

*Report of the
Working Group on*

**CHILD LABOUR
FOR THE
11th FIVE YEAR PLAN**



Government of India
Planning Commission
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REPORT OF THE WORKING GROUP
ON CHILD LABOUR
FOR THE 11TH PLAN STRATEGY FORMULATIONS

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CHILD LABOUR

1. REVIEW OF THE MAGNITUDE OF CHILD LABOUR IN THE COUNTRY

1.1 A child is an invaluable asset of any society and has a definite role to play in the development of the nation. The future of a country depends on how its children are being nurtured to become the future citizens of the country. Some of the children, forced by their socio-economic conditions, take up work at a crucial formative age. A child whose legitimate place is at school is found to be holding a chisel in his hand to supplement the income of his family. This not only prevents these children from getting basic education but also is highly detrimental to their health and leads to the intellectual and physical stunting of their growth. Deprivation of the life of academics and other activities of joyful childhood leads to underdevelopment of their innate capacities, which further perpetuates a scenario of poverty, illiteracy underdevelopment and deprivation.

1.2 Though there are clear provisions in our Constitution to safeguard the interest of children by ensuring that they receive education and are not forced to work for a living, it is unfortunate that the problem of child labour exists to a large extent in our country. In fact, child labour is the result of various ills in the society. Poverty and illiteracy are two such manifestations, which are visible but there are many other factors inbuilt in our society, like the position of women in the family, traditional and cultural practices and feudal attitudes in the country, perpetuating this problem.

1.3 In absolute numbers, the problem is large. As per the Census 2001, there are 1.26 crores economically active children in the age-group of 5-14 years. The number was 1.13 crores in the 1991 Census. The incidence of working children in the states as per the 1991 and 2001 Census is given below:-

**State-wise Distribution of Working Children according to 1991 and 2001
Census in the age group 5-14 years**

Sl. No	Name of the State/UT	1991	2001
1.	Andhra Pradesh	1661940	1363339
2.	Assam *	327598	351416
3.	Bihar	942245	1117500
4.	Gujarat	523585	485530
5.	Haryana	109691	253491
6.	Himachal Pradesh	56438	107774
7.	Jammu & Kashmir **		175630
8.	Karnataka	976247	822615
9.	Kerala	34800	26156
10.	Madhya Pradesh	1352563	1065259
11.	Maharashtra	1068427	764075
12.	Chhattisgarh		364572
13.	Manipur	16493	28836
14.	Meghalaya	34633	53940
15.	Jharkhand		407200
16.	Uttaranchal		70183
17.	Nagaland	16467	45874
18.	Orissa	452394	377594
19.	Punjab	142868	177268
20.	Rajasthan	774199	1262570
21.	Sikkim	5598	16457
22.	Tamil Nadu	578889	418801
23.	Tripura	16478	21756
24.	Uttar Pradesh	1410086	1927997
25.	West Bengal	711691	857087
26.	Andaman & Nicobar Island	1265	1960
27.	Arunachal Pradesh	12395	18482
28.	Chandigarh	1870	3779
29.	Dadra & Nagar Haveli	4416	4274
30.	Delhi	27351	41899
31.	Daman and Diu	941	729
32.	Goa	4656	4138
33.	Lakshadweep	34	27
34.	Mizoram	16411	26265
35.	Pondicherry	2680	1904
	Total	11285349	12666377

** Census could not be conducted.

The State with the highest child labour population in the country is Uttar Pradesh, followed by Andhra Pradesh. Other States where child labour population is more than 1 million are Rajasthan, Bihar, Madhya Pradesh and West Bengal. While there has been a decline in the incidence of child labour in few

states like Andhra Pradesh, Maharashtra, Karnataka, Gujarat, Orissa & Tamil Nadu, there has been an increase in Bihar, Haryana, Rajasthan, Uttar Pradesh & West Bengal.

