



## Child Labour: A Perspective

### Abstract:

*The children of a nation are its most valuable assets and the nation's future is very much dependent on their proper development. An investment in children is an investment in nation's future. A healthy and educated child of present is an active and intelligent citizen of the future.<sup>i</sup>*

*It is therefore the socio- economic development of nation is best judged and justified by only when its children enjoy constitutional rights equally and develop their full potential to grow into responsible adults of tomorrow. If they are neglected today, tomorrow will be full of miseries. It was rightly stated that children are world's vulnerable resources without them there would be no tomorrow and therefore we must give top most priority to these resources. In this paper, an attempt is being made to analyze the problem of child labour. And also deals reasons for existence of child labour instead of such policies. This paper enlightens the meaning of "Child labour" and the position of the same in the present day's society, by considering various legislative attempts made to control and eradicate the present problem. Further it also attempt to give some meaningful suggestions to eradicate the problem of child labour.*

### Introduction

Future of a nation depends on the fact that how its children grows and develop. A large trees grows from a small seed, similarly, a great and developed nations are born out of children, who later become its citizens. According the Hon'ble Mr. Justice P.N. Bhagawati,<sup>iiii</sup> the child is the soul with being, a nature and capacities of its own, who must be helped to find them, to grow into their maturity, into fullness of physical and vital energy and the utmost breath, depth and height of its emotional intellectual and spiritual being, otherwise, there cannot be a healthy growth of nation.

Children need special protection and care because of their tender age, maturity and development. The environment in which the children are brought up will have a tremendous impact on the future of the child and the future of the nation.

Before Independence, many social evils like Sati system, child marriage and polygamy were prevalent in India. With the advent of the British, they helped to wipe out many of these social evils. After Independence, practices like child labour continued. The main reason why child labour started was due to the lack of access to education for the children and social and economic conditions at their houses.

The significance and the importance of the child lie in the fact that the child is the universe. If there was no child, there would be no humanity and there cannot be a universe without humanity. Therefore, mankind owes to the child the best that it has to be given.<sup>iv</sup> If a child goes wrong for want of proper attention, training and guidance, it will indeed be a deficiency of the society and of government of the day.

Every society, must, therefore, devote full attention to ensure that children are properly cared for and brought up in a proper atmosphere where they would receive adequate training, education and guidance, in order that they may be able to have their rightful place in society which they grew up.<sup>v</sup> The importance of child welfare services lies in the consideration that the personality of man is built up in the formative year, and the physical and mental health of the nation is determined largely by the manner in which it is shaped in the early stages.<sup>vi</sup> Social justices must begin with children, unless tender plant is properly tended and nourished, it has little chance to growing into a strong and useful tree.<sup>vii</sup> So first, priority in the scale of social justice shall be given to the welfare of children.

Right now it is the time his bones are being formed, his blood are being made and his sense being developed. To him we cannot answer "Tomorrow". His name is "Today".<sup>viii</sup> The protection arm of the law has therefore; to be long and strong enough if distributive justice<sup>ix</sup> to the adults of tomorrow is to be secured employment of children has continued thereafter to be a problem.<sup>x</sup>

Throughout history, in virtually every culture, children have worked. It is largely through work, usually in a family context, that children are socialized in many adult skills and responsibilities through work, they not only earn status as family and community members, but they acquire skills which promote their self esteems and confidence as capable and independence human beings. .However, the burden of work may become too great while its educational and social role is neglected it can become a threat to their health and development. Work by children is not altogether harmful and bad if properly controlled and regulated. Child labour, actually viewed, more as a social problem of a greater magnitude than other related problems. Connected with the development of human beings, is abnormally high in under developed and developing countries of the world.<sup>xi</sup>

It is the duty of the State to protect children's right by legislative and other means because the needs and requirements of the child is the primer dial ground norm of this universe. The investment in the child is, therefore, investment in the future society of a nation that is dreams builds. There is hardly any product in India that has no child labour behind it. Carpet, bangles, brick, matchbox, crackers, wool and many other products have the invisible stamp of the toil put in by children caught in the web of poverty and an exploitation social system. Indeed, child labour in India comes cheap and easy.<sup>xii</sup>In this paper, an attempt is being made to analyze the problem of child labour. And also deals reasons for existence of child labour instead of such policies. This paper enlightens the meaning of "Child labour" and the position of the same in the present day's society, by considering various legislative attempts made to control and eradicate the present problem. Further it also attempt to give some meaningful suggestions to eradicate the problem of child labour.

