

ISSUES AND COMPLEXITIES OF CHILD LABOR IN RAIPUR DISTRICT OF CHHATTISGARH

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ABSTRACT

The ramifications of child labour are vast and varied. As a result, a variety of factors may be blamed for the usage of child labour. Child labour is widely available, with few responsibilities imposed on adults. Child labour is a significant social ill and a country wide industrial effluent end up causing so the economic failure for middle-income families to help the family denies the child access to education, enjoyment, and leisure, trashes his well-being, substantially interferes with the progress of the individual experience of growing up, and jeopardises his ability and willingness for self-responsibility. The primary objective of the paper is to discuss upon Legislative Action Plan emphasizing strict and effective enforcement of legal provisions relating to Child Labor. Also to demonstrate General Development Programs for benefiting children in the Raipur district. As well as the paper addresses permanent institutional mechanisms that incorporate Child labor issues. With the execution of a secondary data collection process using online portals, journals and articles the paper have done a qualitative analysis of the topic from which it collected the research findings. The results state that in order to prohibit on going issues and challenges of child labor within the Raipur district of Chattisgarh, the government of the state as well as the centre ought to guarantee health cover, food, education, and all fundamental requirements for youngsters. There should be more strictest for the practice of child labor for who so ever is following this criminalism.

Keywords: Raipur, Chattisgarh, Law, Legislature, Child labor, employment, poverty

Introduction

Kids are the best gift to humankind and Childhood is a significant and susceptible phase of human advancement as it holds the possibility to the future improvement of any general public level. Youngsters who are raised in an environment, which is helpful for their physical, intellectual, and social wellbeing, grow up to be a capable and useful citizens. Each country interfaces its future with the current status of its kids (Hazari, & Mohan, 2021). By performing work when they are below the age of 12, youngsters unduly lessen their current government assistance or their future pay acquiring abilities. This causes either by contracting their future outer decision sets or by decreasing their own future individual useful capacities. The Constitution of India has made pertinent arrangements mandatory for all-inclusive essential instruction. Work Commissions and Committees have evaluated the issues of youngster work and made broad proposals (Baruah, 2018). Right up to the Supreme Court, India's court has shown highly sympathetic attitudes to the issue of child labor. Despite various aggressive laws, regulations, and court pronouncements, the subject of child labor continues to pose a burden to the country.

Background

The dominant understanding of child labor, as defined in the rhetoric of civil and human rights, encapsulates quite explicitly what must define a perfect childhood based on the realities of the civilized countries and middle-class families worldwide (Lal, 2019). This research reveals growing perspectives on child labor from different individuals in Chattisgarh's Raipur area. They comprise parents and guardians of kids, children who have been seriously influenced by the government's perception of child labor in coastal villages, social and cultural authorities, politicians, and professionals who are fluent in Raipur (NAGAR, 2017). The topic of child labor in India is highly worrying. It is estimated that about one in five children under the age of 14 is employed in some form of laborer job, implying that 20 percent of kids in the nation are laborers. In truth, there is no reliable source for gathering information on child labor daily.

These youngsters are vulnerable to emotional and physical abuse during employment, as well as laboring in hazardous industry settings for low or no pay. The kid laborer is robbed of schooling, wellness, and strength, all of which are necessary for his or her development. These

practices hurt cognitive and personality traits. Hunger, emigration, low family income, societal circumstances, and other factors compel a youngster to labor under exploitative situations (Dammert, et al., 2018). The state must recognize the child's plight and take action to protect the child's fundamental freedoms.

Research Objective

- 1.To discuss upon Legislative Action Plan emphasizing strict and effective enforcement of legal provisions relating to Child Labor.
- 2.To demonstrate General Development Programs for benefiting children in the Raipur district.
- 3.To address permanent institutional mechanisms that incorporate Child labor issues.

Research Questions

- 1.What is the Legislative Action Plan emphasizing strict and effective enforcement of legal provisions relating to Child Labor?
- 2.What are the General Development Programs for benefiting children in the Raipur district?
- 3.What would be the permanent institutional mechanisms that would incorporate Child labor issues in India?

Hypothesis

- 1.Lack of immediate legal action focusing on general welfare for Child protection in Raipur.
- 2.The govern-ment does not have any plan to punish those employers who employ children as cheap labor.
- 3.Enforcement officials are indiffer-ent to their duties to supervise the safeguards against the exploitation of children.

