



An Impact of Education on Preventing Child Labor in India

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Abstract: It is time to retain child labor in the history books and allow all children to realize their rights. The ‘School is the best place to work’ campaign makes us believe that child labor is harmful to a child’s development and it affects full-time quality education. The main cue to eliminate child labor is practical action and political motivation. Child labor is a huge issue in our modern-day world that not only harshly ravages the lives of millions of innocent and naïve children but also affects us all through its effects on the family, trade and the economy along with its connections to poverty and poor education. Letting this horrific and inhumane practice go on for so long has brought on an unexpected problem that we must solve in order to protect the children and safeguard their future. Although some may disagree child labor is without a doubt a prevalent issue so we must all help in any way possible so that we can bring an end to this abomination once and for all. Child labor can be best described as work that snatches away childhood, dreams, and capability. It also results in harmful physical and mental growth. Involvement of children below 18 in some economic activities, whether it be paid or unpaid, such involvement could be mental or physical.

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Introduction

Children are considered to be the incarnation of innocence in a human embodiment. Undisturbed by materialistic considerations, children are the purest forms of mankind. It is correctly said that the fate of a country can be well determined by the condition of its children and women. However, their childhood innocence, purity and morality get snatched away when they are forced to work and earn a livelihood. Child labor is one of the oldest and most prominent problems that India which is the home to the world’s largest youth population faces. Even though several legislations have been put in place by the lawmakers of the country, child labor is still widespread in a number of areas, especially the rural areas in India.

Above the age of 14, the participation of children in work that does not affect their health and mental well-being or interfere with their schooling is generally regarded as being something positive. Activities like these include assisting in a family business or earning pocket money outside school hours and during school holidays. These kinds of activities contribute to children’s development and to the welfare of their families and they provide them with skills and experience and help to prepare them to be responsible citizens of society during their adult life.

Article 24 of the Indian constitution states that “No child below the age of fourteen years shall be employed to work in any factory or mine or employed in any hazardous employment.” The Child Labor

(Prohibition and Regulation) Act of 1986 delegates a child as a person who has not completed their 14th year of age. It aims to regulate the working conditions and the working hours of child workers and to prohibit child workers from being employed in hazardous industries.

The term “child labor” is often defined as work that deprives children of their potential, their childhood and their dignity and that is harmful to physical and mental development. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children, which interferes with their schooling by depriving them of the opportunity to attend school and obliging them to leave school prematurely or requires them to attempt to combine school attendance with excessively long and heavy work.

National Policy on Child Labor

The National Policy on Child Labor, August 1987 contains the action plan for addressing the menace of child labor. It envisages: (a) A legislative action plan (b) Focusing and convergence of general development programmes for benefiting children wherever possible, and (c) a Project-based action plan of action for the launching of projects for the welfare of working children.

The NCLP Scheme was started in 1988 in pursuance of the National Child Labor Policy to rehabilitate child labor. The scheme seeks to embrace a sequential approach with a focus on rehabilitating

children working in hazardous occupations & processes. Under this scheme after a survey of adolescent labors engaged in hazardous occupations & processes has been conducted, the children are to be withdrawn from these positions and then put into special schools in order to enable them to be put into the formal schooling system.

Legislative Action Plan for strict enforcement of the Child Labor Act and other labor laws to ensure that children are not employed in hazardous jobs and that the working conditions of children working in non-hazardous areas are regulated with respect to the provisions of the Child Labor Act.

The government has accordingly taken steps to tackle this problem through strict enforcement of legislative provisions along with numerous rehabilitative measures. State Governments have been conducting regular inspections and raids to detect cases of gross violations. Since poverty is the root cause of almost all the problems so the government has been laying a lot of emphasis on the rehabilitation of these children and on improving the socio-economic conditions of their families.

Reasons for Child Labor

Poverty

It refers to such a situation where a human is unable to meet the minimum standard of living, necessities due to the absence of enough financial resources. When a family goes through this phase, they expect their kids to work and earn some money to support the family and feed them. Due to scarcity parents are left with no other option than to send their children for work even at a very low wage rate. This is the single biggest factor contributing to the children working hard in factories or shops or construction sites rather than playing and getting an education. Families do not have enough resources and children often become the means for more income, even if it means having to forego the privileges of childhood.

