



The Study of Child Labor Issues in India and Laws Designed to Protect Child Labor

Kewal Haridas Karhade

Karmavir Mahavidyalaya Mul, Dist. Chandrapur

Abstract:

The problem of child labor is global. The industrialization has created many imbalances. One such discrepancy is the employment of factory workers and child workers in unexpected occupations. The practice of employing child labor in India is of the Industrial Revolution. Ever since the demand for low-paid workers in the industrial sector in India has increased. Child labor was employed due to widespread poverty in the society. The factory system introduced in India in the 19th century created a class of child laborers. Due to the low wages of child workers, a large number of child workers were recruited in many sectors to earn more benefits. These workers are available at very low wages; they can work long hours. No matter what the work situation is, they do not complain about it. In addition, such workers do not have to arrange for housing or labor welfare work. Child laborers have to work due to their poverty. In fact, childhood is spent in sports and dance. But these unfortunate children have to spend their childhood in work and as a result, they do not even get an education. Furthermore, having money at an early age, these child laborers develop many bad habits and turn to crime.

It is learned that 60% of today's criminals are child laborers. In this context, hiring child labor is a heinous social crime, and the producers who commit this crime lead a life of luxury by profiting from the sweat of child workers. Many child laborers are still employed in non-industrial occupations such as theaters, hotels, liquor, and casinos. No matter how bad the unethical and criminal environment of the area can be in the minds of children, who know if these child criminals grow up in unethical environments and become stubborn criminals. From that point of view, the problem of child labor has not only economic but also social and moral aspects. That is why The Study of Child Labor Issues in India and Laws Designed to Protect Child Labor has been chosen as the subject of this research.

Keywords: Child labor, Child Labor Issues, Child Labor Laws

Data Collection Method Used For Research:

Data for the research paper has collected from newspaper, books, magazines, reports, and websites

The Objective of Research:

The main objectives of the research presented are as follows.

- 1) Knowing the status of child labor in India
- 2) To know the effect of the law framed for child labor
- 3) To study the government's role in solving problems of child labor
- 4) Suggesting for the development of child based on the findings from research

Introduction:

The existence of child labor is the downfall of society and it is the moral defeat of society. Many child workers are not paid in the form of money, but after eight or more hours of work, they receive nothing but old torn clothes, poor one-time food, and insults and beatings from employers. It is very sad that the social reformers in India are indifferent and neutral on the issue of child labor with the same enthusiasm with which they fought about many social problems. There has been a significant increase in the number of child workers in industries and factories in the organized sector. Initially, child labor statistics were not available. The Whitley Commission stated in its report that children over five years of age are given 18 hours of work a day. In 1946, the Labor Inquiry Committee stated that the employment of child laborers in some industries was illegal and this was a very poor condition for the status of laborers in India. Child labor is the cause and effect of poverty. Family poverty causes children to enter the labor market to earn money. Some children contribute to increasing family income by working. Therefore some children have to work for a living. Poverty deprives child workers of access to education, economic, and social development.

Child workers are employed and subjected to destructive activities. The working condition is very poor. They are exploited by giving them low salaries. India has the highest number of child laborers in rural areas. About 60% of child laborers are under 10 years of age. The proportion of child workers in trade and occupation is 23%. The proportion of child workers in domestic work is 36%. Most child laborers work in hotels and restaurants. The proportion of child labor is very high in an industry with physical suffering. More than 45,000 children work in the fireworks and fireworks industry in Sivakasi in Ramanathapuram district in Tamil Nadu. Of the 12,000 workers in the board and pencil industry in Mandsor, Madhya Pradesh, 1,000 are child laborers. That is 8.3 percent of child labor is here. There are 3750 child laborers in the board industry in Markapur, Andhra Pradesh. There are 7,000 to 10,000 children under 14 years of age in the lock manufacturing industry in Aligarh, Uttar Pradesh. This is 9 to 11 percent of the total labor force. The glass industry in Firozabad, Uttar Pradesh, has 50,000 child workers, which is 25 percent of the total.

In rural Uttar Pradesh, little girls also do some work. The ratio of girls is 34%. The carpet weaving industry in Bhadohi, Uttar Pradesh employs 25 percent of the 50,000 workers. Little girls work in the carpet weaving industry in Kashmir. This work affects their eyes. The same situation exists in the diamond cutter industry in Surat, Gujarat.

