



SOCIO – LEGAL PERSPECTIVE OF SHAHU, PHULE, AMBEDKAR ON THE CHILD LABOUR

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**“Bestow blessings on those Little,
Innocent lives Bloomed on Earth,
Who have brought the message
of Joy from heavenly garden”**

- **R. Tagore**

The child has been the subject of special laws and legal provisions. Because of its tender years, weak physic and in adequately developed mind and understanding, every child needs protection against moral and physical harm and exploitation by others. Our constitution makers specially thought about child security. So constitution of India contains provisions for survival, development and protection of children. These rules and acts are mainly included in Part III and Part IV of constitution. There are also our Fundamental rights. In Article 23, it prohibits traffic in human being and beggar and other similar forms of forced labour. Under Article 24 it has laid down that no child under the age of 14 years shall be employed at work in factory or mine. Our constitute give children all opportunities and facilities to develop in healthy manner and conditions of freedom and dignity Article 45 provides free and compulsory education for all children until they Complete the age of 14 years. Article 51 A (K) makes it a fundamental duty of parent or Guardian to provide opportunities for education to the child. Article 21-A says that the right to Education as fundamental right and it mandates that the state shall provide free and compulsory education to all children of age of six to fourteen years.

The issue of child domestic labor is very complex and problematic. The number of children exploited in private households is unknown because of hidden nature of the work. These children are paid little or nothing, sometimes malnourished and they do not go to school. The Indian history tells as that some reformers like Mahatma Phule, Rajarshee Shahu Maharaj and Dr. Ambedkar really thought this issue in serious manner. They root out the basic reason of child labour by establishing schools for primary level children. Many of the children were child labour in domestic households, agricultural fields and small scale industries. But Phule and Shahu Maharaj established child rehabilitation centers and orphan houses and diverted children from being labour. Mahatma Phule was a follower of three famous. Principles namely equality, fraternity and brotherhood. Mahatma Phule wished all-round development of the society. The Satya Shodhak Samaj was the first institution to spread education among the backward and suppressed classes in rural area of Maharashtra. In 1848 he established first girl's school in Pune and made his wife Teacher. Even British Govtment admired his courage. Mahatma Phule inspired many social reformers, among who is Rajarshee shahu Maharaj.

All lower classes are practically excluded from all schools owing to caste prejudices. And the reason is all children must be used as salves. So Mahattma knowing that, suggested remedy to this problem that to establish separate schools for lower caste students. Jotiba Phule in his famous booklet Shetkaryancha Asood wrote about the need of residential schools or boarding houses for poor



boys of farmer families. He expressed the need of law to make compulsory education. He established special house for orphans in 1863 in Pune.

It was Mahatma Phule's impact on Chh. Shahu which led him towards free and compulsory education. The unity of nation, casteless society and brotherhood among people were possible after the spread of mass education. So Shahu Maharaj made law of compulsory Primary education on 21st Sept 1917. He started one separate section on Education in 1918. There were 27 schools and 1296 students. This data improved in 1921-22 on 420 schools and 22007 students. This suits to king to work for Rayat. The budget of year was 3 lakh. He completely prohibited slavery and transferred children from work to school. Meanwhile the students strength improved 9 times from 234 to 2162. He diverted big mass of children from domestic work or slavery to primary school. He established so many boarding schools and colleges. He started Maratha Vidya Prasarak Samaj in each district. It is 100 years before. He collected many children and brought them under one roof cherishing the law of equality.

He met Dr. Ambedkar in Mangaon Conference in 1920. Then after, they constantly met inspiring each other on social issue. In Constitute making Dr. Ambedkar really concentrated and thought a lot on child labor. He made law of primary education should be made compulsory and fundamental right. The three Principles Equality, Fraternity and Brotherhood are reflected in all acts and chapters.

INDIAN STATUTORY PROVISIONS

1. It Prohibits employment of children in most employments as detailed in the schedule as processes and occupations.
2. It intends to regulate employment of children in all establishments except those prohibited ones.
3. It Provides for a child labor Technical Advisory committee to advise central Gov. in matters of further prohibition, regulation.
4. Regulatory provisions made fixing the number of hours, period of work, Prohibition of overtimes, double employment, provision of weekly holidays etc.
5. Requirement of employer to give notice to inspectors, maintenance of register, display notice, provision for health and safety.

In Part III (vi) It Provides for Minimum Penalty of imprisonment for 3 months and maximum one year and minimum fine of Rs. 10000 and maximum fine Rs.20,000. Almost all the violations of regulatory and mandatory provisions are declared as offence under the act.

All these Acts are result of Constitutional rules and acts done by Dr. Ambedkar who carefully handled the child labor issue. He particularly concentrated on each aspect of child labor problem. His draft simply provided that subjecting a person to forced labour or involuntary servitude would an offence.

Thus this is small study. We must thank these three persons for their great contribution to society as social – reformers.

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