

# A Review Paper on Child Labour

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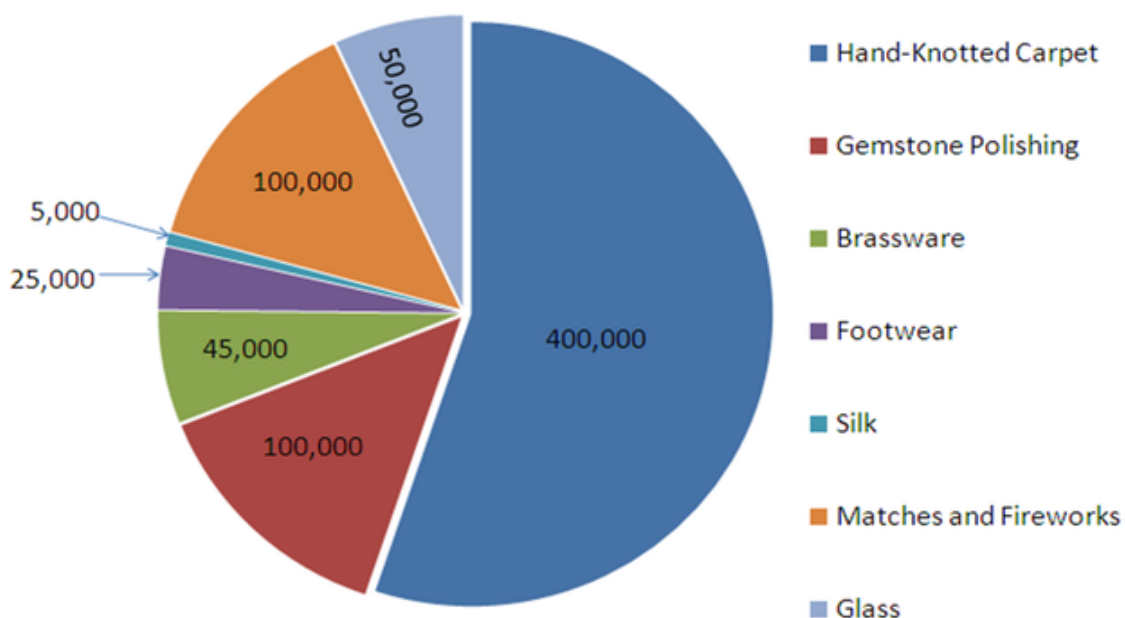
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**ABSTRACT:** *In Indian culture, children have long been a taboo subject to speak about or debate. Children have traditionally been regarded as humanity's greatest gift in every culture. Childhood is an essential period in human development since it has the ability to shape a society's future growth. The causes for this may be traced back to the country's socio-cultural history. Children are often regarded as humanity's greatest gift. Childhood is a crucial period in human development since it contains the possibility for every society's future. Children raised in a supportive environment for their intellectual, physical, and social growth will grow up to be responsible and productive members of society. As a result, every society's future is linked to the current condition of its offspring. Today, various organizations define a kid differently depending on their perspective, and there is a significant gap and disagreement between these definitions.*

**KEYWORDS:** *Child, Culture, Humanity, Kid.*

## 1. INTRODUCTION

Children who are raised in a supportive environment for their intellectual, physical, and social growth grow up to be responsible and productive members of society. We are unfairly lowering their current welfare or future revenue earning capacities if we put youngsters to work when they are too young for the job, either by limiting their future external options or by limiting their future individual productive INCON13-GEN-041 2 capabilities. In general, it is assumed that children are compelled to forgo educational and other development possibilities in order to work in occupations that primarily exploit them, since they are typically underpaid and work in dangerous circumstances. Due to terrible economic circumstances, parents send their kid to look for work as a last resort [1]. Figure 1 illustrates the amount of kids working in each factory.



**Figure 1: Illustrates the amount of kids working in each factory.**

As a result, it's no surprise that the poorest families account for the majority of child labor. One of the most important elements of child labor is that children are forced to work instead of attending school. Child labor has a significant impact on school attendance rates, and the duration of a child's work day is inversely related to his or her ability to attend school. Child labor limits children's access to and benefit from education, as well as denying them the basic right to attend school. As a result, child labor has a negative impact on children's education as well as their health and safety. Who is a Child? According to the International Labour Organization (ILO), child labor is defined as employment that robs children of their youth, their potential, and their dignity, as well as harming their physical and mental development. It refers to labor that is hazardous and detrimental to children on a mental, physical, social, or moral level, or work that interferes with their ability to attend normal school, or work that impairs their ability to concentrate in school or have a healthy childhood in any way [2]–[4].

