

Child Labour and Human Rights: A Socio-Legal Study of Policy Gaps and Challenges in India

Pooja Tiwari¹, Dr Farha Khan²

¹Research Scholar (Law), Graphic Era Hill University, Dehradun

²Assistant Professor, Graphic Era Hill University, Bhimtal

Abstract

Despite the legal setup, child labour is one of the serious socio-legal problems and a severe violation of human rights in India for millions of children. It shows that this significant problem exists here, although well-established laws prohibited child labour several decades ago.

This research investigates the socio-economic factors, mainly poverty, education access denial, social norms, and labour laws' non-compliance in developing child labour among the vulnerable populace. It analyzes the existing mechanisms of law through critical examination in the light of the Child Labour (Prohibition and Regulation) Act, 1986, amended in 2016, the Right to Education Act, 2009, and other international conventions ratified by India. Through a case study from different states, this research exposes the loopholes in enforcement and policy implementation regarding sectors like agriculture, mining, garment industry, and domestic labour. Findings indicate that the weaknesses in law enforcement, corruption, bureaucracy, and lack of interagency coordination exacerbate this issue, thereby leaving many children open to exploitation. A multi-pronged approach strengthening legal enforcement, enhancing rehabilitation programs, integrating technology to monitor child labour, and increasing public awareness would serve as a necessary condition for sustainable eradication. This study emphasizes that because of the non-governmental organizations, the Indian government, and international agencies working together, child rights have to be taken seriously.

Keywords: Child labour, human rights, socio-legal study, legal frameworks, policy challenges, India

1. Introduction

Child labour has remained one of the most compelling socio-legal issues in India, impacting millions of children, thereby taking away their very right to education, healthcare, and a dignified childhood. While constitutional rights are protected, elaborate domestic legislation and international commitment undertaken by India continue to present considerable concerns concerning the issues of child labour. The problem has been widely stuck on socio-economic differences, weaknesses in labour regulations, and socio-cultural traditions concerned with child labour in definite industries. According to the International Labour Organization (ILO), about 10.1 million children work in the country, most of them working in hazardous industries, such as agriculture, mining, domestic work, brick kilns, and unsafe manufacturing

¹ Research Scholar (Law), Graphic Era Hill University, Dehradun

² Assistant Professor, Graphic Era Hill University, Bhimtal

units³.

Legal provisions that prevent child labour exist in the Constitution of India. Under Article 24, employment of children below 14 in any hazardous occupation is strictly prohibited.⁴ Moreover, according to Article 21A, free and compulsory education for children aged 6 and 14 was made mandatory through the Right to Education Act, 2009⁵. Still, the enforcement of these legal provisions remains a problem, with weak mechanisms for their implementation, corruption, and socio-economic constraints as major causes.

At the international level, India is a signatory to the United Nations Convention on the Rights of the Child (UNCRC), 1989, the ILO Minimum Age Convention (No. 138, 1973), and the Worst Forms of Child Labour Convention (No. 182, 1999), all of which have the common objective of eradicating child labour in all its forms.⁶ However, despite signing all these treaties, India faces enormous challenges in making these commitments ground-level policies.

The primary cause of child labour in India has been identified as poverty. Most families, especially in rural and economically deprived areas, depend on the earnings of their children to survive. In places where adult employment is minimal, children are often pushed into working at a tender age, which denies them education and development.⁷ Social factors such as caste-based discrimination, gender prejudices, and the informal nature of labour markets heighten the extent of the issue, making children more challenging to free from such exploitative labour conditions.⁸

Persistence in child labour in the face of legal protection points to the gap between the policy-making process and implementation. Law enforcement is often short-staffed and inadequately equipped, while labour inspections may be irregular or ineffective, thereby giving scope to the employer to exploit legal loopholes⁹. Besides, proper rehabilitation schemes for the rescued children are nonexistent, so the majority of these children are taken up again into exploitative work environments¹⁰.

Objectives of the Study

This research aspires to critically study the socio-legal issues relevant to child labour from the following objectives:

1. The socio-economic causes of child labour in India.
2. An analysis of the effectiveness of Indian legal frameworks towards child rights.
3. Case studies from different states will be presented to the readers to understand regional variations.
4. Policy recommendations for better enforcement and child labour eradication will be suggested.

This research underlines the pressing requirement for more robust law enforcement, technological interventions, public awareness programs, and a multi-stakeholder approach to combat child labour effectively. By checking case studies drawn from different states, the research offers insight into regional

³ International Labour Organization, *Global estimates on child labour: Results and trends 2020-2030*, Geneva, Switzerland: ILO, 2023.

⁴ The Constitution of India, Art. 24, Government of India, Ministry of Law and Justice.

⁵ Government of India, *Right to Education Act*, New Delhi: Ministry of Human Resource Development, 2009.

