

**CHILD LABOUR IN INDIA: A SOCIO-LEGAL STUDY
WITH SPECIAL REFERENCE TO LUCKNOW DISTRICT**

**ABSTRACT OF
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ABSTRACT

INTRODUCTION

Child labour is a universal phenomenon with different phases of time. Child labour has always existed under different names. There are several factors which led to child labour such as: the Poverty, unemployment, under-employment, lack of social protection, large family, illiteracy, ignorance and bad habits of a family bread earners, child as cheap labour, absence of compulsions of child labour in India and in many other countries of the world.

The term 'child labour' is used as a synonym for employing child or working child. The children, who are engaged in the employment at stage of 14th years or below the age of 14th years and they are deprived opportunities of development, are called child labour. They traditionally engage to assist in work done by their parents and works done by their parents and works done by the children outside of the family for kind or cash remuneration to raise the income of the family. According to V.V. Giri, (Former President of India) "the term child labour is commonly interpreted in two different ways, first, as an economic practice and secondly, as a social evil."

The committee on child labour constituted under the chairmanship of Shri Gurupadaswamy observed that, "labour becomes an absolute evil in the case of the child. When he is required to work beyond his physical capacity, when hours of employment interfere with his education, recreation and rest, when his wages are not commensurate with the quantum of work done and when the occupation in which he is engaged endangers his health and safety."

The children are valuable gift of God. They are blooming like the flowers in the garden. Therefore, every member of society has an obligation to protect those flowers, which will eliminate all kind of harmful effects of children. The energy, talent and mental growth of every child must be properly channelised, trained and educated for the socio-economic and political-cultural development of all countries of the world. It is also a proven that right to birth every child.

According to International Labour Organization, “Child labour includes children prematurely leading to adulteries, working long hours for low wages under condition damaging to their health and to their physical and mental development, sometimes separated from their families frequently deprived of meaningful education and training opportunities that would open up for them a better future.” Hence, child labour is any work within or outside the purview of the family that threatens the health and mental development of the child by denying him or her fundamental as well as non fundamental rights.

MEANING AND CONCEPT OF CHILD LABOUR

According to Haks, the chairman of the United State National Child Labour Committee, the term ‘child labour’ is generally used to refer, “any work by children that interfere with their full physical and mental development, the opportunities for a desirable minimum of education and of their needed recreation.” It also is seen as, children prone to accidents, often fatal, at work sites and children chained to looms in dark mills. Currently the term is used in pejorative sense, suggesting hateful and exploitative.

It is difficult to ascertain the meaning of the term ‘child’ precisely because the available literature on this subject indicates that the term ‘child’ is used variously for various purposes. In its general connotation, this term stands to mean the offspring of a male and female.

“The term child labour is often defined as work that deprives children of their childhood, their potential and dignity and that is harmful to physical and mental development.”

STATEMENT OF THE PROBLEM

The educational system has promotes the dimension to the prevalence eradicate problem of child labour. The defective education system, draw backs in laws, low economic growth, breaking of joint families, urbanization, migration, corporal punishments at the schools etc., are some of other factors responsible in perpetuating the child labour

problem. Poor implementation of child labour provisions is another problem and consequently children receive low priority in implementation system. The enforcement machinery very often does not have proper inclination to deal with the problem of child labour. The enforcement of the child labour law is vested in machinery controlled by both the Central and State Government is another problem perpetuating child labour.

The child labour is a serious and multi-dimensional problem across the world. Multiple causes are responsible for perpetuating problem of child labour. There are various practical difficulties involved in the design and implementation of laws. There is also a problem of differences in perception about what constitutes a child or child work or child labour. There is also a problem with regard to prohibition and regulation of child labour. There is a difficulty in understanding, the term of child labour in hazardous and non-hazardous sectors. The Government policy has been framed to abolish child labour by immediately prohibiting it in hazardous sector of work and gradually eliminating from the non hazardous sectors of work. This is reflected in Child Labour (Prohibition and Regulation) Act, 1986 and the National Policy on Child Labour, 1987.

