

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS



Open Access, Refereed Journal Multi Disciplinary
Peer Reviewed Edition :

www.ijlra.com

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INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS
ISSN

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CHILD LABOUR IN INDIA- AN OVERVIEW

AUTHORED BY - NOORI BEEVI KHADEEJA S

ABSTRACT:

Child work has been a severe problem for many decades, posing a challenge to many developing countries. It existed for millennia, not only in impoverished sections of underdeveloped countries but also in developed ones until the early twentieth century. Many countries have established various laws and taken major steps to eliminate child labour, yet the problem remains pervasive around the world. Child labour is a serious issue that involves a variety of variables. The causes of child labour in India are diverse and firmly ingrained in culture. Poverty appears to be the primary factor. Child labour can occur in both urban and rural locations. However, because poverty is so prevalent in rural regions, the vast bulk of child labour happens there. Although many poor rural families strive for a better life in cities, this drives families to force their children to work to supplement the family income and secure survival. This research examines the numerous factors that contribute to child labour and attempts to identify locations where prejudice occurs. In addition, the purpose of this research is to provide a critical analysis of child labour in India. The data suggest that child labour was a severe scourge for the emerging country India. However, according to the 2011 census report, the overall number of working children in the country has fallen from 1.26 crore in 2001 to 43.53 lakh in 2011, representing a 65 per cent reduction.

Keywords: Child labour, forms, factors, discrimination, critical analysis, labour legislations.

INTRODUCTION:

India's labour laws are a comprehensive set of regulations aimed at protecting the rights and welfare of workers and employees. With a rich history of social justice and economic progress, India's labour laws seek to establish a fair and equitable working environment for millions of workers from all sectors and businesses. These laws govern a wide range of employment issues, including salaries, working hours, social security, and labour disputes. The regulations apply to both organized and unorganized sectors, which include but are not limited to factories, enterprises (including the agricultural sector), real estate, and domestic employment. These laws are intended

to combat exploitation, discrimination, and unfair work practices. They set minimum criteria for wages, working conditions, and safety precautions. Labour laws also include means for resolving labour disputes, enforcing employment contracts, and protecting workers' rights during layoffs or retrenchments.

Some of India's most well-known labour laws are the Industrial Disputes Act of 1947, the Minimum Wages Act of 1948, the Employees' Provident Fund and Miscellaneous Provisions Act of 1952, the Factories Act of 1947, and the Maternity Benefit Act of 1967. These rules are enforced by government authorities such as the Ministry of Labour and Employment, the Government of India, and state labour ministries. These laws have also enabled the establishment of Labour Tribunals and Courts with extensive expertise and working experience in these areas to assist legislators with the implementation of the aforementioned laws.

Currently, the Central Government has enacted 44 labour-related statutes that address issues such as minimum wages, accidental and social security benefits, occupational safety and health, working conditions, disciplinary action, trade union formation, industrial child labour, as well as age restrictions for employment, and these laws also address industry-specific employment elements.

EVOLUTION OF LABOUR LAWS:

During the colonial era, the British enacted a variety of labour laws and restrictions, most notably factory acts. These focused on specific issues such as working hours, safety, and employment circumstances. Trade unions first emerged in India in the early twentieth century. Workers began organizing to demand better working conditions, higher wages, and greater rights. The Labour Union Act of 1926 established legal recognition and protection for labour unions. Following independence, Indian labour standards were at their lowest. They were paid poor wages for their employment and even had their medical needs ignored. Since partition, the cost of life in India has soared as well.

Later, the Indian Constitution established some key worker rights and principles. These included the right to equality, the prohibition of forced labour, and the promotion of worker welfare under Articles 21, 23, 24, 39(d), among others. The Indian government implemented important labour reforms. The Employees' State Insurance Act of 1948 and the Employees' Provident Funds and

Miscellaneous Provisions Act of 1952 were two reforms that aimed to regulate workplace conditions, ensure equitable salaries, and provide workers with social security. These statutes established schemes for medical benefits, retirement benefits, and other welfare programs.

