

Vol 7 Issue 2 Nov 2017

ISSN No : 2249-894X

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*Monthly Multidisciplinary  
Research Journal*

*Review Of  
Research Journal*

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## CHILD LABOUR PROBLEM IN INDIA



### ABSTRACT:-

It has been ascertained over decades that, poorness forces poor families to send their child to work, which ends up during a significant issue the planet is facing these days. Child labour will leave several severe consequences on children and their families. Once child work, it doesn't mean as a typical, they support their families economically, neither all of them get acquired their work since several of them work as secure labour or as slaves additionally thereto, they face several issues which can cause permanent injury to their childhood. Child's typically work to contribute and supply funding to their families. This paper illustrates however Asian country has adopted laws and rules to eliminate child labour. But despite all the efforts, child labour and also the factors that influences the incidence of child labour continues to be rife. This paper conjointly attracts conclusion that governments, societies, and communities ought to join forces during a higher approach with one another to decrease child labour. Potential and pioneer solutions and suggestions area unit arose at the top of this paper.

**KEYWORDS:** child labour, poverty, education, Indian government, International labour organizations.

### INTRODUCTION

The increase of population and higher poverty

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rates forced parents to send their children to undertake some job. In 1936, the Government of England enacted legislation for the employment of poor children between the ages of 5 to 14 years. Another law was enacted by U.S.A. in 1963 for the healthy persons who were not employed and belonged to age group of 12 to 60 years. In the past, Indian society was stratified in different castes, which had their respective occupations. The occupation of a particular group of persons was determined by the caste. In the traditional society children were supposed to learn the family occupation for their livelihood.

### CHILD LABOUR: POSITIVE ASPECTS

We know that the child requires physical, intellectual and social inputs to grow and develop properly. Physical inputs include not only the food but also proper opportunities for muscular exercises. Excessive work-load retards the growth of the child and mild work-assignments help him acquire his skills and develop a sense of responsibility and confidence.

1.The Government of India has accepted that all and every form of work by the child cannot be said to be deleterious. In some of the unorganized sectors, the child workers are given light work as compared to adults. This system enables them to learn and pick-up the occupational skills earlier than others.

2.Those child workers, who work with their family members or some near and dear ones, do not feel work as burden. In such situations, they put their grievances and demands to their employers personally or with their parents without any fear.

**NEGATIVE ASPECTS**

Every child has the right to an environment favorable to his physical, mental emotional and intellectual growth and development. Proper health-care and nutrition, education, recreation and adequate clothing are the basic needs of the child. It is also harmful for the proper growth and development of the child. According to the Encyclopedia of Social Sciences, ‘when the business of wage earning or of participation in self or family support conflicts directly or indirectly with the business of growth and education, the result is child labour. On the basis of pilot studies conducted by the students of Madras School of Social Work in the city of Madras, Madurai and Coimbatore, George (1977) reports that 29.6 percent children were working for a minimum of 8-9 hours, 31.6 percent for 10-11 hours, 22.4 percent put 12-13 hours while 11.6 percent up to the maximum of 14-15 hours per day and 4.8 percent had no fixed working hours.

**Table 1.1**  
**Distribution of working children in Urban and Rural Areas by Working Hours**

Hours of work	Urban		Rural	
	Up to 9 years	More than 9 years	Up to 9 years	More than 9 Years
Up 7 hours	1.2	33.9	1.2	28.1
More than 7 hours	5.3	59.5	0.4	70.1

The above table shows that child workers above 9 years are put to work for more than 7 hours both in rural and urban areas. In the rural areas children above 9 years working for more than 7 hours per day are 70.1 percent while this number is 59.5 percent in urban areas.

**Table 1.2**  
**Distribution of the earning by work status**

Status of Work		Urban.	Rural
Regular	Full time	68.0	48.0
	Part time	15.8	12.8
Seasonal	Full time	10.4	30.8
	Part time	5.6	8.3
Total		100.0	100.0

The table under discussion reveals that a maximum of 68 percent child workers are in regular full time job in urban areas but in the rural areas this ratio declines to 48 percent and increase to 30.8 percent in seasonal full time jobs due to seasonal agriculture work.