The researcher identifies the problem of child labour in India for the research work. According to the constitution of India child labour is prohibited but hitherto child labour is continuing in the society. In this research work an attempt will be made to analyse the problem of child labour in view of the fact that in most of the Tea Stall and Dabha, in Lucknow district of Uttar Pradesh. It has observed that the children are employed in large number. The exploitation by extracting more work and payment of meager wages is the order of the day. In this context the study focuses on the existing legal frame work, the efforts made at the International Level and how far the child labour laws have been implemented by the executives and the measures employed in order to curtail the growing tendency of the abuse of the rights of child.

OBJECTIVES OF THE STUDY

The primary objective of the study is to examine the problem of child labour and evaluate the measures adopted by the State with a view to determine their implementation and effectiveness. The other related objectives are:

1. To identify the problems pertaining to child labour,
2. To study the concept of child and child labor and factors leading to child labour;
3. To study the various International instruments dealing with child labour;
4. To study the Existing Legal Regulations of Child Labour in India, and
5. To assess the role of the Judiciary in abolition of child labour.
6. To know the status of children working on tea stalls and dhaba in Lucknow district.

HYPOTHESES

1. Poverty encourages child labour as unskilled labour.
2. Child labour is never treated humanely as they are expected to be.
3. Education of parent matters in encouragement and eradication of Child labour.
4. Child labour is encouraged because the children are supposed to stay outside off their home in connection with employment.

RESEARCH METHODOLOGY

The methodology adopted in the study is both doctrinal and empirical. Doctrinal study includes analysis of research articles, books, reports treaties, conventions, Statutes, mass media like news papers, Journals, Periodicals, Bulletins, Websites and cases decided by courts. The study also includes empirical study for which data will be collected from various sources including survey; interviews etc from the children working in hotels dhabas and tea stalls where child labour is found.

CHILD LABOUR (PROHIBITION AND REGULATION) ACT, 1986

After a plethora of laws containing provisions to prevent child labour, it was soon realised that child labour is still a problem. Taking this into consideration efforts were made to regulate the conditions of child labour in order to avoid exploitation in areas where child labour could not be avoided. The Child Labour (Prohibition and Regulation) Act 1986 is a result of various recommendations made by a series of committees. The reading of the recommendation made by various committees led to a national consensus in favour of a uniform comprehensive law, which prohibited the employment of children in certain employment. To achieve this goal, the Parliament enacted the Child Labor (Prohibition and Regulation) Act, 1986 which came into force on 23rd Dec., 1986.

The legislative history in India has come a long way since 1881, providing legal protection to working children. Provisions relating to child labour have been manually focused under various enactments, such as reducing working hours, raising minimum age, the prohibition of employment of children in occupations and mental health of children of tender age. The Employment of Children Act, 1938 which was the first act on child labour was repealed by the Child Labour (Prohibition and Regulation) Act, 1986.

The objectives of the Child Labour (Prohibition and Regulation) Act, 1986 are:

- Banning the employment of children, i.e. those who have not completed their fourteenth year, in specified occupations and processes;
- Laying down procedures to decide modifications to the schedule of banned occupations or process;
- Regulating the conditions of work of children in employment where they are not prohibited from working.

CHILD LABOUR (PROHIBITION AND REGULATION) AMENDMENT ACT, 2016

In July 2016, the Parliament passed the Child Labor (Prohibition and Regulation) Amendment Bill, 2016. It makes amends in the Child Labor (Prohibition) Act, 1986. This amendment bill provides for strict punishment for violation of child labor, violation of the

Child Labor (Prohibition) Act, 1986. Act of 1986 prohibits the employment of children under 14 years of age in hazardous occupations and processes. The consent of the President got on July 29, 2016, from July 30, 2016; this Act has been implemented in India.

