

Challenges In Eliminating Child Labour

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Abstract:

Child Labour remains one of the most persistent human rights violations affecting millions of children worldwide, despite significant legal and policy advancements. This research paper examines the frameworks, challenges, and strategies related to the protection of children from exploitative Labour practices, with a particular focus on India's socio-economic context. The study explores the root causes of child Labour—including poverty, lack of access to education, social inequality, and weak law enforcement—and analyses how these factors push children into hazardous and exploitative work. It evaluates national legal mechanisms such as the Child and Adolescent Labour (Prohibition and Regulation) Act, 2016, the Juvenile Justice Act, and the Right to Education Act, along with international standards including ILO Conventions 138 and 182 and the UN Convention on the Rights of the Child. The abstract also highlights the impact of child Labour on the physical, psychological, and educational development of children. The paper further examines the role of the judiciary, government enforcement agencies, and NGOs such as Bachpan Bachao Andolan and Childline India in rescue, rehabilitation, and prevention efforts. It critically assesses the challenges in eliminating child Labour, especially within the informal sector, and the gaps that persist in implementation and monitoring. The research concludes by proposing multi-dimensional strategies involving stronger enforcement, community awareness, social protection measures, and corporate accountability. Ultimately, the study underscores that effective protection from child Labour requires coordinated action across legal, economic, and social domains to ensure child's right to dignity, education, and a safe childhood.

Keywords: Child Labour, Human rights violations, Exploitative Labour practices, Socio-economic factors, Poverty, Lack of education, Social inequality, Hazardous work India, Legal frameworks, Child and Adolescent Labour Act 2016, Juvenile Justice Act, Right to Education Act, ILO Conventions 138 and 182, UN Convention on the Rights of the Child development Government enforcement, Judiciary, NGOs, Bachpan Bachao Andolan, Childline India, Rehabilitation, Informal sector, Weak law enforcement, Policy implementation gaps, Multi-dimensional strategies, Social protection, Corporate accountability

Introduction:

Child labour continues to be one of the most serious social issues faced by many countries. Even today, thousands of children are forced to work instead of going to school or enjoying a safe childhood. Poverty, lack of education, unemployment of parents, and social inequality make children vulnerable to exploitation.

Although governments and organisations are taking strong steps to stop child labour, the challenge remains because it is deeply connected with economic and social problems. To eliminate child labour completely, society needs a combined effort—strong laws, proper education, awareness among parents, and better opportunities for families. Only then can every child receive the childhood and future they truly deserve.

Social and economic challenges in eliminating child labour:

Eliminating child labour is remaining one of the most persistent socio-economic challenges faced by developing countries. Despite legislative frameworks and international conventions aimed at its abolition, child labour continues to be in practice because it is deeply rooted in structural inequalities, cultural norms, and economic vulnerabilities. Poverty and economic pressure is the most important factor of child labour. Impoverished families often depend on their children's income to meet their basic needs. Factors like unemployment, natural disasters, crop failure or pandemic situations such as COVID-19 leads the vulnerable families to send their children to work. Also, industries demand for child labour is more as it is cheap and easily exploitable labour. The phenomenon of child labour is proportional to the theory of household survival strategy (a strategy to maintain the survival of the household). This theory states that if economic conditions are worsened, a poor family will utilize available resources. One effort that is often done in order to sustain life is by using family labour, if the adult labour force is already absorbed in all various sectors, will be involved to worse in order, to meet the necessities. Cultural beliefs and traditional practices normalize the child labour. Gender discrimination also plays a crucial role. Girls are often engaged in unpaid domestic labour, care taker. They also lack in education as they are doing child marriage due to this patriarch society, poverty, girls are seen as financial burdens and also cultural and traditional beliefs. Even though laws exist for prohibiting child labour, their implementation is weak. Due to limited administrative capacity, corruption, loopholes such as allowing children to work in family enterprises, and lack of public awareness leads to child labour. Other socio-economic challenges include migration, conflict, and displacement, which increases the children's vulnerability to trafficking and bonded labour. In conclusion, eliminating child labour requires addressing these interconnected socio-economic obstacles through comprehensive policies focusing on poverty reduction, universal education, social protection, gender equality, and stronger enforcement mechanisms.¹