| <b>Constitutional Provisions</b> |  |  |
|----------------------------------|--|--|
| <b>Article</b>                   | <b>Title</b>   | <b>Description</b>   |
| 21A                              | Right to Education   | The State shall provide free and compulsory education to all children of the age of 6 to 14 years in such manner as the State, by law, may determine.  |
| 24                               | Prohibition of Employment of Children's in Factories             | No child below the age fourteen years shall be employed in work in any factory or mine or engaged in any other hazardous employment.   |
| 39                               | The state shall in Particular direct its policy towards securing | That the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength |

## **Legislative Provisions**

### **Child Labour (Prohibition & Regulation) Act, 1986**

- As per the Child Labour (Prohibition & Regulation) Act, 1986 “child” means a person who has not completed his 14th year of age.
- The Act prohibits employment of children in 18 occupations and 65 processes contained in Part A & B of the Schedule to the Act (Section 3).
- Under the Act, a Child Labour Technical Advisory Committee is constituted to advice for inclusion of further occupations & processes in the Schedule.
- The Act regulates the condition of employment in all occupations and processes not prohibited under the Act (Part III).
- Any person who employs any child in contravention of the provisions of section 3 of the Act is liable for punishment with imprisonment for a term which shall not be less than three months but which may extend to one year or with fine which shall not be less than Rs 10,000 but which may extend to Rs 20,000 or both. (Section 14).
- The Central and the State Governments enforce the provisions of the Act in their respective spheres.
- Central Government is the appropriate authority for enforcement of Child Labour (P&R) Act in respect of establishments under the control of Central Government or a railway administration or a major port or a mine or oil field and in all other cases, the State Government.

### **Child and Adolescent Labour (Prohibition & Regulation) Amendment Act, 2016**

- As per the Child and adolescent Labour (Prohibition & Regulation) Amendment Act, 2016 “Adolescent” means a person who has completed his 14th year of age but has not completed his eighteenth year.
- “An Act to prohibit the engagement of children in all occupations and to prohibit the engagement of adolescents in hazardous occupations and processes and the matters connected therewith or incidental thereto.”
- Under the Act, a Technical Advisory Committee is constituted to advice for inclusion of further occupations & processes in the Schedule.
- whoever employs any child or permits any child to work in contravention of the provisions of section 3 shall be punishable with imprisonment for a term which shall not be less than 6 months but which may extend to 2 years, or with fine which shall not be less than 20,000 but which may extend to 50,000 or with both

- The Central and the State Governments enforce the provisions of the Act in their respective spheres.

### **Definition of 'Child':-**

To understand Child Labour and its impact and ways to eradicate it, it is essential to understand the meaning of child 'and child labour'. In general parlance, a child 'is A person under the age of majority.' A minor is an individual who is not yet an adult or who has not reached the age of majority. Most jurisdictions have defined child in terms of a specified age of majority. But where a statute is silent on the point, the common law applies. An attempt has been made by the Indian Legislature to define child 'for the purpose of application of Law. They are as follows:

- According to the Minimum wages Act, 1948, that person who has not completed fourteen years of age is a child.<sup>xiii</sup>
- According to the Factories Act, 1948, a child is who has not completed his fifteen year of age.<sup>xiv</sup>
- According to the Motor Transport Workers Act, 1961, a person below the age of fourteen years is a child.<sup>xv</sup>
- According to the Plantation Labour Act, 1951, a person who has not completed fourteen years of his age is a child.<sup>xvi</sup>
- According to the Child Labour (Prohibition and Regulation) Act, 1986, a child is a person who has not completed his fourteen year of age.<sup>xvii</sup>
- According to the Children (Pledging of Labour) Act, 1933, child is a person who is under the age of fifteen years.<sup>xviii</sup>

### **Child Labour Definition, Nature, Magnitude and Reasons**

There are various legislations that regulate labour in India. A few legislations include provisions related to child labour. These provisions give us more insight on child labour. The age of the child is the sole factor for determination as to who is a child. In India there are several legislations relating to the age of child which describe various age of the child, but its maximum age limit is 18 years. The important provisions are:

