

# Protection of Rights of Child Domestic Workers in India: Issues Challenges and Prospective

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*Abstract: Every child is a gift of God a gift must be nurtured with care and affection, with in the family and society. But unfortunately due to socio-economic and cultural problems, the code of child centeredness was replaced by neglect, abuse and deprivation, particularly in the poverty afflicted sections of the society<sup>1</sup>. While child labour is a complex problem that is basically rooted in poverty.<sup>2</sup> The strategy of progressive elimination of child labour underscores India's legislative intent, and takes cognizance of the fact that child labour is not an isolated phenomenon that can be tackled without simultaneously taking into account the socio-economic milieu that is at the root of the problem<sup>3</sup>. An International Moral Code of Right and Wrong Behavior said that "human rights and fundamental freedoms are the birthright of all human beings" and as a result such rights may neither be granted nor be taken away by legislation. The position of India in terms of child labour is not an appreciable one; with a credible estimates ranging from 60 to 115 million, India has the largest number of working children in the world. Whether they are sweating in the heat of stone quarries, working in the fields 16 hours a day, picking rags in the city streets, or hidden away as domestic servants, these children endure miserable and difficult lives. They earn little and are made to work more. They struggle to make enough to eat and perhaps to help feed their families as well. They do not go to school. Many of them have been working since the age of four or five, and by the time they attain adulthood they may be irrevocably sick and deformed they will certainly be exhausted, and in this way they are debarred from enjoying the basic human rights, which are essential for the advancement of one's personality<sup>4</sup>. According to the statistics given by Indian government there are 20 million child labourer's in the country, while other agencies claim that it is 50 million<sup>5</sup>. Child labour is a conspicuous problem in India.*

*Its prevalence is evident in the child work participation rate, which is more than that of other developing countries. Poverty is the reason for child labour in India. The meager income of child labourer's is also absorbed by their families. The paucity of organized banking in the rural areas creates a void in taking facilities, forcing poor families to push their children in harsh labour, the harshest being bonded labour<sup>6</sup>.*

*That declaration stated that all ILO members have an obligation to respect, to promote and to realize in good faith "a set of fundamental rights which include freedom of association the effective recognition of the right to collective bargaining the elimination of all forms of forced or compulsory labour the effective abolition of child labour and the elimination of discrimination in respect of employment and occupation<sup>7</sup>".*

*Key-words:-Child Labour, Protection, Abolition, Elimination, Illiteracy Trafficking, Bonded Labour, Domestic Work etc.*

## INTRODUCTION

A large number of children in India are quite strangers to the joys and innocence of the formative years of their lives. Instead of enjoying their early steps on their life's journey, they are forced to work under conditions of slavery. Child labour persists due to the inefficiency of law, administrative system and exploitative tendencies on the part of employers. Children are employed illegally in various industries. But agriculture is the largest sector where children work at early ages to contribute to their family income. Rural areas employ 85 percent of the child labour in

<sup>1</sup>Dr. Jaspal Singh: Rights of children under Indian constitution and the convention of Rights of Children 1989

<sup>2</sup>Child Labour and India - Embassy of India, Washington, DC.mht

<sup>3</sup>Roy J. Adams: Labour Rights as Human Right: Implication of the International Consensus

<sup>4</sup>Roy J. Adams: Labour Rights as Human Right: Implication of the International Consensus

<sup>5</sup>www.childlabour.in

<sup>6</sup>www.childlabour.in

<sup>7</sup>Violation of child labour laws in India

India. They are forced to work at young ages due to factors such as poverty, unemployment, a large family size, and lack of proper education.

In British India, a large number of children were forced into labour due to the increasing need of cheap labour to produce a large number of goods. The companies preferred recruiting children as they could be employed for less pay, better utilized in factory environment, lacked knowledge of their basic rights, and possessed higher trust levels. The practice of child labour continued even in the post-Independence India, though the government continued to take legislative measures against child labour. The Universal Declaration of Human Rights passed in 1948 incorporated the basic human rights and needs of children for proper progression and growth in their younger years. Article 24 of the Constitution bans engagement of children below the age of 14 in factories, mines, and other hazardous employment. Article 21A and Article 45 promise to impart free and compulsory education to all children between the ages of 6 and 14.

