

CHILD LABOR IN INDIA: A SOCIAL PROBLEM- Sajal Kumar¹**I. ABSTRACT**

Studies on the topic of child labour have proliferated in recent years. Even in developed countries, child labour has been an issue for decades. Although there are many efforts being made to eradicate this fatal disease, not much progress has been made. With the second-highest population in the world and the largest workforce of children aged 5 to 14, India's current policies offer little hope of reducing child labour. This paper investigates the issue of child labour in India with an eye toward developing a workable strategy that can be implemented within the context of Indian society. In order to help society phase out child labour, the laws need to be changed to legalise child labour so that it can have a greater impact on the futures of children. Businesses can foster adults who are healthy, well-informed, and productive by making education and nutrition requirements. Generations to come can have parents who have completed higher education. It could be legalised rather than having hasty and ineffective attempts at suppression. There are 10.1 million child labourers in India, including 5.6 million boys and 4.5 million girls, according to the 2011 Census; however, unofficial estimates put the number at 60 million. We estimate that there are 152 million children engaged in child labour around the world, including 64 million girls and 88 million boys.

KEYWORD

Issues of employment, children working, illiteracy, poverty, and legitimization

¹ Student at KIIT School of Law.

II. INTRODUCTION

A child's innocence is revered as divine in India. Children aren't worshipped as deities in today's world, especially in India. The potential for the use of child labour is alarming. While having lunch at a nearby hotel, I noticed a young boy cleaning a table off to the side. A child at heart, he had no ill intentions. A cheerful family of four sat down next to me, comprised of parents and two kids roughly the same age as the one who was clearing the table. And while one family was enjoying a delicious meal, the other was struggling to put food on the table. Kids work constantly all over the world. God gave us children to spread joy, love, and optimism throughout the world. A person's future, life, and impact on the world are all formed during their formative years. Physical, mental, and cognitive development peaks in childhood. Most children in the modern world are not given the opportunity to grow and develop physically, mentally, and intellectually. This is a direct result of the use of children in the workforce. Using children as cheap labour is a major social issue that has many facets in India. Children who must work are denied the basic necessities of life as well as opportunities for growth and learning, rest and recreation, an adequate standard of living, and safety from abuse and neglect. Typically, a factory worker comes to mind when we consider child labour. Factory work, mining, building sites, even tea shops are all common places where children are forced to work. Abused children suffer from psychological and physiological disorders as well as a ruined life. Child labour is a result of poverty and lack of education. Most children work in rural areas. Families in the village often force their children to work because they cannot afford to feed them twice a day. They think that a kid who goes to school will eventually grow up to hate his parents and leave home. Therefore, they employ their children in factories.

III. OBJECTIVES OF THE RESEARCH

The purpose of this study is

- Examining the underlying social and economic problems that contribute to the widespread occurrence of child labour.
- Examining the state of child labour in nearby or foreign nations

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

- In search of actions that can be taken to actually fix the problem.
- Discovering a method of gradual elimination.

IV. SOURCES OF DATA

In this study, questionnaires serve as the main source of information. Information about family structure, wealth, education, employment, pay, motivation, working conditions, employer attitudes, employee health, etc. was collected and used inappropriately.

Books, online journals, and newspaper articles are all great examples of secondary sources of information.

V. LITERATURE REVIEW

The prevalence of child labour in India varies widely between states. According to T. Kala's article "*Exploitation of child labour in India*," many children in the Indian states of Maharashtra and Tamil Nadu are forced to work in deplorable conditions. Through a thorough analysis of child labour in unorganised sectors in these states, the author reveals how children are exploited and deprived of "basic rights including education and joyful childhood." 43.28 percent of child labourers in Chennai are employed by small hotels, while 29.10 percent work for medium hotels, and 27.6 percent work for large units. According to interviews, child labourers face greater financial exploitation than adults. He condemns the government for ignoring sweatshops despite widespread evidence of child labour exploitation. Children as young as six and as old as fourteen work around the clock in Mumbai's filthy zari factories. In spite of conducting raids, state police are unable to enforce the law due to legal loopholes and social issues. He has harsh words for the political system in Tamilnadu, saying that politicians there use empty rhetoric about ending child labour to win votes. The article details the actual situation of child labourers in two states, which helps find policy flaws, and he argues that "a decent income for parents is needed to educate tens of millions of children." As a result of legal loopholes, anti-child-labor legislation is ineffective. ILO's requirement of 15 years means that the Child Labor Act of 1986 is not adequate. When the costs of disobeying a law are outweighed by the benefits, people tend to disregard it. However, farming and housekeeping are not included.

