CHAPTER - II

CHILD LABOUR:
NATIONAL AND INTERNATIONAL EFFORTS TO CURB THE PROBLEM
2.0. PRELUDE

Child labour is a complex problem which cannot be attributed to one single factor. To tackle the problem, a systematic and well-planned strategy is required as there is no chance for the welfare of the world, unless the condition of children improves and therefore, various attempts have been made in international and national level in this regard from time to time. In international level, the roles played by United Nations (UN) and International Labour Organisation (ILO) are remarkable whereas in national level, Five-year plans, National Policy, various other steps taken by the government and role of Non-Government Organisations (NGOs)/Voluntary Organisations cannot be ignored.

2.1. PROTECTION OF CHILD LABOUR: THE INTERNATIONAL SCENE

2.1.1. Role of United Nations (UN)

Although in the pre-UN era in 1924, the League of Nations adopted the Geneva Declaration on the 'Rights of the Child' in the context of measures to be taken against child labour, slavery, traffic and prostitution of minors, but the Declaration on the 'Rights of the Child' by United Nations in 1959 was a fundamental text in this field; a milestone in itself.

1. Declaration on the 'Rights of the Child' proclaimed by the UN General Assembly on November 20, 1959 [Resolution NO. 1386 (xiv)].
According to this Declaration, the child, by reason of his/her physical and mental immaturity needs special safeguard and care including appropriate legal protection before as well as after birth and the mankind owes to them the best it has to give. This Declaration affirms that the child shall enjoy special protections to enable him/her to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner as well as in conditions of freedom and dignity. All the rights set forth in this Declaration should be enjoyed by every child without any exception, distinction or discrimination on account of race, colour, sex, language, religion, politics or other opinion, national or social origin, property, birth or other status. Further it stressed that the child shall enjoy the benefits of social security and have the right to adequate nutrition, housing, recreation and medical services and the child who is physically, mentally or socially handicapped, shall be given special protection like treatment, education and care. Every child shall receive proper education and shall have full opportunity for play and recreation besides protection

2. Ibid. Preamble.
against all forms of neglect, cruelty and exploitation and the child shall never be the subject of traffic in any form.

The 'Rights of the Child' as declared by the United Nations were later on ratified in the International Covenant on 'Economic, Social and Cultural Rights' adopted by the General Assembly in 1966 which gave much attention to the need for special measures of protection and assistance on behalf of all children and young persons. It stressed that "children and young persons should be protected from economic and social exploitation.....If their employment in work is harmful to their morals or health or dangerous to life or likely to hamper their normal developments should be punishable by law. States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law .....Efforts to eliminate child labour in conformity with the relevant International Labour Covenants were also specifically called for by the international development strategy for the third United Nations development decade adopted in 1980".

After two decades of the Geneva Declaration on 'Rights of the Child', UN declared 1979 as the 'International Year of the Children' concerned with the protection as well as the survival and development of children.


UN Commission on 'Human Rights' then started work on the drafting of a convention on the initiative of Poland and on 20th November, 1989 UN General Assembly adopted the convention, a 'Bill of Rights' for children containing 54 Articles on the rights of the child providing guarantees for a spectrum of the child's human rights. It calls on states which ratify it to create the condition in which children may take an active and creative part in the social and political life of their countries. The convention encompasses the whole range of human rights - civil, political, economic, social and cultural and it is believed that the enjoyment of the rights can not be separated from the enjoyment of others.

Much emphasis was given by the convention on the primary role of the family and parents in the care and protection of children and obligation of the state to help them in carrying out these duties.

Article 4 of this convention provides protection against slavery stating that "no one shall be held in slavery or servitude. Slavery and the slave trade shall be prohibited in all their forms." Similarly torture, cruelty, inhuman treatment or punishment is also prohibited in its Article 5 where as Article 26 provides the right to free education in the elementary and fundamental stages and this elementary education shall be made compulsory.

Thus, the United Nations has tried its best to tackle the problem of child labour through the rights provided for the
children. It believes that if these rights could be attained fully by every child, then the problem of child labour will automatically vanish.

2.1.2. Other groups of UN and Protection of Child Labour

Not only the UN alone, but certain other authorised groups of it are also performing a noteworthy role in international level so as to put curbs on the problem of child labour as well as for welfare of the children in general.

The UN Sub-comission's Working Group on slavery in its 5th session at Geneva on 16th, 17th and 24th August, 1979 and in its report specifically recommended for action to be taken by Governments, UN agencies etc. on debt bondage, slavery and slave trade, exploitation of child labour and sale of children, traffic in persons etc. As per its Resolution No. 7 (XXXII) B, dated 5th September, 1979 the Sub-commission requested the bodies of the United Nations system to co-operate and to eliminate the exploitation of child labour.

Further in its 32nd session held in Geneva, the UN Sub-commission on Prevention of Discrimination and Protection of Minorities stressed much on exploitation of child labour and appealed to all Governments to ensure adequate legislation to protect working children.

2.1.2.1. Role played by UNICEF

Since its inception on 11th December, 1946 UNICEF has been rendering tremendous job for the welfare of the children. It has assisted more than 100 countries to plan, initiate and co-ordinate services for children. It has consistently worked towards an economic and social climate in which every country will be able to guarantee its children the rights set out in the Declaration on the 'Rights of the Child' by United Nations. Following the 'International Year of the Child' in 1979, UNICEF pursues its advocacy role on behalf of children in both industrialised and developing countries. Today, UNICEF is a network of country which is serving in 119 countries in the developing world.

To prohibit child labour and child exploitation in global level UNICEF has pointed out certain well defined indices of child exploitation like:

" a) Starting full time work at an early age;

b) too many hours spent within or outside the family, so that children are unable to attend school;

c) work that results in excessive physical, social and psychological strain upon the child;"

d) work in mines, sweet shops and in dangerous situations such as fire-work factories clearly cause damage to the health and safety of life;

e) work and life on the streets in unhealthy and dangerous conditions,

f) placing heavy family responsibilities on children such as child minding by ‘older’ sibling, while parents are away at work;

g) work that does not facilitate the social and psychological development of the child including full repetitive tasks;

h) inhibition of a child’s self confidence and self-bonded labour and sexual exploitation

“Apart from the devastation of the health of the child, the separation of the child from the family has a devastating impact, making the working child highly vulnerable. The extremely restricted access to education is a most dangerous factor for the working child, considering that education holds the key to job opportunities and economic advancement, school fees, books and uniforms are too costly for poor families”. It is pointed out that child exploitation is not an accident. Children are always hired at much lower rates than the adults for the same work.