Research problem statement

The problem statement for the study project is to examine the concerns and challenges in the context of child labor execution in the Raipur area of Chattishgarh. The report discusses a qualitative quick assessment study undertaken for the Raipur district. Children want hands-on, low-cost learning that combines traditional and contemporary abilities; yet, the school is unable to give it (Dammert, et al., 2018). As a result, many prefer the job above study. The developing discourses critique language usage which is not attributable to local perceptions

and ask for conversation in producing the local version for concepts like child labor and rights.

Limitations of the Study

The most crucial aspect, and the most common reason for incorrect execution, has been a lack of cash. Conversely, there is evidence to suggest that the state deteriorated not from a shortage of cash as it did from the squandering of valuable assets or the use of more serious conditions with poorer outcomes, such as institutionalized possibilities for rehabilitation (Bharadwaj, et al., 2020). There are several other causes as well, as shown by a detailed examination of the structure of implementation and delivery in the child labor laws.

Significance of Research

This study questioned the understanding of child labor based on internal and popular viewpoints of children and Raipur residents. The background of child-raising and how much it influences working childhoods; growing narratives on children's employment; attitudes on education and work; and opinions on child labor given government policy were all examined (Cho, et al., 2019). During conceptualization, data collecting, and discussion of the findings, was led by conceptual approaches and techniques such as interpretative, epistemological, and ecological.

Literature Reviews

Concept of Child Labour

Enslavement and forced labor have times of the ancient. The children have been the parents' sole domain and then were exchanged as personal possessions. Protecting a child's interests at a young age not just to protect his or her growth but also health, but also provides opportunities for future practice and career achievement (Bajpai, 2018). Child labor is perhaps the most serious and worst type of infringement of a child's rights. This not only precludes a youngster of his youth, but that also shadows all of his future educational and cognitive potential. It is important to establish who is deemed a kid when discussing child labor. Article 12 of the United Nations Convention on the Rights of the Child defines "the child" as "any individual Menander the age of eighteen years, although adulthood is

acquired earlier by the legislation that applies to the child (Sanghera, 2017)."

The consequences of child labor are numerous and diverse. As a result, a range of circumstances might be blamed for the use of child labor. Child labor is readily available, with little duties imposed on individuals. Child labor overall is a significant social affliction and a nationwide effluents cause because the economic failure for middle income to help the family precludes the child of access to education, enjoy, and entertainment, maneuvers his healthy development, significantly interfere with the development of the person upbringing, and sabotages his readiness for personal accountability. Nobody cares about the dangers that kid labourers face (Visser, 2021). As per UNICEF research, one of the causes for child labor, particularly in rural and underprivileged areas of the globe, is that children lack meaningful and authentic alternatives due to a lack of schools and instructors. Many areas, especially those in rural areas, lack suitable educational facilities, and educational availability, as well as quality, are extremely low. Additionally, the informal low-wage economy is founded on low-cost, easy-to-hire, and easy-to-fire labor, typically in the case of child labor. Children are engaged in unorganized trade, unorganized assembly, and unorganized retail employment after the disorganized agricultural industry, which involves 60 percent of child labor. In India, different cultural and economic as well as interpersonal problems cooperatively add to the problem of working children, such as the intransigence and configuration of India's labour force, the dimensions of the shadow economic sector, the limited capacity of industry sectors to ramp up, and a dearth manufacturing systems, among others (Sahoo, 2020).

Legal protocols of Child Labour

The very first preventive law for child labor in India was enacted in 1881 in the guise of the Indian Industrial Policy Resolution, which prohibited the hiring of children under the age of seven, limited hours worked for kids to nine hours per day, and provided four vacations and rest periods per month. This was done by the reigning British Authorities to reduce

productivity in Indian industry through legislative constraints (Unicef. 2020).

The Indian Parliament has regularly established legislative measures to safeguard kids from underage labour. Under Article 24, the Fundamental Rights embodied in the Constitution ban child labor underneath the age of 14 in any industry or mine or any dangerous occupation.

It might be argued that the many Agreements and Guidelines enacted by the International Labour Organization have had a significant impact on Indian labor policy, especially child protection legislation. Aside from constitutional requirements, there are several state legislation that gives protection under the law to minors in a variety of jobs which are The Minimum Wages, Act 1948 and guidelines provided under the government, The Employment of Children Act, 1938, The Mines Act, 1952, The Motor Transport Workers Act, 1961, The Children (Pledging of Labour) Act, 1933, The Factories Act, 1948, The Merchant Shipping Act, 1958, The Beedi and Cigar Workers (Conditions of Employment) Act, 1966, The Plantations Labour Act, 1951, The Apprentices Act, 1961, Child Labour (Prohibition and Regulation) Act, 1986, The Shops and Establishment Act in the Various States, and The Atomic Energy Act, 1962 (Roychowdhury, 2018).