This act makes child labour a cognizable offense. If any person works with children under 14th years of age, then the person is sentenced to 6 months to two years for a jail sentence or a fine of twenty thousand to fifty thousand rupees or both. If the perpetrator is guilty of having child labour more than once, then he will be punished for imprisonment from 1 to 3 years or fine or both. If the perpetrator is the parent of the child, then the penalty provision proposes a fine of Rs. 10,000. The Act provides for the creation of rehabilitation funds for the rehabilitation of the children.

This act has completely banned the employment of children under the age of 14 in all businesses and enterprises, except by their or their family, provided that education is not obstructed. In the 1986 Act, there were some occupations prohibiting the employment of children below the age of 14th years, such as beedi making, mines, electric looms, automobile workshops, carpet weaving etc. By this act, add a new category of persons named “Kishore”. It defines children between the ages of 14th to 18th years as adolescents and bans their employment in any hazardous occupation.

This act has been brought down from the number of hazardous occupations 83, which is now just 3. These three types of business are under the mining, flammable substances and dangerous acts under the Factory Act. This Act empowers the Central Government to add or drop any dangerous occupation from the list included in the Act. With the passage of this Act, the law of India has now been amalgamated with the law of the International Labour Organization Conference. It says full restriction on child labour. So that the children can get mandatory primary education under the right to education. In addition to this, the Act has allowed children to help their families run with their parents in order to promote family enterprises.

The main objectives of the Act are;

1. To bring uniformity in the definition of child in the related laws;
2. To ban the employment of children in specific occupations and processes;
3. To modify the scope of banned industries and processes by laying down a procedure;
4. To regulate the conditions of work of children when they are not prohibited from working; and
5. To lay deterrent punishment for violators.

CONCLUSION

In present time, many children start working at an early age. The number of child labourers is highest in our country. The main reason of child labour is lack of poverty, lack of child-rearing practice in parents, carelessness towards future, lack of guidance, lack of awareness, displacement, lack of clothes, lack of education, large families, overpopulation and lack of protection etc. If seen, child labourers who earn their income are very few. But due to poverty, parents of child labourers have the satisfaction that their child is doing some work which will help in household expenses. Therefore parents send the child to work. Child labourers get very little money, which is also very happy when he finds it. The situation of these child labourers becomes extremely pitiable, inhuman and inaccessible. On average, these children have to work 10 to 12 hours a day, which has a bad effect on their health. The average wage paid to child labour is about 80 rupees a day.

Childhood is a precious stage of life for all individuals. At any moment of life, when we remember our childhood, a sweet smile envelopes our lips. But when we look at the streets, intersections, railway stations, bus stations, or parks in our own surroundings, many children are found collecting garbage, working at tea shops, dhabas or other places. We turn our eyes as soon as we see the children doing those things. These are children who do not even know that they fall under the category of child labourers. Today, the problem of these children (child workers) is posing a challenge to the whole world.

Presently, around 150 million children work in the whole world. The number of children working in India is also close to 80 million; child labour in the world is the largest in India. There is a concept about child labour that these are the most innocent and hard working individuals. Child workers have no knowledge about their rights, so they are unable to enforce their rights. Harassment of child rights in a civil society shows the state's failure that the state is unable to give human rights to its citizens.

Child labour deprives the child of his education and thereby prevents proper development of his capacity. But the prevalence of child labour is a problem of poor and destitute families, where parents cannot motivate their children to teach. Child labour is not unique in India. They called different names with different location always existed under various names. The fact is that despite statutory restrictions, child labour is a permanent phenomenon. Employment of children is given priority in the informal sector as employers consider it a source of heavy labour and quick profits. Children were employed in for oriented profit occupations due to various factors such as extreme poverty, lack of gainful employment opportunity, lack of income and low standards of living, which are some of the main reasons for the widespread of child labour.

International Provisions

To stop child labour at the international level, it started with the Geneva Declaration in 1924, in which it was said that children would be protected from all forms of exploitation. It was intended that the child involved in child labour should get help. An orphan or homeless child should be cared for. For trivial things, the child should not be considered a criminal, he should be helped. All the necessary things should be provided for the physical and spiritual development of the children so that they can grow and understand the value of human life.

