provisions for safety, health standards, working hours, and rest periods for adolescents. While it has helped in formal sectors, it is less effective in controlling child labour in the informal and unregulated industries.

4. Mines Act, 1952

This act is critical for protecting children from the high-risk mining sector. The Mines Act not only prohibits the employment of any person below 18 years of age in any mine or part thereof⁹ but even prohibits the presence of any person in any part of the mine above ground where any operation connected with or incidental to any mine is being carried on. The Act also prohibits the employment of persons below 18 years of age as apprentices or other trainees not below 16 years of age in a mine or part thereof but only under proper supervision. Sub-section 2 of section 14 provides for the approval of the Chief Inspector or an Inspector before they are allowed to work. The Mines Act, 1952 was amended in 1959 and 1983.

5. Right to Education Act, 2009 (RTE Act)

The RTE Act ensures free and compulsory education to all children between 6 and 14 years of age. By mandating school attendance, the Act addresses child labour indirectly by pulling children into educational institutions. However, in areas with poor infrastructure or quality of education, children continue to drop out and return to labour work.

6. National Policy on Child Labour (1987)

This policy adopts a gradual approach to eliminating child labour. It focuses on the

⁶ Times of India. "UNICEF Warns on Child Labour Amendment." *Times of India*, New Delhi, July 27, 2016,p.

⁷ Factories Act, 1948, Section 67.

⁸ Factories Act, 1948, Section 68.

⁹ Mines Act,1952, Section 40 (1).

rehabilitation of children withdrawn from hazardous jobs and promotes schooling through special schemes like the National Child Labour Project (NCLP). These projects offer bridge education, nutrition, and vocational training to rescued children.

7. Juvenile Justice (Care and Protection of Children) Act, 2015

This law provides a holistic child welfare framework by categorizing working children as needing care and protection. It empowers child welfare committees to rescue and rehabilitate them and ensures that children are not criminalized for working but are instead offered support, shelter, and education.

8. ILO Convention No. 138 (Minimum Age)

This international convention requires ratifying countries to set a minimum age for employment that aligns with the age of completing compulsory education. It encourages nations to gradually raise this age to protect children from early entry into the workforce. India's ratification of this convention marks a major step in aligning domestic policies with global standards¹⁰.

9. ILO Convention No. 182 (Worst Forms of Child Labour)

This convention targets the most harmful forms of child labour, such as slavery, trafficking, debt bondage, and hazardous work. It calls for immediate and effective measures to eliminate these practices. India ratified this convention in 2017, strengthening its international obligations to protect children¹¹.

10. UN Convention on the Rights of the Child (UNCRC), 1989

This convention, ratified by India in 1992, establishes that every child has the right to be protected from economic exploitation and work that interferes with education, health, or development. It remains a guiding document for all child-related legislation and policies in India¹².

11. Indian Merchant Shipping Act 1958

The Act prohibits the employment of children below the age of 15 in ships¹³. Similarly, employment of young persons under 18 years as trimmers and stokers is also prohibited in any ship registered in India. Such persons are required to produce certificate of physical fitness from the prescribed authority which remains valid for a period of one year¹⁴.

¹⁰ *Supra* Note 4.

¹¹ *Supra* Note 4.

¹² Govt. of India, Ministry of Labour & Employment, Report of the Committee on Labour Welfare (1969) p. 13.

¹³ Indian Merchant Shipping Act 1958, Section 109.

¹⁴ Indian Merchant Shipping Act 1958, Section 110 (1).

12. The Radiation Protection Rules, 1971

The above Rules framed under Section 30 of the Atomic Energy Act, 1962 prohibit the employment of children below the age of 18 years as radiation workers except with the prior permission of the specified authorities.

13. Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996

The above Act does not permit any worker who has not completed 18 years of age to be engaged in any building or other construction work¹⁵.

14. ILO's Global Estimates on Child Labour (2021) This report revealed that 160 million children were still in child labour globally. It raised alarms about increasing rates during the COVID-19 pandemic, particularly in agriculture and informal sectors. The report emphasized the need for coordinated global action combining education, social protection, and family support.

15. Minimum Wages Act, 1948

Section 2(bb) of the Act defines child to mean “a person who has not completed his fourteen years of age”¹⁶.

16. UNICEF (United Nation International Children Emergency Fund)

As per on the Child Labour (Prohibition and Regulation) Amendment Act, 2016 UNICEF said that the provision will impact children from poorer families and legitimate family work, thus causing further disadvantage to them as there is lot of outsourced work carried out from home. Further “the more invisible forms of child labour and exploitation may go unseen and most vulnerable and marginalized children may end up with irregular school attendance.”

1.8. Legal Framework

Judicial interpretation is essential in combating child labour in the 21st century. In addition to this, both legal and non-legal measures have become vital in safeguarding children from exploitation. Legal measures, including constitutional provisions and specific legislation, establish a legal framework against child labour. Courts play a key role in interpreting these laws to ensure they are understood and applied effectively in response to evolving social and economic contexts. Conversely, non-legal measures such as government programs, educational

¹⁵ Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, Section 12.

¹⁶ Minimum Wages Act 1948, Section 2(bb).

initiatives, public awareness campaigns, and NGO efforts are also significant. Judicial interpretation often prompts the government to enhance these non-legal initiatives, ensuring that children rescued from labour are not only removed from harmful situations but also rehabilitated and provided with better opportunities. In a world where new forms of child exploitation are emerging, courts contribute to making both legal and non-legal efforts more impactful, ensuring that the protection of children's rights is a genuine priority rather than a mere formality. Collectively, the law, judicial interpretation, and public initiatives form a robust and adaptable system to effectively combat child labour.

1.9. Role of Statutory and Non-Statutory Actors:

In combating child labour, both legal and non-legal entities play crucial roles. Legal entities encompass the government, legislative bodies, the judiciary, and other authorities responsible for creating, enforcing, and interpreting laws designed to eliminate child labour. Legislation such as the Child Labour (Prohibition and Regulation) Act, along with constitutional provisions, establishes stringent regulations to safeguard children from exploitation. Judicial interpretations of these laws often expand their meanings to address contemporary challenges. In addition to legal entities, non-legal actors, including non-governmental organizations (NGOs), international organizations, civil society groups, and the media, also make significant contributions. They focus on raising awareness, rescuing child workers, offering education and rehabilitation, and advocating for more effective government action. Although non-legal initiatives lack formal legal authority, they foster robust social movements that enhance the enforcement of existing laws. Collectively, legal and non-legal actors create a holistic framework that not only curtails child labour but also ensures that rescued children are provided with improved opportunities through education, care, and empowerment.

1.9.1. District Magistrate/State District Magistrate¹⁷

The District Magistrate have the following powers or authorities to cover up with:

1. Implement provisions of the Child Labour (Prohibition and Regulation) Act, 1986 and the Bonded Labour System (Abolition) Act, 1976. The District Magistrate has wider powers and responsibilities under the latter including identification, release and rehabilitation.
2. Inquire whether bonded labour system or any form of forced labour is being enforced

¹⁷ Child Labour (Prohibition and Regulation) Act, 1986, Section 17A; Bonded Labour System (Abolition) Act, 1976, Sections 10, 11, 12, 13, and 14.

- within the District Magistrate's jurisdiction, cause inquiry into the prevalence of bonded labour and take necessary action to eradicate forced labour.
3. Specify subordinate officers to be called nodal officers who will exercise powers and perform all or any duties of District Magistrate conferred and imposed by the Central Government.
 4. Assign powers and duties, as deemed appropriate, to a nodal officer to be exercised or performed within the local limits of jurisdiction.
 5. Preside as Chairperson of the District Task Force comprising Superintendent of Police, Additional District Magistrate, nodal officer, Assistant Labour Commissioner (Central), two representatives each from a voluntary organization involved in rescue and rehabilitation of employed children, representative of District Legal Services Authority nominated by District Judge, member Anti-Human Trafficking Unit, Chairperson, Child Welfare Committee, District Protection Officer, and any other person nominated by the District Magistrate.
 6. Preside over the Vigilance Committee under the Bonded Labour System (Abolition) Act, 1976 and nominate other members of the Committee.
 7. Ensure rehabilitation of rescued children and adolescents as per JJ Act, 2015, Bonded Labour System (Abolition) Act, 1976, Central Sector Scheme for Rehabilitation of Bonded Labourers, 2016, National Child Labour Project, other laws or schemes, direction of court, and Central Government guidelines for rescue and rehabilitation.

1.9.2. Metropolitan Magistrates/Magistrate of First Class

When violations related to child labour are reported, these magistrates have the authority to take cognizance of the offence, conduct trials, and impose punishments on the offenders, such as fines or imprisonment as prescribed under the law. Their role ensures that cases are dealt with seriously and promptly, providing a sense of justice and deterrence. Magistrates also have the power to order inquiries, supervise rescue operations, and direct the proper rehabilitation of the rescued children by coordinating with labour departments and welfare agencies. By ensuring that legal proceedings are conducted fairly and efficiently, Metropolitan Magistrates and Magistrates of the First Class act as a crucial link between legal protections and real-world enforcement, helping to uphold the dignity and rights of children in society.

