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ENGAGEMENT OF CHILD LABOUR IN DIFFERENT ACTIVITIES IN GLOBAL WORLD

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ABSTRACT

Child labor is the employment of children at regular and sustained labor. "Child labor" is; generally speaking, work for children that harm them or exploits them in some way physically, mentally, morally, or by blocking access to education. UNICEF defines child labor as work that exceeds a minimum number of hours, depending on the age of a child and on the type of work. Such work is considered harmful to the child and should therefore be eliminated.

INTRODUCTION

There is no universally accepted definition of child labor. Varying definitions of the term are used by international organizations, non-governmental organizations, trade unions and other interest groups. Writers and speakers don't always speak what definition they are using and that often leads to confusion.

Child labor is done by any working child who is under the age specified by law. The word, "work" means full time commercial work to sustain self or add to the family income. Child labor is a hazard to a Child's mental, physical, social, educational, emotional and spiritual development. Broadly any child who is employed in activities to feed self and family is being subjected to "child labor".

C-138 has also made provisions for flexibility for certain countries, setting the minimum age of 12 and 13 for their children - but only for partaking in light work. Light work can be defined as children's participation in only those economic activities which do not damage their health and development or interfere with their education. Yes, work that does not obstruct with a child's education is considered light work and allowed from age 12 under the International Labor Organization (ILO Convention 138). It is because of this that many children employed in part time work like learning craft or other skills of a hereditary nature are not called child labors. The same work translates into child labor if a child is thrown into weaving carpets, working into factories or some other employment to earn money to sustain self, or augment his family's income - without being given school education and allowed opportunities for normal social interactions. A child working part time (3-4 hours) to learn and earn for self and parents after school, is not considered 'child labor'.

CHILD WORK AND CHILD LABOUR

Most societies expect children and young people to do some form of work. This is particularly the case in developing countries. Children and young people are expected to play a part in family

work from an early age. Some tasks, such as herding of livestock are done almost exclusively by children. Some documents, such as the UN Convention on the Rights of the Child, distinguish between child work and child labour. Child work is seen as activities which do not harm the child, whereas child labour does. However, other documents see both as forms of child labour. This section uses the term child labour to mean all forms of child work, not necessarily those that are harmful.

TYPES OF CHILD LABOUR

Children and young people work in a wide variety of different areas. These include:

Domestic work: This may be paid or unpaid and provided with to a relative or non-relative. This is sometimes referred to as a hidden form of child labour. This is because it is not easily visible and is rarely covered by campaigns on child labour. Most of the children and young people involved in domestic work are girls. Some forms of child labour may not always be harmful to a child, such as domestic work or agriculture. Whether or not harm occurs will depend on the conditions the child works under. However, other forms of child labour such as working as a soldier or selling sex always mean that the child involved is vulnerable to harm.

Child Labour Historical Background

The majority of the world's children do some work every day, usually in the form of household chores or an after school job, which develop skills and a sense of responsibility. However, according to the International Labor Organization (ILO) the harsh reality is that 390 million child-workers worldwide are involved in activities that are either hazardous, excessive or where their employers exploit them. Inevitably, the emotional, physical and psychological effects for these children can be extremely damaging and such work leaves little or no time for play or school.

The rise of the factory system in the nineteenth century led to widespread employment of children as cheap laborers. In United States, child labor was uncontroversial in the colonial period, as children worked on family farms or would enter into trade apprenticeships between ages 10 and 14. Educational reformers in the mid-nineteenth century pressed for legislation that would establish wage minimums and school attendance requirements. These efforts at the social protection of children were stymied by the influx of southern and eastern European immigrants, the patchwork quality of American state legislation and the powerful interests who sought, for economic reasons, to confine the protective legislation. Child labor grew such that by 1900, 18 percent of 10-15 year olds the official figure of 1.75 million were employed. One-quarter of southern cotton mill employees were under 15 half of these children were under 12.