Children who come from poor families may be forced to work to support their siblings and parents or supplement the household income when expenses are more than the parents' earnings. It is a huge problem especially in developing countries where parents are unable to generate income due to the lack of employment opportunities or education. Children can be found employed in mines or hawking in the streets to earn money that is used to provide basic necessities such as food and clothing for the family.

Children may also be employed in factories to generate income for the family instead of attending school. Some children have left orphans or abandoned due to poverty. Such children do not have anyone to take care of them and end up working to feed themselves unless taken up by orphanages. Such a

practice is a common phenomenon in poverty-stricken regions with large factories set up by international companies.

Overpopulation

According to [WORLDOMETER](#) elaboration, India's population is approx 138 crore, out of which 42.75 million people in India are unemployed. India ranks at 86th position with an unemployment rate of 8.5% out of 214 countries. The population in the country is much more than the job opportunities available, which leads to a large section of the society remaining unemployed. When the adults are unemployed, this leads them to poverty, debt trap, and they also cannot educate their children which ultimately results in child labor.

Debt Trap

When a family gets stuck in the vicious cycle of debt trap it contributes to child labor. As children start working at a very tender age to make their family financially sound and act as a helping hand to bring them out of the debt trap.

Unprincipled Labor

India has one of the cheapest labors available therefore it is one of the biggest markets for outsourcing. Other countries approach India to get their work done at a very minimum rate. It is similar to that of the labor class, the labor salary in India is minimal and to increase the family income, parents are forced to let their children work and support them.

Low Aspiration:

It is important for parents and children to understand that they can work hard and make something great of themselves. Low aspirations by parents and children is a major cause of child labor because in such a situation, being employed in a local factory, or selling grocery in the streets is the normal way of life. To these types of children and parents, success only belongs to a certain region or group of people. They do not aspire to become professionals in the society or great entrepreneurs. It is a mindset that forms the very foundation of child labor.

Huge demand for unskilled labourers:

The demand for unskilled labourers is another cause of child labor. Children are mostly unskilled and provide a cheap source of labor, making them an attractive option for many greedy employers. Child labor, by virtue of being cheap, increases the margin of profits for such entrepreneurs whose only objective is profit maximization even if it comes at the expense of ethics and good business practices. These types of employers can also force children to work under

unfavorable conditions through manipulation or blatant threats.

Illiteracy:

A society with many educated people understands the importance of going to school and pursuing dreams. Children have the ability and time to become whatever they aspire to be. Illiteracy, on the other hand, makes it difficult for many people to understand the importance of education. Illiterate people view education as a preserve of the privileged in the society. They will therefore not provide support to children so that they can go to school and build solid foundations for future success. The same view of life is seen among illiterate parents who prioritize children contributing to the upkeep of the family over going to school.

Early Marriages:

Marrying at an early age is a major contributing factor to overpopulation. Having many children with little or no resources to support them leads to child labor. Older children are forced to work in order to help their parents support the family.

High cost of education:

Quality education is expensive. To many parents who live in abject poverty, priority is given to providing food for the family because education is too expensive to afford especially when there are many children to pay school fees for. Instead of letting children stay at home because there is lack of money to send them to school, parents opt to have them working as unskilled labourers to help support the family. Some parents can also only afford basic education which means that children will be forced to look for work since they cannot pursue their education further.

Gender discrimination:

Often girls are required to quit school and take up work to supplement family income until they are suitably married off. This too is an observation in typically vulnerable classes.

Family tradition:

Many families with businesses or traditional occupations like arts, etc. expect the children to work to be able to pass on the traditional arts or business only by experience.

Role of NGOs in Prohibiting Child Labor

NGOs are motivating commercial enterprises in India to not hire kids for the fulfillment of their employee requirements.

They are working hard to bring a full stop to this social evil.

They have been also encouraging locals to make sure that they report cases of child labor at businesses to the police.

Children who belong to communities like scheduled tribes, scheduled caste, Muslims, and OBC are more prone to child labor even after being provided with the reservation facility.

They have been spreading awareness about what does it mean child labor? and also, they have been directly communicating with the vulnerable communities telling them about how important it is to keep children out of any form of labor.

