

Child Labour and its effect on School Education: A Legal Study

Ali Naqvi^{*1}, Dr. Apoorva Dixit²

¹Research Scholar, GD Goenka University

²Assistant Professor, GD Goenka University)

***Corresponding author:**

Email ID: alinaqvi59@gmail.com

Cite this paper as: Ali Naqvi, Dr. Apoorva Dixit, (2025) Child Labour and its effect on School Education: A Legal Study. *Journal of Neonatal Surgery*, 14 (31s), 246-252.

ABSTRACT

Objective: To assess the effect of child labour on the school education and the school dropout ratio. To find the root cause relating to the school children working as child labourers. To prove that schooling and child labour cannot be done together.

Research questions: What is the effect of child labour on the school life of a child? What are the root causes, due to which a school student works as a child labourer?

Research type: Doctrinal.

Keywords: Child Labour, school education, and school dropout ratio.

1. INTRODUCTION

Since the independence in the years 1947, India has been trying to reduce the child labour cases. There has been progress, but the number of child labour cases are still very high. There are several ways to define child labour. However, as per International Labour Organisation (ILO) child labour is any work which has deprived a child from his/her childhood, dignity, and which is unhealthy for their physical and mental health. It further defines the work as the work which interfering with their schooling, deprives them from attending school, or makes them leave school early, or make them do both in combination, attending school and doing excessive work (*What is child labour*)(2024, January 28)¹.

United Nations International Children's Emergency Fund (UNICEF), states that one out of ten children worldwide are child labourers. Out of these some are forced into hazardous work through trafficking. This type of situation happens when family starts facing financial challenges that can occur due to job loss of the bread winner of the family, some kind of disease or illness of the adult in the family. This starts creating a pressure on the other family members for survival, that ultimately ends up with the solution of child labour (*What is child labour?*) (2024, September 18).²

Child labour creates a negative impact on the school attendance of children. Research has shown that in many families children leave school to get full time employment as a child labour. In some cases it has also been seen that after school children are giving time to labour work. However, even that is effecting there childhood. There are number of reasons behind this, which also includes economic

reasons³. It is necessary to understand the root causes of the child labour cases, only then a permanent solution can be found.

There are number of reasons behind child labour cases. But the most common ones can be segregated in primary causes, Cultural causes, and Macroeconomic causes. As per International Labour Organisation (ILO) and also as per several scholars, poverty is the biggest reason for child labour. Studies shows that even if the income of a child is making a small contribution in the family, then also it sums up to 40 per cent of the family income. Scholars like Pavcnik and Edmonds, also agree with this. Lack of resources contributes further in the life of people living below poverty line.

Cultural backwardness or cultural causes also play a role towards the instances of child labour. In many cultures parents have a mind-set that works is good for the development of a child that is the reason child labour doesn't look wrong to them. It is

¹ *What is child labour*. (2024, January 28). International Labour Organization. <https://www.ilo.org/international-programme-elimination-child-labour-ipee/what-child-labour>

² *What is child labour?* (2024, September 18). <https://www.unicef.org/>. <https://www.unicef.org/india/stories/what-child-labour>

³ Orazem, P. F., & Gunnarsson, L. V. (2004). Child labour, school attendance and performance: A review.

also seen that families working in the informal economy and small households make their child follow their footsteps, and this enhances the case of child labour.

In one of the studies that was done by Biggeri and Mehrotra conducted a study to know the microeconomic factors regarding child labour. Once they studied five nations, India, Indonesia, Pakistan, Thailand and Philippines, they found that child labour is an outcome of both, demand and supply. Unavailability of good schools and poverty are the main reasons for the supply side. On the other hand, the informal economy instead of the higher paying formal is one of the main reasons behind the demand side. Several other scholars also suggest that due to the inflexibility of the labour market, low paying informal economy child labour is being accepted in the market. Several other reasons like honest behaviour of children, or increase in the income of a poor family also play a role in increasing the child labour cases.

