

## **AN ANALYTICAL STUDY RELATING TO THE ISSUES AND CONCERNS ON CHILD LABOUR IN INDIAN BUSINESS SECTOR**

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### **Abstract**

*Children play a very vital role in nation building. It is quite necessary and desirable to protect and promote various safe guards to protect the children. It is an incontrovertible fact that there are various social evils with children. One of them is children labour. The child labour system is in existence in developing and underdeveloped countries. India is one of the countries where in large number of children below the age of 14 years are working under various organisations. It is a fact that if there is no proper distribution of work among the members of the society, then children will be automatically forced to do work for their survival. Unemployment of adult members of the particular family results into child labour. The law in Indian soil says that any child below age of 14 cannot be employed either in a factory or office or restaurant and India's international business has been severely affected in many cases because child labours, violating human rights, have been used in some stage or the other in manufacturing, packaging a transport of those items. There is a large number of cases of export of ready-made garments, prawn and several other items from India has been rejected on grounds of child labour being used. child labour is frequently utilized in India in various places of production and service e.g., small scale industry, restaurant service, domestic aid, shopkeeper's assistant, stone breaking, book binding, in fact in every house-hold industry.*

**Keywords:** *Children, incontrovertible, social evils, survival, unemployment*



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### **INTRODUCTION:**

Child is considered to be involved in child labour activities as per the classification given by United Nations International Children's Emergency Fund. Children 5 to 11 years of age, those who did at least one hour of economic activity or at least 28 hours of domestic work during the week or children 12 to 14 years of age those who did at least 14 hours of economic activity and domestic work combined during the week. India is sadly the home to the largest number of child labourers in the world that is more than the entire population of North America (Mexico and Canada put together). Every fifth child in the world is an Indian. The census found an increase in the number of child labourers from 11.28 million in 1991 to 12.59 million in 2001 and to 21.29 million in 2011. As per statistics, child labour appears to be more in villages than in urban areas. Child labour is a curse to our society and a crime against humanity. It is a concrete manifestation of violations of a range of rights of children

and is recognised as a serious and complex social problem in India. Working children are denied their right to survival and development, education, leisure and play with adequate standard of living, opportunities for developing personality, talent, mental and physical abilities and protection from abuse and neglect. Notwithstanding the increase in the enrolment of children in elementary schools and increase in literacy rates since 1980's child labour continues to be a significant phenomenon in India.

#### **CAUSES IN CHILD LABOUR IN INDIA:**

Poverty and lack of social security are the main causes of child labour. The increasing gap between the rich and the poor, privatisation of basic services and the neoliberal economic policies are causes of major sections of the population out of employment and without basic needs. This adversely affects children more than any other group. Entry of multinational corporations into industry without proper mechanisms to hold them accountable has led to the use of child labour. Lack of quality universal education has also contribution to children dropping out of school and entering the labour force. A major concern is that the actual number of child labourers goes undetected. Laws that are meant to protect children from hazardous labour are ineffective and not implemented properly. Child labour in India assumed many forms such as bonded child labour, child labour in agricultural sector, street children, children at glass factories, match box factories, carpet industries, and brass and lock industries. The causes of child labour are too numerous and too many. They include lack of elementary education at the primary level, parental ignorance, in-effective implementation of laws for child labour, non availability of schools in rural areas, impractical school curriculum, lack of proper guidance, poverty, excessive population, illiterate and ignorant parents, adult unemployment, urbanisation, availability of child labour at cheap rate, adult exploitation of children and multi-national preference to employ child workers.

#### **STATUS OF CHILD LABOUR IN INDIA:**

According to the survey conducted by 7<sup>th</sup> All India educating survey those facts are available relating to child labour in India. At present there are 17 million children labour in India. The study found that children were sent to work by compulsion and not by choice, mostly by parents, but with recruiter playing a crucial role in influencing decision. When working outside family, children are put in an average of 21 hours of labour per week. 19% of children employed work as domestic help. 90% of working children are in rural India. 85% of working children are in unorganised sector. About 80% of child labour is engaged in