The Child Labour (Prohibition and Regulation) Act enacted in 1986, prohibited children younger than the age of 14, from being employed as child labour in hazardous occupations. Significantly in 2009, India passed the Right of Children to Free and Compulsory Education Act (RTE). More recently, the Child Labour (Prohibition and Regulation) Amendment Act, 2016, passed by Parliament, prohibits “the engagement of children in all occupations and of adolescents in hazardous occupations and processes”. Here adolescents refers to those under 18 years; children to those under 14. The Act also imposes a stringent penalty on anyone who employs or permits adolescents to work.

#### ISSUES CHALLENGES AND PROBLEMS

**Poverty:**

Poverty is the womb of all illness. In addition, poverty is a double edged weapon in that the poor victim of illness loses his daily winning capacity as well making him/her poorer at the end of the day. Poverty as an extreme human condition has always evoked immense social interest.<sup>30</sup> Poverty is a single major cause of child labour; this is a major contributing factor and has many dimensions. The Institution of Public opinion conducted a survey in 1969, which showed that 41.2

percent of Indian population was under poverty line. Half of these belonged to the Scheduled Caste and Tribes. In village a vast majority of agriculture labour belongs to these communities. Poverty of the households may be due to several factors:

- (a) Inadequate income of the family;
- (b) Unemployed adults;
- (c) Absence of scheme for family allowances; and
- (d) Large family etc.

**Illiteracy:**

The higher rate of illiteracy shows the ignorance of parents, so they push their children to work force which is a supply factor and contributory cause for child labour. Parents do not think better future of their wards. Especially rural/migrated parents, tribal and people staying in slum areas do not understand their responsibilities and hence children are deprived of their right to education and development.

There is a very close nexus between child labour and illiteracy and they go hand in hand and each one supports the other. Some studies have revealed that most of the child labours are either total illiterate or partial illiterate and their parents are illiterate. No study has ever found a child labour coming from an educated family. Greed for money, and gross ignorance on the part of the parents in not sending their children to school is a sad commentary and condemnable.

**Population Explosion and Large Family Size:**

In a developing country like ours, everything is regulated by population. Population explosion is an important and major factor for the problem of child labour. Parents due to their ignorance believed that children are God Gifted, great human resource and continued to go on increasing the family size is a misconception and they understand that more children means more income, they generate. Consequently large family size is burdensome and liability for them especially for poor, to tribal backward families.

**Population Statistics:**

According to 1971 Census, population of India was 548 million and in 2001 it was 1028.70 million. By the turn of 2016 the population is expected to reach 1264 million. Such a massive increase in numbers will affect economic development and require massive

inputs for social services, civic amenities and infrastructure development.

Child population records 398,306,000 and interpretation of 2001 Census figures of the National Labour Institute indicate that, out of 203 million children between the ages of 5 and 14, 116 million are in schools, 12.6 million are in fulltime employment and the status of 74 million is unknown. Most, if not all, of the 87 million, not in school, do house work on family farms, work along side their parents as paid agriculture labourer's, work as domestic servants, or are otherwise employed.

The tradition of making children learn family skills : Most traditional families believe that a child is born to them to earn more for the family. The child is just another source of income and traditional business families in fact put the child into business rather than send them to school. Under the pretext of training them, they make them work for hours, sometimes resorting to physical torture in case child makes mistakes. There is a myth that child labour is necessary to preserve traditional arts and crafts. Children bonded to families or who are hired labour are never taught the actual craft. Learning of a particular art or craft by children within their families, as part of their socialization, should be integrated with their education. Children should not be sacrificed at the altar of preserving traditional art.<sup>44</sup> There is another argument which advocates that work equips the children with skills for the future is a contributory factor to child labour.

Unemployment and Under Employment :

Child labour is as much the cause as consequence of adult unemployment and under employment. It supplements and buttresses the family income. Child labour is not only a subsidy to industries but a direct inducement for payment of low wages to adult workers. The entrance of the children into the labour market reduces the opportunities of employment for the adult and lowers the bargaining power of adult workers. Child labour involves the use of labour as its point of lowest productivity. Hence it is an insufficient utilization of labour force.