After the Civil War, the availability of natural resources, new inventions, and a receptive market combined to fuel an industrial boom. The demand for labor grew, and in the late 19th and early 20th centuries many children were drawn into the labor force. Factory wages were so low that children often had to work to help support their families. Businesses liked to hire children

because they worked in unskilled jobs for lower wages than adults, and their small hands made them more adept at handling small parts and tools.

By the early 1900s many Americans were calling child labor "child slavery" and were demanding an end to it. They argued that long hours of work deprived children of the opportunity of an education to prepare themselves for a better future. Instead, child labor condemned them to a future of illiteracy, poverty, and continuing misery. The National Child Labor Committee was organized in 1904 to address the problem. In 1904 a group of progressive reformers founded the National Child Labor Committee, an organization whose goal was the abolition of child labor. The organization received a charter from Congress in 1907. It hired teams of investigators to gather evidence of children working in harsh conditions and then organized exhibitions with photographs and statistics to dramatize the plight of these children. Along with numerous state child labor groups, the movement "pioneered the techniques of mass political action, including investigations by experts, the widespread use of photography to dramatize the poor conditions of children at work, pamphlets, leaflets and mass mailings to reach the public and sophisticated lobbying. The number of children under the age of 15 who worked in industrial jobs for wages climbed from 1.5 million in 1890 to 2 million in 1910.

Simultaneously, organizations in developing countries sounded the alarm when they saw children working longer and longer hours not only producing goods for export, but also providing a cheap and malleable workforce for the local economy. As more attention was given to the work children were performing, so the statistics about the numbers involved became more startling. In the early 1990s, the number of children between 5 and 14 in full-time employment had been 100 million but by 1996 it was 120 million.

During the Industrial Revolution, children as young as four were employed in production factories with dangerous, and often fatal, working conditions. Based on this understanding of the use of children as labourers, it is now considered by wealthy countries to be a human rights violation, and is outlawed, while some poorer countries may allow or tolerate child labour.

The Victorian era became notorious for employing young children in factories and mines and as chimney sweeps. Child labour played an important role in the Industrial Revolution from its outset, often brought about by economic hardship, Charles Dickens for example worked at the age of 12 in a blacking factory, with his family in debtor's prison. The children of the poor were expected to help towards the family budget, often working long hours in dangerous jobs and low wages.

The industrial revolution caused unspeakable misery both on England and in America. ... In the Lancashire cotton mills (from which Marx and Engels derived their livelihood), children worked from 12 to 16 hours a day; they often began working at the age of six or seven. Children had to be beaten to keep them from falling asleep while at work; in spite of this, many failed to keep awake and were mutilated or killed. Parents had to submit to the infliction of these atrocities upon their children, because they themselves were in a desperate plight. Craftsmen had been

thrown out of work by the machines; rural labourers were compelled to migrate to the towns by the Enclosure Acts, which used Parliament to make landowners richer by making peasants destitute; trade unions were illegal until 1824; the government employed agents provocateurs to try to get revolutionary sentiments out of wage-earners, who were then deported or hanged. Such was the first effect of machinery in England.

THE PROBLEM OF CHILD LABOUR IN INDIA

The government to India ratified the convention in December 1992 but with the solitary rider in the relation to article 32 due to wide spread poverty and illiteracy which are some of the reason beyond its control. Under this article of the convention it mandates the state parties to recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the Child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

Mr. justice Suba Rao had rightly said that social justice must begin with child unless the tender plant is properly nourished it has little chance of growing into strong and useful tree so the first priority in the scale of social justice should be given to the welfare of the child and we all know that the child labour is hampering the growth and development of the child but it's very hard to remove this necessary social evil once Tony Blair had said that our history aim will be for ours to be the first generation to end child poverty and it will take a generation and with this he acknowledged that the problem of child labour is very grievous.

Child labour is the universal problem and it's very much in picture in developing countries like India. In India poverty had prevented governments from expanding mass education and compulsory education program. There are many instances seen in the past where a large number of child labour are seen working in the industries like match industry of sivakasi , glass industries of Firozabad pottery industry of khurja , gem polishing industry of jaipur or the lock industry of Aligarh etc.

