

---

# A STUDY ON FORCED CHILD LABOUR AND ITS IMPACT IN TAMIL NADU

---

Hari Teja A.S, B.BA. L.LB, Saveetha School of Law, Saveetha Institute of Medical and Technical Sciences (SIMATS)

Dr. B. Lavaraju M.Com., LL.M., PhD, Associate Professor, Saveetha School of Law, Saveetha Institute of Medical and Technical Sciences (SIMATS)

## ABSTRACT:

Children in Indian society have always been content less spoken or bandied about. The reasons for the same can be traced back to the socio-artistic background of the country. In the world children are taken as the topmost gift to humanity. Nonage is an important stage of moral development as it holds the implicit to the future of any society. Children who are brought up in a terrain which is helpful to their intellectual, physical and social development will go on to be responsible and productive part of the society. Therefore every society links its future to the present status of its children. Moment child has been defined differently by different agencies as per their view and there's a veritably large gap and contradiction in these delineations. This paper attempts to summarize the different meanings of the word child and also give a brief overview of the magnitude of the issue from an Indian perspective. An attempt has been made to study the impact of forced child labour in our society. In this study the convenient sampling method is used in this study for collecting the samples. Samples are collected based on ease of availability of respondents. The independent variables used in this study are age, gender and occupation of the respondent. The study reveals that the issue of child labour is largely a pastoral miracle and it has significant gender counteraccusations. This confirms the well-heard review of civic bias in all special drives for backward population, furnishing the advantage to civic centers in terms of structure and force, better enforcement, and better monitoring of weal-policy measures.

**Keywords:** Child labour, Slavery, Factories Act, International Labour Organization, Child Labour (Prohibition & Regulation) Act.

**INTRODUCTION:**

Children in every society have always been taken as the topmost gift to humanity. Nonage is an important stage of moral development as it holds the implicit to the unborn development of any society. Children who are brought up in a terrain, which is helpful to their intellectual, physical and social development go on to be responsible and productive part of the society. However, we are overly reducing their present wealth or their unborn income earning capabilities, either by shrinking their unborn external choices or by reducing their unborn individual productive capabilities, If we're to engage the children into work when they're too youthful for the task. Generally it's said that due to profitable problems children are forced to antedate educational and other development openings and take up jobs which substantially exploit them as they're generally underpaid and engaged in dangerous conditions. Parents shoot their child for a job as a hopeless measure due to poor profitable conditions. It's thus no wonder that the poor homes represent the largest member contributor of child labour. One of the crucial aspects of child labour is that children are transferred to work at the expenditure of education. There's a strong effect of child labour on academy attendance rates and the length of a child's work day is equally associated with their capacity to attend academy. Child labour restricts the right of children to pierce and profit from education and denies the abecedarian occasion to attend academy. Child labour, therefore, prejudices children's education and also negatively affects their health and safety. International Labour Organization (ILO) countries, the term child labour is stylish defined as work that deprives children of their nonage, their implicit and their quality, and that's dangerous to their physical and internal development. It refers to work that's mentally, physically, socially or innocently dangerous and dangerous to children, or work whose schedule interferes with their capability to attend regular academy, or work that affects in any manner their capability to concentrate during academy or experience healthy nonage. i ILO countries that child labour may be defined in different ways, and different description would yield different estimates of child labour. According to ILO, children or adolescents who share in work that doesn't affect their health and particular development or intrude with their training, is not child labour; rather it may generally be regarded as being commodity positive. Similar inoffensive work includes conditioning similar as helping their parents at home, aiding family or earning fund plutocrat outside academy hours and on leaves. Similar kinds of conditioning may contribute to children's development by furnishing them with chops and experience, and help to prepare them to be productive members of society during their adult life.

The Child Labour (Prohibition & Regulation) Act, 1986 countries that employment in dangerous diligence is banned, Similar diligence are classified into 13 occupations and 57 processes. In the last 5 times, the number of dangerous processes listed in the schedule of the Act has increased from 18 to 57 and occupations from 7 to 13. Also as per Composition 24 of the Constitution, no child below the age of 14 is to be employed in any plant, mine or any dangerous employment. Further, Composition 39 calls for the States to direct its coverage closer to icing that the gentle age of kids isn't abused and that they may now no longer be compelled via means of worthwhile necessity to go into a vocation unsuited to their age or strength. Recently, with the insertion of Composition 21A, the State has been entrusted with the task of furnishing free and obligatory education to all the children in the age group of 6-14 times.

## OBJECTIVES

- To identify whether forced child labour a serious issue with respect to gender of the respondents.
- To analyse the main cause of forced child labour with respect to marital status of the respondents.
- To know whether people aware of practice of forced child labour in our society with respect to place of residence of the respondents.

