

# Child Labour: An Problem For Eradication From Indian Society With The Context Of Government's Efforts For This Social Evil

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## ABSTRACT

*The National Children are assists of our national. Their nurture and solicitude are our responsibility. Children's programmes should fine a prominent part in our national plans for the development of human resources so that our children grow up to became robust citizens, physically fit, mentally alert and morally healthy, endowed with the skill and motivations needed by society. Equal opportunities for development would serve our large purpose of reducing inequality and ensuring social justices. If a child is a national asset, it is the duty of the state to look after the child with a view to ensuring full development of his personality.*

*The major determinant of child labour is poverty. Even through children are paid less than adult, whatever income they earn is of poor families. In addition to poverty, the lack of adequate and accessible sauces of credit forces poor parents' to engage their children in the harsher from of child labour- bonded child labour. Some parents also feel that a formal education is not beneficial, and that children learn work skills through labour at a young age. These views are narrow and do not take the long term development benefits of education into account. Another determinant is access to education. In some areas, education is not affordable, or is found to be inadequate. With no other alternatives, children spend their time working.*

**Key words:** *child Loabour, poverty, society, eradicate, and education.*

From the beginning of human society children have been exploited mercilessly and indiscriminately. Children were made to work at home and outside, in factories and fields, in hazardous occupations, in hightails, restaurants and as domestic aids. Children have been working even at an early age of 6 to 8. Their working hours have been long and their wages have been meager. But compulsory education may help in regard to these attitudes. The examples of Sri Lanka and Kerala show that compulsory education has worked in those areas. These types of social differences between Sri Lanka and the rest of India. What types of social welfare structure do these places have? Is there some other why the labour market for held labours is poor in these areas? These are some questions that need to be answered before applying the concept of compulsory education policy. The deep has been implemented only four years ago, and sores it's are not apparent at this time hopefully the further will show that this program has made progress towards universal education and eradication child labour. Child labour cannot be eliminated of child labour laws. The Government of India must ensure that the needs of poor are filled before attacking child labour. If puberty is addressed, the need for child labour will automatically diminish. No matter how hard India tries, child labour will always exists until the need for in remover. The development of India as a nation is being hampered by child labour. Children are growing up illiterates because they have been working and not attending school. A cycle of poverty is formed and the need for child labour is reborn after every generations. India needs to address the situations by tacking the underlying causes of child labour through government policies and the enforcements of these policies. Only then will India succeed in the fight against child labour. Considering the magnitude and extents of the problem and that it is essentially a socio-economic problem inextricably linked ant from all sections of the society to make a dent in the problem i. e. success can be achieved only through social engineering on a major scale combined with national economic growth because child labour is both an economic and social problem. One of the greatest achievements of progressive democracies in the last century is to have recognized the rightful place of the child in the child in the society fabric. Both in the International forum as wells Domestic policies, positive actions for the child's welfare is evidenced by way of various United Nations Conservations, State legislations and judicial interpretations. The efforts towards preserving the environment and bringing about sustainable development are aimed at giving our children what is naturally theirs. Child-centric human rights jurisprudence has come to be a

new dimension of the larger role of law in social engineering Starting with the Declaration of the Rights of the child, adopted in 1924 by the League of nations that “mankind owes to the child the best it has to give”, there have been many endeavors of the international community in protecting the interests of the child. The Universal Declaration of Human Rights, 1948, the International Covenant on Civil and political Rights and the Covenant of Economic, Social and Cultural Rights, 1966 are the other instrument that conveys that rights of the child. The Declaration of Rights of Child, 1959 and the Convention on the rights of the Child, 1989 of the United Nations ratified by our country as well, contain legal standards necessary for granting social, Economic and cultural rights for children’s International program launched by the International Labour Organization in December 1991. India was the first country to join it in 1992.

Every child in the country as a legitimate claim and is entitle to its share in the finance of the republic for harmonious and comprehensive development of its personality. There is a need to enhance the share in the budget for the development and where of children in their interest of the country. As a plant needs protection nourishment and proper environment to grow into a big fruit bearing tree, a child also needs protection citizen to serve the nation.