Child labour certainly violates the minimum wage laws of nations, however, it also effects the physical, mental, and emotional health of a child, it can lead to child slavery, force a child to leave school permanently, or several other threats which are yet to be studied. One of the most surprising part is that all of this is happening even after having several laws to protect children from getting exploited in the labour market. Not only this but in worst case scenarios, it has been seen that children even lose their lives while doing the work. They perform labour work such as breaking up of rocks, carry ore, carrying heavy loads, etc⁴.

1.2 Protection provided by the Constitution of India

It is surprising to see that India has such a high number of child labour cases, even though Articles 21A of the Constitution of India clearly states that all children (between the age of six and fourteen) shall be getting free and compulsory education⁵. In *Environmental and Consumer Protection Foundation v. Delhi Administration*, 2012 (4) SCALE 243, it was held that “in order to ensure compliance of article 21A of the Constitution, it is imperative that schools must have qualified teachers and basic infrastructure”⁶. Another important judgement came in *State of Tamil Nadu v. K. Shyam Sunder*, AIR 2011 SC 3470⁷, where court held that a child’s right should not only be restricted only till free and compulsory education. But it should be exceeded to getting quality education without any type of discrimination.

Article 21 is another important article under which children can be protected from child labour. It is a fundamental right and it provides protection of life and personal liberty. In *Siddharam Satlingappa Mhetre v. State of Maharashtra*, JT 2010 (13) SC 247: (2010) 12 SCALE 691, it was held that right to life is one of the basic human right, and even State is not having the authority to violate it⁸. Article 21 is a fundamental right and it is necessary for the state to ensure that it is protected at all cost.

2. LITERATURE REVIEW

It has been seen that almost every third child indulged in child labour is not going to the school. It has been seen that most of the children who participate in the child labour and school together, does not perform as well as the non-working children. Learning achievements and grade progressions drops prematurely in case of the working children. India comes in the Southern part of Asia, and the research shows that 35.3% of children in child labour are out of school in Central and Southern Asia (ILO and UNICEF, 2021)⁹.

To completely eliminate the child labour cases from the world, it is necessary to work on several factors. Legal commitment to child labour and quality public education are important factors in that regards. A theoretical establishment is there between the school quality and the child labour. It has been seen that school quality can even effect the household decision related to making investment in the education of a child (ILO,2018)¹⁰.

The level of education among the child labourers in India is not good as per the statistics. The percentage of the non-literate among male child workers is 44.87% and among female child workers are 52.24% in the rural areas. In the Urban area it is 48.13% for Male child labourers, and 47.46% among the female child labourers (Saswati Das, 2012)¹¹.

It has been seen that there is a connection between less household income, school dropout rate, and also child labour. This certainly sheds the light on the reason that why children from wealthier family are likely to attend school (Child labour and education, 2007)¹². A research was conducted in Pondicherry on 1,305 school student between classes 5 and 9. Total 196 students mentioned that they worked outside school hours. This sets a ratio of 150/1000, which shows that not every child is

⁴ Parvathamma, G. L. (2015). Child Labour in India—A conceptual and descriptive study. *International Journal of Humanities and Social Science Invention*, 4(1), 23-32.

⁵ The Constitution of India

⁶ *Environmental and Consumer Protection Foundation v. Delhi Administration*, 2012 (4) SCALE 243

⁷ *State of Tamil Nadu v. K. Shyam Sunder*, AIR 2011 SC 3470

⁸ *Siddharam Satlingappa Mhetre v. State of Maharashtra*, JT 2010 (13) SC 247: (2010) 12 SCALE 691

⁹ International Labour Office and United Nations Children’s Fund, Child Labour: Global estimates 2020, trends and the road forward, ILO and UNICEF, New York, 2021. License: CC BY 4.0.

¹⁰ Ending child labour by 2025: A review of policies and programmes International Labour Office (ILO), Geneva, Second edition 2018

¹¹ Das, S. (2012). Incidence of child labour and child schooling in India: Pattern and determinants. *International Scholarly Research Notices*, 2012(1), 429506.

¹² Sakurai, R. (2007). Child labour and education. *Paper commissioned for the EFA Global Monitoring Report*.

living the same student life (T. Nivethida, G. Roy, 2005)¹³.

3. OBJECTIVES

- To assess the effect of child labour on the school education and the school dropout ratio.
- To find the root cause relating to the school children working as child labourers.
- To prove that schooling and child labour cannot be done together.