## REVIEW OF LITERATURE:

**Ryan (1993)** As there are no national statistics on child labour, in his Article written that the estimates done by various studies have indicated that in India at least 55 million children between age of 5 to 14 years are working in hazardous conditions and working for 14-16 hours in a day. **Mustafa and Sharma, (1996)** “Child Rights: Everybody talks about and vet does not understand” Human Rights Year Book -.In this Article the Author has narrated the view that it is everybody’s responsibility to enrich the children’s life and start focusing on development of our children and nation starting from child rights which would go a long way for prosperity of our nation. **Burra (1997)** “Educating Exceptional Children-An Introduction to Special Education” In this book, the author has explained causes and effects of poverty, illiteracy. And how behavior of parents affects children and how they resort to doing offences. **Vankateswarlu (1998)** in his study found that the children are employed in developing countries like India, Pakistan, Bangladesh in occupations which do not come under government

regulation, such as Manufacturing of biddies, Leather products, Stone Carving , Textiles, Jewellery, Agriculture. **Misra (2003)** “Elements of Research Writing” Research methodology, objectives and characteristics of research, qualities a need of a good research, Problems in research, types of research; the author has analyzed the whole process of doing research in a very systematic way.

**Bhargava (2003)**, “All Human Rights are Fundamental Rights” This book gives us a detailed analysis of constitutional provisions and various provisions under international conventions. **International Labour Organisation**, (“World Day against Child Labour” New ILO1 Report, M2 Press wire, London, June 11, 2004), brought out the fact that the prevalence of child labour was strongly co-related with the average level of income in a society. Mere survival sometimes made it necessary for parents of poverty stricken families to send their children to work, and the survival strategy is the ‘push’ factor for child labour. Most children started work by helping their families, before they went out to work for others. **‘N. Gaur**, (M.Phil. Dissertation, Department of Economics, Punjabi University, Patiala, Punjab, 2004) **Socio-economic Profile of Female Child Labour in Punjab: A Case Study of Patiala City**” - highlighted the socio-economic profile of a female child labourers in Patiala district of Punjab State. She found that out of the total sample of 103 respondents, 90 respondents were domestic servants, out of these 90 domestic servants 57 were part-time workers and 33 were full-time workers. She examined that the girls working as full-time workers were enjoying better living conditions as they got good food to eat for three times a day and other facilities. **Sharma (2006)** “Juvenile Justice System” . This book has given a better and systematic explanation of the Juvenile Justice Act, 2000 and The Juvenile Justice (care and protection of children rules, 2007). **Parker (2007)** “Three Essays on Child Labour, Schooling outcomes and Health” - (Dissertation Abstracts, Iowa2 State University, Vol.68, No.07,) examined the interrelationships between child labour, schooling and health using representative data from the United States and from Brazil. She observed that in developing countries, child labour can begin at an early age. However, child labour can be found in developed countries as well, particularly in the teen-age years. She observed that U.S. child labour laws were not effectively enforced in limiting teen-age labour supply or in improving schooling outcomes.

**Niti Mehta (2007)** “Child labour in India: Extent and some Dimensions” (National Workshop on Socio-Economic issues in Child labour: Conference Proceeding, Mahatma Gandhi Labour Institute, Ahmedabad,) - found that illiteracy and deprivation were strongly associated with the problem of child labour. She suggested that proper implementation of poverty alleviation

programmes, creating avenues for productive employment, educating parents, improving literacy and framing a realistic policy on the part of the Government is required to tackle the problem of child labour. **Dr. N. L. Mitra** (Professor, National Law School of India University, Bangalore) 2010, "Juvenile Justice Law" In this Paper the Author explains the major changes brought about by the Juvenile Justice Act, 1986. Under this Act, offences such as Cruelty to Juvenile, using a child as a beggar, giving intoxicating or narcotic drugs to a juvenile, exploitation of a juvenile employee have been made as the punishable offences to protect children from exploitation and torture. As stated by the Author, even today, 25 percent of the prison population is composed of juvenile offenders; juvenile offenders stayed with the aged and hardened criminals, Juvenile Court and Board have not been consulted everywhere; Judges in such a Court are not properly trained in the correctional method of a treatment. **Mrs. Mina Kabir**, (2011) Human Rights Yearbook "The Rhetoric and Reality of Children's Rights". According to Author, laws, schemes, rules, conventions, remained only on print on pieces of paper, because they have not translated rhetoric into reality. In order to make "India fit for children" all members of society have to ensure that we will put children first, care for every child, and leave no child behind. **Deva (2011)** "Child Labour in India: An Overview" observed that the prevalence of child labour is one of the important problem confronting the world at large, especially developing countries such as India. They expressed the view that child labour is mainly necessitated by economic compulsions of the parents. The main reason which give rise to child labour is wide spread unemployment and underemployment among the adult poor strata of the population. They also observed that large families with low income are illiterate and ignorant about the importance of education as well as about the impact of labour on the health of their children. **P. Sathasivam**, Judge, Supreme Court of India; (2014) Human Rights Year Book "Child Sexual Abuse: The Road Forward" Human Rights Year Book. According to Author, the problem of child sexual abuse needs tremendous efforts from three functionaries of State, viz, Executive, Legislative and Judiciary.