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

The topic of the legal age of employment is addressed in A.S. Shenoy's article "Child Labor". He shows that there is no standard definition of "child" in India by pointing to the fact that the legal working age varies from state to state in India. Regulation and police work need to be spread out. The roles of various stakeholders in ending child labour are also outlined. The time for action in society is now. There will be representation from businesses, non-profits, schools, churches, civic groups, youth organisations, and government agencies. More women's, student's, and senior citizen's advocacy groups, as well as door-to-door campaigns, road shows, and regular NGOs workshops, are required. Government and citizens can work together more effectively when people have a voice in the process. According to the article, "one in eight children in the world is exposed to the worst forms of child labour." Child labour is prevalent due to a number of factors, including but not limited to: poverty, lack of education, adult migration, a lack of social security, and mafia groups trafficking children. Trust and norms are weakened when children beg in "mafia-controlled" cities. The child may develop antisocial or self-destructive tendencies as a result of being exploited. This highlights the significance of stakeholders' duties. He says, "India needs a comprehensive act to protect children's rights," and suggests actions that "national government agencies, NGOs, people's forum, corporate entities, and individual social service activists" can take to eradicate child labour. It is more severe for children to work without any kind of benefits. When landowners lend money to poor farmers, the farmers sometimes use their own children as bonded labour. Discrimination in the past is the root cause of the current caste system and the breakdown of social bonds. According to a UNI (January 7, 1997) report cited by Dr. K. Jamanadas in his article "caste system contributed to child labour in India," "the rigidity of the caste system in India has contributed to the mushrooming of child labourers in the country." The article then goes on to analyse different ethnic groups according to Dr. B.R. Ambedkar, "an authority on caste" and the founder of India's constitution. Dr.Jamanadas examines the question, "why India has the world's highest illiteracy rate?" For centuries, Brahmins have convinced the common people that the Vedas contain all knowledge. In this way, there was no incentive for those of lower social status to acquire literacy skills. It's a long-standing "upper caste didn't like other castes learning" problem. He demonstrates that most homeless youth and panhandlers come from low-income backgrounds. Prostitutes tend to come from lower socioeconomic groups that have fewer legal protections and less access to higher education. The ruling elites have ignored the problems of the people for far too long. Also, he sees signs

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

of hope in the current state of affairs. In this article, we examine how caste prejudice can weaken communities.

Child labour is examined in depth by Kaushik Basu in his article "Child Labor: Cause, Consequence, and Cure, with Remarks on International Labor Standards"¹³. Children have traditionally worked in factories everywhere, including the developed world. There has been no change. Perhaps a heightened awareness of the issue of child labour has resulted from globalisation. More initiatives have been taken to discourage the use of child labour, such as the prohibition of products made with child sweat, the establishment of ILO/WTO standards, and the labelling of products that contain child labour so that consumers can avoid them. A theoretical and analytical overview of child labour is presented in this paper with the hope of informing policy. Any person under the age of 15 is considered a "child" according to ILO Convention 138. To put it simply, a "economically active" kid is a kid who earns money. The International Labor Organization sets the minimum age for light work at 13, with the maximum age for hazardous work at 18. According to the author, "child work" can include "light household chores" and can have some learning value (ILO 1995), while "child labour" describes the most derogatory aspect of a child's work. International and national labour standards have been developed to address the issue of child labour around the world. In developing nations, this phenomenon seems to be underreported. An Economic Analysis of Child Labor, by Priya Ranjan, demonstrates how poverty drives child labour in developing countries and argues that outlawing it may reduce overall welfare. Due to improvements in transportation, communication, and dissemination of information, the issue of child labour has received more attention in recent years. Aware of the issue, people started looking for ways to fix it. The author advocates for a ban on it and other products made by children. He demonstrates the link between credit market imperfections and the use of children for labour in developing countries. Priya Ranjan considers education and child labour tradeoffs that Basu and Van(1998) did not address in their paper, analysing their "generation of multiple equilibria in which a ban on child labour can move an economy from a low-wage equilibrium with children working to a high-wage equilibrium without children working." He argues that because there is no market for loans against future earnings, low-income parents cannot ignore their children's income. Child labour may be reduced if parents' incomes are redistributed. He attributes this to poverty and the absence of a "missing market for loans

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

against future earnings." Developing-country issues are dissected in this paper. The impact of a shift in behaviour among low-income parents can be hard to predict, but simple models can help. Government interventions to support consumption require massive financial support, which worries developing nations, and redistribution of parental income through proportionate tax seems implausible. Though alternative suggestions require more research and an analytical framework on the nation's economic and social impact, "simply banning reduces welfare" is very practical in the context of child labour eradication.