According to the International Labour Organization, child labor may be defined in a variety of ways, and various definitions will result in different estimates of child labor. According to the ILO, children or adolescents who engage in employment that does not negatively impact their health or personal development or interfere with their education are not engaging in child labor; rather, they are engaging in something good. Helping their parents at home, aiding relatives, or earning pocket money outside of school hours and on vacations are examples of such innocuous labor. Such activities may aid in the development of children by giving them with skills and experience, as well as preparing them to be useful members of society as adults. ii The UNICEF has a distinct definition of child labor [5]. If a child is between the ages of 5 and 11, he or she did at least one hour of economic activity or at least 28 hours of domestic work in a week, and if the child is between the ages of 12 and 14, he or she did at least 14 hours of economic activity or at least 42 hours of economic activity and domestic work per week, he or she is involved in child labor activities. "Children's work needs to be seen as occurring along a spectrum, with the one end being destructive or exploitative work and the other end being beneficial work - promoting or enhancing children's development without interfering with their schooling, recreation, and rest," according to UNICEF in another report [3]. And there are huge areas of labor in between these two ends that may or may not have a detrimental impact on a child's development." iii In India, the Child Labour (Prohibition and Regulation) Act, 1986 defines a child as "any individual who has not reached the age of fourteen".

## 2. LITERATURE REVIEW

Child labor, according to the International Labour Organization (ILO), is defined as employment that deprives children of their youth, their potential, and their dignity, and is detrimental to their physical and mental development. It refers to labor that is hazardous and detrimental to children on a mental, physical, social, or moral level, or work that interferes with their ability to attend normal school, or work that impairs their ability to concentrate in school or have a healthy childhood in any way [5].

According to the ILO, child labor may be defined in a variety of ways, and various definitions will result in different estimates of child labor. According to the ILO, children or adolescents who engage in employment that does not negatively impact their health or personal development or interfere with their education are not engaging in child labor; rather, they are engaging in something good. Helping their parents at home, aiding relatives, or earning pocket money outside of school hours and on vacations are examples of such

innocuous labor. Such activities may aid in the development of children by giving them with skills and experience, as well as preparing them to be useful members of society as adults.

Child labor is defined differently by UNICEF. If a child is between the ages of 5 and 11, he or she did at least one hour of economic activity or at least 28 hours of domestic work in a week, and if the child is between the ages of 12 and 14, he or she did at least 14 hours of economic activity or at least 42 hours of economic activity and domestic work per week, he or she is involved in child labor activities. According to a UNICEF study, "Children's employment should be seen as a continuum, with harmful or exploitative labor on one end and good work on the other, supporting or improving children's development without interfering with their education, leisure, or rest. Between these two extremes, there are a plethora of activities that may or may not have a detrimental impact on a child's development. The Child Labour (Prohibition and Regulation) Act, 1986 in India defines a child as "a person who has not reached his fourteenth year of age". "The "establishment" comprises a store, commercial establishment, work-shop, farm, residential hotel, restaurant, eating-house, theatre, or other place of public amusement or entertainment," according to the legislation.

The Child Labour (Prohibition and Regulation) Act of 1986 prohibits children from working in hazardous industries, which are divided into 13 professions and 57 procedures. The number of hazardous processes included in the Act's schedule has risen from 18 to 57 in the past five years, and the number of professions has climbed from 7 to 13. Article 24 of the Constitution also prohibits the employment of children under the age of 14 in any industry, mine, or other dangerous occupation. Furthermore, Article 39 compels states to aim their policies toward ensuring that children's delicate ages are not exploited and that they are not pushed into professions that are unsuitable for their age or strength due to economic need. With the recent addition of Article 21A, the State has been entrusted with the responsibility of providing free and compulsory education to all children aged 6 to 14.