**Parker** (M.Phil. Dissertation. Department of Correspondence Courses, Punjabi University, Patiala) "Child Labour in Punjab: A Case Study of Dhuri" examined the main problems and socio-economic conditions of child labour in small town Dhuri in district Sangrur of Punjab. She found that the majority of working children belonged to the 10-14 years age group. The medium size families most of them worked as regular full time and are earning between Rs.200 to 700 per month. As far as the religion of child workers is concerned, a sizable majority of them belong to Hindu religion, whereas Sikhs, Muslims and others are less. She gave

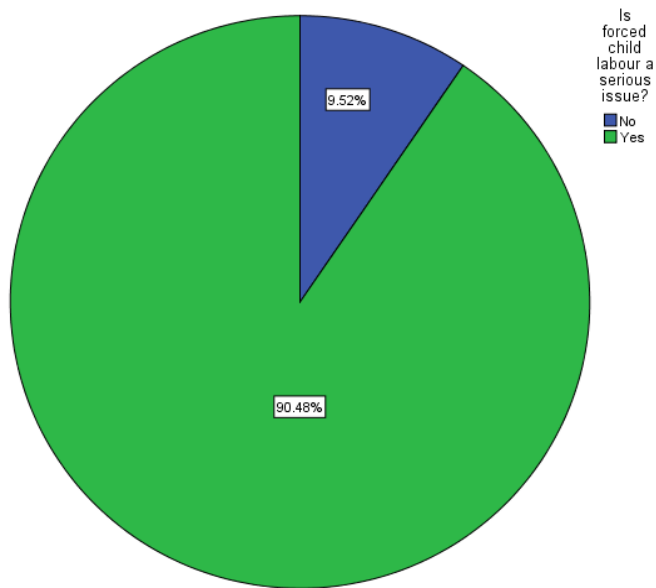
suggestions, proper implementation of poverty alleviation programmes, generating awareness among parents about the free and compulsory education provided by the Government, restricting the entry of children in labour marketing, strict enforcement of labour legislation to eradicate child labour. **Sanghera (2016)**, “Legal Education and Research Methodology” This book is a guiding lamp to all the legal research scholars. How to research legal material, how to write reports, such topics are explained very nicely and in easy language. **Jaekel et al.,(2021)**“Human Rights of Children in India”, Centum (Multi-Disciplinary Bi-Annual Research Journal) In this Article the Author has explained that for better future of our country it is everyone’s duty to strive for welfare of children and child education. **Yau et al., 2021**(Acting Chief Justice Delhi High Court,) (2021) Human Rights Yearbook “Role of the Judiciary in uprooting the social Malaise on child trafficking” The problem of child trafficking if cannot be eradicate totally, but it can be minimized if all of us work together, be it Police, bureaucracy or the Courts; one can visualize a better world for best future of our children. **Amit Kumar Roy, (2021)**. Human Rights Year Book “The Children’s and Human rights to Health, Access to Medicines and Drugs”, In this Article author explained hazardous effects of child labour on the health of such child workers.

## **METHODOLOGY**

The research method followed here is Empirical Research. A total of 210 samples have been collected of which all samples have been collected through convenient sampling methods. The sample frame taken here is public areas in and around Chennai, Tamil Nadu. The independent variables are Age, Gender, Education Qualification, Occupation, Marital Status and Place of Residence. The dependent variables are: Whether forced child labour a serious issue, The main cause of forced child labour, Level of agreeability towards steps to prevent forced child labour, Whether people aware of practice of forced child labour in our society and The level of satisfaction towards the laws implemented against child labour. The statistical tools used are Pie chart, Simple bar chart and Clustered bar chart.

