



ORIGINAL RESEARCH PAPER

Sociology

CHILD LABOUR: AN ANALYTICAL STUDY OF ACTS AND PROGRAMS IN INDIA

KEY WORDS: Child labour, child labour acts, child labour programs.

Ch. Rajaramreddy*

Research scholar, Department of Sociology, Sri Venkateswara University, Tirupati – 517502. *Corresponding Author

B.Ananda Reddy

Assistant Professor (Rtd), Department of Sociology, Sri Venkateswara University, Tirupati-517502.

ABSTRACT

Children are the best gift to humanity. Childhood is a vital and sensitive stage of human development. Children are the great hope and future of the nation. Child labour is a big social problem in most developing countries. Millions of children have been deprived of childhood and adequate education in our country, which is a dangerous sign. Article 24 of Indian constitution mentions that no child below the age fourteen years shall be employed in work in any factory or mine or engaged in any other hazardous employment. After independence Indian government made several important Acts and programs related to child labour. This paper analyzes the Acts, their amendments and programs from secondary sources of data.

INTRODUCTION

Child labour refers to the exploitation of children through any form of work that deprives children of their childhood interferes with their ability to attend regular school and is mentally, physically socially or morally harmful.

International Labour Organization defined the term "child labour" is often defined as work that deprives children of their childhood, their potential and their dignity and that is harmful to physical and mental development.

UNICEF defines child labour as work that exceeds a minimum number of hours, depending on the age of a child and on type of work. Such work is considered harmful to the child and should there be eliminated:

- Age 5-11: At least one hour of economic work or twenty eight hours of domestic work per week.
- Age 12-14: At least fourteen hours of economic work or twenty eight hours of domestic work per week.
- Age 15-17 :. At least forty three house of economic or domestic work per week.

India's census 2001 office defines that the child labour as participation of any children less than 17 years of their age in any economically productive activity with or without compensation or wages or profit.

WHY DO CHILDREN WORK?

Poverty, discrimination and lack of educational awareness are the main drivers of the child labour.

WORKING CHILDREN ACCORDING TO CENSUS REPORTS

Year	Total working children (5-14 years) in crores
1971	1.075
1981	1.364
1991	1.128
2001	2.266
2011	0.435

OBJECTIVES:

- To Study the provisions relating to child labourers
- To Study the amendments of Acts related to child workers.
- Analyze the acts and programs related to the child labour.

METHODOLOGY

Secondary source of data have been collected from various source of research articles, books, reports to analysis the provisions relating to child labourers and programs for eliminating child labour.

CONSTITUTIONAL PROVISIONS

Article 21A: Free and compulsory education between the age groups of 6-14.

Article 24: No child below the age fourteen years shall be employed in work in any factory or mine or engaged in any other hazardous employment.

Article 39: Health and strength of workmen and women and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength.

PROVISIONS RELATING TO CHILD WORKERS UNDER VARIOUS ACTS:

FACTORIES ACT 1948:

Section 22 of the Act defined that young person not allowed to clean, lubricate or adjust any part of machine which thereof would expose the young person to risk of injury from any moving part either of that machine or of any adjacent machinery.

Section 23 of the Act mentions that no young person is allowed to be employed on dangerous machines.

Section 27 of the Act prohibits that the employment of young persons in any part of a factory for pressing cotton opener is at work.

THE BEEDI AND CIGAR WORKERS (Conditions of Employment) Act 1966.

Section 24 of the Act mentions that employment of child in this industry is strictly prohibited under this Act.

PLANTATION LABOUR ACT, 1951. Section 25 of the Act mentions that woman and children can be worked only be the hours between 6 am and 7 pm. They can be employed beyond these hours only with the permission of the state government.

CHILD LABOUR (PROHIBITION AND REGULATION) ACT 1986.

The main object of this Act is to address the social concern and prohibit the engagement of children who have not completed 14 th year of age in certain employments and to regulate the conditions of work of children have been prohibited in occupation relating to

- I) Transport of passengers, goods or mail by rails.
- II) Bidi making
- III) Carpet weaving
- IV) Manufacturing of matches, explosives and fire.
- V) Soap manufacture

- VI) Wool cleaning
- VII) Building and construction industry.

The Act prohibits employment of child in about 13 occupations and about 51 processes.

DOMESTIC WORKS (REGULATION SOCIAL SECURITY AND WELFARE) ACT 2008.

Section 14 of the Act specifies that no child shall be employed as a domestic worker or for any such incidental or ancillary work which prohibited under any law.

THE CHILD LABOUR (PROHIBITION AND REGULATION) AMENDMENT ACT 2016

For section 3 of the principal Act, the following section shall be substituted, namely:

3(I) No child shall be employed or permitted or permitted to work in any occupation or process

Nothing in sub section (I) shall apply where the child:

- a) Helps his family or family enterprise, which is other than any hazardous occupation or processes set fourth in the schedule, after his school hours or during vocation.
- b) Work as an artist in an audio-visual entertainment industry, including advertisement, film, television serials or any such other entertainment or sports activities except the circus, subject to such conditions and safety measures, as may be prescribed.

Provided that no such work under this clause shall effect the school education of the child.

- VIII) Transport of passengers, goods or mail by rails.
- IX) Bidi making
- X) Carpet weaving
- XI) Manufacturing of matches, explosives and fire.
- XII) Soap manufacture
- XIII) Wool cleaning
- XIV) Building and construction industry.

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Provided that no such work under this clause shall effect the school education of the child.

PROJECTS RELATED TO CHILD LABOUR INDUS PROJECT:

Government of India and the United States Department of Labour had jointly collaborated to form the INDUS project

which aimed at preventing and eliminating child labourers, especially from hazardous occupations. It was developed ILO-IPEC (International Labour Organization- International Program on the Elimination of Child labour)

NATIONAL CHILD LABOUR PROJECT (NCLP):

It is a central government scheme which has been devised to tackle the issue of a child labour in a more effective manner but focussing on specific target ideas, identifying the victims, withdrawing them from hazardous situations, focussing on their rehabilitation and meanwhile spreading awareness on the functionalities of NCLP and other agencies on child labour to the families of the child labourers.

Objectives of NCLP:

It aims at the expulsion of child labour in all forms possible through a sequential basis of:

- Identification of children in child labour in the project area.
- Withdrawing the identified children.
- Preparation of the withdrawn children for introduction to mainstream education by providing necessary vocational training.
- Ensuring that they're benefitted by the multitude of services provided by the different governments and agencies.

It aims at the withdrawal of adolescent children from hazardous situations or occupations by

- Identifying all adolescents and withdrawing them from the project area.
- Facilitating training programmes for such adolescents through the skill development schemes which are currently existing.
- It aims at raising awareness amongst the target communities and the other stakeholders regarding child labour about the functionality of NCLP.
- To create a Child Labour Monitoring, Tracking and Reporting System to stay updated with the situation

CONCLUSION

Indian government made several Acts related to child workers. Factories Act 1948 mentions that no young person is allowed to be employed on dangerous machines. Plantation Act, 1951 specifies that woman and children can be employed only the hours from 6 am to 7 pm. The Child labour amendment Act 2016 permits to work for his family or family enterprise, which is other than hazardous occupations after his school hours or during vacation.

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