- As laid down in the Constitution of India, no child below the age of 14 is allowed to work in any factory or mine or engaged in any other hazardous employment.<sup>xix</sup>
- In the Plantation Labour Act, 1951, prohibits child and adolescent to work in plantations, subjected to a few restrictions.<sup>xx</sup>
- The Factories Act, 1948 prohibits the employment of children below the age of fourteen years of age in factories.<sup>xxi</sup>
- The Motor Transport Workers Act, 1961, prohibits any employment of a child i.e. below the age of 14 years as defined under the Act.<sup>xxii</sup>
- According to the Merchant Shipping Act, 1958, employing a person below the age of fourteen years of age with certain exceptions is an offence.<sup>xxiii</sup>
- The Apprentice Act, 1961 prescribes the age requirement to work as an apprentice as fourteen years of age.<sup>xxiv</sup>
- According to the Beedi and Cigar Workers (Conditions of Employment) Act, 1966,

Employment of a person who has not completed fourteen years of age in the industrial premises is prohibited.<sup>xxv</sup>

- The Indian Mines Act, 1952, prohibits employment of a person below the age of eighteen years.<sup>xxvi</sup>
- The Child Labour (Prohibition and Regulation) Act, 1986, prohibits the employment of children in certain occupations and processes below the age of fourteen.<sup>xxvii</sup>

### **The Reasons for Child Labour in India**

Child Labour is a universal phenomenon. Child Labour remains widespread throughout the world. Their exploitation is an abuse of human rights. Millions of children are made to sacrifice their health and tender emotions by forcing them to work in hazardous industries and other occupations. Those who should be in schools are working at various jobs in the most unhygienic conditions for a pittance. The Child Labour, simply means the labour done by children. In India many children have to work because they have no basic needs but the important question is why they have to work? And what are the causes of child labour? In India everything is regulated by population thus even in the case of child labour the most important cause to this problem is population. Many reasons can be attributed to the growing menace of child labour in India. Amongst others, the main reasons are poverty, Low income of the bread earner of the family, illiteracy and ignorance, child labour is cheaply available, unemployment, population and large family, in-equitable distribution of land assets, absence of scheme for family allowance and also absence of scheme for social security, failure of government to control the child labour, in sufficient protective legislation. The main reasons for child labour are the following.<sup>xxviii</sup>

#### **Poverty:**

In India, poverty is a major contributing factor which has given rise to the problem of child labour. Approximately in India 40% children lead a life of poverty and because of poverty they are underfed and undernourished. Since it is known fact that India is a developing country and many Indian people are poor and come under below poverty line. It is very hard to arrange the meal for two times in a day and because of this it is but obvious that even small children has been compelled by the condition and need of the life to earn and therefore they without caring about their life jumps into hazardous industries for employment only to have basic needs of life without which they have to suffer a lot. In the industries, however, mostly work done by machine, but industrialist try to earn more profit so they get the work done by children at very low wage. Child labour is directly related with high rate of dropouts from the school. The high rate of dropouts is invariably a consequence of poverty. The second reason is that in most places schools are situated in very remote areas and are inaccessible to a sizeable population. The schools also present stale and dismal pictures and hold little attraction of Children. Due to lack of funds, many schools do not run regularly with teachers absenting most of the time. Schooling of the children becomes burdensome for the poorer families which involves certain expenses on one hand and deprives them of the income that accrues from child labour, on the other.

#### **Low Income of the Bread Earner and Need of the Income to the Family:**

The inadequacy of the wage of the adult earning members of the family compels them to send their children to work and supplement to family income. Another reason would be need of income to the family because sometimes children have to support their family members so they generally run towards the industries.

**Illiteracy:**

India is ranked the lowest in the world as far as literacy is concerned. The average rate of literacy according to 1991 census was 52.11 percent. Some states like Andhra Pradesh, Bihar, Madhya Pradesh, etc. registered less than forty percent literate population. Most of the children belong to the communities who live below the poverty line children and parents of these communities show little interest towards school education. The illiterate parents do not think of the future as they are more worried about their family's present needs. For any family, who is below poverty line, food and shelter is their basic requirements and to fulfill these requirements they need more earning hands. Thus, for their survival and survival of their family, they need to send their children to work.

