



ROLE OF RTE ACT IN SOCIAL CONTEXT OF CHILD LABOUR

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Abstract

Child are future citizens of the nation and their adequate development is utmost priority of the country. The children below the age 14 years are working here and there. Child labour is an integral part of labour force. Poverty and lack of social security are the main causes of child labour. The increasing gap between the rich and the poor, privatization of basic services and the neo-liberal economic policies are causes major sections of the population out of employment and without basic needs. Our created society is rich and scientific, on the other hand there is poverty and lack of education of course socio-economic condition of the society is one of the main reasons of. To end the child labour the awareness of RTE ACT(2009) is very essential. The title of RTE ACT (2009) incorporates the words free and compulsory education. There is lack of awareness about the Right to education Act for the children in the society. Hence, it is our duty to drive away the obstructions against the implementations of the Right to Education Act. In West Bengal government has taken strong step to implement RTE Act as for to end the child-labour from the society. Because education is a fundamental right of every human being. It lays the foundation for the development of society. The ILO's (International Labour Organisation) International Programme on the elimination of child labour(IPEC) provides technical cooperation to member states in Finding solutions to the problem of child labour.

Keywords: *Labour, Context, Integral, Neo- liberal, Socio- economic*

Introduction

The present era is the age of all round material development. There is a scientific and technological excellence in the society. We create our society rich and modern but in spite of all these progress there is poverty, crimes, sex-offences, gender discrimination, child-trafficking and child-labour also. In the 21st century so, it is a burning question why child-labour system is still going on? Through the wheels of progress are moving faster and faster, but there is lack of awareness about the child labour and their Right for Education Act in the society. As a result child suffers from their right of education. Every child attains the right to socially survive and protection. No Child is born to work. The root of child labour lies in the socio-economic condition of the society. India is home to more than 12.65 million children who are forced to work in order to survive. These children are working as domestic field, on street-shops, in factories, farmlands, on road construction, automobile garages and railways fields silently suffering abuse. Child means a person who has not completed his 14 years of age. India Government introduced the Child Labour Act, 1986 and Right for Education Act; 2009.Right to Education Act will help eradicate

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child labour from the country. RTE Act means the right of children to free and compulsory education. According to this Act free education is the right of all children up to the age of 6 to 14 years. The RTE Act was passed by the parliament on 14th august, 2009 with the provision of free and compulsory education for children in India under Article 21-A of the Constitution. Ministry of law and justice, new, introduced this Act on August 27, 2009.

What is Child Labour?

There are many definitions and interpretation of the child labour even though it has been referred to as any work that subjects child to economic exploitation or is hazardous, or interferes with the child's education, or is harmful to the child's health or physical, mental, spiritual, moral or social development. Not all work done by children should be classified as child labour that is to be targeted for elimination. Children's or adolescents' participation in work that does not affect their health and personal development or interfere with their schooling, is generally regarded as being something positive. This includes activities such as helping their parents around the home, 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; they provide them with skills and experience, and help to prepare them to be productive members of society during their adult life. The circumstances which encourages child labour are poverty, lack of good schools and growth of informal economy. It is conventionally defined as a working child between age of 5 to 14 years who are doing labour or engaged in economical activity either paid or unpaid or underpaid. But this definition is inconsistent with the definition of child labour (prohibition and regulation) Act of 1986, which defines child as a person who has not completed his fourteen years of age. The International Labour Organization (ILO) states that child labour may be defined in a number of different ways and a different definition yields a different estimate of child labour in India as well as other countries. UNICEF defines that a child is involved in child labour activities if between 5 to 11 years of age, he or she did at least one hour of economic activity or at least 28 hours of domestic work in a week and in case of children between 12 to 14 years of age, he or she did at 14 hours of economic activity and domestic work per week.

Causes of Child Labour: Child labour persists even though laws and standards to eliminate it exist. Current causes of global child labour are similar to its causes in the U.S. 100 years ago, including poverty, limited access to education, repression of workers' rights, and limited prohibitions on child labor.

1. Poverty and unemployment levels are high

Poor children and their families may rely upon child labour in order to improve their chances of attaining basic necessities. More than one-fourth of the world's people live in extreme poverty, according to 2005 U.N. statistics. The intensified poverty in parts of Africa, Asia, and Latin America causes many children there to become child labourers.

2. Access to compulsory, free education is limited.

In 2006, approximately 75 million children were not in school, limiting future opportunities for the children and their communities. A 2009 report by the United Nations estimated that achieving universal education for the world's children would cost \$10-30 billion -- about 0.7% - 2.0% of the annual cost of global military spending.

3. Existing laws or codes of conduct are often violated.

Even when laws or codes of conduct exist, they are often violated. For example, the manufacture and export of products often involves multiple layers of production and outsourcing, which can make it difficult to monitor who is performing labor at each step of the process. Extensive subcontracting can intentionally or unintentionally hide the use of child labor.

