

BREAKING CHAINS: CONFRONTING THE CRISIS OF CHILD LABOUR

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“There is no greater violence than to deny the dreams of our children.”

-Kailash Satyarthi

Abstract

Nelson Mandela advocated that there can be no keener revelation of a society's soul than how it treats its children.

Children reflect the future of humanity but their present nurturing equally matters. When they are provided with opportunities to thrive in their respective fields along with an intellectual environment that is conducive to their growth and development, they make better citizens and civilized human beings. The future of any country is closely linked to the way its children thrive. On forcing them to perform the work beyond their age, they are not only robbed of their childhood liberties but also pushed forth into the cycle of despair. Child labor is such a heinous evil prevailing in the society that compels children to engage in manual as well as mechanical labor to earn a living for the family or just to make ends meet.

This abstract provides an overview of the prevalence, causes, consequences, and strategies to combat child labor in India. It highlights the socio-economic factors contributing to the consistent persistence of child labor in India including poverty, unawareness, lack of educational access and poor execution of existing labor laws. The grave impact of child labor on children's overall development is discussed, emphasizing the urgent need for intervention. Various approaches to addressing child labor, including education, economic empowerment, enforcement of laws, corporate responsibility, and community engagement, are explored. The abstract underscores the importance of a multi-dimensional and collaborative effort involving government, civil society, businesses, and individuals to effectively eradicate child labor and ensure a brighter future for India's children.

Keywords

Child labor, exploitation, hazardous conditions, poverty, education deprivation, child protection laws, global issues.

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Objectives of the Research

- ➔ To analyze the meaning of child labor and its definitions by prominent international organizations
- ➔ To inspect the roots of child labor and various reasons for its continuing existence in the social order.
- ➔ To observe the heinous crimes committed against children through child labor.
- ➔ To examine the condition of children in India and the extent of child labour
- ➔ Critique of governmental policies aiming at restraining child labor and a way ahead.

Research Methodology

This research article is based on secondary data. It has been extracted from various governmental and think tank reports, journals and United Nations surveys, research articles and studies.

Literature Review

1. K. D. Ramaih and M.C. Naidu in their research article “Child Labour in India: An Overview” (2006) have duly noticed that child labor is one of the most significant issues confronting the world in the present context. According to them, it is generally prevalent due to the economic fallouts and compulsions of the parents. Moreover, unemployment adds to the problem while education continues to play a huge role in the increase of child labor. Families aren’t aware of the importance of education in a child’s life and children end up being trapped in the net of illiteracy.
2. Niti Mehta in her article “Child labor in India: Extent and Some Dimensions” expresses that lack of education and deprivation of opportunities are innately connected to the problem of child labor. According to her, the government must take firm and strict action to be able to eradicate child labor from its very core.

What is Child Labour?

International Labour Organization (ILO) has put forward its definition that, *the term child labor is best defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to their physical and mental development.* It hence refers to the kind of work that refrains children from having a normal childhood and pushes them into the cycle of vicious labor and exploitation.

UNICEF defines child labor differently. According to the organization, *a child is involved in child labor activities if between 5 to 11 years of age, he or she did at least one hour of economic activity or at least 28 hours of domestic work in a week, and in case of children between 12 to 14 years of age, he or she did at least 14 hours of economic activity or at least 42 hours of economic activity and domestic work per week.*

Child labor interferes with a child's ability to attend his/her schooling and carve a future for himself/ herself. Child labor is the social evil that distances children from the process of learning and makes them trapped in the vicious cycle of poverty, hunger and misery.

Child Labor and Its Types

According to the International Labor Organisation, the worst types of child labor are:

- **Slavery:** Slavery is defined as the act of forcing a person to work for the other person without consent. Children are often enslaved and forced to perform labor, generally with no pay at all. This also refers to the dehumanization of children.
- **Child Trafficking:** The act of making transactional exchange of children for labor or sexual exploitation is considered as child trafficking. Children are auctioned to dealers and traded as commodities. This is another hell for them.
- **Debt Bondage:** Debt bondage refers to a situation when people cannot pay their debts and are in turn forced to do labor to pay it off. Parents often send their children to debt bondage for the payment of all debt.
- **Forced Labor:** Whenever a child is prompted to work against consent and will, it is termed as forced labor. Very often, child labor is involuntary.
- **Beggary:** Beggary is one of the most common practices in our country. Parents ridden in poverty often push their children into the same vicious cycle to earn some living and even cut off their body parts to gain people's sympathy.

History of Child Labour: Examining where the Roots Lie

Ever wonder why and where the very concept of child labor actually began?

It is quite obvious that these practices have been in place for centuries now. In some places, they took place in the form of slavery and in others they were influenced by community discrimination based on race, sex, caste, creed or gender. As per the modern History, the last three centuries beginning since 1562 have

experienced abundant transatlantic slave trade which further grew during the US Civil War. However, if it were to be pinpointed to where it took a systematic form, one has to be transported back to the world of Europe where industrialization was still finding its ground.

Moreover, many children were also forcibly employed in coal mines. Coal was one of the key resources necessary for industrialization and one of the reasons that Britain was the first country to industrialize in the 1700s. In all, child labor was a common feature of the Industrial Revolution and involved children suffering under horrible and abusive conditions. Whether it was in factories, mines or other workplaces, children were expected to work in hot and dangerous conditions paving the way for future generations to continue to exploit children in the vicious cycle of child labour.