Position under International Law

Worries about child labor exploitation and abuse have indeed been raised in the global community as a matter of humanitarian intervention. There seem to be three major international treaties that address child labor, namely:

I.1989 United Nations Convention on the Rights of the Child (CRC)

II.In 1973, the age limit for entry to employment was sixteen years old (ILO Convention138) (Maul, 2019)

III.1999's Worst Forms of Child Labor (ILO Convention).

India hasn't ratified the penultimate two International Labor Organization (ILO norms and, just a moment of enactment, managed to make a reservation to Article 32 of the UN Convention on the Rights of the Child 1989, declaring that this would pertain to the article

in a gradual way, under its domestic law and international obligations, particularly as it relates to the age limit.

Position under Domestic Laws

Child labor is discouraged in India, and it is banned under the Government and several laws aimed at preserving kids and fundamental freedoms (Child and the Law: An Indian Perspective in Plain Language. 2017).

Constitution

The Indian Constitution safeguards children's rights by defining elementary schooling as a Fundamental Right and laying an obligation on the state to defend their welfare underneath the Directive Principles of State Policy.

Art. 21: Right to education - The Government shall offer compulsory primary equal educational opportunity aged 6 to 14 years in the form determined by law.

Art. 24: Restriction of child labor in industries, etc.- No child under the age of fourteen should be hired to work in any industry or mining, or some other dangerous occupation (Edmonds, Thévenon, 2019).

Art 39: The State must adhere to certain national priorities.

The State must, in addition, focus its strategy on ensuring-

- that employees' as well as men and women and female's strength and courage, as well as children's young age, are not misused, and that people are not coerced by financial necessity to choose occupations inappropriate to their age or power;

- that kids are provided opportunity and resources to grow in a healthful, independent, and dignified way, and that development and adolescence are safeguarded from abuse and physical and moral desertion (Kar, et al., 2020)

Art 45: Provision for free and compulsory education for children

The State must make every effort, within 10 years after the adoption of this Convention, to offer universal primary education for all kids until they reach the age of 14.

Thus, the law gives the right of the child aged 6 to 14 to universal primary education; forbids compelled labour; outlaws the work of minors under the age of 14 in dangerous vocations; and advocates measures that protect kids from

abuse. Whoever hires or enables a kid to work is penalised by incarceration for 3 months to 1 year, a fine of INR 10,000–20,000 rupees, or both (Labour Laws. 2016).

Legislations and Policies

The Child Labor (Prohibition and Regulation) Act of 1986 (as modified in 2016): The purpose of this legislation is to ban the hiring of children in specific occupations and to regulate the working ability of children in other occupations. It prohibits the hiring of minors under the age of 14 in various occupations, including household workers as well as the hospitality sector, like roadside dhabas (restaurants), eateries, motels, lodges, and resorts (Child Labor in the Developing World: Theory, Practice, and Policy. 2020).

However, it excludes a group of youngsters who labour in unorganised industries like agriculture and homework. It will not outright prohibit workers' rights in farming.

Issues of Child Labour in Raipur

A majority of young and helpless children labour long hours in rural estates, miners, and rock cutting industries to earn money and support their families. Surprisingly, an astounding 10 million Indian children operate as augmented labourers in beedi-moving factories, brick ovens, covering weave businesses, nonprofit groups, etc (Ray, Chatterjee, 2019). The bulk of them are victims of commercial sex double-dealing and misappropriation and influence their mind and personality development. The major feature of child labor in India though is that 90% of working children are concentrated in rural areas. They engage on ranches and in non-ranch activities throughout the provinces. Census data, as well as NSSO data, show a similar structure. This is also an image of a restricted area of the legislation that focuses solely on visible sorts of child labor in metropolitan areas (Chaudhuri, Dwibedi, 2016).

Furthermore, they remain as a store of small job supply to be relocated to urban centres with their households in the event of the calamity in rural areas.

In Chhattisgarh, the frequency of childhood workforce involvement is 6.96 percent of all

children aged 5 to 14. In 2019, Child Protection authorities recovered 26 children from a snack shack in Raipur, Chhattisgarh. Children are also employed in dangerous employment in the yarn and fabric manufacturing industries. Furthermore, India fails to address the global requirement that prohibits military recruitment by non-state violent entities (Handbook for monitoring and evaluation of child labor in agriculture: Measuring the impacts of agricultural and food security programs on child labor in family-based agriculture. 2018). During the financial quarter, no illegal shelter houses were shuttered, as per research. As per the report, involved public authorities were also not held accountable for their help in the running of illegal emergency housing. In 2020, criminal procedures were filed against public officials.