Position In World

Africa has the largest number of child labor with almost 72 million children, followed by Asia with approx 62 million children involved in some sort of labor work.

The number of children stuck in child labor has risen to 160 million worldwide. 8.5 million children are dragged into child labor during the last four years. And there is an additional risk of 9 million children getting involved as an impact of Covid 19.

Every step to prevent child labor has stalled for the very first time in the past 20 years which will reverse the earlier downward trend that saw child labor fall by 94 million between 2000 and 2016.

Position in India

Earlier Child labor was very common in rural India where 80% of the children are trapped in child labor, but slowly with time, this graph shifted from rural to urban India. Because of the presence of big cities with a greater number of the job opportunity. According to a report by [UNICEF](#), there is a 54% increase in child labor for children aged between 5 to 14. As per a campaign against child labor India has approx 12666377 child laborers. Uttar Pradesh has 1927997 child laborers. Delhi has over 1 million child laborers. Other leading states are Bihar, Rajasthan, Maharashtra, and Madhya Pradesh.

Judicial Aspect

Courts in India have proved themselves to be the torchbearer towards this issue of child labor.

In [Francis Coralie Mullin v. Union Territory of Delhi](#)

In the above-mentioned case courts held that article 21 includes protection of health and also empowers workers, women, and children against the abuse. According to the court, the occasion and services for children to grow and build in a healthy way and order of freedom and decorum and educational benefits.

IN SHEELA BARSE v. UNION OF INDIA

It was held that it is the responsibility of states to focus on a child's development and growth and provide better opportunities to enhance his personality. Judicial institutions have always tried to fix issues which concern society at large. And has always tried to grow and expand the law to cover all the concerns of society.

GANESH RAM v. STATE OF JHARKHAND AND ORS.

In this case, the court held that, under child labor (prohibition and regulation act,1860), if any child below the age of 14 is appointed a penal order will be passed against the employer but the employee will be free, no penal action would be charged against him.

**Laws Against Child Labor
Factories Act of 1948**

This act guides and prohibits factory owners regarding employment creation. Under this act employment of children under the age of 14 is forbidden by law. It also gave a guideline on the employment criteria of a pre-adult that is 15 to 18 years of age.

The Mines Act of 1952

Working in mines is considered one of the toughest occupations. Kids with no experience of work in this field might lead to an adverse effect. After witnessing various incidents of children losing their life while working in mines, our lawmakers came up with this act, and children working in this field was completely banned. This act talks about employment criteria in mines, it forbids children under the age of 18 to work at such a place.

The Child Labor Prohibition and Regulation Act of 1986

To prevent children from working at some perilous occupation, our lawmakers came up with a list for the same. Under which all the hazardous occupations were listed down and children under 14 years were strictly prohibited to work at such places. The 2016 amendment changed the title of the act from THE CHILD LABOUR (PROHIBITION AND REGULATION) ACT OF 1986 to CHILD AND ADOLESCENT (PROHIBITION AND REGULATION) ACT OF 1986. The amendment added the following features in the act:

No child shall be permitted to work in any occupation or process.

Nothing in sub-section (1) of the act shall apply where the child: -

(a) Helps his family or family enterprise, which is other than any hazardous occupations or processes outlined in the schedule, after his school hours or during vacations.

(b) Work as an artist in the audio-visual entertainment industry, including the advertisement, films, television serials, or any such other entertainment or sports activities except for the circus, subject to such conditions and safety measures, as may be prescribed. Provided that no such work under this clause shall affect the school education of the child.

No adolescent shall be employed or permitted to work in any of the hazardous occupations or processes outlined in the schedule: provided that the central government may, by notification, specify the nature of the nonhazardous work to which an adolescent may be permitted to work under this act.

The Juvenile Justice Care and Protection of Children Act of 2000

It was made punishable for employers to employ a child in some hazardous work. This act provides punishment to those who act in contravention to the previous acts by employing children to work.

The Right of Children to Free and Compulsory Education Act of 2009

For children aged from 6 to 14 years, education was made mandatory and free. It also mandated that in every private school 25% of seats should be allocated for children who come from physically disabled groups or disadvantaged groups.

