

A Study Of Children's Policies In The Context Of Child Labour In India

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Abstract

Even in the most privileged families, children of all ages have always played an important part in the functioning of the economy. Children may be successful at certain types of jobs. Certain pursuits do provide a positive contribution to their development, serve to get them ready for the occupations they will have in the future, and facilitate the passing down of traditional skills from one generation to the next. Over the course of the last decade, our nation's government has undertaken a wide range of policy measures and actions, the primary objective of which has been to address the problem of an alarmingly high number of children being employed in the workforce. India is home to about one-third of the world's estimated 250 million children who are engaged in some kind of child labour. The pursuit of universal literacy and the elimination of child labour are two causes that need to be prioritized on a war footing. Doing so will not only ensure that democracy is a genuine triumph, but it will also ensure that the nation makes general social advancements and maintains economic growth.

Keywords: Child Labour, Education,

1. INTRODUCTION

Even in the most affluent societies, young people have always played an active role in the economy. For children, every kind of job is beneficial. There are several activities that contribute to their growth, prepare them for future challenges, and assist to convey traditional skills from generation to generation. In other words, "child labour" is not the same as "child labour". It's allowed to do the former, but it's exploitative to do the latter. Child labour becomes an absolute evil when children are forced to work beyond their physical capacity, when their education, leisure time, and rest are disrupted by their work schedules, when their wages aren't commensurate with the amount of work they're putting in, and when the occupation in which they're employed puts their health and safety at risk. Even yet, it might be difficult to distinguish between harmful and helpful forms of child labour. There is a lot of kid labour that is somewhere in the middle of these two extremes.

Over the past decade, a variety of government measures and programs have been implemented in this nation in order to address the issue of child labour. All of these steps

— including the creation of a task force on child labour, legislation of the Child Labor (Prohibition and Regulation) Act in 1986, and ratification of the United Nations Convention on the Rights of the Child — have played a role. As a result of these efforts, there was the creation of a new education policy with a specific component for working children in it. The purpose of this article is to determine if the policy changes implemented by the Indian government over the previous several years have had any influence on the country's child labour situation.

On the topic of child labour, this study also looks at education policy. There is a clear lack of understanding of how elementary education may be used to remove children from the workforce while proposing non-formal education as the main strategy to address the problem of illiteracy among working children. It is concluded that a realistic and practical answer to the problem of rising child labour is to make elementary school obligatory for all children.

CHILD LABOUR AND LAW

Lack of enforcement of labour regulations promotes child labour, despite the existence of a policy to do so. This may be seen in the fact that the minimum age of work varies by industry. According to the International Labor Organization, children put in the most hours and earn the least money of any other group of workers. India's Child Labor (Prohibition and Regulation) Act 1986 and Rules make it illegal for any child to work in any of the occupations listed in Part A of the Schedule or any workshop where any of the procedures listed in Part B of the Schedule is carried out. "Child" in this context refers to a person who has not yet turned the age of fourteen. To protect workers and their families, the law forbids the use of minors under the age of 18 to do certain dangerous tasks or procedures. In response to the recommendations of the Child Labor Technical Advisory Committee established under the Act, the list of potentially hazardous activities and procedures is being broadened. [1]

CONSEQUENCES OF CHILD LABOUR

Concerns about child labor's influence on children's mental health are one aspect of the harmful impact on children's physiological and psychological levels. It's important to remember that one-third of children in underdeveloped countries don't finish even the first four years of school. One of the most important indicators of a child's involvement in hazardous activities is socioeconomic status. Child labour is linked to a variety of social ills, including poverty. [2]

There is a paucity of research on the effects of child work on mental health. [3] Children working in the handicraft industry in Morocco were shown to have respiratory, digestive, and skin disorders, as well as mental health issues such as sleeplessness, irritability, enuresis, and asthenia, in a retrospective cohort study. [4]

