

Child Labor Act & National Education Policy 2020: A Challengeable Ensue of the Street Children at Kolkata Metropolitan City

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Abstract

Economic necessity often forces children to work in informal sectors such as street vending, rag-picking, or begging which impacts Child labour limits the time and energy available for schooling, leading to poor academic performance and higher dropout rates. Street children often live in areas with inadequate educational infrastructure or far from schools. The distance, lack of transportation, and unsafe environments discourage regular school attendance. Additionally, street children may not have the necessary documentation for school enrolment.

THE CHILD LABOUR (PROHIBITION AND REGULATION) ACT, 1986 introduced Employment of children below 14 and 15 years in certain prohibited employments have been prohibited by various Acts but there is no procedure laid down in any law for deciding in which employments, occupations or processes the employment of children should be banned. There is also no law to regulate the working conditions of children in most of the employments where they are not prohibited from working and are working under exploitative conditions. Accordingly it was decided to enact a comprehensive law on the subject. To achieve this objective the Child Labour (Prohibition and Regulation) Bill was introduced in the Parliament.

The National Education Policy 2020 (NEP 2020) is a transformative document that aims to revolutionize India's education system. NEP 2020 builds on the pillar of access, equity, quality, affordability and accountability. These principles drive its vision for a knowledge of the vibrant society of which street children are one amongst all.

Educational exploration among the street children are very less, all are engaged their day to day sustainable life in different economic orientation. Earning is more essential than education.

Street children are facing stigma and discrimination from society, which can lead to exclusion from formal educational institutions. This social bias affects their self-esteem and limits their access to resources.

The present sequel peered into the street children of Sonarpur area of Kolkata Metropolitan City. Total 57 children were selected for the present study purpose for their educational status. The education is less and followed below average due to below poverty structure and lack of facilities which enforce them to illegal activities and enhance social menace.

Keywords: Act, Children, Culture, Education, Economy, Social, Street.

Introduction

Child labour is a pressing issue that affects the well-being of children and their future prospects. Child Labour (Prohibition & Regulation) Act, 1986,⁴ aims to eradicate child abuse in the form of employment. It prohibits the engagement of children (below 14 years of age) in hazardous occupations. Roughly 160 million children were subjected to child labour at the beginning of 2020. This accounts for nearly 1 in 10 children worldwide. Almost half of them are in hazardous work that directly endangers their health and development.

Children may be driven into work for various reasons. Most often, child labour occurs when families face financial challenges or uncertainty – whether due to poverty, sudden illness of a caregiver, or job loss of a primary wage earner.

The consequences are staggering. Child labour can result in extreme bodily and mental harm, and even death. It can lead to slavery and sexual or economic exploitation. And in nearly every case, it cuts children off from schooling and health care, restricting their fundamental rights. Migrant and refugee children – many of whom have been uprooted by conflict, disaster or poverty – also risk being forced into work and even trafficked, especially if they are migrating alone or taking irregular routes with their families. Trafficked children are often subjected to violence, abuse and other human rights violations. For girls, the threat of sexual exploitation looms large, while boys may be exploited by armed forces or groups.

There are several scientist who have been worked on this particular issue. Usha Rai reviewed the motivation of Nobel Laureate Kailash Satheesh, which was published on 16th December 2023 in her book *Stolen childhoods*. While she narrated the main aspects of powerful narratives of children rescued from child labor and slavery, highlighting both the stark poverty they face and the hope that emerges through love, care, and education.

According to Neera Burra's¹ work is based on first-hand field investigations carried out in the brassware, gem polishing, lock making, and glass factories. Utilizing data collected under adverse and even hostile conditions, in defiance of Mafia-like organizations that shield industries exploiting child labor from the gaze of the outside world, the author describes the working conditions of these children. A large number of children, some only five years old, work through the night under great health and safety hazards. Workplace trauma is widespread, stunting the growth of these children both physically and mentally. The author contends that these appalling practices are rampant in India, and that state policies aimed at protecting children are poorly conceived and badly enforced in her book *Born to Work* August 1995.

India has the largest number of child labourers in the world, and has been the subject of intense media and political campaigns in the North aimed at addressing the abuse of children's rights. The book explores children's rights as a site of power and reveals how the rights discourse has been used by international actors, national elites, and local NGOs in the child labour debate in India. While highlighting the children's rights in the contemporary world, the author analyses human rights and power along with insights from postcolonial theorists. This book was highlighted by the Gurchathen S Sanghera,³ published by Oxford University Press on 18th August 2016.

The *World of Child Labor: An Historical and Regional Survey*, edited by Hugh D. Hindman & Hugh Hindman,² published on 15th October 2009, published by Routledge while the author specifically highlighted that, child labor in each region of the world, focusing on its causes, consequences, and cures.

