

## IMPACT OF EDUCATION IN PREVENTING CHILD LABOUR IN INDIA

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### INTRODUCTION

Children have long been thought to be close to God. No matter where they go, they are regarded as bringers of happiness, joy, and hope. The nation's future is in the hands of the children, who are unquestionably the stepping stones in defining any nation's future. If a country treats its children well and provides them with necessities, it will reflect in the country's future success. The nation's moral obligation is to ensure that every child's childhood is preserved. COVID-19 appears to have thwarted the Indian government's efforts to provide better education and a better living for children. The inaccessibility of online education, as well as the poor financial status of parents, have contributed to an increase in the number of school dropouts worldwide. Children are encouraged to learn, play, study, and dream about what they want to be when they are that age, but child labor robs them of their aspirations by forcing them to work hard physically and mentally for a small amount of money.

### CHILD LABOUR – DEFINITION

Child labor is defined as a job that takes away a child's childhood, goals, and potential. It also hurts physical and mental growth. Minors under the age of 18 may be exposed to mental or bodily harm as a result of their participation in different economic chores, whether paid or unpaid. Child labor is a worldwide phenomenon that is not limited to a single country. The use of children in any manual activity is referred to as "child labor." A "child" is defined as someone under the age of 14 years old, according to the Child Labor (Prohibition and Regulation) Act of 1986. A youngster is compelled to work and make a livelihood for himself and his family at a vulnerable age when he or she is meant to grow, enjoy his or her youth to the fullest, pursue education, and develop a strong value system. It not only has an impact on his or her physical and mental development, but it also places a significant financial burden on the youngster to sustain his or her family. Children are commonly forced to work as a result of adversities such as a lack of solid financial support, adequate food, clothes, housing, and livelihood, to name a few.

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Child labor, according to the International Labor Organization [ILO], is defined as employment that not only impacts children's childhood but also prevents them from attending school regularly or receiving a suitable education. Child labor also takes away a child's dignity, potential, and childhood. Children under the age of 14 who work do not have the opportunity to develop cognitively, socially, physically, or morally.

The United Nations Children's Fund [UNICEF] has a distinct definition of child labor. It states that a youngster is considered labor when:

1. His/her age ranges from 5 to 11 years old, and
2. He/she performs at least 1 hour of economic activity every week, or he/she performs at least 28 hours of domestic labor per week.

If the youngsters are between the ages of 12 and 14, they must engage in at least 14 hours of economic activity or 42 hours of domestic work each week to be classified as child labor. When a youngster under the age of 17 engages in commercial work with or without recompense, either physically or intellectually, or both, according to India's Census 2001. Child labor will include part-time help or unpaid employment on farms, a family business, or any other economic activity such as farming and milk production for sale or household consumption. In India, child labor is divided into two categories: Main employees: Main workers are those who work for at least a few months each year, While marginal kid workers are those who work for less than six months per year and work at any time during the year.

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### **CHILD LABOUR ISSUE**

Child labor is a big concern not only in India but in every developing country because it damages the physical and mental well-being of children. Child labor has grown more common as a result of poverty, not only in India but across the world. Children represent a nation's hope and future, which is why they are a societal issue. Many laws have been passed to prevent child labor, but they have proven ineffective in addressing the issue. According to a 2017 statistic estimate, India is one of Asia's leading countries, with 33 million children exploited in child labor. According to the 2011 Census, there were 259.6 million children in the United States, with 10.1 million working as main workers or marginal workers.

### **CAUSES OF CHILD LABOUR**

Child labor is mostly caused by poverty, parental illiteracy, and family social and economic situations. Lack of understanding of the adverse impacts of child labor, as well as a lack of access to basic and quality education, family cultural values, and the environment in which one lives, all contribute to the high prevalence of child labor. Child labor is exacerbated by high unemployment and underemployment rates. Children who drop out of school owing to family debt or who are expelled from school are more likely to work as children. Girls from underprivileged backgrounds are more likely to be coerced into child labor.