Weak and Tardy enforcement of the child related (child labour) legislation:

Although plethora of legislations have been enacted for prohibition of child labour, but due to certain lacunae, shortcomings and weak and defective enforcement mechanisms, the practice of child labour is on increasing trend. The Child Labour(Prohibition and Regulation) Act is intended to regulate child labour rather abolish. Proviso of Sec.3 is abused by the employers/vested interests. Various studies show that enforcement of child labour legislation faces a number of critical problems.

Migration and Child Labour:

There is a close nexus between migration and child labour and migration is one of the major contributory factors to child labour. Migration refers to the movement of workers from one place to another. There are various factors responsible for migration of parents and children. Again poverty, large family size, with low family income and non availability of work in the village compels the parents to migrate to urban areas. The adverse financial position of parents compels them to borrow from the village money lender who charges high rate of interest on the loans advanced to the villagers and a pressure from the side of money lender to repay the debts is likely to compels the parents to send their children to earn, since no work is available in the villages.

Employers Preference for Child Labour:

It is one of the demand factors for causation and perpetuation of child labour. The most important objective of the employer is to earn more profit on limited expenditure. Employer perfectly knows that child labour is cheap and adult labour is expensive. Hence he prefers to employ child labour rather than adults by payment of low/minimum wages and displacing the adults from labour market. He prefers to employ child labour as children are innocent, docile, disciplined and sincere and don't have any union and cannot question the authority of employer.

Defective Legislation, law, policy, Plans and programmes:

Equally this factor leads to perpetuation of child labour because of lacunae in laws, policy and plans do not address the burning problem of child labour. Art. 24 of the Constitution intended for abolition of child labour where as Sec.3 of Child Labour (Prohibition and Regulation) Act 1986 is designed to the regulation of

child labour rather than prohibition. Thus there is a contradiction between each other and leads to confusion and ambiguity. Further Sec. 3 of the Act prohibits and Sec.6 of the Act regulates the conditions of work of children, again there is ample scope for child labour. Further the proviso annexed to Sec. 3 of the Act is often and invariably misused which keep the occupation, work or process that is carried on by the occupier with the aid of the family, out of the purview of the Act. This proviso is abused by employing children.

#### Constitutional Provisions Relating To Protection Of Child Labour:

Child Labor is a work which deprives the children from their childhood their potentiality and their dignity.that is harmful to physical and mental development of the child. it is the fundamental right to life with human dignity they are all human being and cannot be treated as the animals .They have the right to live with dignity and free from exploitation. The Constitution of india provides certain legislations in respect of working children under part-iii of the Constitution in the fundamental right and DPSP part. The national political will and commitment, to eliminate child labour as also to regulate the conditions in which children work, have been reflected in an abundant measure in the constitution and laws of the land.

There are certain provisions of the constitution, which have a direct bearing on child labour.

##### 1. Article-23

Prohibition of employment of human beings and forced labour<sup>8</sup>.

Traffic in human beings, beggar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence in accordance with law.

##### 2. Article 24

Prohibition of employment of children in factories<sup>9</sup> etc.

No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

##### 3. Article-39 (e) and (f)

###### *Directive principles of state policy*

The state shall, in particular, direct its policy, securing:

(e) 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 a vocation unsuited to their age or strength.

(f) Those children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

##### 4. Article- 45

###### *Provision for free and compulsory education for children*

The state shall endeavor to provide within a period of ten years from the commencement of this constitution, for free and compulsory education for all children until they complete the age of fourteen years.

The Constitution of India (26 January 1950), through various articles enshrined in the Fundamental Rights and the Directive Principles of State Policy, lays down that:

No child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment (Article 24);

The State shall provide free and compulsory education to all children of the age six to 14 years. (Article 21 (A));

The State shall 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 they are not forced by economic necessity to enter vocations unsuited to their age and strength (Article 39-e);

Children shall be given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth shall be protected against moral and material abandonment (Article 39-f);

The State shall Endeavour to provide within a period of 10 years from the commencement of the Constitution for free and compulsory education for all children until they complete the age of 14 years (Article 45).

<sup>8</sup> Peoples Union for democratic right v.Union of India(1982)S.C.C.235

<sup>9</sup>Laboures working on salal hydro Project v.State of J&K AIR 1984 SC.177-

Child labour is a matter on which both the Union Government and state governments can legislate. A number of legislative initiatives have been undertaken at both levels.