As per the census of India the number of child labours between age group of 5 to 14 years are given below;

1971= 10.75 million

1981= 13.64 million

1991= 11.28 million

2001= 12.66 million

About 5.77 million children can be classified as main workers and the rest 6.88 million as marginal worker. Main workers are those workers who work more than 183 days in a year and Marginal worker are those who work less than 183 days in a year

Constitutional framework and legislation protecting interest of child Labour

There are number of provision in the constitution of India which speaks about children and their welfare. Starting with the preamble itself the constitution of India promises to secure to all citizens of India (including child) justice, social, economic and political; liberty of thought, expression, belief, faith and worship. It further provides for equality of status and of equal opportunity and assures dignity to the individuals; enables the state to make special provision for children directs the state to provide free and compulsory education to all children of the age of 6-14 years. prohibits trafficking of human beings and forced labour; prohibits employment of children below the age of 14 years in factories, mines or any other hazardous occupations; enjoins the state to secure a social order for the promotion of welfare of the people; directs the state to ensure that children are given opportunities' and facilities to develop in a healthy manner and in conditions of freedom and dignity and that the childhood and youth are protected against exploitation and against moral and material abandonment; states that the state shall endeavor to provide easily childhood care and education until they complete the age of six years.

CHILD LABOUR AND RIGHT TO EDUCATION

Child labour and illiteracy go hand in hand as one tends to breed the other. Numerous studies have examined the impact of education on the incidence of child labour . Most of child labours are either illiterate or partially literate. The parents of child labour are also more often not literate and also no study has ever found a child labour coming from an educated family and to prove it we can take example of kerala state where child labour is almost non-existent because the literacy rate is very high.

Reasons for the Child Labour

There are many reasons for the Child Labour problem in India few of the main reasons are highlighted below:

- (1) Child labours are always better than adult workers because they work for longer time and most of the time underpaid so they are source of cheaper Labour.
- (2) Education is not very wide spread with all the sections and all the parts of the country so education is one of the biggest problem which helps in fostering the growth of the child labours in India and we have also seen that failure of various educational scheme also added to the increase in the number of child labour
- (3) Unemployment and Underemployment of the parents and major members of the family.
- (4) Use of drugs and alcohols by the parents and the guardian of the child also helps in the increase of the child labour.
- (5) Homelessness
- (6) Wide spread poverty in the country.

(7) Other problems due to single parenthood, population explosion, traditional occupations and parental attitudes, lack of minimum wages etc

Accident of working members of family, illness, single parenthood, nonworking of parents, drinking habits etc in these entire cases child voluntary enters to work to protect his family from starvation but we know that the exploitive child labour is a evil it cannot be uprooted overnight as it is deeply entrenched in the problems of poverty , illiteracy and overpopulation.

EDUCATION AND ITS EFFECTS ON CHILD LABOUR

India's state of education lacks effectiveness in yielding basic literacy in the population. It has been observed that "the overall condition of the education system can be a powerful influence on the supply of child labour" (Grootaert and Kanbur 1995, 193). The 1991 Census of India shows that 64% of males and 39% of females are literate (The World Bank 1995, 113) -- an increase of 17% and 14% respectively from the 1981 census (Census of India 1981 cited in Weiner 1991, 11). These increases seem significant, but India's overall literacy rate of 40.8% lags behind other developing countries such as China (72.6%), Sri Lanka (86.1%), and Indonesia (74.1%), all of which have Per Capita Incomes comparable to India's (Weiner 1991, 161). India's primary-school survival rate of 38.0% is also lower than China's rate of 70.0% and Sri Lanka's rate of 90.8% (United Nations Educational, Scientific, and Cultural Organization cited in Weiner 1991, 159). This indicates that few students are reaching fifth or sixth grade, and dropout rates support this conclusion. Dropout rates measured by the Department of Education show that 35% of males and 39% of female's dropout (Government of India cited in The World Bank 1995, 113). What is the reason for these high dropout rates and poor school survival rates? One possible argument given by Nangia (1987) is that "the pressing need for the child's earnings as well as low perceived advantages of school" cause parents to withdraw children from school and deposit them in the labour force (p.182). In this case, poverty and the inadequacy of the school system play significant roles in causing child labour, but also affect each other. Poverty forces high dropout rates, and thus no matter how good schools are, school survival rates and literacy rates will still remain low.