Child labor remains a problem of immense social and economic proportions throughout the developing world, and there is a global movement underway to do away with it.

All potential and credentialed enhance the present study peered into the street children of Sonarpur area of Kolkata Metropolitan City. Total 57 children were selected for the present study purpose for their educational status. The education is less and followed below average due to below poverty structure and lack of facilities which enforce them to illegal activities and enhance social menace.

THE CHILD LABOUR (PROHIBITION AND REGULATION) ACT, 1986

Employment of children below 14 and 15 years in certain prohibited employments have been prohibited by various Acts but there is no procedure laid down in any law for deciding in which employments, occupations or processes the employment of children should be banned. There is also no law to regulate the working conditions of children in most of the employments where they are not prohibited from working and are working under exploitative conditions. Accordingly it was decided to enact a comprehensive law on the subject. To achieve this objective the Child Labour (Prohibition and Regulation) Bill was introduced in the Parliament.

STATEMENT OF OBJECTS AND REASONS

There are a number of Acts which prohibit the employment of children below 14 years and 15 years in certain specified employments. However, there is no procedure laid down in any law for deciding in which employments, occupations or processes the employment of children should be banned. There is also no law to regulate the working conditions of children in most of the employments where they are not prohibited from working and are working under exploitative conditions. 2. This Bill intends to- (i) ban the employment of children, i.e., those who have not completed their fourteenth year, in specified occupations and processes; (ii) lay down a procedure to decide modifications to the Schedule of banned occupations or processes; (iii) regulate the conditions of work of children in employments where they are not prohibited from working; (iv) lay down enhanced penalties for employment of children in violation of the provisions of this Act, and other Acts which forbid the employment of children; (v) to obtain uniformity in the definition of "child" in the related laws.

National Education Policy 1968

Education has always been accorded an honoured place in Indian society. The great leaders of the Indian freedom movement realised the fundamental role of education and throughout the nation's struggle for independence, stressed its unique significance for national development. Gandhiji formulated the scheme of basic education seeking to harmonize intellectual and manual work. This was a great step forward in making education directly relevant to the life of the people. Many other national leaders likewise made important contributions to national education before independence. 2. In the post-independence period, a major concern of the Government of India and of the States has been to give increasing attention to education as a factor vital to national progress and security. Problems of educational reconstruction were reviewed by several commissions and committees, notably the University Education Commission (1948-49) and the Secondary Education Commission (1952-53). Some steps to implement the recommendations of these Commissions were taken; and with the passing of the Resolution on Scientific Policy under the leadership of Jawaharlal Nehru, the development of science, technology and scientific research received special emphasis. Towards the end of the third Five

Year Plan, a need was felt to hold a comprehensive review of the educational system with a view to initiating a fresh and more determined effort at educational reconstruction; and the Education Commission (1964-66) was appointed to advise Government on "the national pattern of education and on the general principles and policies for the development of education at all stages and in all aspects. The Report of the Education Commission has since been widely discussed and commented upon. Government is happy to note that a general consensus on the national policy on education has emerged in the course of these discussions. 3. The Government of India is convinced that a radical reconstruction of education on the broad lines recommended by the Education Commission is essential for economic and cultural development of the country, for national integration and for realising the ideal of a socialistic pattern of society.

The Policy guidelines enhanced Free and Compulsory Education, Equalization of Educational Opportunities and Identification of Talent which is needed for the street children in every sector of the society.

National Education Policy 1986

The National Policy on Education 1986 (abbreviated NPE 1986) is responsible for significant changes to the educational system. Education instills moral principles and aids in the growth of society as a whole. People have the opportunity to shape themselves into more responsible members of society. Additionally, educated people are more likely to land well-paying jobs and take part in successful trade and commerce practices.

The NPE 1986 had a significant impact on the education system in India and served as a guideline for educational reforms and development over the years. It was revised in 1992 to reflect changing educational needs and challenges. The National Policy on Education (NPE) of 1986 is a significant education policy document in India. It was formulated by the Government of India to provide a comprehensive framework for the development of education in the country. The NPE 1986 aimed to promote and improve the education system and access to education at all levels, from primary to higher education.

National Education Policy 2020

Education is fundamental for achieving full human potential, developing an equitable and just society, and promoting national development. Providing universal access to quality education is the key to India's continued ascent, and leadership on the global stage in terms of economic growth, social justice and equality, scientific advancement, national integration, and cultural preservation. Universal high-quality education is the best way forward for developing and maximizing our country's rich talents and resources for the good of the individual, the society, the country, and the world. India will have the highest population of young people in the world over the next decade, and our ability to provide high-quality educational opportunities to them will determine the future of our country. The global education development agenda reflected in the Goal 4 (SDG4) of the 2030 Agenda for Sustainable Development, adopted by India in 2015 - seeks to "ensure inclusive and equitable quality education and promote lifelong learning opportunities for all" by 2030. Such a lofty goal will require the entire education system to be reconfigured to support and foster learning, so that all of the critical targets and goals (SDGs) of the 2030 Agenda for Sustainable Development can be achieved.