After this, the “Declaration of Human Rights” which speaks of human values and bans the violation of human rights. Whose Article 25(2) states that “motherhood and childhood are entitled to special care and assistance,” all children, whether at birth or outside, will enjoy the same social security. “The Declaration of the Rights of the Child, 1959 was indeed a very important event as it was in relation to the international

attainment of the child's rights." 1959 Child Rights the announcement included 10 principles for the development of children, which made to prevent child labour.

The 1966 International Covenant on Economic, Social and Cultural Rights provides that children and young people should be protected from economic and social exploitation which is so important for their development. According to Art., 24 of the 1966 International Covenant on Civil and Political Rights, all possible, social and economic measures should be taken to prevent forced labour and prostitution. United Nations Convention on the Rights of the Child, 1989 is one of the most important human rights documents to focus on children. There are 54 art., in the Convention and it provides civil, political, economic and cultural rights to children. In this document, political, social, economic and cultural rights for the child are contained in Article 41 out of 54 Art., These are right to protection, right to development, right to participation and right to life. Art.,32 bans the practice of child labour and supports the rights of the child which is as follows. It protects itself from economic exploitation and from performing any act that interferes with its education may be harmful to the child's health, physical, mental, moral or social development. The World Conference on Human Rights 1993 reiterates "the first effort for children." In this regard, it mainly underlines the national and international importance, especially the importance of the United Nations Children's Fund which promotes the rights of children's protection, development and participation.

The "International Labor Organization" is the most important UN agencies for the elimination of child labour and which fights against child labour. The ILO primarily deals with the problem of child labour and has adopted a method that deals comfortably with the worst forms of child labour. It cooperates with the government to conduct a national survey on child labour and draft relevant reports, which can curb child labour. Apart from this, the evaluation method of the ILO is to collect information about the worst forms of child labour, which has enabled many countries to identify the problem.

The United Nations Educational, Scientific and Cultural Organization (UNESCO) is a constituent body of the United Nations. Its work is to promote international peace through education, nature and social science, culture and communication. This special

institution of the United Nations was created on November 4th, 1946. Its aim is to establish peace and security with international cooperation of education and culture, so that the justice described in the charter of the United Nations, the rule of law will be universal agreement, for human rights and fundamental freedoms. UNESCO has worked with the United Nations and International Labor Organization to end child labour.

In India, there are constitutional and statutory provisions for abolishing child labour, but at the same time, the Indian judiciary through its activities is playing the most important role to abolish child labour from India.

There are some constitutional provisions that prohibit child labour,

Art., 15 gives some special provisions to the state, for the children. Art., 21 gives the fundamental right to any person to live life with dignity and Art., 21A provides free education to all children from 6th to 14th years. Art., 23 prohibits human misuse, wasteful and any other kind of abuse. This article also ends bonded wages. Art., 24 prohibits children below the age of 14 to work in hazardous industries. In Part 4 of the Constitution, there are special provisions for children in the state's policy directional element which seems to curb child labour. As per Art., 39, the tender age of children will not be abused. Citizens will not be forced by financial necessity to enter into inappropriate avigation for their age or power. Children will be given opportunities and facilities to develop in a state of freedom and dignity in a healthy way. Children and youth will be protected against exploitation, against moral and material abandonment.