Importance of Education Against Child Labor

Education plays a very significant role in eliminating child labor. Every year world day against child labor is celebrated on 12th June by Education International. According to Education International, early education is very important to get children out of the labor market.

It doesn't only help children to learn necessary skills, but also allows them to lead a decent life forward.

Education and training are mandatory drivers of social and economic growth and democracy.

The removal of all costs linked with education will result in a large section of society being educated.

An approach with the mindset to educate children and drag them out of poverty will reduce the number of child labor cases we face now.

Education is a fundamental right, over which no one has the authority to deny.

It helps in changing people's opinions towards life and makes them better human beings.

Effects of Child Labor

Health issues: - Industries like Bengal making, employ a lot number of children and working in such industries leads to several severe diseases such as loss of eyesight at a very young age, depression, anxiety and also pushes them towards destructive habits like smoking alcoholism and drug abuse.

Increases chances of the accident: - Children due to their lack of experience don't easily understand the consequences of their acts, which happens to increase the risk of losing their life, if in the case involved with some hazardous work. There are a lot number of cases where children made some mistake at work and had to repay with their life. Working under someone increases the chances of a kid being sexually harassed by the employer or adult co-workers.

Importance of education against child labor

Education: is a crucial component of any effective effort to eliminate child labor. There are many interlinked explanations for child labor. No single factor can fully explain its persistence and, in some cases, growth. The way in which different causes, at different levels, interact with each other ultimately determines whether or not an individual child becomes a child laborer.

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It helps in changing people's opinions towards life and makes them better human beings. Children's participation in the labor force is endlessly varied to changing market and social conditions. This context is matched by the flexibility of the large, unprotected, potential child labor force. Poverty and social exclusion, labor mobility, discrimination and lack of adequate social protection and educational opportunity all come into play in influencing child labor outcomes.

Experience shows that a combination of economic growth, respect for labor standards, universal education and social protection, together with a better understanding of the needs and rights of

children, can bring about a significant reduction in child labor. Child labor is a stubborn problem that, even if overcome in certain places or sectors, will seek out opportunities to reappear in new and often unanticipated ways. The response to the problem must be as versatile and adaptable as child labor itself. There is no simple, quick fix for child labor, nor a universal blueprint for action.

PEC's approach to the elimination of child labor has evolved over the past decade as a result of the experience it has gained and the changing needs of its partners for assistance. The programmed incorporates a wide range of categories of work against child labor, including research and statistics, technical co-operation, a monitoring and evaluation unit, advisory services and advocacy, and an education unit.

IPEC has demonstrated leadership and experience in using education to combat child labor in both formal and non-formal settings which has proved significant in the prevention of child labor and the rehabilitation of former child workers. Non-formal or transitional education has played an instrumental role in the rehabilitation of former child labourers. Vocational education and training have provided the skills needed for gainful employment, which in turn contributes to local and national development. In addition, IPEC has been providing policy advice and technical assistance to governments to ensure that educational policies pay special attention to children at risk of child labor.

Conclusion

Child labor is better defined as work that robs children of their childhood, dreams, and potential. It additionally ends up in harmful physical and mental growth. Involvement of kids below eighteen in some economic activities, whether or not it's paid or unpaid, such involvement could be mental or physical. Under extreme economic distress, children are forced to take up jobs which are mostly exploitative as they are usually underpaid and engaged in hazardous conditions; this causes child labor. Eradicating child labor is still a distant dream for India. But education can be proved as a weapon to deal with it. Our lawmakers are trying to tackle the problem but it's high time that we as a citizen of India help the government to solve the problem. Problems like poverty, Illiteracy leads to child labor, with a collective effort by all of us, will for sure help children to drag them out of the labor world and lead a better life ahead.

References:

1. People's Union for Democratic Rights and others Vs. Union of India and others, 1982

2. Hemant Goswami vs. Union of India, CWP 2693 of 2010/ 9968 of 2009
3. “Save the Children India | Statistics of Child Labor in India State Wise
4. “Save the Children India | Statistics of Child Labor in India State Wise”
5. “Child Labor | UNICEF”
6. The magnitude of Child Labor in India Archived 8 October 2013 at the Wayback Machine Table 12, Section 8.12, Government of India

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