

## A CRITICAL ANALYSIS OF CHALLENGES AND RESOLUTION OF CHILD LABOUR IN INDIA

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### ABSTRACT

Child work, which is an issue all over the world, is one of the most significant concerns in India since it has an impact on every aspect of a child's growth and development. This problem is not unique to India; rather, it affects the majority of emerging countries, including India. Poverty, unemployment among the parents of children who are involved in child work, inability to access or lack of awareness regarding free and compulsory education are some of the primary factors that contribute to the prevalence of child labour in developing nations. Children participate in some sort of economic activity in virtually every society, however the nature of their labour and the ways in which they contribute to society are quite diverse. However, many millions of youngsters are forced to labour in demeaning and exploitative environments that are obviously hazardous to their health. This article highlights the policies that need to be addressed and determined as a problem, as well as the necessity for such policies. There are currently about 11.24 million children in India who, rather than attending school, are engaged in activities such as carpet-weaving, beedi-rolling, household work, agriculture, and numerous more vocations. These children spend their childhoods doing these activities.

**Keywords:** Child labour, Welfare and Socio-legal Reforms, Labours and Poverty

### INTRODUCTION

When you think about child labour, you may instantly think of young slaves who are forced to work all day in difficult living circumstances, but this is just part of the story. There are other forms of child labour as well. There are several types of labour that are beneficial for youngsters to perform. One good example is that you could have a part-time work after school, which is perfectly acceptable. If so, that's great! When anything at work has the potential to be hazardous, there is an issue. The threat might be either physical, mental, or social. It is also possible that you may no longer be able to attend school due of employment obligations. Work

performed by children between the ages of 0 and 15 that not only compromises their prospects, dignity, and right to an education but also poses a threat to the children's bodily and/or mental growth is referred to as child labour. Child labour is illegal in every country in the world. A kid is regarded to be working if they are under the age of 18 and are participating in any type of child labour, even if it is a risky sort of job. Even though it is against the law to employ children in any capacity, the International Labour Organisation (2013) reports that the majority of child labourers are involved in hazardous employment, and the overall number of child workers is increasing. This is the case despite the fact that it is illegal to do so. These children are at an

increased risk for a wide range of conditions, and as a direct consequence, they are subject to both long-term physical and emotional distress. The most significant contributor to children needing to find employment is economic hardship. According to Mapaure (2009), these children have no choice but to find employment in order to support themselves and their families. According to the findings of certain studies, such as the one that was carried out by Dessay and Pallage (2003), not all of the labour that is undertaken by children is risky or unpleasant. It is feasible that some jobs, such as babysitting or newspaper delivery, may offer doors to productive educational experiences. On the other hand, it is highly doubtful that other professions, such as those that contain mentally demanding activities such as human trafficking, prostitution, or the production of pornographic material, would do so.

## MEANING OF CHILD LABOUR

Even though it is against the law to employ children in any capacity, the International Labour Organization (2013) reports that the majority of child labourers are involved in hazardous employment, and the overall number of child workers is increasing. This is the case despite the fact that it is illegal to do so. These children are at an increased risk for a wide range of conditions, and as a direct consequence, they are subject to both long-term physical and emotional distress. The most significant contributor to children needing to find employment is economic hardship. According to Mapaure (2009), these children have no choice but to find employment in order to support themselves and their families. According to the findings of certain studies, such as the one that was carried out by Dessay and Pallage (2003), not all of the labour that is undertaken by children is risky or unpleasant. It is feasible that some jobs, such as babysitting or newspaper delivery, may offer doors to productive educational experiences. On the other hand, it is highly doubtful that other professions, such as those that contain mentally demanding activities such as human trafficking, prostitution, or the production of pornographic material, would do so.