#### Laws Regulating the Child Labour in India:

There are a wide range of laws, which guarantee to a substantial extent the rights and entitlement as provided in the constitution and in the UN convention. Some of them are given below:

1. The Apprentices Act, 1861
2. The Child Labour Act, 1986
3. The Child Marriage Restraint Act, 1929
4. The Children (pledging of labour) Act, 1929
5. Children Act, 1960.
6. The Guardian and Wards Act, 1890
7. The Hindu Minority and Guardianship Act, 1956
8. The Hindu Adoption and Maintenance Act, 1956
9. The Immoral Traffic (Prevention) Act, 1956
10. Juvenile Justice Act, 1986
11. The Orphanages and other charitable Homes (supervision and control) Act, 1960
12. Probation of offenders Act, 1958
13. Reformatory schools Act, 1857
14. The women's and children's institutions (licensing) Act, 1956
15. The young persons (Harmful publications) Act, 1956

#### FORMS OF CHILD LABOUR:

##### CHILDREN WORK IN THREE SECTORS OF THE ECONOMY

(a) The Agrarian sector : The agrarian sector in India is characterized by poverty, illiteracy, unemployment, highly skewed distribution of land-ownership, traditional modes of production, prevalence of old customs and traditions, system of usury, etc. Several forms of child labour such as invisible, migrant, bonded etc. emerge from this sector, which encompasses such time-consuming activities for boys as looking after animals, gathering wood and fodder, sowing and reaping, protecting fields from pests, weeding, etc. For girls, the activities are milking animals, cooking, and looking after younger children. The rural child is working child and work is a

fundamental part of his or her existence, irrespective of whether it is non-monetary. It also, therefore, means that education is a casualty for such a child.

(b) Industrial sector: Industrial sector is a growing level of urbanization as a result of migration from rural to urban areas and from smaller towns to bigger cities, where industries are being set up. Another feature is the dispersal of industries into family-based units. This again causes the emergence of various forms of child labour, such as invisible, wage-based child labour working under conditions of acute exploitation in the industries, children of marginalized families working as self-employed children or under-wage employment in the services sector.

(c) Service sector: The services sector actually has a certain overlap with the industrial sector. A majority of children in this sector are self-employed because its very nature provides relief from direct supervision. It also provides autonomy and freedom of control over resources. Such children are found to be working both in the urban as well as rural areas. In this sector, child labour can take such forms as invisible, self-employed or under wage-based employment, with children changing jobs at regular intervals. This is particularly true in urban areas.

##### RIGHTS OF CHILDREN UNDER INTERNATIONAL LAW:

The concept of equality of all human beings, as embodied in the Universal Declaration of Human Rights of 1948 stipulates under Article-25 para 2 that childhood is entitled to special care and assistance. The above principle along with other principles of the Universal Declaration concerning child were incorporated in the Declaration of the Rights of the Child of 1959. The International Covenant on Civil and Political Rights under Articles 23 and 24 and the International Covenant on Economic, Social and Cultural Rights under Article 10 made provisions for the care of the child<sup>10</sup>. However the International Labour Organization (ILO) provides universal standards and guidelines. The ILO, a specialized agency of the UN, aims to provide guidance and standards for labour practices around the world. The International Convention and other international

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<sup>10</sup>[www.childlabour.in](http://www.childlabour.in)

instruments, which deal with the subject of child labour are as follows:

1. Convention on the Rights of the Child, 1989.
2. Worst Form of Child Labour Convention, 1999; and
3. Worst Form of Child Labour Recommendation

The International Program on the Elimination of Child Labour (IPEC) is a global program launched by the International Labour Organization in December, 1991. India was the first country to join it in 1992 when it signed a Memorandum of Understanding (MOU) with ILO. The MOU that expired on 31.12.1996 has been extended from time to time and has recently been extended till 31st December, 2006. The long-term objective of IPEC is to contribute to the effective abolition of child labour<sup>11</sup>. IPEC-India has, during the period 1992-2002, supported over 165 Action Programs.

The Govt. of India and the US Department of Labour have also initiated a US\$ 40 million project aimed at eliminating child labour in 10 hazardous sectors across 21 districts in five States namely, Maharashtra, Madhya Pradesh, Tamil Nadu, Uttar Pradesh and NCT of Delhi. This project, popularly known as INDUS, is being implemented by ILO. An estimated 80,000 children will be withdrawn and rehabilitated through this project. Support activities will also be directed to 10,000 families of former child workers. On 20 November 2009, the global community celebrates the 20th anniversary of the adoption by the United Nations General Assembly of the Convention on the Rights of the Child, the unique document that sets international standards for the care, treatment and protection of all individuals below age 18<sup>12</sup>.