1.9.3. Executive Magistrate

The Executive Magistrate have the following powers or authorities to cover up with:

1. Try offences under Bonded Labour System (Abolition) Act, 1976, if powers of a Judicial Magistrate of the First Class or Second Class are conferred by the State Government.
2. Hear applications for restoration of possession of property under the Bonded Labour System (Abolition) Act, 1976, if powers of a Judicial Magistrate of the First Class or Second Class are conferred by the State Government.
3. Restore bonded labourer to the possession of homestead or residential premise that he/she was occupying before eviction by the creditor.

1.9.4. Child Welfare Committee:

The Child Welfare Committee have the following powers or authorities to cover up with:
Authority to dispose cases for the care, protection, treatment, development and rehabilitation of persons below 18 years who are working in contravention of labour laws and are in need of State care and protection. Pass orders for care, protection, treatment, development, rehabilitation and social reintegration.

1.9.5. Police Station and SJPU:

The Police Station and SJPU have the following powers or authorities to cover up with:

1. Rescue and production of persons below 18 years working in contravention of labour laws before the Child Welfare Committee; In case of complaint, police can rescue even without waiting to have the FIR registered. Register a FIR immediately if the information relates to a cognizable offence;
2. Comprehensively identify all relevant offences in the FIR and the charge-sheet; In case of trafficking for child labour, do add provisions of labour laws along with §370 IPC.
3. Make an entry in the Daily Diary if the information pertains to a non-cognizable offence;
4. Ensure that investigation is carried out by the Child Welfare Police Officer. The investigation needs to be conducted from an organised crime perspective, bringing in the role of all offenders from source to transit to place of demand (rescue);
5. Ensure that child is not placed in a lock-up or lodged in a jail;
6. Provide access to paralegal volunteers under the District Legal Services Authority to the child and the family;
7. Undertake immediate assessment of the needs of the child and extend necessary support such as food, clothing, shelter, medical care, counselling, psychological support, etc.

8. Facilitate medical examination of the child or adolescent;
9. Collect documentary proof of age of the child such as school certificate, birth certificate, and municipality/Panchayat issued certificate, ration card. Request for a medical examination can be made to the Magistrate or Child Welfare Committee, as the case may be, if no documentary records are available;
10. Record the statement of the 192.5 The child is fit and comfortable and in the presence of a person the child is comfortable with;
11. Take the assistance of qualified translators, interpreters, special educators or experts, if necessary, to record the child's statement;
12. Child's statement can be recorded in a place in which the child is comfortable (u/s 160(1), Cr.P.C.);
13. Treat the child with dignity and do not threaten the child or give false assurances;
14. Record the statement of relevant witnesses;
15. Ensure that charge sheet is filed within 90 days;
16. Ensure protection of the child from further abuse or exploitation or from the accused during the investigation and trial;
17. Undertake all steps in preventing child labour by involving all stakeholders from governing and non-government sector;
18. Extend all support to the Executive Magistrate/SDM/ District Magistrate /Labour Officer for rescue, post-rescue care of the rescued children as well as in prevention.

1.9.6. District Child Protection Unit

The District Child Protection Unit have the following powers or authorities to cover up with:

1. Identify families at risk and children in need of care and protection;
2. Monitor trends of children in difficult circumstances;
3. Periodically map services available for children and adolescents involved in labour at the district level and make the directory available to Child Welfare Committees;
4. Facilitate sponsorship, foster care, and after care based on orders of the Child Welfare Committee for children and adolescents involved in labour;
5. Facilitate transfer of children for their restoration to families;
6. Ensure inter-departmental coordination and liaise with relevant State departments, SCPS, and other DCPUs on child labour;
7. Network and coordinate with civil society organisations working on child labour;
8. Generate awareness and conduct training programmes for stakeholders under the JJ Act

on child labour:

9. Serve as member of the District Task Force on Child Labour

1.9.7. Inspector:

The Inspector have the following powers or authorities to cover up with:

1. Take steps to secure compliance with the provisions of the Child Labour (Prohibition and Regulation) Act, 1986.
2. File a complaint about the commission of an offence under the Child Labour (Prohibition and Regulation) Act, 1986 in any court of competent jurisdiction.
3. Send quarterly reports to the Central Government about inspections made to secure compliance with the Child Labour (Prohibition and Regulation) Act, 1986 and action taken.
4. Facilitate the opening of an account in a nationalized bank for the deposit of the amounts from the Child and Adolescent Labour Rehabilitation Fund.

1.9.8. Labour Commissioner and department officials in the Labour department:

The Labour Commissioner and department officials in the Labour department have the following powers or authorities to cover up with:

1. Take steps to secure compliance with the provisions of the Child Labour (Prohibition and Regulation) Act, 1986
2. Ensure periodic inspections for detecting and identifying child labour

1.9.9. Prosecutors

Interact with the child or adolescent ahead of the trial and orient them about the procedures;

Address the fears and questions of the child or adolescent about the legal process.

1.9.10. Parents and Care givers

1. Do not permit the child or adolescent to work in violation of the Child Labour (Prohibition and Regulation) Act, 1986 and other labour laws.
2. Seek the assistance of the DCPU, Child Welfare Committee, Child line, police or SJPU to access schemes, sponsorship, or support.
3. Ensure that the child is sent to a school.

1.9.11. Media

Protect the privacy and identity of children involved in labour and adolescents working in contravention of labour laws.

Do not publish pictures or identifying information without the permission of the court or Child Welfare Committee as that would amount to a breach of privacy and an offence under Section 74, JJ Act, 2015.

1.10. Causes

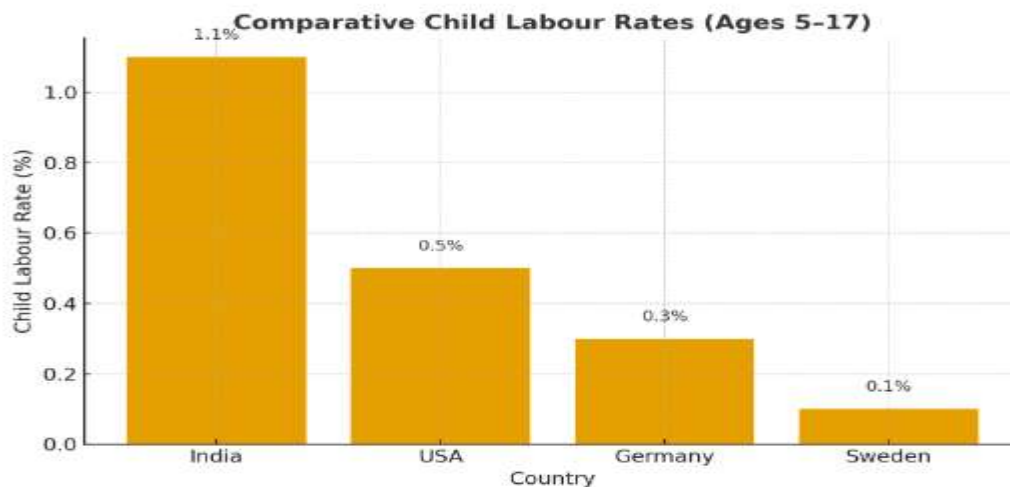
1. Child labour is a socio-economic phenomenon. The socio-economic backwardness followed by poverty, illiteracy, unemployment, demographic expansion, deep social prejudices and above all the Government apathy are commonly considered as the most prominent causative factors for large-scale employment of children. It has been officially stated that “child labour is no longer a medium of economic exploitation but is necessitated by economic necessity of the parents and in many cases that of the child himself¹⁸.” Gangrade (1978) believes that child labour is a product of such factors as customs, traditional attitude, lack of school or reluctance of parents to send their children to school, urbanization, industrialization, migration and so on¹⁹.
2. In addition to the above mentioned factors responsible for child labour, there are several other causes too. Firstly, the provisions of the protective labour legislations are lopsided and do not cover
3. agriculture and small-scale industries. Secondly, the enforcing machineries, which are provided by the state governments, are inadequate almost everywhere and fail to check up on child labour.
4. The children are mostly silent listeners or non-listeners of the policies/programmes meant for them and hence, their problems are not properly realized, for which nobody pays serious attention to their plights and the safeguards extended for the prevention of child labour are not implemented effectively.
5. India's child labour landscape presents a complex picture of progress and persistent challenges, with significant regional disparities and evolving urban-rural dynamics.