Labour laws in India have developed throughout time to reflect changing social, economic, and industrial situations. The Factories Act was passed in 1947, the Trade Unions Act in 1926, and the Industrial Disputes Act in 1947, all of which were significant milestones. Subsequently, various laws were enacted to address issues such as minimum wages, working conditions, social security, and occupational health and safety.

HISTORY OF CHILD LABOUR:

Children have historically helped their families financially by working on farms and making handicrafts.

However, the expansion of industry and farm mechanization during the Industrial Revolution in Europe and the United States in the 18th and 19th centuries resulted in many youngsters working in hazardous conditions in factories and farms.

This inspired the passage of child labour regulations, which not only regulated child labour conditions but also required schooling. Here are some highlights from child labour history:

1973 — The Minimum Age Convention, approved by 172 countries, establishes a minimum age for employment but provides for some exceptions.

1989 — The United Nations adopts the Convention on the Rights of the Child to ensure the protection of children's rights to grow and thrive.

1992 — The International Programme for the Eradication of Child Employment (IPEC) is established to promote the global eradication of child employment and to assist governments in their efforts.

pornography, drug trafficking, and other illegal activities.

The UN General Assembly announces 2021 to be the Year of the Elimination of Child Labour.

2025 — Target 8.7 of the United Nations' Sustainable Development Goals calls for the abolition of all types of child labour this year.

IMPORTANT DEFINITIONS OF CHILD LABOUR:

The International Labour Organization (ILO) defines child labour as "work that deprives children of their childhood, potential, and dignity, and is harmful to physical and mental development." It refers to work that is psychologically, physically, socially, or ethically risky and damaging to children, or a job whose schedule interferes with their ability to attend regular school, or work that impairs their ability to focus in school or have a healthy childhood."

UNICEF defines child labour differently. According to UNICEF, a child is involved in child labour activities if he or she did at least one hour of economic activity or at least 28 hours of domestic work in a week, and if he or she did at least 14 hours of economic activity or at least 42 hours of economic activity and domestic work in a week. According to UNICEF, "Children's work should be viewed as occurring along a continuum, with destructive or exploitative work at one end and beneficial work at the other, promoting or enhancing children's development without interfering with their schooling, recreation, and rest." Between these two poles, there are huge areas of employment that do not hurt a child's development.

Child labour is defined by India's Census 2001 office as "participation of a child under the age of 17 in any economically productive activity, with or without compensation, wages, or profit." This participation could be physical, mental, or both. This employment includes part-time or unpaid labour on a farm, a family business, or any other economic activity such as farming and milk production for sale or domestic consumption. The Indian government divides child labourers into two categories: Main workers are those who work at least six months every year. Marginal kid workers are those who work any time of year but for less than six months.

The execution of a policy to abolish child labour has a long way to go before reaching its ultimate goal by 2025, and the country needs a unified definition of 'child' under multiple regulations, according to a parliamentary panel's study. [1]

CAUSES OF CHILD LABOUR:

Significant causes of child employment that can be understood keeping in mind the Indian scenario, are:

POVERTY:

Controlling child labour is impossible in poor nations since children are viewed as a helping hand to feed, support, and feed themselves. Because of poverty, illiteracy, and unemployment, parents are unable to support their children and administer their households. As a result, poor parents put their children to work in inhumane conditions for minimal earnings. The bulk of the country's population lives in poverty. Poor parents push Education. In actuality, people are acutely aware of the impact of regularly losing loved ones to poverty. Their young children work in homes, companies, and factories. They are required to begin working as soon as possible to increase the income of their low-income family. These decisions are made solely to provide a poor living for their family. However, such decisions harm children's physical and emotional health by depriving them of their childhood at a young age.

People in India have to borrow money due to their terrible economic conditions. Illiterate folks go to money lenders and occasionally mortgage their belongings in exchange for the amount they owe. However, due to insufficient income, borrowers find it difficult to repay the debt and interest. This vicious loop of poverty forces them to work day and night for the creditor, and the creditors compel their children to assist them in repaying the loans. Some youngsters are obliged to work to support their families because they are under pressure to provide food and shelter while also repaying their parents' debts. Meanwhile, some youngsters are forcibly sold into slavery.

