Preface

The problem of child labour is a burning problem of the present day. It is posing a serious threat to the developing countries of the third world. The child labour is one of the basic components of the labour force whose exploitation by employers has become a matter of disgrace to humanity. The child labourers are bonded labourers who are treated as slaves by employers in violation of human rights which operates as serious blot on whole community. This social evil has attracted the attention at global level.

The notion of child labour is also rooted in the traditions and attitudes of the regions where it is practiced, as a rampant of the past. For example, it is widely believed in many developing countries that more the children in a family, the more the hands to help to increase the family income. Again, in the developing countries the idea that a child who is no longer a baby should be maintained without working is uncommon. The idea stems out not so much from poverty as from traditional beliefs.

It is established that the problem pertaining to child labour has assumed seriousness to an alarming extent. It is not an exaggeration that India is leading in the context of their exploitation in developing countries. An attempt has been made to take into account social as well as legal parameters of this problem with special reference to statutory enactments relating to child labour in India to find out requisite ways and means to tackle this serious problem. It involved an indepth study of various legislations on child labour. The deficiencies and lacunae involved in them were highlighted. Introduction of compulsory education by the Government for the children up to the age of 14-15 years in order to eradicate child labour was hailed as a positive step.

It is a well recognized fact that different measures have been taken to eradicate this problem at International and National level in India. Various legislation and statutory enactments were enacted to provide justice to this category of force in India, which proved futile as the sizable numbers of child labour is increasing consistently.

The magnitude of this problem is vast like sea. This problem has many ramification viz., legal, political, as well as social problems. In order to asses the solution
of the problem properly laws relating to child labour in various countries were studied as they are exhaustive and meaningful. The judiciary has almost brought a revolution in the life of child workers in India. It has always endeavoured to expand and develop the law so as to respond to the hope and aspirations of people who are looking to the judiciary to give life and content to law. The judicial institutions in India have played a significant role not only for resolving inter-disputes but also to act as a balancing mechanism between the conflicting pulls and pressure in the society. It has virtually played a vital role in the task of providing political, social and economic justice to the poor child workers in this country. No efforts seem to have been spared by the Indian judiciary to uphold the cause of the poor workers. The courts have always interpreted and applied the law so as to promote the cause of justice and to meet the hope and aspiration of the children as per the mandates of the constitutions.

There is a plethora of statutes to prevent the misuse of children in hazardous employment and to protect the general rights of the children but socio-logical studies have revealed either the ineffective nature of these laws or their blatant violation. In 1986, the Child Labour (Prohibition and Regulation) Act was passed but it also not attempting a comprehensive ban on child labour. Still later the National Policy on Child Labour (1987) has been evolved but it is not yet made statutory.

In the above discussion it is clear that the child labour is a curse in society. It is the duty of every citizen to discourage it. The present study is based mainly on interpretative and analytical approach. Descriptive, analytical and observational methods were used. An interdisciplinary approach was adopted to bridge the gap of legal and political dimension of the problem.

The works has been divided under the following chapters:

**Chapter – I Introduction**

It deals with the scope and object of the child labour. The various studies pertaining to child labour were reviewed in this chapter.

**Chapter – II Constitution and problem of child labour**
It deals with the constitutional position on the problem of child labour. The constitutional provisions relating to it have been elaborately analyzed.

**Chapter – III Causes of child labour**
This chapter deals with the factors responsible for the existence of child labour in India.

**Chapter – IV Trends to combat child labour**
It deals with various approaches adopted to combat the evil of child labour. Various steps taken in this regard were analyzed.

**Chapter – V Legal Protection to Child Labour**
This chapter lays emphasis on various laws that were made to protect child labour.

**Chapter – VI The child labour Act, 1986**
In this chapter the provisions of the Act was studied in detail. Various provisions were X-rayed to find out its deficiencies in order to strengthen it to eliminate the problem of child labour.

**Chapter – VII Conclusion and Suggestions**
Various suggestions given to eliminate child labours were studied and recommendations were tendered to ameliorate the children from this evil.

Ashhad Ahmad
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