



“CHILD LABOUR ACT: AN ECONOMIC PERSPECTIVE”

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ABSTRACT

The foremost priority of any country is to prepare children to be known as the future / youth / generation ahead of any economy and their growth. Child labour around the entire world unlimitedly has spread like a virus. The percentage of child labour is alarming in the statistical manner. In spite of providing free education to the teenage children research have proved two facets, one that is seen or observed and other one which is totally hidden in the form of underground work. Statutes preventing child labour have also gone fail as this part is undiscovered. According to International Labour Organisation (article no. 32) child labour infringes human rights. Apart from this one third of the Indian children population are still indulged into earning process at their early stages of childhood. Around 17.5 million children are working as child labour in different industries like jute, mining, fireworks, leather, agricultural etc.

KEYWORDS : *statistical analysis , Statutes preventing child labour , human rights.*

INTRODUCTION

The term “child labour” is habitually defined as work that deprives children of their childhood, their prospective career and their self-worth, and that is detrimental to somatic and mental development. In every cognitive concept (psychologically, bodily, socially or ethically) it is defined to be hazardous and harmful to children and their growth. It powers a kid to leave school rashly or requiring him/her to endeavor to consolidate school participation with unnecessarily long and substantial work. There are numerous between connected components causative to the occurrence of kid work. Youngster work is both a beginning and outcome of destitution. Family unit destitution powers kids into the work market to gain cash. Some perform youngster work to supplement family wage while numerous likewise are in it for survival. They pass up a major opportunity for a chance to pick up an instruction, additionally sustaining family unit neediness crosswise over ages, moderating the financial development and social improvement. Kid work obstructs youngsters from picking up the aptitudes and training they need chances of not too bad work as a grown-up. Disparity, absence of instructive openings, moderate statistic change, conventions and social



desires all add to the tirelessness of youngster work in India. Age, sex, ethnicity, standing and hardship influence the sort and force of work that kids perform.

Agribusiness and casual part business keep on being divisions where kids wind up working. The ILO encounter is that steady monetary development, regard for work principles, better than average work, all inclusive instruction, social insurance, perceiving the necessities and privileges of the youngsters together help handle the main drivers of tyke work according to Census 2011,

the aggregate kid populace in India in the age gathering (5-14) years is 259.6 million. What's more, in excess of 42.7 million youngsters in India are out of school. According to Census 2011, the aggregate youngster populace in India in the age gathering (5-14) years is 259.6 million. Of these, 10.1 million (3.9% of aggregate tyke populace) are working, either as 'primary specialist' or as 'negligible laborer'.

Children are the supreme gift to mankind and Childhood is a significant and sensitive stage of human development as it holds the potential to the future development of any society. Children who are brought up in an environment, which is favourable to their intellectual, physical and social health, grow up to be responsible and ingenious members of society. Every nation connects its future with the present status of its children. By engaging in work when they are too early for the task, children disproportionately reduce their present welfare or their future income earning capabilities, either by dwindling their future exterior choice sets or by dropping their own future individual dynamic and productive capabilities. Under life-threatening fiscal distress, children are bound to forego educational opportunities and take up jobs which are mostly exploitative and manipulative as they are usually underpaid and involving in dangerous conditions. Parents are forced to decide and send their child for engaging in a job as a frantic measure due to poor economic conditions. It is, therefore, no surprise that the poor families largely send their children to work in early ages of their life. One of the alarming aspects of child labour is that children are sent to work at the cost of education. There is a vigorous effect of child labour on school attendance rates and the length of a child's work day is negatively associated with his or her capacity to attend school. Child labour curbs the right of children to access and benefit from education and rejects the fundamental opportunity to attend school. Child labour, thus, prejudices children's education and adversely affects their health and safety as well.