**Unemployment:**

Children seek work because of their unemployed parents or adult relations in the family, which is sometimes due to under-employment of the adults. However, government of India has made many efforts of reducing the unemployment in the country by introducing various schemes and Acts. The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) is one such Act. It is an Indian job guarantee scheme, enacted by legislation on August 25, 2005. The scheme provides a legal guarantee for one hundred days of employment in every financial year to adult members of any rural household willing to do public work-related unskilled manual work at the statutory minimum wage of Rs. 120 per day in 2009 prices. The Central government outlay for scheme is Rs. 40,000 crore in Financial Year 2010. This act was introduced with an aim of improving the purchasing power of the rural people, primarily semi or un-skilled work to people living in rural India, whether or not they are below the poverty line. Around one-third of the stipulated work force is women. The law was initially called the National Rural Employment Guarantee Act (NAREGA) but was renamed on 2<sup>nd</sup> October 2009.

**Population and large family:**

In India everything is regulated by population. Thus even in the case of child labour the most important cause to this problem is population. There is no family planning in India, a person believes in having more and more children without realizing the fact that whether they would be able to give basic amenities of life to their children or not. And this would lead to poverty and because of poverty parents cannot fulfill the needs and aspiration of children and they develop bad habits.

**Child Labour is cheaply available:**

Employment like to get more production with cheap labour cost which they get easily by employing child labour rather than adults which ensures greater margin of profits. Poverty is a blessing to these employers as they got the poor children more easily in the labour market.

**In-Equitable Distribution of Land Assets:**

In India, merely 10 percent of the privileged class holds 90 percent of the agricultural land. The rest of the farmers are actually farm laborers who work for wages. In spite of forty-five years of enforcement of tenancy laws, there has been practically no reform at this front. Even today, most of the tenant farmers are mortgaged to big landlords and rich farmers. Thus the slogan —land to the tiller|| has borne little fruit. The poor families, on the account of insufficient earnings, compel their children to take up jobs in order to supplement their meagre family income.

### **Absence of Scheme for Family Allowance and Social Security:**

In India there is no any scheme of family allowance and social security for the poor and weaker section of the society. Absence of social security measures compels some children to work consequent upon the death of their parents.

### **Failure of Government to Control The Child Labour :**

Another cause of child labour is failure of Government to control the child labour. It is upto the Government to implement the laws strictly so that the child labour can be controlled. In India there are, at present, many Acts to control child labour but most important aspect is its implementation because the effect of the child labour is very dangerous, not only for children but also for the Country, because the today's children is the future of tomorrow, the success and development of this Country is depend upon them and therefore it must be safeguarded.

### **Insufficient Protective Legislations:**

The practice of engaging child labour is an indicator of the backwardness and inadequacies of rules and regulative measures in India. The country has provisions for almost all the industries which engage children as labour, specifying their working hours, terms and conditions of work, education, wages, etc. But very few years have so far strictly adhered to these rules and the administrative machinery has a callous attitude to enforce the same on the employers. Thus there is hardly any organizational or institutional set up which can protect the children from their miseries of work.

### **Lack of Strong Child Labour Unions:**

In some industries like, beedi, glass, matchbox, carpet, etc. children workers are preferred as workers. The most plausible reason for their preferential employment in such industries is lack of organizational support to child labour. The working children are usually not associated with any trade union. As such, they have no voice and strength to fight their duties, rights and privileges. There is no institutional set up which can appraise them of their rights and mandatory provisions. In the absence of proper guidance and patronage, the child labour yields to deprivation and callousness. Thus aforesaid mentioned list is the causes to the child labour but within this list there is also one categorization as well and that categorization cast the responsibility over State and the Public. So within this list there are two most important causes, which are the genesis of above mentioned and they are-population and education.

### **Judicial Response:**

The constitutional prohibition that children below the age of 14 years should not be employed in any factory, mine or other hazardous employment was felt to be ineffective, in the absence of legislation, prohibiting its violation till the decision of the Supreme Court in the case of *Peoples Union for Democratic Rights v. Union of India*.<sup>xxix</sup> As a fact the Supreme Court found out that the children below the age of 14 were employed in the construction work. On behalf of the Union of India and Delhi Administration it was argued that the Employment of Children Act, 1938 was not applicable to construction industry as :

it is not specified in the Schedule. The Court observed:

"We have Art.24 of the Constitution which provides that no child below the age of 14 shall be employed to work in any factory or mine or engaged in any other hazardous employment. This is a constitutional prohibition which, even if not followed up by appropriate legislation, must operate proprio vigore and construction work being plainly and undoubtedly a hazardous employment, it is clear that by reason of this constitutional prohibition, no child below 14 years can be allowed to be engaged in construction work. Therefore there can be no doubts that notwithstanding the absence of specification of construction industry in the Schedule to the Employment of Children Act, 1938, no child below the age of 14 years can be employed in construction work and the Union of India as also even, State Government must ensure that this constitutional mandate is not violated in any part of the country".

