



RESEARCH ARTICLE

INNOCENCE AT THREAT: A STUDY OF CHILD LABOUR IN INDIA

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Abstract

In this article I have found out that, how a child labour is the exclusionary form of social practice in our society, for which the child is too young to deal with such exploitation intelligently. I revealed how their innocence is in threat with the presence of various forms exploitation or human rights violation due to child labour. Besides this I also revealed about the presence of lack of awareness in the society about the child rights which allows them to employ the poor child as they find them as cheap labour and hence they can be paid half of what an adult worker would need to be paid.

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Introduction:-

Children are one of the vulnerable and marginalised groups in our society due various forms of exploitation. Many a times, Children's Innocence has become ignorant in our society. In order to satisfy the selfish interest of the society, a little child is handled with the work. Work is handed in the hands of the child during the time when they have to enjoy their precious childhood; this child work deprives a child of their childhood, which have not only negative impact on their health but also it hinders their overall development. Today their human rights and Innocence are at threat in this current condition of social injustice through child labour.

What is child labour?

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. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children; and/or which interferes with their schooling by: depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work. (www.ilo.org)

According to the Indian Constitution i.e. Article 24 of the Fundamental Rights says that, if any below 14 year child is employed, then it will be considered as child labour. It prohibits employment of such children and gives them protection from exploitation.

Presence of Child Labour in India

The dismal plight of India's children between six and 14 years of age is vividly brought out by Myron Weiner: "Less than half of India's children between ages six and 14—82.2 million—are not in school. They stay at home to care for cattle, tend younger children, collect firewood, and work in the fields. They find employment in cottage industries, tea stalls, restaurants, or as household workers in middle class homes. Many of them live as street children, begging or picking rags and bottles from trash for resale. Many are bonded labourers and working as agricultural labourers for local landowners." (www.epw.in)

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Children are still being used in some severe forms of child labour it has been noticed that, across India child labourers are been found in a variety of industries: in brick kilns, carpet weaving, garment making, domestic service, food and refreshment services (such as tea stalls), agriculture, fisheries and mining etc.

Data from the Indian census shows the number of working children in the age group of 5-14 years in Census 2001 total was 12666377 whereas in 2011 was 4353247. (labour.gov.in) comparatively number has decreased in 2011 census but still this number is high. The 2011 Census shows that child labour has been a major problem in India almost 10.1 million of which 5.6 million are boys and 4.5 million are girls. A total of 152 million children – 64 million girls and 88 million boys – are estimated to be in child labour globally, accounting for almost one in ten of all children worldwide. (www.unicef.org)

How Children's Innocence is in threat due to Child Labour?

Child labour is one of the most evil practices which impose serious threat to the child's innocence and to their future because of various factors:

1. Violation of the Human rights: due to their work in the hazardous condition, their Right to life and the right to live a dignified life in the society are in risk.
2. Exploitation: these children face all forms of abuse-physical, mental, sometimes sexual and emotional.
3. Marginality: due to exclusionary practice of the society like discrimination, atrocities etc make them marginalised and vulnerable in the society.
4. Deprived from Education: Child labour acts as a major barrier to education as it deprives a children of their right to go to the school. Due to extreme Poverty, children's school dropouts have been noticed from various parts of the India.

All this tensions have shaped the concept of their innocence and the childhood which need serious attention of the society and of the Government.

Remedial measures taken by the Government to protect every Child from exploitation

In order to protect their childhood and innocence, various measures taken by the government are as follows:

Article 21A: Right to Education: The State shall provide free and compulsory education to all children of the age of 6 to 14 years in such manner as the State, by law, may determine.

Article 24: Prohibition of Employment of Children's in Factories: 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: DPSP: The State shall, in particular, direct its policy towards securing that the health and strength of workers, men 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.

Government has enacted the Child Labour (Prohibition & Regulation) Amendment Act, 2016

covers complete prohibition on employment or work of children below 14 years of age in all occupations and processes. Subsequent to the amendment in Child Labour Act, Government has framed the Child Labour (Prohibition & Regulation) Amendment Rules, 2017

Besides this our Indian Government has also established National Child Commission and State Child Commission for the protection of the child from exploitation.

Right to Education, ServaShikshaAbhiyan, and Mid-day meal has been implemented to order to bring all children back to schools.

International commitments and Legal framework on Child Labour:

There are also international legal framework on child labour like, the UN Convention on the Rights of the Child and its Optional Protocols on the sale of children, child prostitution and child pornography, the involvement of children in armed conflict, and the communications procedure for child rights violations.

ILO Convention No. 138 (1973) establishes that the minimum age for work should not be below the age for finishing compulsory education and in any case not below 15.

Even in Sustainable Development Goals (SDGs) protection of children are at top of their agenda by eliminating hunger, Poverty, providing education etc.

Besides the government's action, there are many NGO's in India who doing the tremendous work in this field. Many of them like Smile Foundation, Childline India Foundation, CARE India, Save The Children, etc. came forward to the rescue children from clutches of child labour exploitation and have taken various steps in saving many children's life and to protect their innocence.

