

Child Exploitation at Different Stages in India

Abstract

The present paper is to evaluating the child exploitation at different stages in the country. The aim of this study is to show that the low level of income is directly leads to high child exploitation in India. So child exploitation might be increase or decrease with respect to changes in income. It has been observed over decades that, poverty forces poor families to send their children to work, which results in a serious problem the world is facing nowadays. Child exploitation can leave many severe consequences on children and their families. When children work, it does not mean as a standard, they support their families economically, neither all of them get paid for their work since many of them work as bonded labour or as slaves.

In this paper, an attempt is being made to analyse the problem of child exploitation in the context of those children whose age is below 14 years who are engaged various fields or work which are not only viewed injurious to their physical, mental or moral development but also hamper their social progress in a big way and recent amendments. Constitution providing facilities for the healthy development of children, the protection of children and youth against exploitation, and for free and compulsory education within a period of ten years for all children until they complete the age of 14 years. The conditions of the working children are regulated under the provisions of the Constitution of India, contained in Fundamental Rights as well as Directive Principles of State Policy, besides, several Statutes regulating these conditions made for the protection of working children such as the Indian Penal Code, Children(Pledging of Labour) Act, 1933, Bonded Labour System (Abolition) Act, 1976, Indian Mines Act, 1952, Factories Act, 1948, Motor Transport Workers Act, 1961, Merchant Shipping Act, 1958, Apprentice Act, 1961, Plantation Labour Act, 1951, Atomic Energy Act, 1962 and The Child Labour (Prohibition and Regulation) Act, 1986.

Keywords: Exploitation, Migrant, Trafficking, Child.

Introduction

Today, throughout the world, around 215 million children work, much full-time. They do not go to school and have little or no time to play. Many do not receive proper nutrition or care. They are denied the chance to be children. More than half of them are exposed to the worst forms of child labor such as work in hazardous environments, slavery, or other forms of forced labor, illicit activities including drug trafficking and prostitution, as well as involvement in armed conflict. In many countries, child labor is mainly an agricultural issue.

Worldwide 60 percent of all child laborers in the age group 5 - 17 years work in agriculture, including farming, fishing, aquaculture, forestry, and livestock[1]. This amounts to over 129 million girls and boys. The majority (67.5%) of child laborers are unpaid family members. In agriculture, this percentage is higher and is combined with very early entry into work, sometimes between 5 and 7 years of age.

Laws Defined Child Exploitation

Under the Act, "Child" implies a man who has not finished his fourteenth year of age. Any such individual connected with for wages, whether in real money or kind, is a Child specialist. As indicated by UNICEF, every one of the Children not being given training at a school is considered as Child Labours.

Aims of the Study

The issue of child exploitation is concentrated on with the accompanying goals. The primary target of the study is to examine the issue of child exploitation and to evaluate measures adopted by the state



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with a view to decide their suitability and adequacy. The other related destinations are:

1. To study the child exploitation and laws to stop it in different stages in India.
2. To analyze the problems arisen from child exploitation in many stages.
3. To analyze the improvement or detriment in the living conditions of rescued children in rehabilitation centers over a period of time under consideration.
4. To find out how state governments are active in stopping child exploitation in Andhra Pradesh, Bhopal, Bihar, Delhi, Jharkhand and Uttar Pradesh.
5. To study the various act of Indian Constitutions meant for protection of child from exploitation.
6. To examine the reliability and sufficiency of the database covered in the survey, which is undertaken twice during a plan period for the protection of children

Child exploitation statics

Nonetheless, not all work performed by children is classified as child labour. In fact, some light work that does not interfere with the child's development, their education, or health, such as helping parents around the home, or earning pocket money outside of school hours or on holidays, can be a positive experience for children. The term child labour, therefore, does not apply to children between the ages of 12-14 that engage in light work or to children between the ages of 15-17 who work in non-hazardous conditions.

Where is a problem?