Challenges for the education of street children in West Bengal

The education of street children in West Bengal faces several significant challenges:

Lack of Access to Schools: Street children often lack access to formal education due to the absence of nearby schools or because they are constantly on the move, making consistent attendance difficult.

Economic Constraints: Many street children work to support themselves or their families, leaving little time or energy for attending school. The need for immediate income often outweighs the perceived long-term benefits of education.

Social Stigma: Street children often face discrimination and stigma, which can discourage them from enrolling in school or lead to bullying and social exclusion if they do attend.

Lack of Identification Documents: Without birth certificates or other identification documents, street children may find it difficult to enrol in schools or access other government services.

Poor Health and Nutrition: Many street children suffer from malnutrition and health problems, which can hinder their ability to concentrate and perform well in school.

Language Barriers: Street children from diverse backgrounds may speak different languages, which can create barriers to learning if the language of instruction is different from their mother tongue.

Street Children of The Sonarpur Area of Kolkata Metropolitan City

Rajpur Sonarpur is a city and a municipality of the South 24 Parganas district in the Indian state of West Bengal. It is a part of the area covered by the Kolkata Metropolitan Development Authority (KMDA). Rajpur and Sonarpur are two separate towns. Since the formation of the municipality, these twin towns are known together as RajpurSonarpur. There are slum dwellers who are residing since decades.

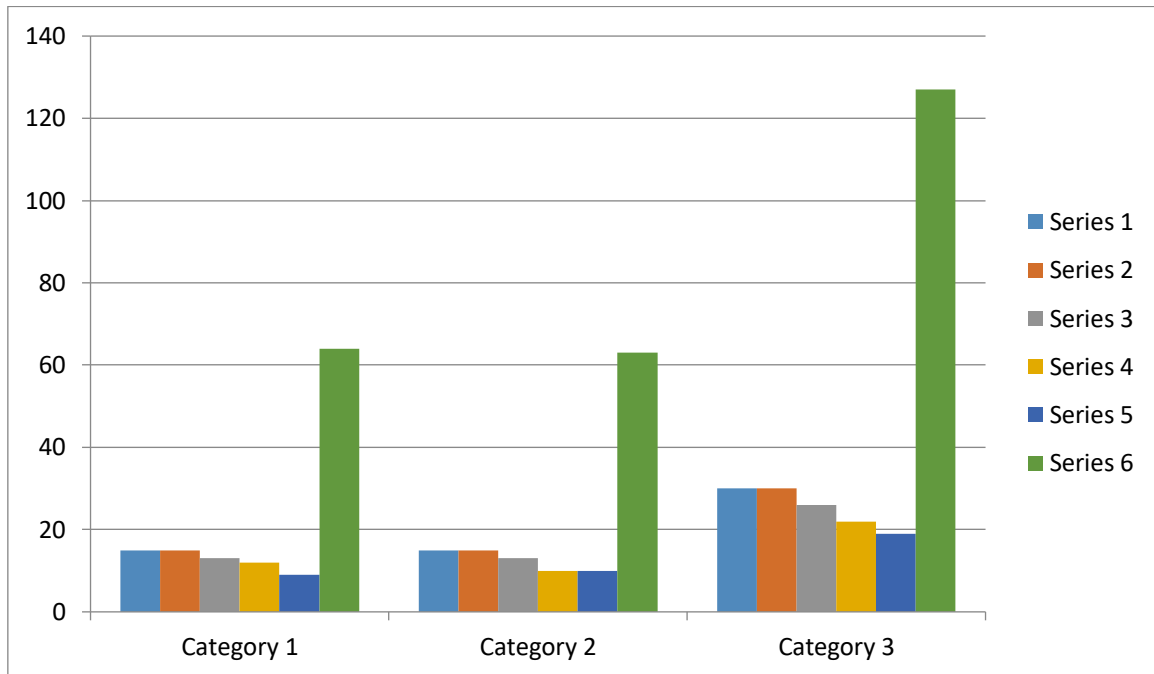
According to 2011 Census, RajpurSonarpur had a total population of 424,368, of which 215,405 were males and 208,963 were females. There were 35,274 people in the age range of 0 to 6 years. The total number of literate people was 350,721, which constituted 82.6% of the population with male literacy of 85.4% and female literacy of 79.8%. The effective literacy (7+) of population over 6 years of age was 90.1%, of which male literacy rate was 93.2% and female literacy rate was 87.0%. The Scheduled Castes and Scheduled Tribes population was 78,655 and 2,340 respectively. RajpurSonarpur had a total of 106,604 households as of 2011.

