Preface

The protection and welfare of working children has become a subject of paramount consideration now-a-days and no civilized society can overlook it. Children are future of the nation. It is, therefore, a duty of the every citizen of the nation to protect children. A society which functions within the framework of welfare state as envisaged in new Indian polity aiming at ensuring a minimum desirable standard of living to each and every member is obliged to come forward to understand the needs and problems of child labour and to undertake various measures that should be helpful in the fullest development of children on whom the future of a nation depends.

Politically, socially and economically child is need of future national growth. Recognizing this fact, the Government, during last five decades, has taken various executive as well as legislative steps as provided in the Indian Constitution to protect children. However, in law much is to be accomplished. As a result, the employers take benefit of many a loopholes in the law and exploit children. No empirical and fullest analysis of the problem has been attempted as yet to explore the means to abolish this menace truly. The purpose of this work is to make an humble attempt in furtherance of abridging this gap to provide real justice to children in India.

The existing legal framework for employment of children is full of lacuna and loopholes as it suffers from internal contradictions. The greatest drawback of the laws is in its
inadequate coverage. More than three fourth of the child workers are employed in agriculture and allied activities but there is no law to take care of them employed in this sector.

Legislation, by itself cannot achieve the objective of eradication of child labour. In countries, where child labour is rampant, the solution is unlikely to lie in simply creating new laws or even ensuring that labour inspectors implement the existing laws. The adoption and implementation of laws needs to be supplemented by social and economic measures with adequate awareness in masses.

The extension and improvement of schools to attract and retain children in it has been brought out as an effective strategy to wean children away from the work force. Child labour and compulsory education cannot co-exist. Education although will not by itself eradicate child labour but it will certainly reduce and discourage it. Schoolgoing children can not provide their full labour force whole day therefore, they will not be so beneficial to the employers in their business and ultimately the process may reduce the child labour in India. Education besides enhancing the capabilities and welfare of children also has a positive impact on health, mortality, fertility and family life.

The most effective step to abolish child labour would be to improve the economic conditions of the families from where the children are drawn into the work force. The provisions of assistance in the form of income generating assets under different rural development and poverty eradication programme needs to be
provided to such families having working children. The improvement in the economic conditions of the family makes a significant difference in the attitude of parents for making them conscious and boosts towards sending their children to schools. Majority of the poor people are keen that their children should get better jobs opportunities and improve their earnings in the future.

Thus, besides legislative measures, there is an urgent need to give importance to the supportive measures for child labour such as the removal of poverty and unemployment, enforcing compulsory primary education, medical and health support, proper nutrition, recreation and cultural activities, family planning, apprenticeship and vocational training.

The present study is an honest and relevant attempt to the problems relating to the child labour which has been analysed in the light of West Bengal with the help of empirical survey to explore the real problems faced by child labour. Therefore, to assess the real position and status of children at work and to ameliorate their condition, the present study in the most humble way tries to highlight on some of the relevant questions, such as, what age group children are engaged as child labour? What are the reasons behind their engagement as child labour? Do they work against their will? Whether they go to school? Do the administrative agencies of the government help them? What steps have been taken by the government to eradicate this social evil? How is geographical condition of the place where child resides, responsible for engaging him/her into labour system? What is the role of people’s representative or political parties towards this
social evil etc.? These questions necessitated to classify the whole study into six chapters.

Chapter 1 deals with introduction. Chapter 2 presents a review of international efforts made for eradication of child labour. Chapter 3 highlights on Indian existing laws, rules, regulations etc. dealing with child labour. Chapter 4 discusses judicial efforts towards abolition of the problem of child labour. Chapter 5 presents a full analytical discussions on the child labour problem in West Bengal based on empirical survey. Chapter 6 concludes the work with suggestions and recommendations to eradicate the child labour system in India.

It is expected that this attempt of the author would be meaningful in formulating consensus on the issue to eradicate child labour so that the dreams of the founding fathers of the Indian Constitution comes true.