



Child Labour in India: A Potential Threat

Child labour has long-term physical and psychological impacts on children and deprives them of their right to education. Therefore, the elimination of all kinds of child labour and their participation in hazardous work have become one of the main agendas of the Sustainable Development Goals (SDG-8) of the United Nations. There is a real fear that the labour market scenario in the post-COVID-19 period may increase unemployment and underemployment among adults, which may push millions of children (5-14 years) and adolescents (15-17 years) into the labour market.

Key Policy Messages

- Elimination of all kinds of working and inactivity in children
- Creation of database on working children and adolescents
- Special attention to migrant children and adolescents
- Wider social security coverage to working adolescents
- Special measures to be taken in post-COVID-19 period to prevent/regulate working among adolescents

Who is a Child Labour?

According to the ILO Convention on the Minimum Age to Employment, 1973 (no. 138), Convention on the Worst Forms of Child Labour, 1999 (no. 182), and UN Convention on the Rights of Children the minimum legal age for any kind of work is 14 years, and for any kind of hazardous employment is 18 years for developing countries.

Following the international definition, all kinds of working which hampers the physical and mental growth of children (14 years has been set as a lower limit) and all hazardous work among adolescents below the 18-year age group is considered as child labour in India

What is Hazardous Work?

The list of occupations and processes where adolescents (15-17 years) are prohibited from working, and children (5-14 yrs) are prohibited from helping is outlined in the Child Labour (Prohibition and Regulation) Amendment Act, 2016.

Legal Provisions

Direct

- Child Labour (Provision and Regulation) Act, 1986
- Child Labour (Prohibition and Regulation) Amendment Act, 2016
- Standard Operating Procedure (SOP) for Enforcement of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986
- Constitution of India – Article 24: Prohibition of Employment of Children in Factories
- Constitution of India – Article 39: Principles of policy to be followed by the State

Indirect

- Juvenile Justice Act, 2000
- Juvenile Justice Amendment Act, 2006
- The Right of Children to Free and Compulsory Education (RtE) Act, 2009
- National Policy for Children, 2013
- Revised Juvenile Justice Amendment Act, 2015