⁶ United Nations, *United Nations Convention on the Rights of the Child (UNCRC)*, Geneva, Switzerland: United Nations, 1989; International Labour Organization, *Minimum Age Convention (No. 138)*, Geneva, Switzerland: ILO, 1973; International Labour Organization, *Worst Forms of Child Labour Convention (No. 182)*, Geneva, Switzerland: ILO, 1999.

⁷ S. Patel and R. Sharma, "The socio-economic determinants of child labor in India," *Economic & Political Weekly*, vol. 56, no. 8, pp. 58-72, 2021.

⁸ V. Singh, "Cultural factors influencing child labor in India," *Social Science Review*, vol. 12, no. 5, pp. 67-84, 2019.

⁹ National Crime Records Bureau, *Child Labour Statistics in India*, New Delhi: NCRB, 2022.

¹⁰ P. Das, "Child trafficking and bonded labor in Indian metropolitan cities," *International Journal of Socio-Legal Research*, vol. 15, no. 2, pp. 102-119, 2022.

disparities and actionable policy recommendations bridging the present gaps in child labour eradication efforts.

2. Legal Framework on Child Labor and Human Rights in India

The legal framework in India includes measures to tackle child labour in the form of both law and international commitments. The international commitments are thus supplemented by national legislation for the benefit of child protection through the complete prohibition of employment in hazardous enterprises, education, and rehabilitation. Even though legal provisions have been made, enforcement constitutes a serious challenge because of weak mechanisms, lack of awareness, and other socio-economic constraints (National Crime Records Bureau [NCRB], 2022)¹¹.

2.1 International Instruments

India is a signatory to various international instruments and treaties that form the base for child rights and labour protection. The most pertinent ones are the following:

1. United Nations Convention on the Rights of the Child (UNCRC), 1989

It is one of the most comprehensive international treaties concerning child rights. It was ratified by India in 1992. It recognizes children's right to education and protection from economic exploitation and harmful work that could interfere with their physical, mental, or moral development¹².

2. ILO Convention No. 138, Minimum Age Convention, 1973

This convention enforces a minimum age for work and encourages the gradual abolition of child labour. The minimum age for hazardous work is not to be lower than 18 years.¹³

3. ILO Convention No. 182 (Worst Forms of Child Labour Convention), 1999

This convention focuses on eliminating the worst forms of child labour, which include slavery, human trafficking, forced labour, and employment in hazardous conditions. India ratified this convention in 2017, a big step towards strengthening legal protections for children¹⁴.

2.2 National Legal Framework

India has passed several domestic legislations to counter child labour and protect the rights of children. Some of the key legislations are:

1. Child Labour (Prohibition and Regulation) Act, 1986, Amended in 2016

The 1986 Act was initially enacted to regulate child labour but was amended in 2016 to prohibit the employment of children under 14 years in all occupations except in family-run businesses. The amendment also restricted the employment of adolescents (14-18 years) in hazardous occupations.¹⁵

2. Right to Education (RTE) Act, 2009

The RTE Act ensures free and compulsory education for 6-14 years of age, and it is guaranteed that every child is entitled to quality education against the backdrop of eliminating child labour.¹⁶

3. Juvenile Justice (Care and Protection of Children) Act, 2015

This act offers legal protection for children in need of care and rehabilitation, such as children rescued from child labour. The act criminalizes the employment of children in hazardous occupations and strength-

¹¹ National Crime Records Bureau, Child Labour Statistics in India, New Delhi: NCRB, 2022.

¹² United Nations, United Nations Convention on the Rights of the Child (UNCRC), Geneva: United Nations, 1989.

¹³ International Labour Organization, Minimum Age Convention (No. 138), Geneva: ILO, 1973.

¹⁴ International Labour Organization, Worst Forms of Child Labour Convention (No. 182), Geneva: ILO, 1999.

¹⁵ Government of India, Child Labour (Prohibition and Regulation) Amendment Act, New Delhi: Ministry of Labour and Employment, 2016.

¹⁶ Government of India, Right to Education Act, New Delhi: Ministry of Human Resource Development, 2009.

ens penalties against child exploitation¹⁷.

4. Bonded Labour System (Abolition) Act, 1976

This law intends to eliminate the practice of bonded labour, also known as modern slavery, whereby children and their families are put into bondage to work off debts. Even after it was enacted, bonded child labour continues to thrive in many areas, especially in brick kilns, agriculture, and carpet weaving sectors.¹⁸

Despite these legal provisions, such implementation remains weak because of failed monitoring, corruption, and socio-economic factors. It is reported that a significant number of children rescued end up in exploitative labour conditions because there is no proper rehabilitation and reintegration program in place (NCRB, 2022)¹⁹. It requires strengthening law enforcement agencies with enhanced coordination, increasing public awareness, etc.