Here's an analysis of key trends, causes, and impacts based on comparative data:

¹⁸ Goyal, R.K. 1987. “Child Labour in India.” *Indian Labour Journal*, 28(2): 355-373.

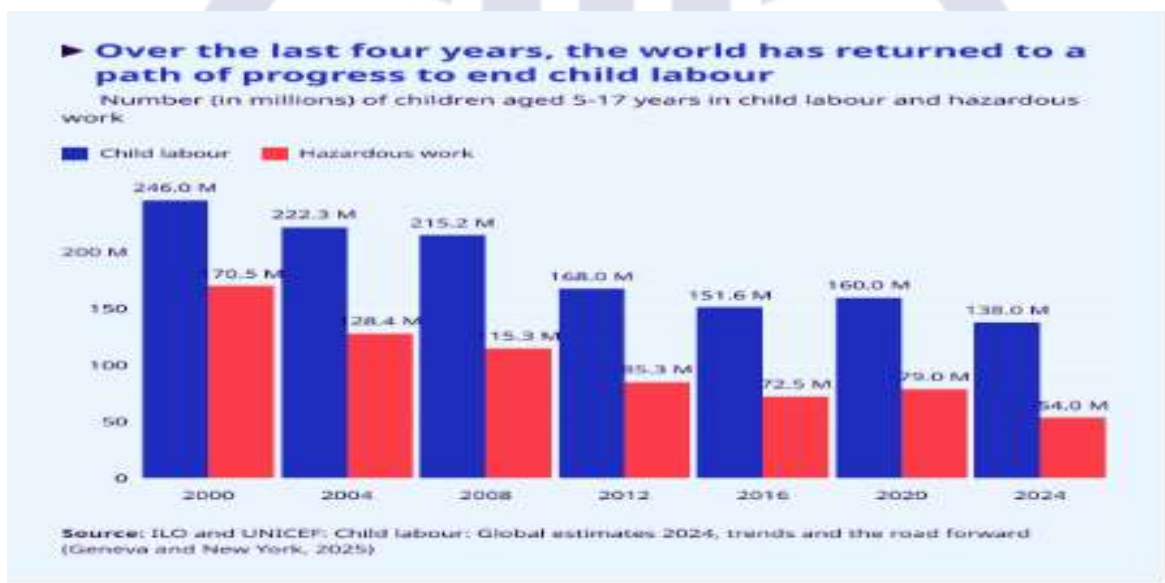
¹⁹ Gangrade, K.D. 1998. *Child Labour in India*.

India's Global Position



It clearly shows that:

1. India (1.1%) is **far higher** than developed nations.
2. Sweden has nearly **zero child labour**.
3. USA & Germany maintain very low levels due to strong enforcement and welfare.



Key Domestic Trends 2001 -2018

Rural-Urban Divide

1. Rural child labour decreased from 5.9% to 4.3% 2001 2011
2. Urban child labour increased by 53% (1.3M to 2.0M) in same period 2023 reports show urban child labour rising further in menial sectors

1.11. State-Level Concentration

Root Causes Structural Drivers

State	Share of National Child Labour	Primary Sectors
Uttar Pradesh	21.5% 2.18M	Agriculture 65%
Bihar	10.7% 1.09M	Informal services
Maharashtra	7.2% 0.73M	Urban industries

Poverty Trap

- 62.8% of child labourers work in hazardous conditions to supplement family income
- Households below poverty line see 3× higher child labour incidence

Education Gaps

- 42.7M Indian children out of school 2011
- Only 32% secondary school completion rate in high-child-labour states

Informal Economy Growth

- 85% of child labour occurs in unregulated sectors
- Urban demand rose 180% in Tamil Nadu 2020 2021

Policy Limitations

- Weak enforcement: 5% violations prosecuted under 2016 Amendment Act
- Hazardous work definitions fail to cover 70% of actual child occupations

1.12. Comparative Policy Insights

Aspect	India	USA	Germany	Sweden
Child Labour Rate (5–17 yrs)	1.1% (2018)	<0.5%	<0.3%	~0%
Main Law	Child Labour (Prohibition & Regulation) Amendment Act, 2016	Fair Labor Standards Act (FLSA), 1938	Youth Labour Protection Act & EU Directives	Work Environment Act & Education Act

Minimum Age of Employment	14 years (non-hazardous work)	14 years (light work), 16 for regular, 18 for hazardous	15 years (part-time allowed for students)	16 years for any employment; stricter for hazardous
Hazardous Work Ban	Prohibited below 18, but loopholes in family enterprises	Strict ban below 18	Strict ban below 18	Strict ban below 18
Education Guarantee	Right to Education Act, 2009 (6–14 yrs) – free & compulsory	Compulsory education till 16–18 yrs	Compulsory education till 18 yrs (dual vocational system)	Compulsory education till 16 yrs; strong welfare ensures continuation
Enforcement Strength	Weak – corruption, low inspections, informal sector (85% child labour)	Strong – federal & state inspectors, heavy penalties for employers	Strong – strict EU compliance, frequent workplace checks	Very strong – near universal compliance, backed by social welfare
Social Support to Families	Limited schemes, poverty pushes families to send children to work	Welfare, food stamps, unemployment benefits, child allowances	Strong social security, vocational support for families	Universal child benefits, healthcare, parental leave – no economic pressure for child work
Social Attitude	In some areas, child labour normalized (family work, informal jobs)	Socially unacceptable, strong awareness & media vigilance	Culturally rejected; focus on skill training and education	Zero tolerance, society prioritizes child rights
Global Compliance	Ratified ILO Conventions 138 & 182, but weak enforcement	Fully compliant with ILO standards	Fully compliant with ILO & EU child rights directives	Among global leaders in child protection & ILO compliance

Source: Attached comparative analysis

Economic Impact

1. Productivity Loss: Child workers earn 37% less as adults
2. GDP Drain: Estimated 1.2% annual GDP loss from future earnings deficit
3. Intergenerational Effect: 68% of child labourers' children remain unskilled

"India's urban child labour surge reflects both economic desperation and systemic failure to create adult employment opportunities." – ILO 2023

Report

This analysis underscores the need for integrated solutions combining strict enforcement (Brazil model), education incentives (Bangladesh approach), and formal sector reforms to address India's dual rural-urban child labour crisis.

1.13. Impact

The consequences faced have a far-reaching impact on the child, society, and the nation as a whole:

Child Consequences

Health Risks: This exposes children to hazardous working conditions, physical and mental abuse, and long hours of Labour, which can result in injuries, illnesses, and developmental issues²⁰.

Education Deprivation

Working children are often denied access to education, leading to a lack of basic literacy, limiting their future opportunities, and perpetuating the cycle of poverty.

Stunted Development

It disrupts normal childhood development, depriving children of playtime, social interaction, and emotional well-being, hindering their physical, cognitive, and emotional growth.

Societal Consequences

Undermining Human Rights

It violates the fundamental rights of children, denying them the right to education, protection, and a safe and healthy environment.

Poverty and Inequality

It keeps families trapped in a cycle of poverty, as children's earnings contribute minimally to the household income and hinder their long-term economic prospects.

²⁰ <https://www.nextias.com/blog/child-labour-in-india/>.

Social Disintegration

It disrupts family and community dynamics as children are forced into work instead of receiving proper care and education. This can lead to a breakdown in social structures and intergenerational poverty.

National Consequences

Economic Implications

It deprives children of education, leading to a less skilled workforce, reduced productivity, and limited opportunities for economic advancement.

Human Capital Loss

It results in the loss of potential human capital as children are denied education and skill development. This diminishes the nation's capacity to compete globally and achieve sustainable development goals.

Social Welfare Burden

The physical and psychological consequences lead to increased healthcare and social welfare costs for the nation. Governments must allocate resources to address these issues, diverting funds from other critical areas.

1.14. Judicial Interpretation

The courts in India have a progressive attitude towards child labour. The courts acted as harbinger for this issue. The last 34 year courts decisions on this issue are narrated here under:

M.C. Mehta v. State of Tamil Nadu

In this case, a petition under Article 32 of the Constitution was brought before the Supreme Court by way of public interest litigation about the problem of employment of children in match factories of Sivakasi in Tamil Nadu. The Court held that the working conditions in the match factories involved health hazards in normal course. The Supreme Court held that employing children in hazardous work is gross violation of sections 3 and 4 of the Minimum Wages Act, 1948; sections 67, 71 and 75 of the Factories Act, 1948 and Articles 24(1) and 45 of the Constitution of India. It was further held that the minimum wage for child labour should be fixed and children can be employed in the process of packing only and not at the place of manufacture to avoid exposure to accident²¹.

Peoples Union for Democratic Rights v. Union of India

In this case, commonly known as 'Asiad workers case', it was brought to the notice of the

²¹ M.C. Mehta v. State of Tamil Nadu AIR 1991 SC 417.