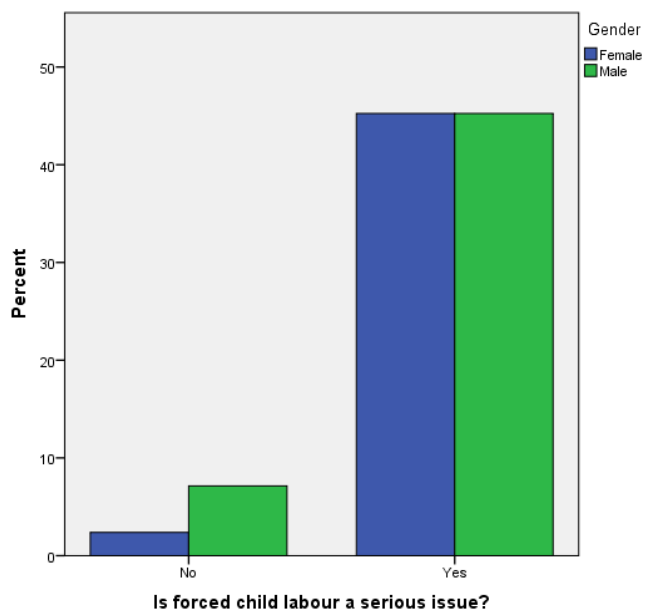
**ANALYSIS:**

**Figure-1**



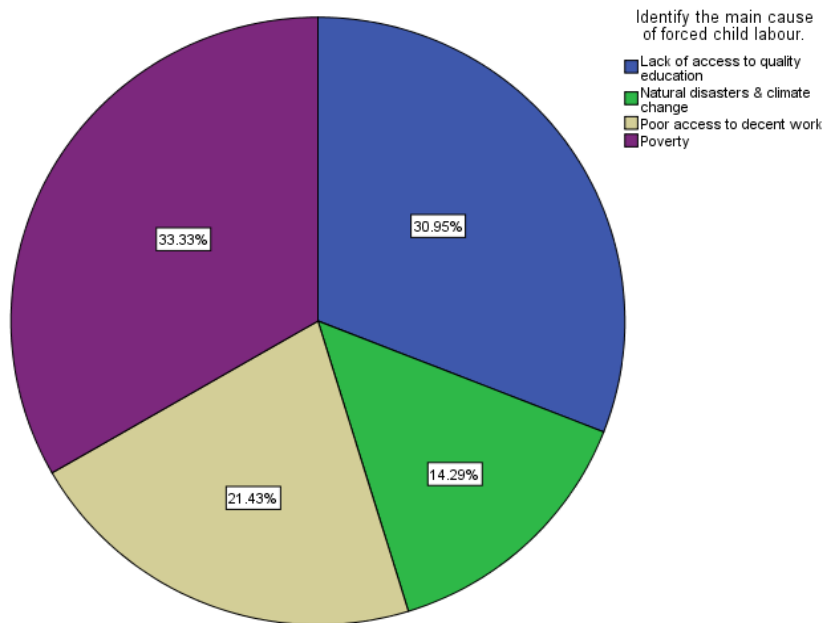
Legend: Figure-1 represents the pie chart of whether forced child labour a serious issue.

**Figure-2**



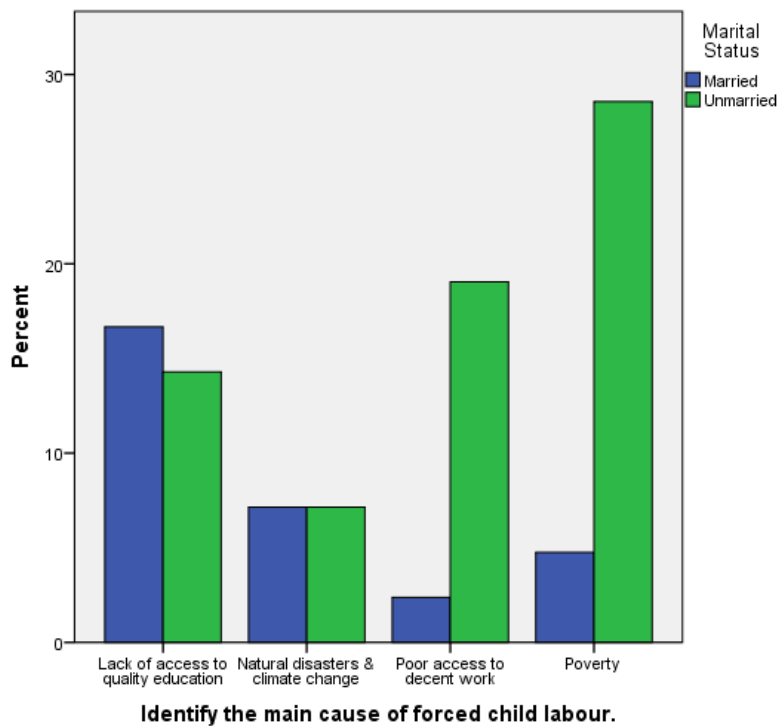
Legend: Figure-2 represents the gender with respect to whether forced child labour a serious issue.