1.4 The Registrar General of Census has recently provided occupation-wise data of children in this age group working in the non-agricultural sector. Though the classification of occupations in the Census data is not exactly matching with the occupations listed as hazardous under the Child Labour (Prohibition & Regulation) Act, a tentative segregation of data into hazardous & non-hazardous occupations has been done to enable us to have a broad estimation of children working in different occupations. As per this data, 36.43 lakh children in the age group of 5-14 years are working in non-agricultural sector in the country, out of which 12.19 lakh children are working in hazardous occupations. Their distribution in some major hazardous occupations is given below:

Number of child workers (5-14 years) engaged in Hazardous Occupations as per 2001 Census

1	Pan, Bidi & Cigarettes	252574
2	Construction	208833
3	Domestic workers*	185505
4	Spinning/ weaving	128984
5	Brick-kilns, tiles	84972
6	Dhabas/ Restaurants/ Hotels/ Motels*	70934
7	Auto-workshop, vehicle repairs	49893
8	Gem-cutting, Jewellery	37489
9	Carpet-making	32647
10	Ceramic	18894
11	Agarbati, Dhoop & Detergent making	13583
12	Others	135162
	Total	1219470

*Ministry has recently issued notification to include children working as domestic workers and in dhabas/restaurants, hotels, etc. in the list of hazardous occupations w.e.f. 10th October 2006.

International Scenario

1.5 As per the Global Report on Child Labour released by ILO recently, there are 191 million economically active children in the world in the age-group of 5-14 years in the year 2004. This has come down by 9.6% from 211 million in the year 2000. Out of these, 64% are concentrated in Asia Pacific region, followed by 26% in Sub-Saharan Africa, 3% in Latin American and Caribbean Countries and 7% in other areas.

1.6 Around 70% of the working children are in Agricultural sector, 22% in services and 9% in industry including mining, construction and manufacturing. There has been a sharp decline of 33% in the children working in hazardous occupations in the age group of 5-14 years. Latin America and the Caribbean stand out in terms of a rapid decline in the number of child labour from 17.4 million in 2000 to 5.7 million in 2004 i.e. a decline of 67% in child labour.

1.7 In terms of activity rate, i.e. the percentage of children who are economically active in their age group, there has been a very significant decline in the Latin America and the Caribbean from 16.1% to 5.1%. The world average activity rate of children in 5-14 years age group is 15.8%. The activity rate in sub-Saharan Africa is 26.4% and in Asia-Pacific region is 18.8%. Interestingly, the activity rate of children in this age group in India as per Census 2001 is 5%, which has come down from 5.7% in 1991.

II. REVIEW OF EXISTING PROGRAMMES FOR REHABILITATION OF CHILD LABOUR & THE 10TH PLAN STRATEGY

Law, Policy and Programme

2.1 As per Article 24 of the Constitution, no child below the age of 14 years is to be employed in any factory, mine or any hazardous employment. Further, Article 39 requires the States to direct its policy towards ensuring that the tender age of children is not abused and that they are not forced by economic necessity to enter avocations unsuited to their age or strength. Recently, with the insertion of Article 21A, the State has been entrusted with the task of providing free and compulsory education to all the children in the age group of 6-14 years.

2.2 Consistent with the Constitutional provisions, Child Labour (Prohibition and Regulation) Act was enacted in 1986, which seeks to prohibit employment of children below 14 years in hazardous occupations and processes and regulates the working conditions in other employments. In the last 5 years, the number of hazardous processes listed in the schedule of the Act has increased from 18 to 57 and occupations from 7 to 13. Recently, Government has also decided to include children working as domestic servants and those working in dhabas/roadside eateries/motels etc. in the category of hazardous occupations.

2.3 Realizing the multifaceted and complex nature of this problem, Government had embarked on a holistic and a multi-pronged programme to eliminate child labour from the country in a phased manner beginning with children working in hazardous occupations and progressively covering the children working in other occupations also. The National Policy on Child Labour announced in 1987, emphasizes the need for strict enforcement measures in the

areas of high child labour concentration along with appropriate rehabilitative measures to curb this menace.

2.4 Although Government is committed to the task of elimination of child labour in all its forms, considering the nature and magnitude of the problem, gradual and sequential approach has been adopted to withdraw and rehabilitate children beginning with those working in hazardous occupations and processes.