Poverty: Children are regarded as the family's helpful hands. Controlling child labor in poor nations is very hard since youngsters must not only sustain themselves but also their families and provide them with life. Because of the high percentage of unemployment and underemployment caused by poverty, parents are forced to send their children to low-wage jobs.

Overpopulation: According to WORLDMETER estimates, India's population is over 138 million people, with 42.75 million of them jobless. India is ranked 86th out of 214 nations, with an unemployment rate of 8.5 percent. Because the country's population outnumbers available work possibilities, a huge portion of the population remains unemployed. When adults are unemployed, they fall into poverty, fall into a debt trap, and are unable to educate their children, resulting in child labor.

Professional needs: Some businesses, such as the bangle industry, demand delicate and gentle hands rather than the harsh hands necessary in the bangle industry. As a result, they favor youngsters over adults for such jobs.

Debt Trap: When a family becomes trapped in a debt cycle, it adds to child labor. Children begin working at a young age to help their families become financially stable and to assist them in getting out of debt.

Child sex workers: Girls who have reached puberty are frequently coerced into prostitution in exchange for promises that they would be allowed to work in glamorous occupations.

Domestic help: Tiny children frequently labor for educated households, and despite various laws prohibiting the employment of children, these people frequently accept small children to help them care for their houses and children.

Bonded labor: Children are frequently exposed to the sun for lengthy periods and are deprived of water and nourishment. These children are seldom compensated. Bonded labor contributes to the widespread growth of child labor.

Forced begging: Families that are unable to sustain their children drive them to beg on the streets in deplorable conditions. To gain more money from the people, they have their children disfigured.

Unprincipled Labor: Because India has some of the cheapest labor, it is one of the most popular outsourcing destinations. Other countries come to India to get their job done for a low price. It is comparable to that of the working class; in India, labor salaries are low, and parents are obliged to let their children work and support them to supplement the family income.

### **CONSEQUENCES OF CHILD LABOUR**

At employment, children are vulnerable to accidents and a variety of other risks. Such injuries inflict them social and economic suffering that lasts for the rest of their lives. Cuts, burns, lacerations, fractures, and dizziness are all frequent ailments. Child labor has also resulted in sexual abuse, STDs, HIV/AIDS, narcotics, drunkenness, sexual exploitation of females, rape, and prostitution. They are also subjected to physical abuse in terms of food, clothes, shelter, and medical care. As a result, they are unable to attend school, depriving them of fundamental education and forcing them to live in poverty. Child labor has also been linked to emotional neglect. Children are vulnerable to physical abuse, such as beatings, which frequently result in physical deformities.

### **POSITION IN INDIA**

Earlier Child labor was quite frequent in rural India, with 80 percent of youngsters enslaved, but as time passed, this trend migrated from rural to urban India. Due to the existence of large cities with a greater number of career opportunities. According to a UNICEF report, child work has increased by 54 percent among children aged 5 to 14. According to a child labor campaign, India has around 12666377 child laborers. There are 1927997 child workers in Uttar Pradesh. Over a million children work in Delhi. Bihar, Rajasthan, Maharashtra, and Madhya Pradesh are the other prominent states.

## **JUDICIAL ASPECT**

India's courts have shown to be the forerunners in the fight against child labor.

### Union Territory of Delhi v. Francis Coralie Mullin

In the aforementioned instance, the courts ruled that article 21 protects employees' health and empowers women and children against violence. The occasion and services for children to develop and build healthily, as well as the order of freedom and decorum and educational benefits, according to the court.

### Union of India v. ShellaBarse

States were thought to be responsible for focusing on a child's development and growth, as well as providing greater opportunities to improve his individuality. Judicial institutions have always attempted to resolve challenges that affect society as a whole. And has always attempted to extend and enlarge the law to encompass all of society's problems.

### The state of Jharkhand and Ors v. Ganesh Ram

In this case, the court found that under the Kid Labor (Prohibition and Regulation Act, 1860), if a child under the age of 14 is employed, a criminal order will be issued against the employer, but the employee will remain free and will not face any penalties.