Figure-3



Legend: Figure-3 represents the pie chart of the main cause of forced child labour.

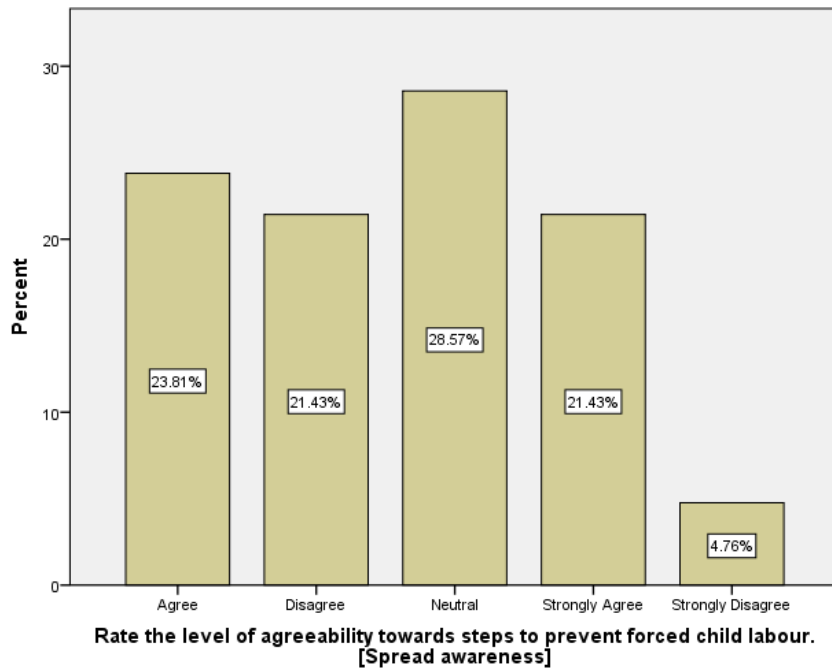
Figure-4



Legend: Figure-4 represents the marital status with respect to the main cause of forced child labour.