4. Laws and enforcement are often inadequate.

Child labor laws around the world are often not enforced or include exemptions that allow for child labor to persist in certain sectors, such as agriculture or domestic work. Even in countries where strong child

labor laws exist, labor departments and labor inspection offices are often under-funded and under-staffed, or courts may fail to enforce the laws. Similarly, many state governments allocate few resources to enforcing child labor laws.

5. Workers' rights are repressed.

Workers' abilities to organize unions affect the international protection of core labor standards, including child labor. Attacks on workers' abilities to organize make it more difficult to improve labor standards and living standards in order to eliminate child labor. For example, in 2010, 5,000 workers were fired and 2,500 workers were arrested as a result of their union activity, according to the International Confederation of Free Trade Unions.

6. The global economy intensifies the effects of some factors.

As multinational corporations expand across borders, countries often compete for jobs, investment, and industry. This competition sometimes slows child labor reform by encouraging corporations and governments to seek low labor costs by resisting international standards. Some U.S. legislation has begun to include labor standards and child labor as criteria for preferential trade and federal contracts. However, international free trade rules may prohibit consideration of child labor or workers' rights.

The effects of poverty in developing countries are often worsened by the large interest payments on development loans. The structural adjustments associated with these loans often require governments to cut education, health, and other public programs, further harming children and increasing pressure on them to become child laborers.

Right to Education: The Constitution (Eighty-sixth Amendment) Act, 2002 inserted Article 21-A in the Constitution of India to provide free and compulsory education of all children in the age group of 6 to 14 years as a Fundamental Right in such a manner as the State may, by law, determine. The Right of Children to Free and Compulsory Education (RTE) Act, 2009, which represents the consequential legislation envisaged under Article 21-A, means that every child has a right to full time elementary education of satisfactory and equitable quality in a formal school which satisfies certain essential norms and standards. The Right of Children to free and Compulsory Education Act finally came into force on 1st April 2010. With the implementation of this Act, it is expected that issues of school dropout, out of school children, equality of education and availability of trained teachers will be addressed in the short to medium term plans. The National Commission for Protection of Child Right (NCPCR) External website that opens in a new window has been designated as the agency to monitor provision of the Act. The main provisions of the Act:

- Every child between the ages of six to fourteen years shall have the right to free and compulsory education in a neighborhood school, till completion of elementary education-External website that opens in a new window.
- No child shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary education.
- Where a child above six years of age has not been admitted to any school or through admitted, could not complete his or her elementary education, then he or she shall be admitted in a class appropriate to his or her age.
- The appropriate government and local authority shall establish a school, if it is not established, within the given area in a period of three years from the commencement of this Act.
- The Central and the State Governments shall have concurrent responsibility for providing funds for carrying out the provisions of this Act.

As per the Provision of the Act the Central Government has authorized the National Council of Educational Research & Training-External website that opens in a new window as the academic authority to lay down the curriculum and evaluation procedure for elementary education and develop a framework of national curriculum.

Child Labour and RTE

All Children have a right to education. Education being the elementary right of the human and yet 72 million primary aged children and a much larger number of secondary aged children, Are not in school. The ILO's International Programme on the Elimination of Child Labour (IPEC) provides technical cooperation to member States in finding solutions to the problem of child labour. Child Labour is notoriously difficult to document and measure, and because education is central to tackling child labour it has been a central part of IPEC's strategy since its creation in 1992. Education can give knowledge and skills that empower people economically and socially, on the other hand, a lack of access to education can deepen poverty, widen inequity and take away the opportunity to live. The importance of education for development cannot be underestimated. On an individual level, an education significantly increases a person's earning power, but also increases the capacity to improve his or her quality of life. Education increases the capacity life expectancy through enabling people to increase their knowledge of healthcare and nutrition issues. A Child who is in school full time is more likely not to engage in child labour. Hence, expanding access to free and compulsory education is crucial to reducing child labour, as is the provision of quality education while on the other hand; many out of school children are engaged in child labour and their work can act as a barrier to accessing education.

Conclusion

India is changing, and modernizing quickly, urbanization being the most visible aspect. New infrastructure are being build on a mass scale; malls and high-rise buildings are springing up overnight. The whole construction industry is at its boom. "But that boom is on the backs of the poor and lower castes who are building this new India. Child Labour prevailed in all ages and in all forms of societies. The international agencies as well as the National Government of India have tried many methods and policies to check this menace. But have failed to do so on account of one or the other factor. Although policies and laws have been made with honest objectives to eradicate the problem of child labour, but the implementation mechanism has been very weak, consequently the desired result could not be obtained. Nevertheless, after the implementation of RTE Act, it is possible to bring out of dropout children in the school. Consequently, number of some child labour was reduced.

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