## **LAWS AGAINST CHILD LABOUR**

### Factories Act 1948

This law directs and prevents manufacturing owners from creating jobs. Employment of minors under the age of 14 is prohibited under this statute. It also guided the work requirements for pre-adults aged 15 to 18.

### The Mines Act of 1952

It was enacted to regulate the mining industry. Working in mines is regarded as one of the most difficult jobs. Children who have never worked in this sector might have a negative impact. Following several incidences of youngsters losing their lives while working in mines, our legislators enacted this legislation, making children's employment in this industry illegal. This

statute regulates employment in mines and prohibits youngsters under the age of 18 from working there.

### The Child Labor Prohibition and Regulation Act 1986

It is a federal law that prohibits and regulates child labor. Our legislators came up with a list to discourage minors from working in dangerous occupations. All dangerous activities were identified, and children under the age of 14 were barred from working in them. THE CHILD LABOR (PROHIBITION AND REGULATION) ACT OF 1986 was amended in 2016 to become THE CHILD AND ADOLESCENT (PROHIBITION AND REGULATION) ACT OF 1986. The act was amended to include the following features:

1. No youngster must be allowed to engage in any type of labor or procedure.
2. Where the kid is a minor, nothing in subsection (1) of the Act applies;
  - Helps his family or family business after school or during holidays, except for any hazardous jobs or procedures included in the schedule.
  - Work as an artist in the audio-visual entertainment business, including advertising, films, television serials, or any other kind of entertainment or sports activity other than the circus, subject to the conditions and safety measures that may be imposed. Provided, however, that no labor performed under this condition would interfere with the child's schooling.
3. No adolescent shall be engaged or permitted to work in any of the hazardous professions or procedures listed in the schedule, with the exception that the central government may describe the nature of the nonhazardous job that an adolescent may be permitted to do under this act by notice.

### The Juvenile Justice Care and Protection of Children Act of 2000

It was enacted to protect children in the juvenile justice system. Employing a youngster in dangerous employment is now illegal. This statute punishes people who work with youngsters in violation of existing laws.

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

Education was made compulsory and free for children aged 6 to 14. It also stipulated that 25% of places in private schools be reserved for students from physically challenged or poor backgrounds.

### **IMPORTANCE OF EDUCATION AGAINST CHILD LABOUR**

1. 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.
2. It doesn't only help children to learn necessary skills, but also allows them to lead a decent life forward.
3. Education and training are mandatory drivers of social and economic growth and democracy.
4. The removal of all costs linked with education will result in a large section of society being educated.
5. 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.
6. Education is a fundamental right, over which no one has the authority to deny.
7. It helps in changing people's opinions towards life and makes them better human beings.
8. No one can deny someone access to education.
9. It aids in the transformation of people's perspectives on life and the development of better human beings.

### **EFFECTS OF CHILD LABOUR**

Concerns about your health: Working in industries such as Bengal manufacturing employs a large number of children, and working in such industries leads to several serious diseases such as loss of vision at a young age, depression, anxiety, and also encourages them to engage in destructive habits such as smoking, alcoholism, and drug abuse.

Increases the likelihood of an accident: Due to their lack of experience, children are less likely to recognize the implications of their actions, which increases the danger of death if they are involved in a hazardous job. There have been several instances where youngsters have committed mistakes at work and have had to pay the price with their lives. Working under someone raises a child's risk of being sexually harassed by his or her boss or adult co-workers.

## CONCLUSION

Child labor is still a concern in the United States. The government has adopted a variety of initiatives to actively address the problem of child labor. However, owing to socio-economic issues such as poverty and illiteracy, which are the primary causes of child labor, it cannot be remedied unless and until all members of society work together. This problem may be rectified and we can have a better and more developed India if each individual accepts responsibility for child labor. The problem of child labor may be handled to a large extent if the public supports the government's functions. Abolition of child labor is a long-term aim for India. On the other hand, education might be used as a weapon against it. Our members of parliament are working to resolve the issue, but as Indian people, it is past time for us to assist the government in resolving the issue. Child labor is aggravated by poverty and illiteracy, and a united effort by all of us will undoubtedly assist young people in exiting the labor market and entering a brighter future.

