



CHILD LABOUR IN INDIA: CONSTITUTIONAL AND LEGISLATIVE FRAMEWORK

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Abstract: -

This paper discusses & draws the attention towards the social menace of child labour in India and it also discuss the constitutional and legislative provisions relative the child labour. “The child is the father of the man” said Wordsworth. Pandit Jawaharlal Nehru Considers Children as one of the greatest assets for the Nation. Children’s are future citizens of the nation & their adequate development is utmost priority of the country. Unfortunately, child labour engulfs children across the world. The world is home to 1.2 billion individuals aged 10-19 years. There are an estimated 186 billion child labourers worldwide. The 2001 national census of India estimated total numbers of child labour aged 5 to 14 to be at 12.6 million. Inida has ratified international convention & treaties related to the rights of children because of its ideological commitment to the child development & welfare. India has also accepted the dogma of socialism in view of this there are various provisions are incorporated in the constitution. The article 15-(3) of the constitution authorizes the State for making any special provision for women & children

Art. 21. No. person shall be deprived of his life or personal liberty except according to procedure established by law.

Art. 21 A. The state shall provide free and compulsory education to all the children’s of the age of 6-14 yr. in such a manners as the State may by law determine.

Art. 23 Traffics in human being and beggar and other forms of forced labour are prohibited.

Art. 24 Provides that no child below the age of 14 yr. shall be employed to work in any factory, or mine or engaged in any other hazardous employment.



Besides of these fundamental rights, the constitution also lays down certain direct to principles of state policies.

The Government of India enacted several labour laws and by these legislation attempt has been made to prohibit child labour. Such as The Factories Act 1948, The Shops and Commercial Establishment Acts of different States also prohibits employment of children in the shops, hotels, dhabas, street shops, commercial places. The Motor Transport workers Act, 1961 absolutely prohibits employment of children, there are another labour laws laid down the restrictions of child employment.

Besides of this legislation still there is question of child labour in India. The problem of infants and child labour continue to pose a challenge before the Nation child labour has become India's very serious problem. In our country social Security must be provided to all children and they must be protected from social injustice and all form of exploitation in a true sense.

In this paper we intend five the constitutional and legislative framework in order to eliminate the child labour.