



INTERNATIONAL JOURNAL OF CREATIVE RESEARCH THOUGHTS (IJCRT)

An International Open Access, Peer-reviewed, Refereed Journal

A Critical study of Child Labour and its impact on their Education with special reference to Aurangabad City

Dr. Shahela Yasmeeen

Dept of Sociology

Maulana Azad College

Dr. Rafiq Zakaria Campus

Rauza Bagh Aurangabad

Abstract

Existence of Child labour globally is a harsh reality. Various attempts have been made at national and international level to eradicate the same, but the bitter truth is that it is still persistent. Recently in India Child Labour abolition Act has been amended which has indirectly permitted Child labour if it is family occupation. Lack of proper policy measures and its implementation seems to be major causes along with various other causes for existence of Child labour.

Key Words

Child Labour, Caste, Religion, Policy Measures, Aurangabad

Aim: This paper aims to assess the condition of child labour in the vicinity of Aurangabad city

Objectives

- To find out major sectors where Child labour is existence
- To find out the reasons for existence of child labour
- To study whether caste or religion has any role in existence of child labour
- To study whether existence of child labour is adversely affecting their education thereby depriving them of their Right to free and compulsory education guaranteed as per Right To Education Act, 2009

Research Statement

Despite having various constitutional and statutory provisions for prohibition of child labour it is rampant in Aurangabad district and it is adversely affecting their right to education.

Hypothesis

- Religion/ Caste play a vital role in existence of child labour
- Poverty is the root cause of existence of Child Labour
- Existence of child labour is depriving them of their right to free and compulsory education.

Research Design

The data is collected from the vicinity of Aurangabad urban area from the hotels, garage, bakery, cloth shops and construction workers. The data was collected on the basis of survey conducted between the periods of September 1st 2019- September 10th, 2019. The sample size was of 50 child laborers.

Research Methodology

The present research is based upon both non-empirical and empirical in nature. The secondary data is collected on the basis of survey reports; articles from journals, and e-newspapers etc. for empirical research survey was done by selecting stratified random sampling technique as random sample of 10 -10 each was surveyed from various strata. The collected data was analyzed in simple excel and its interpretation is done accordingly.

Introduction

Child labour has sprung its fangs far and wide. Various attempts have been made worldwide to eradicate the social evil of child labour but poverty, unemployment and several other reasons keep on haunting children thereby depriving them of their childhood. World child labour day is celebrated on June 12 every year. The social evil is associated with the stigma of caste and religion in India to quite a larger extent thereby adversely affecting the educational status as well. There is no dearth of legislative measures at national level but still the evil of child labour instead of vanishing is growing with leaps and bounds.

"Child" as defined by the child labour (prohibition and regulation) Act 1986 is a person who has not completed the age of 14 years.

International Labour Organization X[ILO] has defined child labour as a work that affects their childhood and also doesn't let the children attend the school regularly, or have a proper education. Child labour also deprives children of their dignity, potential and childhood. Children working below the age of 14 years are not able to develop mentally, socially, physically or morallyⁱAccording to a layman's perspective Child labour refers to

children employed in exchange of money to fulfill their basic necessities. Child labour is one the serious issue not only in India but also in other developing countries.

Various covenants and conventions are held policies are made for eradication of Child Labour but hardly any positive impact is being reflected.

There are two fundamental ILO Conventions on child labour

Convention No.138 on Minimum Age and

Convention No. 182 on the Worst Forms of Child Labour.

UN Convention on the Rights of the Child (CRC)

The CRC is a human rights treaty that comprehensively establishes the rights of children.

It is obligatory for all member States to respect, promote and realize the abolition of child labour, even if they have not ratified the Conventions in question. The constitution makers had laid down provisions for protection of children in the form of fundamental rights as well as directive principles of the state policy to protect children from hazardous employment.

According to **Article 23** of the Indian Constitution any type of forced labour is prohibited.

Article 24 states that a child under 14 years cannot be employed to perform any hazardous work. Similarly, **Article 39** states that “the health and strength of workers, men and women, and the tender age of children are not abused”.