CHILD LABOUR IN INDIA

As per the Global Report on Child Labour the activity rate of children in the age group of 5-14 years is 5.1 per cent in Latin America and Caribbean Region published by International Labour Organization last year, which is the lowest in the world. In the Asia-Pacific Region, it is 18.8 per cent. In comparison to that, the activity rate of children in India, as per 2001 census is 5 per cent. Legislation for Child Labour in India The first protective legislation for child labour in India was seen in 1881 in the form of Indian Factories Act which had the provisions prohibiting employment of children below 7 years, limiting the working hours for children to 9 hours a day and providing holidays in a month and rest hours. This was actually made by the ruling British Government to decrease the production in Indian industries through some legal restrictions. It may be submitted that the labour legislations in India including protective legislation for children have been greatly influenced with the result of various Conventions and Recommendations adopted by International Labour Organisation. A current investigation by CRY of enumeration information in the nation demonstrates that the general decline in youngster work is just 2.2 for each penny year on year, in the course of the most recent 10 years. Likewise, it has uncovered that kid work has developed by more than 50 for each penny in urban regions.

There are several legislative enactments which provide legal protection to children in various occupations, besides Constitutional provisions:

- The Children (Pledging of Labour) Act, 1933
- The Employment of Children Act, 1938
- The Minimum Wages, Act 1948 and rules made thereunder by the government
- The Factories Act, 1948
- The Plantations Labour Act, 1951
- The Mines Act, 1952
- The Merchant Shipping Act, 1958
- The Motor Transport Workers' Act, 1961
- The Apprentices Act, 1961
- The Atomic Energy Act, 1962

- The Beedi and Cigar Workers (Conditions of Employment) Act, 1966
- The Shops and Establishment Act in Various States, and
- Child Labour (Prohibition and Regulation) Act, 1986

Source: Lok Sabha Starred dated 11.3.2013

On part time or full time basis, child labour can also be defined as engaging children in economic / commercial / financial activity. This practice hinders the mental and physical growth of children and they become incompetent to take decision of their life. In India it has been observed that there are many reasons for child labour as many of family are gone under poverty and they do not get education and also lack of education and other facilities they do not think about their children future. In industries these people get employment at cheap prices and easily and approach ability to factories for the lowest possible price that can produce the maximum amount of goods. In the Indian government Exploitation, Corruption also hold an important in increasing child labour as there are so many laws but their implementation is poor. 14% of world's population of children out of school (support.savethechildren.in) 17.7 million Children and adolescents are out of school in India. It is a criminal offence to employ children in such hazardous industries as per act and on these behaviour 64 industries as hazardous declared. Eminently, the Constitution of India forbids youngster work in perilous enterprises (yet not in non-unsafe businesses) as a Fundamental Right under Article 24. UNICEF evaluations that India with its bigger populace, has the most elevated number of workers on the planet under 14 years old, while sub-Saharan African nations have the most noteworthy level of kids who are sent as kid workers. The International Labor Organization predicts that agribusiness, at 60 percent, is the biggest manager of kid work on the planet, while the United Nation's Food and Agriculture Organization predicts that 70% of tyke work is conveyed in farming and related exercises. Outside of horticulture, youngster work is seen in every single casual segment of the Indian economy.

In December 2014, the United States Department of Labour produced a list of goods manufactured by Child labour or Forced Labour and it was observed that India figured among 74 countries where a significant incidence of critical working conditions was seen. Dissimilar to some other nation, 23 products were ascribed to India, the greater parts of which are delivered by kid work in the assembling area. Notwithstanding the established disallowance of dangerous youngster work, different laws in India, for example, the Juvenile Justice (care and insurance) of Children Act-2000, and the Child Labor (Prohibition and Abolition) Act-1986 give a premise in law to recognize, arraign and stop tyke work in India.

The Child and Adolescent Labour (Prohibition and Regulation) Act of 1986: The Act restricts the work of youngsters underneath the age of 14 years in risky occupations distinguished in a rundown by the law. The rundown was extended in 2006, and again in 2008. In 2016, the Act was amended (not in force as of 30 July 2016) to prohibit employment of child below 14 years in all occupation (except for helping in non-hazardous family business and of child artists in the entertainment industry and sports). Further, adolescents between 14–18 years will not be allowed to work in hazardous industries and processes.