The judiciary in the country has shown its great concern for the working children by bringing occupations or process under the judicial scrutiny by directly applying the constitutional provisions relating to children. In the ***People's Union for Democratic Rights v. Union of India***,<sup>xxx</sup> the court held: But apart from the requirement of ILO Convention No. 59, we have Article 24 of the Constitution which even if not followed up by appropriate legislation must operate proprio vigore and construction work being plainly and undoubtedly a hazardous employment, it is clear that by reason of constitutional prohibition no child below fourteen years can be allowed to be engaged in construction work.

In ***Labourers Working on Salal Hydro Project v. State of Jammu and Kashmir and Others***,<sup>xxxi</sup> the Supreme Court has suggested that it is the duty of the government to ensure education of children of parents who are working in construction sites. The Supreme Court directed that whenever the Central Government undertakes a construction project which is likely to last for a considerable period of time, it should ensure that children of construction workers who are living at or near the project site are given facilities for schooling. The Court also specified that this may be done either by the Central Government itself or if the Central Government entrusts the project work or any part thereof to a contractor, necessary provision to this effect may be made in the contract with the contractor.

In ***Rajangum, Secretary, District Beedi Workers Union v. State of Tamil Nadu and Others***,<sup>xxxii</sup> the Supreme Court opined that tobacco manufacturing was indeed hazardous to health. Child labour in this trade should therefore be prohibited as far as possible and employment of child labour should be stopped either immediately or in a phased manner that is to be decided by the State Government within a limited time.

In ***M. C. Mehta v. State of Tamil Nadu and Others***,<sup>xxxiii</sup> the Supreme Court allowed children to work in a prohibited occupation like fireworks. According to Justice Ranganath Mishra and Justice H.I. Kania, the provision of Article 45 in the Directive Principles of State Policy still remained a far cry and according to this provision all children up to the age of fourteen years are supposed to be in school, economic necessity forces grown - up children to seek employment.

A Bench of Justices Dalveer Bhandari and A.K. Patnaik, passing orders on a petition filed by the Bachpan Bachao Andolan, said: –To implement the fundamental right of children under Article 21A [Right to Education], it is imperative that the Central government issue suitable notifications prohibiting the employment of children in circuses within two months. In ***M. C. Mehta v. State of Tamil Nadu and Others***,<sup>xxxiv</sup> the Supreme Court of India gave certain directions on the issue of elimination of child labour. It ordered for survey for identification of working children; withdrawal of children working in hazardous industry and ensuring their education in appropriate institutions; contribution @ Rs.20,000/-per child to be paid by the offending employers of children to a welfare fund to be established for this purpose;



employment to one adult member of the family of the child so withdrawn from work and it that is not possible a contribution of Rs.5,000/ - to the welfare fund to be made by the State Government; financial assistance to the families of the children so withdrawn to be paid -out of the interest earnings on the corpus of Rs. 20,000/25,000 deposited in the welfare fund as long as the child is actually sent to the schools; regulating hours of work for children working in non - hazardous occupations so that their working hours do not exceed six hours per day and education for at least two hours is ensured. The entire expenditure on education is to be borne by the concerned employer.