Supreme Court that children below 14 years of age were employed in construction work. It was held that construction work is clearly a hazardous occupation and it is absolutely essential that the employment of children under the age of 14 years must be prohibited in every type of construction work. Referring to Article 24, Justice P.N. Bhagavathi and Justice Bahrul have held that "apart from the requirement of International Labour Organization Convention No.59, we have Article 24 of the Constitution which even if not followed up by the appropriate legislation, must operate "proprio vigore" (independently) and construction work plainly and indubitably a hazardous employment, it is clear that by a reason of constitutional prohibition no child below 14 years can be allowed to be engaged in construction work". The Supreme Court observed that "there can be no doubt that notwithstanding the absence of specification of construction industry in the schedule to the Employment of Children Act, 1938, no child below the age of 14 years can be employed in construction work and the Union as also every State Government must ensure that the constitutional mandate is not violated in any part of the country²²".

Note: In accordance with this judgment, construction work was added to the list of prohibited occupations in part 'A' of Schedule to the Child Labour (Prohibition and Regulation) Act, 1986. It does not, however, feature in the Schedule to the Child Labour (Prohibition and Regulation) Act, 1986.

Labourers, Salal Hydro Project v. State of Jammu and Kashmir

In this case, the Supreme Court delivered protected the interest of large number of child labourers working in the construction of Salal Hydro Project, a hazardous work. The court was constrained to remark that the problem of child labour is a difficult problem and it is purely on account of economic reasons that parents often want their children to be employed in order to be able to make both ends meet. Article 24 limits the prohibition against employment of child labour only to factories, mines or other hazardous employments. The Central Government was directed to persuade the workmen to send their children to a nearby school and arrange not only for the school fees to be paid but also provide free of charge, books and other facilities such as transportation etc. The Supreme Court also suggested to the Central Government that "whenever it undertakes a construction project which is likely to last for some time it should provide that children of construction workers who are living at or near the project site should be given facilities for schooling and this may be done either by the Central Government itself or if the

²² Peoples Union for Democratic Rights v. Union of India (1982) 3.SCC 235.

Central Government entrusts the project work or any part thereof to a contractor, necessary provision to this effect may be made in the contract with the contractor²³.

Bandhua Mukti Morcha v. Union of India and others

In this case, a petition was filed under Article 32 of the Constitution by a bonded labour organisation invoking the Employment of Children Act, 1938 and Article 24 of the Constitution. The Supreme Court took into cognizance the employment of children in the carpet manufacturing industry in Mirzapur, Uttar Pradesh. It instructed the District Magistrate to conduct raids, and subsequently got 144 children, who were under the forced custody of the owners, released. The Supreme Court held that a child should be developed to be responsible and productive and children should be assured social and physical health²⁴.

PUCL v. State of Tamil Nadu

In this case, a PIL was filed before the Supreme Court in 2012 regarding the issue of bonded labour and child labour that follows the same. It elaborated several facts of bonded labour and discrimination of children who are employed for the same. Large numbers of children are working as domestic help in the urban, town and rural areas with no chance to go to schools even though the education from standard I to VIII is compulsory under the Right of Children to Free and Compulsory Education Act, 2009. Local Panchayats and local bodies should identify such children and ensure that they get proper education²⁵.

Rajangam, Secretary, Dist. Beedi Workers Union v. State of Tamil Nadu and others with K.C. Chandra Segaram v. State of Tamil Nadu and others

With regard to child labour in Beedi Industry, various allegations were made regarding failure to implement the provisions of the labour laws, manipulation of records regarding employees, non-payment of appropriate dues for work taken etc. including the child labour and specifically the non-implementation of the Beedi and Cigar Workers (Conditions of Employment) Act, 1966. To protect children, the apex Court suggested that "tobacco manufacturing has indeed health hazards. Child labour in this trade should therefore be prohibited as far as possible and employment of child labour should be stopped either immediately or in a phased manner to be decided by the State Government..." The Court further admitted that the exploitation of labour

²³ Labourers, Salal Hydro Project v. State of Jammu and Kashmir (1983)2 SCC 181.

²⁴ Bandhua Mukti Morcha v. Union of India and others, AIR 1984 SC 802.

²⁵ PUCL v. State of Tamil Nadu (2012) 9 SCR 579.

is rampant in the beedi trade and suggested that "in view of the health hazard involved in the manufacturing process, every worker including children, if employed, should be insured for a minimum amount of Rs.50000 and the premium should be paid by the employer²⁶."

Sheela Barse & Others v. Union of India

In this case, under the direction of the Supreme Court, children who were being exposed to chemical fumes and coal dust from working near furnaces in the glass industry were released from their employment. The Supreme Court held that Article 39 (f) of the Constitution provides that the state shall direct its policy towards securing the goal that children are given opportunities and facilities to develop in a healthy manner and in condition of freedom and dignity and the childhood and youth are protected against exploitation and against moral and material abandonment. The apex court further held that though various states have enacted children Act for fulfilment of constitutional obligation for welfare of child under Article 39 (f), yet it is not enforced in some states and the Court directed that such beneficial statutes should be brought into force and administered without delay²⁷.

Neeraja Chaudhary v. State of M.P

The Supreme Court emphasized on the rehabilitation of bonded labours and observed that mere release from bondage without suitable rehabilitation measures will not be useful and will instead present livelihood challenges. It held that It is the plainest requirement of Articles 21 and 23 of the Constitution that bonded labourers must be identified and released and on release, they must be suitably rehabilitated. The Bonded Labour System (Abolition Act, 1976 has been enacted pursuant to the Directive principles of State Policy with a view to ensuring basic human dignity to the bonded labourers and any failure of action on the part of the State Government in implementing the provisions of this legislation would be the clearest violation of Article 21 apart from Article 23 of the Constitution²⁸.

Laxmi Kant Pandey v. Union of India

The Supreme Court emphasized that "It is obvious that in a civilized society the importance of child welfare cannot be over- emphasised because the welfare of the entire community, its growth and development, depend on the health and well-being of its children. Children are a

²⁶ Rajangam, Secretary, Dist. Beedi Workers Union v. State of Tamil Nadu and others with K.C. Chandra Segaram v. State of Tamil Nadu and others, AIR 1993 SC 404.

²⁷ Sheela Barse & Others v. Union of India, AIR 1986 SC 1773.

²⁸ Neeraja Chaudhary v. State of M.P (1984) 3 SCC 243.

supremely important national asset and the future well-being of the nation depends on how its children grow and develop.”

The fundamentalists believe that child labour is constitutionally prohibited in the case of "hazardous employment". They argue that employing a child below the age of fourteen in such conditions amounts to a hazard. Their view is that forcing a child into labour at a young age effectively robs them of their childhood — something that was never the intention of the Constitution’s framers. This principle, they claim, is clearly reflected in the Directive Principles of State Policy, particularly in Articles 45, 39(e), and 39(f). These constitutional directives place a duty on the State to implement effective measures to safeguard children's welfare. Therefore, every possible step must be taken to eliminate child labour, ensuring alignment with the spirit of Part III and Part IV of the Constitution. Addressing the issue of ration cards for rescued bonded labour victims, the Madras High Court took note of the absence of identity proofs and held that the bonded labourer's release certificate can be considered as the identity proof to issues them the entitled benefits²⁹.

Unni Krishnan, J.P. v. State of Andhra Pradesh

This case is a landmark judgment in the context of child rights, particularly in linking education to the eradication of child labour. In this case, the Supreme Court of India held that the right to education is a fundamental right under Article 21 of the Indian Constitution, which guarantees the right to life and personal liberty. The Court emphasized that the right to life is not merely a right to exist but includes the right to live with dignity, and education is a vital component of that dignity. The judgment laid the foundation for the eventual enactment of the Right of Children to Free and Compulsory Education Act (RTE), 2009, which mandates free and compulsory education for children aged 6 to 14. This ruling has had a profound impact on child labour policies in India, as it underlines that no child should be working when they are supposed to be in school. By reinforcing education as a legal entitlement, the judgment significantly contributed to the legal and policy framework aimed at preventing child labour and promoting child development in the 21st century³⁰.

1.15. Rescue and Protection

They are instrumental in supporting law enforcement to rescue children caught in labour, ensuring these vulnerable children are brought to safety and given a better chance at life.

²⁹ Laxmi Kant Pandey v. Union of India, AIR 1984 SC 463.

³⁰ Unni Krishnan, J.P. V. State Of Andhra Pradesh, AIR 1993 SC 2187.

1. Seeking Care and Protection:

NGOs help bring children who need special care before the Child Welfare Committee, ensuring these children receive the proper attention and protection they require.

2. Supporting Recovery Through Investigation:

They assist in gathering critical information for the Social Investigation Report, helping determine the child's needs and the best way to support their rehabilitation and future.