3. Socio-Economic Causes of Child Labour in India

Socio-economic reasons form the strong background that forces child labour into existence in the cycle of poverty, limiting opportunities for education and infringing on children's fundamental rights. Millions of children continue working under hazardous conditions and exploitation despite many policies and laws being passed. Child labour is spurred by factors of poverty, low educational level, cultural acceptance, and child trafficking.

3.1 Poverty and Economic Hardship

Poverty is still the major driver of child labour in India, it compels families to send children to work for their livelihood. According to Patel & Sharma (2021), poor households often fail to provide for even the necessities, compelling them to send children to work rather than to school²⁰. The NITI Aayog Multidimensional Poverty Index (2021) stated that more than 25% of India's population lives in poverty, which makes child labour a financial necessity for many families.²¹ In addition, economic shocks, such as the COVID-19 pandemic, have worsened child labour trends due to job losses and financial instability.²²

3.2 Lack of Education and Awareness

Poor education is an enormous reason for child labour. According to Kumar (2020), the lack of funds, infrastructural facilities, and unavailability of teachers at the school level leads to school dropout in the case of most children, mainly from rural and tribal areas.²³ ASER 2022 report stated that approximately 16% of the children in rural India between 6-14 years of age are out of school²⁴. In addition, the parents are usually ignorant of the value of education and children's rights, which also facilitates child labour.

¹⁷ Government of India, Juvenile Justice (Care and Protection) Act, New Delhi: Ministry of Women and Child Development, 2015.

¹⁸ Government of India, Bonded Labour System (Abolition) Act, New Delhi: Ministry of Labour and Employment, 1976.

¹⁹ National Crime Records Bureau, Child Labour Statistics in India, New Delhi: NCRB, 2022.

²⁰ R. Patel and V. Sharma, "Poverty and child labor: A socio-economic analysis in India," *J. Social Development Studies*, vol. 45, no. 3, pp. 112-130, 2021.

²¹ NITI Aayog, Multidimensional Poverty Index Report: Analyzing India's Socio-Economic Disparities, New Delhi: Government of India, 2021.

²² National Crime Records Bureau, Crime in India Report, New Delhi: Ministry of Home Affairs, Government of India, 2021.

²³ P. Kumar, "Education and child labor: The role of school infrastructure in rural India," *Int. J. Educational Res.*, vol. 38, no. 2, pp. 89-105, 2020.

²⁴ ASER Report, Annual Status of Education Report 2022, New Delhi: Pratham Education Foundation, 2022.

3.3 Cultural and Traditional Practices

Child labour is socially accepted in many parts of India, especially in family-run businesses and domestic work. Singh (2019) claims that the traditional mindset has a perception that child labour helps children learn skills and contribute to the household economy²⁵. The sectors include carpet weaving, bangle making, and agriculture, where children are still employed due to cultural practices dating back centuries²⁶. Child labour is also influenced by caste-based discrimination, which makes marginalized communities disproportionately affected²⁷.

3.4 Child Trafficking and Bonded Labor

Child trafficking is still a serious human rights issue in India, as children are trafficked into domestic servitude, prostitution, and begging. According to Das (2022), metropolitan cities such as Delhi, Mumbai, and Kolkata are the major centres for child trafficking, where children from rural areas are brought and exploited under inhumane conditions²⁸. There has been a record of over 5,000 cases of child trafficking in a single year as reported by the NCRB in 2021, which resulted in many children being forced into bonded labour²⁹. Despite the Bonded Labour System (Abolition) Act of 1976, there is poor enforcement; hence these practices persist unchallenged³⁰.

Conclusion

Child labour will be addressed effectively only through the multi-pronged approach: poverty alleviation programs, education access, strong law enforcement, and awareness programs. Strengthening social security schemes, supporting vulnerable families, and proper rehabilitation of rescued children are essential measures to eliminate child labour in India.

4. Case Studies on Child Labour in India

Child labour is deeply entrenched in almost all sectors of India, threatening the health, education, and well-being of children. The following section features case studies of different states: the seriousness of child labour, the conditions of work, and systemic failures that allow such exploitation to continue.

4.1 Child Labour in Agriculture (Maharashtra & Andhra Pradesh)

Agriculture remains a massive source of employment for children in India. Thousands of children, particularly boys, are working as cutters for sugarcane and on cotton farms, often in unsafe conditions. In the sugarcane fields of Maharashtra, children are forced to work with their parents, which takes long hours under extreme conditions. International Labor Organization (ILO, 2022) reported that in sugarcane harvesting activities, children at eight years of age are already being employed just because cheap labour is in demand³¹. Chronic health issues in the form of dehydration, malnutrition, and pesticide exposure face these children.

²⁵ A. Singh, "Caste and child labor: A cultural perspective on exploitation," *Indian J. Social Anthropology*, vol. 52, no. 1, pp. 45-60, 2019.