2.5 Government strategy is multipronged, which involves strong enforcement of the existing Act with simultaneous efforts towards rehabilitation of both parents and children through linkages with the poverty eradication and income generation programmes of the Government. This is because working children are from extremely poor families and are contributing to the meagre income of their families, a blanket prohibition on all kinds of child labour without providing an alternate means of financial support is likely to punish parents who are already living in abject poverty.

2.6 In order to translate the above policy into action, the Government of India initiated the National Child Labour Project Scheme in 1988 to rehabilitate the working children starting with 12 child labour endemic districts of the country. Under the Scheme, working children are identified through child labour survey, withdrawn from work and put into the special bridge schools, so as to provide them with enabling environment to join mainstream education system. In these Special Schools, besides formal education, they are provided stipend @ Rs.100/- per month, nutrition, vocational training and regular health check ups. In addition, efforts are also made to target the families of these children so as to cover them under various developmental and income/employment generation programmes of the Government. The Scheme

also envisages awareness generation campaigns against the evils of child labour and enforcement of child labour laws.

2.7 The NCLP Scheme is implemented through a district level Project Society, headed by the District Collector. This Project Society, includes prominent NGOs and Trade Unions of the district, in addition to the State Government officials from Education, Health, Rural Development, Labour, Social Welfare and Women & Child Development Departments, etc. The involvement of different departments in the Project Society is to ensure better convergence with these Departments for implementation of the Scheme. As far as possible, running of Special Schools for child labour is entrusted to NGOs. It may, however, be taken up by the Project Society itself, if competent and experienced NGOs are not available in the district for this purpose. The Scheme offers lot of flexibility and decentralization, wherein based on the broad guidelines laid down by the Government of India, all decisions concerning running of the schools or selecting the NGOs etc. are taken at the level of Project Society. The funds under the Scheme are sanctioned by the Ministry directly to the District Collector, who in turn, disburses them amongst the NGOs for running these Special Schools for working children. The funds are also provided under the Scheme for conducting regular child labour surveys, awareness generation programmes and training of instructors/teachers, etc.

2.8 The coverage of the NCLP programme, which started with 12 districts has been thereafter progressively increased to cover much larger number of districts in the country. In fact, major thrust to the programme came with the landmark judgement of the Hon'ble Supreme Court in December 1996 in the case of *M.C. Mehta Vs. State of Tamilnadu*. The Hon'ble Supreme Court gave certain directions regarding the manner in which the children working in the hazardous occupations were to be withdrawn from work and

rehabilitated, as also the manner in which the working conditions of the children employed in non-hazardous occupations were to be regulated and improved upon. The Hon'ble Court specifically ordered withdrawal of children working in hazardous industries and ensuring their education in appropriate institutions. It also prescribed employment of at least one adult member of the family of the child so withdrawn from work, a contribution of Rs.20,000/- per child was ordered to be paid by the offending employer into a corpus of fund set up for the welfare of child labour & their families. Failing which, the State Government to contribute to this Welfare Fund Rs.5,000/- per child. The interest earnings of this corpus were to be used for providing financial assistance to the families of these children. The Hon'ble Court also ordered regulation of working hours for the children engaged in non-hazardous occupations, so that their working hours did not exceed 5-6 hours per day and that at least two hours of education was ensured. It further directed that the entire expenditure on education of these children be borne by their employers.

2.9 In pursuance with the directions of the Hon'ble Court, fresh child labour surveys were conducted in child labour endemic districts of the country and the States were directed to step up enforcement measures.

The Hon'ble Supreme Court is monitoring the directions issued in this judgment continuously since then. Based upon the reports received from the State/U.T. Governments, the Ministry of Labour & Employment has been regularly filing Affidavits to apprise the Hon'ble Court of the progress in this regard. So far, 8 affidavits have been filed by the Ministry of Labour & Employment before the Hon'ble Supreme Court, i.e. on 5.12.1997, 21.12.1999, 4.12.2000, 4.7.2001, 4.12.2003, 26.9.2005, 18.4.2006 and 20.07.06.