16. Ibid.
UNICEF has also evolved certain approaches to improve the standard of lives of working children, viz " (i) using legal instruments to limit and define the conditions under which children work; (ii) providing basic services to street children so as to facilitate their development; and (iii) transforming the nature of work, itself ".

In this regard, UNICEF has launched the 'Scan of Operation' programme for child welfare in general from 1991 which shall be continued up to 2000 A.D. This programme includes the improvement of child health, child development, their education etc.

2.1.3. Role of International Labour Organisation (ILO)

Besides United Nations, International Labour Organisation (ILO) has also been rendering yeoman services in the global level to protect child labour. According to the Constitution of ILO, "labour is not a commodity" and thus it stressed that all human beings irrespective of race, creed or sex have the right to pursue both their material well being and their spiritual development in conditions of freedom and dignity or economic security and equal opportunity.

17. Ibid.


The foundations of the International Labour Organisation's policy on child labour are set out in the Preamble of its Constitution in the Declaration of Philadelphia (1944) which was formally annexed to the Constitution in 1946 as well as in resolutions adopted by the International Labour Conference and in decisions taken by the ILO Governing Body. The fundamental objective of ILO policy in this matter is the abolition of child labour and therefore, the Constitution of the ILO has been providing different provisions for the abolition of child labour. Thus the main concern of ILO has been the formation of International labour standards and efforts to render these standards as fully effective as possible. Further, under Article 22 of the Constitution of ILO, obligation is also imposed on the member states to follow and implement the standards indicated by the ILO. To this end, International Labour Conference gradually built up a body of International Labour Conventions and Recommendations, the majority of which deal with the protection of certain fundamental human rights and freedoms.

In respect of children and young persons, the ILO has adopted 18 conventions and 26 recommendations concerning their minimum age for admission to employment; medical examination; night work; apprenticeship and conditions of employment etc.

India being a member of the ILO has an obligation to ratify these conventions and recommendations. Accordingly, there
are several enactments in India dealing with these important provisions which have been discussed in chapter III.

2.1.3.1. ILO on Minimum Age for Employment

2.1.3.1.1. Conventions

The International Labour Organisation in its ten sectoral conventions and one general convention prescribes provisions regarding the minimum age for admission to employment in industry and in other occupations.

Minimum Age (Industry) Convention (No.5), 1919 through its Article 2 prohibits employment of children below 14 years of age in any public or private industrial undertakings other than an undertaking in which only members of the same family are employed. The term 'industrial undertakings' under this convention includes manufacturing industries, mines and quarries, construction and maintenance work, transport by road, rail or inland waterways including handling of goods at docks, quays, wharves but excludes transport by hand. India has ratified the convention and this provision has already been implemented through the Children Act, 1938, Factories Act, 1948 and Motor Transport Act, 1961.

By the Minimum Age (Industry) Convention (Revised) (No.59), 1937 the Convention No.5 was partially revised by raising the minimum age for admission to industrial
establishments from 14 to 15 years. It further allows national laws or regulations to permit the employment of children under the age of 15 years in family undertakings, but at the same time specifies that there should not be any type of danger to life, health or morals of the persons. This convention was not ratified by India.

The next convention called the Minimum Age (Sea) Convention (No.7), 1920 categorically specifies that the children under 14 years of age should never be allowed to work on vessels except those on which only the family members are employed. ‘Vessel’ includes all ships or boats of any nature whatsoever engaged in maritime navigation excluding war ships.

The above convention was again revised by the Minimum Age (Sea) Convention (Revised) (No.58), 1936 which raises the age limit of children desirous of taking admission to employment on vessels from 14 to 15 years and allows the issue of certificates permitting the employment of children of 14 years of age where the appropriate authority is satisfied that the employment would be beneficial to them. India has not ratified these two conventions.

Taking into account the importance of agricultural sectors, the Minimum Age (Agriculture) Convention (No.10), 1921 was adopted by ILO which provides that the children under the age of 14 years can not work or to be employed in any agricultural undertaking, except outside the hours fixed for school attendance. This convention has one exemption that
the prohibition of employment of children in agriculture does not apply if they work in technical schools approved and supervised by public authority. For the purpose of vocational training, however, the school attendance period and hours could be arranged so as to permit the employment of children on light agricultural work, particularly in connection with the harvest, on condition that the total annual period of school attendance was not thereby reduced to less than eight months. This convention has not been ratified by India.

The Minimum Age (Trimmers and Stockers) Convention (No.15), 1921 prohibits employment of young persons below 18 years of age as trimmers and stockers on vessels engaged in maritime navigation. But their employment on school ships or training ships approved and supervised by public authority and on vessels propelled by other means than steam are exempted from this prohibition. This convention was ratified by India and its provisions have been implemented through the Merchant Shipping Act, 1958. According to this convention a young person, if found physically fit after medical examination and have completed his 16th year of age, may be employed as trimmer on vessels exclusively engaged in the coastal trade of India.

Minimum Age (Non-Industrial Employment) Convention (No.32) was another important convention adopted by ILO in 1932 according to which children under the age of 14 years or those

who have completed their 14th year of age but still required by the national laws or regulations to attend schools, can not be employed in any non-industrial employment not dealt with in Convention Nos. 5, 7 and 10. But the competent authority of a country may exempt from the scope of this convention, employments in establishments in which only members of the employer's family are employed, except employment which is harmful, prejudicial or dangerous to children and young persons and domestic works in the family performed by the family members. In addition, this convention also exempts the work done by the children in technical and professional schools, on condition that the work is essentially educational and is not intended for profit and is restricted, approved and supervised by a public authority. The convention allows the employment of children over 12 years of age outside the hours fixed for school attendance on light work or to appear in any public entertainment or as actors etc. and such work should not be harmful to their health or normal development as well as not prejudicial to their schooling. Further, a higher minimum age for employment involving danger to life, health or morals is required by this convention and also where necessary for itinerant trading in streets or public places, employment at stalls outside shops or employment in itinerant occupations.

22. Ibid.

The above convention was revised by the Minimum Age (Non-Industrial Employment) Convention (Revised) (No.60), 1937, which raised the minimum age for employment from 14 to 15 years and for light work 12 to 13 years. India has not ratified both of these conventions.