### **3. DISCUSSION**

The Child Labour (Prohibition and Regulation) Act of 1986 prohibits children from working in hazardous industries, which are divided into 13 professions and 57 procedures. The number of hazardous processes included in the Act's schedule has risen from 18 to 57 in the past five years, and the number of professions has climbed from 7 to 13. Article 24 of the Constitution also prohibits the employment of children under the age of 14 in any industry, mine, or other dangerous occupation. Furthermore, Article 39 compels states to aim their policies toward ensuring that children's delicate ages are not exploited and that they are not pushed into professions that are unsuitable for their age or strength due to economic need. With the recent addition of Article 21A, the State has been entrusted with the responsibility of providing free and compulsory education to all children aged 6 to 14. Child work, according to India's Census 2001 office, is defined as a child's involvement in any economically productive activity, with or without pay, wages, or profit. Participation may be physical, mental, or a combination of both. Part-time assistance or unpaid labor on the farm, in the family business, or in any other economic activity such as agriculture and milk production for sale or home consumption is included in this category. Child workers in India are divided into two categories by the Indian government: Those who labor for six months or more each year are considered main workers. Children who work at any point throughout the year but for fewer than six months are considered marginal child laborers.

Child labor is defined by the International Labor Organization (ILO) as "work situations in which children are forced to work on a regular basis to earn a living for themselves and their

families, as a result of which they remain educationally and socially backward in a situation that is exploitative and harmful to their health and physical and mental development." Children are removed from their homes, are often denied educational and training opportunities, and are forced to live lifestyles that are too mature for them (ILO)". Children who work more than nine hours a day, receive less than the minimum wage or no pay at all, work in dangerous circumstances for their health and safety, lack access to education, and work outside of their family's house are the worst kinds of child labor [6].

According to ILO estimates, between 250 and 300 million youngsters labor throughout the globe. Asia (61 percent), Africa (32 percent), and Latin America (32 percent) have the highest proportion of these children between the ages of 5 and 14. (7 percent). Child labor is also practiced in industrialized nations such as the United States, the United Kingdom, Italy, Portugal, and Spain. Developing nations, on the other hand, cannot afford to adopt trade actions against them. Child labor is a complicated socioeconomic issue that is widespread in underdeveloped nations. The adoption of a commodities boycott by industrialized nations exacerbates the issue rather than aiding in the discovery of remedies.

### *3.1. Genesis of Child Labour:*

Children are at danger as a result of the disintegration of extended or joint families, which offered kinship safety nets. Child labor is a result of poverty, illiteracy, ignorance, poor income, unemployment, a low quality of life, and social backwardness, thus domestic and international sanctions may backfire. The main reason for this is poverty, which compels parents to send their children out to work to augment their family's poor income. The issue is also linked to adult employees' pay rates and working hours. Adult employees are forced to hire their children for a portion of their earnings due to insufficient pay. In third-world nations, there are no regular or clear social security benefits for jobless and impoverished families, forcing parents to put their children to work. As a result, it lowers adult employment while also having a negative effect on wage rates. The resultant poverty pushes parents to put their children to work, perpetuating a vicious cycle exacerbated by the poor's restricted access to nourishment, health, education, and skill. It has been noticed that youngsters who are forced to leave their jobs owing to penalties are tempted to turn to crime and prostitution in order to live. Many myths about child labor persist, such as that they must be taught at the proper age or they would never acquire a trade, and that they must be trained in a career that is suitable for their background and status. Because of their agile fingers, children are well adapted for certain tasks, and it is a natural and desired role of the family unit.

Children's involvement in labor activities lowers their chances of attending school and developing their educational skills. When compared to children from well-off households, children from impoverished families do not have access to schooling. Even if the infrastructure for education exists, children are unable to use it because of the direct and indirect costs of learning, resulting in a lack of qualification for skilled employment. According to the 2011 census, India has approximately four million working children aged five to fourteen. Between 2001 and 2011, child labor in the country's metropolitan regions rose by 53%. Many studies have shown significant connections between economic variables such as a country's economic structure and position, globalization, poverty, illiteracy, and child labor. According to the International Labour Organization (ILO), 168 million children engage in some kind of child labor throughout the world, with one out of every eleven children working in India. Because the primary employers of child laborers are typically their own parents, child labor becomes a significant problem.