Child exploitation is often perceived as a problem faced only by developing countries. While the vast majority of children engaged in child labor are indeed working in developing countries, it exists in industrialized and transition countries as well. The ILO's new 2002 estimates indicate that nearly 3% of children in the 10-14 year group in developed economies are economically active, and just over 4% in transition countries. The scale and depth of the problem are most critical in developing countries. 127.3 million Children are working in Asia and the Pacific, constituting 16% of the child population and 60% of existing child workers worldwide. Sub-Saharan Africa follows with 48 million child laborers, 29% of its youth population. According to a 1991 census, 11.2 million children aged between 5 and 14 were working in India. But other estimates put the figure far higher. In a supreme court case last December, Ashok Aggarwal, an advocate for a group of non-government organizations, submitted that 100 million children were out of school and working—half of India's 200 million children.

Which sectors of the economy does it exist?

India has the largest number of child workers in the world. The south Indian state of Tamil Nadu has a large concentration of child laborers. An estimated 100,000 children three-quarters of them girls—are employed in the match factories, tobacco mills, tea houses and rock quarries located on the drought-prone plains of interior Tamil Nadu. Small hotels account for much of the child labor in Chennai

(Madras), Tamil Nadu's capital, according to a survey by Peace Trust, a non-government organization.

"As much as 43.28 percent of Chennai city's total child workforce work in small hotels and are severely exploited [3], while medium hotels employ 29.10 percent, and nearly 27.62 percent are used by large units." It adds: "Nearly 52 percent of child laborers in the city are between 12 and 14 years of age and these children have been subjected to poor working conditions, long hours of work, low payment, and sexual abuse".

Pasumai Trust, Tiruvallur, and the Peoples Forum for Human Rights in Chennai in 2005 found that children working in brick kilns in Tamil Nadu suffered prolonged exposure to sand, dust, and heat, leading to skin and stomach problems. They also experienced wheezing, asthma, and stunted development, as well as menstrual dysfunction among adolescent girls. Accidents were also common, leading to face fractures and other major injuries.

Exploitation living condition

WSWS correspondents spoke to some child laborers in Chennai about their working and living conditions. Ramesh, 14, lives with his mother and younger sister in Ayanavaram, a Chennai suburb. His mother works in an embroidery company and earns 100 rupees (\$US2) per day. "Her work starts at 10 am, and she returns home at 9 pm. There is no job for her many days. I studied up to 6th standard, but I found it difficult to continue my studies. When I was 11 years I took this job to learn mechanical work. My work starts at 9 am and finishes at 7 pm. I get paid 50 rupees (\$1) per week". Parvathi, 12, lost her parents at a young age. "Our mother's elder sister sent us to a Christian mission hostel. There we ate only low-quality rice and rasam every day. Apart from study time, we used to do washing and cleaning. Since we didn't want to stay in the hostel any longer, our auntie took us home. She persuaded my sister to get a job in a leather company. Geetha, 14, lives with her parents and a younger brother. "I studied up to 3rd standard only as I couldn't continue my studies due to poverty[4]. My father is a load lifter but doesn't get regular work. My mother works at five places as a domestic maid. Generally, she cooks the only dinner at home, and at other times we eat food that she brings from her workplaces. "She has been doing domestic work since she was young. As a result, she falls sick frequently. She suffers from headaches and sores in her hands and feet. Unable to afford proper treatment.

Child exploitation daily working

"As a result of our neediness, my folks needed me to end up a disciple at a weaving organization when I was 10. At that point, I was paid 15 rupees (US 30 pennies) every day. My typical working day is 11 hours, from 8 am to 7 pm. presently following four years; I get 50 rupees (\$1) every day. When I do additional time from 7 pm to 10 pm, I get an extra pay of 20 rupees (40 pennies)."

In India's business capital, Mumbai (Bombay), there are a large number of little units known as "zari production lines." Young men matured 6-14 work 20 hours a day, seven days a week,

bowing at small tables sewing globules and hue strings on to great lengths of fabric. A "zari production line" is a 3 m x 3 m room with filthy floors and scarcely any ventilation. The young men need to work, wash, eat and rest in the same place, with a little foul restroom in one corner. They are given just two dinners in a day.

Exploitation on child working

As indicated by the Maharashtra work division, the vast majority of the young men are vagrants from destitute regions of Uttar Pradesh and Bihar in northern India. There are no schools in their towns or even close by[5]. Their folks have no area for development and work for allowances like 10-20 rupees (20-40 pennies) a day—that is, whether they can look for some employment. Guardians send their children to work in Mumbai erroneously trusting that they would escape hopelessness.