## CONTEMPORARY DEFINITIONS OF CHILD LABOUR

The International Centre on Child Labour and Education says child labour causes and exacerbates poverty. "Child labour" has several definitions among academics. According to Suda (2011), "child labour" refers to the practise of utilising children in any sort of dangerous or harmful job that interferes with their education or health. Moyi (2011) defines "child labour" as little remuneration, long hours, and physical and sexual abuse. Edmonds and Pavcnik (2005) analyse child labour abuse. Child labour abuse occurs when youngsters labour in unsafe conditions. "All cases in which children are exposed to harm at work regardless of whether or not children are less than 14 years old or less" are considered "child labour" (UNICEF, 2005, p.10). However, child labor's meanings and consequences have depended on its social, cultural, and economic circumstances and each working organization's missions, tactics, and goals (Post & Sakurai, 2001; post 2001a). Trade unions, consumer groups, and the International Labour Organisation (ILO) often used "child labour" and "child labourer" instead of "working children," implying that children should be kept out of the workforce until a certain age. These organisations have historically safeguarded adult labour markets (ILO, 1997; Post, 2001a; Myers, 1999). The premise that "children's economic freedom should be abridged to protect the economic welfare of adults" has been tacitly reaffirmed in many kinds of child labour regulation. To put it another way, the fundamental aim of the ILO was to protect adult employment and earnings. On the other hand, UNICEF and NGOs connected with UNICEF referred to "child labour" in accordance with article 32 of the Conventions on the Rights of the Child. According to this article, "child labour" refers to any economic activities that threaten or restrict a child's ability to fully grow or educate themselves. This UNICEF practise is still carried on, as these organisations frequently refer to children who are forced to labour as "working children" ([www.unicef.org](http://www.unicef.org)). According to the International

Labour Organisation (ILO), the phrase "child labour" should be defined as any type of employment that robs children of their youth, their potential, and their dignity while also being detrimental to their physical and mental growth. Work that is mentally, physically, socially, or morally dangerous and harmful to children, or work whose schedule interferes with their ability to attend regular school, or work that affects children in any way in their ability to focus during war and clubs and bouts, school, or experience a healthy childhood is referred to as child labour. Child labour is illegal in all 50 states.

## TYPES OF CHILD LABOUR

Unpacking the meaning of the word "child labour" is necessary since it cannot be used in a blanket fashion but rather encompasses a wide range and variety of settings in which children are employed. Work that a child labourer does may be broken down into the following categories:

**Child labour:** -Those children who are working in factories, workshops, establishments, mines, and in the service sector such as domestic employment, whether or not they are being paid for their labour. The Ministry of Labour and Employment of the Indian government has only ever used the phrase "child labour" in reference to situations in which children are performing "hazardous" employment.

**Street children:** -Children who make their living on the streets, whether as beggars, rag pickers, newspaper vendors, shoe shine boys, or anything else, are referred to as street children. The vast majority of children have some kind of home that they can return to in the evening or at night, but children who live on the streets are utterly alone and at the mercy of the people who hire them. They make their homes on the sidewalks, at the bus and train terminals and in other public transportation hubs.

**Bonded children:** -Children who make their living on the streets, whether as beggars, rag pickers, newspaper vendors, shoe shine boys, or anything

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**Working children:** Children who are working in agriculture or at home as part of their families' labour force are referred to as "working children". If children are working 12 to 14 hours a day alongside their parents at the expense of their education, then their circumstances are comparable to those of children who are employed by other businesses. In point of fact, children, and girls in particular, are expected to take on labour responsibilities by their parents that are completely disproportionate to their capabilities and skills. The vast majority of youngsters who are not enrolled in school and are instead employed full-time fall into this group. And it is in this region that we discover the highest number of young women who choose to work over continuing their education.

**Children used for sexual exploitation:** - There are many thousands of young boys and girls catering to the sexual needs of adult males from a variety of socioeconomic and social strata. There are many direct connections between the commercial sexual exploitation of children and other types of exploitative child labour, and these connections are widespread. Common places for children to be exploited sexually include places of employment such as workshops, factories, street corners, train stations, and bus stops, as well as households. Children are especially helpless to defend themselves against the abuse that is inflicted by their employers, whether those employers are the abusers or the mediators. One of the most dangerous types of child labour, commercial sexual exploitation causes both physical and mental harm to its victims, making it one of the most dangerous forms of child labour.