The poor and uneducated are more likely to have more children, believing that "more hands equals more money." Because the opportunity cost of sending children to school is very high in economic terms, they are unwilling to send their children to school. The advantages of child labor much exceed the expenses of education [7]. With the adoption of globalisation in 1991, the Indian economy has grown, but it has also exacerbated disparities in society, since the wealthy have become wealthier while the poor's situation has not improved at the same pace. It was assumed that as a result of globalisation and better economic circumstances, impoverished people's earning possibilities would rise, which will serve as a replacement for the kid's income, reducing child labor. However, it has not increased parental income to the point that they are no longer sending their children to work. As a result, globalization has had little impact on India's child labor issue.

Amendment to the Child Labour (Prohibition & Regulation) Act 1986 Enforcement of the law is a key strategy. But in the case of the Child Labour (Prohibition and Regulation) Act 1986, there are a number of loopholes, which makes the law ineffective. The Act must be non-negotiable and to do so it is suggested that the word "Regulation" should be removed so that child labour abolition becomes non-negotiable. Similarly the penal provisions must be enhanced, employment of child labour must be deemed as a cognisable offence with imprisonment to the offending employer. So that a clear message is given that child labour will not be accepted.

Article 24 of the Constitution, no child below the age of 14 years is to be employed in any factory, mine or any hazardous employment. Further, Article 39 requires the States to direct its policy towards ensuring that the tender age of children is not abused and that they are not forced by economic necessity to enter avocations unsuited to their age or strength. Recently, with the insertion of Article 21A, the State has been entrusted with the task of providing free and compulsory education to all the children in the age group of 6-14 years. Child Labour (Prohibition and Regulation) Act (1986) was the culmination of efforts and ideas that emerged from the deliberations and recommendations of various committees on child labour. At policy level Government of India has been persuing the matter in right.

The population census divides workers into two categories: major and peripheral employees. According to census statistics, the absolute number of children (5-14) and the proportion of children (5-14) categorized as primary employees has decreased from 4.3 percent in 1991 to 2.3 percent in 2001. However, there was a significant rise of marginal employees in every type of worker, regardless of sex or location. As a consequence, despite the fact that the number of primary workers fell from 90.8 in 1991 to 57.8 in 2001, the overall number of children employed rose. The rise in marginal employees, which rose from 22 lacks in 1991 to 68.9 lacks in 2001, accounted for a significant portion of the increase. Between 1991 and 2001, there was a decline in major child workers and an increase in marginal employees, which may suggest a shift in the nature of children's employment. This may also be viewed in the perspective of the economy's overall decrease in employment growth over the past decade [8]–[10].

#### **4. CONCLUSION**

Many variables, according to social scientists, contribute to child labor, including overpopulation, illiteracy, unemployment, poverty, customs, traditional attitudes, migration, industrialization, and urbanization. Aside from these, there are a few additional things to consider. There are gaps in labor laws that do not include agricultural and small-scale businesses. Because children are unable to raise their voices due to their age, they are

frequently unaware of wrongdoings and are unaware of their rights; as a result, someone else must step forward and speak for them; they are subjected to family pressure; and safeguards for the prevention of child labor are not implemented effectively.

The National Plan for Children, published in 2005, would be an excellent blueprint for ending child labor in India. The plan's objectives were to: 1. Eliminate child labor from dangerous professions, with the aim of completely eliminating all kinds of child labor in the future. 2. To safeguard children from commercial exploitation of any sort. The aims and methods for attaining the above-mentioned goals were clearly stated in the plan. As a result of these objectives and methods, the government has taken aggressive efforts to address the issue by strictly enforcing legal requirements while also implementing rehabilitative programs. The relevant implementing authorities, the state governments, have been undertaking frequent inspections and raids to identify instances of noncompliance. Because poverty is at the core of the issue and enforcement alone will not fix it, the government has placed a strong focus on the rehabilitation of these youngsters and improving their families' economic circumstances.

In India, the scope of child labor is enormous. At the policy level, it is important to note that India has always taken a proactive approach to tackling the issue of child labor, supporting constitutional, legislative, and developmental policies that are necessary to eradicate child labor. The Indian Constitution has essential requirements to provide universal elementary education. Child labor issues have been investigated by labor commissions and committees, and extensive recommendations have been made. Up to and including the Supreme Court, India's judiciary has shown deeply sympathetic reactions to the issue of child labor. Despite numerous aggressive legislations, programs, and court pronouncements, child labor continues to be an issue in the nation.

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