The Right of Children to Free and Compulsory Education Act of 2009: The law commands free and necessary instruction to all kids matured 6 to 14 years. This enactment additionally ordered in each tuition based school that 25 percent of seats must be dispensed for kids from burdened gatherings and physically tested kids.

In 1987, India detailed a National Policy on Child Labor. This Policy with an emphasis on restoration of kids working in unsafe occupations looks to embrace a progressive and successive approach. It imagined strict implementation of Indian laws to address the main drivers of youngster work, for example, destitution on tyke work joined with improvement programs. In 1988, this prompted the National Child Labor Project (NCLP) activity. This legitimate and advancement activity proceeds, with a present focal government subsidizing of Rs. 6 billion, directed exclusively to take out kid work in India. The kid work remains a noteworthy test for India, regardless of these endeavors. No, tyke occupied with any dangerous business

who are beneath age of 14 years should be utilized to work in any industrial facility or mine or. As far as financial welfare, the nearness of countless workers is viewed as a major issue. Kids who work neglect to get essential training. They don't get the chance to grow physically, mentally, candidly and mentally. Youngsters are not prepared for long dull work as far as the physical state of kids since they wind up depleted more rapidly than grown-ups. This lessens their physical conditions and makes the kids more powerless against infection.

All researchers and practitioners agree that poverty is the main determinant of child labour supply, and that child labour significantly increases the income and the probability of survival of the family. Several estimates exist of the proportion in which children contribute to family income: for instance Cartwright and Patrinos (1999) find that children in urban Bolivia contribute on average around 21% of family income; Usha and Devi (1997) found in her study 20% for child labourers from a village in Tamil Nadu (India); and Swaminathan (1998) reported that 40% of children in her sample (Gujarat, India) contributed between 10% and 20% to total household income. This contribution is most of the time critical since children are sent to work when parents' earnings are insufficient to guarantee the survival of the family, or are insecure so that child labour is used as a mean of minimizing the impact of possible job loss, failed harvest and other shocks on the family's income stream.

LITERATURE REVIEW

Swaminathan (1998) examined the relation between current earnings and the age of entry into the work force in Gujarat (mainly in non-agriculture activities). She found that those who started working at a later age were more likely to have higher earnings than those who started working very early. Furthermore she found no correlation between earnings and years of experience rejecting the hypothesis that "an early entry in to the labor force is associated with acquisition of skills, better on-the-job learning and socialization of work".

Dessy (2000) argues that "in South Korea, for example, the government set up compulsory education laws, in addition to providing better access to education and stimulating structural changes that created better employment opportunities for the educated. As a result, by a steady decline in the incidence of child labour and economic growth fertility transition proceeded more rapidly".

Anker at al. (1998) estimated that in production costs the use of child labour allows a mere 5% saving. Although negligible for the industry as a whole, this saving can be large and important for those employers who most rely on child labour.

CONCLUSION

There are long discussions catering to issues and eradication and control of child labor, even though globally in terms of strict adherence to rules and regulations formulated there in implementation is required. Enriching similar practices will provide no results. Important part lies here is to identify factors and eradicate them which force a child to enter the labour market. Policies should be situation based and vary from each context. Hence poverty alleviation measures should be formulated to reduce this strength. It is observed that poverty is the main cause for increase in child labour. Literacy towards child labour can help to change the mentality of parents which will make them believe that education will eradicate their poverty.

SUGGESTIONS

- The importance of education has been highlighted through new policies.
- Literacy programs to be launched.
- At India level Poverty abolition measures to be carried out.
- Availability of education at affordable fee.
- Employment opportunities to the maximum extent to be provided at minimal cost and create a confidence among the society that good education will provide an effective job and economic status.
- Severe labour laws.

- Strict punishment is given to those who do not follow rules and norms of child labour.
- To improve economic condition of the family, Rehabilitation and measures are an essential for improvements.
- To curb economic expenses to the maximum extent due to Family control education measures should be adopted which children in the family will not be forced to enter the labour market for earning money.

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