

Socio-Economic Educational Interest of the Children in India

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Abstract - In India, the national government as well as a number of the individual state governments has come up with a variety of programmes in order to get children who are not currently enrolled in school back into the educational system. The researcher comes to the conclusion that minors' economic and educational interests and rights are protected by legislative laws after examining the position under the Guardian and Wards Act 1890, the Hindu Minority and Guardianship Act 1956, the Prohibition of Child Marriage Act 2006, and the Position of Non-residential Indians in terms of the economic and educational protection of children's rights. These laws were examined in terms of the protection of children's rights with regard to marriage.

Keywords - educational, Children, Socio- Economic.

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INTRODUCTION

At the moment, India is at the third stage of its demographic transition, which is the time when it has the opportunity to make the most of the demographic window. The demographic window for India came up in the 1980s, and it will remain open until 2035 at the earliest. On the other side, the demographic dividend does not necessarily lead to increased economic development. In order for governments to reap the benefits of the demographic dividend, they need to implement favourable policies and increase their investments in crucial areas such as education, health care, and the development of jobs (Mitta et al, 2005). Even though India has the largest K12 population in the world, which includes students in kindergarten through twelfth grade, it is troubling that only 219 million of the 361 million kids who are eligible to enrol have done so (Thornton, 2010). It is necessary to make significant investments in education in order to mould the expanding youthful population into a labour force that is productive. In the school year 1999–2000, India has the second largest primary education system in the world, with 155.6 million children enrolled in the age group of 6–14 years old. India also has the highest proportion of children under the age of 18 who are not enrolled in any kind of education (Chattopadhyay et al; 2009).

Therefore, simply altering the percentage of students who are registered won't be sufficient; it is also required to have an accurate count of the number of students who are not registered. In many developing countries, efforts to attain universal school enrollment have been unsuccessful. It is essential to have an understanding of the reasons why there are so many children who do not attend school. To facilitate both economic and social development, it is the

responsibility of any nation's government to see to it that all children are educated (Dostie et al, 2006). Even while the total number of primary schools in the country has grown, as has the total number of children who are enrolled in those schools, successive governments have been unable to make "education for all" a reality (Banerji, 2000).

In this regard, it is essential to conduct a thorough analysis of the differences in school enrollment as well as the factors that lead to the formation of these disparities. Furthermore, it has been demonstrated that the provision of a fundamental or even an elementary education results in the best returns on investment (Sengupta, 2002). While people enter the employment, the alternatives that are available to them may be significantly influenced by the choices they made when they were in elementary school. It is also extremely important that everyone be able to participate in primary school. As a direct consequence of this, children who are enrolled in primary school require specialised attention. We still have a long way to go before we can be compared to other industrialised countries, despite the fact that India's literacy rate has improved over the course of time. In addition, the subject of enrolling in classes or going to school varies greatly from one region of the country to another. There are also inequalities between the sexes in terms of educational attainment. According to the findings of his study, Akila (2004) came to the conclusion that while the repetition rates of boys were somewhat higher than those of girls, the discontinuation rates of females were much higher. Multiple additional evaluations of India's educational performance have demonstrated that the number of children enrolled in primary schools has stayed roughly unchanged throughout the course of time (Bhatty, 1998; Levy,

2001; Mohanty et al., 2004). It's possible that different people have different ideas about the enrolment, dropout, and chronic absence rates at the elementary level (Rana, 2004). In many cases, the parents are to fault when their children fail to attend school or otherwise give up on their education. It was observed that many children were unable to go to school because they had to take care of their families, which may have been a factor in the failure of some parents to provide an education for their children in certain circumstances; however, it was also observed that many children were unable to attend school because they had to take care of their families. In addition, a number of families relocated temporarily in pursuit of employment, which caused a disruption in the regular attendance of their children at school. The medium of instruction is another factor that works against school enrollment and attendance rates.