The Minimum Age (Fisherman) Convention (No.112), 1959, debars the children below 15 years of age to undertake employment on fishing vessels which includes all ships and boats of any nature engaged in maritime fishing in salt waters. However, children below 15 years of age may occasionally take part in activities on board fishing vessels during school holidays, subject to condition that such activities are not harmful to their health or normal development and are not such as to prejudice their school attendance as well as not intended for commercial profit. Even national laws may permit children over 14 years of age to be employed in cases where educational or appropriate authority is satisfied, but that employment should be beneficial for the child and it should never be at the cost of his health and physical condition. India is yet to ratify the convention.

The Minimum Age (Underground work) Convention (No.123), 1965 prescribes that 16 years should be fixed as the minimum age for employment of children in underground mines. But it allows the member states of ILO to fix this minimum age in consultation with the employers or workers' organisations, but that age should never be below 16 years. India has ratified this convention and
its provisions are being implemented through Mines Act, 1952.

In 1973, ILO has adopted a general convention called the Minimum Age Convention (No.138), 1973 which speaks that the time has come to establish a general instrument on the subject, which would gradually replace the existing ones applicable to limited economic sectors with a view to achieving the total abolition of child labour.

The convention requires member states of the ILO to pursue a National Policy designed to ensure the effective abolition of child labour; to set a minimum age for admission to employment or work and to raise this progressively to a level consistent with the fullest physical and mental development of young people. This minimum age must not be less than the age of completion of compulsory schooling and in any case, not less than 15 years. However, the member states of ILO, whose economic and educational facilities are insufficiently developed, may after consultation with the organisation of employers and workers concerned, initially fix the minimum age as 14 years. Regarding health, safety or morals of young persons, the convention prescribes a minimum age of 18 years for such employments, which are to be determined by the national law or a competent authority, after consultation with the organisations of employers or workers concerned. A concession has also been made by this convention that the national law or a competent authority may, after consultation aforesaid, authorises employment from the age of 16 years on condition that the health, safety and morals
of the young persons are fully protected and that they have received adequate specific instruction or vocational training in the relevant branch of activity. Furthermore, in the matter of employment regarding training and education, light work and artistic performances, there are some exemptions prescribed by the convention and this convention has not ratified by India.

ILO has adopted two other conventions which mainly deal with the other subjects, but contain some provisions concerning minimum age are the White Lead (Painting) Convention (No.13), 1921 and the Radiation Protection Convention (No.115), 1960. The former one prohibits the employment of males under 18 years of age and of all females in painting work of an industrial character involving the use of white lead or sulphate or lead or other products containing those pigments whereas the later one prohibits the employment of persons under 16 years of age in any work involving ionising radiations.

2.1.3.1.2. Recommendations

Besides the above conventions on minimum age for employment, ILO has adopted some recommendations on the subject which are focussed here under.

According to the Minimum Age (Non-Industrial Employment) Recommendation (No.41), 1932, so long as children are required to attend school, their employment should be restricted as far as possible and in determining the category of employment and light work outside the school hours, such occupations and employments as running errants, distribution of newspapers, all
jobs in connection with the practice of sports or playing of games and picking and selling fruits might be taken in to consideration. However, the consent of the parents or guardians is required for employment in light work and there should be medical certificate of fitness for the employment contemplated, in addition to prior consultation with school authorities. Further, the hours of employment should be fixed according to the school time table and the age of the child. The age limit for the employment in public entertainment etc. has been fixed 12 years and in case of cinematographic films the children should be examined by an eye specialist. When the question of dangers to life, health and morals of the person employed arises, in any employment, the higher age or ages of admission to such employment should be fixed by the competent authority after consultation with the principal organisation of employers and workers concerned. As per this recommendation, the persons who have been condemned for certain serious offences and who are notorious drunkards should be prohibited from employing children other than their own, with a view to safeguarding the moral interest of the children.

The Minimum Age (Family Undertakings) Recommendation (No.52) 1937 was adopted as a supplement to the Minimum Age (Industry) Convention (Revised) (No. 59), 1937, which requires the member states to make every effort to apply minimum age legislation to all industrial undertakings, including the family undertakings.
The Minimum Age (Coal Mines) Recommendation (No.96), 1953 prescribes 16 years as the minimum age for employment underground in the coal mines and also requires that the young persons between 16 to 18 years of age may be employed for purposes of apprenticeship or vocational training or under conditions determined by the competent authority after proper consultation with the employers' or workers' organisations relating to the places of work etc.

The Minimum Age (Underground work) Recommendation (No.124), 1965 is related to mines and suggests that the measures should be adopted to raise the minimum age of employment in all mines and quarries to 18 years and where the age limit is less than 16 years, it should be raised to that level i.e. 16 years as speedily as possible. This recommendation further seeks to adopt possible measures for vocational training and education etc. for the children who are above the minimum school leaving age but below the age for admission to the employment underground in mines.

The Minimum Age Recommendation (No. 146), 1973 emphasises on high priority that should be given to planning for meeting the needs of children and youths in national development policies and programmes and to the progressive extension of the inter-related measures necessary to provide the possible conditions like physical and mental growth for children and young persons. It further recommended for all sectors of economic activity, the minimum age should be fixed at the same level.
and each member states of the ILO should progressively raise the minimum age of employment to 16 years. But for hazardous employments, it should be raised to 18 years of age.

2.1.3.2. ILO on Medical Examination of Child Labourers

2.1.3.2.1. Conventions

Besides the minimum age conventions, ILO has adopted five other conventions on medical examination of young persons which are considered to be equally important for the protection of child labour.

The Medical Examination of Young Persons (Sea) Convention (No.16), 1921 was the first convention on the subject which was ratified by India in 1922. In order to give legislative effect to the provisions of the convention the Indian Merchant Shipping Act, 1923 was amended accordingly in 1931. As per the convention, any child or young person below the 18 years of age is required to possess a fitness certificate from a certifying surgeon for an employment on any vessel, other than the vessel upon which only family members are employed. Such medical examination is necessary at intervals of not more than one year in case of a continued employment of any such young person.

Medical Examination (Sea Farers) Convention (No.73), 1946 also requires the medical certificate of fitness from the

children or young persons seeking employment in a sea going vessel, whether publicly or privately owned, which is engaged in the transport of cargo or passengers for the purpose of trade and is registered in a territory for which this convention is in force. The Convention is yet to be ratified by India.

In the same year, Medical Examination of Young Persons (Industry) Convention (No.77), 1946 was adopted by the ILO which came into force on 29th December, 1950. According to this convention, children and young persons under the 18 years of age shall not be admitted to employment by any industrial undertaking unless they have been found fit for the work on which they are to be employed by a thorough medical examination by a qualified surgeon and fitness certificate must be produced by such worker. This fitness certificate is necessary for children who are working in occupations involving health risks.