4. RESEARCH METHODOLOGY

This study was restricted till last four decades, to provide the solution that is relevant for current days. Only studies written in the English language were considered. For this research paper doctrinal legal research was conducted. Through comparative method, data from different countries was compared.

5. MAIN REASONS BEHIND THE CHILD LABOUR CASES.

There are several factors that lead to child labour. It will be very unfair to give a one particular reason behind child labour. All the factors collectively play a role. However, poverty and lack of quality education are considered as one of the biggest contributing factors. Some of them are mentioned in detail below.

- **Poverty:** Some studies say that the main reason behind child labour is poverty (Bhat & Rather, 2009)¹⁴. Even though child labour has been associated generally with poverty, but not enough empirical data is available on this¹⁵. As per the study that was conducted by Janvry and Sadoulet (1996, abstract), the main cause of poverty is insufficient access to the assets¹⁶. This shows that if families can get the right resources for survival, than it can reduce poverty, which will help reducing child labour cases.
- **Condition of a Family:** Economic condition play a vital role in the decision making of a family. If there has been a case of job loss, then it can encourage the family to take the decision sending the child for labour instead of school.¹⁷ It has been seen that HIV AIDS is also playing a role in the increasing the number of child labour cases. Death of the bread winner leads to migration of the family. Research has demonstrated that when parents or caregivers fall ill or pass away, the demands of work and responsibilities both inside and outside the home rise significantly. In these situations, children as young as five have been seen taking on tasks and responsibilities¹⁸.
- **Cultural factor:** In many regions there is a culture of promoting children to go for work, as it acts as a helping hand. Parents promote and feel right about these cultures, because they believe that it helps children learn new skills, and that is going to be helpful for their future. In Guatemala, parents make their children work, so that they can learn new skills¹⁹. This ultimately creates a negative impact on the children's future.
- **Family size:** Family size is another big reason that indirectly leads to rise in the child labour cases. Studies show that family size creates an impact on the child labour cases. Due to large family size children are made to work, so that the family can meet the target of necessary income.

However, there are several other reasons due to which child labour cases are rising. But the above mentioned ones are one of the most common ones. Overall it is creating an impact on the physical and emotional wellbeing of a child, that needs to be looked after.

6. CHILD LABOUR AND ITS EFFECT ON SCHOOL EDUCATION

Every child deserves to get the education as per the article 21A of the Constitution of India. Any child who is out of school is child labour. Child Labour can be associated with the name of every child who is not going to the school, without consideration of the fact that whether he/she is engaged in labour or not²⁰. One of the main reasons behind child labour is the mind-set of the parents. If parents believe that labour is more important than the education, then they will promote labour over education.

In 1979, a study was conducted by the Ministry of Labour. It constituted that most number of child labour cases were

¹³ Nivethida, T., & Roy, G. (2005). A study of child labour among school children and related factors in Pondicherry. *Indian Journal of Community Medicine*, 30(1), 14.

¹⁴ Bhat, B. A., & Rather, T. A. (2009). Child labour in the handicrafts home industry in Kashmir: A sociological study. *International NGO Journal*, 4(9), 391-400.

¹⁵ Cockburn, J. (2001). Child labour versus education: Poverty constraints or income opportunities. *Center for the Study of African Economies, Oxford University*, 17(1), 1-32.

¹⁶ De Janvry, A., & Sadoulet, E. (1996). Household modeling for the design of poverty alleviation strategies.

¹⁷ Grootaert, C., & Kanbur, R. (1995). Child labour: An economic perspective. *Int'l Lab. Rev.*, 134, 187.

¹⁸ Richter, L. (2004). The impact of HIV/AIDS on the development of children. *A generation at risk*, 9-31.

¹⁹ Tauson, M. (2009). Child Labor in Latin America: Poverty as Cause and Effect. *Human Rights & Human Welfare*, 9(1), 66.

²⁰ Naidu, M. C., & Ramaiah, K. D. (2006). Child labour in India-an overview. *Journal of Social Sciences*, 13(3), 199-204.

observed in Andhra Pradesh. Total 9 per cent of the total labour force was of child labourers. Another fact that came across was that, child labour cases were more in rural areas than in, urban area²¹. In several countries in past child labour was not considered as a problem.