PROFESSIONAL NEEDS:

In sectors like 'bangle manufacturing', delicate hands and little fingers are required for precise labour. An adult's hands are usually not as delicate and little, thus they rely on children to conduct perilous work with glass. This frequently resulted in significant eye mishaps for the children.

NO SPACE FOR ALTERNATIVES:

According to the International Labour Organization (ILO), a lack of suitable options, such as economic schools and high-quality education, is a significant contributor to children being forced

into hazardous labour. Children are compelled to labour because they are dissatisfied and have no alternative source of income. Many communities, particularly those in rural areas where child labour is prevalent, lack adequate educational facilities. Even when schools are accessible, they are frequently too far away, difficult to reach, expensive, or the quality of instruction is so poor that parents wonder if attending school is beneficial. Despite 75 years of freedom, a lot of children continue to be denied the right to an education due to their circumstances. This can only be addressed through the effective implementation of national plans.

SOCIAL CAUSES:

Child work in India is mostly caused by the country's social and economic backwardness. Parents who lack social skills do not send their children to school. As a result, their children are forced into child labour. Due to illiteracy, many parents are ignorant of many educational programs for their children. Child labour has been facilitated by a lack of education, illiteracy, and, as a result, a lack of awareness of rights among youngsters. Furthermore, uneducated parents are unaware of how child labour affects their children. Because of poverty and unemployment, rural households feel compelled to involve children in a range of tasks. In reality, the remnants of the feudal, zamindari system continue to exacerbate India's child labour problem.

FAMILY TRADITIONS:

In many nations, it is customary for children to follow their parents' professions. As a result, child labour occurs because kids learn and practice that skill at a young age, particularly in areas with an informal economy and tiny household businesses. Similarly, the education of girls is frequently underestimated, putting pressure on them to engage in child labour, such as household responsibilities.

Addiction, Disease, or Disability:

Addiction, disease, or disability frequently result in no income in the family, with the child's work serving as the sole source of support. Furthermore, when the population grows, unemployment rises, which has a detrimental impact on measures to combat child labour. To supplement the family's income, parents are willing to send their children to work rather than enrolling them in school.

POOR COMPLIANCE WITH THE LAWS:

In today's culture, regulations ensure that people have access to a good education, quality healthcare, and self-care. Every person has the right to play the game he prefers, to enjoy all forms of entertainment, and, as he grows, to obtain work that allows him to earn a living and contribute to society and the nation. However, child labour continues to be employed in India since restrictions are rarely strictly observed. Only strict adherence to the applicable laws will make it illegal.

DISCRIMINATION OF GIRLS AND BOYS:

There is a widespread assumption that boys are stronger than girls and cannot be matched on equal terms. In our culture, many females are denied the opportunity to further their education. Girls who are perceived as weaker than boys are denied access to education and schooling. Girls are frequently seen working alongside their parents in labour-intensive households.

Other Minor Causes:

Some shops, businesses, and factory owners recruit them because they want to pay them less, which is the same as hiring cheap labour. Shopkeepers and other small business owners make them work as hard as older people but pay them half as much. Child labour also decreases the possibility of theft, greed, or financial misappropriation. Child labour has been fostered in India as a result of the rise of globalisation, privatisation, and consumerist culture, as well as the desire for cheap work and its link to low-income families' financial requirements.

LEGAL AGE FOR WORKING IN INDIA:

Except for specific family-based employment, hiring juveniles under the age of 14 for any form of labour is an offence punishable by up to two years in prison. Adolescents from 14 to 18 are not permitted to work in any dangerous jobs. The Child Labour (Prohibition and Regulation) Amendment Bill of 2012 allows for the punishment of both parents and hired children.