Child Labour in India

As per Census 2011, the total child population in India in the age group (5-14) years is 259.6 million. Of these, 10.1 million (3.9% of the total child population) are working, either as ‘main workers’ or as ‘marginal workers’. *In addition, more than 42.7 million children in India are out of school.*

Evidence drawn from the National Sample Survey data suggests that India’s child workforce during 2004-05 was estimated at a little over nine million (9.07 million) as against twenty-one and a half million (21.55 million) in 1983.

Child labor in India is a glaring violation of numerous children’s rights, representing a deeply rooted and multifaceted social issue. These working children are deprived of their fundamental rights, including the right to a healthy development, education, leisure, and play. They miss out on a decent standard of living and opportunities to nurture their personalities, talents, and mental and physical abilities. Additionally, they are left unprotected against abuse and neglect. Despite notable progress in school enrolment and literacy rates since the 1980s, child labor remains a persistent problem in India.

The Magnitude of Child Labour

As per the statistics provided by the International Labor Organisation and National Sample Survey Organisation (NSSO), the prevalence of child labor in India remains significantly substantial.

Below is a table illustrating the key statistics:

Year	Total Child Laborers (in millions)	Rural Child Laborers (in millions)	Urban Child Laborers (in millions)
2023	10.1	7.2	2.9
2024	9.5	6.8	2.7

The data reveals that while efforts have been made to reduce child labor, a significant gap still exists between rural and urban areas. Rural areas make up for the majority of child laborers, indicating the need for targeted interventions in these regions.

- **The following table depicts the data on states recording the highest number of child labor incidences in India (2023-2024).**

Source: National Sample Survey Organisation (NSSO).

State	Total Child Laborers (in millions)	Percentage of National Total
Uttar Pradesh	2.3	24.2%
Bihar	1.8	18.9%
Rajasthan	1.2	12.6%
Maharashtra	0.9	9.5%
Madhya Pradesh	0.7	7.4%

Insights

- **Concentration in Northern States:** The data reveals a concentration of child labor in northern states like Uttar Pradesh, Bihar, and Rajasthan, collectively accounting for over half of the total child laborers in the country.
- **Rural-Urban Disparities:** While Uttar Pradesh and Bihar have a significant number of rural child laborers, Maharashtra, with its urban centers, also records a considerable proportion of child labor cases. This indicates the prevalence of both rural and urban child labor in these states.
- **Socio-economic Factors:** States with high incidences of child labor often grapple with many issues. Addressing these underlying socio-economic factors is crucial in tackling the problem effectively.
- **Need for Targeted Interventions:** The concentration of child labor in specific states necessitates targeted interventions and resource allocation to these regions. Efforts should focus on improving access to education, enhancing livelihood opportunities for families, and strengthening enforcement mechanisms.

Measures and Legislation to Prevent Child Labour in India

→ Child Labour (Prohibition and Regulation) Act 1986

Article 24 of the Indian constitution states that, “No child below the age of fourteen years shall be employed to work in any factory or mine or employed in any hazardous employment.”

According to the law, a child is a person who has not yet completed his/ her 14 years of age. The law comes in response to the enormous exploitation of children in various heavy industries, overtime work with little or no pay at all and protecting their rights of being children. It aims at refining the working conditions of child workers and regulating their employment in hazardous and toxic industries.

→ Child labor (Prohibition and Regulation) Amendment Act, 2016.

The Amendment Act completely prohibits the employment of children below 14 years and adolescents in the age group of 14 to 18 years in hazardous occupations. The amendment also protects them from working in toxic working conditions. In the direction of effective implementation of the act, the government has also formed The State Action Plan and laid down systematic guidelines for bureaucrats and officials of states/ UTs to take strict action in case of contravention.

→ Child labor (Prohibition and Regulation) Amendment Rules, 2017

The Child Labour (Prohibition and Regulation) Central Rules provide a broad and specific framework *for the prevention, prohibition, rescue and rehabilitation of child and adolescent workers.*

The government has framed these rules after careful consideration and consultation with the experts, taking a multi-stakeholder approach to solving the issue.

Conclusion: A Way Forwards to Tackle the Problem

To address this deeply entrenched problem, a multifaceted approach encompassing legislative action, social awareness, economic empowerment, and educational reforms is imperative. First and foremost, stringent enforcement of existing laws is essential. While India boasts of a comprehensive legal framework against child labor, effective execution still remains a challenge. Strengthening enforcement mechanisms and ensuring swift justice for violators are crucial steps towards eradicating this problem. Investment in education, alerting the governments across the world to take draconian measures against the perpetrators, empowering communities through vocational training and raising public awareness can be the beginners’ steps in the direction of bringing about substantial change.

In conclusion, tackling child labor in India requires a coordinated effort across government agencies, civil society organizations, businesses, and individuals. By addressing the underlying socio-economic factors, investing in education and livelihoods, enforcing laws rigorously, and fostering a culture of child rights, India can chart a path towards a future where children are secure enough to have a bright future and dignified present. It is only through such collective action that we can truly build a society where every child thrives.

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