ENFORCING THE CHILD LABOR LAW

Following a few high-profile raids and prosecutions in the late 1990s, few children in hazardous work have been identified, and almost no employers prosecuted and convicted. When the law has been enforced, it has been concentrated on a few industries, particularly carpet weaving. According to activists in both northern and southern India, the silk industry has received less attention by comparison. Reportedly, selective enforcement of the child labor law in eastern Uttar Pradesh in certain industries has had the effect of pushing some children, including migrant or trafficked children, who used to work on carpets into the silk industry. Human Rights Watch also received reports, which we were unable to verify, that in Varanasi raids conducted under the Child Labor (Prohibition & Regulation) Act, 1986, have usually targeted small scale weavers instead of the traders, who are more powerful and who hold the weavers in bondage.

Emergencies

When it comes to Emergencies like the Kosi floods of 2008, Save the Children aren't just on the scene within hours, we're providing technical support to government and working with multiple aid agencies to co-ordinate aid as quickly and effectively as possible to save lives. Furthermore, post emergency we work to set up child friendly spaces and restart ICDS centres so that children have access to food and nutrition and have places to play and learn which are clean and safe.

Labor & Community

Many of the world's diamonds are mined using practices that exploit workers, children, and communities. A million diamond diggers in Africa earn less than a dollar a day. Miners are dying in accidents, child labor is widespread, and corrupt leaders are depriving diamond mining communities of funds badly needed for economic development.

Poverty

Diamond miners who work in small-scale mining – panning or digging for diamonds – produce about 15% of the world's diamonds. But their wages do not reflect the value of their work. An estimated one million diamond diggers in Africa earn less than a dollar a day. This unlivable wage is below the extreme poverty line. As a result, hundreds of thousands of miners lack basic necessities such as running water and sanitation. Hunger, illiteracy, and infant mortality are commonplace. Even within developing countries, diamond mining communities are often the most impoverished.

How is it that diamond miners can be some of poorest people on the planet? Small-scale diamond mining is usually an unregulated activity. Labor standards and minimum wage laws, if they exist, are rarely enforced, subjecting miners to the whims of cruel and exploitative employers. Many diamond miners work independently, but these miners tend to be unlicensed and lack access to global markets, limiting their bargaining power. In most cases, diamond diggers have little choice but to sell their diamonds to middle-men at below market prices.

Safety and Health

Besides being grossly underpaid, many diamond miners work in extremely dangerous conditions. Small-scale diamond mining is often conducted without training or expertise. Miners may lack safety equipment and the proper tools. They can easily die or be injured in landslides, mine collapses, and other accidents.

Diamond mining also contributes to public health problems. The sex trade thrives in many diamond mining towns, leading to the spread of HIV and other sexually transmitted diseases. Environmental devastation resulting from diamond mining is a further cause of disease. In Sierra Leone, miners have littered the landscape with thousands of abandoned mining pits. These pits fill with stagnant rainwater, become infested with mosquitoes, and serve as breeding grounds for malaria.

CHILD LABOUR: A HINDRANCE IN DEVELOPMENT

As we can see today child Labour is mushrooming in our country. Just like a plague which spreads in a place. It is so rampant in India that it is becoming difficult for Indian government to weed it out from the very Indian roots. Child Labour is not only a hindrance in child's development but also a hindrance in nation's development. Children are universally recognized as the most important asset of any nation and child Labour, in the recent past, has evoked a great concern among all. Children have been the main focus of attention especially after proclaiming the year 1979 as the International Year of the Child by the United Nation's General Assembly.