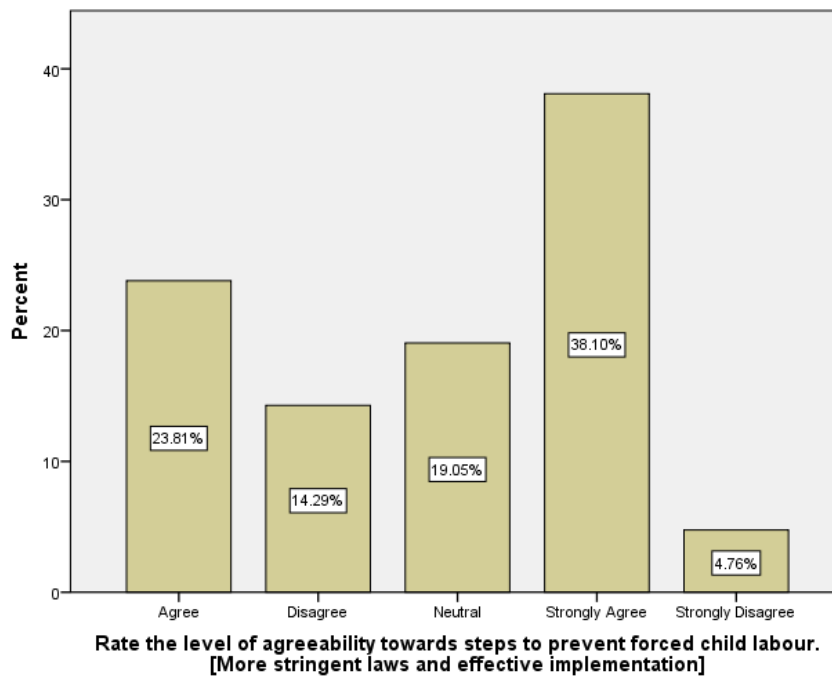


**Figure-5**



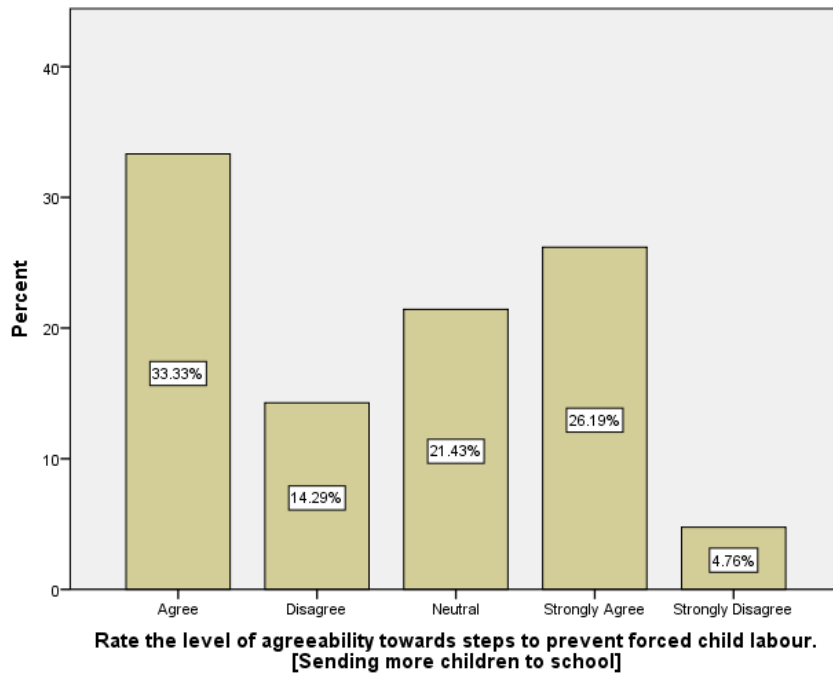
Legend: Figure-5 represents the bar chart of spreading awareness help to prevent forced child labour.

**Figure-6**



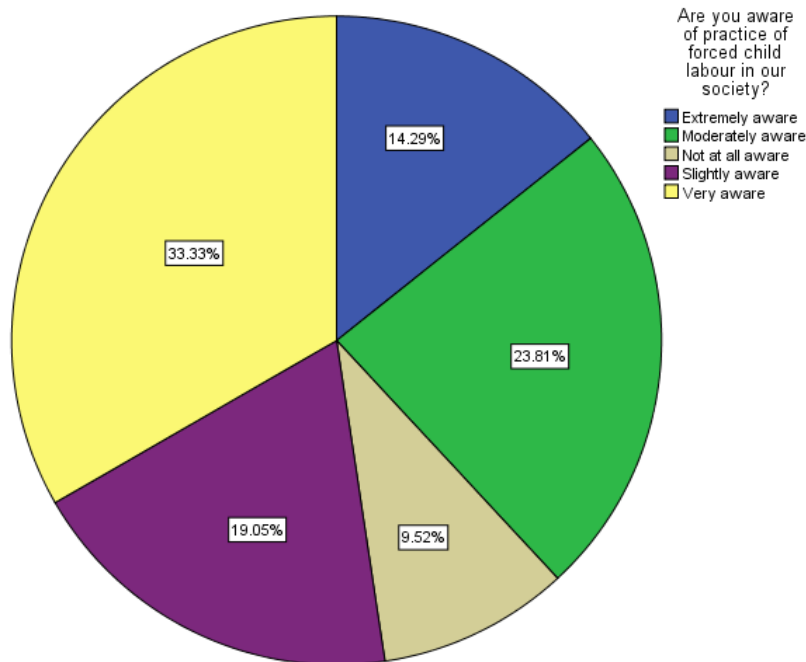
Legend: Figure-6 represents the bar chart of more stringent laws and effective implementation helps to prevent forced child labour.

Figure-7



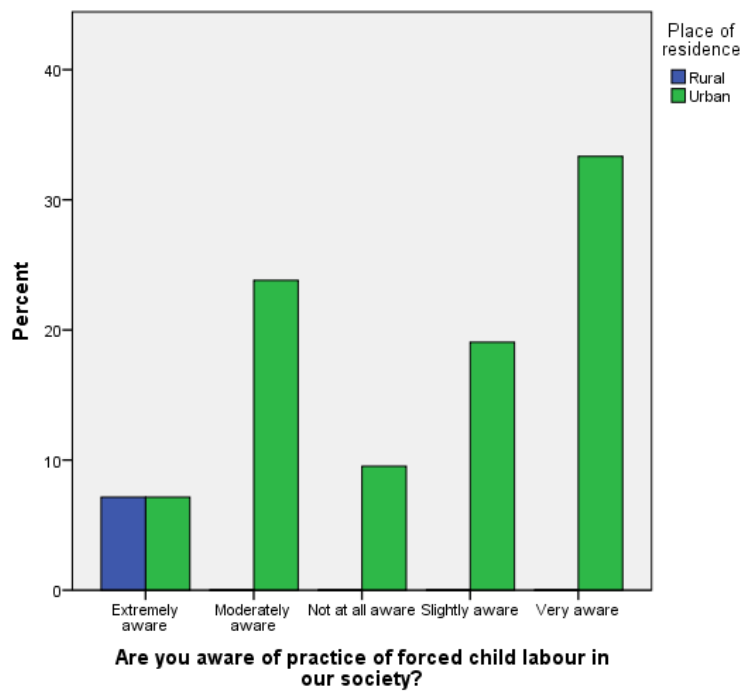
Legend: Figure-7 represents the bar chart of sending more children to school helps to prevent forced child labour.

