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❖ **What is the definition of 'child labour'?**

The Child Labour (Prohibition and Regulation) Act, 1986 defines a child as any person who has not completed his fourteenth year of age. Part II of the act prohibits children from working in any occupation listed in Part A of the Schedule, which include among others, domestic work, dhabas & hotels, catering at railway establishments, construction work on the railway or anywhere near the tracks, plastics factories and automobile garages. The act also prohibits children from working in places where certain processes are being undertaken, as listed in Part B of the Schedule, which include among others, beedi making, tanning, soap manufacture, brick kilns and roof tiles units. These provisions do not apply to a workshop where the occupier is working with the help of his family or in a government recognised or aided school.

(Source: <http://labour.nic.in/cw/ChildLabour.html> )

According to International labour Organization (ILO), 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 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.

(Source: <http://www.ilo.org/ipec/facts/lang--en/index.htm> )

❖ **What are the child labour statistics in the country?**

According to 2001 Census, India has 12,666,377 (12.6 million) child labourers. This official figure makes India home to the largest number of child labourers under the age of 14 in the world. These children are employed in many industries and trades, including garments, footwear, brick kilns, stainless steel, hotels, and textile shops. Many work in export-oriented hazardous industries like carpet weaving, gem polishing, glass blowing, match works, brassware, electro-plating, lead mining, stone quarrying, lock making and beedi rolling (indigenous cigarette in which tobacco is rolled in a tendu leaf).

Nearly 85 per cent of child labourers in India are hard to reach, invisible and excluded, as they work largely in the unorganised sector, both rural and urban, within the family or in household-based units, which are generally out of the purview of labour laws.

(Source: <http://labour.nic.in/cwl/ChildLabour.htm> )

❖ **What are the activities/processes children are engaged in Jharkhand**

The forms of child labour seen in Jharkhand include agriculture-related work, cattle herding, girl child taking care of siblings in their own homes, girl child taking care of household chores in a rural setting, tendu leaves plucking, stone breaking, doing various jobs at small tea stalls and roadside dhabas, assisting at wine shops, working as cleaners in small hotels, assisting at scooter repair shops, doing tinkering and welding jobs in auto industry, girl child working as domestic help, tribal child collecting forest produces, helping in small shops, selling items on the street, rag picking, and working in roof tiles industry, brick making, automotive garages, slate quarries, building construction, road construction, beedi industry, mines, etc.

❖ **What are the consequences of child labour?**

According to ILO:

Children are exposed to accidental and other injuries at work. They should, thus, be protected to prevent social, economic and physical harm, which persist to affect them during their lifetime. Such injuries include<sup>1</sup>:

- General child injuries and abuses like cuts, burns and lacerations, fractures, tiredness and dizziness, excessive fears and nightmares
- Sexual abuse, particularly sexual exploitation of girls by adults, rape, prostitution, early and unwanted pregnancy, abortion, sexually transmitted diseases (STDs) and HIV/AIDS, drugs and alcoholism
- Physical abuse that involve corporal punishment, emotional maltreatment such as blaming, belittling, verbal attacks, rejection, humiliation and bad remarks
- Emotional neglect such as deprivation of family love and affection, resulting in loneliness and hopelessness
- Physical neglect like lack of adequate provision of food, clothing, shelter and medical treatment
- Lack of schooling results in missing educational qualifications and higher skills, thus perpetuating their life in poverty
- Competition of children with adult workers leads to depressing wages and salaries

Apart from the above, lack of opportunity for higher education for older children deprives the nation of developing higher skills and technological capabilities that are required for economic development/transformation to attain higher income and better standards of living.

Source:

[http://www.ilo.org/ipec/Regionsandcountries/Africa/WCMS\\_101161/lang--en/index.htm](http://www.ilo.org/ipec/Regionsandcountries/Africa/WCMS_101161/lang--en/index.htm)

❖ **What are hazards and risks?**

When discussing hazards, it is important to understand the distinction between hazard and risk. A 'hazard' is anything with the potential to do harm. A 'risk' is the likelihood of potential harm from that hazard being realised. For example, the hazard associated with machinery might be getting trapped or entangled by moving parts. The risk may be high if guards are not fitted and workers are in close proximity to the machine. If the machine is properly guarded, regularly maintained and repaired by competent staff, then the risk will be lower.

(Source: <http://www.ilo.org/ipec/facts/WorstFormsofChildLabour/Hazardouschildlabour/lang--en/index.htm> )

❖ **What are the hazardous and non-hazardous jobs in child labour?**

The Child Labour (Prohibition and Regulation) Act, 1986, in a Schedule list mentions the hazardous occupations and processes. The hazardous occupations and processes are prohibited and those occupations and processes not in the Schedule list are to be regulated. ([The Schedule list](#))



❖ **What are the worst working situations for children?**

According to ILO Convention 182 (Article 3), the worst form of child labour comprises:

- a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict

- b) the use, procuring, or offering of a child for prostitution, for the production of pornography, or for pornographic performances
- c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties
- d) work that, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children

(Source:

<http://www.ilo.org/public/english/standards/relm/ilc/ilc87/com-chic.htm>)

#### ❖ **What are the rights of children?**

The UNICEF Convention on the Rights of the Child (CRC) confers the following rights upon all children across the world:

- The right to survival - to life, health, nutrition, name and nationality
- The right to development - to education, care, leisure, recreation
- The right to protection - from exploitation, abuse, neglect
- The right to participation - for expression, information, thought and religion

A National Charter for Children, 2003, emphasised Government of India's commitment to children's right to

- survival
- health and nutrition
- standard of living
- play and leisure
- early childhood care
- education
- equality
- life and liberty
- name and nationality

- freedom of expression
- freedom of association and peaceful assembly
- a family
- be protected from economic exploitation

Special mention was made about protection of rights and dignity of the girl child and protection of the girl child. ([http://www.ncpcr.gov.in/child\\_rights.htm](http://www.ncpcr.gov.in/child_rights.htm))

❖ **What are the constitutional provisions against child labour in the country?**

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

Article 24 - Prohibition of employment of children in factories, etc.: No child below the age of 14 years shall be employed in work in any factory or mine or engaged in any other hazardous employment.

Article 39 - 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.

(Source : <http://labour.nic.in/cwl/childlabour.htm>)

❖ **What is the Child Labour (Prohibition & Regulation) Act?**

Child Labour (Prohibition & Regulation) Act, 1986, was the culmination of efforts and ideas that emerged from the deliberations and recommendations of various committees on child labour. Significant among them are National Commission on Labour (1966-69), Gurupadaswamy Committee on Child Labour (1979), and Sanat Mehta Committee (1984).

The basic objective of the Child Labour (Prohibition & Regulation) Act, 1986, is to ban employment of children below the age of 14 years in factories, mines and

hazardous employments, and to regulate the working conditions of children in other employments.

(Source: <http://www.tnchildlabour.tn.gov.in/prohibition.htm>)

**❖ What is the nature of punishment for the offender found guilty of employing a child?**

Any person who employs any child in contravention of the provisions of Section 3 of the Act is liable for punishment with imprisonment for a term which shall not be less than three months but which may extend to one year, or with fine which shall not be less than Rs 10,000 but which may extend to Rs 20,000, or both (Section 14 of the Child Labour (Prohibition and Regulation) Act, 1986).

(Source: <http://labour.nic.in/cwl/childlabour.htm>)

**❖ In the government, which is the implementing/enforcement department?**

The Department of Labour, Employment and Training has set up a Child Labour Commission (CLC) that deals with all issues of child labour. An enforcement directorate under the CLC carries out the task of inspection, listing and rescuing.