Legislations Provisions

The legislation has been a major contributor to ending child labour in India. The legislation has made many laws related to child labour from time to time, with the help of which child labour has been curbed. The Children (Pleading of Labor) Act, 1933 by the Legislature, is a key document for the abolition of child labor which provides for the improvement of the status of children. "In this Act by the fine against any parent, middleman, or employer the penalties have been called for, which is involved in child labour." The Employment of Children Act, 1938 the main objective of this Act is to

prevent and regulate the exploitation of child labour in workshops and other specified occupations. A special clause was added to the Act to implement the Convention adopted by the International Labor Organization (1937) which does not allow children under the age of 13th years to work. Children under 15th years of age shall not be employed to work in the occupations to which this Article applies, which are scheduled by the competent authority as dangerous or unhealthy. Child labour was also banned by this Act. In order to consolidate and amend the law related to labour in factories, a completely new act was passed in the name of the “Factory Act, 1948”. This Act came into force on 1st April 1949. Through this act, the Indian government tried to adopt the provisions of the ILO and implemented the industrial code as the freedom of the workers in Indian conditions. The Act applies to the entire territory of India except for the state of Jammu and Kashmir. This Act prohibits the employment of children below the age of 14th years. The person who has completed 14th years but has not completed 18th years can work in the factory, but he has been provided fitness certification by the surgeon.

After a plethora of laws that prevent child labour, it was soon realized that child labour is still a problem. Keeping this in mind, an attempt was made to regulate the conditions of child labour to avoid exploitation in those areas in which children have not been saved from child labour. For this, the Government of India had created “Child Labor (Prohibition and Regulation) Act 1986” to free the country of child labour. The Child Labour (Prohibition and Regulation) Act, 1986 is a result of various recommendations made by a series of committees. The reading of the recommendation made by various committees led to a national consensus in favour of a uniform comprehensive law, which prohibited the employment of children in certain employment. To achieve this goal, the Parliament enacted the Child Labor (Prohibition and Regulation) Act, 1986 which came into force on 23rd December 1986.

The legislative history in India has come a long way since 1881, providing legal protection to working children. Provisions relating to child labour have been manually focused under various enactments, such as reducing working hours, raising minimum age, the prohibition of employment of children in occupations and mental health of

children of tender age. The Employment of Children Act., 1938 which was the first act on child labour was repealed by the Child Labour (Prohibition and Regulation) Act, 1986.

The Child Labor (Prohibition and Regulation) Act, 1986 was enacted with some objectives in mind. Which makes this act a special document for the elimination of child labour? The objectives of this act are as follows. To bring uniformity in the definition of children in the laws relating to child labour, to prohibit some employment on children's employment, to regulate work conditions for children and to provide punishment for child labour.

The awareness of child labour is that the prevalence of child labour is a highly complex problem because it is the result of the system under which national economies operate. The problem of child labour should be considered a social problem in the context of the ideal of modern society. In this research, an attempt has been made to bring out the major findings and to provide a unified view of many aspects of child labour participation. In this research presented, the researcher has done a socio-legal study of Lucknow district, tea stall and children working on the dhaba. Research scholar has taken major conclusions from the analysis in the earlier chapters. Based on the findings of the study, the researcher has also obtained some finding and makes some important suggestions for the elimination of child labour. Which is as follows;

FINDINGS

In this research work, the researcher has done socio-legal study of Lucknow district. The main objective of this research work is to survey child labourers working at tea stall and dhaba. The researcher surveyed 220 child labourers who worked in the Lucknow district during their research work. This study can be summarized as follows.

1. The researcher has found through the survey in research work that more children working in tea-stall and dhaba in Lucknow district have studied up to class 5. Out of 220 surveyed children whose total number is 149. This shows that children have to leave their studies due to working.