In U.S. in pre industrial time, child labour was not considered as a social problem or something that should happen. Many children worked under the guidance of their parents, in domestic or agricultural works. The income was generated by the children were contributed in the family needs. All of these activities done by children were supervised by either parents, or neighbours. Due to this child labour was not considered as wrong²².

6.1 Importance of School Education in Reducing the Child Labour Cases

In one of the studies effects of school attendance and child labour were observed, using the data from Zambia. The data collected in this study showed that both economic and sociological factors play role for the choice made between school attendance and child labour. It showed that main bread winner of the family works or not, plays a role for the choice made between school attendance and child labour²³.

There has been a common belief that child labour is related to the household welfare. However, a study shows that household welfare has less to do with child labour more to do with the school participation. The education of both, father and mother has a role to increase the chances of education for a child, and reduce the child labour instance in the family. This is because the education of a father creates a negative impact on the likelihood of child going for work, and mother's education has a positive effect on child's school participation²⁴.

In one of the studies conducted on Colombia, it was found that parents consider school education as irrelevant to the needs of poor household. That is the reason parents prefer that their child learns work skills, instead of school education which looks like an obstacle to them. School education is more like an obstacle for their children²⁵.

6.2 Child Labour and School Attendance

Child labour decreases the school enrolment rates and that affects the graduation rate. If a child who is supposed to attend the school is busy is performing labour task, then it is necessary to have policies regarding the educational inequality. Educational inequality arises between the students who are working during their school life, and students are only attending school without working. A research done on the children of Kenya shows that the main reason children of different age groups work is to provide help with household chores²⁶.

Whenever child labour is discussed, then poverty has been considered as the most common factor in most of the cases. However, there are several unobserved factors that play a big role in pushing children away from school, towards child labour, like household work. At the same time there are few other variables that play a role, that is if the land is cultivated or not, location and age factor. For many parents school is not an option for their children, because of the high cost of the education²⁷.

Studies have shown that Father's occupation has a big role to play in the fact that, whether a child will opt for labour or not. Research shows that if a father is employed in a vulnerable occupation, whether it is a day labour, or, wage labour. Then it will increase the probability that the child is going to combine work and study, or do a full time labour²⁸.

In 1999-2000 a survey on children between the age of 10-14 was conducted, it showed that 39 per cent of children are participating in labour force in Bangladesh. Even though the number of children taking admission in school was consistent, but still the child labour instances were very high. This shows that even if the admission rate is high, then also it cannot reduce the child labour cases. It is because there are many who combine study with work, and many permanently leave school for work²⁹.

6.3 Reasons For a Child's Drop Out From School

A study reveals that child labour is still crucial for certain families and is unlikely to be eradicated in the near future³⁰. A research was conducted in Ethiopia in which reasons for children not visiting the school was recorded. It was seen that

²¹ Naidu, M. C., & Ramaiah, K. D. (2006). Child labour in India-an overview. *Journal of Social Sciences*, 13(3), 199-204.

²² Pallas, S. L., & Sur, M. (1993). Visual projections induced into the auditory pathway of ferrets: II. Corticocortical connections of primary auditory cortex. *Journal of Comparative Neurology*, 337(2), 317-333.

²³ Jensen, P., & Nielsen, H. S. (1997). Child labour or school attendance? Evidence from Zambia. *Journal of population economics*, 10, 407-424.

²⁴ Canagarajah, S., & Coulombe, H. (1997). Child labor and schooling in Ghana. Available at SSRN 620598.

²⁵ Palacios, M. (1981). Child Labour in Colombia. *Institute of Development Studies, Sussex*.

²⁶ Moyi, P. (2011). Child labor and school attendance in Kenya. *Educational Research and reviews*, 6(1), 26.

²⁷ Deb, P., & Rosati, F. C. (2002). Determinants of child labour and school attendance: the role of household unobservables. *Understanding Children's Work (UCW) Working Paper*.