In order to give legislative force to the provisions of this convention, special provisions are made in various labour legislations. Under Factories Act, 1948; Mines Act, 1952; Employment of Children Act, 1938; Plantations Labour Act, 1951; Merchant Shipping Act, 1958; Motor Transport Workers Act, 1951; Beedi and Cigar Workers (Conditions of Employment) Act, 1966; Shops and Commercial Establishment Acts of different States, various provisions regarding submission of such medical certificates are prescribed for employment of children in the concerned establishments where such employment involves high health risks.
Further, Medical Examination of Young Persons (Non-Industrial Occupations) Convention (No. 78), 1946 prohibits the employment of children and young persons below 18 years of age in any non-industrial occupations other than industrial, agriculture, maritime occupations and requires the fitness certificate by a thorough medical examination from the children and young persons seeking employment. India has not ratified this convention.

Medical Examination of Young Persons (Underground work) Convention (No. 124) is another convention adopted by the ILO in 1965 which provides for annual medical examination for fitness of all young persons below the age of 21 years for employment underground in mines.

2.1.3.2.2. Recommendations

Medical Examination of Young Persons Recommendation, 1946 is an important recommendation on the subject for the protection of child labour in the global level.

This recommendation requires all the children to undergo a general medical examination, preferably before the end of their compulsory school attendance, the results of which can be used by the vocational guidance services. This medical examination should include all clinical, radiological and laboratory tests useful for discovering fitness or unfitness for employment in question and this should be made compulsory till the age of 21 years for all young workers in industrial or non-industrial occupations.
Further, this recommendation suggests that there should be measures for physically handicapped children and young persons to receive proper medical treatment; to encourage them to return to schools or other suitable occupations including giving them opportunities for training for such occupations; to give them the advantage of financial aid, if necessary during the period of medical treatment, schooling or vocational training.

2.1.3.3. ILO on Night Work of Children

2.1.3.3.1. Conventions

The Night Work of Young Persons (Industry) Convention (No.6) is the first convention in this respect adopted by ILO in 1919. As per the provisions of this convention, young persons under the age of 18 years are restricted from undertaking employment during night hours at any public or private industrial undertaking except an undertaking in which only members of the same family are employed. This convention applies to industrial undertakings like mines, quarries, manufacturing industries, construction and transport etc. This convention clarifies that the term 'night' means a period of at least eleven consecutive hours including the interval between 10 p.m. and 5 a.m. Further Article 6 of this convention provides that, while applying this convention to India, the term industrial undertaking shall include only factories as defined in the Indian Factories Act, 1948.

This Convention was partially revised by the Night Work of Young Persons (Industry) Convention (Revised) (No.90),
1948, which removed certain exceptions provided in the Convention No.6 of 1919 and includes some more stringent provisions regarding night employment in industrial undertakings. As per this convention, the exemption with regard to family undertakings will not apply if the work is harmful, prejudicial or dangerous to young persons. Even the period of night hours was increased to twelve consecutive hours instead of eleven as provided in the previous convention. But this convention gives some concession for employment of children between the age group of 16 to 18 years at night in connection with apprenticeship or vocational training.

This convention has some special provisions for India and thus, in India, 'industrial undertaking' includes mines, factories, railways and ports and it also prohibits the employment of young persons under the age of 17 years whereas the general prescription is 18 years.

In the year 1946, ILO adopted the Night Work of Young Persons (Non-Industrial Occupation) Convention (No.79) which applies to all forms of non-industrial occupations except domestic service in private households and employment in family undertakings which is not harmful, prejudicial or dangerous to the children and young persons as per the provisions of the national law.

According to Article 2 of this convention, children under the age of 14 years, who are admissible for full or part-time employment and children above 14 years of age who are subject to
full time compulsory school attendance are prohibited to work at night during a period of at least fourteen consecutive hours including the interval between 8 p.m. and 8 a.m..

Further, the children above 14 years of age, not subject to full time compulsory school attendance and below 18 years of age, are prohibited under Article 3 of this convention from taking employment at night during the period of at least twelve consecutive hours including the interval between 10 p.m. and 6 a.m. In both the cases, the convention makes some concessions regarding interval on special local conditions or exceptional circumstances besides some concessions for purposes of vocational training.

It is not applicable to those undertakings in India where the number of children and young persons employed is less than 20. Similarly, lower ages have been provided for different purposes; for purposes of Article 2, the age prescribed is 12 years instead of 14 years and for purposes of Article 3, 12 years to 15 years instead of 14 years to 18 years. However, India has not ratified this convention.

2.1.3.3.2. Recommendations

According to the Night Work of Young Persons (Non-Industrial Occupations) Recommendation, 1946 it is desirable to apply the provisions of the Convention No. 79 of 1946 to even
domestic servants under the age of 18 years and also to all family undertakings working for profit. It suggests further restrictions on the employment of children as performers in public entertainments etc. particularly when their age is below 14 years.

ILO has adopted the Night Work of Young Persons (Agriculture) Recommendation in the year 1921, which requires all the members of the ILO to take necessary steps for regulating the employment of children below 14 years of age and young persons between 14 years to 18 years of age in agricultural undertakings during night hours and the period of rest should not be less than ten consecutive hours in case of children and nine consecutive hours in case of young persons.

2.1.3.4. Other Conventions and Recommendations adopted by ILO for the welfare of working children

2.1.3.4.1. Conventions

Hours of Work (Industry) Convention (No.1), 1919 is the most important convention in the field of protection of child labour which came into force on 13th June, 1921. This convention prescribes the working hour as eight hours in a day and forty eight hours in a week. On 14th July, 1921 India ratified this convention and incorporated the provisions of this convention in the Mines (Amendment) Act, 1959, limiting the daily hours of work including overtime to ten. Certain

provisions are also made under the Factories Act, 1948 regarding the hours of work of young persons and children.

The International Labour Conference has promoted itself in favour of the principle calling for a special reduction of working hours of young persons in full time employment. The resolution concerning the protection of children and young workers adopted in the conference at its 27th session held at Paris in 1945, advocates "strict regulation of the daily and weekly hours of work with due regard to the varying needs of young people at different ages" and "efforts to reduce, in so far as may be practicable, the working week of young persons and children not attending school for not more than forty hours".