2.10 The progress of implementation of the NCLP Scheme is monitored in the Ministry through the prescribed periodical reports & regular visits from the

officials of the Ministry, State Government and audit departments. A Central Monitoring Committee on Child Labour headed by the Union Secretary (Labour & Employment) and consisting of State Labour Secretaries and representatives from various Ministries connected with the implementation of the project has been set up to look into the important issues faced in implementing the Scheme. The Central Monitoring Committee had recommended setting up of State Monitoring Committees for monitoring the implementation of the Scheme at the State level, which are yet to be set up in most of the States. However, as per the directions of Hon'ble Supreme Court in 1996, in the case of M.C. Mehta Vs. State of Tamil Nadu, a Child Labour Cell has been formed in most of the States to implement the directions of the Hon'ble Supreme Court. This Cell has also been instrumental in monitoring the scheme.

Elimination of child labour under the 10th Plan

2.11 In order to provide rehabilitation to larger number of working children, Government decided to expand the coverage of the Scheme from 100 to 250 districts in the 10th Plan (**List of 250 districts is given in Annexure - I**). Further, to make the Scheme more effective, a revised strategy was also adopted in the 10th Plan, based upon the recommendations of an evaluation of the programme carried out in 2001 by V. V. Giri National Labour Institute with the help of some independent agencies. The revised strategy emphasized the need to continue the programme in a more focused, integrated & convergent manner. As such, it was decided to enroll working children in the age group of 5-9 years directly under the Sarva Shiksha Abhiyan, which had started in 2001-02, whereas those in the age group of 9-14 years to be covered under the Special Schools run under NCLP Scheme. Considering the fact that the number of child labour does not remain static, it was also decided to conduct at least two surveys during the 10th Plan to correctly assess the extent of child labour in the districts. For this purpose, a provision of Rs.2.75 lakh per survey was made for every NCLP district. In addition, a budgetary provision of Rs.1.25 lakh per year was also earmarked for raising public awareness against the evils of child labour.

2.12 Further, the nutritional component was doubled in the 10th Plan from Rs.2.50 per child/day to Rs.5. Beside, components of health care and vocational training was also greatly reinforced under the 10th Plan. Project Societies can now engage a doctor for conducting health check ups for every 20 Schools at an honorarium of Rs. 5,000/- per month. Provision of Rs.5,000/- per month was also made to engage a Master Trainer in the district to impart specialized skill training to Vocational Instructors & children in skills/trades, which are financially rewarding. In addition, funds @ Rs. 1500/-

per teacher were earmarked for their training and skill upgradation during the 10th Plan, with a view to improve the quality of teaching in NCLP Schools.

The budget allocation under the NCLP Scheme for the 10th Plan period was Rs.602 crores. The year wise break up of the allocation and expenditure under the Scheme during the 10th Plan is as follows:

(In lakhs)

Year	Allocation	Expenditure
2002-03	8010.00	6513.77
2003-04	7243.00	6783.00
2004-05	9905.00	9315.00
2005-06	11543.75	11503.82

Overview of the implementation of the Scheme in the 10th Plan

2.13 During the 10th Plan, new projects in 150 districts were sanctioned. Out of this, 50 were sanctioned in February 2004 and 100 in October 2004. So far 86 new projects have been operationalized as per the details given below:

Status of Operationalization of new projects during the 10th Plan

State	Number of new projects Sanctioned	Number of new projects operationalised
Andhra Pradesh	1	1
Assam	3	1
Bihar	21	3
Chhattisgarh	3	1
Gujarat	9	1
Haryana	3	Nil
Jammu & Kashmir	3	Nil

Jharkhand	4	2
Karnataka	12	5
Madhya Pradesh	14	11
Maharashtra	11	5
Mizoram	1	Nil
Nagaland	1	Nil
Rajasthan	17	16
Tamilnadu	5	4
Uttar Pradesh	36	31
Uttranchal	1	Nil
West Bengal	10	5
Total	156*	86

*Note: Six additional districts were taken up during the 10th Plan in lieu of districts selected under the INDUS Project

2.14 Efforts are being made to operationalise all the remaining new projects also within 2006. Constant review and monitoring of the States is being done in this regard. Some of the States like Bihar, Haryana, Gujarat & Maharashtra have not been able to operationalise most of their projects. This issue has been taken up with the State Governments regularly at various levels. It is felt that the projects in these States require greater level of monitoring at the State level so that they are operationalised in a time bound manner and implemented in full scale. Further, considering the significant increase in the number of child labour in Bihar and the problem of migration of child labour from the State to metropolitan cities like Delhi, Mumbai and Bangalore, the new projects sanctioned in the State need to be operationalised quickly.