A variety of programmes to help reintegrate children and teenagers who are not currently enrolled in school have been put into place by the federal government as well as by a number of state governments. Residential Board Centers (RBCs) are going to be spread out over the state very soon, and UNICEF and the state government of Bihar are working together to give a new learning technique to RBCs before they open their doors. These "special training" courses, also known as Vertical Competency Based Learning (VCBL), lay the groundwork for meeting the requirements of the RTE Act in the next five years, providing all children who are not currently enrolled in school with the on-site assistance they require in order to be successful and complete their education (Gretarsson, 2010). The government has plans to build a Special Learning Center (SLC) for children who have either dropped out of school or have never attended school. At this centre, the children would be taught according to their mental ability and then integrated into the general student population. These children, who are between the ages of 7 and 14, will be incorporated into society as a whole through the use of "bridge courses." Because of this, it will be necessary, from the point of view of those who develop policies and programmes, to do research on the number of children who were never enrolled in school and the pattern that they followed. Because it is more difficult to integrate them into the mainstream of education due to the fact that they have never attended school, this study takes into consideration children who have never attended school, particularly among India's young. In comparison, children who have dropped out of school are not taken into consideration in this study.

The Right to Education in India

There are provisions in the Indian constitution that compel the government to ensure that all citizens receive an education. When it was first written, the Indian constitution made it clear that education was to be a responsibility of the state. In 1976, an

amendment to Article 42 of the constitution was approved, making education a concurrent list issue. This gave the central government the authority to control education in the most effective manner possible, since it had previously been unable to do so. Aside from that, India is a signatory to a number of international covenants. These international covenants include the Jomtien Declaration, the United Nations Convention on the Rights of the Child, the Millennium Development Goals, the Dakar Declaration, and the SAARC SDG Charter for Children. All of these international covenants bind India's commitment to making education a reality for all children. On April 1, 2010, more than eight years after the Constitution of India was amended to designate education a fundamental right, the Indian government passed a law that makes receiving an education both free and mandatory for all children between the ages of 6 and 14. In 2002, the 86th Constitutional Amendment was approved by Parliament, establishing education as a fundamental human right. The Right of Children to Free and Compulsory Education Act was passed by Parliament the year before, and its passage made it possible to put this fundamental right into practise. On April 1, 2010, both the newly enacted legislation and the change to the constitution became legally binding.

Main Features of Right to Education (RTE) Act, 2009

Every child in India between the ages of 6 and 14 has the right to a free and obligatory education; no kid may be held back, expelled, or forced to undertake a board test until they have finished primary school. If a child is older than six and has not been admitted to any school or has not finished their elementary education, he or she will be enrolled in a class that is appropriate for their age. However, if a child is enrolled in a class that is appropriate for his or her age, that child has the legal right to receive individualised attention within any time constraints that may be imposed in order to be brought up to speed with the other students in the class. Even if they are 14 years old, children who are admitted into elementary school should be eligible for free education all the way to the end of primary school.

Influence of Economic condition:

Citizens are categorised into upper-class, lower-class, or middle-class based on their per capita income, and they receive their education from both public and private schools. Additionally, the amount of assistance or contribution citizens make to society is directly related to the amount of money they have. They make a monetary contribution toward the educational costs. They invest their money in education and make it possible by providing the necessary facilities and resources. As a direct consequence, education inspires. The government provides financial support to a

significant number of its citizens who are pursuing higher education in another country. We will pay for an international education for a student who hails from a family with a lower socioeconomic standing. As a direct consequence of this, the educational system is influenced by the economic conditions of the society.

Children's Economic and Educational Rights are safeguarded

We looked at the protection of minors' rights under the following categories: the Guardian and Wards Act from 1890, the Hindu Minority and Guardianship Act from 1956, the Prohibition of Child Marriage Act from 2006, and the protection under non-residential laws (NRI).

They've been left behind. They are unable to participate in educational opportunities of any kind. They are left on the streets to fend for themselves without any assistance of any kind. They are threatened with physical harm in a variety of ways. They do not even have access to the most fundamental kind of medical treatment. They are forced to endure barbaric and cruel treatment on a daily basis. They are children who have had their rights taken away from them, despite the fact that they are innocent, young, and beautiful. The largest number of human rights treaties have been approved to protect children's rights. Child rights are the minimum rights and freedoms that should be granted to all citizens under the age of 18 regardless of race, national origin, colour, gender, language, religion, opinions, origin, wealth, birth status, disability, or any other characteristics. These rights are defined by the United Nations Convention on the Rights of the Child (UNCRC), which states that they should be granted to all citizens under the age of 18. Included in these rights are the civic rights of children, the environment in which they are raised by their families, the necessary medical and social services, the education they get, as well as their participation in recreational and cultural activities, and particular safeguards. The United Nations Convention on the Rights of the Child organises the most fundamental civil and political rights, as well as the social, economic, and cultural rights of children, into four distinct categories:

Parental and government responsibilities

On November 20, 1989, the General Assembly of the United Nations enacted the Convention on the Rights of the Child, which is considered to be a pivotal landmark in the history of human rights. It is the first agreement in the history of the world to recognise the Canada became a signatory to the Convention on the Rights of the Child, making a commitment to respect, defend, promote, and fulfil the rights that are accorded to children in Canada in accordance with international law. In 1992, India became the first country to ratify the Convention. The United Nations and Somalia are the only two organisations that have

not signed the Agreement on the Rights of the Child, which is the human rights convention that has the widest acceptance among UN member nations. The Convention on the Rights of the Child is comprised of a total of 54 articles (parts), each of which outlines a different right that children are entitled to as well as the responsibilities that the government and others, including parents, are obligated to uphold in order to guarantee that these rights are honoured. These are the components:

1. "Equality: (Article 2) The government shall ensure that all children are able to enjoy the rights that are guaranteed by the Convention, regardless of the children or their parents' race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, handicap, birth or other status. This obligation falls under article 2 of the Convention".
2. The interests of children: (Article 3) The government is obligated to guarantee that the best interests of children are taken into consideration when making choices that will have an effect on you. All organisations that work with children have a responsibility to act in a way that is in the children's best interests.
3. "Parental rights and the right to a family life: The government is obligated to preserve the rights of a child parents, family, and carers to bring up their kid in a way that is respectful of their rights". This includes the right to have a family life (article 5). Article 5 of the Constitution of the United States of America states that children "have the right to know and be cared for by their parents, and that the government has the responsibility to ensure that children are not taken away from their parents against their will unless it is in their best interests to do so (articles 8 and 9)".
4. "If you are separated from one or both of your parents (for example, if your parents have divorced), the government is required to ensure that you have contact with the parent who has been separated from you, unless it is determined that this is not in your best interests (for example, if seeing your parent will cause you to suffer harm) (article 9)". It is the responsibility of the government to guarantee that children whose parents reside in different countries are able to retain regular contact with both of their parents (article 10). It is the responsibility of your parents or guardians to bring you up, and they should do it in a way that is in your best interests. Your parents are legally entitled to assistance from the government whenever it is necessary for them to provide you with adequate care (article 18).

5. "Right to an identity (birth certificate): (Articles 7 and 8) the government" is obligated to ensure that you are registered at birth (that is, that you have a birth certificate), that you have a name and nationality, and that you are aware of your parents. This right is referred to as the "right to an identity" or "right to an identity document." The registration of your birth is essential since it grants you the ability to exercise all of your other rights (e.g. to get access to education, housing and other support if you need it, and will allow you to register to vote).
6. Right to travel outside the country: (Article 11) The government is responsible for ensuring that children and young people are not forcibly taken from the United Kingdom.
7. Making sure that your voice is heard (article 12): When decisions are made that will have an impact on you, you have a right to voice your viewpoint, and the government has a responsibility to ensure that these perspectives are taken into account by those who are responsible for making those decisions.
8. Access to information and protection of one's right to free speech: You should be permitted to obtain knowledge and share it with others as long as doing so will not cause harm to other people (article 13). The government is obligated to make it possible to obtain information from a variety of sources, such as newspapers, television programmes, and radio broadcasts. Additionally, the government is tasked with ensuring that the media presents programming and content that is appropriate for children and does not harm them (article 17).
9. Conscience, religious freedom, and religious freedom are all outlined in Article 14 of the Constitution.
10. The freedom to assemble in groups and to participate in organised groups (article 15): 15 Freedom of association and the ability to peacefully assemble
11. Article 16 of the Constitution stipulates that the government is responsible for ensuring that no one can violate your right to "privacy or put your honour or reputation in jeopardy".
12. "Protection from violence, exploitation, abuse, neglect, and other forms of maltreatment: (article 19)"
13. Protection of children who have been removed from their family, as outlined in Article 20 (temporarily or permanently).
14. Adoption: (article 21) If you are in the process of being adopted, the government is obligated to make sure that its priorities are aligned with what is in your best interest.
15. Children who have special needs: (article 23) If you have a mental or physical impairment, the government is required to ensure that you may live a full and dignified life, and they are required to assist you in being able to do things independently and participate in community activities. If you are a child who has special needs, this article applies to you. If your carers have a request for help, you are obligated to fulfil it.
16. Well-being: (Article 24) It is the responsibility of the government to see to it that you are in the best possible health and that you have access to medical treatment whenever you have a requirement for it. You also need to have access to clean drinking water, food that is nutritional, and a living environment that is conducive to good health. The government is also responsible for ensuring that you have access to information on your health.
17. Children who do not reside with their parents: If you do not reside with your parents or have been separated from them, the government is obligated to take special care of you and offer you with additional "assistance and protection (article 20). If you are in the care of the local government (for instance, in foster care) or have been placed in a specialised institution to get specialised care or treatment for a physical or mental health concern, you are required to have someone assess your condition on a regular basis (article 25)".
18. The right to benefits entails that the government is obligated to make it possible for you, your parents, or your profession to get monetary aid in times of need (article 26).
19. Living standards: (article 27) You have the right to a level of living that is sufficient for your physical, mental, spiritual, moral, and social development in all aspects of your life. Your parents are responsible for ensuring that these standards are met; but, if they are unable to meet these needs on their own, the government is obligated to assist your parents by providing financial aid.
20. The Right to an Education: It is the responsibility of the government to ensure that you receive an education of sufficient calibre. This includes ensuring that elementary and secondary education are available to you at a price that is reasonable to you, that you are able to attend school on a consistent basis, and that schools do not discipline you in a way that is harmful to you but rather respects your dignity (article 28).
21. It is the responsibility of your educational system to ensure that you realise your full "potential and that you learn to respect human rights, your parents, as well as the values, language, and culture of the United Kingdom and other countries (article 29)".
22. "Children who are members of underrepresented groups: If you are a member of an ethnic, religious, or linguistic