VI. CONTENT ANALYSIS

ORIGIN

The darkest corners of industrialisation are the cradles of child labour. Child labour, in forms such as slavery, predates industrialization, as a more in-depth examination of this abhorrent practise reveals. In the past, young people in the Mediterranean were employed by their elders as servants, charioteers, and weapon bearers. Similar to how Hercules and Hylash serve their king souls in Greek mythology. This was a common practise in Greek classrooms, and male students proved to be effective soldiers. The Hitler Youth was a Nazi youth organisation with official status in the army. The Battle of Berlin relied heavily on this young army. Young Indians often worked alongside their parents in the fields and homes. Thus, employing children is nothing new.

CAUSES OF CHILD LABOR

The number of child labourers in India is second highest worldwide. When it comes to child trafficking, Africa is at the top of the list. Overpopulation, low wages, parental illiteracy, a lack of opportunities for formal education, rapid urbanisation, and a lack of resources all contribute to the prevalence of child labour.

- **POVERTY-** When you consider that 40 percent of India's population is poor, it's easy to see why child labour is so prevalent there. Parental poverty leads to children working in hazardous environments. Poor families rely on child labour to get by. Income from a child contributed to the household budget in some cases by as much as

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

34%. Those who could not afford to care for their children sold or abandoned them to factory owners. Due to financial constraints, many parents and guardians are forced to send their children out into the world to engage in exploitative work such as hawking, prostitution, child trafficking, and work in the formal and informal sectors for meagre daily or monthly wages, while also denying them access to basic necessities like clean water and adequate sanitation. All forms of child exploitation are rooted in poverty. Most kids pitch in to help out. Many students need to find part-time jobs to cover their college expenses. Many others use it to supplement their parents' income so that they can afford necessities like food. Most rural Indian households fall into the BPL category, meaning they struggle to put food on the table and are considering sending their children to work in factories to help support the family. Money is the driving force behind the decision to hang their young children. Child labour and low income are linked. It is a vicious cycle that impoverishes countries where child labour is prevalent. It's best to get rid of the head first, then cut the tail.

- **ILLEGALITY AND UNEDUCATED-** That's another reason why kids have to work so hard. A large percentage of rural Indians are illiterate and never expose their kids to the wider world. During my time as a winter intern at Vikalp-Sansthan, my co-workers and I visited off-scheduled neighbourhoods to inquire as to the reasons behind the lack of school enrolment among the local children. People advised him to focus on fatherhood because it would bring in a higher salary. If he went to school and became an officer, they said, he'd forget about us. Ignorance of the written and spoken word; inability to read and write. When someone is unable to obtain fundamental education. Lack of education is caused not only by illiteracy but also by a lack of knowledge. People who have not received a formal education are generally ignorant. Such people are either ignorant of, or unwilling to protect, the rights of themselves and their children. Their kids are expected to help out with household chores.
- **BONDED CHILD LABOR-** Child labour is a direct result of bonded labour. Employing someone as collateral for a debt, loan, or social obligation is an example of bonded labour. Esclavage. Young people who are financially dependent on their families often find work in the construction industry, such as in brick and stone

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

quarries. Child trafficking occurs when parents pledge their children to be used in domestic rather than industrial settings. Migrant workers make up the majority of India's bonded labour force, and they are particularly vulnerable to exploitation. The majority of them are members of dalits or other oppressed tribal communities. Child slaves are vulnerable to sexual and physical abuse, as well as neglect and death. They typically suffer from mental illness and have no idea how to get by in society.