2.15 As regards the old 100 projects, the performance of the States is mixed. Some of the oldest projects are in the States of UP, Orissa, Andhra Pradesh,

Rajasthan, West Bengal and Tamilnadu. While the performance of Tamilnadu, Andhra Pradesh & Orissa is creditable as can also be seen in the decline in the number of child labour in these States, the efforts made in UP were not commensurate to the extent of the problem. It has shown sharp increase in the number of child labour between the 1991 and 2001 Census. Rajasthan & West Bengal have also shown an increase in child labour between 1991 and 2001 Census. A substantial increase in the number of child labour in Rajasthan is a matter of great concern.

2.16 The efforts of the State Governments in combating the problem of child labour can also be gauged from enforcement measures and extent of mainstreaming under the Scheme. As per the reports received from the State Governments, the enforcement data of the various States is given in **Annexure -II**. It may be seen that the level of enforcement in the States of Tamilnadu, Andhra Pradesh, Maharashtra & West Bengal is encouraging, whereas that in UP, Rajasthan, Madhya Pradesh & Orissa it is very low.

2.17 So far 3,74,255 children have been mainstreamed under the Scheme. The State-wise break up is as follows:

State	No. of children mainstreamed
Andhra Pradesh	1,73,297
Bihar	10,704
Jharkhand	10,231
Karnataka	10,467
Madhya Pradesh	2,314
Chhattisgarh	4,171
Maharashtra	8,235
Orissa	63,237
Rajasthan	11,371
Tamilnadu	39,523
Uttar Pradesh	23,251
West Bengal	16,086
Punjab	1,368

Total	3,74,255
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It may be seen that the States of Andhra Pradesh, Orissa & Tamilnadu performed well on mainstreaming.

ILO-International Programme for Elimination of Child Labour (IPEC)

2.18 ILO launched this Programme in 1991 to contribute to the effective abolition of child labour in the world. India was the first country to sign MOU in 1992. Currently there are three Projects in the country under this programme viz., INDUS Project, Andhra Pradesh Phase-II & Karnataka Project.

INDUS Child Labour Project

2.19 The Government of India, Ministry of Labour and US Department of Labour signed a Joint Statement on "Enhanced Indo-US cooperation on Elimination of Child Labour" in August 2000. As a follow up to Joint Statement, INDUS Project was launched in Feb 2004. The objective of the Project is to provide a comprehensive child labour elimination model worthy of replication elsewhere in the country. It is a time bound project of 3 years duration and is being implemented in 21 districts of 5 states of UP, MP, Tamilnadu, Maharashtra and Delhi (list of districts given at Annexure - III). The budget of the Project is 40 million US\$ with equal contribution from Government of India & US Department of Labour.

2.20 The Project envisages direct interventions in the identified 21 districts for identification and rehabilitation of child labour. The strategy under the project is to complement and build up on the existing government initiatives. It involves working closely with two important national programmes of National Child Labour Project (NCLP) Scheme & SSA Campaign of Education for All.

2.21 The INDUS Project is based upon the NCLP Scheme with some additional interventions, such as vocational training for adolescents, income generation alternatives to child labour families, training & capacity building programmes for Government agencies and civil society organizations, strengthening public education, greater convergence with mainstream education system through Lead schools & comprehensive child labour monitoring and tracking with the objective of replicating the successful interventions in the NCLP Scheme.