Further in 1930, Forced Labour Convention (No.29) was adopted to protect forced labour which indirectly includes the child labourers who are forced to join the labour force mainly because of economic necessity. In some other cases, these children have to contribute their labour as bonded labourers to repay the debts incurred by their parents to the employer. This convention was adopted with a view to prohibit the forced labour like slave trade and slavery in all its forms which also includes child workers (Art.1). The illegal exaction of forced

26. Ibid., P.5. The detail provisions will be discussed in Chapter III.


28. Article 1209, Supra note 26, P.952.
or compulsory labour shall be punishable under Article 25 of the convention as a penal offence.

Another remarkable convention in this regard is the Abolition of Forced Labour Convention (No.105), 1957 which aims at the immediate and complete abolition of forced or compulsory labour for political purposes as a method of mobilising and using labour for purposes of economic development; as means of labour discipline; as punishment for having participated in strikes and as means of racial, social, national or religious discrimination. This convention was treated as very important as the children and young persons are also included in the labour force due to several reasons to work as forced labourers and their protection is the main aim of all concerned at the global level. India has ratified this convention in 1954.

2.1.3.4.2. Recommendations

Recommendations relating to the welfare of the children and young persons protects child labour under Vocational Training (Fisherman) Recommendation, 1966; Apprenticeship Recommendation, 1939 and The Unemployment (Young Persons) Recommendation, 1935. The first two recommendations though do not exclusively refer to the children below 18 years, but has

29. Article 1232, Ibid., P.968.
close relationship with child welfare and the last one is exclusively meant for the young persons.

The Vocational Training (Fisherman) Recommendation, 1966 demands for a national education and training policy by each country intending to develop a fishing industry for ensuring a general network of training facilities to train the fisherman. It was mentioned in the recommendation that the member state should positively lay down the minimum age of entry into this training scheme and for medical examination for such persons.

The Apprenticeship Recommendation, adopted in 1939, prohibits the young persons to enter into apprenticeship training until that age, which should never below the age at which school attendance ceases to be compulsory and also provides for medical examination of persons entering in to the apprenticeship training.

The Unemployment (Young Persons) Recommendation, 1935 provides some notable suggestions for the welfare of the children and young persons. Thus, the minimum age for leaving schools and to undertake employment, as per this recommendation, should not be less than 15 years of age and unemployed children over that age are required to attend the school full time till suitable
employment is available for them. Those who are no longer in the full time attendance at school, may attend continuation courses providing a combination of general and vocational education till they reach the age of 18 years. It will be more fruitful if the children be encouraged to attend the secondary or technical schools beyond the minimum school leaving age.

Besides these recommendations, the Lead Poisoning (Women and Children) Recommendation, 1919 is another remarkable recommendation in this respect, which at first prohibits the employment of women, children and young persons under 18 years of age in manufacturing processes connected with lead or zinc. But it allows the employment of women and young persons in these processes subject to certain conditions relating to safety and medical examination etc.

The recommendation adopted by the ILO in 1965 named as the Conditions of Employment of Young Persons (Underground work) Recommendation, 1965 suggests some measures for the safety of young persons working underground in mines like training programme including practical and theoretical instructions in the health and safety hazards, first-aid, recreational activities, additional food and feeding facilities and rest period of minimum thirty six hours to forty eight hours in a week besides a minimum number of other holidays etc.
2.2. PROTECTION OF CHILD LABOUR: AN INDIAN EXPERIENCE

2.2.1. Five-Year Plans

Planning in India derives its objectives and social premises from the public and private sectors of the economy. The private sector not only covers organised industries, but also small scale industries, agriculture, trade and a great deal of activity in housing and construction and other fields as well. India has acquired more than four decades of experience in formulating and implementing nation wide public plans and thus since 1951, it has become an integral part of Indian economic system which demands several achievements to its credit.

As per the formulation of Five-year Plans by Planning Commission, the Government of India not only adopts it for the natural development in general, at the same time the plan also provides some targets to be achieved in different fields. Thus, a considerable place for labour welfare has always in existance in these five year plans.

In the First Five-year Plan (1951-56), the Planning Commission pointed out that the basic needs of the workers for food, clothes and shelter must be satisfied and should enjoy improved health services, wider provisions of social security, better educational opportunities etc. including protection against health and occupational hazards. Under the head of labour welfare, the Central and State Governments were intended
to spend about Rs. 7 crores during the period of the First
Five-year Plan.

The Second Five-year Plan (1956-61) continued the
policy laid down in the First Plan with necessary modifications.
The provisions for development programmes under the head of
labour welfare during this plan needed to Rs.19.81 crores; Rs.12
crores at the Centre and Rs.7.81 crores in the plan of the
states where as in the Third Five-year Plan (1961-66) it was
increased to Rs.71.08 crores; Rs.44 crores at the Centre,
Rs.25.19 crores in the states and Rs.1.89 crores in the union
territories. According to this plan, the labour policy should
aim to fulfill the unfulfilled part of the policies and
programmes of the First and Second Five-year Plans, particularly
regarding a fair and need based minimum wage besides other
matters. Also, it was proposed to institute suitable training
programmes, worker's education programme, social security
programme etc. through which the workers in general will be
benefited to a great extent.

31. See in the Draft outline of the First Five-Year Plan,
Part III, Chapter-XIV; Labour and Industrial Relations,
Final Plan, Part III, Chapter XXXIV.
32. Second Five-Year Plan, Chapter XXVIII, Labour Policy
and Programmes.
The Fourth Five-year Plan (1969-74) aimed at raising the standard of living of the people through different programmes for promoting equality and social justice. This plan laid particular emphasis on improving the condition of less privileged and weaker sections of the society, especially through the provision of employment and education. It dealt with the labour policy and programmes for the labour welfare and accordingly a total sum of Rs.39.30 crores was provided for labour welfare and craftsmen training programme. The Plan proposed Rs.10 crores for the centre, Rs.27.02 crores for the 34 states and Rs.2.88 crores for the union territories.

The Fifth Five-year Plan (1974-79) aimed at removing the unemployment, poverty and inequalities for progress towards self-reliance besides achievement of a higher rate of growth of economy as compared to the past. For labour welfare in general including craftsmen training, an outlay of Rs. 50.14 crores was made to mitigate the issue (Rs.14.18 crores for the centre, Rs.30.92 crores for the states and Rs. 5.04 crores for the union territories) whereas the Sixth Five-year Plan (1980-85) envisages an outlay of Rs.1,72,210 crores for the labour welfare through which labourers in general can be benefited.