CHILD LABOUR LAWS IN INDIA:

Required to prevent the malpractice of child labour. Today, there are sufficient laws denouncing and forbidding child labour, such as:

1. The Factories Act of 1948 prohibits the employment of children under the age of fourteen

in any factory. The law also established guidelines for who, when, and how long pre-adults aged 15 to 18 can work in any factory.

2. The Mines Act of 1952 prohibits the employment of children under the age of 18 in mines. Mining, one of the most dangerous occupations that has resulted in numerous fatal accidents that have killed children, is prohibited for kids.
3. The Child Labor (Prohibition and Regulation) Act of 1986: The Act prohibits the employment of children under the age of 14 in dangerous jobs specified by law. The list was expanded twice, in 2006 and 2008.
4. The Juvenile Justice (Care and Protection) for Children Act of 2000: This law made it a criminal, punishable by imprisonment, to procure or engage a minor in any hazardous employment or bondage. This statute punishes those who violate earlier acts by employing youngsters for labour.
5. The Right of Children to Free and Compulsory Education Act of 2009: The law requires free and compulsory education for all children aged 6 to 14. This Act also required that 25% of all private school seats be reserved for children from underserved communities and those with physical disabilities.

CONSTITUTIONAL PROVISIONS INVOLVING CHILD

LABOUR IN INDIA:

Compulsory education: Article 21(A) of the Indian Constitution states that all children between the ages of six and fourteen must get a free and compulsory education.

Prohibition of traffic in human beings and forced labour: Article 23 bans human trafficking, slavery, and other types of forced labour, and anyone caught in violation suffers legal sanctions.

Employment of youngsters in factories is prohibited: Furthermore, Article 24 prohibits the employment of minors under the age of 14 in dangerous factories that may cause them long-term bodily and mental harm.

Prevention of coercive factors: Article 39(e) of the Directive Principles of State Policy states that citizens should not be pushed by economic need to engage in jobs that are inappropriate for their age or physical capacity, nor should employees' health and strength be exploited.

Fundamental duty: According to Article 51A(k) of the Constitution, which is part of the Directive Principles of State Policy (DPSP), every individual, including parents and guardians of children, has a basic responsibility to provide their progeny with educational opportunities between the ages of six and fourteen.

Duty of the state to raise the level of nutrition: Article 47 requires the State to improve the standard of living, nutrition, and public health.

Protection from exploitation: According to Article 39(f), children must be protected from exploitation and abandonment. They must also be given the opportunity and resources to grow up healthily, with freedom and dignity. The state has been granted the duty to raise the standards for living circumstances, food quality, and public health.

Child care: Article 243G, when read with Schedule 11, seeks to institutionalize child care by attempting to entrust women's and child development programmes to panchayats (item 25 of Schedule 11), in addition to education (item 17), family welfare (item 25), health and sanitation (item 23), and other items affecting children's welfare.

DOMESTIC ACTS RELATED TO CHILD LABOUR:

Minimum Wage Act, 1948

The Minimum Wages Act of 1948 establishes minimum wage rates for several jobs defined by the appropriate government and included in the Act's schedule. The Act established minimum wages for adults, adolescents, and children.

Plantation Labor Act, 1951

According to the Plantation Labour Act of 1951, a kid (under the age of 14) or adolescent (aged 15-18) cannot be employed for work unless a doctor certifies that they are fit to do so. A certifying surgeon who has determined that the subject of his examination is fit to work as a child or adolescent may issue a certificate of fitness. This Act states that employers are responsible for all housing, medical care, and recreational amenities.

Merchant Shipping Act, 1958

The Merchant Shipping Act of 1958 prohibits the employment of children under the age of 15 on

a ship, except a school ship or training ship, a ship governed by a family, a home trade ship of fewer than 200 tonnes gross, or a ship where the child will be employed for a low wage and supervised by his father or another nearby adult male relative.

The Beedi and Cigar Workers' (Conditions of Employment) Act, 1966

The Beedi and Cigar Workers (Conditions of Employment) Act, passed in 1966, applies to all industrial facilities where any manufacturing activity relating to the production of beedis, cigars, or both is now or typically carried out, with or without the use of electricity. The Act prohibits the employment of children under the age of fourteen in any such establishment. Children aged 14 to 18 are not permitted to work between the hours of 7 p.m. and 6 a.m.

