

ROLE OF GOVERNMENT POLICIES IN ERADICATION OF CHILD LABOUR IN INDIA

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Abstract

Child labour continues to be a persistent socio-economic and legal challenge in India despite the existence of a comprehensive legislative and policy framework. The Government of India has adopted multiple strategies, including constitutional safeguards, statutory enactments, and welfare schemes, to combat the problem. This research paper critically examines the effectiveness of these government policies in eradicating child labour. It analyses the constitutional mandate, legislative developments, judicial interventions, and policy initiatives, while also identifying the gaps in implementation. The study concludes that although significant progress has been made, structural issues such as poverty, illiteracy, and inadequate enforcement mechanisms continue to hinder complete eradication. The paper suggests reforms aimed at strengthening policy execution and ensuring child welfare.

Keywords

Child Labour, Government Policy, India, Constitutional Rights, Child Protection, Labour Law, Social Justice, Rehabilitation, Education Policy

1. Introduction

Child labour is a multifaceted problem that undermines the physical, mental, and emotional development of children. It deprives them of education, dignity, and basic human rights. In India, the prevalence of child labour is closely linked with poverty, lack of education, and socio-economic disparities. Despite consistent efforts by the Government of India, the issue remains a challenge, particularly in the informal sector where regulatory oversight is limited. Over the years, the government has introduced several policies and legislative measures aimed at eliminating child labour, aligning domestic laws with international standards. However, the effectiveness of these policies depends largely on their implementation and socio-economic context.

2. Constitutional and Legal Framework

The Constitution of India provides a strong foundation for the protection of children against exploitation. Article 24 explicitly prohibits the employment of children below the age of fourteen years in hazardous occupations, thereby establishing a clear constitutional mandate against child labour. Article 21A guarantees the right to free and compulsory education for children between the ages of six and fourteen years, reinforcing the idea that children should be in schools rather than workplaces. Furthermore, the Directive Principles of State Policy, particularly Articles 39(e) and 39(f), emphasize the duty of the State to protect children from abuse and ensure their development in a healthy environment.

The legislative framework supporting these constitutional provisions has evolved significantly over time. The Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, as amended in 2016, represents a major step toward eliminating child labour by prohibiting the employment of children below fourteen years in all occupations and restricting adolescents

from working in hazardous processes. The Act also introduces stricter penalties for violations and emphasizes rehabilitation measures. In addition to this, laws such as the Right of Children to Free and Compulsory Education Act, 2009, and the Juvenile Justice (Care and Protection of Children) Act, 2015, play a crucial role in safeguarding children's rights and reducing their vulnerability to labour exploitation.

3. Government Policies and Schemes

The Government of India has adopted a multi-dimensional approach to address child labour, combining legal enforcement with welfare and rehabilitation measures. One of the most significant initiatives is the National Child Labour Project, which focuses on the identification, rescue, and rehabilitation of child labourers. Under this scheme, rescued children are provided with education, vocational training, stipends, and nutrition, enabling their reintegration into society.

Another important policy initiative is the Integrated Child Protection Scheme, which aims to create a protective environment for children in difficult circumstances, including those engaged in labour. The scheme strengthens institutional mechanisms for child protection and promotes coordination among various stakeholders. Educational policies such as the Mid-Day Meal Scheme have also contributed significantly to reducing child labour by incentivizing school attendance and alleviating the financial burden on families.

These policies are supported by broader poverty alleviation and social welfare programs, which address the root causes of child labour. The government's strategy reflects an understanding that legal prohibition alone is insufficient without addressing underlying socio-economic factors.

4. Role of Judiciary

The judiciary in India has played a proactive role in interpreting and enforcing laws related to child labour. Through various landmark judgments, the courts have emphasized the importance of protecting children from exploitation and ensuring their right to education. In the case of *M.C. Mehta v. State of Tamil Nadu*, the Supreme Court issued comprehensive directions for the identification and withdrawal of children from hazardous industries, along with provisions for their rehabilitation and education. The Court also mandated the imposition of compensation on employers who engage child labour, thereby strengthening accountability.

Judicial activism has significantly contributed to the effective implementation of government policies by ensuring that constitutional and statutory provisions are not merely symbolic but are actively enforced.

5. Effectiveness of Government Policies

Government policies have yielded measurable results in reducing the incidence of child labour in certain sectors. Increased school enrollment rates and improved awareness about child rights indicate positive outcomes. The combination of legal measures and welfare schemes has created a deterrent effect and encouraged families to prioritize education over employment for their children.

However, the effectiveness of these policies varies across regions and sectors. While urban areas have witnessed better enforcement and awareness, rural and informal sectors continue to

face challenges. The persistence of child labour in industries such as agriculture, domestic work, and small-scale manufacturing highlights the limitations of policy implementation.

6. Challenges in Implementation

Despite a robust policy framework, several challenges hinder the complete eradication of child labour. Poverty remains the primary driver, forcing families to depend on the income generated by their children. Illiteracy and lack of awareness further exacerbate the problem, as many families are unaware of the legal implications and long-term consequences of child labour.

Weak enforcement mechanisms and inadequate monitoring also contribute to the persistence of child labour. The informal nature of many industries makes it difficult to regulate employment practices effectively. Additionally, social acceptance of child labour in certain communities undermines government efforts to eliminate it.

7. Critical Analysis

A critical examination of government policies reveals that while the legislative framework is comprehensive, its effectiveness is limited by practical constraints. The focus on prohibition and regulation must be complemented by stronger rehabilitation and social support mechanisms. There is also a need for better coordination among various government agencies and stakeholders to ensure the successful implementation of policies.

The role of education in eradicating child labour cannot be overstated. Policies must prioritize access to quality education and address issues such as school dropout rates. Furthermore, economic support for vulnerable families is essential to reduce their dependence on child labour.

8. Suggestions and Recommendations

The eradication of child labour requires a holistic approach that integrates legal enforcement with socio-economic development. Strengthening enforcement mechanisms through regular inspections and stricter penalties can enhance compliance. Increasing awareness through community-based programs can change societal attitudes toward child labour. Improving rehabilitation schemes and providing financial support to affected families can facilitate the transition from labour to education.

The use of technology for monitoring and reporting cases of child labour can also improve accountability. Collaboration with non-governmental organizations and civil society can further strengthen the implementation of government policies.

9. Conclusion

The role of government policies in eradicating child labour in India is both significant and evolving. While substantial progress has been made through legislative reforms and welfare initiatives, the persistence of child labour indicates that existing measures are not entirely sufficient. A comprehensive and coordinated approach that addresses the root causes of the problem, along with effective implementation of policies, is essential for achieving the goal of a child labour-free society. The commitment of all stakeholders, including the government, judiciary, civil society, and citizens, is crucial in ensuring that every child enjoys a safe and dignified childhood.

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