Figure-8



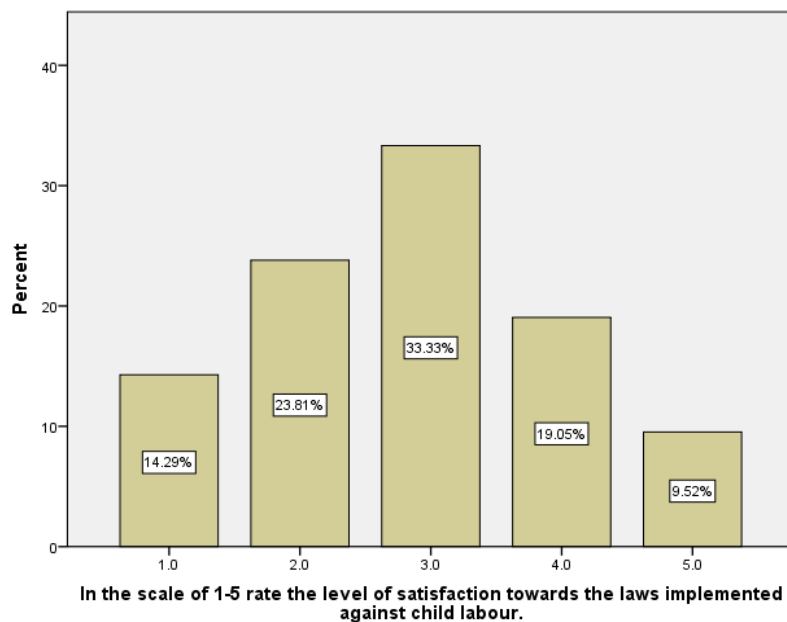
Legend: Figure-8 represents the pie chart of whether people aware of the practice of forced child labour in our society.

**Figure-9**



Legend: Figure-9 represents the place of residence with respect to whether people aware of the practice of forced child labour in our society.

**Figure-10**



Legend: Figure-10 represents the bar chart of the level of satisfaction towards the laws implemented against child labour.

## RESULTS

In **figure-1** 90% of the respondents have said that forced child labour is a serious issue. In **figure-2** most of the respondents are male and said that forced child labour is a serious issue. In **figure-3** 33% of the respondents have said that the main cause of forced child labour is poverty. In **Figure-4** most of the respondents are unmarried and have said that the main cause of forced child labour is poverty. In **figure-5** 28% of the respondents have neutrally agreed that spreading awareness helps to prevent forced child labour. In **figure-6** 38% of the respondents have strongly agreed that more stringent laws and effective implementation of laws helps to prevent forced child labour. In **figure-7** 34% of the respondents have agreed that sending more children to school helps to prevent forced child labour. In **figure-8** 33% of the respondents have said that they are very aware of forced child labour in our society. In **figure-9** most of the respondents are in urban areas and have said that they are very aware of forced child labour in our society. In **figure-10** 34% of the respondents are moderately satisfied towards towards the laws implemented against child labour.

## DISCUSSION

This analysis shows that poverty and lack of access to quality education are the main causes of forced child labour (**figure-3**). The younger generation and males (**figure-2**) are well aware of forced child labour and its impact, in that the undergraduates and students are well aware of forced child labour and its impact and people who are married (**figure-4**) and in urban areas (**figure-9**) are also well aware of forced child labour and its impact. The respondents have said that they are aware of practice of forced child labour in our society (**figure-8**) and it is a serious issue (**figure-1**). And they have said that spreading awareness (**figure-5**), more stringent laws and effective implementation (**figure-6**) and sending more children to school (**figure-7**) are the important steps to prevent forced child labour. And also said that they are moderately satisfied towards the laws implemented against child labour (**figure-10**).

## LIMITATIONS

One of the major limitations of the study in the sample frame. There is a major constraint in the sample frame as it is limited to a small area. Thus, it proves to be difficult to extrapolate it to a larger population. Another limitation is the sample size of 200 which cannot be used to assume the thinking of the entire population in a particular country, state, or city. The physical factors have a larger impact, thus limiting the study.