**CAUSES FOR CHILD LABOUR**

The reason for employment for children varies from culture to culture or from group to group in the same culture or society. The employment practice is affected by several factors such as education, economic standard of living, social conditions and prevailing occupational traditions. Economic Necessities

India is a developing country, where standard of living has gone up even with limited available resources. There were 40 percent people below the poverty line in 1981, which has declined to 36 percent in 1986 as per the Govt. statement. As per the statement of the Minister of State for Planning, Government of India (1985) about 36.9 percent people were below the poverty line during 1984-85, when it was calculated at the rate of Rs.107 per capita per month in the rural areas and Rs.122 in the urban areas. In 1977-78, 48 percent people in rural and tribal areas were below the poverty line. Naturally poor people are not in a position to meet their family needs.

**LARGE FAMILY SIZE AND POPULATION**

In a developing country like India, where resources are less than the minimum requirement of people, tremendous population growth is responsible for poverty. Especially, in the rural, illiterate and traditional areas

where families have not been planned, children are not given proper care and guidance for their development and growth in society. However, in such traditional families children are considered God-gifted and side by side they think extra children means extra income in the family, but they forget that one physically, mentally and intellectually able child is better than a hundred of problem children.

### EMPLOYERS, PREFERENCE

As per the opinion of the employers' children of poor families are sent to join the labour force due to extreme poverty. A study conducted in Bombay city (Singh M. 1980) indicted that 30.5% employers considered that child workers, plight had greater sentimental appeal, 20.5 percent were most amenable to discipline, 12.6 percent are better suited for some types of jobs and out of 23.8 percent 9.3 percent were cheap and 1.9 percent honest.

### ABSENCE OF COMPULSORY EDUCATION

In the Constitution there is a provision for the free and compulsory education for all up to 14 years of age but even after 39 years of independence neither the provision has been implemented, nor have parents so far understood their responsibility to achieve this objective by sending their children to school.

### ILLITERACY AND IGNORANCE OF PARENTS

In India, most of the people are illiterate. As per 1981 census, 36.20 percent people are literate. The illiterate poor parents just think about present conditions. They were from low literacy groups of society. About 44 percent parents of the children were found illiterate and 33 percent up to lower standard only.

### PROTECTIVE LEGISLATIONS FOR CHILD LABOUR IN INDIA

To prevent employment of children in occupations hazardous for children and to regulate the working conditions in different sectors of economy much legislation has been passed from time to time.

The Indian Constitution, provided certain protective measures for children to save them from exploitation. The provisions relating to children are:

(i) Article 15 (3) of the Constitution lays down that "Nothing in this Article shall prevent in State from making any special provision for women and children."

(ii) Article 24 provided that "No children below the age of 14 shall be employed to work in any factory or mine or engaged in any other hazardous employment."

(iii) Article 23, which is also relevant for the present purpose, says that traffic in human beings and beggar and other similar forms of child labour, are prohibited. Any contravention to this Article is an offence and shall be punishable under law.

(iv) Chapter IV of the Constitution contains specific directions in relation to the welfare of children.

(v) Article 39 provides that "the State shall, in particular direct its policy towards securing the health and strength of the workers, women and men and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations, unsuited to their age or strength."

(vi) Article 45 lays down compulsory primary education of children up to 14 years of age.

Then the factories Act of 1948 and the Employment of Children act, 1938 were amended to prohibit children below 14 years in factory and any other workshop respectively through amendments.

### OTHER LEGAL MEASURES

The first major Act is Factories Act, 1948 which applies to establishments in which 10 or more persons are employed to work with power or 20 or more persons without power. The Mines Act, 1952 defined child as person who has not completed his fifteen years of age. The Merchant Shipping Act, 1958 applies to ships registered in India prohibiting employment below 15 years of age as trimmers and stockers without a certificate of fitness. The Motor Transport Act 1961 covers every motor Transport undertaking employing 5 or more transport workers.

## CONCLUSION

Due to increasing legal enactments and strengthened machinery in our country the participation rate of child labour is going on decreasing. Consciousness of employer as well as parents contributes to this factor also. The participation rate is much higher in rural areas than in urban areas. This is because agriculture accepts as much as children it can because it needs no efficiency, education etc., and it is the easiest available sources of employment.

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