To compare youngsters aged 10–17 who work full-time in small industrial

shops with nonworking matched school pupils, a cross-sectional survey was conducted. The majority of them were in need of medical attention due to their deteriorating physical health, which was mostly manifested by skin sores or ear issues. [5] In Lebanon, researchers studied youngsters exposed to solvents and found that they were more likely to suffer from lightheadedness, weariness, decreased memory, and sadness than those who were not exposed. [6] Diagnostic interviews were performed in cross-sectional research in Addis Ababa, Ethiopia, to investigate the prevalence of mental illnesses in 528 children aged 5 to 15 who were street workers, child domestics, and employees of private businesses. Mental illness affects as many as 20.1% of the population, compared to 12.5% of the overall population. [7] Researchers in the Gaza Strip studied 780 youngsters (ages 9–18) who were working and looking for a link between labor-related characteristics and mental health issues. Socioeconomic characteristics and factors connected to children’s underage employment were likely to be linked to mental health problems of workers. [8]

Researchers are concerned with the physical and societal effects, but less attention has been paid to the mental health consequences. Child labour has not been studied in the Indian context, despite the fact that it has a negative influence on mental health.

2. GOVERNMENT SCHEMES AND POLICIES

Child labour is a serious, multifaceted problem. Studies have shown that abolishing child labour and placing children in school will have substantial aggregate development advantages. In order to reap the benefits, future generations would need to have more education than those who worked as children. Several international and national governmental efforts and programs have been implemented to address child labour. In conjunction with the child labour and education number of actions have been launched at a worldwide level:

- In 1948, Universal Declaration on Human Rights: Right to Education,
- In 1966, International Covenant on Economic, Social and Cultural Rights: Compulsory and Free primary education,
- In 1973, the International Labour Organization Convention [ILO]: Minimum age of 15 was decided.
- In 1989, the Convention on the Rights of Child: “Freedom of association, primary education, rest and leisure, no hazardous child labour, protection from sexual exploitation and trafficking”
- In 1999, ILO convention 182:”Worst form of Child labour: Banned Slavery, use in armed conflict, prostitution, drug trade; work harmful to health safety, morals”

Child labour is a complex issue that has various entrance points, but the greatest progress has been made in identifying the relationship between eradicating child labour and ensuring that all children have access to quality education. “Education for all “, China, Brazil, and Sri Lanka are the burning examples to show that in addition to poverty reduction, mass education has been

critical in tackling child labour. For instance, drop out rates are very high in the states of Bihar and Andhra Pradesh where there is a high incidence of child labour. On the other hand, the dropout rate is the lowest in Kerala, which has the lowest incidence of child labour. UNICEF's research proves that children who grow up without a basic education find it harder to sustain themselves and their families. UNICEF has called upon the nations to chalk out plans for providing free and compulsory education to all children by 2015.

India has the second-largest network of the school system in the world. Yet, of the three tots enrolled in school in class one, two tend to leave school before reaching class three. The fact that only one out of three children is a girl partly explains why nearly two out of three women are able to read and write in India. Again, the situation is still worst in rural areas. The division between rural and urban areas with respect to female level of literacy is quite sharp. Evidences show that due to lack of awareness and education of parents also many students are sent to work because these illiterate parents who are unaware of the importance of education want their children to fire far themselves as early as possible much better if they become sources of income for their family. Thus, it is fact that the lack of appreciation by parents of the role of the education in improving the life and the living condition, has contributed the prevalence of child labour. Therefore, adult education and the overall removal of illiteracy is also needed to cope with this social evil. A school for every child as well as adult education programs is the need of the present day. If the socio-economic situation is considered then it depicts that large-scale poverty has acted as an effective barrier to the success of the program of the Universal Education in the country. It is because of poverty the dropout rates have been reported very high. This is corroborated by a recent survey (The Public Report on Basic Education

– PROBE) in the four of the poorest and most child labour endemic states Bihar, Uttar Pradesh, Rajasthan, and Madhya Pradesh. But another comparative study of the state of Kerala and Uttar Pradesh disregard the claim that it is predominantly poverty that prevents the poor from sending their children to school. In both states, the proportion of people living below the poverty line is around 45%. Nevertheless, Kerala has an average literacy rate of 90% whereas in Uttar Pradesh this figure is around 40%.