Challenges of eliminating child labour in agriculture:

Challenges of eliminating child labour in agriculture and food chain is playing a crucial role in child labour the children are working as a labour due to poverty in their family they are working in agricultural areas for to satisfy their needs in the sectors that affect the children's using a heavy materials, pesticides and sharp tools. Due to lack of their legal coverage and economic and social pressure like lack of access to quality and affordable Education especially in rural areas and the climate change exacerbate poverty that make agricultural work more precarious and that increasing the likelihood of child labour in society ,there is a norms that followed by the peoples in rural areas that the children's are need to work in the agricultural sector whether they are not able to

¹ <https://www.ilo.org/publications/elimination-child-labour-and-its-root-causes-guidance-offered-ilo-mne>

study due to their norms in families and surroundings so it was an challenge to eliminate the child labour in agriculture and food -chain. A global conference in Brussels marking the World Day Against Child Labour

Labour (June 12), United to End Child Labour in Agriculture, explored this challenge, with the theme “Children shouldn’t work in fields, but on dreams!”

Educational barriers and lack of access to schooling:

Eliminating child labour in educational barriers and lack of access to schooling is the big challenges in the society that lack of access and infrastructure in schools, high cost and infrastructure insufficient. The children’s are not attending the schools especially the girls that there is a poverty in their family and cultural norms that they are following their education was not exceed more than schooling and the high cost of Education despite education like free schooling the indirect cost like uniform fees , transportation , uniforms and illiteracy , teacher shortage and irregular attendance that makes the children’s away from the schooling ,due to lack of access schooling and education that makes the children’s are working as a child labour in society. Proper enforcement of child labour policies and the focus on education can break the cycle of poverty that drives the children into labour. Article 427 of the Versailles Treaty of 1919 establishing the ILO, set as one of its major goals “the abolition of child labour and the imposition of such limitations on the labour of young persons As shall permit the continuation of their education”.²

Weak law enforcement and implementation gap:

Weak law enforcement and striking implementation gaps are the major reason as the child labour continues to persists despite of having strong legislative frameworks. International conventions like International Labour Organization (ILO) Convention No. 138 on Minimum Age and the ILO Convention No. 182 on the Worst Forms of Child Labour. Additionally, the UN Convention on the Rights of the Child (CRC) provides broader protection by requiring states to protect children from economic exploitation and hazardous work that interferes with their education. National legal frameworks like Child Labour (Prohibition and Regulation) Act, 1986 (Amended 2016), Right of Children to Free and Compulsory Education Act, 2009, Juvenile Justice (Care and Protection of Children) Act, 2015, Factories Act, Mines Act, Shops and Establishments Acts, Bonded Labour System (Abolition) Act, 1976 protects the child from exploitation. One of the primary challenges in implementing these laws is the limited capacity of enforcement agencies in which the labour inspectors are less, poorly trained and inadequately funded. It is difficult to monitor the vast informal sectors such as agriculture, domestic work, street vending and home-based industries. The regular Inspection is not possible as these activities are widespread across the world. The second challenge is the legal loopholes and ambiguity in interpreting laws. As many countries allow children to assist in “family enterprises” without clearly defining the boundaries. Therefore, the employers use these loopholes by distinguishing commercial operations as family enterprises. The employers falsely claim that children are above 18 which complicates the enforcement. Another aspect which leads to weak enforcement is the corruption and lack of accountability Due to political pressure and bribery the local authorities may ignore the practice of child labour. Another challenge that leads to child

² <https://www.ifpri.org/blog/conference-challenges-eliminating-child-labor-agriculture-and-food-chains/>

labour is the low awareness among communities and employers about the child labour laws. The cultural acceptance of child labour reduces the likelihood of reporting violations. There is a weak coordination between distinct government departments and local governance which leads to fragmented implementation. Finally, the judicial process takes time and minimal penalties often fails to prevent offenders. Child labour cases rarely reaches the prosecution and even when they reach the prosecution fines are much less to create a real impact. This weak enforcement and implementation gaps lead to the child labour³