²⁸ Khanam, R. (2005, January). Impact of child labour on school attendance and school attainment: Evidence from Bangladesh. In *Population Association of America Annual Meeting (PAA 2005)*. University of Southern Queensland.

²⁹ Khanam, R. (2005, January). Impact of child labour on school attendance and school attainment: Evidence from Bangladesh. In *Population Association of America Annual Meeting (PAA 2005)*. University of Southern Queensland.

³⁰ Betcherman, G., Fares, J., Luinstra, A., & Prouty, R. (2004). Child labor, education, and children's rights. World Bank Social Protection Discussion Paper Series, 412.

Herdling is the primary activity that children perform. On the other hand, the primary reasons due to which children were not able to attend school was all work related reasons, apart from “Being too young to work.” On the other hand, study also shows that if a household is headed by a female, then children are less likely to work, and more likely to attend the school. Ultimately study shows that healthy income is going to have a positive impact on school participation of children. That means to reduce the child labour cases. It is necessary to make those policies, which increase the physical assets as it will increase the household income, and that will help in reducing the child labour cases³¹.

To increase the income of the family, schemes of regional returns can be made. It has been seen that higher regional returns can increase the probability of children going for primary education. It even goes on to decrease the likelihood that they will get involved in child labour. Policies that enhance the financial value of education can lead to greater investment in human capital among families that aren't dependent on their children's earnings³².

It is clear that low household income is one of the main reason due to which a child moves out of home to earn. But the question is that, how much they earn? A study that was conducted in Aligarh shows that majority of children earn between Rupees 2000 to 2500 monthly. On the other hand they even work for 10 to 12 hours a day to meet this income. These children think that they don't have any other choice, because the research further shows that one out of four children gives importance to work due to poverty. On the other hand, 17 per cent are working due to parent's compulsion³³.

A research was conducted in Bangladesh, and it showed number of reasons because of which children left school. 27 per cent of the children mentioned that they left school because parents couldn't afford. 13 percent cannot go to school because there labour work keeps them busy. 4.2 per cent mentioned that they cannot go to the school, because they have to work in there farm, and for others to generate more income for their family³⁴.

6.4 Effect of Labour on Physical and Mental Health of Children

Children engaged in labour often experience fatigue, inconsistent school attendance, difficulty understanding lessons, low motivation, and inadequate social development. They are also at greater risk of sexual exploitation and more likely to become involved in criminal activities. Studies indicate that these children tend to perform poorly in their education³⁵.

A research was conducted on 223 child labourers to see the biological impact child labour creates on children, and the results were eye opening. It was seen that with the increase in the employment of children, the Body Mass Index decreased, against the health of child. Other astonishing fact that came across was that due to child labour even the genital development delayed in a child. This study shows that child labour is having a harmful effect on the physical growth of children³⁶.

There are different health risks that are associated with the child labour. Some of them are stunting, fever and cough. However, it doesn't end here, there are several life threatening diseases (anaemia, infectious diseases, and malnutrition) which a child can get due to child labour. To know these facts, clinical examinations were conducted on children in a research, by collecting their blood samples. It was also seen that child labour also effects the genital development³⁷.

A research that was conducted in Bangladesh showed that there was a relation between child labour and the probability to report the injuries. It was seen that the children who worked for longer hours, experienced backaches, and also from other health issues, like lung diseases, infections, or even burns. Another correlation that was seen was that, as the number of working hours was increased, the frequency of injuries or illness also increased³⁸.

A study done on India showed that children who were indulged in child labour suffered from malnutrition, skin diseases, respiratory tract infections, gastrointestinal tract infection, and also Anemia³⁹. Another study showed that children involved in child labour have higher chances of infectious diseases compared to the non- working children⁴⁰. Another study explored an area which has not been explored much in past. It showed that child labour even effected the behaviour and mental health children. It showed that higher instances of mental and behaviour disorders were seen in children involved in child labour⁴¹.

³¹ Cockburn, J. (2001). Child labour versus education: Poverty constraints or income opportunities. *Center for the Study of African Economies, Oxford University*, 17(1), 1-32.

³² Chamarbagwala, R. (2008). Regional returns to education, child labour and schooling in India. *The Journal of Development Studies*, 44(2), 233-257.