agricultural work. Millions of children work to help their families because the adults do not have appropriate employment and income and thus forfeiting schooling and appropriate employment to play and rest. Children also work because there is demand for cheap labour. Large number of children works because they do not have access to good quality of schools. Poor and bonded families often sell their children to contractors who promise profitable jobs in the cities and the children end up being employed in brothels, hotels and domestic work. There are approximately 2 million child commercial sex workers between age of 5 to 15 years and about 3.3 million between 15 to 18 years. 500000 children are forced into this trade every year. More than half of 5.5 million working children in India are concentrated in five states- Bihar , UP, Rajasthan, MP,Maharashtra. Adolescents doing hazardous work form 20.7% of those employed in this age group while almost 25% of adults work in hazardous conditions. Adolescents between 15 and 17 years of age doing hazardous work form 62.8% of the overall child labour population. Nearly 10% of the adolescents working in hazardous conditions are working in family enterprise. 56% of the working adolescents are no longer studying and 70% of those in hazardous conditions are not studying. More boys (38.7million) than girls(8.8million) are involved in hazardous work, while the incidence of hazardous work among adolescents is highest in Nicaragua, the number of adolescents in hazardous work is greatest in India is 2.4 million.

### **CONTROLLING FACTORS OF CHILD LABOUR:**

Child labour is a pervasive problem throughout the world especially in developing countries like India. Child labourers are especially prevalent in rural areas. Children work for a variety of reasons such as, parental poverty is the principal controlling factor. The poverty of parents in rural India is wide spread. Landlessness contributes to poverty and poverty causes landlessness. A majority of parents send their children to work rather than to school at the school going age, primarily on account of their need for supplementing income. It proves the illiteracy of parents, absence of universal primary education, occupational rigidity and caste system. Many parents prefer to send their children to work rather than to school on account of availability of good job opportunities for their family livelihood. Schooling problem also contributes to child labour. Many the time children seek employment simply because there is no access to schools. When there is access low quality often makes attendance waste of time for students. Schools in many developing areas suffer from

problems such as overcrowding inadequate sanitation and apathetic teachers. Parental education plays an important role in determining child schooling and employment.

### **CONSTITUTIONAL MANDATE AND GOVERNMENT INITIATION:**

Our Indian Constitution offers some mandate for the eradication of child labour such as Article 24: Prohibition of employment of children in factories. No child below the age of 14 years shall be employed in any factory. Article 39(e): The health and strength of workers, men, women and tender age children are not abused and forced to work which is unsuitable to their age and strength. Article 39(f): Children are given opportunities to develop in a healthy manner. Article 41: Right to work, education and public assistance in certain cases. Article 45: Provision of free and compulsory education for each child of 6-14 years of age. Article 47: Duty of the state to raise the level of nutrition and the standard of living and to improve public health. Ever since independence, our national government has taken several measures to eradicate the menace of child labour. There have been specific legislations aimed at curbing the problem and punishing the offenders. The acts include The child labour Act 1986, The Factories Act 1948, The Mines Act 1952 and the bonded labour system abolition Act. Further our national Government has taken certain initiatives in eradicating child labour in India such as: Integrated child Development service 1974, Child Labour (prohibition and regulation) Act 1986, National child labour project 1988, Rehabilitation of children working in hazardous occupation 1994, Establishment of National Authority for the elimination of child labour 1994, Right to Education Bill 2009.

### **CONCLUSION:**

Child labour is not an isolated problem. There is not a single remedy or magic bullet. It cannot be eradicated overnight by a single government order. Nor will it disappear, because putting an end to child labour requires a package of changes and is bound to take some time. It requires a general improvement in the economy of the country, a reduction in the gap between the rich and the poor, improvement in the country's educational infrastructure and efforts to promote awareness of the need for change. The children of the world are innocent, vulnerable and dependent. They are also curious, active and full of hope. Their life should be full of joy and peace of playing, learning and growing. Their future should be shaped in harmony and cooperation. The children are the supreme important asset of the nation. Their nature and solicitude is the responsibility of the government. Children's programme should find a prominent place in national plans for the development of human resource. The labour

department has a crucial role to abolish child labour in all its form and ensure that children enjoy their right to education. This is indeed a challenging task but can be attained with concerted effort and a clear perspective.

**REFERENCES:**

- Ahuja, R. Social Problems in India, Rawat Publication.*  
*Annual Report – UNICEF 2012*  
*Census of India 2011*  
*CMC Bulletin 2011*  
*Children in India , A statistical Appraisal, Govt of India 2012.*