²⁶ M. Das, "Human trafficking and child labor: Analyzing urban exploitation in India," *Int. Rev. Human Rights*, vol. 14, no. 4, pp. 205-220, 2022.

²⁷ Government of India, *Bonded Labour System (Abolition) Act*, New Delhi: Ministry of Labour and Employment, 1976.

²⁸ National Crime Records Bureau, *Crime in India Report*, New Delhi: Ministry of Home Affairs, Government of India, 2021.

²⁹ M. Das, "Human trafficking and child labor: Analyzing urban exploitation in India," *Int. Rev. Human Rights*, vol. 14, no. 4, pp. 205-220, 2022.

³⁰ Government of India, *Bonded Labour System (Abolition) Act*, New Delhi: Ministry of Labour and Employment, 1976.

³¹ International Labour Organization, *Child Labor in India's Agricultural Sector: An Analysis of Sugarcane and Cotton Farming*, Geneva, 2022.

In cotton farms of Andhra Pradesh, child labour prevails as a result of labour demand and the seasonal nature of harvesting. Human Rights Watch in a 2022 report, concluded that most of these children work 12-14 hours daily and earn less than ₹50 per day, and they are deprived of education.³²

4.2 Child Labour in Mining (Jharkhand & Meghalaya)

Mining is among the most risky sectors where the prevalence of child labour is present. In the states of Jharkhand and Meghalaya, coal and mica mines employ 10-year-olds, risking lives in hazardous circumstances.

Children at Jharia, Jharkhand illegal coal mines where fire is burning forever and toxic smoke creates severe health hazards. A study by Chakraborty (2021) stated that these children are suffering from severe respiratory diseases, tuberculosis, and chronic bronchitis because of inhaling coal dust.³³

In Meghalaya, children are used in rat-hole mining industries. This includes working in narrow, unregulated tunnels in rat-hole mining. According to reports by Amnesty International (2021), many others work for bonded labour at ₹100-₹150 per day, often for 16 hours a day.³⁴

4.3 Child Labour in Garment Sector, Delhi & Tamil Nadu

The garment Sector of Delhi and Tiruppur district of Tamil Nadu has also been a focal point for child labour. Thousands of children have been working in small factories, sweatshops and textile mills in this sector.

In the unorganized garment industry in Delhi, children stitch clothes in dingy crowded rooms for global brands. A study by UNICEF in 2021 has found that the trafficking process feeds into the garment industry, bringing children to Delhi from Bihar, Uttar Pradesh, and West Bengal.³⁵

Sumangali Scheme The Sumangali Scheme was exploiting young girls to work under bondage in textile mills in Tamil Nadu's Tiruppur. Through this, it promised these young girls an advanced lump-sum amount after they have spent three years, a reality away from humane work environments, lesser pay, and beating. To this date, 200,000 girls have been affected by such malpractices with malnutrition, sexual harassment, and other psychosomatic stress.³⁶ Under the umbrella of the International Labor Organization (2021).

4.4 Child Labour in Uttarakhand: Tourism, Domestic Work and Informal Sector

Uttarakhand is a state which has a tourism industry and pilgrimage destinations. Child labour is increasing in hospitality, domestic work, and small-scale industries. Children from the rural areas of the state and the neighbouring states are trafficked into the urban cities of Dehradun, Haridwar, and Nainital for exploitation.

Child Labour in the Tourism and Hospitality Sector

In cities like Haridwar, Rishikesh, and Nainital, child labour exists in hotels, roadside eateries (dhabas), and tea stalls. Many of the children work for hours without wages or education, and they live in cramped conditions with no access to healthcare.

A study by Bachpan Bachao Andolan in 2022 found that more than 5,000 children labour in roadside eateries and lodges in Uttarakhand. These children are often forced to serve customers, wash utensils, and perform other manual labour.³⁷

³² Human Rights Watch, Child Labor in India's Cotton Farms: Exploitation and Policy Failures, New York, 2022.

³³ S. Chakraborty, "Coal Mine Child Labor in Jharkhand: A Health Perspective," Indian Journal of Public Health, vol. 65, no. 3, pp. 210-225, 2021.

³⁴ Amnesty International, Rat-Hole Mining and Child Exploitation in Meghalaya, London, 2021.

³⁵ UNICEF, Garment Industry and Child Labor in Delhi: A Study on Supply Chain Exploitation, New York, 2021.

³⁶ International Labour Organization, The Sumangali Scheme: Bonded Labor in Tamil Nadu's Textile Industry, Geneva, 2021.

³⁷ Bachpan Bachao Andolan, Child Labor in Uttarakhand's Hospitality Sector: A Growing Concern, New Delhi, 2022.

Child Domestic Labour in Urban Households

Many children, especially young girls from remote villages in Uttarakhand, work as domestic workers in cities like Dehradun and Haldwani. They do household chores, cooking, and babysitting, often in exploitative conditions with little to no pay.

