

- Household duties could mean anything from assisting in the family farm or any other family occupation besides taking care of household chores like cooking, taking care of children, fetching water, fetching firewood and so on. Essentially these children should also be treated as working children. Thus the total incidence of child workers even according to census data would go up to 20 million.
- There are other categories of children like dependents, beggars, vagrants and inmates of institutions. All these categories put together, it account for 85.3 million children. As per the census all these children are out of school and most of them must be involved in some kind of work whether paid or unpaid.

### **Constitution and Child Labour :**

Children below 14 years as per *Article 24* cannot be employed in any factory or mine or any other hazardous work. This is a fundamental right of every child. It is important to note the words " any other hazardous work " . This means that any work done by children that is hazardous is prohibited by the Constitution of India. Further as mandated by *Article 45* and developed in *Unnikrishnan J P vs. A.P (4.2.1993 )* case children shall be provided education as it is now their fundamental right to be in school. Though many of the other Articles in the Constitution related to children's special rights and abolition of child labour are part of the Directive Principles, they are fundamental in the governance of our country and as required by *Article 37* it is the duty of all the organisations of the State to keep the same in mind when called upon to decide matters of great public importance. Together with this is a well developed corpus of jurisprudence wherein courts have amplified the essence of fundamental rights by breathing into them the humanism from the directive principles.

The Constitution contains other provisions, describing that a child must be given an opportunity and facility to develop in a healthy manner. *Article 39 (e)* mandates that the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength. *Article 39 (f)* goes further still to ensure childhood and all-round development of children. It states that " Children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.