**Migrant children:** -The phenomenon known as "distress seasonal migration" is a significant obstacle

for India. Every year, millions of families are put in the difficult position of having no choice but to uproot themselves from their homes and communities in order to find work. Because of these migrations, families are put in a position where they have no choice but to stop sending their children to school. This eliminates the one and only chance that has ever existed to escape the cycle of generational poverty. Children of migrant workers are invariably required to perform labour in the workplace. Many industrial and agro-industrial sectors, such as brick manufacturing, salt manufacturing, sugar cane harvesting, stone quarrying, construction, fisheries, plantations, rice mills, and so on, operate heavily on migrant labour. Examples of these sectors include brick making, salt manufacturing, sugar cane harvesting, stone quarrying, and building.

## REVIEW OF LITERATURE

Krveger (1996) shown that there is a clear pattern, based on a sample from many countries, showing low-income homes are more likely to send their children out into the workforce, but this is unusual in wealthy households. According to the findings of Basu et.al. (1999), throughout the early stages of the Industrial Revolution, children were coerced into labour on family farms and in factories, where they were responsible for tending to crops or preparing meals. They had jobs in factories, where the working conditions were extremely hazardous and frequently led to their deaths. During that historical period, the business sector favored using youngsters as workers due to their ability to supply more adaptable and inexpensive labour. Bass (2004) conducted research to investigate the prevalence of child labour in both developed and developing nations. In point of fact, the industrialized world saw a significant drop in the prevalence of child work. Child labour is unfortunately still used today for a variety of reasons, including but not limited to fast population expansion, high unemployment rates, inflation, poverty, starvation, poor leadership, corruption, and low salaries. According to **SerwaddaLuwaga (2005)**, child labour is practiced all over the world, particularly in nations with low incomes. These

youngsters are employed in various areas of the economy, including agriculture, manufacturing, fishing, construction, domestic service, street selling, and so on. Children are typically employed in conditions that are deplorable, hazardous, and without any kind of social protection because their status as employers is not recognized. Lavison and Murray (2005) found that child labour is involved in a wide variety of various types of labour, many of which include risks and dangers. Because they are exposed to a health concern, these children are especially susceptible to experiencing physical discomfort and harm. Omokhodion and Oduote (2006) have made an effort to report that any labour that children conduct outside of the house can be considered to be child labour. According to them, working outside the home typically involves being exposed to environmental risks, which can have a negative impact on one's health and safety. Child labour produces unskilled and uneducated employees, which hurts a nation's economy, according to Fasih (2007). Bhat (2010) defined child labour. He said it's complicated because it requires defining "child," "labour," and "work." He thinks this makes things too difficult. He also claimed that "childhood" may be defined by age, but various societies stop considering children at different times.

## FACTORS RESPONSIBLE FOR CHILD LABOUR

The causes of child labour can be many, and some of them are as follows and shown in figure 1:

### **Poverty**

Child work is one of the fundamental reasons that poverty exists and is also a major factor in the development of societal problems. In India, a kid is seen to as a helpful hand for the parents, particularly when it comes to financial hardship. In most cases, the kid is required to contribute financially to the family through working. Because unemployment rates are so high in developing countries, it is hard to regulate child labour in these nations. As a result,

children are forced to leave their homes in order to find work and support themselves.

### **Previous Obligations**

As a result of people's low incomes; it is common for them to get loans from local money lenders at extremely high interest rates. For this reason, individuals labour nonstop and even put their children to work so that they can repay such a large sum to pay off such loans.

### **Needs in the Workplace**

There are some fields of endeavor in which the labour is of a nature that cannot be completed by the clumsy hands of grownups. As a result, they favour employing youngsters who are capable of working for them and use them as child labour in the business. Additionally, the kid is eligible for employment at earnings that are far lower than those of an adult. As a result, there is a trend in the industrial sector towards the employment of children in order to reduce the cost of production and enhance profits. Bonded labour refers to the practice of an employer giving employees working at low salaries high-interest loans in order for the workers to pay off their previous debts. The payment of wages that are lower than the prevailing market rates and the legal minimum wages is one interpretation of the term "wage theft," which was established by the Supreme Court of India. Peasants from economically deprived villages were often subjected to bonded labour, in which they were required to do labour for their landlords. Even though there are several laws that prohibit this kind of slavery, bonded work continues to be one of the most major sources of child labour in the country.