The Child Labour (Prohibition and Regulation) Act, 1986 seeks to completely ban child labour but in recent amendment it allows children to render help in “Family enterprises” and allows adolescents to work in certain occupations not considered hazardous.ⁱⁱ

Child Labour Amendment (Prohibition and Regulation) Act, 2016 any person who employs a child or an adolescent in any illegal labour work will be punishedⁱⁱⁱ.

Punishment for employing a child (Below 14 years of age)

The punishment for employing a child is imprisonment between six months and two years and/or a fine between Rs. 20,000 and Rs. 50,000.^{iv} However, the Court will decide if only jail time is sufficient or if a fine need to be paid as well^v.

Punishment for parents

Parents who force their children to work in family businesses or as child artists (without letting them go to school) or any prohibited occupations under the law can be punished. The law punishes them the first time with a warning but if the child is made to work again illegally then they can be punished with a fine of up to Rs 10,000¹.

Statistics of Child labour in India

India had 12.6 million child laborers in the age group of 5 to 14 years as per the National Census 2001^{vi}. According to data from Census 2011, the number of child laborers in India is 10.1 million of which 5.6 million are boys and 4.5 million are girls. A total of 152 million children – 64 million girls and 88 million boys – are estimated to be

in child labour globally, accounting for almost one in ten of all children worldwide^{vii}. According to data released by UNICEF in 2017, 12 percent of all children in India are engaged in some form of child labour. According to 2017 statics India is one of the leading countries in Asia has a whopping 33 million children employed in various forms of child labour^{viii}. More than three decades of banning of child labour by the practice continues in India. Despite global and national efforts, prevention of child labour remains an uphill task in India. Besides poverty, unemployment and illiteracy poor conviction rate of violators is a major hindrance. Child labour in India is inextricably linked to education, or the lack of it. Children between the ages of 5-14 are accorded free and compulsory education by the government under the Right to Education (RTE) Act.

Research report

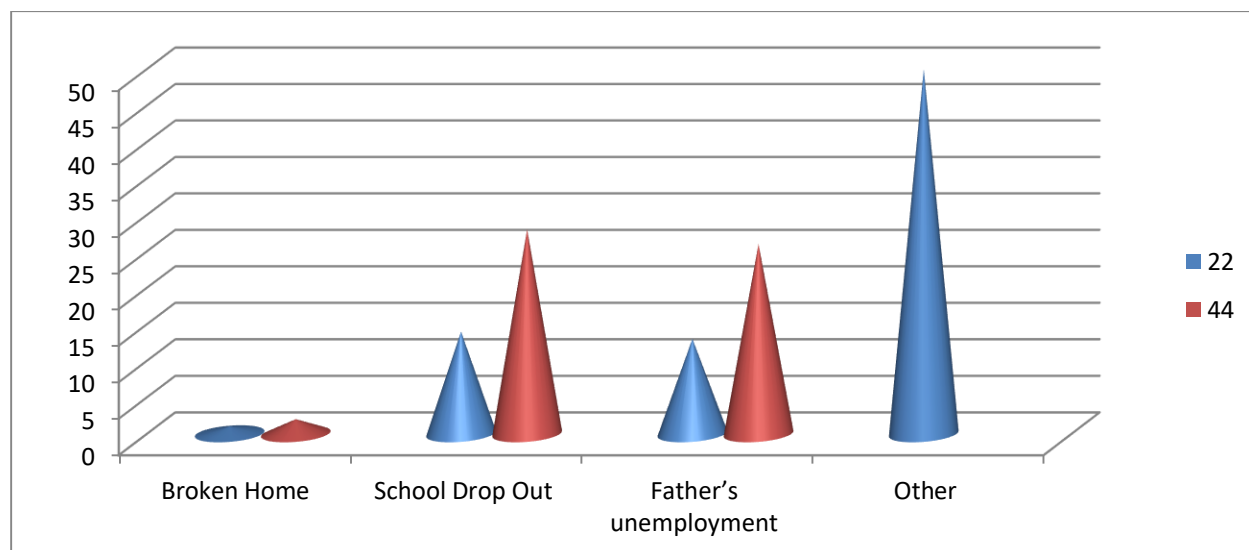
A survey was conducted by the department of sociology to access the condition of child labour in the vicinity of Aurangabad city's several areas such as Asifiya Colony, Bismillah Colony and adjoining area Jai Bhim Nagar. The survey was conducted of about 50 Child labors employed in hotels, garage, bakery, construction workers and cloth shops.

