
HOW EDUCATION INFLUENCES CHILD LABOUR

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ABSTRACT

In India, education has a significant influence on child labor. Lack of education and poverty are two of the major factors contributing to child labor in the country. Education helps children and their parents understand the negative consequences of child labor. It can make them aware of the importance of education, and the long-term benefits it offers in terms of better job opportunities and higher wages. Education empowers children to make informed decisions about their lives. It enables them to pursue their interests and develop their skills, which can help them achieve their full potential and become productive members of society. Education helps in the implementation of laws and policies related to child labor. It provides children with the knowledge and skills needed to fight for their rights and demand a better future. Education can break the cycle of poverty that often leads to child labor. It provides children with the skills and knowledge they need to escape poverty and build a better future for themselves and their families. Education helps in promoting economic growth and reducing poverty, which can indirectly reduce child labor in the long term. As more people become educated and earn higher wages, they are less likely to rely on child labor to make ends meet.

Introduction

According to Census 2011 data, there are 10.1 million child labourers in India, 5.6 million of them are boys and 4.5 million of whom are girls. Globally, it is estimated that 152 million children, or around one in ten of all children, work as youngsters, including 64 million girls and 88 million boys. Children are still used in some extreme kinds of child labour, such as bonded labour, child soldiers, and trafficking, despite the fact that rates of child labour have decreased over the past few years. Child labourers are employed in a number of different industries throughout India, including agriculture, fishing, mining, carpet weaving, garment manufacturing, domestic work, food and refreshment services (such as tea shops), and brick kilns. Children are also vulnerable to other types of abuse, such as sexual exploitation and the internet production of child pornography.

Many reasons contribute to child labour and exploitation, such as poverty, social norms that support it, a lack of chances for adults and teenagers to find respectable job, migration, and emergencies. These elements not only contribute to societal injustices that are exacerbated by prejudice, but they are also a result of them. Children belong in classrooms, not at jobs. Children who work as children are denied the opportunity to attend school, which perpetuates intergenerational cycles of poverty. Child labour poses a significant obstacle to education, hurting both attendance and academic achievement. As well as posing a threat to national economies, child labour and exploitation has serious short- and long-term effects on children, including depriving them of an education and jeopardising their physical and mental health. Child maltreatment is always a byproduct of child trafficking, which is also connected to child labour. All types of abuse—physical, mental, sexual, and emotional—are committed against trafficked children. Children who have been trafficked may be forced into prostitution, forced into marriage, or unlawful adoption; they may also be made to work as house maids or beggars or perform cheap or unpaid labour; they may also be recruited into armed groups. Children who are victims of trafficking are exposed to violence, sexual assault, and HIV. It is possible to prevent child labour and other types of exploitation by using integrated strategies that enhance access to and the standard of education, strengthen child protection systems while also tackling poverty and inequality, and rally public support for upholding children's rights.

Teachers and other members of the educational system can act as frontline protectors for kids and can notify other parties, such social workers, when kids show signs of distress or suggest

they work a lot of hours. In order to allow families to choose education over exploitative job, broader reforms in public policy are also necessary to get kids out of the workforce and into school.

Definition

According to ILO, the ideal definition¹ of "child labour" is work that robs children of their childhood, their potential, and their dignity and is detrimental to their physical and mental development. interferes with their education by denying them the chance to go to school, forcing them to finish early, or forcing them to try to balance school attendance with extremely hard employment.

Child labour is defined differently by UNICEF. According to UNICEF², if a child between the ages of 5 and 11 engages in at least one hour of economic activity or at least 28 hours of domestic work per week, or if a child between the ages of 12 and 14 engages in at least 14 hours of economic activity or at least 42 hours of economic activity and domestic work per week, then the child is engaged in child labour activities. In a different report, UNICEF makes the case that "Children's work needs to be seen as happening along a continuum, with beneficial work - promoting or enhancing children's development without interfering with their schooling, recreation, and rest - at the other end and destructive or exploitative work at the other. Between these two extremes, there are enormous fields of endeavour that need not harm a child's growth.