2. In the research study, the researcher found that the boys worked on a large number of tea-stall and dhabas compared to girls.
3. Through research from the working children, it was found in the research study that the children working at the tea-stall and the dhaba are working without learning any skill. They say that this is their compulsion otherwise they will not get any work. Whose number is 163 out of 220 child labourers.
4. According to the research study, the average number of members in the family of working children is 5 to 7. Which is more than the number of a normal family? The higher number of family members also compels the children to work.
5. The survey revealed that more children's parents are labourers. This is the reason for working at a young age. Some children said their parents are small farmers.
6. The average family income of most working children is between Rs 5000 to Rs 8000. Which is very less in this inflation time, which makes it difficult to spend the house. Because of which these children have to work as a worker. The effect of which is on the development of these child labour.
7. 46.8% of the working child workers found in the survey said that their parents are illiterate, 47.7% said their parents are educated up to secondary level and 5.5% said that their parents are educated up to graduation. Based on research survey, it is found that illiterate and less educated parents get their children to work for money.
8. On the most important question of research work, when the researcher asked the child labourers working at the tea stall and Dhaba in Lucknow district, for what reason they do the work. Out of 220 child labourers working then, 139 reported that their family is very poor due to which they have to work. 28 child labourers said they work due to illiteracy and ignorance of parents. 11 child workers told that their parents send them to work. 27 told that his work was due to insufficient income and family size. 15 child labourers said they work because of the lack of social awareness. According to the survey, most children have to work due to poverty at the age of reading. It can be said that primarily poverty is a great reason for child labour.

9. In the research study, Researcher found 153 child labourers working in Lucknow district have their own house in Lucknow. 32 child labourers live in a rented house. 24 lives in the house given by the employer. According to the survey, all the child labourers live in Lucknow. Which is a major cause of child labour in Lucknow district.
10. Talking to child labourers, it was revealed that 63 said that they have found work themselves. 79 told that relatives have got their work done. 33 said that they have got work done by their parents. 45 gave other reasons. In the survey, Researcher found more children working at places discovered by themselves and relatives.
11. Based on the survey, it was found that the parents of 198 child workers live together. Parents of 22 do not live together.
12. 49 child workers spoke during the survey; they have to work for 8 hours in a day. 108 child workers said that they have to work for 10 hours. 44 said they work 12 hours. 19 said that they work 16 hours. The average of all child workers is 10 hours each day.
13. 131 child labourers said that they do not get rest during work. 89 child labourers say they get time to rest. Child workers said that due to not taking rest, it has a bad effect on their health which hinders their physical development.
14. All the child labourers said that they get the money in the form of cash.
15. 129 child labourers say they get holiday at work. 91 said they do not get any holiday. 63 child workers said they also get money for their holiday. According to the survey, more child workers do not get any money for the holiday, for which they are very worried about.
16. The survey shows that 165 child workers' employers treat them well and 55 child workers reported that their employer's behaviour with them is not good for them.
17. 147 child workers said in the survey that they do not have to stay away from home for work. 73 child labourers have to work and have to stay outside. This is also a problem with child labour.
18. In research work, the survey showed that there are some problems at the place where child workers are working. 6 child workers told that there is a lack of light

where they work. 26 said he lacked ventilation. 39 told that drinking water is not good. 149 pointed out another problem that causes problems in working.

19. 180 child labourers told that they themselves take the wages of work done by them. The wages of 40 child workers are received by their parents.
20. 178 child workers are punished by the employer as scolders. 42 reported that they are beaten as punishment. Child workers get some punishment during their work either at their own fault or without fault.
21. 9 child workers working in the survey said that they get incentives for their work. 40 said that they get clothes. One said that he gets a tip. 10 said that they get gifts and 160 child labourers told that they do not get any kind of benefit for their work. More working children do not get any benefit for their work. These child labourers continue to work due to their compulsion even without any greed.
22. The survey has shown that there is no provision of any first aid service at the place of work of 174 child labourers. 46 said that they have a system of first aid service. More child labourers are working without first aid service, which is very harmful for them.
23. 44 child labourers tell that they also work at night. 176 child workers say that they work during the day.
24. In the survey, 37 child workers said that they have a habit of smoking. 71 told that they eat tobacco. 21 said that they have a habit of reading. 71 said they have liked to play. These child labourers have some bad habits while working which hinders their development. This also has a bad effect on society.
25. 215 child workers said their parents had not taken any advance money. 5 child workers told that their parents have taken advance money for their work. This also shows that child workers get very little advance money for their work.
26. 214 child workers said that there is no deduction from their salary while 6 child labourers said that their salary is deducted.
27. After studying 220 child labourers in the survey, it was found that 118 child labourers in Lucknow district work on the dhaba which is 53.6% of 220 child labourers. 102 child labourers work at the tea stall, which is 46.4% of the total number.

