

MANIDHANAHEYAM FREE IAS ACADEMY – TNPSC GROUP II & IIA
UNIT - III
Child Labour

1. Constitution of Child Labour in India

Articles:

1. Articles 21

Adequate legal protection is given to individual life and individual liberty.

2. Articles 21

Free compulsory education for all children between 6 to 14 years of age in India

3. Articles 23

It gives Indian people the right against exploitation. Men, children and women should not be bought or sold as commodities, which is called 'Human Trafficking'.

4. Articles 24

Children should not be engaged in unsafe work

5. According to Article 39 – Physical health (a) strength

Prohibits cruelty against male and female child Labour and ensures their health and strength.

6. According to Article 38 – Healthy environment (a) Independent living

The government should create facilities and opportunities to grow up in a healthy environment and live a dignified and independent life.

7. Article 45

Provision of education (a) maintenance of children upto 6 years of age - (86th Amendment of 2002)

8. As per Article 51

It is the fundamental duty of parents or guardians of children between 6 to 14 years of age to provide the child with an opportunity to learn - 86th Amendment 2002.

According to the Census of India, Child Labour is any child under the age of 14 who is employed for more than one hour per day.

Conditions of employment of child labour

1. Inhuman condition

Child Labourers are employed in unsanitary conditions (h) small rooms.

2. Dangerous situation

- i. Employed near highly hazardous chemical reactors.
- ii. They work even near high temperature ovens of 1400 centigrade.

MANIDHANAHEYAM FREE IAS ACADEMY – TNPSC GROUP II & IIA
UNIT - III

3. Polluting factory

Most of the child Labourers are employed in polluted factories with foul odors.

4. Long term employment

They are engaged in long hours of 10 to 11 hours a day.

5. Low wages

Child Labour is underpaid.

6. No compensation

No compensation in case of bodily injury or (a) disability to child labourers.

7. Malnutrition

Most child Labourers consume less nutritious food.

8. Weak health

- i. Body(s) of child Labourers are thin and fragile. They are not in a balanced physical condition.
- ii. Garments are made of rough fabric and are not stitched properly.

9. Hard physical work

They are forced to do hard manual work that people below 20 years of age should not do.

10. Health hazard

Dermatological and respiratory diseases among children working in glass factories and beedi factories. Tuberculosis occurs.

11. Sexuality

Female child Labourers are raped and trafficked into immoral sex work.

12. Bonded Labour

A condition in which someone loses his freedom under the control of another person.

2. India and Status of child Labour in Tamil Nadu

1. A more accurate survey of child Labour is impossible.
2. Because many child Labourers are denied or kept hidden for their own gain.
3. There are 250 million child Labourers in the world.

Status of child Labour in India (12 million)

1. There are 12 million child Labourers in India.
2. In this situation, young criminals are created in India.

MANIDHANAHEYAM FREE IAS ACADEMY – TNPSC GROUP II & IIA

UNIT - III

3. According to a UNICEF study, India alone has 17% child Labour under the age of 15 among the countries of the world.
4. Female child Labourers between the age of 12 to 15 years are in a position to do domestic work and help in domestic work for a certain income.
5. 5 – 14 years

Population census	
2001	12.5
2011	million
	4.35
	million

Status of Child Labour in Tamil Nadu (2.84 Lakhs)

According to UNICEF, there are child Labourers between the ages of 5 and 14 in Tamil Nadu.

Year	Number of child labourers
1981	9.75 Lakh
2011	2.84 Lakh

3. What are the causes of child labour?

1. Poverty

- i. Poverty in India is 21.9%
- ii. Children's income is of great benefit to families living below the poverty line.

2. Large families and population growth

- i. Large families are found in rural India.
- ii. As the family income is very small, children go to work for family income at an early age.

3. Easily available workers

- i. Due to mechanization and new scientific techniques they intend to complete the work faster
- ii. They hire child Labour to get more profit with less investment.

4. Characteristics of child labour

- i. Child Labour is underpaid
- ii. Can work longer hours
- iii. They will not form a union or go on strike

MANIDHANAHEYAM FREE IAS ACADEMY – TNPSC GROUP II & IIA
UNIT - III

- iv. The children did not protest

5. Social acceptance

- i. There is no idea that child Labour is wrong in the society.
- ii. Employers and parents think it's right.