According to Childline India (2021), the number of child domestic labourers in Uttarakhand is rising because of the trafficking network, which entices children to move there in pursuit of education and a better standard of living.³⁸

Child Labour in the Handicrafts and Cottage Industry

The handicrafts and cottage industry in Uttarakhand, especially woollen products, candle-making, and wooden crafts, are thriving industries. However, children are regularly seen working in the workshops in Almora and Pithoragarh in tiring activities with hazardous materials.

A report by Save the Children (2021) has documented that child workers in these sectors suffer from respiratory problems, skin infections, and musculoskeletal disorders as a result of working for extended periods in unventilated conditions.³⁹

5. Conclusion

Child labour has prevailed in most sectors highlighted in the above case studies; these show the regional variations and loopholes left by the laws, along with weak enforcement.

Children are in use in agriculture: children work with pesticides, under extreme weather, and through severe physical labour.

In mining, children risk extreme health conditions leading to death by working in underground tunnels and pit mines.

Working in the garment industry: primarily trafficked for exploitation in sweatshops and bondage.

In Uttarakhand, children remain imprisoned in hospitality, domestic work, and cottage industries without education and healthcare.

Ignoring constitutional protections, international treaties, and national laws enforcement is weak, and child labour persists due to corruption, poverty, and social norms.

Policy Recommendations:

1. Law enforcement: The Child Labour (Prohibition and Regulation) Act, 1986, should be strictly implemented with more stringent penalties for violators.
2. More importantly, the Right to Education Act of 2009, should be extended to guarantee free quality education to children.
3. Enhancing mechanisms for child protection that include more stringent anti-trafficking laws, well-equipped rehabilitation centres, and effective child helplines.
4. Community awareness program: Educate parents and employers on the dangers of child labour and legal repercussions.

To eliminate child labour in India, one needs multi-sectoral approaches from government agencies, NGOs, businesses, and local communities for a future free of all ills so that every child can learn, grow, and prosper in an abuse-free environment.

³⁸ Childline India, Child Domestic Labor in Urban Households of Uttarakhand: A Situational Report, Mumbai, 2021.

³⁹ Save the Children, Hidden Hands: The Exploitation of Child Labor in Uttarakhand's Cottage Industry, London, 2021.

5. Policy Gaps and Challenges in Implementation

Such pieces of legislation, policies, and international agreements of India against child labour are as follows: Enacted Child Labour (Prohibition and Regulation) Act, 1986 and amended in the year 2016, Enacted Juvenile Justice (Care and Protection of Children) Act, 2015. Signed International treaties, including the UN Convention on the Rights of the Child (UNCRC) in 1989 and ILO Convention No.138 and 182. Many policy gaps exist despite such strong legal frameworks, while several challenges work against effective eradication.

5.1 Weak Law Enforcement

Enforcement of laws is one of the main difficulties in dealing with child labour in India. Despite the Child Labour (Prohibition and Regulation) Act of 1986 (amended in 2016), which forbids child labour in hazardous industries, enforcement remains weak on account of scarce inspections, weak monitoring mechanisms, and judicial procrastination.

According to NCRB, 2022, only 3,876 cases of child labour violations were registered in India, while the estimated number of children working in labour is millions.⁴⁰

According to Human Rights Watch, in 2022, less than 10% of reported child labour cases were convicted, and this is one of the most inefficient justice systems.⁴¹

Many labour inspectors lack resources, training, and legal authority, which diminishes their capacity to respond in real-time (UNICEF, 2021)⁴².

Industries that continue to employ children include agriculture, mining, textiles, and domestic work with weak enforcement.

5.2 Corruption and Bureaucracy

Corruption among law enforcement agencies, government departments, and local administration makes it impossible to enforce child labour laws effectively. Most employers now avoid legal steps with the help of bribe money or hidden loopholes in the legislation.

According to Sharma (2023), in 30% of cases of child labour violations, birth records were manipulated, and papers were prepared to make the children look like adults.⁴³

According to Bachpan Bachao Andolan, in 2022, children trafficked to work in Delhi, Uttar Pradesh, and Bihar factories and workshops were often sent back to their traffickers by the police after receiving bribes.⁴⁴

According to the ILO (2021), the lack of transparency in the legal process and the delay of court trials make families less likely to seek justice against traffickers.⁴⁵

These bureaucratic obstacles weaken public trust in the justice system, allowing child labour practices to persist unchecked.

5.3 Rehabilitation Mechanism Absence

Once children are rescued from child labour, the rehabilitation system is usually not provided to them, and there becomes a more significant risk of re-trafficking and economic exploitation.

From the rehabilitation perspective, the International Labour Organization (ILO, 2022) indicated that it

⁴⁰ National Crime Records Bureau, "Crime in India: Child Labor Cases," Ministry of Home Affairs, Government of India, 2022.