### **Help around the house**

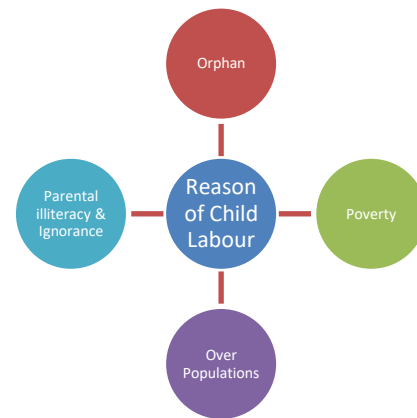
Well-educated and financially secure households frequently use the services of youngsters to perform chores around the house. The child's parents believed that by finding work for wealthy people, their child would have a better life and be able to support themselves financially. Children of this type are often retained by wealthy families so that they may assist with the upkeep of the home, perform

tasks, and provide supervision for other family members.

### **Child Prostitution**

Children, particularly girls, are coerced into working as prostitutes after they reach the age of puberty in several parts of the world. The practice often entails the employer making assurances, both to the parents of the female child and to the girl herself, that they would provide the girl with a glamorous profession that will enable her to make a substantial amount of money.

Families that are unable to provide for their children financially sometimes send their youngsters out onto the streets to beg and earn money to support the family. Parents would even chop off parts of their children's bodies in order to attract the public's sympathy and increase the amount of money they receive through begging. Human trafficking refers to the practice of buying and selling children for the purpose of sexual exploitation.



**Figure 1: Cause of Child Labour**

## **RESOLUTION OF CHILD LABOUR IN INDIA**

Child trafficking, poverty, free and mandatory education, and basic living conditions can greatly minimize the problem. Loans to developing nations from the World Bank and IMF can reduce poverty. Labour rules must be strictly enforced to avoid party or multinational company exploitation. The child labour ban statute needs several changes to regulate

the problem. The minimum age of fourteen should be eighteen. The law should encompass more risky jobs. Let's learn how to stop and solve the problem of child labour in India:

- The prevalence of poverty needs to be decreased before child labour can be eliminated. This will free the impoverished from the obligation to put their children to work in order to provide for their families. Literacy and education are powerful weapons that may be used to combat the exploitation of children as labour in India. This is due to the fact that uneducated people are unable to comprehend the repercussions of using children as labour. Eliminating or significantly reducing unemployment in India is an additional strategy for putting an end to the use of child work there. Many families are unable to satisfy all of their financial obligations since there are not enough jobs available. If there were more work possibilities, they would be able to encourage their children to learn to read and write so that they might become productive citizens.

- If we want to put an end to the practice of using children as labourer in India, we must first adjust our way of thinking. We have a responsibility to make certain that, first and foremost, we do not employ any children in our own homes or places of business. It is imperative that we keep in mind that by offering children of tender age monetary compensation in exchange for their employment, we are not doing them a service in any way, but rather we are gambling with their futures.
- Another thing that has to be done is raising people's knowledge about the issue of child labour in India, so that people may realise that this issue is interfering with the future of the country. They will need to come to terms with the fact that India will not have a bright future if its youngsters continue to be subjected to work conditions that are both emotionally and physically damaging.
- The average person should make a commitment to themselves that they will

not purchase any goods from stores that use children in any capacity other than customer service. In addition, if we come across situations like these, we ought to file a complaint about it with the police or any other agency. Every member of society has a responsibility to work together to eliminate the use of child labour. In this way, members of the general public are able to contribute to the fight against child labour in India.

