

Topic of the week for discussion: 14th to 20th May 2015

Topic: Child Labour: An endemic in India

“There can be no keener revelation of a society’s soul than the way in which it treats its children.”

- Nelson Mandela

But Child labour in India is an accepted endemic reality keeping in view the socio economic condition of our nation, where a total of 12.6 million children under the in the age of 5-14 are working as child labour.

Although the Union cabinet of India approved the amendments to the Child Labour (Prohibition & Regulation) Act, 1986, in 2012 and various child right organizations are harping on a complete and holistic ban on all forms of child labor, only on 13th May 2015 these amendments took the form of a law but not in its complete sense.

This law enforces:

A complete ban on employment of children below 14 years in all kinds of commercial enterprises and a ban on employment of adolescents (14 to 18 years) in hazardous occupations and processes like chemicals and mines.

Anyone employing a child below 14 years of age attracts a maximum jail term of three years, and a fine of up to Rs. 50,000.

But the law exempts:

Children working as artists in audio-visual entertainment industry, including advertisement, films, television serials or any such other entertainment or sports activities, except the circus, provided that such work does not affect the school education.

Critical Analysis:

The term “child labor” is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical-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.

While child rights activists had pushed for a complete ban on child labour, the government clarified that it did not want to change a system where children learn several occupations from their parents.



Topic
Introduction

“In a large number of families, children help their parents in their occupations like agriculture, artisanship, etc. and while helping the parents, children also learn the basics of occupations.” Therefore, it said the amendment sought to strike a balance between the need for education for a child and the reality of the socio-economic conditions.

Child rights activists had argued that the definition of family enterprises can include matchbox making, carpet weaving and gem polishing industries where child labour is in high demand. They have also argued that the new norms can be used to deny education to the girl child who will be stuck with household work.

Ironically, the definition and issues of child labor aren't simplistic. Like onion peels, there are various layers of issues underlying one another; the first being poverty as an apparent and immediate reason to push the child to labor instead of encouraging him/her to school, and the others, beneath the umbrella of poverty, are lack of education (which forms a vicious circle with poverty), socio economic set up and mind set of employers and parents.

Moreover, the difficulty to trace child labor, as at times it may not be that visible and apparent, is a major challenge. Another challenge is lack of enforcement, albeit the presence of rules and regulation. Although the law has been made, even now, one wonders, will the issue of child labour really end?

It is apparent that such a law will help, but to oust a deep-rooted social evil requires much more than that. A good law needs to be backed by an effective implementing authority, appropriate measures to eliminate major causes of the issue, and a drive towards changing the peoples' mindsets so that all factors promoting/aiding child labour can be reduced and removed.

Read further:

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3425238/>

<http://bba.org.in/?q=content/india-moves-ban-all-forms-child-labour>

<http://economictimes.indiatimes.com/news/economy/policy/cabinet-approves-changes-to-child-labour-laws/articleshow/47267624.cms>

<http://www.thealternative.in/society/child-labour-an-accepted-endemic-reality-in-india/>