The following data is presented on the basis of survey conducted between September 1st 2019-September 10th 2019.

Caste wise classification of child labour Table 1.0

Caste	Number	Percentage
Schedule caste	07	14
Muslims (OBC)	12	24
Muslims (OPEN)	31	62
TOTAL	50	100

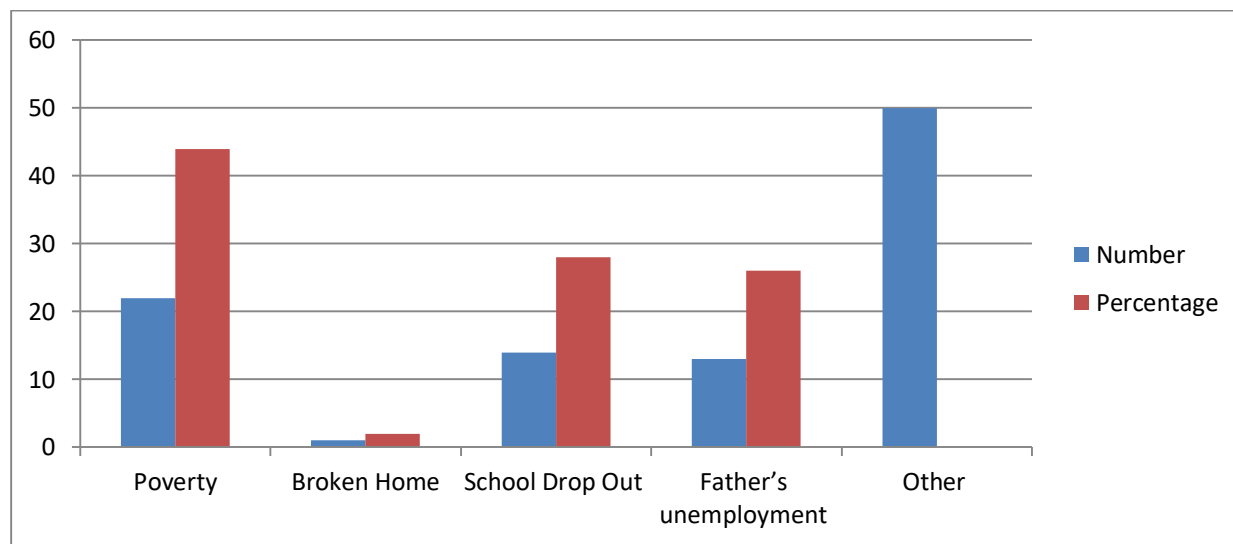
Figure 1.0



Source: Data Collected on the basis of survey conducted during September 1- September 10, 2019

Reasons of child labour Table 1.1

Reasons	Number	Percentage
Poverty	22	44
Broken Home	01	2
School Drop Out	14	28
Father's unemployment	13	26
Other	50	

Figure :1.1

Source: Data Collected on the basis of survey conducted during September 1- September 10, 2019

Educational condition of child labour Table 1.2

Educational level	Number	percentage
Never gone to school	02	4
Primary education (1-4)	03	6
Secondary education (5-7)	06	12
(7-9)	21	42
10-12	18	36
Total	50	