Spending money on education of the child is not an expense on the public, exchequer but an asset in the long run .it is the best infrastructure that could be laid for the prosperity of a nation. About 42 million children in the age group of 6-14 do not have access to basic education. Female education, which Palkiwala calls the priority, hampered not only by the deep-rotted cultural prejudices but also due to lack of real concern. Initiatives like operation blackboard, SarvaShikshaAbhiyan and mid-day meal scheme, etc. have been taken so that school dropout rate is curtailed. But we must also ensure that the policies and effort to serve the purpose must be consistent and continuous and not momentary promise. Education of the child is inextricably intertwined with the programs of a democracy. Democracy can succeed only with an informed citizenry. The consequence of India clearly states that child labour is wrong and the measure should be taken to end it. The government of India has International the child labour Act, 1986 that out less child labour in certain areas and sets the minimum age of employment at 14 Year. This Act, falls short of making all child labour illegal, and fails to meet the ILO guideline policies are in place that should potential reduce the incidence of child labour, enforcement is a problem. If child is to be eradicated in India, the government those responsible for enforcement need to start doing their jobs. Policies can and will developed concerning child labour, but without enforcement they are all useless. Various welfare enactments made by parliament and the appropriate start legislatures are only testing illusions and a promise of unreality unless they are effectively implemented and make the right to life driven to labour a reality, meaningful and happy.

The constitution of India articulates the concern for children as can be seen from Articles 15(3), 24, 39(e), 39(f) and 51-A (k). the provision in the constitution provide right to the children against exploitation through hazardous employment, on free and compulsory education and to make special provision for them. Article 24 of the Constitution prohibits employment of the child for below the age of 14 years in any factory or mine or in any other hazardous employment, but is a hard reality that due to poverty the child is driven to be employed in a factory, mine or hazardous employment.

The Eighty-sixth Constitutional Amendment that made education a fundamental right for children in the age group of 6 to 14 years is a result of the empathy shown by public-spirited individuals and institutions towards the child. Many states are in place to make the child easier and enjoyable. Pragmatic, realistic and constrictive steps and actions are required to be taken to enable the child belonging to poor, weaker sections, Dalits and Tribes and minorities, enjoy their childhood and develop their blossomed personality-educationally, intellectually and culturally with a spirit of inquiry, reform and enjoyment of leisure. It is suggested that instead of each state having its own children’s Act, different in procedure and content from the children’s Act in other states, it would be desirable if the central government initiates parliamentary Legislations on the subject. So that there is complete uniformity in regard to the various provision relating to children in the entire territory of the country. Despite the above, the stark reality to children in that in our country, children are exploited lot. Child Labour is a big problem and has remained intractable, even after Years of problem having become independent despite various legislations enactments prohibiting employment of a child in a number of occupations and avocations. *Child Labour, therefore, must be eradicated through well-planned, poverty-focused alleviation, development and imposition of trade actions in employment of the children etc. total banishment of employment of may drive the child and mass them up into destitution and other mischievous environment, making them vagrant, hard criminals and prone to social risks etc.*

The role and concern of the Indian Supreme Court has been profound in making better the lives of numerous children who were objects of exploitation. The Supreme Court in *Bandhua Mukti Morcha vs. Union of India* had to say this right to live with human dignity enshrined in article 21 drives its life breath from the

directive principles of State Policy and particularity clauses (e) and (f) of article 39 and articles 41 and 42 and at least therefore, it must include protection of state the health and strength of worker, men and women, and of the tender age of children against abuse, opportunities and facilities for children to develop in healthy money and in conditions of work and maternity relief. These are minimum requirements which must exist in order to enable a person to live with human dignity...

The observation made yet in another judgment in *Bandhuni Mukti Morcha vs. Union of India* are relevant in the context, which read the child of today cannot develop to be a responsible and productive member of tomorrow's society unless an environment which is conducive to his social and physical health is assured to him. Every nation, developed or developing, links it's further with the status of the child ....Neglecting the children means loss to the society as whole. If children are deprived of their childhood-socially, economically, physically and mentally the nation a\gets deprived of the potential human resources for social progress, economic empowerment and peace and order, the social stability and good citizenry. The Founding Fathers of the Constitution, therefore, have emphasized the importance of the role of child and the need of its best development.

The Supreme Court of India in *Rosy Jacob vs. A Chakramakka* observed "the children are not mere chattels: nor are they mere playthings for their parents. Absolute right of parents over the destinies and the lives of their children have, in the modern changed social conditions, yielded to the considerations of their welfare as human beings so that they may grow up in a normal balanced manner to be useful members of the society. We should remember and remained ourselves that it is only strong knowledge and virtuous children who can make the country strong great".