6. Illiteracy – 26%

Illiterate parents are not aware of a child's need for proper physical development and cognitive-emotional development.

7. Urbanization – 25% population

Urbanization in developing countries has led to the employment of child Labour in multinational corporations and export industries, particularly in the garment industry.

8. Other Factors

- i. Lack of adequate remuneration for adult workers in low-profit and low-cost family enterprise manufacturing industries.
- ii. Economic and non-permanent politics
- iii. Discrimination and Migration
- iv. Traditional cultural practice
- v. Landless Labourers are forced to depend on wage and contract work.
- vi. Less social security
- vii. Children can easily be converted to factory work.
- viii. Babies' fingers and hands are flexible.

4. Consequences of Child Labour Status

1. Generation of child Labour is known as theft of future national human resources.
2. Child Labour is the worst form of corruption, based on future monetary losses.
3. HIV/AIDS, drug addiction, mental illness are common among child labourers.
4. Being a child Labourer will cause long-term health problems.
5. Children's mind, education, physical development etc. will be affected.
6. Being workers in a dangerous factory, their life becomes very short.
7. Their income is at any rate not reflected in the revenue of the country and is exploited.

MANIDHANAHEYAM FREE IAS ACADEMY – TNPSC GROUP II & IIA

UNIT - III

5. Write about laws and programs to reduce child Labour in India.

Government laws

1. Factories Act - 1948 – 14 years

Prohibits employment of children below 14 years of age in factories.

2. Apprenticeship Act - 1961 – 14 years

Prohibits any person from imparting vocational training to children below the age of 14 years.

3. Plantation Labour Act - 1951

This Act was brought in for the benefit of plantation workers.

4. Mining Act - 1952 – 18 years

The Act restricts the employment of persons below 18 years of age to mining.

5. Child Labour Regulation and Prohibition Act - 1986 – 14 years

- i. According to this law, a person under 14 years of age is a child
- ii. It prohibits the employment of children in 16 types of occupations and 65 activities.

6. Transport Vehicle Labour Act 1961 – 14 years

Prohibits persons under the age of 14 from working as transport vehicle operators.

7. Beedi and Cigar Labour Act - 1966 14 years

Prohibits employment of persons below 14 years of age as beedi and cigar workers.

8. Tamil Nadu Shops and Establishments Act 1947 – 14 years

Persons below 14 years of age shall not be employed under this Act

9. Tamil Nadu Catering Companies Labour Act 1958 – 16 years

Prohibits employment of persons under 16 years of age.

10. Tamil Nadu Handloom Weavers Act - 1981

11. Tamil Nadu Manual Workers Act - 1982

Prohibits employment of persons under 16 years of age. Discuss India's efforts in combating the social ills of child labour.

12. Custody and Protection of Young Children Act - 2000

If children are employed as Labourers or slaves, they are liable to imprisonment on the basis of criminal proceedings.

13. Right to Education Act - 2009

- i. According to this Act, children aged 6-14 years are given the right to compulsory education.

MANIDHANAHEYAM FREE IAS ACADEMY – TNPSC GROUP II & IIA

UNIT - III

- ii. 25% reservation in private schools and compulsory reservation for economically backward and differently abled.

Government Schemes:

1. Helpline number for children – 1098

- i. This is a toll free phone number
- ii. Providing awareness and counseling to ensure the welfare of children.

2. Sisu Gray Scheme – 6 diamala / 10 udaina subsidy

- i. It is a program that emphasizes child adoption
- ii. 6 lakh rupees as subsidy for 10 children was given by the government.

3. Budget for children

A separate fund is earmarked for expenses to fulfill certain special needs of children.

4. Integrated Child Development Program - 1975

Improving the nutritional and health status of children aged 0 to 6 years.

5. National Child Labour Scheme - 1988:

- i. The scheme is functioning under the Child Labour Policy of the country, 1987.
- ii. District Collector / District Magistrate has been given the responsibility to oversee the operation of the scheme.
- iii. NGOs will also participate

Purpose:

1. To rescue and rehabilitate migrant Labourers and help educate 50 children in special schools for their education.
2. Cost of maintenance for each child.