Child Labour (Prohibition & Regulation) Act, 1986

According to the Child Labour (Prohibition & Regulation) Act of 1986, a person under the age of 14 is deemed a "child." The Schedule to the Act prohibits the employment of children in 57 jobs and 13 activities. The Act establishes a Technical Advisory Committee to provide recommendations on the addition of new employment and operations to the schedule.

The Act governs the working conditions of all jobs and activities that are not expressly restricted by it (Part III). Anyone found guilty of hiring a child in contravention of Section 3 of the Act faces imprisonment for a minimum of three months and a maximum of one year, as well as a fine of Rs 10,000 to Rs 20,000, or a combination of the two. The Central and State governments implement the provisions in their respective domains.

Child Labour (Prohibition & Regulation) Amendment Act, 2016:

The government passed the Child Labour (Prohibition & Regulation) Amendment Act, 2016, which took effect on January 1, 2016. The Amendment Act prohibits hiring anyone under the age of fourteen. Furthermore, the amendment prohibits hiring teenagers between the circumstances in cases when it is not. The amendment also makes it illegal for enterprises to recruit any child or adolescent in violation of the Act, raising the severity of the penalties for such infractions. The amendment empowers the competent government to appoint a District Magistrate with the necessary powers and responsibilities to ensure that the requirements are implemented efficiently. To guarantee that the Act is effectively implemented, the State Action Plan has been given to all States and UTs.

Child Labour (Prohibition and Regulation) Amendment Rules, 2017

The guidelines establish a wide and specific framework for the prevention, prohibition, rescue, and rehabilitation of child and adolescent workers. It also explains concerns with family support and family businesses, as well as the concept of family about the child. It indicates that the child may not conduct any tasks during school hours or between 7 p.m. and 8 a.m. It also includes safeguards for artists who have been licensed to work under the Act, such as hours of employment and working conditions. It stipulates that no youngster shall be permitted to labour more than five times per day, for no more than three hours without rest.

TYPES OF CHILD LABOUR:

Industrial child labour:

Children under the legal age of 18 are the most frequently employed in India's industrial sector. Over ten million children, including more than 4.5 million girls, aged five to fourteen work in unorganized sectors.

Small companies, such as the garment industry, brick kilns, agriculture, fireworks, and diamond industries, are among the largest employers of children. These enterprises occasionally operate out of people's homes, making it difficult for the authorities to take appropriate action.

The unorganized sector is one of India's largest and most famous employers of children. Children can easily be seen working in roadside dhabas and cafes, tea booths, and grocery stores. Children are preferred because they are controlled and easy to shoot.

Domestic child labour:

In India, 74% of child domestic workers are said to be between the ages of 12 and 16. They include both boys and girls who work as domestic assistants for wealthy families, doing their everyday duties.

These children have no choice but to help other families when they should be in school or playing with their pals. In most situations, poverty is the root cause.

Typically, parents consent in the hopes of receiving financial assistance and a safe environment for their child. According to the data, the majority of domestic employees are female, with

approximately 20% of all domestic workers hired being under the age of 14.

These children work for the family as live-in servants, performing tasks such as cooking, cleaning, caring for the family's pets or young children, and other responsibilities.

Bonded child labour:

Bonded child labour occurs when a youngster is forced to work as a slave to repay his parents' or guardians' debt.

Although the occurrence of bonded child labour has considerably diminished in recent years as a result of strict government inspection and legislation prohibiting it, it continues to occur discreetly in remote locations.

Children who live in rural regions and work in agriculture are more likely to face this type of labour. Poor farmers who are significantly in debt to lenders may agree to hire their siblings to work for affluent lenders.

Thousands of bound labourers have worked in a variety of enterprises up to the previous 10 years, but their numbers have since plummeted, and the government claims that there are no longer any bonded child labourers.