3. Bringing Children Back Home Safely:

After rescue, NGOs assist in escorting children back to their families, ensuring they are returned in a safe and caring environment, ready to rebuild their lives.

4. Raising Awareness and Educating Communities:

Through community outreach and educational campaigns, NGOs work to raise awareness about the dangers of child labour, empowering people to take action and protect vulnerable children.

5. Providing Healing and Support Services:

NGOs offer psychological, legal, and social support to children and adolescents, helping them overcome trauma, rebuild their self-esteem, and move toward a brighter future.

1.16. Comparative Analysis

Child labor is a persistent global problem affecting millions of children, depriving them of their childhood and future opportunities. This analysis compares global strategies aimed at eliminating child labor, highlighting legislative frameworks, educational initiatives, economic strategies, and social awareness campaigns. The issue is further complicated by economic instability, cultural norms, and inconsistent law enforcement.

Legislative Framework

Country A (India):

Constitutional Prohibition – Article 24 of the Indian Constitution prohibits employment of children below 14 years in factories, mines, and other hazardous occupations.

Child Labour Act (1986, amended 2016³¹) – Bans employment of children below 14 years in all occupations, and restricts adolescents (14–18) from hazardous processes.

Right to Education Act, 2009 – Provides free and compulsory education to children aged 6–

³¹ Government of India, *The Child Labour (Prohibition and Regulation) Amendment Act, 2016*, Ministry of Labour and Employment, <https://labour.gov.in/sites/default/files/childlabouract2016.pdf>.

14, making schooling a legislative tool to prevent child labour.

International Alignment – India ratified ILO Conventions C138 & C182 in 2017; however, challenges remain in enforcement due to the large informal sector and poverty-driven employment.

Country B (Japan):

Minimum Age Rule – The Labour Standards Act prohibits employment of children until the end of the school year in which they turn 15 (completion of compulsory education).

Child Welfare Act – Defines “child” up to 18 years and provides protection against exploitation, focusing on welfare and rehabilitation.

Strict Enforcement – Labour inspectors under the Ministry of Health, Labour & Welfare monitor workplaces, with strong compliance in the formal economy.

International Commitments – Japan ratified ILO Conventions C138 (2000) and C182 (2001) early, reflecting strong alignment with international norms and effective implementation.

Education Initiatives

Country C (India):

Right to Education Act, 2009 – Guarantees free and compulsory education for children aged 6–14, aiming to keep children in schools and out of work. Sarva Shiksha Abhiyan (SSA) – A flagship programme launched in 2001 to universalize elementary education, improving school access, infrastructure, and teacher training.

1. Mid-Day Meal Scheme – Provides free meals in government schools, incentivizing poor families to send children to school instead of work.
2. National Child Labour Project (NCLP) Schools – Special schools set up for rescued child labourers, offering bridge education, vocational training, and mainstreaming into formal schools.

Country D (South Korea):

1. Export-led Growth: South Korea’s industrial strategy in the 1960s–80s boosted incomes rapidly; India’s slower growth left large sections in poverty.
2. Education Priority: South Korea treated universal, high-quality education as a core economic policy, unlike India where the system still struggles with quality and access.
3. Early Labour Regulation: South Korea strictly banned child labour early in its development phase, while India still struggles with child workers in informal industries.

4. Strong Welfare System: South Korea's subsidies and social security reduced family reliance on child income; India's welfare schemes exist but weak implementation limits their impact.

Country G (India):

1. "Child Labour Free India" Campaigns – Run by the Ministry of Labour & Employment and NGOs like Bachpan Bachao Andolan (BBA), these use rallies, media, and rescue operations to spread awareness.
2. National Awareness Campaign on Child Rights – Conducted through schools, panchayats, and mass media under the National Commission for Protection of Child Rights (NCPCR).
3. Radio/TV Campaigns with Celebrities – Initiatives like Kailash Satyarthi's "100 Million Campaign" and UNICEF partnerships use cultural icons to highlight the harms of child labour.
4. Anti-Child Labour Day (June 12) – Observed annually with public awareness drives, workshops, and awareness rallies across states.

Country H (China):

"Protecting Juveniles" Campaigns – Government-led drives to raise awareness about banning child labour, often tied to school retention and rural poverty alleviation.

Media & Propaganda Initiatives – State-run TV, newspapers, and online platforms regularly publicize the illegality of child labour and promote schooling.

1. Integration with Poverty Alleviation Programs – Large-scale campaigns (esp. 2010s) linked ending rural poverty with preventing child labour, stressing education as the solution.

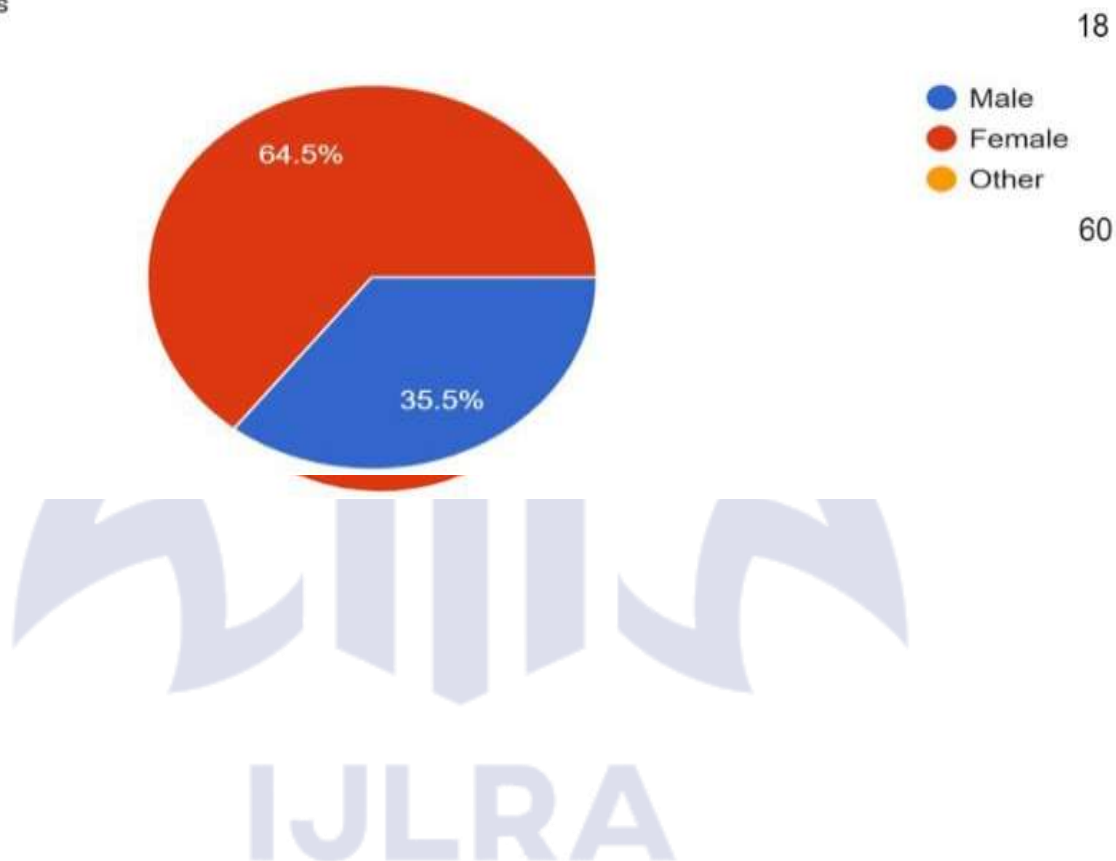
2. NGO and UN Partnership Awareness – Collaboration with ILO and UNICEF in pilot regions (like Tibet and western provinces) to run awareness workshops, targeting parents and employers.