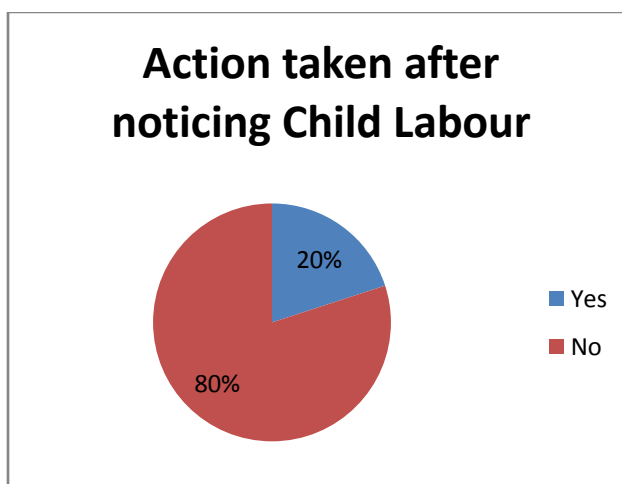
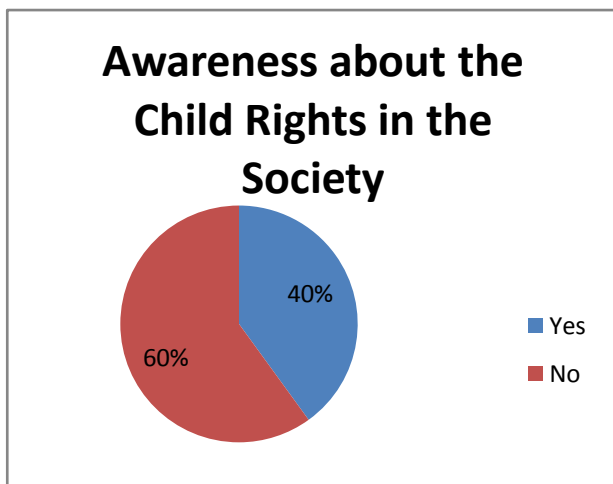
Even with the presence of these laws, exploitation of child through Child labour is still on high because of the selfish interest of the society, as they chose to employ children because they can be paid lesser than the adult worker.

Some Child labourer's response has been taken to know their perception and reasons behind their work. The following responses were given by these Poor innocent children.

1. Poverty: because of the extreme poverty they have chosen to work, in order to support their family. This problem of poverty is one of the factors for the Child Labour Problem in India.
2. No Care taker: many of them don't have parents, and since there is no one to take care of their self they have chosen to work.
3. Forced for the Labour: Many of their Parents or Relatives have forced them for labour for the sustenance of their entire family.
4. They cannot cope-up with the education: due to problem of medium of instruction in the schools of the State they find difficult in coping-up, as majority of them are migrants who know only their regional language.
5. Lack of awareness: Since they don't know the importance of education in their life and to the society, they prefer to work and earn money.

These reasons engulfed these poor children into child labour which poses a serious threat to their Innocence and the future. If our country has to develop in all the spheres then this future citizen's development is utmost necessary.

In order to know about the awareness in the society about the Child rights, 50 responses were taken from the respondents of Goa State, with this survey I tried to find about the awareness in the society about the child rights.



Through this it can be easily concluded that majority of the respondents were unaware about the child rights which make them ignore if any child labour practice takes place in their area. Also it has been noticed that large number of the people doesn't take any action (i.e. by filing complain to the concerned authority) against the People who employ children in their work. All shows that many people in our society are ignorant towards the children's innocence.

Conclusion:-

Today children's innocence is in major threat due to child work. Their right to live a life of dignity and right to life is immensely threatened. The exploitation of child through child labour have shaped the concept of their childhood

innocence. The concerned for the protection of the human rights of all these children needs a serious inquiry in the society. There is the need to protect each child's innocence and future as they get only one chance to be a little kid. For this purpose our Government and the society need to take serious steps towards protection of children's rights to save them from exploitation and make efforts towards protection of their innocence.

In order to put the end to these evil social practices, each and every citizen have to be very vigilant if any such practice takes place in their vicinity and bring it to the notice of the concerned authority in order to protect the children from such exploitation, by doing so will alternatively contribute in making these children's future bright in the society.

References:-

1. (<https://www.ilo.org/ipec/facts/lang--en/index.htm>)
2. <https://www.epw.in/engage/article/problem-child-labour-needs-more-one-solution>
3. <https://www.unicef.org/india/what-we-do/child-labour-exploitation>
4. <https://labour.gov.in/sites/default/files/Census-2001&2011>.
5. <https://journals.sagepub.com/doi/full/10.1177/0907568218811484>
6. <https://labour.gov.in/childlabour/constitutional-provisions>
7. <https://www.savethechildren.in/child-protection/child-labour-a-curse-on-our-society>.