PREFACE

With the advent of modern industrial system there came a tendency among the employers to earn easy and quick profits at less expenses. That is why, the employment of children in factories at low rate remuneration became the frequent practice. They had to work for excessive hours under unhealthy, terrible and hazardous conditions. It was the large scale factory system which prompted the owners to employ child labour, being cheaper than adult male, with a view to get the sufficient amount of work accomplished.

India is also moving from a mainly agrarian and traditional way of life to a modern industrialisation from rural setting to a million which is considerable urban even megapolitan. Added to all this is our proverbial diversity-ethnic, cultural and economic. For most Indians this transition is an extremely painful struggle because they are deprived of the basic necessities of life, which are taken for granted in developed societies. It is against this backdrop of poverty that we must view the problem of child labour in our country. To say that is not to belittle the problem. On the contrary, poverty makes the working child's dilemma poignant. He is not only young but has also no alternative to his wretched reality. When
he should be in school or at play, the young child is locked in industry.

Child labour is both an economic and social problem. The term child labour brings before the eyes, picture of exploitation of little, weak, tender and underdeveloped bodies, illiteracy, physical abuse in the term of beatings by employers and accident often fatal at work-sites. The problem with child labour is that it can hardly be legislated away as its roots lie in abject poverty. Where social and economic conditions have improved go to school and child labour has virtually disappeared. So any society which wants its children to be free to learn and play, first free entire population from fear of wants. This means ensuring basic human needs of all people.

A child labourer is differentiated from an adult worker on the basis of age. Usually a child worker is someone below the age of 14 years who is involved in any productive activity whether paid or unpaid, with the family or outside. children are involved in all types of work. In the urban sector, they work in a wide variety of activities from organised factories to roadside dhabas, motor repairing workshops, street, vending, shoe-shining, selling of newspapers, fruits and peanuts, domestic help in homes and even in organised begging. Parents put their
children to work at a very early age, sometimes when they are only 6-7 years of old.

A large percentage of children start working because of being orphaned, rejected by parents or because of broken families and other domestic problems. Those children go into the streets totally abandoned with no one to care for them. They have no option but to take to work for their bare survival.

To eradicate the problem of child labour a comprehensive legislations i.e., the Child Labour (Prohibition and regulation) Act, 1986, has been passed. The Supreme Court in many cases observed the child labour should be prohibited and they may be rehabilitated. Even though there are directions of the Supreme Court and mandate of the Constitution for prohibition of the child labour in hazardous employment, but in reality every where we can find out the child labour working in a critical condition.

In view of the failure of the existing system and keeping in view the new economic policy and legislation, the entire subjects of child labour deserves a comprehensive and critical review. This Thesis is an attempt in this direction to identify the defects of the existing legislation and system and thereby the Researcher
suggests appropriate measures to make the system effective, acceptable and more responsive to the contemporary needs of the society.