³³ Ahmad, A. (2012). Poverty, education and child labour in Aligarh City-India. *Studies on Home and Community Science*, 6(3), 165-172.

³⁴ Khanam, R. (2005, January). Impact of child labour on school attendance and school attainment: Evidence from Bangladesh. In *Population Association of America Annual Meeting (PAA 2005)*. University of Southern Queensland.

³⁵ Oni, A. (2018). Impacts of Child Labour on School Attendance and Academic Performance of Senior Secondary School Students in Nigeria. *Spanish Journal of Comparative Education/Revista Española de Educación Comparada*, (32).

³⁶ Ambadekar, N. N., Wahab, S. N., Zodpey, S. P., & Khandait, D. W. (1999). Effect of child labour on growth of children. *Public Health*, 113(6), 303-306.

³⁷ Ibrahim, A., Abdalla, S. M., Jafer, M., Abdelgadir, J., & De Vries, N. (2019). Child labor and health: a systematic literature review of the impacts of child labor on child's health in low-and middle-income countries. *Journal of public health*, 41(1), 18-26.

³⁸ Ahmed, S., & Ray, R. (2014). Health consequences of child labour in Bangladesh. *Demographic research*, 30, 111-150.

³⁹ Banerjee, S. R., Bharati, P., Vasulu, T. S., Chakrabarty, S., & Banerjee, P. (2008). Whole time domestic child labor in metropolitan city of Kolkata. *Indian pediatrics*, 45(7), 579.

⁴⁰ Daga, A. S., & Working, I. N. W. (2000). Relative risk and prevalence of illness related to child labor in a rural block. *Indian pediatrics*, 37(12), 1359-1360.

⁴¹ Alem, A. A., Zergaw, A., Kebede, D., Araya, M., Desta, M., Muche, T., ... & Medhin, G. (2006). Child labor and childhood behavioral and mental health problems in Ethiopia. *Ethiopian Journal of Health Development*, 20(2), 119-126.

Issues related to child labour do not stop only till health related risks. It even effects the dignity of a child. Several studies have shown that child labour also increases the risk of sexual exploitation. However, a research has shown that the chances of sexual abuse increases with the increase in the number working hours⁴². Child labour also increases the chances of child getting the HIV AIDS disease. A study was conducted in Iran to check the prevalence of HIV disease among children. For that over one thousand child labourers, aged between 10 to 18 years were studied. In the results it was seen that 4.5% children were suffering from HIV. This shows how vulnerable child labourers are towards the life threatening diseases⁴³.

A study conducted on children in Vietnam and India found that those engaged in child labour face mental health difficulties, as reflected in more peer-related problems and decreased prosocial behaviour across both countries. In India, the impact of child labour shows a notable difference between genders. Interestingly, in Vietnam, participation in household chores—widely regarded as socially and culturally acceptable—correlates with improved mental health among children⁴⁴.

ILO clearly defines child labour as a work that harms the physical and mental health, denies them of their dignity, effects their potential and dignity. However, it is clear that we need stronger and better legal policies to protect children from the menace of child labour.

6.5 Legal Provisions in India to Provide Protection against Child Labour

There are number of articles in the Constitution of India that provides rights and protections to the children in India. Article -21 provides life and personal liberty, Article 21a provides Right to education to the children between the age of 6 and 14 years, Article – 24 provides rights to the children against the employment in factories, and many other laws are there to give them the freedom they deserve.

Not only fundamental right is there for the children, but even for the state guidelines are mentioned. In part 4 of the Constitution of India, Article – 41 gives guidelines to the state that effective provisions shall be made by the state for securing the right to education. Part – IV of the Constitution also directs the state regarding the health of children through Article – 39(f), that the children should be given opportunities to develop in healthy manner.

After independence of India, one of the major steps that was taken against the child labour was to form Gurupadswamy Committee, for the investigation of child labour in India. The Child Labour (Prohibition and Regulation) Act was enacted in 1986, following the recommendations made by the Gurupadaswamy Committee⁴⁵. There are also several other statutes for the protection of children from child labour such as, the Factories Act of 1948, the Mines Act of 1952, the Juvenile Justice (Care and Protection) of Children Act of 2000, the Right of Children to Free and Compulsory Education Act of 2009, etc⁴⁶.