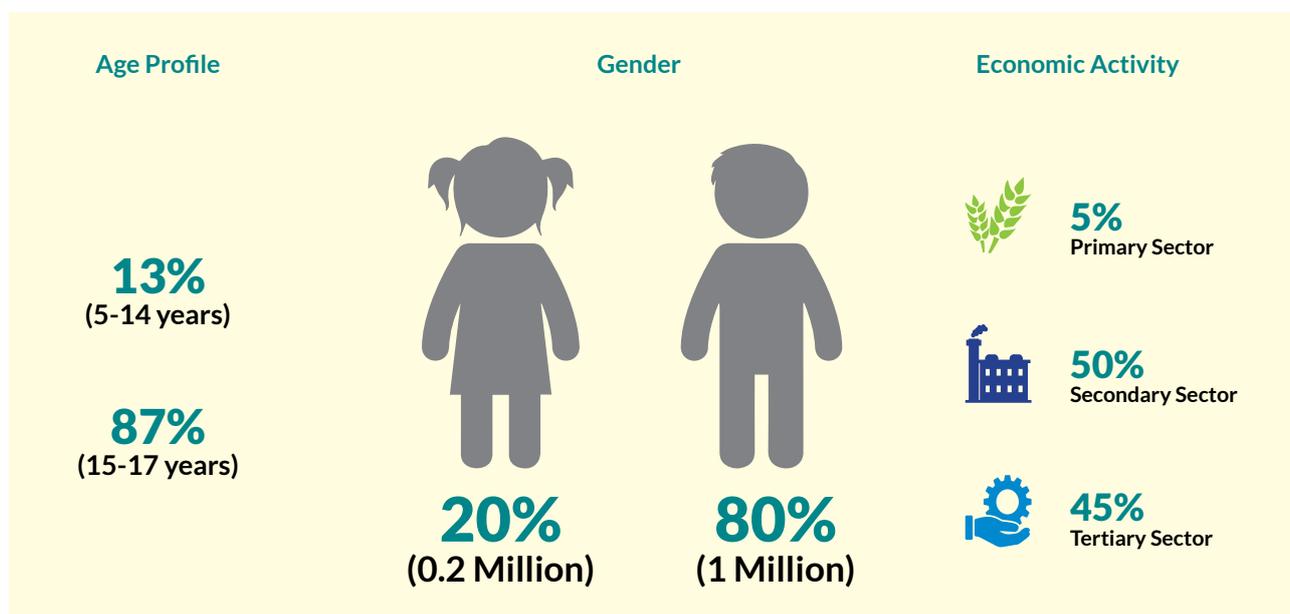
Scheme

- National Child Labour Project Scheme, 1987

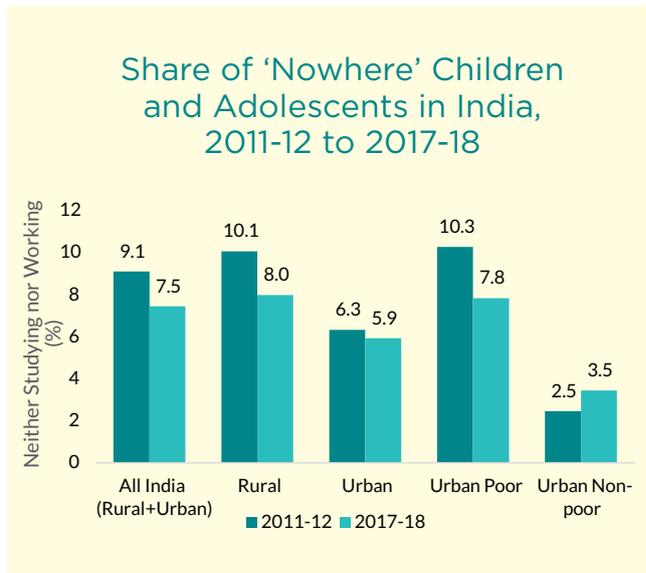
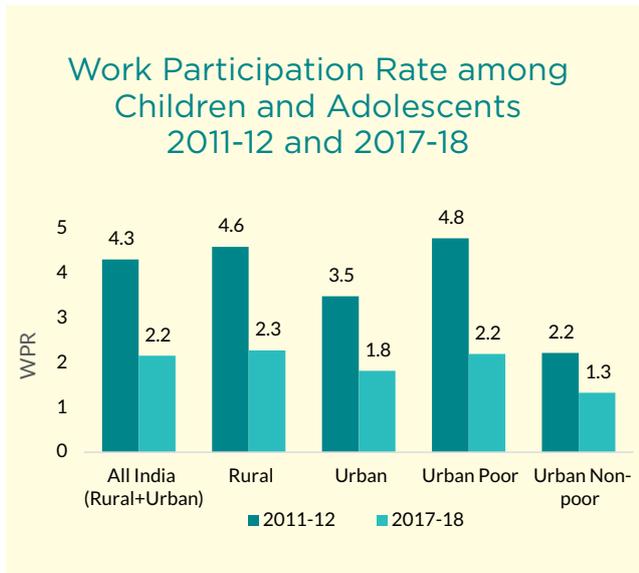
Key Facts

- In 2017-18, 5.6 million children and young adolescents in the 5-17 years age group were economically active, in contravention of the Child Labour (Prohibition and Regulation) Amendment Act, 2016
- The number of children and adolescents in the 5-17 years declined from 2.7 million in 2011-12 to 1.2 million in 2017-18
- Two in every one hundred children and adolescents in urban India are working
- 90 percent of the working children and adolescents are employed in the informal sector
- Every second child worker is employed in a hazardous industry
- Three in every four working children and adolescents in urban areas belong to poor households
- Work participation rate among urban poor children and adolescents is two times higher than that of the non-poor children and adolescents
- Six in one hundred children and adolescents in urban India are categorised as 'nowhere', i.e. neither studying nor working
- Every second circular/seasonal migrant child is engaged in work
- Large concentration of working children and adolescents are found in retail trade (20%), manufacturing of textile products and apparel (15%), construction (10%), restaurants and food stalls (5%) and other unorganized sector which includes brick kiln, lock making, bidi rolling and domestic servants (50%)

Source: NSS 64 through 'Employment, Unemployment and Migration' (2007-08), Periodic Labour Force Survey (2017-18),