However, Indian governments have reliably declined to endorse an International Labor Organization (ILO) tradition that looks to ban the most noticeably awful types of child work. The ILO tradition characterizes a child as one underneath 18 years old and stipulates that the base age for work might not be not exactly the age for the consummation of necessary tutoring. Indian constitutional arrangements characterize the most extreme age for obligatory instruction, furthermore the base the age for business.

Indian laws, for example, the Child Labor (Prohibition and Regulation) Act 1986, don't preclude Child work yet boycott it just in distinct divisions, for instance, dangerous ventures. Be that as it may, regardless of the possibility that harder laws were presented, they would not generously diminish the utilization of child laborers because the underlying drivers lie further, in the unpleasant destitution of their families. In 2003, the past Tamil Nadu administration of boss clergyman Jayalalitha Jayaram promised to end child work in unsafe enterprises by 2005 and nullify it out and out by 2007. The focal United People's Alliance government's Common Minimum Programmer likewise guaranteed to put a conclusion to the practice. Rather, the primitive misuse of children is increasing. Amid the late Tamil Nadu race battle, different political gatherings guaranteed arranged welfare measures to trick the people[6]. Not unintentionally, none of them even tended to child work. What the initial phase in securing a huge number of children can precede with their instruction is ensuring a prevailing wage to their folks—something that the entrepreneur class is naturally unequipped for doing.

International traditions on child work

Two fundamental traditions manage child work: the Minimum Age Convention and the Worst Forms of Child Labor Convention. Both have been received by the International Labor Organization (ILO) – the master association in the UN managing the universe of work – and confirmed by the UK. The Minimum Age Convention depends on the rule that children ought not to begin work before achieving a base age. Between 1919, when it was set up, and the 1970s, the ILO received 10 separate traditions

determining the base age at which children could begin different employments.

In 1973, a general Minimum Age Convention (ILO Convention 138) was received to apply to each kind of business and each nation. Every nation that sanctions this Convention confers itself "to seek after a national arrangement intended to guarantee the powerful annulment of Child work and to rise the base age for admission to business or work to a level steady with the fullest physical and mental improvement of youthful person's logically". Social rejection components are another reliable variable that keeps children out of school driving them to work[7]. As a rule, children in the most noticeably awful types of youth work have a place with the most segregated strata of society as far as ethnicity and community.

In 1992, the ILO dispatched its International Programmer on the Elimination of Child Labor (ILO-IPEC) to give specialized participation to part States in discovering answers for this issue. We are gaining ground in the battle to wipe out child work. However there are still numerous children who enter the workforce too early. Of definite worry in this locale are the 122 million children matured 5-14 compelled to work for their survival.

The "most exceedingly awful structures" of child work

By the mid-1990s, there was confirmation that vast quantities of children beneath the base age of 14 were working all day. Reacting to worry about this, the ILO started to draft another tradition. This included getting universal concurrence on the circumstances in which offspring of all ages ought not to work and recognizing the progressions for governments to take to dispense with what came to be known as the "most noticeably dangerous structures" of child work.

The Worst Forms of Child Labor Convention was received in 1999 and came to power a year later [8]. Except for dangerous work, these "most exceedingly bad structures" are characterized by different traditions and are therefore alluded to as "unlimited most exceedingly awful structures". The Child has been the subject of exceptional laws and lawful arrangements. As a result of its delicate years, frail body, and deficiently created psyche and seeing, each child needs security against real and physical mischief and misuse by others.

Child Trafficking

In November 2000, the UN received a Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (the "Palermo Protocol"). The Protocol is connected to the UN Convention against Transnational Organized Crime. With a specific end goal to move towards sanction of this Protocol, the UK needed to criminalize trafficking. This brought about two bits of enactment – the Sexual Offenses Act 2003 (which made it an offense to activity for sexual misuse) and the Asylum and Immigration (Treatment of Claimants and Act 2004 which made it an offense to movement individuals for abuse, including subjection and constrained work).