The situation of child labor in metropolitan areas is very poor. Most child laborers work in Mumbai. The wood carving industry in Saharanpur employs 10,000 child workers. Their

working hours are high and their wages are very low. There are 5,000 child laborers in the silk weaving industry in Varanasi. In Delhi too, more than 60,000 child laborers work in Indian dhabas, tea shops, and hotels. More than 50 percent of the miners are child laborers. The unorganized sector has a higher child labor ratio.

Since the beginning of the factory system in India, child laborers have been working in various factories. Factory workers exploit these child laborers by giving them the lowest wages. The Factories Act was enacted in 1948 to ban the employment of these child laborers and the number of child laborers has been declining since then. Nevertheless, a large number of child workers are still working in small businesses in unorganized and rural areas. In Bihar, Tamil Nadu, and Rajasthan, children fewer than 15 are working in the mining business. The Mining Act of 1952 prohibits child workers from working underground. Today many child laborers are working in the mining business.

The number of child laborers working in fields like tea, rubber, sugarcane, coffee, etc. is very high. According to a survey, 25.7% of the total child labor was in Bengal, 12% in Darjeeling, 14.4% in Assam, and 11% in tea and coffee plantations in South India. The government has also noticed that a large number of child laborers are still being recruited by giving false age certificates.

An unregulated industry is one that is not controlled by the government. This includes small scale and cottage industries in rural areas. With no government control over such industries, a large number of child laborers are hired and they are forced to do some work at very low wages. Child labor is heavily employed in agribusiness and similar industries.

Provisions in the Constitution of India:

The Constitution of India provides that child labor should not be employed in industry or other occupations.

- 1) Article 24 of the Constitution provides that children below 14 years of age should not be employed in any industry or hazardous employment.
- 2) According to Article 39 (f) of the Constitution of India, protection from childhood and adolescence should be done.
- 3) According to Article 65 of the Constitution of India, it is the responsibility of the government to provide free and compulsory education to children up to the age of 14 years.

Although the above provisions are in the constitution in the context of child development, they have not been implemented properly.

Meaning of Child Labor:

Child labor is one in which children are deprived of their childhood. It is also harmful to their physical and mental development.

The practice of child labor is mental, physical, social, morally dangerous, and harmful to children. As a result, children are unable to go to school.

Under the Child Labor Act 1986, children under 14 years of age are prohibited from working in certain industries. A large number of child workers in India do domestic work. Many industries employ child labor. Child labor in hotels and restaurants is on the rise. Child labor is being exploited on a large scale. They work long hours. The wages of child laborers are much lower than those of laborers.

Child Labor Issues in India and Laws Designed to Protect Child Labor:

According to the 1981 census, child labor was 5.9% of the total labor force in India. No statistics are available on how many child laborers were working in which occupation, but according to the 1971 census, these figures are available. According to the census, the number of child laborers with an age limit of 15 was 107 lakh. Of these, 79 lakh were boys and 28 lakh were girls. 6% of the total child laborers were from urban areas and 93% were from rural areas.

According to the 2001 census, the proportion of child workers in the age group of 5 to 14 was 5 percent. The ratio was 5.9 percent in rural areas and 2.1 percent in urban areas. The total number of child workers in 2001 was 1.27 crore. The number of child laborers in rural areas was 1.14 crore while the number of child laborers in urban areas was 1.3 million.

According to the 2011 census, the number of child workers between 5 and 14 years of age in India was 1.01 crore. According to the 2011 census, the number of children in the age group of 5 to 14 was 26 crore. Child labor constitutes 3.9 percent of the total child population. 4.27 crore children are out of school in India. In 2011, the number of child laborers in rural areas was 81 lakhs, while the number of child laborers in urban areas was 20 lakhs. In 2011, the proportion of child labor in rural areas was 4.3 percent and in urban areas it was 2.9 percent.

Child labor is mainly practiced in agriculture, agricultural labor, domestic as well as industrial labor and other occupations. In 2011, 26 percent of child laborers were engaged in agriculture. The proportion of child laborers working as agricultural laborers was 33%. The proportion of child laborers working in domestic industry was 52%. The proportion of child workers engaged in other types of work was 35.8 percent.

Uttar Pradesh has the highest number of child laborers. According to the 2011 census, it was 21.5 percent. Child labor was 10.7 percent in Bihar, 8.4 percent in Rajasthan, 7.2 percent in Maharashtra and 6.9 percent in Madhya Pradesh. According to the CRY report, the number of child workers is declining every year. According to the report of this organization, there has been an increase in child labor in urban areas.