HOW CHILDREN ARE EXPLOITED FOR LABOUR IN INDIA?

Instead of attending school, playing, or engaging in other constructive activities, they are forced to work on a variety of tasks that include repetitive low-skilled work that does not help them develop for future employment opportunities, as well as being exposed to hazardous conditions in agriculture, industry, and the service sector.

The work entails long hours on a bewildering range of tasks such as transferring pollen in cotton plants, picking the crop with their bare hands, being indentured on tea or tobacco plantations, brick-making factories, and construction sites; being sent down dangerous mines for extracting gold and diamonds, or confined to cramped workshops for cutting and polishing gemstones; working at slaughterhouses and tanneries with minimal protection or under life-threatening conditions.

Children are often employed in sweatshops in the fashion business, working in yarn and spinning mills and garment factories. Their tasks range from handling silkworms to intricate decoration work. They are on the streets picking rags, carrying an entire recycling industry on their shoulders, or in homes doing domestic work, either as employees of others or, in the case of girls, as free labourers who are not considered as deserving of education as their brothers.

The worst of all is modern-day slavery human trafficking situations in which minors are forced to work as bonded labourers or be sold for sexual exploitation, subjected to brutal abuse and lasting trauma. Can we even conceive the mental health ramifications for these children and adolescents forced into labour, in addition to the physical ones?

Recently, in NEW DELHI: While authorities continue to investigate the torture of a juvenile girl who worked as a domestic helper in Dwarka, figures reveal a significant increase in child labour in the city. The number of teenage workers rescued in 2023 has nearly tripled compared to the previous year. [2]

IMPORTANT JUDICIAL PRECEDENTS ABOUT CHILD LABOUR:

M.C Mehta v. State of Tamil Nadu and others (1996) [3]

In M.C Mehta v. State of Tamil Nadu (1996), the Supreme Court of India issued guidelines Survey to identify children who work;

Withdrawal of children employed in hazardous industries;

Ensuring that children are educated in appropriate institutions;

Contribution of Rs. 20,000/- per child from the violating employers of children to a welfare fund to be established for this purpose;

Employment for one adult family member of the child who has been thus withdrawn from work, or if that is not practicable, a donation of Rs. 5,000/- by the state government to the welfare fund;

As long as the child is sent to school, financial help will be provided to the families of the withdrawn children out of the interest income on the Rs. 20,000/- or 25,000/- amount put in the welfare fund;

Limiting the number of hours children may work in non-hazardous jobs so that they are guaranteed at least two hours of schooling each day and a daily maximum of six hours of labour.

The concerned employer is required to cover the whole cost of schooling. The Ministry of Labour

is keeping an eye on how the Supreme Court's directives are being carried out.

Labourers work on Salal hydro-electric project v. State of Jammu & Kashmir and Others (1983)[4]

In Labourer's work on Salal Hydroelectric project v. State of Jammu & Kashmir and Others (1983), a bench of Justices P. N. Bhagwati and R. B. Misra declared that no child under the age of 14 might be hired by any contractor or subcontractor in any factories on the projects. If a contractor or subcontractor employs minor workers, prompt directions for their break must be given immediately, and a summary report on punishment must be sent.

People's Union for Democratic Rights v. Union of India (1982)[5]

In People's Union for Democratic Rights v. Union of India (1982), it was claimed that a limited number of minors under the age of 14 were working on the Asiad Project's construction in Delhi. It was contended that because the construction business was not included in the schedule of the Employment of Children Act (1938), it did not apply to children employed in it. According to Bhagwati J., the government's assertion was completely unreasonable. Even though employment is not specifically included in the Schedule of the Employment of Children Act of 1938, children under the age of 14 are not permitted to work in construction because it is a risky occupation. It was urged that the State Government take the quickest possible steps to schedule the building work under the Act and ensure that Article 24 is not violated in any region of the country.