28. When the child workers were asked in the survey that they knew about their rights, 218 said that they do not know anything about their rights, whose percentage is 99.1. Only 2 child labourers said that they know their rights. Almost all child workers have no idea about their rights. Due to which they are exploited.
29. When asked about the Child Labor Act, 179 child labourers said that we have no information about it. 41 child workers said that they are aware of this law. This shows that very few children are aware of child labour law, which is a thoughtful question for our society.

SUGGESTIONS

In the research work, the researcher has done socio and legal study of child labour in India. In which the researcher realized many reasons for the suggestion. Through which child labour can be eliminated. This is as follows:-

1. Child labour (Prohibition and Regulation) Amendment Act., 2016, section 3 sub clause 2 (a), allows children to work in their home. However it is correct to work in home but it promotes child labour specially in poor families, because children of these families assert that there is no difference between working home or for other family, shop or places etc. where they get money. Therefore working of child should be prohibited from their own family.
2. Child labour (Prohibition and Regulation) Amendment Act 2016, section 3 sub clause 2 defines 'Family' and it includes the siblings of father and mother by which the size of family becomes wide and some time it appears that in poor families these family members specially (siblings of father and mother) push them to work outside the home. Therefore the size of family what this law has defined must be curtailed only to the mother, father, brother and sisters.
3. The right to education should be reviewed in Art., 21A given in the Indian Constitution. For which a committee should be set up. Whose job is to see how many children are educated in non-government schools according to this right. If schools are not following this article, then action should be taken immediately.

4. Poverty is the main reason of Child labour; therefore government should take effective measures to abolish the poverty from society. State should strive to upliftment of living standard of their citizen by increasing the income. State should make special provision for severely poverty ridden and least employment generating region. The family of child labour should be provided monthly economic assistance by which they can afford their basic essentials and restrain their child from child labour.
5. Illiteracy is also one of the important reasons of child labour in India. Therefore government should provide education to its entire citizens, because illiterate people do not understand the effect of child labour on his family and society as whole, therefore it leads to the increase in child labour. Government should emphasis on adult education and it should be implemented with more enthusiastically by which every individual can get aware about their rights and duties.
6. Increasing population is also very big factor for child labour. Therefore government should disseminate the information about family planning and it should be implemented strictly. Poor families does not consider about number of children they produces more child and when they grows up to fulfill their requirement they try to work outside the home and it leads to child labour.
7. To stop the child labour government should take strict actions. If any child found working on places like shops, mining, or any other hazardous place, government should immediately initiate the process to seize that place.
8. Government should immediately send the culprit of child labour to the prison. Because this will set example for the rest of society that working of children is punishable offence and if anyone will hire children to work, he will not be spared under any circumstances and will face the tough legal punishment.
9. Government should promote a culture among people to take service from only those places and shops where no child is involved in hard works. If people will

start adopting such cultures, employer will avoid hiring child for their services in this way also child labouring may be prevented.

10. Government should stop providing government facilities to those who hire child for working and also to those parents who send their child in early age for working. In our country there are huge numbers of parents who send their children for working on very meagre wages. Therefore when the parents of such families will be deprived from government facilities they will be afraid from sending their children to work.
11. Government should made it compulsory for every shopkeeper, company owner, and others to install a board clearly mentioning that there is no child worker involved in any activity while rendering the service.
12. Government should built fully residential schools for poor and orphaned children where they can get food, shelter, clothes and other essentials by which they will not be burden for their poor parents. If they will get all these things from government they will not move for work and will focus on their study. In this way child labour can be prevented.
13. Government should access to those children who does not go to school. Government should strictly instruct the government teacher to convince the parents of such children for sending them school. Government should prepare creative syllabus and innovative teaching including physical activities that increase the interest of children and they can use their full potential.
14. The education system will have to be made employable by the government; there should be no confusion in the society that not everyone will get jobs even after studying.
15. To prevent child labour, the state will have to make compulsory employment for all adults, so that no adult remains unemployed. When no adult is unemployed, there will be prosperity in society and the economic condition of all the families in the country will improve. Therefore, no person will send his children to work.

