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Chaild Labours in Indian: A Bird Eye View

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Abstract

Children were used as family workers and were expected to help support their family's income. Even after the Industrial Revolution, factory owners in Europe still liked to hire children because they could be paid much less than adults. In plantations in countries that used to be colonies, where workers were mostly migrants, owners preferred to use families rather than four men. This was because it was cheaper to pay a family than four men, and also because having a family meant the workers could have babies, so the plantation would always have more workers without needing to find new people. According to the International Labour Report, India has the most child laborers in the world. However, the number of child laborers reported may not be the real number because the census only includes children who live in a family. Children who are homeless or orphans are not counted. In India, children are involved in some of the worst types of labor. Many are taken away from their homes and forced to work in places like spinning mills, garment factories, and cottonseed production. Most of these children are not in school and miss out on education. This causes serious physical, emotional, and mental harm. This article will talk about the laws that have been made about child labor in India and how they can be made better.

Keywords: *Children, Employment, Labours, Family. Migrants.*

Introduction:

Child labour continues to be a serious problem in India, even though there are laws and international promises to stop this practice. Many children are working in dangerous and unfair jobs, which not only breaks their basic rights but also keeps them poor, unequal, and without proper education. This paper looks at the challenges of child labour in India and checks how well the existing laws are working to solve this deep-rooted issue. It also looks at recent changes that aim to improve legal systems and make them more effective. The main reasons child labour exists in India are because of things like poverty, not having good education, and poor enforcement of the rules. Kids are often forced to work to help their families earn money, especially in rural areas and in informal jobs like farming, making goods, and doing house work. Cultural attitudes that make child labour seem normal make it harder to end this practice.

India, the world's largest democracy, still has millions of children working in tough conditions, living like slaves.

Child labour is common in many areas, including farming, making matches, leather goods, carpets, saris, stone quarrying, cutting and polishing gems, making firecrackers, and building bricks. These children are not allowed to enjoy childhood, education, play, or have dreams like other kids. This practice goes against the Indian Constitution and the country's laws. Most of these bonded child workers come from poor families. Their parents borrow money from rich moneylenders, but when they can't pay back, the moneylenders take the children and make them work in factories until the loans are paid with high interest. Even though these loans might seem large, on average they are only between 10,000 to 20,000 rupees.

What is child labour?

The International Labour Organisation says child labour is any work that takes away a child's childhood, their potential, and their dignity. It includes work that is harmful to a child's body, mind, or emotions.

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Work that stops a child from going to school fully or forces them to work long hours while also going to school is also considered child labour.It causes and results from poverty. In India, a child is defined as someone who hasn't turned 14 years old, according to the Child Labour (Prohibition and Regulation) Amendment Act of 2016.

Objective of the study:

To understand the issues of child labour in India.

Cases of child labour:

1. **Poverty and economic pressure**: Parents who are unemployed or underemployed, with high debts or low incomes, often rely on their children to help earn money for the family.
2. **Lack of access to education**: Poor school conditions, distant locations, and the cost of study materials lead to many children dropping out of school.
3. **Demand for cheap labour**: Unregulated jobs like farming, brick kilns, small shops, and domestic work often use children because they are cheap and easy to control.
4. **Lack of parental awareness**: Some families don't understand the long-term damage of work or the value of education, so they choose to work for money instead of going to school.
5. **Social and gender inequalities**: Girls are often treated worse and are forced to do unpaid housework or take care of younger siblings instead of going to school.
6. **Migration and emergencies**: Natural disasters, conflicts, or sudden family problems force families to move and put vulnerable children into work.

Problems of child labour in India:

Child labour puts children in situations where they are forced to work instead of studying or enjoying their teenage years. Many child workers are in terrible conditions and unclean environments. They are either out of school or never had the chance to attend. They earn very little money and work in unsafe conditions. These dangerous situations take a heavy toll on their health and future.

The kids often stay in bed and get very sick because they don't have enough food.

They get sick in their lungs, tuberculosis, eye problems, asthma, bronchitis, and back pain because of the work they do. Some get hurt in fires while working in factories. Many can't find jobs even when they are 20 years old. If they get hurt or can't work, their bosses throw them away without any care.

The Protection of Child Labour

Article 15 (3) The State can make special rules for children, but these rules must not go against the right to equality.

Article 21 No one can be taken away from life or personal freedom unless it is done according to the law. The Supreme Court said that 'life' includes living without being exploited and living with dignity.

Article 21A The State must provide free and compulsory education to all children between the ages of six and fourteen. The State can decide how to do this. If children are working, the employer must make sure they get education.

Article 23 It is illegal to trade people, make them beg, or do any other type of forced labor. Breaking this law is an offense and can be punished by law.

Article 24 No child under 14 years of age can be made to work in a factory, mine, or any other dangerous job.

Article 39 (e) The State should make sure children's health and strength are not harmed and that people are not forced to work because of poverty in jobs that are not suitable for their age or strength.

Article 39 (f) The State should make sure children have chances and facilities to grow up in a healthy way, with freedom and dignity. Childhood and youth should be protected from being used or from being left without support.

Article 45 The State should try to give care and education to all children until they are six years old.

Article 51A (e) Every citizen of India, who is a parent or guardian, must provide education for their child or ward between the ages of six and fourteen. Legislations In the 20th century, child labor became very common.

News about dangerous factory conditions and accidents causing the death of innocent children spread widely in news papers. This made it clear that laws were needed to stop child labor. Today, there are enough laws to stop and punish child labor. Some of these laws are:

The Factories Act of 1948: This law stops children under 14 from working in factories. It also sets rules for employing those aged 15 to 18. The Mines Act of 1952: This law stops children under 18 from working in mines. Mining is very dangerous and has caused many accidents and deaths, so it is not allowed for children. The Child Labour (Prohibition and Regulation) Act of 1986, amended in 2016: This law stops children under 14 from working in dangerous jobs listed by law. The list of dangerous jobs was expanded in 2006 and again in 2008. The Juvenile Justice (Care and Protection) of Children Act of 2000: This law makes it a crime to use or employ a child in dangerous work or in bondage. Those who break these laws can be punished with jail time.

Suggestions

1. Better policies and programs: To stop child labor, there needs to be more money spent on children's education, especially good quality education. It is important to make sure that the most poor and disadvantaged children can get access to this education. Education policies and efforts to end child labor should work together better, sharing ideas and making sure different groups working on this issue also work closely with each other.
2. Make sure children stay in school by giving them free meals at school, fun activities, and a friendly environment. Also, spread awareness about population control in villages, small towns, and local governments.
3. Teach both children and their parents about how important education is for their future.
4. Help and support the non-governmental organizations that work for the welfare of children.

5. Talk to the parents of children who are working, and explain the bad effects of letting children work.

Conclusion:

India has a large number of child laborers because of poverty and difficulties in the country.

It is now important to change and enforce laws to protect children who are being used for profit in many Industries. India can learn from countries like the United States and follow the steps taken by their government to help improve the situation for child laborers. The Indian Constitution has many articles that talk about children's rights. The framers of the Constitution were greatly influenced by the idea of human rights. It is interesting that the Indian Constitution was written around the same time as the Universal Declaration of Human Rights was created. However, even though the rights of children are mentioned, they still face problems like poverty, homelessness, abuse, neglect, and diseases that can be prevented. They also don't have equal access to health, education, and justice systems that understand their special needs. Therefore, the countries that are part of the convention must change and create new laws and policies to fully follow the convention. All actions must be taken with the best interests of the child in mind.

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Conflicts of interest

The authors declare that there are no conflicts of interest regarding the publication of thesis paper.

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