⁴¹ Human Rights Watch, "India's Child Labor Crisis: Weak Law Enforcement and Policy Gaps," New York: HRW, 2022.

⁴² UNICEF, "Labor Law Violations in India: The Child Labor Perspective," Geneva: UNICEF Publications, 2021.

⁴³ R. Sharma, "Child Labor in India: The Role of Corruption and Policy Failures," *Economic & Political Weekly*, vol. 58, no. 4, pp. 45-60, 2023.

⁴⁴ Bachpan Bachao Andolan, "Trafficking and Child Labor in India: A Situational Report," New Delhi: BBA Publications, 2022.

⁴⁵ International Labour Organization, "Legal Loopholes and Child Labor in South Asia," Geneva: ILO, 2021.

only rehabilitated 27% of the rescued children, while the other 73% returned to work due to poverty.⁴⁶ Government-run rehabilitation homes frequently experience a shortage of funds, trained staff, and poor living conditions, where the dropout rates among rescued children are very high, according to UNICEF (2021)⁴⁷.

The National Child Labour Project Scheme, which is an organization working to provide education along with vocational training to rescued children, functions only in 312 districts of India's total 766 districts, leaving many parts of the country uncovered by the Ministry of Labour and Employment, 2022)⁴⁸.

Without proper education and psychological counselling plus economic support, many children become victims of their exploitative working conditions.

5.4 Interagency Coordination Issues

Child labour is a multifaceted problem that requires the collaboration of the government, law enforcement, NGOs, and the private sector. However, a lack of coordination and communication among these stakeholders impedes effective policy implementation.

Many government agencies, according to Das (2022), work in isolation, causing overlapping responsibilities and inefficient use of resources.⁴⁹

According to a Save the Children (2021) report, less than 20% of child labour rescue operations involved cooperation between police, labour inspectors, and child welfare committees, which led to delays and procedural failures.⁵⁰

Most NGOs working on child rights do not have the legal authority to take direct action, and their reports are often ignored by law enforcement agencies (Bachpan Bachao Andolan, 2022)⁵¹.

Without systematic on-the-ground institutional collaboration, efforts to identify, rescue, and rehabilitate child labourers will always be fragmented and ineffective.

Conclusion

There is more to the continued existence of child labour in India than the lack of good law. Similarly, the stated weaknesses in policy implementation are:

1. Inadequate or ineffectual enforcement mechanisms with low conviction rates and insufficient labour inspections.
2. Corruption and bureaucratic inefficiencies, bringing forth industries that break the law to freedom.
3. Poor rehabilitation programs, putting rescued children into vulnerability for re-exploitation.
4. Lacking coordination in agencies causes an inefficient rescue operation and policy failure.

Recommendations for Policy Reform:

Law Enforcement: Strengthening Labor Inspection- Improving conviction rates, speeding up child labour cases, and increasing the number of labour inspectors.

⁴⁶ International Labour Organization, "Rehabilitation Challenges for Rescued Child Laborers in India," Geneva: ILO Reports, 2022.

⁴⁷ UNICEF, "The Education Gap: Why Rescued Child Laborers Return to Work," New York: UNICEF, 2021.

⁴⁸ Ministry of Labour and Employment, "Evaluation Report on the National Child Labour Project (NCLP) Scheme," Government of India, 2022.

⁴⁹ P. Das, "Bureaucratic Barriers in Child Protection Policies: The Indian Scenario," *Journal of Public Policy Research*, vol. 12, no. 2, pp. 90-110, 2022.

⁵⁰ Save the Children, "Gaps in Child Rescue and Rehabilitation: An Indian Perspective," London: Save the Children Reports, 2021.

⁵¹ Bachpan Bachao Andolan, "Child Rights and Legal Interventions in India: An Analysis of NGO Efforts," New Delhi: BBA Publications, 2022.

Anti-Corruption Measures: An independent monitoring body should be created to monitor the implementation of child labour laws.

Rehabilitation Programs: Increased funding in child welfare homes, vocational training, and psychological counselling services

Inter-Agency Collaboration: The government can establish a national task force to coordinate among agencies, police, and NGOs to make successful rescues and rehabilitation.

For a multi-pronged approach towards the elimination of child labour in India, the government needs to enforce legal and social awareness programs, provide economic support, and coordinate inter-institutional functions. The policy gaps need to be bridged so that no child is deprived of their right to education, health, and dignity.

6. Recommendations for Legal and Policy Reforms

Though several legal provisions prevail, child labour is still predominant in India today due to weaknesses in policies and their enforcement mechanism, socio-economic constraints, and lack of information. In addition, a lot of comprehensive reform in the legislation and policy sector is required, which will emphasize enforcement, enhancement of access to education, empowerment of the people at the grassroots level and digital technology can be used as a tool for monitoring and intervening.