Child labour is defined by India's Census 2001 office as involvement of a child under the age of 17 in any economically productive activity, with or without payment, wage, or profit. Physical, mental, or both types of participation are all possible. Part-time assistance or unpaid employment on a farm, family business, or in any other type of economic activity, such as farming and producing milk for sale or household use, is included in this category. The Indian government divides child labourers into two categories: main workers, who work six months or longer each year, and marginal child workers, who work any time of the year but for less than six months in a year.

¹ International Labour organisation, <https://www.ilo.org/ipec/facts/lang--en/index.htm>, (last visited on 24/4/2023)

² UNICEF, <https://data.unicef.org/topic/child-protection/child-labour/>, (last visited on 24/4/2023)

Some advocates for children's rights contend that because every child who is not enrolled in school is a covert child worker, child labour must also apply to them. However, UNICEF notes that India has a severe teacher and school supply shortage, particularly in rural regions where child labour is a big issue (90 percent). One teacher serves as the only instructor in about 1 in 5 primary schools.

India has implemented a variety of constitutional provisions and legislation against child labour since gaining its independence from colonial domination. The Fundamental Rights and the Directive Principles of State Policy in the Indian Constitution forbid child labour under the age of 14 in any factory, mine, castle, or in any other dangerous occupation (Article 24). The constitution also stipulated that India would have the facilities and resources necessary to offer free and compulsory education to all children between the ages of six and 14 by the year 1960. both Articles 21-A and 45.

Because of the federal structure of India's government and the inclusion of labour on the Concurrent List, both the federal and state governments have passed laws addressing child labour.

Factories Act, 1948

Children under the age of 14 are not allowed to work in factories under the Act. The law also set restrictions on who, when, and how long pre-adults between the ages of 15 and 18 might work in any factory.

Mines Act, 1952

The Act prohibits the employment of children below 18 years of age in a mine. **The Child Labour (Prohibition and Regulation) Act, 1986**

Anyone under the age of 14 is considered a "Child," and the CLPR Act forbids hiring a child for any job, including working as a domestic helper (except helping own family in non-hazardous occupations). Employing a child for any job is a criminal offence that can be prosecuted. Adolescents are defined as children between the ages of 14 and 18, and the law permits their employment, with the exception of the hazardous occupations and processes listed in the Factories Act of 1948, which include mining, work involving explosives and flammable substances, and any other hazardous process.

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

This law made it a crime, punishable with a prison term, for anyone to keep a child in bondage for the purpose of employment.

Right of Children to Free and Compulsory Education Act, 2009

All children between the ages of six and sixteen are required by law to attend free, public schools. Additionally, this act required that children from economically disadvantaged groups be given 25% of the places in every private school (implementation gaps remain).

In 1987, India created a National Policy on Child Labor. This policy aims to use a progressive and sequential approach, with a particular emphasis on the rehabilitation of kids who work in dangerous jobs. It called for the severe implementation of child labour rules in India together with development initiatives to deal with the underlying issues, such as poverty. This prompted the National Child Labour Project (NCLP) initiative to be launched in 1988. With a present central government budget of Rs. 6 billion, this legal and development programme is still going strong with the express goal of ending child labour in India. Despite these initiatives, child labour is still a significant problem for India. No youngster under the age of 16 may work in a factory, mine, or engage in other dangerous activities.

Bonded child labour in India

In a system of forced or partially forced labour known as "bonded child labour," the child or the child's parent enters into an oral or written contract with a creditor. As an in-kind return of credit, the child works. According to a 2005 ILO report, debt-bondage first appeared in India during the colonial era as a way to secure dependable, inexpensive labour. Loan and land-lease arrangements were also put in place during this time in Indian history. These were known as the Hali, Halwaha, or Jeura systems in their native regions; the colonial authority referred to them as the indentured labour system. These systems made use of child labour in bonds. According to the ILO survey, traditional long-term relationships have become less common over time.

India enacted legislation in 1977 making it illegal for anybody, including minors, to solicit or use bonded labour. There is still evidence of child labour in bonds. 53 child labourers were reportedly found in the year 1996 during a surprise inspection in the state of Tamil Nadu,

according to a report by the Special Rapporteur to India's National Human Rights Commission. Each child or parent has borrowed between Rs. 1,00,000 and Rs. 2,50,000. The children were pushed to work 12 to 14 hours each day for a meagre compensation of Rs. 2 to 3. It is challenging to measure the prevalence of bonded child labour, although estimates from various social activist groups range up to 350,000 in 2001, according to an ILO report.