minority group, the government has a responsibility to guarantee that you are able to communicate in the language and culture of your group (article 30)".

23. Rest and recreation: (Article 31) The government is obligated to provide you with rest and leisure time, as well as the ability to take part in cultural events, in accordance with the provisions of Article 31.
24. The Right to Employment: (Article 32) The government is obligated to take measures to guarantee that you are not required to perform any work that endangers your health or gets in the way of your education.

Children's Human Rights Education is Critical

Here are some of the reasons why youngsters need to learn about human rights.

It's their right, after all! Children have the right to know their rights, according to Article 42 of the Convention on the Rights of the Child..

1. To encourage greater respect for human rights, the first step is to ensure that individuals are aware of their own legal position.
2. Because the principles underlying human rights are acknowledged on a worldwide scale: Adults who have relationships "with children are constantly faced with the issue of identifying which behaviours are appropriate and which are not. In order to make such judgements, it is frequently necessary to rely on one's own experiences or ideals. Education in human rights provides a transparent framework for determining when and how to take action by making reference to the universally recognised principles that are directly derived from the Universal Declaration of Human Rights".
3. "To encourage healthy self-esteem and active participation: As children become more knowledgeable of their rights, they also become more conscious of the worth they hold as individuals in the world. They also start to realise that what they experience, think, and feel has value, and that they can make a good contribution to the lives of the others in the group, their families, their schools, and their communities. Young people who are aware of their rights are more likely to participate in community activities".

To promote positive behaviour: Human rights education is one of the most successful ways to encourage positive conduct because it blends critical thinking with the development of a child's sense of responsibility. This makes it one of the most effective techniques to encourage positive conduct. Through the study of human rights, children are given the opportunity to reflect on their relationships with one another and the ways in which they may alter their

behaviour to more accurately uphold human rights ideals.

Child Right Issues

"The UN Convention on the Rights of the Child (CRC) marks a watershed moment in the worldwide campaign for children's rights. This paper includes a collection of global legal criteria or norms for children's protection and well-being. The key child rights problems include child soldiers, juvenile life without parole, and the right to education".