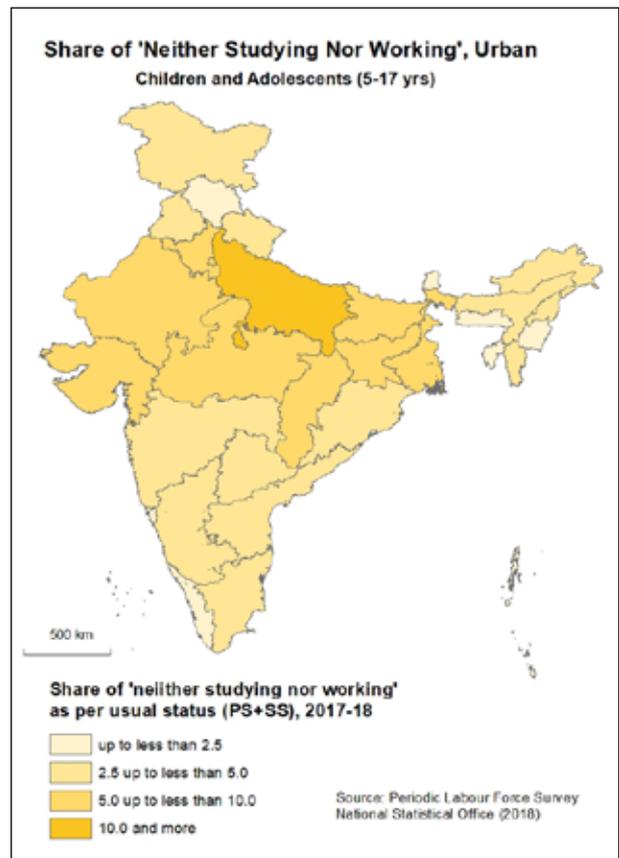
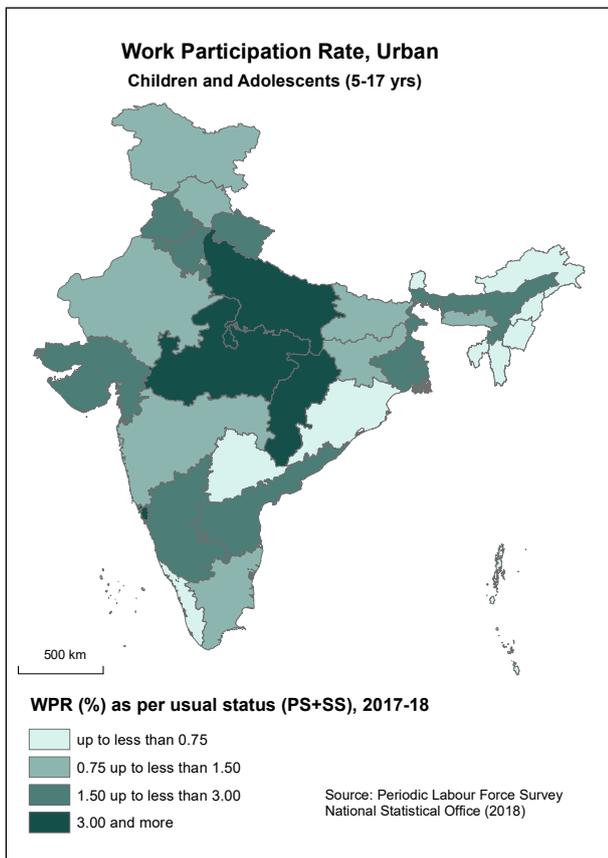
- Both WPR and the share of 'nowhere' children and adolescents have declined during the period, but is still higher among urban poor



Source: NSS 68th round on 'Employment and Unemployment' (2011-12) and Periodic Labour Force Survey (2017-18)

Working and 'Nowhere' Children and Adolescents in Urban India, 2017-18

Uttar Pradesh, Gujarat, West Bengal and Madhya Pradesh have a large number of working and 'nowhere' children and adolescents



Type of Employment of Working Children and Adolescents



COVID-19 and Child Labour

- Growing economic insecurity vulnerability and increase in poverty will increase the incidence of child labour after two decades of progress towards elimination of child labour (ILO-UNICEF, 2020)
- Many children will be pushed into hazardous and precarious works, as enterprises will recruit more children in order to minimise onwages (ILO-UNICEF, 2020)
- Closure of schools during lockdown may push many children and adolescents to work, especially in family enterprises.
- Amid the coronavirus-induced lockdown, an increasing number of states, that include Uttar Pradesh, Madhya Pradesh, Rajasthan and Gujarat, have made changes to their labour laws by way of amendments, ordinances or executive orders. This will increase child labour and will make adolescent workers more vulnerable.
- Special attention is needed to provide universal social security including monetary support to poor households in the post-COVID scenario as a preventive measure

Policy Recommendations

- Definition of hazardous work for adolescents needs to be tightly streamlined
- Prevent hazardous work among adolescents
- Eliminate of all kinds of working among children with stricter implementation of the National Child Labour Project
- Mainstreaming 'nowhere' children and adolescents with universalisation of education up to higher secondary level
- Increased social security coverage for working adolescents
- Establish procedures for accurate reporting of all working children and adolescents. Put in place a dedicated database on these age groups, both natives and migrants

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