Child Labour can be defined as that segment of the child population which participates in work either paid or unpaid. Child Labour has also been defined as employment of children in gainful occupations, which are detrimental to their health and deprive them the chances of development. Child Labour implies the work of children both in organized and unorganized sectors that are injurious to their physical, mental, moral and social development. Thus child Labour assumes the character of social problem. Child labour as defined by Homer Folks “ any work by children that interferes with their full physical development, their opportunities for a desirable minimum of education or their needed recreation.”

Child Labour in organized and unorganized sector and their working conditions

Most of us would be horrified to support a business that exploits children. Yet most of us have been doing this in myriad ways. In the last shopping trip we may have bought a handcrafted carpet without knowing it was made by a seven year old from India , where children work on the loom for 12 hours a day. We may have bought soccer ball for present, without realizing our gift was produced by a five year old inside dark and silent factory in Pakistan . Some hundreds of children in Indonesia work up to 18 hours a day in a closed damp room under insufficient light sewing parts of REEBOK Shoes. The leather balls used in cricket tournaments in England , Australia etc are sown by 8-10 year old boys in Jalandhar city in India . Around the world today, some 250 million boys and girls between the age of 5-14 are exploited and work in the most hazardous working conditions, according to the International Labour Organisation.

Child labour in Mines

“ Despite various laws, child labour is still rampant in mines .” In contravention to the provisions of Acts both women and children are employed underground in mica mines. In Ram Ahuja's view, children mostly boys have important role to play in mining operations. While men do the digging inside the pits, boys carry coal to the surface as their height allows them to walk without bending in the tunnels.

Child Labour in Gemstone Polishing

The operations research group in 1993 report signaled out that children mostly boys between 12 and 13 years old in Surat , Gujrat are polishing diamonds for an average of seven to nine hours a

day in unhygienic conditions. This study also found major health and safety problems including eyestrain, headaches, leg and shoulder pain, malaria, discoloration of hair, rotten teeth, and dysentery. According to the Burra, local doctors revealed that more than 30% of children get TB presumably due to unhygienic conditions, overcrowding and malnutrition.

Child Labour in Brassware and Base Metal Articles

Brass products which are made in Uttar Pradesh are exported all over the world. Children work in almost all aspects of brassware production for long hours and low wages and are exposed to health hazards. Children remove molten metal from molds furnaces.(approx 2000 degrees Fahrenheit temperature). Children were also observed working in electroplating, polishing and applying chemicals to the wares. The constant inhalation of fumes from the furnaces and metal dust leads to TB and respiratory problems and eye irritation. While adults have protective glasses to shield their eyes from flying sparks children sitting close to the adults and watching them do not use protective glasses. Cylinders often explode, causes injury to children. Children working are very young mostly in the age of 6 to 9 years. They work for 8-10 hours a day with one weekly holiday.

Child Labour in agriculture

In rural areas, the children begin to help their parents in the field at a very early age and school going is an exception rather than a rule. The total number of children employed in agriculture, according to agricultural labour enquiry of the ministry of labour was 2million in 1950-51 rose to 10.55 million in 1965. The children are put to many jobs. They not only assist their parents in fields but are also employed on wages or as unpaid family labourers. According to 1971 census there were 10.74 million working children which constituted 14.6% of the total work force.

Child Labour in Plantation

According to Labour Investigation Committee a large number of children below 12 years of age work in plantations. They constitute about 25.7% of the total workforce in Dooars in Bengal , 21% in Darjeling, 14.5% in Assam valley and 11% in tea and coffee plantation in south India . The proportion of children to total work force has declined in recent years from 15.2% in 1946-47 to 10.4% in 1950-51.

CHILD LABOUR IN UNORGANIZED SECTOR

It is in the unregulated factories and workshops that the worst evils of child labour are found. These factories and workshops are not covered under factories acts and there has been no separate legislative provision for them except for beedi workers.

Carpet industry: at least 50,000 to 1, 50,000 children 6 to 14 years of age work in carpet industries in Kashmir and Punjab .