6.1. Strengthening Law Enforcement

Increase Penalties for Child Labor Violations

The low penalties against offenders are a significant issue in the fight against child labour because they do not serve as a deterrent.

Only about 20% of child labour violations are punished with severe penalties or convictions, according to the International Labour Organization (ILO, 2023)⁵².

The Child Labour (Prohibition and Regulation) Act 1986 was amended in 2016, increasing the penalty to ₹50,000 and imprisonment from 6 months to 2 years. Still, many employers exploit legal loopholes to escape punishment.⁵³

Increasing penalties to ₹5,00,000 and mandatory imprisonment of at least five years can perform the role of a strong deterrent (ILO, 2023)⁵⁴.

Establish Special Courts for Child Labour Cases

Even the justice process in child labour cases often remains slow which causes delays in the delivery of justice. Special fast-track courts may be established so that speedy trials and strict punishments can be ensured.

Patel & Sharma (2021) suggest that dedicated child labour courts at district levels may be established by India, as Fast-Track Special Courts for rape cases have been established to ensure timely proceedings and stiff punishments.⁵⁵

Legal Aid Committees should be developed to provide free legal services to child labour victims' families

⁵² International Labour Organization, The Role of Stronger Penalties in Eradicating Child Labor, Geneva: ILO Reports, 2023.

⁵³ Government of India, The Child Labour (Prohibition and Regulation) Amendment Act, 2016, New Delhi: Ministry of Labour and Employment, 2016.

⁵⁴ International Labour Organization, Strengthening Legal Enforcement Against Child Labor in South Asia, Geneva: ILO Publications, 2023.

⁵⁵R. Patel and K. Sharma, "Legal Challenges and Reforms in Child Labor Laws: A Case for Special Courts," J. Law Soc., vol. 18, no. 2, pp. 120–135, 2021.

(National Legal Services Authority, 2021)⁵⁶.

These steps may help in increasing the rate of conviction and stop further exploitation of children.

6.2 Increasing Access to Education

Establish Conditional Cash Transfers for Families Keeping Children in School

The most common reason for child labour is poverty. Children's earnings are often necessary for family survival. Conditional cash transfer (CCT) programs can offer direct financial incentives for families to keep their children in school.

According to UNICEF (2021), CCT programs in countries such as Brazil (Bolsa Família) and Mexico (Prospera Program) have been known to significantly reduce child labour rates by 20-30%⁵⁷.

The Indian government should extend programs such as the Mid-Day Meal Scheme and scholarships with direct cash support to families whose children stay in school (Ministry of Education, 2022)⁵⁸.

Bridge Schools should be established to bring rescued child labourers into the formal education system (Save the Children, 2021)⁵⁹.

Break the cycle of child labour through a national-scale CCT initiative by reducing economic dependence on children's wages.

6.3 Community Mobilization and Sensitization

National Campaigns Against Child Labour in Rural Regions

Child labour is not regarded as a violation of human rights in many rural regions of India. A nationwide campaign should be conducted to make parents, employers, and local leaders aware of the fact.

According to Singh (2019), door-to-door awareness programs, interactive community sessions, and radio and television campaigns can educate parents about child labour law and the advantages of education.⁶⁰

The 'Beti Bachao, Beti Padhao' initiative can be integrated with the 'Bachpan Bachao' schemes for eradicating child labour under the Ministry of Women and Child Development, 2021⁶¹.

Religious and community leaders can be integrated into the process of sensitization, as it can influence people and bring changes in society. According to UNICEF, 2022⁶².

Community-driven awareness can influence minds, lead to reporting child labour cases and increase education.

6.4 Digital Surveillance and Technology Application

Design AI-Based Child Labour Tracking Systems

Advancements in Artificial Intelligence (AI) and digital tools will make it easier to identify, track, and report child labour cases.

Chakraborty (2021) proposed an AI-based system that scans social media, factory records, and local busi-

⁵⁶ National Legal Services Authority, Expanding Legal Aid for Child Labor Victims in India, New Delhi: NALSA Reports, 2021.

⁵⁷ UNICEF, Conditional Cash Transfers and Child Welfare: Lessons from Global Programs, New York: UNICEF Publications, 2021.

⁵⁸ Ministry of Education, Government of India, Annual Report on Mid-Day Meal and Educational Scholarships, New Delhi: Government of India, 2022.

⁵⁹ Save the Children, Reintegrating Rescued Child Laborers into Formal Education: A Policy Perspective, London: Save the Children, 2021.

⁶⁰ P. Singh, "Rural Awareness and Child Labor: A Community-Based Approach," Econ. Polit. Weekly, vol. 54, no. 8, pp. 35–50, 2019.

⁶¹ Ministry of Women and Child Development, Expanding Child Rights Awareness Through Government Initiatives, New Delhi: Government of India, 2021.