6.6 Landmark Judgements Related to Child labour in India

Number of landmark judgments have been given in India regarding child labour. In *M.C. Mehta v. State of Tamil Nadu (1996)*, court gave several instructions that paved the way for the child labours in the future. It gave guidelines for the withdrawal of children employed in the hazardous industries. However, it partially approved employment of children who were working in the non- hazardous environment.

Bachpan Bachao Andolan v. Union of India (2010), provided one of the most important judgments child trafficking and also on forced labour. In this case different forms of trafficking, and even highlighted the purpose behind it. The Hon'ble High Court of Delhi decided the duties and the obligations committees have towards safeguarding the children. Only 30 days were given by the bench to the commission to determine their objectives.

TMA Pai Foundation v. Union of India (2002) was a landmark judgment, based on which “The Right of Children to Free and Compulsory Education Act, 2009” was formed. *Bhandua Mukti Morcha v. Union of India & Ors.* provided another landmark judgment on the bonded labour. Court held that State Government has the responsibility of addressing the existence of the bonded labour, and take all the possible steps to work on it.

In *A.Srirama Babu v. The Chief Secretary*, it was held that State should take the step to reduce the child labour cases. For that it should start taking the steps to educate people so that child labour and even child abuse can be prevented. Also State should take steps that is concerned with the child welfare, and record should be maintained about the birth and the progress that child has made.

There were number of other landmark judgments too, that helped in fighting against the child labour. However, still the progress is a bit slow, and a lot more needs to be done.

⁴² Audu, B., Geidam, A., & Jarma, H. (2009). Child labor and sexual assault among girls in Maiduguri, Nigeria. *International Journal of Gynecology & Obstetrics*, 104(1), 64-67.

⁴³ Cluver, L., Bray, R., & Dawes, A. (2007). Monitoring the worst forms of child labour, trafficking and child commercial sexual exploitation.

⁴⁴ Trinh, T. A. (2020). Mental health impacts of child labour: evidence from Vietnam and India. *The Journal of Development Studies*, 56(12), 2251-2265.

⁴⁵ <https://labour.gov.in/childlabour/about-child-labour>

⁴⁶ https://blog.ipleaders.in/laws-related-child-labour-india/#Constitutional_provisions_involving_child_labour_in_India

7. CONCLUSION

It is clear that the main determinants of child labour in India are poverty and lack of education, which pushes a child towards labour. One of the biggest reasons that Child Labour cases need to be reduced is that, Child Labour has been included in the Sustainable Development Goals, which calls for complete eradication of Child Labour by 2030. The above mentioned study clearly shows that due to low income parents send their children to school to have additional income in the family.

New legal policies should be introduced which guarantees financial security to the economically weaker section of the society, especially in the rural areas. It will increase the participation of children in school, due to the increase in the income of family. Schemes like Pradhan Mantri Jan Dhan Yojana should be promoted which helps the Indian citizens to easily get the financial services.

Under article 21 of the Constitution of India, which gives Right to Life to every citizen of India, a good standard of living is mandatory. To meet the demand of this article it is necessary to provide such legal protection to the families that increase their overall income. Ultimately it will provide freedom to the children to attend school, instead of work.

REFERENCES

- [1] Weiner, M. (1991). *The Child and the State in India: Child Labor and Education Policy in Comparative Perspective*. Princeton University Press.
 - [2] Burra, N. (1995). *Born to Work: Child Labour in India*. Oxford University Press.
 - [3] Fyfe, A. (2007). *The Worldwide Movement Against Child Labour: Progress and Future Directions*. International Labour Office.
 - [4] Bhat, M.A. (2010). *Child Labour in India: Socio-Economic Dimensions*. New Delhi: APH Publishing.
 - [5] Rena, R. (2009). "The Child Labour in Developing Countries: A Challenge to Millennium Development Goals", *Indian Journal of Social Development*, Vol. 9(2), pp. 287–302.
 - [6] Saluja, H. (2018). "Impact of Child Labour on Education: A Study in Urban India", *Journal of Educational Planning and Administration*, NIEPA.
-