34. Final Fourth Plan, Chapter CXII, Labour and Employment.
The Seventh Five-year Plan (1985-90) provides an important place for 'social services' in it which includes health, education and culture of the poor and the backward classes and welfare of scheduled castes, scheduled tribes, and labour welfare. A special provision has been made for the upliftment of the quality of life of the vulnerable sections like children, women and the handicapped, besides various schemes of improving nutrition of the poor, to raise the functional efficiency of the labour. Thus, this Plan, especially for the welfare of the poor children and labourers, under the list of provisions for 'social services' allocates about one sixth of the total plan resources i.e. about 16.31 percent.

The Eighth Five-year Plan (1992-97) mainly aims at giving emphasis on employment generation, population control, complete eradication of illiteracy by the turn of the century, adequate provision of drinking water, primary health care, poverty alleviation programmes and welfare programmes for the weaker sections, as part of human development programme. For labour and labour welfare, an outlay of Rs.333.72

36. Ibid., p. 675.
37. Seventh plan, Vol.I; Grand total of the public sector outlay is Rs. 1,80,000.00 crores and total allocation for 'Social Services' out of the total amount is of Rs. 29,350.46 crores which comes to 16.31 percent of the total plan resources.
crores had been provided in the Seventh Plan, but the actual expenditure was Rs.485.14 crores, and an outlay of Rs.1315.39 crores (Rs.451.00 crores at the centre and Rs.864.39 crores at the states and union territories levels) has been provided during the Eighth Plan. The schemes for the welfare and development of children in the central sector was assigned with an outlay of Rs.1771.00 crores.

2.2.2. National Policy

As per the Minimum Age Convention, 1973 adopted by the ILO, India has evolved a National Policy accordingly for welfare of the children in the year 1974. As per its introductory note, the nation's children are a supremely important national asset and it aimed at reducing the inequality and ensuring social justice. Regarding the goals to be achieved, the Policy says that, the Constitution of India has already expressed our duties towards children and about their basic needs. India is a party to the UN Declaration on the 'Rights of the Child' and the goals set out in these documents can reasonably be achieved only by judicious and efficient use of the available national resources.

39. Ibid.
40. Ibid, Chapter 15 (Social Welfare); Annexure 15.1.; p.413.
Hence it shall be the policy of the states to provide adequate services to the children to ensure their full physical, mental and social development. To eradicate child labour, the National Policy, adopted on 22nd August, 1974 through Resolution No.1-14/74-CDD, suggests measures like:

(i) All children shall be covered by a comprehensive health programme.

(ii) The State shall take steps to provide free and compulsory education for all children up to the age of 14 years for which a time bound programme will be drawn up consistent with the availability of resources.

(iii) Children unable to take full advantage of formal school education shall be provided other forms of education suited to their requirements.

(iv) Physical, recreational as well as cultural and scientific activities shall be promoted in schools, community centres and such other institutions.

(v) To ensure equal opportunity, special assistance shall be provided to all children belonging to the weaker sections of the society.
(vi) Socially handicapped children, delinquent children or children in distress or those who have been forced to take begging shall be provided facilities for education, training and rehabilitation and will be helped to become useful citizens.

(vii) All children shall be protected against neglect, cruelty and exploitation.

(viii) No child under 14 years of age shall be permitted to be engaged in any hazardous occupation or be made to undertake heavy work.

Over and above to the policy measures, it advocates for the constitution of National Children's Board to provide necessary attention and to ensure at different levels continuous planning, review and co-ordination of all the essential services required for welfare of the children. At the same time, the Policy needs the help of voluntary organisations and legislative as well as administrative support of the State to achieve the above goal.

2.2.2.1. National Policy on Child Labour

On 12th August, 1987 a three point National Policy on Child Labour was announced by the government providing for legal action, general welfare and development programmes for the benefit of child labourers wherever possible and project-based
plan of action in areas of high concentration of child labour engaged in wage/quasi-wage employment as well as for rehabilitation of children. Under the legal action plan, emphasis is given on strict and effective enforcement of the provisions of Child Labour (Prohibition and Regulation) Act, 1986, Factories Act, 1948, Mines Act, 1952, Plantations Labour Act, 1951 and all other Acts containing provisions relating to employment of children. The Policy seeks to utilise the on-going development programmes for the benefit of child labourers and their families and various national development programmes now exists with wide coverage in areas of education, health, nutrition and integrated child development.

Under the project based plan of action, ten projects were proposed to be taken up in areas of child labour concentration including the match industry in Sivakashi, diamond polishing industry in Surat, precious stone polishing industry in Jaipur, glass industry in Ferozabad, brassware industry in Moradabad, handmade carpet industry in Mirzapur, Bhadohi and Jammu & Kashmir, lock making industry in Aligarh, slate industry in Maarkapur in Andhra Pradesh and Mandsaur in Madhya Pradesh.

In June 1995, the Commission on Labour Standards and International Trade has recommended for formulation of a new

National Policy on Child Labour and creation of child labour fund to abolish an estimated 25 million child labourers in the country by 2010 A.D. It also urged the government to campaign internationally to create a global fund to share the cost of abolishing child labour, which is growing at the rate of four percent annually.

While the legal weapons for pursuing elimination of child labour have already exist in abundance in India, what is important to-day is to formulate a new National Policy on Child Labour with a national determination to implement it with full co-operation between the government, industry and labourers.

2.2.2.2. National Policy on Education

The National Policy on Education gives an unqualified priority to universalisation of elementary education which emphasizes universal enrollment and universal retention of children upto 14 years of age and in turn, it will help indirectly to prohibit child labour to a great extent. The conclusive idea regarding the number of working children is lacking. However, it has been assured in the policy that a large number of out-of-school children are unable to avail themselves of the benefit of schooling because they have to work to supplement

42. The Times of India; New Delhi, National, Vol. CLVIII, No.142, June 15, 1995, Thursday,P.5.
family income or otherwise assist the family. It proposes a large
and systematic programme of non-formal education for working
children.

The Policy proposes a comprehensive system of incentives
and support system for the girls and the children of economically
weaker sections of the society. These include establishment
of day care centres for pre-school children and infants,
provisions for the girls of all infant families below the
poverty line, two sets of free uniforms, free text books,
free stationary and attendance incentives and even free
transportation in the State roadways buses to the children
attending to elementary schools, by which it is hoped that the
poor parents as well as the children will be attracted for
education more and more which in due course will be able to
minimise the problem of child labour from the society.

