



INDIAN JOURNAL OF
LEGAL REVIEW

VOLUME 6 AND ISSUE 6 OF 2026

INSTITUTE OF LEGAL EDUCATION



INDIAN JOURNAL OF LEGAL REVIEW

APIS – 3920 – 0001 | ISSN – 2583-2344

(Open Access Journal)

Journal's Home Page – <https://ijlr.iledu.in/>

Journal's Editorial Page – <https://ijlr.iledu.in/editorial-board/>

Volume 6 and Issue 6 of 2026 (Access Full Issue on – <https://ijlr.iledu.in/volume-6-and-issue-6-of-2026/>)

Publisher

Prasanna S,

Chairman of Institute of Legal Education

No. 08, Arul Nagar, Seera Thoppu,

Maudhanda Kurichi, Srirangam,

Tiruchirappalli – 620102

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A CRITICAL STUDY OF CHILD LABOUR IN SIVAKASI FIREWORKS INDUSTRIES

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BEST CITATION – SRIDHARAN G & SREE LEKSHMI B, A CRITICAL STUDY OF CHILD LABOUR IN SIVAKASI FIREWORKS INDUSTRIES, *INDIAN JOURNAL OF LEGAL REVIEW (IJLR)*, 6 (6) OF 2026, PG. 01-05, APIS – 3920 – 0001 & ISSN – 2583-2344.

Introduction

When children are employed in jobs that exploit them of their childhood, education and livelihood, it is referred to as child labour. Childrens are frequently forced into labour at a young age in India due to economic hardship. One of the most important industrial sectors in India is the fireworks industry in Sivakasi which makes a substantial contribution to the nation's fireworks manufacturing. Although the sector employs thousands of people, it has also been linked to a huge amount of child labours. Despite continuous efforts to solve the issue, child labour is still a concern in Sivakasi Industries fireworks sector. Since the 1980's, the industry has been linked to child labour estimates suggest that at least one lakh children are employed in this sector. The state government's initiatives, such as a scheme that prioritizes education over dangerous labour, have not entirely solved the issue.

Causes for Child Labour in Sivakasi

Fire Work Industries

- **Poverty**
The primary cause of child labour is still poverty. Financially struggling families frequently rely on their children's extra income to make houses run.
- **Lack of Educational Opportunities**
Restricted access to education pushes children to join the workforce earlier than they should.
- **Demand of Cheap Labour**
Employers prefer child Labours as they can be paid less wages and are way easier to control.
- **Family-Based Employment**
In many cases, children work along with their parents in small production units or home based industries.

Critical Analysis

Child labour continues to be a serious and long-standing problem in the fireworks industry of Sivakasi, despite various efforts to eliminate it. The issue dates back to the 1980s, when large numbers of children were already involved in the industry, with estimates suggesting at least one lakh child workers over time.

Although the government has introduced initiatives to promote education and reduce children's involvement in hazardous work, these measures have not been entirely effective. Reports indicate that out of roughly 100,000 workers in the match and fireworks sector, around 45,000 are children, most of them under the age of 14.

Employers often prefer hiring children because they are seen as more obedient, efficient, and easier to control. This preference continues even though laws such as the Child Labour (Prohibition and Regulation) Act strictly prohibit the employment of children in dangerous industries.

The working environment in these factories is extremely unsafe. Children, along with women and adolescents, usually lack proper training and protective equipment. They frequently handle hazardous materials like gunpowder, which exposes them to serious health risks. Many suffer from illnesses such as asthma, eye problems, and tuberculosis due to prolonged exposure to toxic substances and unsafe conditions.

Despite stricter regulations and penalties, child labour persists, revealing weaknesses in enforcement. Activists like Kailash Satyarthi have highlighted that large numbers of children are still employed in this sector. The continued existence of child labour can be linked to factors such as poverty, lack of access to education and limited awareness among families about the long-term consequences.

Overall, the situation underscores the gap between legal provisions and actual practice. It highlights the need for stronger enforcement, better educational opportunities and greater social awareness to protect children's rights and ensure they grow up in safe and healthy environments.

The fireworks industry in Sivakasi has a long history of accidents, highlighting the urgent need for stronger safety regulations to prevent further tragedies. These incidents underline the importance of taking immediate steps to protect both workers and nearby communities.

In October 2023, two major explosions in firework factories led to the deaths of 14 people. These accidents occurred just before Diwali, a peak production period for the industry, which contributes nearly 90% of India's fireworks. The first explosion, in Rengapalayam village, killed 13 workers. Investigations found that the blast was caused by the illegal storage of firecrackers. Although the factory owner had a license from the Petroleum and Explosives Safety Organization, it did not cover such storage, resulting in his arrest.