- **FAILING FATALIST PERSPECTIVE ON LIFE-** People living in extreme poverty in India tend to be fatalistic and passive. They have no hope that things will get better. Their parents, who also grew up in the workforce, expect the same level of productivity from their offspring and are therefore against sending them to school.
- **ORPHANAGE-** As a result of living in orphanages, children are forced into labour. Children born outside of wedlock, who have no other caregivers, are often left to fend for themselves. The proprietor of the orphanage tells the kids they can go to school, but then makes them do manual labour.
- **FAMILY SKILLS TRADITION OF MAKING CHILDREN-** Men often model their careers after their fathers in rural areas. Since providing for the family's financial well-being is a top priority, it makes sense that they would involve their own child in the business. Because he wants to train his son to be an even better potter, a village potter refuses to send him to school.

VII. REMEDIES TO REMOVE CHILD LABOUR

- Make adjustments to how parents view aid, schooling, children's leisure time, their rights and responsibilities, their children's schooling, and their own job prospects.
- In order to improve compulsory education, local schools must inspire both girls and boys to attend.
- Give working mothers access to local daycare and crèche facilities to reduce the burden on teenage girls who are often left to care for younger siblings.
- In order to bring attention to the issues that children face, we can use the media.
- Raise the minimum wage and improve other family employment programmes that help people find work.

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

- The elimination of child labour requires concerted efforts from government and non-profit organisations.

POLICYMAKERS

Child labour laws can be enforced by either the federal or state government. New laws exist at both the state and federal levels. Child labour continues to be a serious issue for many countries. The government is making an effort to fix this problem. As the issue is systemic and interconnected with things like poverty and illiteracy, it will require coordinated efforts from all parts of society to make a dent in it.

- The Child Labor Act of 1986 forbids the use of minors under the age of 14 in 13 potentially dangerous occupations and 57 production processes. These jobs and procedures are detailed in the Act Schedule.
- The Factories Act of 1948 states that it is illegal to hire anyone younger than 14 years old. A doctor's fitness certificate is required for any teenager between the ages of 15 and 18 seeking factory work. Work for minors between the ages of 14 and 18 is limited to 4.5 hours per day, and working at night is outright forbidden by this Act. The United States Supreme Court issued a ruling in 1996 ordering the federal government and individual states to stop using children in hazardous jobs and instead provide them with quality education and remove them from the workplace if they are already there. The court further mandated that employer contributions be made to a Child Labor Rehabilitation-cum-Welfare Fund.

LAW REGARDING CHILD LABOUR

- There is a constitutional ban on employing minors in India. ARTICLE 24 prohibits employing children under 14 in factories, mines, or other dangerous jobs.
- Multiple laws restrict the hours and other aspects of youth employment in potentially dangerous fields.
- A federal law that prohibits and regulates child labour was enacted in 1986.

VIII. CONCLUSION

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

Child labour is a serious problem in India. Unfortunately, the government's many policies intended to end child labour have not been carried out effectively. The government should institute policies to inform the majority of illiterate villagers about the dangers of employing children in hazardous jobs. Preventative measures are preferable to outright bans on child labour because they will have a longer lifespan. Any plan to end child labour on a national scale must include strategies to increase social mobilisation and involve communities. Instead of working full-time, kids should stay home and attend public schools. There needs to be an all-out effort to inform the public and pique their curiosity about this problem at the national level. Both the federal government and individual states need to start a massive, long-term campaign to educate the public. Child labourers can be found in every town and city, as well as every rural community and urban slum. Lack of personnel in the labour department prevents it from eliminating child labour. Youth volunteers with "Social Mobiliser" training will be in charge of preventing children from working and keeping tabs on children who aren't regularly attending school. These kids need to be watched because otherwise they might end up in the workforce. Our nation's youth is its future, so they must be safeguarded at all costs.

IX. REFERENCES

1. <https://www.wsws.org/en/articles/2006/06/indi-j08.html>
2. <https://www.unicef.org/india/what-we-do/child-labour-exploitation>
3. Basu, K. (1999). Child Labor: Cause, Consequence, and Cure, with Remarks on International Labor Standards. *Journal of Economic Literature*, 37(3), 1083–1119. <http://www.jstor.org/stable/2564873>
4. Shenoy, A.S. Report on Child labor. Indian council of social welfare
5. Ranjan, P. (1999). An economic analysis of child labor. *Economics Letters*, 64, 99-105.
6. Census of India 2011. "State of Literacy." <http://www.censusindia.gov.in/2011>.

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>