Age Group:

76 responses

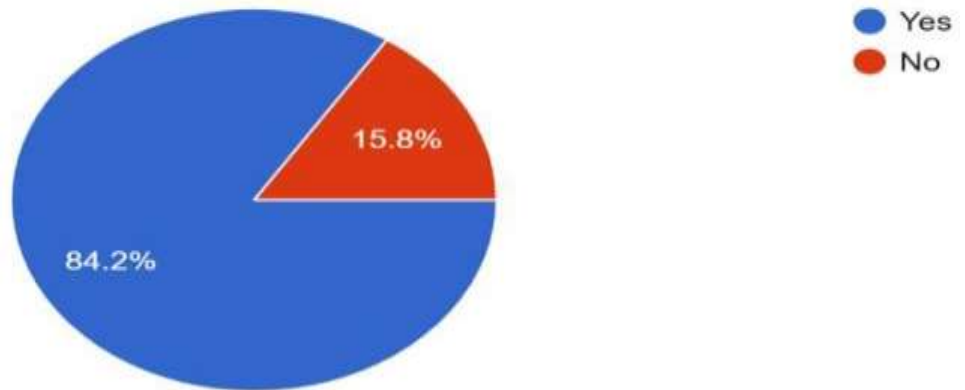
Gender:

76 responses



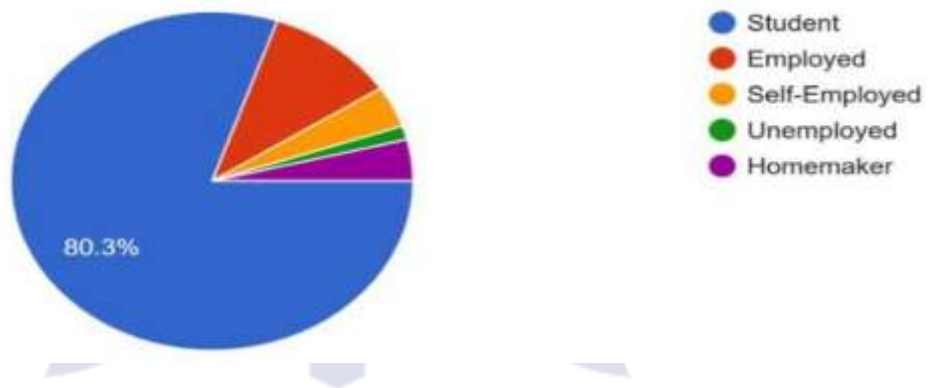
Are you aware of the legal age for employment in India?

76 responses



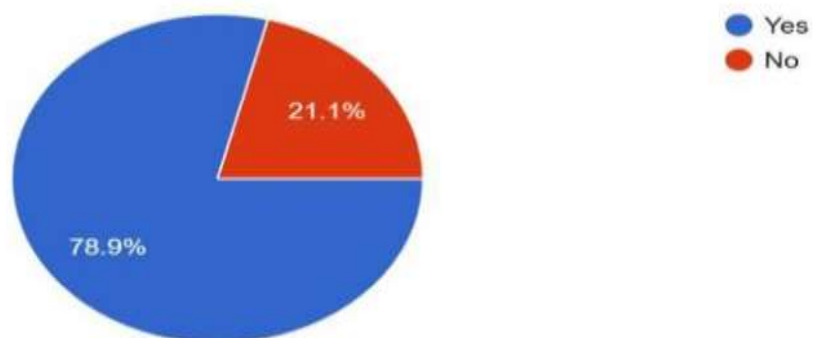
Occupation:

76 responses



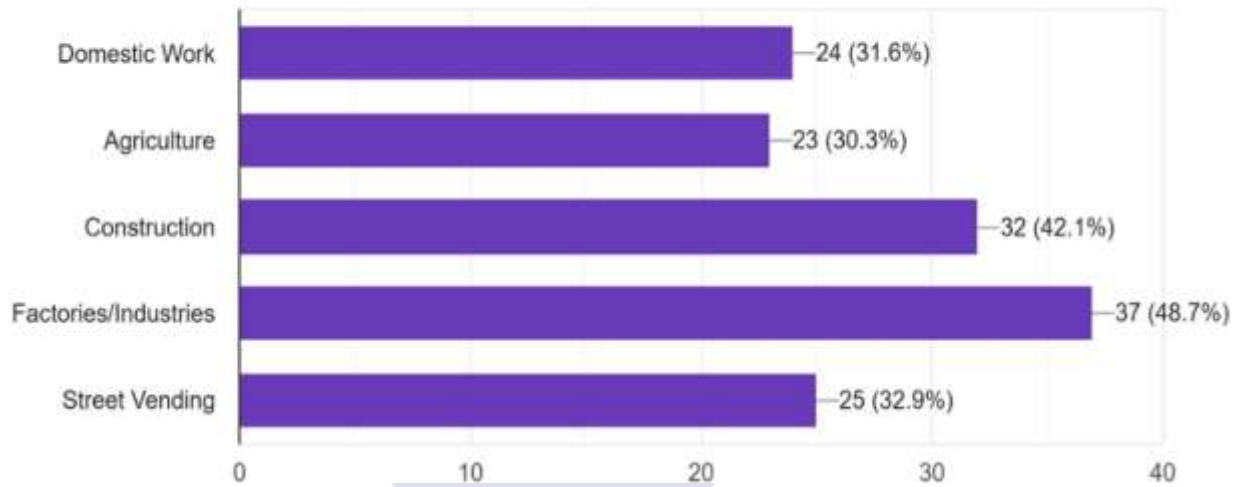
Do you know about The Child Labour (Prohibition and Regulation) Act, 1986?

76 responses



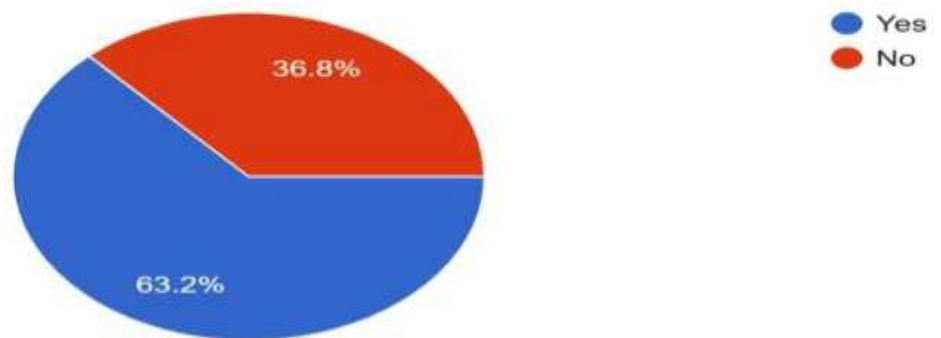
Which sectors do you think have the highest child labour rates?

76 responses



Have you ever witnessed a case of child labour?

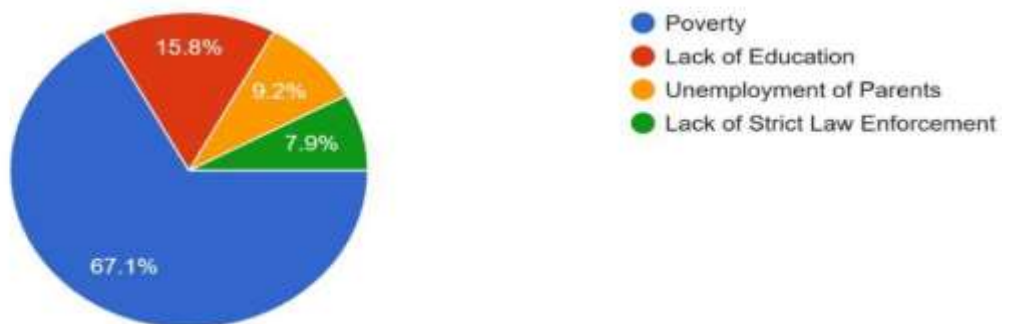
76 responses



IJLRA

What do you think is the main reason behind child labour?

76 responses



If yes, did you report it?

76 responses

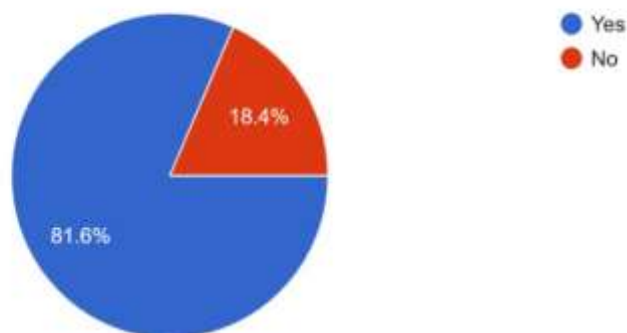


Are you aware of helplines or government portals to report child labour cases?

76 responses

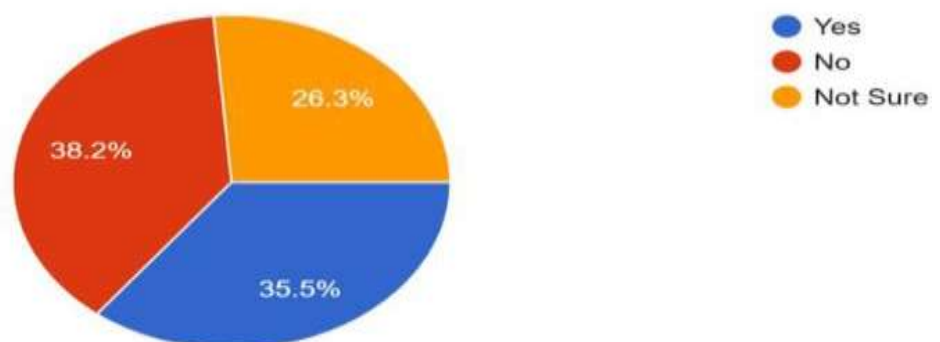
Should the government provide financial support to families of child labourers to prevent them from working?