Children are innocent, vulnerable and dependent. Abounding children and excluding good foundation of life for them is against humanity. Millions of children live under especially difficult circumstances-as orphans, street children, refuses, displaced persons, as victims of war and other manmade disasters. For the all and harmonious development of his or her personality, a child should grow up in a family environment, in an atmosphere of happiness, love and understanding. Adults cannot barter away the further of the children. There must be conscious effort by all concerted to take care of children to ensure whole some development of their personality.

If we neglect and do not provide or meet the bare needs of food, health and education of children, heavy price will have to be paid in the future. There is needed to make people aware about rights of children and as to the importance of their growing up and responsible and production citizens, Educational institutions, Government, NGOs, and media can play a vital role in this regard. Social communication needs to be stimulated at different levels and through multiple channels across the plural society. This requires sensitive and professional handling in a decentralization manner. Methods and mechanics are to be designed to inform children and parents through the educational system and other media to sensitize public functionaries and opinion-makers. Voluntary organization could be a powerful means of social mediation and communication in promoting the rights of children and equally in preventing their exploitation and suffering. In a domestic set-up, the most important need in institutional support at the political a policy levels.

Even today, millions of children in the metropolitan slums are growing in an environment of crimes and drug abuse. Who is to care of them and what is to be done? Ignoring children is nothing but wasting a supreme national asset. Many of them, if property groomed, may occupy various vital and useful positions in all walks of life in the health, food, clothing and shelter; visualize what our country is going to be in the further. We relies the importance and worth of oxygen when it is withdrawn, resulting in suffocation and leading to serious consequence. Neglecting or ignoring the welfare of children and their all-round development may create like atmosphere where oxygen is withdrawn making the life of the country miserable over the years. We have a full-fledged ministry of Human Resources Development and numerous agencies engaged in child welfare work. It is true that the health, education and general wellbeing of children have received the focus and attention of officials and public but in effect and practice a lot is required to be done yet. In a sense, children are custodians of the glory and greatness of them nation. The proper growth of our children will be a true tribute to Pandit Jawaharlal Nehru—the builder modern India. Almost 65b years ago he asked: "who lives if India dies? Who dies if India lives?" if India is to live, children are to be live children are to be looked after and groomed well, not merely on the basis of Constitutional to Statutory provision but also with great touch and concern. We have both obligation and duty towards them, "A New Deal for India's Children", as envisaged and highlighted in the address of the distinguished speaker positive, concrete and constructive suggestions, is in a way great deal to the nations itself in the ultimate analysis when children take care over the reins of this country to govern. If children are of great concern to all those who are in a position to guide their destiny, it will produce great results. The deeds of people, in particular of those in power with commitment and concern for the welfare of children well

speak more with eloquently than words in the days to come. Growing old is mandatory but growing wiser is optional. Let us exercise our option right now in favor of the letter in dealing with children. Continuous and sincere efforts lead to success.

The prevention of child labour is a herculean task. The problems relating to child labour are required to be dealt with in a manifold manner encompassing legislative efforts, judicial approach, and the role of NGOs, IGOs, NHRC and the Government. It has to be seen that the tender age of children is not abuse and that children should be given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity. It cannot be achieved by merely enacting laws; mere legalizations cannot be used for the massive task of social engineering. As long as the social attitude and thinking remains deep rooted in the prevailing society and the law enforcement agencies remains silent, justice cannot be promoted by paper enactments.

The laws enacted for the benefit and development of child labour should be supported and backed by public opinion. If progressive legislation lacks that support of public opinion it just becomes the dead law. It must be asserted that a social reform be done in consonance with social thinking, behavior and after creation of strong public opinion, as laws could be effective if two conditions are to be satisfied; one, supportive public opinion must be there and two, administrative willing-nets to implement that law.

But the biggest lacuna is that there is no universally accepted definition of 'Child' or 'Child Labour'. Varying definitions are used by International Organizations, Trade Unions and other interested groups. Further criteria of basis minimum age as well as wages are also not followed strictly. The age of working child is also not implemented in letters as well as spirits of Acts. A need of constant doesn't always specify what definition they are using, and that often leads to confusions.

It is necessary to enact laws in respect of welfare and to make provisions for effective enforcement of it and creating public opinion in its favor. Apart from this, public awareness through education, media and other means, political will and combined with efficient administration supports are needed to tackle the problem of children. Special Government machinery should be set up for eradication of the problems related to child labour and protection of their rights so that we can then better deal in life by providing them better citizens of our nation. It is an undisputed fact that the child of today will be the future of our country. As a child is not a vase to be filled, but a fire to be lit, they should not be exploited by engaging them in employment in all necessary amenities and support so that they become responsible citizens of the nation and make the world a happier place to live in.

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