#### RIGHTS OF CHILDREN UNDER NATIONAL LAWS

India has all along followed a proactive policy in the matter of tackling the problem of child labour. India has always stood for constitutional, statutory and development measures required eliminating child labour. The Indian Constitution has consciously incorporated provisions to secure compulsory universal elementary education as well as labour protection for children. Labour Commissions in India have gone into the problems of child labour and have

made extensive recommendations<sup>13</sup> The Constitution of India, too provides certain rights to children and prohibits child labour. Such provisions are as follows:

1. No child below the age of 14 years shall be employed in any factory or mine or engaged in any other hazardous work.
2. State, in particular, shall direct its policy towards securing that the health and strength of workers, men and women and the tender age of the children are not abused and that citizens are not forced by economic necessity to enter vocations unsuited to their age or strength.
3. Children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitations and against moral and material abandon.
4. The state shall endeavor to provide, within the period of 10 years from the commencement of the Constitution, free and compulsory education for all children until they complete the age of 14 years.
5. The state shall provide free and compulsory education to all children between the ages of six to 14 years in such a manner as the state may by law determine .
5. Who is parent or guardian to provide opportunities for education to his child or the case may be, ward between the age of six and 14 years.

Apart from these laws mainly concerning children, there are a host of related welfare and criminal laws, which have beneficial provisions for the case, and protection of children. Even the laws relating to commerce, industry and trade have protective provisions beneficial to children.

#### THE IMPORTANT NATIONAL LEGISLATIVE DEVELOPMENTS INCLUDE THE FOLLOWING:

The Child Labour (Prohibition and Regulation) Act, 1986: The Act prohibits the employment of children below the age of 14 years in 16 occupations and 65 processes that are hazardous to the children's lives and health. These occupations and processes are listed in the Schedule to the Act. In October 2006, the Government has included children working in the domestic sector as well as roadside eateries and motels under the prohibited list of hazardous occupations.

<sup>11</sup><http://www.labour.nic.in,international program on child labour>

<sup>12</sup>Child Labour India Environment Portal.mht

<sup>13</sup>Child Labour and India – Embassy of India, Washington, DC.mht

More recently, in September 2008 diving as well as process involving excessive heat (e.g. working near a furnace) and cold; mechanical fishing; food processing; beverage industry; timber handling and loading; mechanical lumbering; warehousing; and processes involving exposure to free silica such as slate, pencil industry, stone grinding, slate stone mining, stone quarries as well as the agate industry were added to the list of prohibited occupations and processes;

The Factories Act, 1948: The Act prohibits the employment of children below the age of 14 years. An adolescent aged between 15 and 18 years can be employed in a factory only if he obtains a certificate of fitness from an authorized medical doctor. The Act also prescribes four and a half hours of work per day for children aged between 14 and 18 years and prohibits their working during night hours.

The Mines Act, 1952: The Act prohibits the employment of children below 18 years of age in a mine. Further, it states that apprentices above 16 may be allowed to work under proper supervision in a mine.

The Juvenile Justice (Care and Protection) of Children Act, 2000: This Act was last amended in 2002 in conformity with the UN Convention on the Rights of the Child covers young persons below 18 years of age. Section 26 of this Act deals with the Exploitation of a Juvenile or Child Employee, and provides in relevant part, that whoever procures a juvenile or the child for the purpose of any hazardous employment and keeps him in bondage and withholds his earnings or uses such earning for his own purposes shall be punishable with imprisonment for a term which may extend to three years and shall also be liable for fine. In some States, including Karnataka and Maharashtra, this provision has been used effectively to bring to book many child labour employers who are otherwise not covered by any other law and to give relief and rehabilitation benefits to a large number of children.

The Minimum Wages Act, 1948: Prescribes minimum wages for all employees in all establishments or to those working at home in certain sectors specified in the schedule of the Act. Central and State Governments can revise minimum wages specified in the schedule. Some consider this Act as an effective instrument to combat child labour in that it is being used in some States (such as Andhra Pradesh) as the

basis on which to prosecute employers who are employing children and paying them lower wages.