76 responses



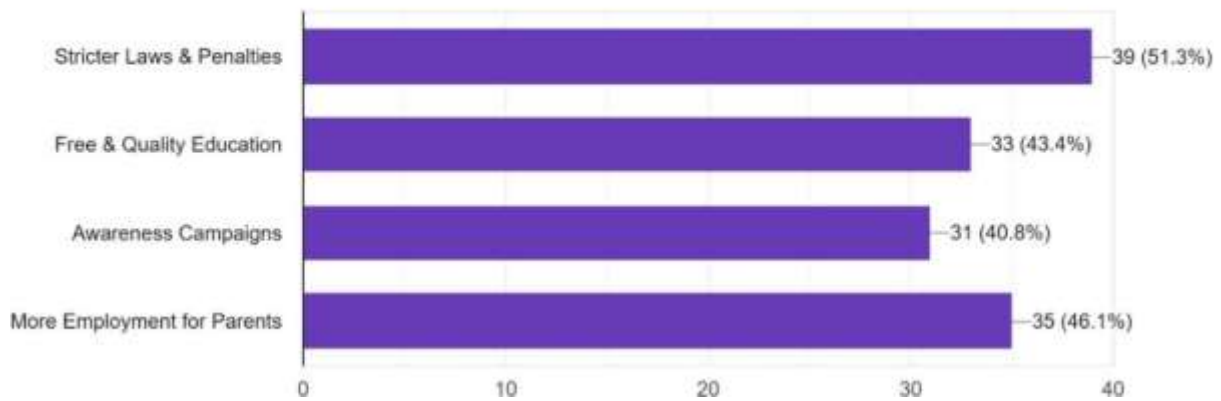
Do you think banning child labour completely is practical?

76 responses



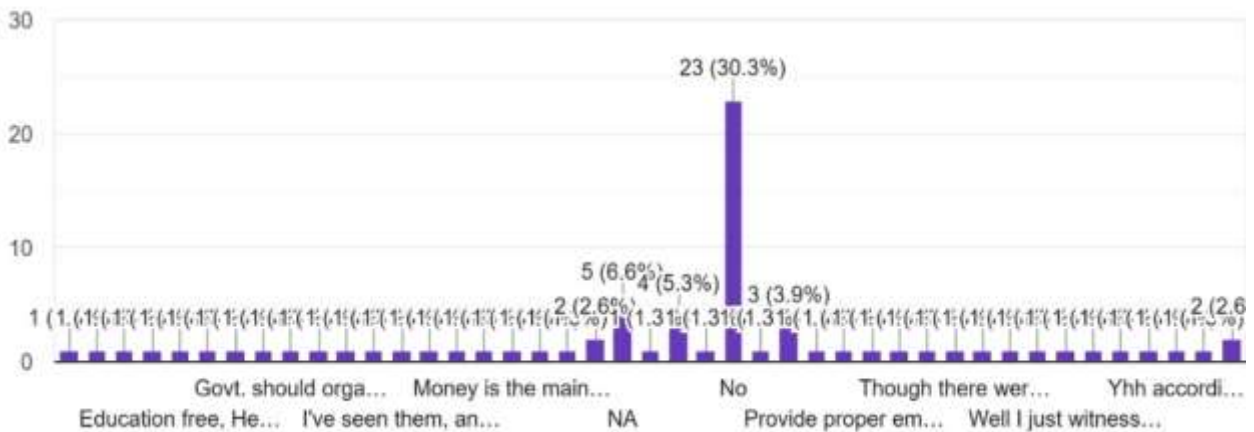
What measures do you think can effectively reduce child labour?

76 responses



Do you have any suggestions or personal experiences related to child labour that you would like to share?

76 responses



1.17. Demographic Profile of Respondents

Age Distribution:

The survey included participants from different age groups, with the majority falling within the 26–40 years bracket. This group typically represents working professionals and parents, who may be more exposed to social issues. The next significant group was the 18–25 age range, suggesting high awareness among youth. A small portion also came from the 41–60 years group, adding generational diversity.

Gender Breakdown:

The survey received responses from both male and female participants. Female respondents slightly outnumbered males, offering a balanced view across genders.

Educational Qualification:

Most of the respondents were either graduates or postgraduates, indicating a high level of

education among participants. Some had secondary education, ensuring that the survey did not exclude voices with less formal education.

Occupation:

Participants included working professionals, students, homemakers, and self-employed individuals. This mix enriches the survey with insights from people engaged in various economic and social roles. Awareness of Legal Employment Age in India

Findings:

A considerable number of respondents were aware of the legal age for employment in India. However, a notable portion did not know or were unsure of the specific age limits. Awareness of The Child Labour (Prohibition and Regulation) Act, 1986

Findings:

Many respondents were unfamiliar with this legislation, even though it is the cornerstone of India's legal framework against child labour.

Perception of High-Risk Sectors for Child Labour

Commonly Cited Sectors:

1. Construction
2. Agriculture
3. Domestic work
4. Street vending
5. Small-scale workshops

Interpretation: Respondents correctly identified industries with high child labour risks, particularly informal sectors where regulation is weak. However, sectors like mining, fireworks, and brick kilns were rarely mentioned, suggesting limited awareness of some critical risk areas.

Personal Experience with Child Labour & Reporting Behaviour

Findings:

A significant number of participants had witnessed child labour in various environments, especially in rural or semi-urban contexts. Despite this, most had never reported it.

Reasons for Not Reporting:

1. Lack of awareness about how to report.
2. Doubt about government response.
3. Fear of backlash or conflict.

Interpretation:

There is a gap between awareness and action. Advocacy must include information on accessible

reporting mechanisms like Childline 1098 and online portals.

Perceived Causes of Child Labour

Top Causes Identified:

1. Poverty
2. Unemployment of parents
3. Lack of access to affordable education
4. Social norms and acceptance
5. Employer demand for cheap labour

Interpretation:

1. Respondents showed strong understanding of the root socio-economic causes. This is consistent with academic literature and NGO reports. It underlines that legal enforcement must be coupled with poverty alleviation and social reform.
2. Views on Practicality of Banning Child Labour.

Findings:

While morally agreeing that child labour should not exist, most respondents felt a complete ban is unrealistic unless economic conditions improve.

Suggested Alternative:

Gradual reduction through education, family support schemes, and skills training.

Government's Role: Financial Aid for Families

Findings:

Respondents overwhelmingly supported the idea that financial aid should be provided to families of child labourers. Common suggestions included:

1. Monthly cash assistance
2. Free education and school meals
3. Job opportunities for adults in the family

Interpretation:

1. This indicates awareness of the economic dimension of child labour and supports integrated family welfare schemes as a solution.
2. Awareness of Reporting Tools & Helplines

Findings:

1. Many were unaware of government and NGO channels for reporting child labour. Very few had heard of helplines like Childline 1098.
2. Suggested Measures to Reduce Child Labour

Key Recommendations by Respondents:

1. Stricter enforcement and higher penalties for violators
2. Universal access to free, quality education
3. Employment schemes for adults
4. Awareness campaigns in schools and communities
5. NGO and corporate involvement (CSR)

Interpretation:

1. Respondents favor a holistic approach that includes both enforcement and social support. They recognize the importance of collaboration between government, civil society, and the private sector.
2. Personal Reflections and Observations

Shared Experiences:

1. Seeing children working in fields, roadside stalls, and homes
2. Witnessing child workers in family-run businesses
3. Understanding the economic pressures faced by families

Interpretation:

These reflections humanize the data and reveal the emotional and ethical dimensions of the issue. They show that child labour is not a distant problem—it's visible and often ignored in daily life.

Conclusion:

This survey reveals a relatively informed group that understands the causes and impacts of child labour but lacks actionable knowledge on how to intervene. The findings highlight a need for:

1. Legal education
2. Practical awareness on reporting
3. Welfare schemes for families
4. Multi-sector collaboration

Together, these can create a more responsive and effective framework for combating child labour in India.

Solutions to the issues of Child Labour

Addressing the issue of child Labour in India requires a comprehensive approach involving various stakeholders.

Strengthening Legislative Framework

Enforce and strengthen existing laws, such as the Child Labour (Prohibition and Regulation) Act, to ensure comprehensive protection for

children and stricter penalties for offenders. Amendments should align with international standards.

Access to Quality Education

Ensure universal access to free and quality education for all children. Implement and enforce the Right to Education Act, focusing on reducing dropout rates and increasing enrollment in schools.

Poverty Alleviation:

Tackle the root causes of child Labour by implementing poverty alleviation programs, providing economic support to families living in poverty, and promoting livelihood opportunities for parents.

Awareness and Sensitization

Conduct widespread awareness campaigns targeting parents, communities, and employers about the detrimental effects of child Labour on children's physical, mental, and educational development.