Role of judiciary

- In *M.C. Mehta v. State of Tamil Nadu* (1996), the Supreme Court held that employing children below 14 years in hazardous industries like the Sivakasi fireworks and match factories violates Articles 24, 39€-(f), and 21 of the Constitution. The Court ordered the immediate withdrawal of all children from hazardous work, directed employers to pay ₹20,000 compensation per child, and created a Child Labour Rehabilitation Fund. It also required the State to provide education and employment to one adult family member. The judgment became a landmark in shaping India's child labor policy by emphasizing rehabilitation along with prohibition.⁴
- In *Bandhua Mukti Morcha v. Union of India* (1984), the Supreme Court held that quarry workers in Faridabad were bonded laborer's and that their exploitation violated Articles 21, 23, and 24. The Court declared that forced Labouré exists wherever workers are paid below minimum wage and banned employment of children in hazardous worksites. It directed the State to identify, release, and rehabilitate bonded laborer's, ensure minimum wages, provide medical and welfare facilities, and guarantee education for children. The judgment is a landmark in Labouré rights, child protection, and PIL jurisprudence. In *M.C. Mehta v. State of Tamil Nadu* (1996), the Supreme Court held that employing children below 14 years in hazardous industries like the Sivakasi fireworks and match factories violates Articles 24, 39€-(f), and 21 of the Constitution. The Court ordered the immediate withdrawal of all children from hazardous work, directed employers to pay ₹20,000 compensation per child, and created a Child Labour Rehabilitation Fund. It also required the State to provide education and employment to one adult family member. The judgment became a landmark in shaping India's child Labouré policy by emphasizing rehabilitation along with prohibition.⁵
- In *PUDR v. Union of India* (1982), known as the Asiad Workers Case, the Supreme Court held that payment of wages below the statutory minimum amount to forced labor under Article 23. It ruled that the Government is responsible for ensuring compliance with lab our laws, even when work is executed through contractors. The Court also held that employing children in construction work violates Article

³ <https://pmc.ncbi.nlm.nih.gov/articles/PMC6198592/>

⁴ *Mehta v. State of Tamil Nadu*, (1996) 6 SCC 756

⁵ *Bandhua Mukti Morcha v. Union of India*, (1984) 3 SCC 161.

24. It expanded the scope of PIL, allowing organizations to represent exploited workers. The judgment is a major milestone in labor rights and constitutional protections against exploitation.⁶

Suggestion:

- Address poverty Implement and strengthen social safety nets and poverty reduction programs to help families meet their basic needs without relying on child labor.
- Improve education access Increase the availability and quality of education, making it both free and accessible to all children, especially in rural and impoverished areas.
- Strengthen enforcement Enforce and improve laws against child labor and create robust inspection and monitoring systems, particularly in the informal sector.
- Change social norms Conduct public
- Awareness campaigns to highlight the harms of child labor and promote the value of education.

Conclusion:

Eliminating child labour remains one of the most difficult social challenges faced by many developing nations. Although governments, international organizations, and civil society have introduced several laws and programmes to stop the exploitation of children, the problem continues because its roots run deep within economic and social structures. Poverty is the strongest driving force, pushing families to depend on their children's income for survival. When parents struggle to meet basic needs, education becomes a lower priority, and children are forced into work instead of classrooms. This cycle of poverty and lack of education continues from one generation to the next, making child labour extremely hard to eliminate. Another major challenge is inadequate enforcement of existing laws. Even though strong legislation exists on paper, implementation is often weak due to limited staff, corruption, and lack of proper monitoring. Many child labour practices also occur in informal or hidden sectors such as domestic work, small workshops, agriculture, and street vending, where inspections are rare.

⁶ People's Union for Democratic Rights v. Union of India, AIR 1982 SC 1473.