1. Life without Parole for Children: Demand Juvenile Justice

Children are capable of committing horrendous acts of violence and mayhem. If they do, they should be held responsible for their actions, but in a way that takes into account the individual differences in their capacity for recovery. There are around 2,500 people in the United States who are now serving life sentences without the chance of parole for offences that they committed while they were under the age of 18. These individuals' sentences cannot be commuted. It is widely believed that the United States is the only nation in the world that imposes a life sentence on juveniles without the prospect of parole. Despite the fact that it is legal in certain countries, Amnesty International is unaware of any recent cases that have taken place in countries other than the United States in which such a penalty has been carried out. "Children, who are still developing physically, cognitively, and emotionally, do not have the same degree of responsibility as adults and deserve special treatment in the criminal justice system due to their young age and immaturity, regardless of the severity of the offence. These standards reflect this fact. Children are still growing physically, cognitively, and emotionally. Children do not have the same degree of responsibility as adults".

2. Education as a Human Right: "Education is a Human Right".

"Everyone has the right to an education, which should be free at the elementary level" for everyone. Other human rights cannot be realized without education. Many youngsters throughout the globe are missing out on their education due of poverty:

1. They are forced to work
2. They are drafted into the military
3. Their family cannot afford to pay for their education.

4. "Discrimination and racism jeopardise their educational opportunities".
5. They are subjected to violence while pursuing their education..

"The Convention on the Rights of the Child defines basic rights of children covering multiple needs and issues which are as follows".

1. The right to education: Fifty percent of Indian children and teenagers between the ages of six and eighteen do not go to school. The dropout rate for students in classes III through V is alarmingly high, standing at 50 percent for boys and 58 percent for females.
2. "The Right to Free Expression Every child has the right to freely express himself in whatever way that he chooses, and this right should be respected".
3. "The Right to Know Oneself Every child has the right to know his or her fundamental rights and their place in the social hierarchy". Young people who are poor and impoverished often suffer from high rates of illiteracy and ignorance, which prevents them from acquiring knowledge about themselves and their society.
4. The Right to Adequate Nutrition: More than half of the children and adolescents in India are undernourished. One male adolescent in India out of every five is malnourished, but one female adolescent out of every two is malnourished. This is a significant disparity.
5. The right to health and medical care: Among children in India who are under the age of two, 58 percent have not received all of their vaccinations. In addition to that, twenty-four percent of these children do not receive any immunizations at all. More than sixty percent of young people in India are suffering from anaemia.
6. "The right to be protected from abuse there are about 2 million child workers in the commercial sex industry who are between the ages of 5 and 15, and approximately 3.3 million who are between the ages of 15 and 18. They make up forty percent of the overall number of people working in the commercial sex industry in India. 500,000 young people are pressured into entering this industry on a yearly basis".
7. The right to be safeguarded against exploitation There are approximately 17 million young people in India who are employed, according to figures provided by the government. Youngsters who come from low-income or bonded households are frequently "sold" to middlemen who promise lucrative possibilities in the city. As a result, these children frequently end up working in brothels, hotels, or performing domestic chores. A significant number of people try to

escape their problems but ultimately find them living "on the streets."

8. The Right to Development Every child has the right to development, which enables them to realise their full potential. The living conditions of children from disadvantaged backgrounds prevent them from developing in an unrestrained and unconstrained manner".
9. "The Right to Recreation: Every child has the right to spend time participating in and developing leisure activities such as sports, entertainment, and hobbies. This right is also known as the right to recreation. The vast majority of youngsters living in poverty in India are unable to participate in leisure activities because they do not have the time".
10. The right to a name and a nationality: Every child has the right to be able to associate themselves with a certain nation. The vast majority of India's underprivileged children are taken advantage of as commodities and shipped to other countries to be used as slave labour or as prostitutes.
11. The Right to Survive Out of India's 12 million females, 3 million will not survive to see their fifteenth birthday, and 1 million will not live to see their first. India's infant mortality rate is one of the highest in the world. Discrimination based on gender is the root cause of the death of one out of every six female children.
12. The first step in protecting and recognising children's rights is to increase public awareness of what is commonly referred to as "child rights."

CONCLUSION

The researcher believes that legislative laws protect the economic and educational interests and rights of minors after reviewing the provisions of the Guardian and Wards Act of 1890, the Hindu Minority and Guardianship Act of 1956, the Prohibition of Child Marriage Act of 2006, and the Position of Non-residential Indians in terms of economic and educational protection of children's rights. The report goes on to note that the judicial approach is reflective of the fact that the court must take into consideration the educational and economic interests of the child before allocating custody of a minor to one of the parties in a custody dispute. All other issues take a back seat to the rights of the minor with regard to their social and economic standing as well as their education.

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