Street children of Sonarpur are in jeopardy situation. They used to be engaged in their everyday life for sustainable developmental goal, lack of education is their identification of life sustenance.

Population Distribution of the Sonarpur Area Studied Population

DISTRICTS	CLASS	URBAN		Total	%
		Male	Female		
Kolkata	6	15	15	30	23.6
Area Sonarpur	7	15	15	30	23.6
	8	13	13	26	20.9
	9	12	10	22	17.3
	10	09	10	19	14.9
	Total	64	63	127	100

The students of class 6 & 7 is showing high ratio in the urban areas of Sonarpur of Kolkata Metropolitan City which follows 23.6% of the total population structure. Lower ratio observed in case of class 10 students, i.e 14.9 % only.

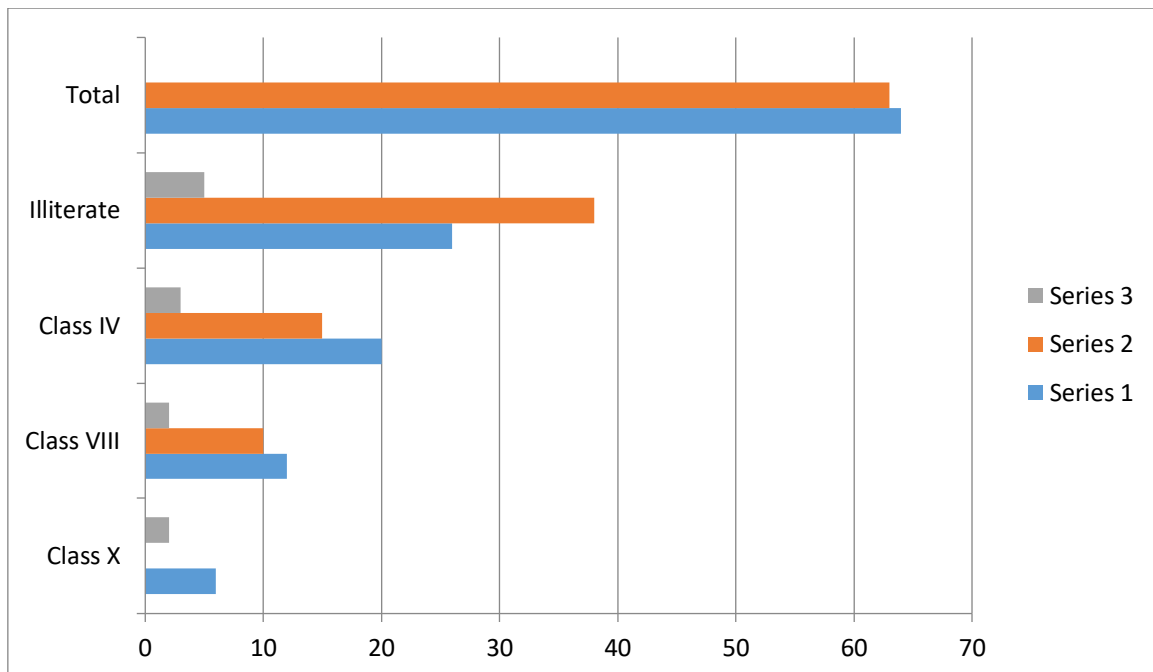


The above column diagram is showing Male and Female ratio of population distribution of the selected area wise population distribution. While category 1 is depicting Male population distribution according to category 1 and category 2 is highlighting the Female educational standard. Category 3 points out total male, female distribution of class wise at sonarpur street children.

Educational Level of the Parents

Education level	Father		Mother	
	Number	Percentage	Number	Percentage
High school (Class X)	06	9.3	00	0.0
Middle school(Class VIII)	12	18.75	10	15.87
Primary school (Class IV)	20	31.25	15	23.80
Illiterate	26	40.62	38	60.31
Total	64	99.92	63	99.98

The above table is showing parental educational level of the selected street children who are residing at Sonarpur area of Kolkata Metropolitan city. Illiteracy is high among both the parents. The educational level is high in case of Primary level, while both the parents are depicting high ration and higher education is nil among the Mothers but only 9 percent is exhibiting among the Fathers.



The above Bar diagram is depicting high ratio in illiteracy and very lower ratio in case of Class X. The parents are not very educated and they can't encourage their children to educate, due to poverty and life sustainability.

Conclusion

Traversing through the present study it has been quite evident that the street children are suffering from the high illiteracy rate. Which is alarming to their socio-cultural and socio-economic developmental orientation. The education is needed for the children who are residing at Sonarpur areas of Kolkata Metropolitan City. The children are marching forward for their betterment of life. Education is the stepping stone for their advancement of life. Hence, Child labour Act Protect the children at large with the policy guidelines. While Education policies restore the enhancement in educational outreach to the children who are residing at Kolkata Metropolitan City.

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