Child "trafficking" alludes to the activities required in enrolling and moving children under 18 so they can be subjected to what the Protocol calls "abuse." These are the harshest types of child work. Further, these laws are pertinent to children in different circles of life, which are administrative, defensive and restorative in nature. Judges are looking to secure and advance the privileges of child. Under the law, children are qualified for extraordinary consideration, help, and key needs and they ought to be given the most astounding need in the allotment of assets. The rights against misuse were specified in the draft proposed by Dr. B.R. Ambedkar, K.M. Munshi, and K.T. Shah. While Dr. Ambedkar's draft is basically given that subjecting a man to constrained work or automatic bondage would be an offense, K.M. Munshi's draft article recommended for nullification of all types of subjugation, child work, movement in people and necessary work. Constitution of India contains arrangements for survival, advancement, and security of children; these are for the most part incorporated into Part III and Part IV of the Constitution.

Why children work?

The sympathy toward children as a rule and child work correctly is reflected through the Articles of the Constitution of India. In Article 23, it denies movement in person and poor person and other comparative types of constrained work. Under Article 24 it has set out that "no child less than 14 years old should be utilized to work in any industrial facility or mine or occupied with whatever other risky vocation". Article 39(e) and (f) requires the State and secure that the youthful period of children is not mishandled and to guarantee that they are not constrained by the monetary need to enter hobbies unsuited in their age or quality. All people occupied with "work" as characterized in the Census are considered laborers. Primary laborers are characterized as the individuals who have worked for the real part of the time reference frame, which is 6 months or more. Also, negligible laborers are the individuals who have not worked for the significant proportion of the time reference frame. Each one of those specialists who are not cultivators or farming workers or occupied with family unit industry are sorted as 'Different Workers'.

Legislation for Children

The Act disallows the job of Childs beneath the age of 14 years in 16 occupations and 65 forms that are dangerous to the children' lives and wellbeing. These rules and procedures are recorded in the Schedule to the Act. In October 2006, the Government included Children working in the local division and also roadside diners and motels under the restricted rundown of hazardous occupations. All the more as of late, in September 2008 plunging and in addition process including intemperate warmth (e.g. working close to a heater) and icy; mechanical angling; sustenance preparing; drink industry; timber taking care of and stacking; mechanical stumbling; warehousing; and procedures including presentation to free silica, for example, slate, pencil industry, stone granulating, slate stone mining, stone quarries and in

addition a gated business were added to the rundown of precluded occupations and procedures;

The factories Act, 1948

The Act denies the livelihood of Children beneath the age of 14 years. A juvenile matured somewhere around 15 and 18 years can be utilized in an industrial facility just if he gets a testament of wellness from an approved restorative specialist. The Act likewise recommends four and a half hours of work every day for Children matured somewhere around 14 and 18 years and forbids their working amid night hours.

The Mines Act, 1952

The Act restricts the job of Children underneath 18 years old in a mine. Further, it expresses that understudies above 16 might be permitted to work under legitimate supervision in a mine.

The Juvenile Justice (Care and Protection) of Children Act, 2000

This Act was last changed in 2002 in similarity with the UN Convention on the Rights of the Child covers youngster underneath 18 years old. Segment 26 of this Act manages the Exploitation of a Juvenile or Child Employee, and gives in applicable part, that whoever secures an adolescent or the Child with the end goal of any dangerous work and keeps him in subjugation and withholds his income or uses such acquiring for his own particular purposes might be culpable with detainment for a term which may stretch out to three years and should likewise be obligated for fine. In a few States, including Karnataka and Maharashtra.

The Minimum Wages Act, 1948

Recommends least wages for all representatives in all foundations or to those working at home in distinct divisions determined in the calendar of the Act. Focal and State Governments can re-examine least wages set in the timetable. Some consider this Act as a compelling instrument to battle Child work in that it is being utilized as a part of a few States, (for example, Andhra Pradesh) as the premise on which to indict managers who are using Children and paying them with lower compensation.

The Right of Children to Free and Compulsory Education Act, 2009

Accommodates free and necessary instruction to all Childs matured 6 to 14 years. This enactment additionally conceives that 25 for each penny of seats in each tuition based school ought to be assigned for Children from burdened gatherings including contrastingly able.

Family separates for some reasons, leaving the family unit shy of pay. Once in a while divorce abandons one guardian taking care of a larger number of children than she or he can bear to bolster. Separation is now and again realized by aggressive behaviour at home, which likewise straightforwardly drives children to leave home when they are still youthful. The passing of either parent hastens monetary debacle for some family units. The rate of children out of school has likewise declined considerably from 50.81 percent in 1991 to 26.17 percent in 2001.