**State-wise Distribution of Working Children according to 1971,1981, 1991 and 2001 Census in the age group 5-14 years**

| S.No. | Name of the State/UT     | 1971    | 1981    | 1991    | 2001* *** |
|-------|--------------------------|---------|---------|---------|-----------|
| 1.    | Andhra Pradesh           | 1627492 | 1951312 | 1661940 | 1363339   |
| 2.    | Assam *                  | 239349  | **      | 327598  | 351416    |
| 3.    | Bihar                    | 1059359 | 1101764 | 942245  | 1117500   |
| 4.    | Gujarat                  | 518061  | 616913  | 523585  | 485530    |
| 5.    | Haryana                  | 137826  | 194189  | 109691  | 253491    |
| 6.    | Himachal Pradesh         | 71384   | 99624   | 56438   | 107774    |
| 7.    | Jammu & Kashmir          | 70489   | 258437  | **      | 175630    |
| 8.    | Karnataka                | 808719  | 1131530 | 976247  | 822615    |
| 9.    | Kerala                   | 111801  | 92854   | 34800   | 26156     |
| 10.   | Madhya Pradesh           | 1112319 | 1698597 | 1352563 | 1065259   |
| 11.   | Maharashtra              | 988357  | 1557756 | 1068427 | 764075    |
| 12.   | Chhattisgarh             |         |         |         | 364572    |
| 13.   | Manipur                  | 16380   | 20217   | 16493   | 28836     |
| 14.   | Meghalaya                | 30440   | 44916   | 34633   | 53940     |
| 15.   | Jharkhand                |         |         |         | 407200    |
| 16.   | Uttarancha               |         |         |         | 170183    |
| 17.   | Nagaland                 | 13726   | 16235   | 16467   | 45874     |
| 18.   | Orissa                   | 492477  | 702293  | 452394  | 377594    |
| 19.   | Punjab                   | 232774  | 216939  | 142868  | 177268    |
| 20.   | Rajasthan                | 587389  | 819605  | 774199  | 1262570   |
| 21.   | Sikkim                   | 15661   | 8561    | 5598    | 16457     |
| 22.   | Tamil Nadu               | 713305  | 975055  | 578889  | 418801    |
| 23.   | Tripura                  | 17490   | 24204   | 16478   | 21756     |
| 24.   | Uttar Pradesh            | 1326726 | 1434675 | 1410086 | 1927997   |
| 25.   | West Bengal              | 511443  | 605263  | 711691  | 857087    |
| 26.   | Andaman & Nicobar Island | 572     | 1309    | 1265    | 1960      |
| 27.   | Arunanchal Pradesh       | 17925   | 17950   | 12395   | 18482     |
| 28.   | Chandigarh               | 1086    | 1986    | 1870    | 3779      |
| 29.   | Dadra & Nagar Haveli     | 3102    | 3615    | 4416    | 4274      |
| 30.   | Delhi                    | 17120   | 25717   | 27351   | 41899     |
| 31.   | Daman and Diu            | 7391    | 9378    | 941     | 729       |
| 32.   | Goa                      |         |         | 4656    | 4138      |
| 33.   | Lakshadweep              | 97      | 56      | 34      | 27        |

|     |              |                 |                 |                 |                 |
|-----|--------------|-----------------|-----------------|-----------------|-----------------|
| 34. | Mizoram      | ***             | 6314            | 16411           | 26265           |
| 35. | Pondicherry  | 3725            | 3606            | 2680            | 1904            |
|     | <b>Total</b> | <b>10753985</b> | <b>13640870</b> | <b>11285349</b> | <b>12666377</b> |

Note: \* 1971 Census figures of Assam include figures of Mozoram.

\*\* Census could not be conducted.

\*\*\* Census figures 1971 in respect of Mozoram included under Assam.

\*\*\*\* includes marginal workers also.

**State wise details of working children in the age group of 5-14 years as per Census  
2001 and Census 2011 are as under:**

| Sl. No. | Name of State/UT         | No. of working children in the age group of 5-14 years |             |
|---------|--------------------------|--|-------------|
|         |                          | Census 2001  | Census 2011 |
| 1.      | Andaman & Nicobar Island | 1960   | 999         |
| 2.      | Andhra Pradesh           | 1363339  | 404851      |
| 3.      | Arunachal Pradesh        | 18482  | 5766        |
| 4.      | Assam                    | 351416   | 99512       |
| 5.      | Bihar                    | 1117500  | 451590      |
| 6.      | Chandigarh U.T.          | 3779   | 3135        |
| 7.      | Chhattisgarh             | 364572   | 63884       |
| 8.      | Dadra & Nagar H.         | 4274   | 1054        |
| 9.      | Daman & Diu U.T.         | 729  | 774         |
| 10.     | Delhi U.T.               | 41899  | 26473       |
| 11.     | Goa                      | 4138   | 6920        |
| 12.     | Gujarat                  | 485530   | 250318      |
| 13.     | Haryana                  | 253491   | 53492       |
| 14.     | Himachal Pradesh         | 107774   | 15001       |
| 15.     | Jammu & Kashmir          | 175630   | 25528       |
| 16.     | Jharkhand                | 407200   | 90996       |
| 17.     | Karnataka                | 822615   | 249432      |
| 18.     | Kerala                   | 26156  | 21757       |
| 19.     | Lakshadweep UT           | 27   | 28          |
| 20.     | Madhya Pradesh           | 1065259  | 286310      |
| 21.     | Maharashtra              | 764075   | 496916      |
| 22.     | Manipur                  | 28836  | 11805       |
| 23.     | Meghalaya                | 53940  | 18839       |
| 24.     | Mizoram                  | 26265  | 2793        |
| 25.     | Nagaland                 | 45874  | 11062       |
| 26.     | Odisha                   | 377594   | 92087       |
| 27.     | Pondicherry U.T.         | 1904   | 1421        |
| 28.     | Punjab                   | 177268   | 90353       |
| 29.     | Rajasthan                | 1262570  | 252338      |
| 30.     | Sikkim                   | 16457  | 2704        |
| 31.     | Tamil Nadu               | 418801   | 151437      |
| 32.     | Tripura                  | 21756  | 4998        |
| 33.     | Uttar Pradesh            | 1927997  | 896301      |

