

Child and Adolescent Labour Issues:

Children need to grow in an environment that enables them to lead a life of freedom and dignity. Opportunities of education and training are to be provided for them to grow into worthy citizens. Unfortunately, a large proportion of children are deprived of their basic rights. They are found working in various sectors of the economy particularly in the MSMEs and unorganized sector. Article 24 of our Constitution prohibits the employment of Children in factories etc. Government of India is committed to the eradication of child labour. To this effect, 'The Child and Adolescent Labour (Prohibition & Regulation) Act, 1986' was enacted with its subsequent Amendment in 2016.

Definition of a Child

Article 1 of The United Nations Convention on the Rights of the Child defines a child as anyone below the age of eighteen years. The Child Labour (Prohibition and Regulation) Act, 1986 defines a child as "a person who has not completed his fourteenth year of age."

Meaning of Child Labour

'Child labour' is defined as any work within or outside the family that involves time, energy, commitment, which affects the ability of a child to participate in leisure, play and educational activities. Such work impairs the health and development of a child. According to the International Labour Organization, "child labour includes children pre-maturely leading adult lives, working long hours for low wages under conditions damaging to their health and to their physical and mental development." They are often separated from their families and deprived of meaningful education and training opportunities that would offer them a better future

All children in the age group of 6-14 years, who should actually be in school but are out of school, are deemed to be actual or potential child labourers. Child labour in India is much of a rural phenomenon than urban. 90.87 per cent of the working children were found to be in the rural areas and 9.18 per cent were in the urban areas.

Adverse Effects of Child Labour on the Health of Children

Children work for long hours often in dangerous and unhealthy conditions and are exposed to lasting physical and psychological harm. They tend to develop

- Respiratory problems such as asthma, tuberculosis
- General weakness, stunted growth, body ache and joint pains
- Poor eyesight and other eye problems such as watering, irritation and reddening of eyes
- Loss of appetite
- Tumours and burns
- Disability by working on looms
- Susceptibility to arthritis as they grow older
- Mental disabilities

Salient Features of the Child Labour (Prohibition and Regulation) Act, 1986:

- ✦ Prohibits/bans the employment of any person who has not completed his fourteenth year of age in occupations and processes enlisted in Part A and B of the Schedule of the Act.
- ✦ Lays down a procedure to decide modifications to the Schedule of banned occupations or processes
- ✦ Regulates conditions of work where children are not prohibited from working
- ✦ Lays down enhanced penalties for employment of children in violation of the provisions of the Act and other Act s Section 14 of the Act provides for punishment up to 1 year (minimum being three months) or with fine up to Rs. 20,000/- (minimum being ten thousand) or with both, to one who employs or permits any child to work in contravention of provisions in Section 3 Children employed in occupations and processes, not banned by the Act are regulated by the following provisions:
 - A child shall not be required to work for more than six hours a day which shall be inclusive of his/her half an hour break.
 - No child shall be permitted or required to work between 7 p.m and 8 a.m.
 - No child shall be required or permitted to work overtime.
 - Every child shall get a weekly off.

There is an obligation on the part of the employer to furnish information to the inspector regarding the employment of child ren. It is mandatory for the employer to maintain a register on this matter.