At the same time, another accident in Kitchanaickenpatti village claimed the life of a worker who was handling chemicals in a licensed unit. These incidents revealed serious shortcomings in supervision and safety practices. The state government later announced compensation for the victims and their families.

A similarly tragic event occurred in 2012, when a massive fire in a Sivakasi fireworks factory resulted in 54 deaths. The fire broke out during the mixing of chemicals used in making fireworks. Improper storage of materials, despite official warnings, worsened the situation and produced thick smoke, making rescue efforts extremely difficult.

In total, over the past 12 years, about 237 people have lost their lives in accidents across 88 fireworks units in Sivakasi. Many victims suffered severe burn injuries, reflecting the hazardous nature of the work. Although the government has introduced stricter safety regulations, these repeated incidents suggest that enforcement remains inadequate.

Overall, these accidents emphasize the urgent need for more effective safety measures in the Sivakasi fireworks industry to ensure the protection of workers and surrounding communities.

Key Cases for Child Labour

in India

1. **M.C. Mehta v. State of Tamil Nadu (1996) – Supreme Court of India**

- This landmark case addressed children working in hazardous industries.
- The Court ruled that employment of children in dangerous occupations violates their fundamental right to life and education under Article 21, 21A and 24 of the Constitution.
- It reinforced that hazardous work like fireworks, match factories, and chemical industries cannot employ children.

2. **Bandhua Mukti Morcha v. Union of India (1984) – Supreme Court of India**

- The Court recognized that bonded labour, including child labour, violates the Right to Life.
- Emphasized that children cannot be exploited for work and must be rehabilitated and given education.

3. **Save the Children v. Union of India (2006) – High Court rulings & PIL**

- Focused on children working in hazardous and informal sectors.
- The Court directed strict enforcement of the Child Labour (Prohibition & Regulation) Act and recommended measures for rehabilitation.

4. **R.K. Garg v. Union of India (1981)**

- Though broader, this case emphasized that laws protecting children must be strictly enforced, and government policies should prevent exploitation in factories and industries.

International and Indian Laws Relating to Child Labour

- **UN Convention on the Rights of the Child (CRC) (1989)**

The UN Convention on the Rights of the Child is a fundamental international framework that upholds children's rights, including safeguarding them from economic exploitation. It emphasizes that children must be protected

from work that disrupts their education or harms their overall development.

- **ILO Convention No. 138 (Minimum Age) (1973)**

It sets a minimum age for employment, usually 15 years, with a lower limit of 14 years permitted in developing countries.

- **ILO Convention No. 182 (Worst Forms of Child Labour) (1999)**

It has been universally ratified and calls for immediate action to eradicate child slavery, trafficking, forced labour, hazardous employment, and sexual exploitation.

- **The Child Labour (Prohibition and Regulation) Act, 1986**

It prohibits the employment of children less than 14 years of age in hazardous work, such as fireworks manufacturing. It also lays down guidelines for children engaged in non-hazardous jobs, including limits on working hours, provision of breaks, and necessary health and safety measures.

- **The Right of Children to Free and Compulsory Education Act, 2009 (RTE Act)**

Ensures children aged between 6–14 years attend school, indirectly preventing child labour.

- **The Juvenile Justice (Care and Protection of Children) Act, 2015**

Provides protection for children engaged in exploitative work and allows rehabilitation.

- **Factories Act, 1948**

Sets minimum age of employment in factories at 14 years. Imposes safety standards for hazardous work environments, including fireworks production.

Punishments for Violating Child Labour Laws

- **Imprisonment**

Offenders can face up to 6 months in jail for employing children in prohibited work.

• Fines

Monetary fines can range from ₹20,000 to ₹50,000 for first offenses, with higher penalties for repeat violations.

• Closure of Establishments

Factories or units found violating laws may be temporarily or permanently shut down.

• Legal Action

Parents, employers, or managers may be held legally responsible for child exploitation.

Conclusion

Child labour in the fireworks industry remains a serious issue involving social injustice, economic hardship, and violations of human rights. Despite existing laws and government efforts to protect children, many are still engaged in dangerous work due to poverty, limited educational opportunities, and weak enforcement of regulations. The hazardous nature of fireworks production exposes children to toxic substances, injuries, and long-term health risks, while also denying them access to education and a normal childhood.

Addressing this problem requires coordinated action from the government, industries, communities, and society. Strict enforcement of child labour laws, improved access to quality education, and financial support for low-income families are essential to break this cycle. Only through sustained collective efforts can children be protected from exploitation and allowed to grow in a safe and supportive environment.

Ultimately, long-term solutions must focus on expanding educational access, reducing poverty through welfare initiatives, and promoting responsible industrial practices. Eliminating child labour in hazardous industries is

essential to protect children's rights and ensure ethical development.

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ISSN 2583-2344



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