Krishna raj v. The Principal Secretary (2016) [6]

In this judgment, the Madras High Court underlined the importance of the mid-day feeding plan in minimizing child labour. On July 1, 1982, the Tamil Nadu government implemented the 'Noon Meal Scheme'. The Court underlined that it established a road for collaboration with the government, the Department of Social Welfare, and Nutritious Meal Programs on a combined salary/daily compensation for persons with lower educational credentials. It went on to say that their primary purpose was to help the education of children from disadvantaged and poor neighbourhoods and social groupings. Furthermore, it was intended to address issues such as child labour, which had plagued the country both before and after independence, to achieve the goals specified in Article 24.

Court on its motion v. State of NCT of Delhi (2009)[7]

The Delhi High Court approved the Delhi Action Plan to Prevent Child Labour, prepared by the National Commission for Protection of Child Rights, Government of India, in Court on its motion v. State of NCT of Delhi (2009). In this order, the Delhi High Court clarified the duties and responsibilities of all parties involved.

TMA Pai Foundation v. Union of India (2002)[8]

In the case of TMA Pai Foundation v. Union of India (2002), the Supreme Court declared that it is the fundamental responsibility of a parent or guardian to provide their children with educational possibilities. The Right of Children to Free and Compulsory Education Act of 2009, which guarantees free and mandatory education for all children aged 6 to 14, was passed by the Parliament to codify this advancement in the field of education and recognise it as a basic right.

Whether this case involves A v. By way of this appeal (2016)[9]

According to the Gujarat High Court's decision in the case of Whether this case involves A v. By way of this appeal (2016), any child/children or their parents/guardians may approach the State Commission for the Protection of Child Rights to air their grievances, and appropriate action will be taken to investigate the complaints by the Commissions for Protection of Child Rights Act, 2005.

Central Provinces Transport Services Ltd. Vs. Raghunath Gopal Patwardhan, 1956[10]

In this case, the Supreme Court distinguished between an individual dispute and a labour issue. It concluded that a dispute involving merely the rights of individual workers cannot be classified as a labour dispute. A dispute between an employer and a single employee might be classified as an industrial dispute under Section 2(k). A dispute between an employer and a single employee is not inherently a labour dispute, but it might become one if it is taken up by the Union or a group of workers.

Prevalence in India:

According to the most recent National Sample Survey data, UP leads with an estimated 2.1 million child labourers.

Uttar Pradesh, together with Bihar, Rajasthan, Maharashtra, and Madhya Pradesh, account for roughly 55% of all working children in India.

Rural-urban distribution: Child labour is about three times more common in rural regions (14%) than in cities (5%).

Gender distribution: Child labour is more common among males than girls of all ages.

Sectoral distribution: Agriculture employs 70% of children (112 million), followed by services (20%) and industry (10%).

Their education status: Nearly 28% of children aged 5-11 years and 35% of children aged

How We Can Stop Child Labour in India?

Stopping child labour in India is critical for creating a thriving and prosperous nation. The Indian government has enacted numerous restrictions to combat child labour, including making employment for children under the age of 14 a penal offence. However, each individual must do their part. Here are some of the most important methods that Indian individuals may contribute to control child labour in the country.

1. Educate & Spread Awareness

The majority of child labour is caused by parents' unawareness. Traffickers primarily target children of illiterate parents, and many children find themselves in the pit of child labour. It is critical to educate such parents and raise knowledge about the various child rights in India, as well as the reasons why educating children is important. Furthermore, when the negative repercussions of child labour are properly presented, many parents change their attitudes and focus on the growth of their children.

2. Create Awareness of the Laws & Policies

A strong law is necessary to address the issue of child labour. India has enacted Article 24, which states that no children under the age of 14 should work in any hazardous situation. To combat child labour, many non-governmental organizations (NGOs) collaborate with governments to develop policies and regulations.

3. Educate Child Labourer's Parents

While raising awareness has encouraged many parents to enrol their children in school, there are still many parents who prioritize income over education. Major problems in India

frequently necessitate one-on-one conversations for resolution. As a result, it is critical to discuss with such parents to understand their concerns and then propose a solution to eliminate child labour. Many NGOs, such as CRY India, are fighting to eradicate child labour by convincing the parents of many child labourers to give their children a fresh life by sending them to school instead of working.