Because most of the children of those families go to work whose financial condition is not good or the family income is very less. Due to which the expenses of the house are not able to run properly and there is a financial crisis in the house. Therefore, to prevent child labour, all persons should be given compulsory employment by the state, so that child labour can be curbed.

16. The government should promote those NGOs working in the field of child labour. Because the government has to do many other things. Due to which the government is not able to do all the work properly and it does not even get time. Consecutively some important tasks are missed by the government, which have to be taken care of. The government has taken necessary steps to stop child labour but has not been able to implement them at the right time. Due to which the number of child labourers in our country has increased. NGOs have played a very important role in curbing child labour. In which we cannot forget the role of the Bachao Bachao Andolan, as the abolition of child labour has not only in India but in the whole world has provided important examples for which Mr. Kailash Satyarthi has received the Nobel Prize. The role of NGOs is like a bridge in establishing relations between society and government. Relations between NGO and government will help in solving the creative problems of society. And the combined efforts of both can eliminate child labour very easily.
17. Laws to prevent child labour in India have to be made stronger and more powerful and at the same time, the government will also have to strengthen its will power to implement the law related to child labour with power. No one should get any concession on violation of child labour law.

From the above finding and suggestions, it has observed that research on the topic **“Child Labour in India: A Socio-Legal Study with Special Reference to Lucknow District”** is more relevant for the policy level and it can be used for the academic and research purpose. This is relevance to understand child labour and its impact on national and international perspectives. This work will be helpful for the basic understanding of

labour issues and its solutions. This work well transforms society and it will promote justice and equality to child labour.

FRAMEWORK OF CHAPTERIZATION

The study has been divided into seventh chapters. The first chapter introduces the subject matter and defines the scope of the work.

Chapter second deals with historical the ground of child labour. This chapter researcher studied the situation of child labours in ancient India, various sources in ancient India medieval India and Modern India that suggest there were child labour was exist. This chapter also deals the concept of child labour. What is the reason for child labour being in India and why child labour is increasing in India and describe the types of child labour? With this, what is the condition of child labour in India? And what steps have been taken to prevent the child labour. Also discussed the role of the NGO's to combat the child labour. The researcher also prescribes the statics and data of state wise child labour according to census of 2011.

Chapter third devoted to the International efforts to protect the child labour In this chapter discussed the concept of child labour on United Nation Organization, Human Right Declaration, 1948 and International Labour Organization contribution to the prevention of child labour with particular reference to India and the concerted international action for eradication of child were analysed. The various United Nation agencies and India commitment to child labour had also been discussed.

Chapter fourth the aspects covered in this chapter include the history of child labour legislation before adoption of Indian Constitution and after adoption of Indian Constitution dealing with eleven statues and also The Child Labour (Prohibition and Regulation) Act, 1986 as amended 2006 and 2016.

Chapter fifth analyses the judicial policy in operationalization of the core elements of child labour. The researcher studies how the judiciary tried to stop child labour through judicial decision. This chapter researcher also saw what the judiciary gave

to legal principles to stop child labour. The researcher studies the labour jurisprudence in the judicial decisions, in order to complete his research work and try to find out how to use Public Interest Litigation to prevent child labour.

Chapter sixth devoted to analysis the case study of Lucknow district. The researcher conducted historical, geographical, economic and social studies of the Lucknow districts. After this the researcher surveyed the reasons for having more number of child labour in Lucknow district. The researcher work on tea stalls and dhabas. The researcher has learned the reason for child labour from all these child labourers.

The last chapter presents the Conclusion, Findings and Suggestions.