|     |              |                 |                |
|-----|--------------|-----------------|----------------|
| 34. | Uttarakhand  | 70183           | 28098          |
| 35. | West Bengal  | 857087          | 234275         |
|     | <b>Total</b> | <b>12666377</b> | <b>4353247</b> |

The above tables shows the census report from the year 1971 to 2011 we can see that in the state of Gujarat the figures are increasing in the year 1981 in comparison to the year 1971 but after the enactment provision of Child Labour (Prohibition and Regulation ) Act, 1986 the figures decreases in the year 1991 , 2001, and 2011 respectively. This actually shows the decreases rate in the data means that the Child Labour (Prohibition and Regulation) Act, 1986 really works but not up to the mark.

## Conclusion

Children constitute the nation's valuable human resources. The future well being of the nation depends on how its children grow and develop. The great poet Milton said –Child shows the man as morning shows the day. So it is the duty of the society to look after every child with a view to assuring full development of its personality. Children are the future custodians and torch bearers of the Society: they are the messengers of our knowledge, cultural heritage, ideologies and philosophies. Children are really future components in the form of great teachers, scientists, judges, rulers, doctors, planners, engineers, politicians on whom the entire society founded (rests). Unfortunately millions of children are deprived of their childhood and right to education and thereby they are subjected to exploitation and abuse.

There are various factors responsible for leading to child labour. Child labour is a socio-economic problem. In a country where millions of children go to bed hungry, without having a single full meal of the day, total elimination of child labour by mere Legal recourse can never be said to be a practical proposal. It may suppress the malaise but cannot cure it. Samuel Johnson opined that, –Poverty is a great enemy to human happiness; it certainly destroys liberty, and it makes some virtues impracticable and others extremely difficult. Children thus become instrument to augment family income and are seen as a means to alleviate poverty. Thus, there is vital link between poverty and child labour. Weak and tardy enforcement of the child labour legislation and defective legislation and polices also contribute more for the incidence of child labour. Thus, the phenomenon of child labour is multi-dimensional complex problem and deep-rooted in society. So it may not be wise to rely on one single approach to deal with it. So a comprehensive integrated approach is required to tackle and combat the problem of child labour.

## Suggestions

1. Poverty is the main factor, which compels the young children to undertake various kinds of work. So poverty elimination programme must be launched widely in the districts where poverty is more, proper employment opportunity be provided there.
2. The overpopulation in the country and the number of family members in the working class community is also being a strong reason for the growth of child labour. Government shall make rules for compulsory sterilisation after 2nd delivery.
3. While welfare policy and programme for children are formulated, care should be taken that poorer and the needy children in particular and others, in general, who are likely to join as child labour (because of the economic condition of their family) get due priority.

4. The child labour system shall be banned in all places in all sectors and the additional power shall be vested with the police personals to see that no child works at any place. Any child who is found working shall be sent to special schools in the initial stage, meant for the purpose and later to the regular schools.
5. The Government shall not only provide the basic education to the children but also give them training in various fields in which a child can see its future and can earn his living after completing the schoolings.
6. Special attention should be given to identify the working girls and those who become the victims of child prostitution and rehabilitate them.
7. Attempts must be directed towards raising the income of poor section of the community because poverty and deprivation force children to work.

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