I. RIGHT TO EDUCATION RTE ACT 2009

The strength and future of any country are the children of that country. In such a situation, it is very important for children to get good education in their childhood, so that they can become good citizens for the country in the coming time. In earlier times the standard of education had deteriorated. Only the children of the rich could study well, while on the other hand the poor children were not able to study.

Under the Right to Education Act 2009, free education will be provided to children in the age group of 6-14 years in government schools in the country and all these will be managed by the Schools Management Committees.

Apart from this, 25% of poor children in the age group of 6-14 years will

have to be provided free education in private schools. If any school does not follow the above-mentioned rules, a fine of 10 times more than the fees collected and the recognition of the school can also be canceled.

- There is a provision of fine of one lakh rupees for running the school even after cancellation of recognition and ten thousand rupees daily thereafter. Under the Right to Education Act, the responsibility of providing free education to the children of the country will be in the hands of the Center and the state. Every school should have clean and separate toilets for boys and girls. Schools should provide free drinking water.
- It has been seen many times in the country that due to some reason the child is not able to get admission, but with the help of RTI Act, if a child is not admitted then they can take admission according to their age.
- Children with disabilities have also been given special attention in the RTI Act, under this Act, the age of free education for children with disabilities has been increased from 14 to 18 years. Teachers are also mentioned in this Act. According to the Right to Education Act, no government teacher can run his own private tuition other than the school.

II. NATIONAL CHILD LABOUR PROJECT SCHEME

The National Child Labour Policy was approved by the Cabinet on 14th August 1987 during the Seventh Five Year Plan Period. The policy was formulated with the basic objective of suitably rehabilitating the children withdrawn from employment thereby reducing the incidence of child labour in areas of known concentration of child labour.

National Child Labour Project Scheme (NCLPS) was started in 1988 to rehabilitate child labour. The Scheme seeks to adopt a sequential approach with focus on the rehabilitation of children working in hazardous occupations and processes. Under the Scheme, a survey is conducted of children engaged in hazardous occupations and processes in a district or a specified area; then children in the age group of 9-14 years are withdrawn from these occupations and processes and put into NCLP Special Training Centers. In the NCLP Special Training Centers, these children are provided bridge education, vocational training, mid-day meal, stipend, health care and recreation etc. with the ultimate objective of preparing them to be mainstreamed into the formal system of education.

ROLE OF CENTRAL GOVERNMENT IN THE NCLP SCHEME:

The Ministry of Labour and Employment, Government of India shall have the primary responsibility for laying down the guidelines and funding the scheme. Actual responsibility for effective implementation shall however rest with District Administrations and Project Societies by involving local communities, NGO s/ civil society, academia, media and advertising groups as well as other social partners like trade unions and employer's organizations.

An NPMC (National Project Monitoring Cell) of two Project Associates will assist the CMC. The monthly salary for the Project Associates would be Rs.40,000/-. Work with States to evaluate all proposals from different States, analyze physical and financial progress reports, work on the proposed NCLPS, participate in joint review missions with States to carry out a periodic evaluation of Project implementation, collate data received from different States, and put up a report for the National Project Monitoring Cell. The Ministry of Labor and Employment will define the terms and conditions of the hiring of the resources, which will be done on a contract basis.