Incentive amount – Rs.100

Development Amount – Rs.100

Lunch – Rs 5

6. Commission on Protection of Rights of the Child – 2005

6. Disadvantages of Child Labour Eradication Program

1. The government has not fully realized the magnitude of the child Labour problem.
2. Making alternative arrangements for 20 lakh children every year is impossible.
3. Modern methods and mechanization in agriculture are forcing more and more rural children to migrate to cities in search of work.

MANIDHANAHEYAM FREE IAS ACADEMY – TNPSC GROUP II & IIA
UNIT - III

4. It is not clear what are harmful industries.
5. No laws have been enacted to punish employers who employ child Labourers at cheap wages.
6. Authorities to protect child Labour are not fulfilling our duties properly.
7. Domestic workers, rag pickers, newspaper sellers, agricultural Labourers etc. belonging to unorganized sectors did not get any protection.
8. Priorities given to poverty alleviation programs are not given here.
9. There is no precise definition of what are harmful industries in these schemes.
10. Employers prefer to employ poor minors who do not complain about low wages.
11. Defects in identification

Instructions:

1. Strict action against law breakers
2. Poverty alleviation
3. Elimination of inequalities
4. Reforms in Agriculture Sector
5. Increasing employment
6. Diffusion of new technologies
7. Acceleration of cooperative movements
8. Implementation of social welfare schemes
9. Follow the guidelines issued by the Supreme Court in 1996
10. NGO Application
11. Conducting regular inspections to monitor industrial premises

7. Supreme Court Verdict on Child Labour

A 1996 judgment by the Supreme Court of India provided some procedures on how child Labour should be removed from hazardous occupations and a system of rehabilitation.

Guidelines:

1. Survey of children working in hazardous occupations should be completed within 6 months.
2. A recruitment agency / organizer who commits an offense against this Act shall pay compensation of Rs 20,000 to each child Labourer aggrieved.
3. Every child Labourer removed from hazardous work should be replaced by a family member.

MANIDHANAHEYAM FREE IAS ACADEMY – TNPSC GROUP II & IIA
UNIT - III

4. Rs 5000 to be provided by the concerned Govt.
5. Education should be provided in a suitable educational institution to the child dismissed from the profession.
6. Child rehabilitation welfare fund should be created.
7. A separate department should be created in the Ministry of Labour.
8. Working hours in other non-harmful occupations should not exceed 4 – 6 hours.
9. Children should also be allowed to go to school for at least 2 hours.
10. Those who do not follow these norms will be punished.

8. Write about National Commission for Child Protection.

National Commission for Child Protection

Appearance - Rights

1. Creation under the Protection of Children Act 2005
2. Status of 2007 Chut

Objectives:

1. Benefiting 2 million children
2. Funding : 850 crores
3. Rehabilitation of child labourers
4. Educating them in 15000 schools in different parts of the country
5. Compensation to the family of the child who withdraws from hazardous occupations

System:

1. Creation by Act of Parliament
2. Autonomous organization
3. Headquarters Delhi

Activities

Children's rights

9. National Policy on Child Welfare

National Child Labour Policy – 1987

Objectives

1. Reduction of working hours of child labour
2. Ensuring minimum wages
3. Provision of educational and welfare facilities

Key Features:

1. Taking legal action to improve the condition of child labour

MANIDHANAHEYAM FREE IAS ACADEMY – TNPSC GROUP II & IIA
UNIT - III

2. Implementation of various welfare schemes for child Labourers and their families
3. Formulate process plans

Effects:

1. National Commission for Child Protection

The Commission was constituted on October 2, 1993 based on the 1987 policy.

2. Welfare Institutions:

According to this plan 12 National Child Labour Welfare Schemes were included in the 7th Five Year Plan.

3. 1996 Supreme Court Judgment

Based on this judgment, 64 local schemes were brought.

4. Child Labour Scheme – 1988

National Child Labour Policy – 2013

Objectives

1. It defines children as persons below 18 years of age.
2. Childhood is a part of life and has special value.
3. Rescue children from various victim situations
4. To provide an integrated approach to overall harmonious development and protection of children

Key Features:

1. Every child is uniquely superior and a vital asset of the nation.
2. Special measures are necessary to reduce the levels of discrimination
3. Children have many rights such as growing up in a family environment and living in a happy environment.
4. A strong social safety net supports families in raising and caring for children.