Challenges of Child labor in Raipur

Among the different reasons for youngster labour, unemployment, neediness, and obligation of the households are the most significant. Many guardians secure advances from the landowners or the businesses and return the credits in terms of making their youngster work. Indeed, even in India, the guardians are paid straightforwardly by the landowners and the youngsters are utilised for the obligation of the repayment. In various cases, the kids are constrained to relocate temporarily because of the closest urban areas or the metropolitan spaces of connecting States to earn the needful resource (Scroll Staff, 2019).

In India, often no legitimate appraisals of kid labour are accessible. Different social researchers and non-governmental organisations have assessed their figures depending upon their system and in the form of kid work. In this manner, the estimation of kid workers are not correct and differ from source to source. In any case, as indicated by the ILO, India contributes to about 33% of Asia's youngsters and a fourth of the World's working kids. As per different social researchers, with estimates changing between 60 to 115 million, India has the largest number of working youngsters on the planet (Research Handbook on Labour, Business and Human Rights Law. 2019). An important element of kid workers in

India is that almost eleven to eighteen million working kids are roadside leaving kids and approximately fifteen million youngsters fill in as bonded labourers.

Legislative rules

National Policy for Children 1974: This is the very first government document addressing child's rights and needs. It acknowledged that kids are a great component of the nation. The legislation's purpose aims to take a stride further in guaranteeing that the legal protections for kids, as well as the UN Declaration of Principles, have been fulfilled (McGaughey, 2018). It describes the resources that the government must give for a kid's entire growth, both before and following birth, as well as during a child's growing phase, to ensure their complete physical, intellectual, and social and emotional development.

National Policy on Education, 1986: It urged "particular emphasis upon eradication of inequities and indeed the equalisation of education opportunities," particularly for Indian females, Schedule Castes (Sc), and Scheduled Tribe (ST) populations. To attain these goals, the program named for increased scholarships, vocational training, further instructors from SCs, encouragement for low-income families to bring their kids to the classroom consistently, the construction of new establishments, as well as the provision of accommodation and amenities (Roychowdhury, 2018). The NPE advocated for a "child-centred paradigm" in basic schools that initiated "Operation Blackboard" to reform elementary schools across the country.

National Policy on Child Labor, 1987: This document offers an implementation strategy for addressing the issue of working children. It envisioned a legal initiative focused upon or coordinating basic training programs to produce positive results as practicable, as well as a project-based set of actions for initiating initiatives for the wellbeing of child workers in regions with a significant prevalence of working children (Child Labor in the Developing World: Theory, Practice, and Policy. 2020).

1993 National Nutrition Policy: It has been created to address the issue of malnutrition. It seeks to deal with this issue by explicit (short-

term) as well as implicit (long-term) operations in food output and supply, personal and social security, schooling, regional and metropolitan growth, women and child advancement, and other areas (Indian Policy And Development. 2017).

National Population Policy 2000: The goal of the National Population Policy 2000 is to enhance the situation of children in India. It stressed comprehensive and obligatory schooling till the age of 14, complete vaccination of kids across major vaccine-preventable illnesses, 100 percent documentation of childbirth, deaths, marriages, and maternity, significant reductions in child mortality as well as maternal mortality ratios, and so on (Indian Social Problems. 2017).

2002 National Health Policy: The primary goal of this program is to attain an appropriate quality of care amongst the nation's normal community. The strategy seeks to improve accessibility to the decentralised general populace healthcare service by constructing additional facilities in underserved regions and improving facilities in institutional arrangements. The priority is to ensure greater balanced healthcare coverage throughout the nation's geographical and social divides (Indian Political System. 2018).

The National Charter for Children (NCC) of 2003 stresses the Provisions of the constitution pertaining towards the issue of kids, as well as the responsibility of civilised society, localities, and households, as well as the responsibility in meeting the fundamental requirements of kids. The NCC makes specific notes of the well-being of significant sections of the population from low-income households, street kids, young females, child-care initiatives, including educational services to avoid abuse. It ensures that each kid has the absolute right to be a kid and also have a peaceful and positive early life, address the underlying causes something which undermines child's proper healthy development and advancement, or rather awakens the consciousness of the society in the wider systemic sense to safeguard kids from most kinds of harassment, whilst also bolstering the household, community, as well as the Country (Labour, 2018).

The Indian government approved the National Plan of Action for Children (NPA) in 2005 to

promote the health of kids. The NPA does indeed have a considerable set of fundamental aspects of force, the things about child safety: Total repeal of foeticide, infanticide, as well as underage marriage and making sure the continued existence, growth, and security of the young girl, Attempting to address as well as honoring the children's rights in unfortunate conditions, Trying to secure political and regulatory coverage across all children on all types of harassment, expropriation, and neglect (Thukral, Thukral, 2011).