III. NATIONAL POLICY ON EDUCATION (NPE) 1986

Every child has the right to an education. With a child-centered approach, NPE 1986 and its POA 1992 are significant policy interventions stressing early childhood care and education (ECCE). Part five, titled “Reorganization of Education at Different Stages,” contains ECCE, which argues that nutrition, health, and social, mental, physical, moral, and emotional development are all integral parts of a child’s growth. ECCE is part of this holistic approach. When it comes to ECCE, it will be given top attention and incorporated into the Integrated Child Development Services (ICDS). Children up to the age of fourteen should be enrolled in and retained in elementary school in order to enhance the quality of their education. As a result of this strategy, the National Elementary Education Mission ‘Education for All’ was launched in 1993 and the District Primary Education Program was established in 1994. As of right now, Sarva Shiksha Abhiyan’s objective is to provide universal access to high-quality primary education by the year 2010.

IV. NATIONAL NUTRITION POLICY 1993

According to this Policy, chronic and persistent hunger caused by widespread poverty is the most serious problem facing the developing world. The state of undernutrition, which affects vast groups of the poor, especially women and children, is a physical manifestation of this continually re-enacted tragedy. ‘Undernutrition’ is a condition arising from insufficient intake of food or more necessary nutrient(s) leading in impairment of physical development and health. Because of the many facets involved in nutrition, it is a problem that must be addressed at several levels. Nourishment has an equal impact on a person’s level of development as does development on nutrition. The argument made by the nutrition policy instrument in its strategy is that the issue of nutrition needs to be addressed in two ways: first, through direct nutrition intervention for vulnerable populations; second, through other development policy instruments that will create circumstances that are favorable to improved nutrition.

V. NATIONAL CHARTER FOR CHILDREN 2003

The Government’s commitment to children’s rights is reaffirmed in the Charter, which was approved on February 9th, 2004, and made official. All children should have a healthy and happy childhood that is protected from all types of abuse while building families, communities, and the nation, as well as addressing core factors that prevent children from achieving their potential. All children must

be protected from economic exploitation and all forms of abuse, as well as the right to freedom of expression and information, according to the policy. The policy also stresses the importance of early childhood care, free and compulsory primary education, and the protection of the girl child, as well as the empowerment of adolescents.

I. PROGRAMME FOR CHILDREN

The previously described policies paved the way for the creation of plans aimed at ensuring the well-being of children. To better understand the appropriations made by the government for programs geared toward children, there is a strong focus on child budgeting. The following are some useful child schemes:

I. MID-DAYMEALSCHEME

In 1956, the former Madras State introduced a free lunch program for primary school students. National Program of Nutritional Support for Primary Education (also known as the “mid-day meal program”) was launched in 1995 in order to increase enrolment, retention, and attendance as well as to improve the nutritional status of children. Schoolchildren in the United States received just “dry rations” of cereal grain in 2001, with some states offering prepared lunches. After a Supreme Court judgment (dated November 28, 2001) mandated that all state governments implement prepared mid-day meals in elementary schools, the number of states delivering cooked lunches climbed rapidly in early 2002. The program has been updated to include students in grades six through eight in the primary school system.

II. RAJIV GANDHI NATIONAL CRÈCHE SCHEME FOR THE CHILDREN OF WORKINGMOTHERS

This program offers food, housing, and other necessities to children in addition to daycare. In 2006, it was redesigned. Non-governmental groups may apply for financial help to operate crèches for newborns (0-6 years old) and offer sleeping facilities, healthcare, supplemental nutrition, vaccination, etc. for operating a crèche for 25 infants for eight hours.

III. THESHISHUGREHSCHEME

The Ministry of Women and Child Development is responsible for implementing this programme. These goals include promoting adoptions inside the nation, ensuring basic standards of care for children, and providing institutional assistance within the country for the care and protection of newborns and children up to the age of six who are either abandoned or poor.

IV. SARVA SHIKSHAABHIYAN (SSA)

SSA is a community-owned school system that aims to ensure that all children have access to primary education. Quality basic education is a reaction to the growing demand for it throughout the nation. By providing community-owned quality education delivered in a mission manner, this program also aims to improve human skills for all students. By 2010, the program’s goal is to ensure that all children ages 6 to 14 have access to quality primary education. It is also hoped that by including the local community in the administration of local schools, disparities such as those based on gender and regionalism would be

bridged.