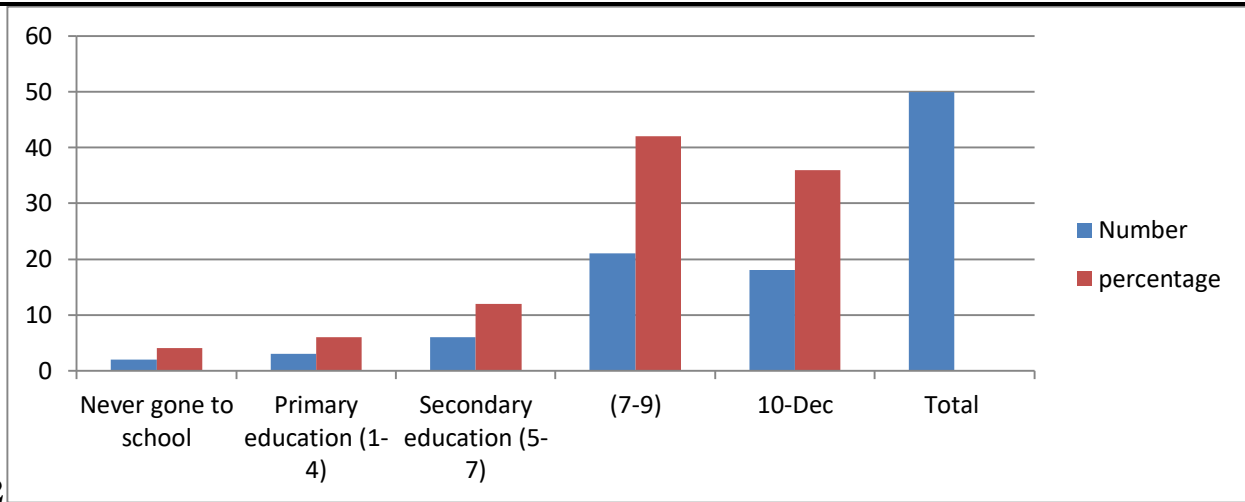


Figure 1.2

Analysis of the data collected

Caste criteria play a vital role in existence of child labour in and Aurangabad Urban area. The numbers of children belonging to SC among those surveyed were 07 in number of Muslim OBC includes 12, Followed 31 from open category of Muslims.

Maximum number of schools drop outs is from higher secondary school, followed by those from matriculation and above. Among those surveyed only 4% are those who have never gone to school but 42% of child labour exists among the students of tender age of 12-14 years. Poverty is the core reason for existence of child labour as 44% of respondents have reaffirmed it followed by other reasons such school dropouts 28%, father's unemployment 26% and broken homes 2%.

Limitations

Only 50 respondents gave the information after making many efforts that too hesitatingly.

Conclusion

Existence of child labour is an open secret which is undeniable. The reasons for the existence are similar across the country with slight variations. Based on data collected and analyzed it can be concluded that the number of child laborers is very high among Muslim community followed by other backward communities in urban area of Aurangabad District and poverty is the core reason for the same. It is disheartening to note that the number of child laborers among Muslim community is much higher than that of Sc.

Suggestions

There is no dearth of laws prohibition child labour still its existence reflects that there are lacunae in its implementation mechanism. Hence it is suggested that the concerned authorities must pay heed to the existing social evil and take concrete actions to eradicate it. At the same time, they need to solve the core issues which lead to the presence of child labour. The concerned authorities must create awareness among the community relating to ill effects of child labour on mental and physical health of children; about it being a penal offense etc. Moreover, core focus must be on rehabilitation of the existing child labour by helping their parents overcome

poverty issues with the help of alternative employment opportunities to meet their basic necessities. Government surveillance and timely action can be key elements in eradicating the menace of child labour.

ⁱ <https://libguides.ilo.org/child-labour-en>

ⁱⁱ S.Sinha, “*The New Law Banning Child Labour is No Ban at All*”, <https://thewire.in/law/unveiling-the-facade-of-the-child-labour-act>

ⁱⁱⁱ The Child Labour (Prohibition and Regulation) Amendment Act, 2016 Sec 3A

^{iv} <https://www.indiatoday.in/pti-feed/story/up-to-2-year-jail-fine-of-rs-50000-for-child-labour-676788-2016-08-01> August 1, 2016

^v The Child Labour (Prohibition and Regulation) Amendment Act, 2016 Sec 14

^{vi} As accessed from <https://www.cry.org/cry-resources/reports-publications/cry-care-report-on-child-labour> Aug 23,2020 12: 49P.M IST

^{vii} As accessed from <https://www.unicef.org/india/what-we-do/child-labour-exploitation> Aug 23,2020 12: 51P.M IST

^{viii} G. Prakash, “*Understanding child labour in India*”, <http://www.legalserviceindia.com/legal/article-386-understanding-child-labour-in-india.html>