Almost 48 percent of the child work power in the age gathering of 5-14 is included in assembling, both family unit based and nonfamily based. This mostly clarifies the expansion in the child work power in North and East Indian States where the family unit enterprises and administration part is developing. Those children who are doing paid or unpaid work in industrial facilities, workshops, foundations, mines and the administration segment, for example, local work. The Ministry of Labor, Government of India, has utilized the term 'child work' just with regards to children doing "perilous" work. By suggestion, children who are not doing "dangerous" work are not thought to be child workers and are said to do Child work. The outcome of this tight meaning of Child work is that the Labor Ministry's definition just incorporates a little rate of children who are in the work-constrain and forgets a large number of children who require strategy and automatic backing from the Government.

Migrant Children

India confronts an extensive test with "misery occasional movement". A great many families are being compelled to leave their homes and towns for a while consistently looking for vocations. These movements imply that families are forced to drop out of schools, something that quits for the day just accessible chance to break the endless loop a great many generations. At worksites, vagrant children are unavoidably given something to do. All proof shows that relocations are huge and developing. The quantity of children underneath 14 years old in this manner influenced may as of now be at the request of 9 million.

These children are occupied with dealing with more youthful kin, cooking, cleaning and other such family unit exercises. As found in the writing on ladies' work, such exercises should be perceived as 'work'. Further, if such children are not sent to the class, they will, in the end, join the work power as one of the above classifications of child work. The USA is thought to be the wealthiest nation in the world today. The reality of the matter is that child work is banned 60 years prior in the USA. Still, a study led has uncovered that around 3 lakh children in the age gathering of 5-15 years working in different occupations even in the unsafe segments. They are paid less and abused more [9].

It is an incongruity that the nation, which is so vocal for the cancellation of Child work in India and other immature countries, frequently undermining to boycott imports of merchandise made utilizing Child labourers itself is tainted with this sort of illness. With the change to the market economy, new sorts of weight have developed on children, particularly among the poor to add to family wage or to accommodate themselves. Nations of the previous USSR and those in Central and Eastern Europe have seen in shifting degrees. Children who faces many problems in universe. Mentioned some authors' books reference in my research paper. Like as-

Lieten (2005)[10] composes "the extremely exact assumes that we find in the official records of numerous businesses tea gardens, coal mines, mica enterprises, bidi ventures and the

directed and non-managed production lines have been precisely moved and pass on a photo of the truth back then".

As per Pathak, (1991)[11] they were prepared while still youthful and step by step begin contributing exclusively to the family's salary. Thus, the children were in a circumstance where they needed to gain for themselves and additionally for the families. Specialists say "even in family run units, where the child is generally better cared for by his folks and may not experience the ill effects of any physical hardship, he goes intensive mental strain as a result of issues and nerves in regards to the endeavor which he imparts to his folks".

Notwithstanding, Nieuwennuy, (2003)[12] neediness is not just kept the children out of school. Different type of social segregation likewise a crucial part. For instance, sexual orientation disparity which is more basic in a general public independent of standing, religion and class mirrors the social standards against the instruction of children.

Basu, Arnab K., and Nancy H. Chau (2005)[13] in this setting of an agrarian economy with covering eras occupied with obligation subjugation and child work, the creator analyzes the key specialist connection amongst landowners and occupants. Thinks about recognize reasons why family units set children to work to benefit extraordinary obligations, just to acknowledge later that the children' work has been misused, and that the family has been aggravated off accordingly.

According to Basu, Kaushik (2000)[14] The creator tracks the effect of rising and falling grown-up wages in poor and creating nations, where neediness and work misuse are the standards, on child work. One contention made is that if an expansion in wages is accomplished by a method for the lowest pay permitted by law, in India.

Beeman, Mark, and Geeta Chowdhry (2001)[15] in this setting The creators imply that transnational developments have turned into a critical segment of a rising global collective society. They look at the accomplishment, specifically, of activation around the issue of Child work in India's floor covering industry.