2.2.3. Other Measures Taken At Government Level : A Chronological
Review

In 1979, a Committee on Child Labour was set up by the
Government under the Chairmanship of Shri M.S. Gurupadaswamy to
look into the causes leading to and the problems arising out of
the employment of children. The Committee submitted its report
in the same year and made 23 recommendations to improve the
conditions of child labour. These recommendations relate to, among
other things, enhancement of penalty for violation of labour laws
relating to children; setting up of Advisory Boards on Child
Labour; strengthening of enforcement machinery providing education, health, recreation and other facilities etc. Accordingly, Government was required to implement the following schemes/projects to humanise and gradually eliminate child labour:

(i) Grants-in-aid to voluntary agencies for taking up action-oriented projects for benefit of the working child.


(iii) Formulation of pilot projects under the National Child Labour Programme for the benefit of children employed in certain employments.

(iv) Formulation of a National Child Labour Policy to give certain welfare benefits to child workers.

In September, 1990 a Child Labour Cell has been established at National Labour Institute with the support of Ministry of Labour and UNICEF. Its objectives are to document and bring out published and unpublished research studies on situations and conditions of children working in various industries and regions of India; to develop audio-visual, video, printed communication materials for public education and training of various officials concerned with working children; to review.

the existing laws and the enforcement machinery concerned with child labour; to support and strengthen the public awareness and education through workshops, conferences, symposia with involvement of experts, activists, planners, administrators and non-government organisations working in the area of child labour; to develop national and international network among various institutions, voluntary agencies, University departments and ministers on the subject of child labour; to impart training to officials and non-government organisations working in the area of child labour; and to promote better understanding on the subject by offering facilities for research and training through short-term fellowships, action-research projects, etc.

The Cell has taken up publication of reports/studies on street children; prepared summaries of child labour in various industries; started research project on girl child labour in the match industry of Sivakasi; taken up evaluation of non-government organisation projects on child labour funded by the Ministry of Labour; conducted seminars on various aspects of child labour etc. In addition, the Cell has conducted two workshops on child labour, one in Tamil Nadu and the other in Uttar Pradesh with an aim to focus the problems of child labourers in the states concerned and to finalise the action programmes with a view to deal more effectively with the problems.

The Government is now implementing an ILO programme entitled "An International Programme for the Elimination of
Child Labour" (IPEC) which aims to focus on worst abuses of child labour, hazardous work, forced labour, employment of children below the age of 12 or 13 years, girls and street children. The programme seeks to pool together the resources of the Government and those of the non-government organisations and in an attempt to encourage, promote and support action-oriented programmes. The Government has drafted a bill to ensure equal wages for the minor and adult workers. The move is meant to make employment of children less lucrative. The initial contribution made for this programme by Germany is 50,000,000 DM. The programme was launched in January 1993. So far, thirty-three action programmes under the IPEC have been approved and more proposals are under consideration. One IPEC project with an integrated approach aims at rehabilitating 5,000 children every year from the carpet trade. Of course, the Government of India is spending annually Rs.10 crore on ten national level pilot projects in priority industries to wean away child labour and rehabilitate them for which in 1995, Germany has contributed 2.5 million DM to India to work in this regard.

The Indian National Trade Union Congress (INTUC) and Centre of Indian Trade Unions (CITU) have also signed agreements with ILO to implement a project as a part of the IPEC. Under the

44. The Samaja; Cuttack, Vol. 66, No. 95. April 13, 1995, Thursday.
agreement, INTUC will get $81,700 and CITU will get $76,522. In addition, CITU has agreed to contribute $8,494 which is a minimum cost of the input provided by the implementing agency. A nation wide campaign has been lodged for the eradication of child labour and the trade unions are required to prepare a draft action programme proposals which is to be forwarded to the IPEC after it has been discussed with the grass root level workers.

The National Human Rights Commission (NHRC) suggests that Rs. 1,500 only as compensation is to be made to each rehabilitated child every month so that there should be no temptation to send the children back to work. The NHRC mainly aims at eliminating child labour from glass and fire-work industries and the scheduled time period is five years.

In 1995, the Government of India has set up the National Child Labour Elimination Authority under the Chairmanship of the Labour Minister to monitor schemes for phasing out the two million children engaged in hazardous jobs by the year 2000. As per the recommendation of the authority, the Government intends to provide full employment to the parents of the children through

45. The Lawyer; Jan-Feb.1995, P.8.
46. Ibid, P.11.
different programmes and at the same time incentives like mid-day meal and a stipend of Rs.100 only per month etc. will be provided to the child labourers attending the school regularly. Through 60 projects under this scheme, in the first phase about one lakh twenty thousand child labourers working in hazardous occupations will be benefited. There is the provision of non-formal education and vocational training for the working children in this project.

The Government of India has launched a number of programmes having the aim of upliftment of the standard of living of the poor families who are due to acute poverty, compelled to send their children to work as a helping hand in the family income.

The programmes such as National Rural Employment Programme (NREP), Integrated Rural Development Programme (IRDP), Rural Landless Employment Guarantee Programme (RLEGp) etc. are in force in the rural areas for poverty alleviation through self employment, being financed by the Government. But selection of the families who have child labourers in them should be kept in view.

The National Children's Board constituted under the Department of Women and Children Welfare, is suggested to focus

47. Ibid., P.10.; See also The Statesman; Calcutta, February 9, 1995, Thursday, P.5. Also see The Times of India; New Delhi, National, Vol.CLVIII, No.68, March 22, 1995, Wednesday, P.7. See also The Samaja; Cuttack, Vol.66, No.251, September 24, 1995, Sunday, P.11.
on various problematic areas in which children suffer and to ensure continuous planning, review and co-ordination of all the essential services for these children.

2.2.4. Role of Non-Government Organisations (NGOs) / Voluntary Organisations

Voluntary organisations are not a new phenomenon in India. Voluntary efforts have always been an important part of our culture and social tradition. The need for organising people in to accredited associations and their involvement and participation in different developmental issues has now been fully recognised.

In India, thousands of voluntary organisations/NGOs are working in this field having the goal of eradication of child labour problem and to rehabilitate them after the release from the clutches of the exploitative employers.