Fireworks industry: in Shivkasi in Ramanathpura, district in Tamil Nadu employs about 40,000-45000 children. They work for 11-13 hours and get 50paise to Rs 2. chemicals used in

fireworks have brought health hazards for them and these children are suffering from a variety of diseases.

LEGISLATIVE PROTECTION FOR CHILDREN AND NATIONAL POLICY

The government considers child labour a necessary evil. As its total eradication is not possible, the government has only tried to improve their working conditions through reducing working hours, ensuring minimum wages and providing facilities for health and education. Attempts have been made to provide legal protection for children even earlier to independence. The important legislations are:-

1. **The Factories Act, 1881** :- it defines a child as “any person below 12 years of age and prohibits the employment of children below 7 years of age.” The hours of work was also regulated and fixed at 9 per day. Rest intervals and holidays provisions were also made. The minimum age of employment of children was raised to 9 years in 1891 and to 12 years in 1922. Further it restricted the maximum number of hours a child can be made to work to 7 hours a day.
2. **Indian Merchant Shipping Act, 1923**:- according to it, no child below 14 years of age is to be employed in any capacity in any coastal or foreign ship.
3. **The Children(Pledging of Labour) Act,1933** :- the Act declares an agreement, oral or written to pledge the labour of children where by the parent or the guardian of a child undertakes to cause or allow the services of the child to be utilized in any employment in return of any payment or benefit to be received as void. This evil is being tackled now under the “ **Bonded Labour System (Abolition) Act 1976**.
4. **The Employment of Children Act, 1938** :- this Act regulates the admission of children to certain industrial employments. The act prohibits the employment of children below the age of 14 years(as amended in 1948) in workshops connected with beedi, carpetweaving, cement industry, cloth printing, dyeing and weaving, matches, explosives and fireworks industry, mica cutting and splitting industry etc. the state governments are empowered by the act to modify or extend its scope.
5. **The Indian factories Act, 1951**:- this Act defines an adolescent as ” a person who has completed his 15 the year but not his 18 the year and a child as a person who has completed his 15 the year. ” The factory act has limited the hours of work for children, prohibited night work and provided for weekly holiday. The employer has to maintain a register of child workers and periods of work have to be notified. Before employment the children and adolescent are medically examined and proof of age is obtained.
6. **The Plantation Labour Act, 1951**:- the Act applies to all tea, coffee, rubber and cinchona plantations. No child below 12 years of age shall be permitted to work in any plantation. Unless the employer is in possession of a certificate of fitness given by a qualified surgeon and the

worker himself carries a token giving reference to such certificate, no child or adolescent may work in a plantation.

7. **The Mines Act, 1952** :- according to this Act no child under 15 years of age may be employed in any mine. No child may be allowed to be present underground or in any excavation where mining operations are carried on. No adolescent may work below ground in any mine unless he is certified to be medically fit, he carries a token while at work, he is given rest interval of half an hour every after 4 and half hours. Fixed hours of work on any day is between 6 p.m to 6 a.m.

8. **Child Labour (Prohibition and Regulation) act, 1986** :- this Act prohibits employment of children below 14 years of age has been allowed in selected areas of the non –hazardous jobs.

9. **Constitutional Provisions** : - according to Article 24, no child below the age of 14 years shall be employed to work in any factory or in any hazardous employment. According to Article 39(f) childhood and youth are to be protected against exploitation and against moral and material abandonment. Article 45 enshrines that the state shall Endeavour to provide within a 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.

Child labour cannot be eliminated merely by introducing laws. Apart from statutory strict enforcement of statutory provisions, steps must also be taken to make jobs more safe, secure and healthy. Child is due to economic necessity. Hence, in the presence of poverty and starvation child labour cannot be eliminated. Hence, all efforts must be directed at lessening poverty and improving standards of life. Hence, fixation of a minimum and fair wage and a scheme of social insurance for industrial workers can solve the problem to a very great extent. It was in this context that the ILO report on the protection of children and young workers aptly remarked that the problem of prohibition of child labour is inextricably mixed up with the problem of the maintenance of the child the provision of a living wage for all employed persons adequate to maintain the family at an adequate standard.

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