4. Stop people from employing children in homes, shops, factories, etc

One of the main reasons why child employment is not being reduced is that individuals continue to employ youngsters. As a result, responsible Indian residents should take precautions to prevent others from employing minors in homes, businesses, and industries. One option is to cease purchasing things from a store that has employed a child for work. When children stop having jobs, half of the problem will be solved here. These children will go to school to have a bright future.

5. Partner with NGOs

Individuals may feel limited in their abilities to address the issue other than raising awareness and engaging with parents in their community. To have a greater impact on society, one way to eliminate child labour is to participate in various initiatives and campaigns organized by non-governmental organizations (NGOs). These non-governmental organizations (NGOs) focus on grassroots efforts to produce tangible results. Collaboration with relevant authorities increases the effectiveness of such programs cooperating with these NGOs.

6. Send more children to school

Poverty and labour challenges in India are two of the leading causes of child labour. Most parents cannot afford to educate their children, thus they see children as a valuable resource for employment. However, there are numerous child labour alternatives available today, such as free basic education, midday meals, and others, which can undoubtedly encourage both children and their parents. The only requirement is that parents be taught about these programs to send more children to school.

While child work is one of India's primary challenges, and solutions are still being developed, many individuals have succeeded in preventing child exploitation and providing a dignified life to many children, allowing them to love their childhood like

other children. Governments can only set policies; citizens are responsible for enforcing them and eliminating child labour.

RECOMMENDATIONS AND SUGGESTIONS FOR THE EFFECTIVE IMPLEMENTATION OF CHILD LABOUR LAWS:

Suggestions for various organisations:

Organisations working on a variety of issues should participate in the campaign, with a focus on child labour. The advertisement should stress how to apply many laws efficiently. The strategies should aim to effect change on a local, provincial, national, and/or global scale.

The organisations must address the issue of budget analysis and fight for financing to carry out the policy. The majority of the time, policies are produced without adequate monetary support, which affects the implementation process. Budget analysis is a lobbying approach that helps the public understand the government's policy aims, which has a greater impact on persons with limited political power.

NGOs and NPOs:

NGOs and non-profit organisations can launch a thorough campaign to spread information across civil society organisations via networking to attract the attention of policymakers, implementers, and the community.

Suggestions for government:

Poverty eradication

Poverty has a clear link with child labour. Given the growing disparity between the rich and the poor, poverty eradication programs are important. The poor and those in need should be involved in the development process. Pro-poor, inclusive policies must be designed and implemented with a strong political commitment.

Community action

There is a need to promote public awareness about the importance of launching community action to increase school entry. Education fosters a kid's cognitive, emotional, and social environment in which the community as a whole will no longer tolerate child labour in any form. Raising

awareness among disadvantaged parents is vital to equip them to make the sacrifices required to ensure that their children obtain an education.

Implementation by local bodies

Local governance institutions may monitor policies, programmes, and laws to ensure that children's rights and interests are respected. The Gram Panchayat can properly choose initiatives in its regions and provide job opportunities for the needy. Furthermore, it may ensure that children are involved and have a say in decisions that affect their lives. By actively engaging in the Gram Sabha, community monitoring systems can be implemented.

CONCLUSION:

To summarize, child labour exploitation is a major concern in India. The disease is expanding by the day, so we need to discover a proper and effective approach to address the issue. The Government of India should establish a separate framework for the effective execution of education policy in India. The existing government education program is inadequate and incapable of meeting their economic needs. The neglectful behaviour of parents encourages children to work, which is one of the threats to their socioeconomic status. Various groups in the field of child labour, child rights violations, and child abuse are working to safeguard and eradicate these issues, and parents of children are becoming aware that transient gain is not beneficial to their families. The government will make efforts in the areas of modest family standards, compulsory schooling, and so on, with the assistance of non-governmental organizations. The picture is clear: the problem of child labour can only be eradicated if government agencies and non-governmental organizations collaborate effectively in the same field.

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