Rehabilitation and Social Protection

Develop and implement comprehensive rehabilitation programs for rescued child laborers, including access to education, vocational training, healthcare, and psychological support. Establish social protection schemes for vulnerable families to prevent children from entering the Labour force.

International Cooperation

Collaborate with international organizations, such as the International Labour Organization (ILO) and UNICEF, to access expertise, technical assistance, and financial resources to combat child Labour effectively.

Empowering Local Communities

Involve local communities, including parents, teachers, and community leaders, in preventing child Labour. Empower them to identify and report cases of child Labour and provide support for rehabilitation and reintegration efforts.

It is important to recognize that addressing child Labour is a complex and multifaceted issue that requires sustained efforts, collaboration, and the commitment of all stakeholders to create lasting change.

1.18. Challenges in Eradication

Combating child labour is a complex challenge that demands a multifaceted approach, addressing the immediate issue and its deep-rooted causes and far-reaching consequences. Here

are some of the key challenges that must be tackled:

Poverty and Economic Vulnerability:

In a vicious cycle, poverty remains the primary driver of child labour. Families with limited resources rely on their children's income for survival. Without stable employment opportunities or social security for adults, parents are left with no alternative but to send their children to work, perpetuating a cycle of poverty and exploitation.

Lack of Access to Quality Education

Many children are forced into labour due to a lack of quality education. Even when schools are available, they may lack proper infrastructure, trained teachers, or learning materials, making education less appealing or accessible. This forces many children out of the classroom and into labour at a young age.

Cultural Norms and Social Acceptance

In some communities, child labour is deeply ingrained in cultural norms, making it challenging to change mindsets. Changing such long-held beliefs and attitudes requires sustained awareness and community engagement.

Inadequate Legal Frameworks and Enforcement

Weak legal frameworks and poor enforcement mechanisms enable unscrupulous employers to exploit children without consequence. . A shortage of trained inspectors, limited surveillance in remote areas, and the presence of legal loopholes—such as exceptions for family enterprises—make legal protection ineffective in practice.

Complex Supply Chains

Due to the rise in globalisation, supply chains can be intricate, making it difficult to trace and eliminate child labour from production processes. This makes it extremely difficult to monitor labour practices at every level. As a result, child labour can go undetected in informal sectors or small-scale production units that feed into larger supply networks.

Lack of Social Protection and Safety Nets

Many families do not have access to social protection programs such as food security, healthcare, or unemployment benefits. Without such support systems, they are more likely to send their children to work during economic hardships. Strengthening welfare services can help reduce dependence on child labour.

Migration and Displacement

Children from migrant families or those displaced by conflict or natural disasters are at greater risk of exploitation. With no fixed residence, limited documentation, and lack of access to education or welfare, these children often fall through the cracks of protection systems and end

up in the labour force.

1.19. Recommendations & Conclusion

Despite significant advancements in international and national legislation, child labour remains an alarming global issue in the 21st century, undermining the potential and well-being of millions of children. Globally, more than 150 million children are still engaged in child labour, with millions of them working under hazardous conditions. This issue is especially prevalent in sectors such as agriculture, mining, domestic work, and the informal economy, where legal protection and regulation are often weak or non-existent. In many parts of the world, children are not only subjected to physical exploitation but also denied opportunities for education, health, and future employment opportunities. Child labour is a violation of fundamental human rights, depriving children of their right to a happy, healthy, and educated childhood.

The persistence of child labour is tied to deeply embedded structural issues, primarily poverty and economic vulnerability. Families facing financial hardships often depend on the additional income that children can bring in. This reliance, especially in poorer and rural regions, creates a cycle of poverty where children are forced to work to contribute to their family's survival rather than attend school and build a future. Furthermore, poor access to quality education exacerbates this issue. In rural and underserved areas, schools are often underfunded, lacking trained teachers, proper facilities, and learning materials, making them unattractive to children and families. As a result, children are more likely to drop out of school and enter the workforce, perpetuating the cycle of poverty and child labour.

In addition to these socio-economic factors, there are cultural and social norms that tacitly accept or normalize child labour, particularly in informal family-based businesses or small enterprises. These cultural attitudes can make it difficult to convince communities and families that child labour is unacceptable. In many areas, child labour is seen as a traditional way of life, where children are expected to assist with family income generation from an early age. Changing these ingrained cultural perceptions requires comprehensive community-based programs and outreach.

Even when governments put laws into place, the enforcement of these laws remains inconsistent and ineffective. In many countries, laws prohibiting child labour exist on paper, but weak institutional capacity, corruption, lack of resources, and inadequate training among law enforcement officers prevent the laws from being properly enforced. For example, in some regions, employers are able to exploit children without fear of legal repercussions due to insufficient inspections and oversight. Moreover, the informal nature of much of the child

labour workforce, such as in domestic work or small agricultural enterprises, makes it even harder to detect and address these violations.

The problem is further compounded by the rise of globalization and the interconnectedness of supply chains. Many multinational companies source products from countries where child labour is still prevalent, but due to the complexity of modern supply chains, it is often difficult to trace the origin of goods and ensure that child labour is not involved in the production process. Moreover, even when supply chains are identified, enforcing labour standards becomes a logistical challenge that requires concerted international cooperation. Addressing child labour in such globalized contexts requires collaboration among governments, international organizations, NGOs, and businesses to ensure that human rights standards are upheld at every level of production.

Thus, child labour is not a problem that can be solved through legislation alone. It requires a holistic and integrated approach that tackles the root causes of poverty and inadequate education while also addressing the socio-cultural norms and enforcement gaps that perpetuate the practice.

The following are some recommendation which we would like to highlight after conduction this research :

While many countries have robust laws prohibiting child labour, the implementation of these laws remains a significant challenge. To effectively tackle child labour, governments must improve the enforcement of existing laws by allocating more resources to law enforcement agencies and ensuring that penalties for violations are significant enough to deter offenders. Governments should also establish dedicated child protection units within the police force, properly trained in identifying and dealing with child labour cases. Regular inspections of workplaces, particularly in high-risk sectors like agriculture, mining, and domestic work, are essential to ensure compliance with child labour laws.

One of the primary drivers of child labour is the lack of access to quality education, particularly in rural and marginalized areas. Governments must prioritize investment in education, ensuring that schools are adequately funded, equipped with necessary materials, and staffed with qualified teachers. In rural and underserved communities, schools should be made more accessible through infrastructure development, such as transportation, and financial support for families, such as free or subsidized uniforms and textbooks. Additionally, after-school programs and community-based learning centers can provide a safe space for children, encouraging school retention and reducing the likelihood of them entering the workforce at a young age Tackling the root cause of child labour requires comprehensive poverty alleviation

measures. Governments should focus on programs that improve the economic conditions of families living in poverty. This could include cash transfer schemes, job creation for adults, microfinance programs, and agricultural support for farmers. By providing families with viable alternative income sources, the pressure for children to work can be reduced. Additionally, social protection mechanisms, such as unemployment benefits and healthcare, can provide families with greater security, reducing their dependence on child labour for survival.

Child labour is not only a legal or economic issue but also a cultural and social one. In many communities, child labour is normalized or accepted as part of the social fabric. Community-based awareness campaigns are necessary to change these attitudes. These campaigns should focus on educating families and communities about the harmful effects of child labour on a child's future, as well as the importance of education for long-term economic mobility. Local leaders, educators, and influential community figures should be engaged as ambassadors of change to promote the message that children deserve a childhood and an education, not a lifetime of work.

For children who have been rescued from situations of labour, it is essential that they receive comprehensive rehabilitation. This should include access to psychological counseling to help them overcome trauma, as well as vocational training to help them reintegrate into society. It is equally important to provide financial support to the families of rescued children, ensuring that they do not return to exploitative work. This could be in the form of educational scholarships, health services, and employment opportunities for parents. The government and NGOs should work together to create a rehabilitation framework that includes long-term support, helping survivors regain a sense of dignity and hope for the future.

Finally, international cooperation is crucial in addressing child labour, particularly in a globalized world where products and services are sourced from multiple countries with varying levels of enforcement. The private sector must be held accountable for their supply chains and ensure that child labour is not part of the production process. Companies should adopt fair trade practices and work with governments and international organizations to monitor supply chains for child labour. Global initiatives such as the International Labour Organization's (ILO) Convention No. 138 and Child Labour Due Diligence laws should be fully implemented to ensure international trade does not exploit children.

To effectively combat child labour, it is essential to have accurate and comprehensive data on its prevalence, forms, and causes. Governments and NGOs should invest in research and data collection to better understand where child labour is most prevalent, who the most vulnerable children are, and what the barriers to eradicating child labour are. This data should be used to

inform policies, identify at-risk communities, and evaluate the success of existing interventions. Regular monitoring and evaluation of anti-child labour programs will ensure that interventions are effective and are continually improved.

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