Recommendation to overcome

As a matter of first importance, the significant obligation is for individuals to live in the general public. It begins in the home. Never make any worker take care of business underage. Give some monetary assistance to the poor young children. Join individuals who need to help them. Make government assistance gatherings resourceful. Give kids instruction and give them a safe house and food. Assuming people as a whole work from any place or extent that one can, it is possible to have an outcome. Never placed any youngster to hard and weighty work in the industry. Blacklist individuals who are doing this and speak more loudly against them (Shukla, et al., 2017). Make them know the law of wrongdoing as youngsters work. Bring issues to light to individuals. Approach and assume the liability and make decisions. Besides, legislatures can assume an immense part. As a matter of first importance, they can make the legitimate law against youngster workers and uphold them rigorously against individuals who are putting the kids to weighty work. State-run administrations likewise ought to guarantee cover, food, instruction, and all fundamental requirements for youngsters. A youngster ought to be however free as he seems to be in paradise. Keep in mind, kids are additionally an apparatus for criminals to commit wrongdoing. Legislatures of a nation ought to know and make fundamental strides for that. Finally, we are living in a period of globalisation (Rajan, 2021). The different worldwide associations can find ways to bring issues to light to individuals to stop youngster work. They can help kids monetarily by giving them free schooling at training for all programs

and coming down on the public authority to uphold the law to give fundamental components to the government assistance of youngsters. The blend of the above bodies will make it simple to destroy kids' infirmity. Kids are an indication of guiltlessness and immaculateness. People's hearts should liquefy in tears when they see them dozing in the road with an eager midsection if as a genuine human. The public should speak more loudly for these kids. Make this world a superior spot for the forthcoming age (Sood, & Nath, 2020).

Methodology

The chapter that follows describes the methods and methodologies utilized in the research to assess the challenges and complications of child labor in India's Raipur area. In line with the aims outlined, the method for the study, including the evaluation of acceptable publications and references, was completed. The thesis starts with a discussion of the theoretical perspective used for the research, which includes hypotheses about the various reasons for child labor (da Silva, 2017).

Secondary data were employed in the investigation, along with a qualitative analysis. The idea behind qualitative research methodologies is social materialist philosophy, as well as the goal, which is to describe and disclose people's behaviour from the standpoint of the persons being investigated. This qualitative research approach was chosen since this study explores child labor from the viewpoint of the child workers themselves. With this strategy, the researcher may discover much more regarding impact determinants underlying child labor, namely the socioeconomic backdrop, the child's well-being, especially their work circumstances. In comparison to a quantitative research approach, the qualitative method can provide a better knowledge of the fundamental reasons for child labor in the research (Kapur, 2018).

Data gathering methods include the book, direct attendance at courses, seminars, conferences, webinars, and judgments, textual analysis and case studies, RTI, reference materials, periodicals, digests, and so on. It is concerned with the research of the legal theory, as well as how it was established and utilised.

The non-doctrinal study, also known as social-legitimate study, will indeed be investigated. This type of research employs tactics drawn from several orders to provide precise data that answers research problems. It is usually a problem, an arrangement, or a modification in the present legislation (Sun, & Lipsitz, 2018). The literature assessment has been mostly derived from the research papers from various experts and publications from UNICEF as well as the ILO on global worker rights including human rights accords. The purpose of this study is to present a realistic assessment of the child labor scenario. This work analyzed peer-reviewed internet resources including academic materials authored by various experts to identify the current child labor legislation.

The document critically presents the situation's history, the objective of the study question, methods, limits, and overview. In addition, the Raipur district of Chattisgarh is used to investigate the issue of child labor in India (Islam, 2018).

Conclusion

Even though poverty was discovered to be the major underlying determinant of child employment in Raipur by the study. According to the research, poverty alone is insufficient to describe the incidence of child labor. The consequences of child labor are almost too complicated to be explained by a single causative element, particularly whenever the social environment is included. As a result of the examination of the aforementioned article, it can even be concluded that the regulatory framework adheres to internationally recognized criteria of international labor law about child labor. Nonetheless, their effectiveness can be called into doubt, even though a few of these have yielded quite favourable outcomes. The federal statute and in actuality are frequently at odds, and Raipur is no exception.

More study must also be conducted from a kid-centred standpoint, as no one can describe the argument properly than even the child workers themselves. The research also believes that it is critical to do a study into how enhanced education programs might make the situation better for children who work.

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