The names of some well-known NGOs/voluntary organisations concerned with the working children in national level are Campaign Against Child Labour (CACL), South Asian Coalition on Child Servitude (SACCS), Society for Promotion of Area Resources (SPARC), Bandhua Mukti Morcha (BMM), Concern for Working Children (CWC), Co-ordination Committee for Vulnerable Children (CCVC), Centre for Concern for Child Labour (CCCL), Butterfly, Child Relief and You (CRY) and SOS village etc. Various other NGOs / voluntary organisation which are well-known
for their sincere services in the state/union territory level for the eradication of child labour, welfare of working children and street children, children in the slums, rag-picking children, non-formal education for the working children and after all for their rehabilitation are SHELTER, YUVA and Children Aid Society etc. of Bombay; REDS of Bangalore; Bhagavantulu Charitable Trust (BCT) and Mamidipudi Venkatarangaiah Foundation (MVF) of Andhra Pradesh; Indian Council for Child Welfare, Ankur and Bonded Labour Liberation Front of New Delhi; Shramik Vikas Sewa Ashram of Allahabad, Banwasi Seva Ashram and CREDA of Mirzapur; Ankur Bharati of Baroda; National Labour Organisation and Amrit Child Labour Welfare Society of Ahmedabad; Bihar Januthan Parishad of Patna; Gramodaya of Palamau; Action Aid of Madras and Mahauri Multipurpose Social Service Society of Tamil Nadu; Ruchika Social Service Wing, OSCARD, CPSW and CYSD of Bhubaneswar; Society for Weaker Community of Bhadrak; Vivekananda Education Society of Calcutta and Child in Need Institute of 24 Progana etc. besides a number of Institutes working for the same throughout the country.

The Campaign Against Child Labour (CACL) was convened on November 14, 1992 with the help of International Programme for Eradication of Child Labour (IPECL). This is an umbrella organisation against child labour which has grown into a nation-wide network of over three hundred NGOs as members linked by a common long-term goal of complete eradication of child labour. CACL is trying to discriminate information on children's
right, to create public awareness which simultaneously working with child labourers and their parents to sensitise them about their rights. The another main objective of CACL is also to popularise the UN Convention on the 'Rights of the Child', 1989 and the ILO Conventions on protection of children. It has a two pronged strategy, agitating for the review of legislation and attempting to solve immediate problems like lack of non-formal education, health check-ups etc. However the campaign does not tackle individual cases, but the grass-root organisations affiliated to CACL deal with them on an everyday basis.

A National NGO Forum (NNF) comprising of a number of voluntary organisations interested in the welfare of the working and street children has also been formed in Delhi. The aim of the Forum is to enable the voluntary agencies to come together and take up issues and promote the cause of the street children. The NGO Forum also brings out a 'News-Letter' every quarter to promote exchange of ideas.

As rag-picking is included in the sphere of child labour, now a number of attempts have been made by various organisations regarding this issue. Anslem Rosario of REDS, Bangalore is in dead against of the practice of rag-picking by the children as the working environment of the rag-pickers is purely unsafe for a child's physical and mental well being. This
Organisation dreams about a civilised urban habit developed in which urban waste is disposed off in a more organised manner than what is possible today. Further, REDS advocates for the public awareness regarding the issue and trying its best to release the unfortunate rag-picking children from the clutches of the rag-picking gang leaders.

But the organisations like SPARC, SHELTER and YUVA advocate in support of the rag-picking by the children and say that it should be accepted as a legitimate profession, but at the same time emphasised on providing operational facilities for these rag-pickers and preventing their exploitation by whole sellers.

In 1992, the Central Government launched a Rs.15 crore scheme to support NGOs working for street children. The UNICEF sponsored community based project was supposed to provide for the children's basic needs like food, shelter and education. The few, who care enough to get down to do something for them have decided to get-together and an umbrella organisation for street children was formed in Bombay. The Co-ordination Committee for Vulnerable Children (CCVC) involves fifteen organisations right from UNICEF, Snehasadan, Vatsalaya and Pride India to Juvenile Aid Police Unit, Door step School, Hamara Club and SHELTER among others.

Society for Promotion of Area Resources (SPARC), an organisation that works with slum dwellers and street
children feel that the children have to be rehabilitated and sent back home as soon as possible. SPARC's associates Mahila Milan, an organisation of women in slums, takes care of the slum children if such care is required.

Another form of child labour is bonded labour which is prevalent in agricultural sector, construction, brick kilns, stone quarries and industries like glass and bangles, match box etc. Along with the Government Organisations like Indian Social Institute, New Delhi, voluntary organisations at national and state level like Akhil Bharatiya Mazdoor Mukti Sangha ( ABMMS ) Bandhua Mukti Morcha ( BMM ), Action for Welfare and Awakening in Rural Environment ( AWARE ), Chhatisgarh Krishak Mazdoor Sangh etc. are making every effort to eradicate the problem. These organisations provide legal aid to promote social justice amongst the weaker sections of the society through legal education and legal action.

It was the cry of million deprived children living in squalor and struggling to survive which was the moving force behind the birth of Child Relief and You ( CRY ), a non-government organisation that strives to bring back the smile on their lips. It has come as a beacon of hope to thousands of unprivileged children, who now find their lives transformed by its pioneering efforts.
CRY was born out of the sensitive mind of Rippan Kapur with an amount of RS.49 and through its swift, efficient and experience of 15 years it has so far supported 121 development projects with funds of over Rs.5 crore, changing the lives of 6,00,000 children all over the country, having its headquarters in Bombay and branches in Calcutta, New Delhi, Madras and Bangalore.

SOS Children’s Village, an organisation running on sponsorship is one type of Foster Homes aims at entrusting the needy children having no other support. It is a voluntary, non-government, non-profit organisation which cares for thousands of children, now functioning in seventy countries all over the world. Today, India has more than twenty-five SOS villages and a National Award has been given to SOS for its commendable work in Maharashtra.

The Ruchika Social Service Wing of Bhubaneswar, was started in 1985, with the simple clear intention of taking schools to where children lived and at times suitable to them. The programme covered not only working children, but all those marginalised sections of society who needed education and were not covered by literacy programmes. The main thrust was, and

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remains, children who are forced to work. This organisation feels that every child has a right to life and each life has its own sanctity. This sanctity is nurtured and cultivated by education as a flower in a well tended garden and therefore every child has right to be that flower, carefully looked after and cherished.

2.3. SUM-UP

Though several attempts have been made throughout the world to root out the child labour problem, it seems to be inadequate for achieving this goal as some of the attempts have failed to touch the target as expected due to various reasons, may be for some lacunae in the schemes / programmes ; for improper approach; for un-awareness of the people etc.

In any developmental process, there always comes a number of obstructions. With a determined effort, one can cross these hurdles. We have to move forward to achieve this noble aim and therefore, we should not become tired; we should not be bored; we should not run away like cowards; because problem of child labour is a challenge for us and we must tackle this challenge.