## CONCLUSION

The study reveals that the issue of child labour is largely a pastoral miracle and it has significant gender counteraccusations. This confirms the well-heard review of civic bias in all special drives for backward population, furnishing the advantage to civic centers in terms of structure and force, better enforcement, and better monitoring of weal-policy measures. However, special attention should be given to the pastoral areas with lesser participation from original people, implicit heirs, if the overall frequency of social justice is to be assured. The pattern of child employment in colorful diligence reveals the failure of legal ways towards guarding them from occupational hazards. The determinant analysis shows strong positive effect of maternal education as well as income in reducing prevalence of child labour and powerhouse. This suggests the need of a combined measures, better ménage substance with advanced adult education, for a strategy to be effective for the endless result of the problem. These must include, for illustration, nonstop trouble of adult knowledge juggernauts like Sarva Siksha Abhijan, that increase social mindfulness, especially of the adult lady as well as employment generation schemes, like National Rural Employment Guarantee Scheme (NREGA), that lead to empowering the poor. Also, picky policy measures for the nonage population should be continued to break the problem permanently.

## REFERENCES

- Acevedo, I. *et al.* (2021) 'Informality in the time of COVID-19 in Latin America: Implications and policy options', *PloS one*, 16(12), p. e0261277.
- Bhargava, G. (2003) *Child Labour*. Gyan Publishing House.
- Burra, N. (1997) *Born to Work: Child Labour in India*. Oxford University Press, USA.
- Deva, S. (2011) 'Child labour\*', *The Role of Labour Standards in Development*. doi: 10.5871/bacad/9780197264911.003.0008.
- Hindman, H. D. and Hindman, H. (2014) *The World of Child Labor: An Historical and Regional Survey*. Routledge.
- Jaekel, J. *et al.* (2021) 'Mathematical performance in childhood and early adult outcomes after very preterm birth: an individual participant data meta-analysis', *Developmental medicine and child neurology*. doi: 10.1111/dmcn.15132.
- Kwan, A., Morris, J. and Barbic, S. P. (2021) 'Protocol: A mixed methods evaluation of an IPS program to increase employment and well-being for people with long-term experience of complex barriers in Vancouver's downtown and DTES', *PloS one*, 16(12), p. e0261415.
- Misra, R. N. (2003) *Child Labour in Hazardous Sectors*. Discovery Publishing House.
- Mustafa, M. and Sharma, O. (1996) *Child Labour in India: A Bitter Truth*. Deep and Deep Publications.
- Office, I. L. and International Labour Office (no date a) 'Child labour and economic vulnerability: Poverty and shocks as determinants of child labour', *World Report on Child Labour: Economic vulnerability, social protection and the fight against child labour*, pp. 11–25. doi: 10.5848/ilo.978-9-221262-35-0\_4.
- Office, I. L. and International Labour Office (no date b) 'Child labour and social protection: International standards, concepts and policy frameworks', *World Report on Child Labour: Economic vulnerability, social protection and the fight against child labour*, pp. 3–10. doi: 10.5848/ilo.978-9-221262-35-0\_3.
- Office, I. L. and International Labour Office (no date c) 'Looking forward: Mainstreaming child labour concerns into child-sensitive social security systems', *World Report on Child Labour: Economic vulnerability, social protection and the fight against child labour*, pp. 55–62. doi: 10.5848/ilo.978-9-221262-35-0\_6.
- Office, I. L. and International Labour Office (no date d) 'Preliminary Material', *World Report on Child Labour: Economic vulnerability, social protection and the fight*

*against child labour*, pp. i–xxiii. doi: 10.5848/ilo.978-9-221262-35-0\_1.

- Office, I. L. and International Labour Office (no date e) ‘Social protection as a policy response to child labour: A review of evidence from impact evaluations’, *World Report on Child Labour: Economic vulnerability, social protection and the fight against child labour*, pp. 27–54. doi: 10.5848/ilo.978-9-221262-35-0\_5.
- Office, I. L. and International Labour Office (no date f) ‘Supplementary Material’, *World Report on Child Labour: Economic vulnerability, social protection and the fight against child labour*, pp. 64–78. doi: 10.5848/ilo.978-9-221262-35-0\_7.
- Parker, D. (2016) ‘P070 A public health perspective on child labour’, *Child labour*. doi: 10.1136/oemed-2016-103951.392.
- Post, D. (2010) ‘The child labour–education–health connection’, *Child Labour: A Public Health Perspective*, pp. 55–68. doi: 10.1093/acprof:oso/9780199558582.003.0005.
- Sanghera, G. S. (2016) *Child Labour in India: Globalization, Power, and the Politics of International Children’s Rights*. Oxford University Press, USA.
- Sharma, U. (2006) *Child Labour in India*. Mittal Publications.
- Yau, T. *et al.* (2021) ‘Nivolumab versus sorafenib in advanced hepatocellular carcinoma (CheckMate 459): a randomized, multicentre, open-label, phase 3 trial’, *The lancet oncology*. doi: 10.1016/S1470-2045(21)00604-5.