Bhukuth, Augendra (2005)[16] a study led in Tamil Nadu state's block oven industry shows that Child work is to a great degree basic in this segment. In the interlinked credit-work market, businesses don't correctly utilize children. However, they have executed a framework that forces guardians to utilize their children to enhance profitability. In such a domain, guardians use child work to improve their own dealing power.

Breman, Jan (2007)[17] in this Contracted connection subjugation amid the British pilgrim period in the Gujarat state obtained the qualities of a supporter customer administration that can be genuinely depicted as "servitude" and not as a relationship in light of "obligation." Halipratha,

or reinforced bondage, can be clarified as a relationship between expert (dhania mo) and hiring (hali) that is inspired essentially by financial matters—the expert needs more work.

Jean and Amartya Sen (2002)[18] in this connection the creators look at the part of popularity based practice in contemporary India, characterizing human rights as key to the honesty of majority rule government. The accomplishments and impediments of Indian majority rules system are surveyed in light of utilitarian foundations, open cooperation, and value, with unique consideration given to the unfriendly impacts of social imbalance on popularity based practice.

Uma S. and Raji Rajan (2006)[19] through an investigation of the National Sample Survey of India and state-level information, the creators reason that monetary development serves to increment instead of decline child work, in light of the fact that the interest for child labourers.

Kovasevic, Natasa (2007)[20] Bonded child work in India adds up to modification, seeing children as merchandise—"resources that give corrupted and dehumanized sustenance"—traded between a child's guardian and business. Settled in social and monetary reasons for reinforced child work incorporate the industriousness of a conventional social pecking order and the patterned way of neediness and being worked on. Mitigation of disparity and a slacking training framework, and change of social relations are required to annihilate child work.

Lerche, Jens (2007)[21] in this investigate of the International Labor Organization's (ILO) 2005 report, "A Global Alliance Against Forced Labor," the creator examines the late worldwide spotlight on battling constrained work. The ILO's treatment of the subject is assessed through the consequences of exact exploration in India and hypothetical talks of constrained work. Current sans unwork relations are best comprehended with regards to neo-liberal globalization, work relations when all is said in done and nation particular conditions.

Srivastava, Ravi (2005)[22] Comprised of an assemblage and appraisal of the contemporary confirmation on strong work in India that has shown up in free sources, this report exhibits that new types of servitude have risen in cutting edge rural and casual parts of the economy. The report incorporates late scholastic writing, information from the Government of India, the National Human Rights Commission.

The present examination plans to ponder the impact of the child work misuse in India. To think about the authoritative structure and effect of NCLP project dispatched for restoring child work in those regions of seven states and to investigate the effect on the living states of safeguarded children. To assess the conditions of the child labours working in different sectors like industry, agriculture, domestic work, services- hotels, shops, automobile repair shops, fire crackers factory, etc in the selected states- Andhra Pradesh, Odissa, Jharkhand, West Bengal, BIHAR, etc.

This study will determine the reason of child be trafficked and exploited and will reveal the actual problems arisen from the child exploitations. This study will illustrate the way to recover from the child exploitation problem. Data analysis is the process of bringing order, structure and meaning to the mass of information collect. In this study data would be derived from questions in the set of interviews of children being exploited, and that meant to supplement quantitative data availed by it. The data from the study would be analyzed qualitatively and quantitatively using percentages, means frequency distribution with the aid of Statistical Package for Social Sciences.

Conclusion

The immense writer Milton said "Child Shows the man as morning demonstrates the day". So it is the obligation of the general public to take care of each child with a view to guaranteeing full improvement of its identity. Children are the future overseers and light bearers of the Society: they are the flag-bearers of our insight, social legacy, belief systems and theories. Children are truly future segments as incredible educators, researchers, judges, rulers, specialists, organizers, engineers, politicians on whom the whole society established (rests). Sadly a huge number of children are denied of their childhood and appropriate to training also, in this manner they are subjected to exploitation and abuse. On account of India child exploitation is more predominant in 11 states, e.g. Andhra Pradesh, Bihar, Gujarat, Karnataka, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, Tamil Nadu, West Bengal and Uttar Pradesh, share very nearly 85 to 90 percent of the aggregate child work populace though in different states the issue is not endemic. Child exploitation is neither totally another wonder nor extraordinary

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