The Right of Children to Free and Compulsory Education Act, 2009: Provides for free and compulsory education to all children aged 6 to 14 years. This legislation also envisages that 25 per cent of seats in every private school should be allocated for children from disadvantaged groups including differently abled children.

An important judicial intervention in the action against child labour in India was the M.C. Mehta case (1996) in which The Supreme Court, directed the Union and state governments to identify all children working in hazardous processes and occupations, to withdraw them from work, and to provide them with quality education. The Court also directed that a Child Labour Rehabilitation-cum-Welfare Fund be set up using contributions from employers who contravene the Child Labour Act. Additionally, in 1993, the Supreme Court in Unnikrishnan v. State of Andhra Pradesh ruled that each child has the right to free education until he or she completes the age of 14 years. Article-21-A which was incorporated into the Constitution reflects this standard. In 2005, the M.V. Foundation, an NGO working on child rights brought a public interest litigation petition which argues that child labour up to the age of compulsory education is unconstitutional and is a negation of rights under Article 21-A which provides for compulsory education up to the age of 14. This case is still pending before the Supreme Court. Notably however, under this case the Court has asked the Government to file a status report on the implementation of Sarva Shiksha Abhiyan, a government programme providing free and compulsory education to all children.

India is a signatory to the

1. ILO Forced Labour Convention (No. 29);
2. ILO Abolition of Forced Labour Convention (No. 105);
3. UN Convention on the Rights of the Child (CRC)<sup>14</sup>.

#### IMPORTANT JUDICIAL PRONOUNCEMENTS RELATING TO CHILD LABOUR:

In *Laxmikant v. Union of India*<sup>15</sup> the Supreme Court observe that it is obvious that in a civilized society the importance of child welfare cannot be overemphasized

<sup>14</sup><http://indiacode.nic.in>

<sup>15</sup> AIR1984 (2 SCC 244)

because the welfare of the community ,its growth and developement depends on the health and wellbeing of the children<sup>16</sup>. The SC also states that childrens are the supreme national asset and the wellbeing of the nation deepends upon how their children grows and develops. In *Sheela Barse &orsv.Union of India*<sup>17</sup> The SC observe that right to live includes right to live with human dignity. It is the fundamental right to live with human dignity and free from exploitation. Child labour is a work which deprives the children from childhood and their potential that may be harmful for their physical as well as the mental development. The constitution and DPSP prohibits child labour below 14 years in any hazardous work. Another notable Government initiative under the 11th plan is to amend all laws to recognize everyone under the age of 18 as children and to take appropriate measures to protect their rights accordingly.

#### SUGGESTION

The Govt. should take proper effective steps to decrease the population and give the employment to the parents of child labour. Necessary practical steps should be taken to educate the children. Provided the necessary sufficient funds to the organizations working for the education and removal of child labour. There should be effective implementations of child protective laws. There should be necessary prosecution of child labour defaulters. The involvement of the religious leaders, trade unionist and non government organizations and to tackle the child labour by forming advisory committees on child labour on block level should be there. The authorities should not bend before the pressure of the politicians while tackling the problems of child labour. The government should bring down the incidence of child labour through reform and investment in education. Mid-day meals should be re-emphasized; homeless children should be provided housing through the Sarva Shiksha Abhiyan boarding schools, and laws banning child labour should be more strictly enforced.

#### CONCLUSION:

At present, in spite of policy of the government regarding removal of child labour. The various steps

taken in this direction and the lawspassed about it haven't controlled the ongoing child labour. This is possible only with the co-operation of all sections of the society and the law enforcement agencies and by removing or minimizing the causes of child labour. The main thrust should be on controlling the population of the country, education of the children and providing sufficient funds for its removal from the gross domestic product of India.

The phenomenon of child labour is multi-dimensional complex problem and deep rooted in the socio-economic fabric of the society. So it may not be wise to rely on one single approach to deal with it. There are many factors responsible to this complex problem, so a comprehensive integrated approach is required to tackle and combat child labour. This can be done only by bringing attitudinal change, and social awareness and rigorous campaign against the problem of child labour. It requires honest effort and strong commitment and support from all concerned.

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<sup>16</sup>The Constitution of India-Pandey J.N

<sup>17</sup>AIR 1986 SC 1773