V. INTEGRATED PROGRAM FOR STREET CHILDREN

Full and healthy growth of children without homes or family connections is the goal of this plan. Preventing child impoverishment and reintegration into society is one of the key goals of this program. Children who have been abandoned and neglected on the streets are to be provided with adequate housing, food and medical treatment, clean drinking water, educational and recreational opportunities, as well as protection from abuse and sexual exploitation. An important part of this approach is educating people about the need of protecting children's rights and providing them with the resources they need to do so, including government agencies, non-governmental groups, and citizens at large. Street children, particularly those without homes or families, as well as children who are particularly susceptible to abuse and exploitation, such as those of sex workers or pavement dwellers, are the focus of this initiative.

VI. REPORT ON CONVENTION OF THE RIGHTS OF THE CHILD AND ITS TWO OPTIONAL PROTOCOLS

"Child Abuse: INDIA 2007" was the title of a study commissioned by the Ministry of Women and Child Development. As a way to better formulate laws and programs to combat child abuse in India, researchers conducted this study to get a solid grasp of the issue. The National Study on Child Abuse is one of the biggest empirical in-country studies of its type in the world. Study findings include a high level of abuse among children ages 5 to 12 years; boys are equally at risk as girls, and abusers in positions of power are the most common; 70% of abused child respondents never reported the abuse; two out of every three children are physically abused; two out of three children are victims to corporal punishment; and the State of Andhra Pradesh, Bihar, Delhi has the highest rate of abuse among children. The greatest rate of sexual assault was reported by minors on the street, at employment, and in institutions.

VII. INTEGRATED CHILD PROTECTION SCHEME (ICPS)

Protecting children's rights and acting in their best interests are important tenets of this plan. For the ICPS, protecting and rehabilitating all children in need of care and protection is as important as enforcing the law to defend children's rights and punishing anybody found guilty of harming or abusing a kid. The goal of the ICPS is to bring all of the current child protection programs under the umbrella of a single, government-sponsored initiative. The goal of this program is to bring together government and non-governmental organizations. Children in need of care and protection, vulnerable children, and children in dispute with the law are all included in the target population.

3. CONCLUSION

One of the main causes of this issue is poverty. This problem cannot be solved only by enforcing the law. The government has placed a great deal of attention on the rehabilitation of these children and the improvement of their families' economic circumstances.

CARE India, Child Rights and You, the Global March Against Child Labor,

and a host of other non-governmental organizations have all been striving to end child labour in India's workplaces. It is possible to put an end to child labour by putting positive intentions and concepts into law and taking concrete action to safeguard children's health. Young children's endurance is greater, and they are unable to object when they see inequality. Child labour can be broken only by focusing on community mobilization and the reintegration of child workers back into their families and schools. This evil necessitates a multidisciplinary strategy combining professionals in the fields of medicine, psychology, and sociology. [9]

Keeping this in mind, it's important to reflect on the landmark RTE Act of 2009, which established the right of all Indian children to free and compulsory education. Families and communities will work with the government to ensure that every kid in India has the right to a high-quality primary education, a first in India's history. Without India, the world's aim of completing basic education for all children by the year 2015 would be impossible. Although there has been a huge increase in the number of children from low-income families attending school, there are still major inequities. It's still the case that girls are 8.8 percentage points less likely than boys to enroll in upper primary school (Grades 6–8), that the gender gap for Scheduled Tribes (ST) is 12.6, and that the gender gap for Scheduled Castes is 16.4 percentage points (SC). Disadvantaged groups like child workers, migrants, children with special needs, or those with “disadvantage due to socio-cultural-economic-geographical-linguistic-gender or such other circumstances” have been given particular consideration under RTE's regulations. When it comes to getting 8 million out-of-school youngsters to return to school and succeed, it's a huge undertaking. Efforts must be made to reduce inequities and assure quality while also maintaining equality. Putting the law into action successfully will surely help India end child labour.

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