Despite being legal, the Bonded Labor System (Abolition) Act of 1976 is rarely used by Indian prosecutors to bring charges against offenders. One report claims that the central government has not instructed the prosecutors to file charges under the Bonded Labour Act of India if it is discovered that a kid was underpaid, in addition to the Minimum Wages Act of 1948 and the Child Labor (Prohibition & Regulation) Act of 1986. There have been some unforeseen consequences of the few enforcement efforts. The research asserts that poverty still forces children and families with low incomes to work, even if there has been a drop in the number of minors working in factories due to enforcement and community vigilance committees. The factory installs a loom in the home of whoever needs money-lending assistance, and the person who needs it works from there while a family with children brings finished goods to pay interest and receive salaries. Bonded family and child labour operations were dispersing from little urban industries into rural residences.

Consequences of child labour

Regarding economic welfare, having a sizable population of child labourers is considered a severe problem. Working kids don't receive the necessary education. They are unable to grow emotionally, intellectually, physically, or psychologically. Children are not physically prepared for extended periods of tedious work because they tire more easily than adults do. Children that suffer from this have worse physical conditions and are more susceptible to illness.

Children who labour in dangerous environments are in even worse condition. Children who choose to work rather than attend school will continue to be illiterate, which limits their capacity to improve both their personal well-being and that of the community in which they reside.

Child labour has long term adverse effects for India.

An educated workforce with the necessary skills for the demands of the sectors is a crucial

requirement to maintain an economy's prosperity. The young workers of today will make up tomorrow's human capital in India. Without a doubt, child labour hinders the growth of human capital.

The majority of child labourers in India work in agriculture (70%) and some in low-skilled labor-intensive industries like sari weaving or as domestic workers, which don't require formal schooling or training, although some work in heavy industry like coal mining.

The International Labour Organization (ILO) asserts that sending children to school instead of to work has significant economic advantages for developing countries.

Without education, children do not acquire the skills they need, such as English literacy and technical aptitude, to boost their productivity and land higher-paying jobs in the future that would help them to escape poverty.

Initiatives against child labour in India

The Gurupadswamy Committee was established by the Indian government in 1979 to investigate child labour and methods of prevention. Based on the committee's recommendations, the Child Labour Prohibition and Regulation Act was passed in 1986. In 1987, a National Child Labor Policy was created with the goal of rehabilitating kids who were engaged in dangerous jobs. Since 1988, the Ministry of Labour and Employment has established almost 100 National Young Labor Projects that are industry-specific and aimed at rehabilitating child workers.

To counteract the pervasive prevalence of child labour, the Indian government has passed a multiplicity of acts, regulations, organisations, and institutions. The National Policy on Child Labor seeks to adopt a sequential approach with a focus on rehabilitation of children working in hazardous occupations & processes in the first instance, and the Ministry of Labour and Employment are a few of the initiatives. The Child Labour Prohibition and Regulation Act is a piece of legislation that prohibits the engagement of children in certain employment (mostly in dangerous conditions) and regulates the conditions of work of children. Additionally, according to Osment, NGOs have been established to prevent child labour through education and resource accessibility, including Care India, Child Rights and You, and the Global March against Child Labor. These initiatives, however, have generally failed.

A child labour free zone (CLFZ) is "a specified area, such as a hamlet or a plantation, where everyone is convinced that "No child should be working, every child should be in school! ",

which has been pushed in India. The Mamidipudi Venkatarangaiya Foundation, an Indian organisation, first proposed the idea in 1992. (MVFoundation).

Non-governmental organisations

Many NGOs like Bachpan Bachao Andolan, ChildFund, CARE India, Talaash Association, Child Rights and You, Global march against child labour, Bundelkhand matra bhumi samaj sevi sansthan project stop working with child labour in India, GoodWeave India, RIDE India, Childline etc. have been working to eradicate child labour in India.

Child labour has also been a subject of public interest litigations in Indian courts.

In conclusion, education can play a crucial role in reducing child labor in India. It can help children break the cycle of poverty, become aware of their rights, and develop the skills and knowledge they need to pursue better opportunities in life.