- There are rules in our nation that make it illegal for children to work. If we come across any instances of children being forced to work, we have a moral obligation to report them to the local police station as soon as possible. We have a responsibility to speak out against those with stone hearts who continue to use child labour in India.
- If we want to make a complaint against the use of children in labour, we may also phone 100. We may also file our complaints against child labour with the government by calling the hotline number 1098, which was established by the government.
- We will need to act the part of a conscientious consumer in this transaction. The majority of the time, when we go to the market to buy our essentials, we do so completely oblivious to the possibility that child labour was used in the production of the goods we purchase. Why don't we make it a practice, starting right now, to inquire of the proprietor of the store where we buy something about the method that was used in the production of that item? It's possible that the majority of merchants don't know the answer to this issue, but we can at least take the first step from our end. Through these kinds of investigations, we may foster a more rational atmosphere in the community. Also, refuse to use anything that was produced via the exploitation of child labour. Although it might sound strange at first, this might actually bring

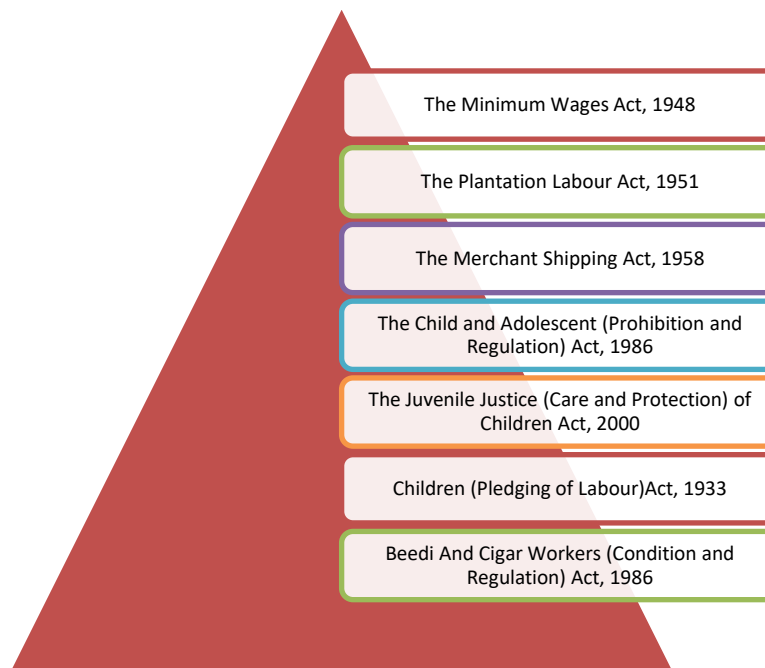


about a significant shift in the way our society functions.

- It is imperative that the parents of the children be informed about the implications of employing minors in employment. If we discover any instances of child labour in the area around us, our first step should be to speak with the families of the children involved. Because we have compassion for their circumstances, we owe it to them to inform them of the poor prospects for their child's future if this practice is allowed to continue.
- The proprietors of businesses, such as factories and stores, ought to solemnly swear that they would not subject any kid to forced labour and should discourage others from doing the same thing.
- In order to put a stop to the practice of child labour in India, we need to ensure that the laws that impose severe penalties on merchants, shop owners, and mill owners in the event that they employ children for low salaries are properly implemented.

- In addition, there should be more tough and stringent rules against child employment in India, so that people will be afraid to engage in any kind of child exploitation.
- Because the government now provides free education, food, and even medications in certain schools, parents who are living in poverty owe it to their children to devote their complete attention to their children's education.
- There should be no distinction between the treatment of young males and young girls. Because of the prevalence of this practice in India, the number of young girls forced into labour can be cut down significantly.

Child labour is one of the major social disasters in India. The Government of India enacted various laws to overcome the cause of child labour and prevent a child from being exploited. The laws are as follows in figure 2.



**Figure 2: Law Description**

The acts that have been listed above are just some of the laws that safeguard the rights of child and adult labourer who are employed in the industry. Other laws include those that create conditions for labour. Apart from these pieces of legislation, even the Constitution of India makes it illegal for children to work. The following are the provisions of the Constitution that safeguard the rights of children.

## CONCLUSION

Social ills include child labour. The Indian government combats child labour. However, child labour must be addressed at its root. Society and government must work together to solve these difficulties. Children belong to school, not employment. Every citizen should know it. If everyone puts aside their benefit of appointing a kid as a worker in the industry in their house, this social evil in the country may be solved easily. Many Indian youngsters work in agriculture to support their families. Due to unemployment, poverty, a big family, and lack of parental education, many of these youngsters must labour at young ages. This drives India's high child labour rate.

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