⁶² UNICEF, The Role of Community Leaders in Preventing Child Labor, Geneva: UNICEF, 2022.

ness databases to detect possible cases of child labour.⁶³

Machine learning algorithms can be trained for the detection of children in hazardous work environments through facial recognition and satellite imagery (World Bank, 2022)⁶⁴.

Assemblage by governments and NGOs for making mobile apps to report child labour cases like Childline 1098 but with AI tracking in real-time (National Commission for Protection of Child Rights, 2022)⁶⁵.

Child labour surveillance can be enhanced Policy can be effectively implemented, and rescue operations accelerated with the help of AI and big data.

Conclusion

Eradication of child labour in India requires a multi-pronged approach that includes legal reforms, economic incentives, community involvement, and technology-driven solutions simultaneously. The main recommendations are:

1. Increasing penalties and creating special child labour courts to strengthen law enforcement.
2. Access to education by conditional cash transfer programs and bridge schools.
3. Community involvement through large-scale awareness campaigns in rural areas.
4. Use of AI and digital monitoring that will track child labour cases in real time.

Ending child labour requires the involvement of the government, judicial systems, business entities, the community, and innovators with regard to the use of technologies. If these reforms are implemented, India will stand another step closer to its constitutional and international commitment to the protection of the rights of children and their right to education and the right to a dignified life.

7. Conclusion

Child labour in India is a highly entrenched socio-legal challenge that persists despite the existence of constitutional safeguards, legal frameworks, and international commitments. The persistence of child labour is fueled by poverty, lack of education, weak law enforcement, social acceptance, and economic dependency on child labour. The existing legal mechanism, the Child Labour (Prohibition and Regulation) Act, 1986 amended in 2016, the Right to Education Act, 2009, and the Juvenile Justice (Care and Protection of Children) Act 2015, have been of crucial importance in controlling child labour, but not being able to, fully eradicate it.

Significant policy gaps and challenges are prevalent in child labour. Weak mechanisms of enforcement, corruption, deficient rehabilitation programs, poor interagency coordination, and the rise of child labour in informal and digital sectors have challenged the efforts to eradicate it. Hazards are increasing in child occupation, domestic work, agricultural labour, and currently in digital platforms like online content creation and social media marketing that require a new legal approach in the country.

7.1. Multi-sectoral requirements for a solution

Effective child labour eradication requires a multi-sectoral approach that includes

- a. Strengthening enforcement and judicial reforms: Improved penalty structures, fast-track courts, and monitoring systems result in legal consequences for offenders.
- b. Economic and social interventions: More conditional cash transfer programs, vocational training, and economic support to vulnerable families will keep children from forced labour.

⁶³ A. Chakraborty, "AI and Digital Surveillance in Child Labor Detection: An Emerging Trend," *J. Digit. Rights*, vol. 14, no. 3, pp. 215–230, 2021.

⁶⁴ World Bank, *Machine Learning and Child Rights: AI-Based Monitoring in South Asia*, Washington, DC: World Bank, 2022.

⁶⁵ National Commission for Protection of Child Rights, *Childline 1098 and the Future of Digital Reporting in India*, New Delhi: NCPDR, 2022.

Technological innovation – AI-tracking systems, mechanisms for real-time reporting, and digital monitoring tools that can enhance surveillance and intervention.

Community-based intervention and awareness program – Educate parents, employers, and local leaders of child labour rights and laws of the land.

Public-private partnerships – Companies should be responsible for the supply chain being child labour-free, and CSR initiatives should be in the form of child welfare programs.

7.2 Future Directions: Policy and Legal Reforms for Sustainable Child Labour Eradication

To fulfil the national and international commitments, including the SDGs, especially Goal 8.7, which focuses on ending child labour in all its forms by 2025, India requires comprehensive reforms, which include the following:

Child labour laws amendment to deal with the digital economy and informal sectors

Improvement in coordination among labour departments, judiciary, police, and child welfare agencies

Building protection and rehabilitation of children

Aligning the program of preventing child labour with educational and vocational development policies

This requires coordination and collaboration by the government with international bodies like ILO, UNICEF, NGOs, and Save the Children, Bachpan Bachao Andolan to bring evidence-based intervention.

7.3 Towards a Child-Labour-Free India

Elimination of child labour will require a joint effort from government agencies, law enforcement, businesses, NGOs, civil society organizations, educators, and technological innovators. The policies should aim at rescuing and rehabilitating child labourers as well as preventing child labour through early intervention, economic support, and a more stringent legal framework.

India must make progress in child rights protection whereby every child is guaranteed access to education, health, and a future free from exploitation and hence against the principles of justice and human dignity. It would require a moral and sociological commitment not just by legal obligation but strongly in the fight against child labour, the principle of equal opportunities and against human exploitation, especially concerning children.

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