Child Labor Laws in India:

An inquiry commission was formed to look into the child labor case. In 1802, a commission was formed to investigate the health of child workers in cotton mills in Great Britain. The government had taken legal action on the issue of child labor. This commission started movements in the interest of child labor in many countries. Laws were passed to free child labor from exploitation in India. The previous Government of Mumbai appointed the first factory commission in 1857 to investigate child laborers working in mills in Mumbai. Several laws were later passed to protect child labor.

1) Factory Act 1881: Child labor is defined as under 12 years of age. The minimum age of employment should be 7 years. The work hours of child workers ages 7 to 12 were set to 9. There was also provision for the rest of the holidays and vacation days.

2) Factory Act 1891: As per Factory Act 1891, the minimum age of employment has been increased to 9 years. For children between 9 and 14 years of age, 7 hours of work was scheduled and work was limited to daylight only.

3) Factory Act 1911: In the textile industry, child workers were given six hours of work. Child labor was banned before 5.30 am and after 7 pm.

4) Factory Act 1922: Children below 15 years of age are treated as children. Working hours were fixed at 6 hours. The minimum working age increased from 9 to 12 years.

5) Child Labor Act 1933: Many poor people in India used to take loans from rich manufacturers and to repay these loans they used to send their children to work in factories. Children were not paid for this work. . In practice, this is called the forced labor method. According to the Child Labor Act of 1933, this method of forced labor was abolished by law, providing a fine of Rs 50 for a parent who violated the law and up to Rs 200 for a manufacturer.

6) Child Employment Act 1938: This Act is applicable to the whole of India except Jammu and Kashmir. Under this law, a child below the age of 15 years will not be employed in the business of railway passenger or goods, as well as in the work of lifting, transporting goods, etc. inside the port border or warehouse. Violators of the Act will be liable to imprisonment for one month or a fine of Rs. 500 or both.

7) Factories Act 1948: The minimum working age for child laborers has been set at 18 years. 5 working hours were fixed. There will be half an hour of the holiday. Nocturnal employment and risky occupations were banned.

8) Mines Act 1952: The minimum age for working in mines has been fixed at 15 years. Children cannot work for more than 4.30 hours.

9) Flatation Labor Act 1951: The minimum age to work in the field was set at 12 years.

Many states have passed laws in the matter of child labor. These laws are not implemented properly.

10) Child Labor Act 1986: The main provisions of the Prevention and Regulation of Child and Adolescent Labor Act are as follows, in which the appropriate government will deposit the amount. The appropriate government shall establish a Child and Adolescent Labor Rehabilitation Fund in each district or in two or more districts. The fund will collect the number of fines related to the child imposed on service providers in the district concerned for which the child or adolescent has raised. The amount of interest thereon will be paid to the same person. The funds will be deposited in the bank or invested at the appropriate place as decided by the appropriate government.

Every teenager working in the factory should be given a full day in a week, the day should be decided by the owner and his suggestion should be kept in a place where everyone can see. Owners can make changes on this day for a maximum of three months. The government will make appropriate rules about the health and safety of adolescent workers

working in the establishment. Teens will not be allowed to do overtime. The working hours of a teenager should be fixed so that his work does not exceed six hours of rest. The day a teenager has worked in one establishment, he will not be able to work in another establishment on the same day. Working hours of each day should be fixed, plus one hour of rest after three consecutive hours of work. No teenagers will work from 7 to 8 pm. And no teenager will be allowed to work long hours other than the work hours fixed for the installation.

The government has proposed another amendment to the Child Labor (Protest and Regulation) Act, 1986, which aims to provide full emancipation from employment for children below the age of 14, as well as free and compulsory education act for the protest age, Is to associate with the 2009 Child Rights Age. The research also provides for severe penalties against employers.

In 2015, the Government of India launched the National Child Labor Project (NCLP), under which NCLP specialized training centers and educating, vocational training, daily meals, expenditure, health, before sending 9-14-year-olds to the mainstream education system Is admitted to. Facilities etc. are provided. Children between the ages of 5-8 are directly involved with the formal education system in the Sarva Shiksha Abhiyan (SSA).

Conclusion:

In a country like India, more than 25 percent of the population lives below the poverty line. Hence the children of the family have to work for a living. Many children are living independently. They have to work because they do not have parents. Many industries prioritize child labor because they find low-paid workers. The most important cause of child labor is poverty.

Children in India are still deprived of their basic right to education. Many villages in India lack proper educational facilities. Many children become child laborers due to a lack of educational facilities. Child labor contributes greatly to the livelihood of the family. Therefore, parents send their children to work instead of sending them to school. Although the government is responsible for providing health facilities in the country, there is a shortage of healthcare facilities. Despite laws not to employ child laborers, the law has not been properly implemented.

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