ILO-IPEC Andhra Project

2.22 The phase I of this Project has already been concluded and the Phase II of the Project is currently under implementation. In Phase II, it would focus on elimination of child labour in three districts of the State viz. Mahabubnagar, Kurnool & Hyderabad city. It would also devise special strategy for tackling the problem of child labour in Hyderabad city. The Project aims to develop and implement strategy for skill training for adolescent children through Vocational Training. It will also involve employers & workers' organizations in the child labour elimination efforts and work towards strengthening civil society efforts against child labour. Total project cost is Rs. 40 crores, equally shared between State Government of Andhra Pradesh & Government of UK (DFID) through ILO.

ILO-IPEC Karnataka Project

2.23 This Project is being implemented for the elimination of child labour in the two districts of the State viz. Chamarajanagar & Bidar. The Project would implement all the existing components of the NCLP and would also incorporate some of the additional components being implemented in other ILO Project like INDUS. The duration of the Project is 3 years with the budget of US\$ 3.29 million, which will be funded by the Government of Italy through ILO. Detailed

child labour survey has already been conducted in these districts and the detailed proposals are under preparation for setting up of Special Schools.

III. REVIEW OF PRESENT APPROACH – SOME ISSUES

3.1 With the enactment of Child Labour Act in 1986 and enunciation of Child Labour Policy in 1987, the Government has been following a sequential approach towards elimination of child labour in the country. While it is committed for elimination of child labour in all its forms in the country, the focus is on elimination of hazardous forms of child labour in areas of high concentration. With this approach, the NCLP Scheme, which was launched in 1988 in 12 districts of the country, has gradually been expanded to cover 250 districts as per the endemicity of child labour. The list of hazardous occupations and processes are also being progressively expanded to cover more and more sectors. At the time of enactment of Child Labour Act, there were 6 occupations and 13 processes, where employment of children was prohibited. The list has been expanded to include 13 occupations and 57 processes at present. In addition, Government has recently also included domestic servants and children working in dhabas, hotels etc. in the list of hazardous occupations, which cover a large number of working children in the country.

3.2 As per Census 2001, there are 1.26 crores working children in the country in the age-group of 5-14 years, which include about 12 lakh children working in hazardous sectors. The NCLP Scheme in the present form covers children working in hazardous occupations/processes in the age group of 9-14 years limited to the districts where it is being implemented. The scheme at its inception covered children in the age group of 5-14 years. But, with the launch of SSA in 2001-02, under the 10th Plan, it was decided to confine the focus of NCLP Scheme to the older children in the age group of 9-14 years, leaving the younger children to be directly covered under SSA. The Scheme, was expanded from 100 to 250 districts in the 10th Plan. However, it still left out more than half of the country from its ambit.

3.3 Considering the demand from various states for expansion of the Scheme to larger number of districts and the objective of the Government to progressively cover more and more working children under rehabilitation measures, there is a need to cover all the children engaged in hazardous sectors spread over in the country under the NCLP Scheme during the 11th Plan. This would also be in line with ILO Convention No. 182, which recommends urgent measures to be taken for eliminating worst forms of child labour. While ILO Conventions prescribe these actions for children upto the age of 18 years, considering the large number of working children below the age of 14 years in India, and also because of the socio-economic realities the age criteria for child labour will remain at 14 years. This is also in consonance with the Constitutional provisions under Article 21 A and Article 24, which target children up to 14 years of age.

3.4 Child Labour being essentially a result of poverty, the Government's approach for their rehabilitation, apart from education also included providing vocational skills to these children, which could help them to earn livelihood later in their lives. The well-planned pre-vocational skill education can help the children to link up with vocational training programmes being run in the district once they have completed their education. This is more for those children who, once they are over 14 years of age would not necessarily exercise the option to be mainstreamed to the formal system of education.

3.5 The pre-vocational training being imparted in the NCLP schools at present is not based on the market demand and the Vocational Instructors are also not so well trained in newer and innovative avocations which could be very important factor enabling the retention of these children in the special schools. The pre-vocational education in the special schools needs to be upgraded to enable the

children withdrawn from work to be equipped to retain traditional skills with an added emphasis on theory. The children who do not have any particular skill should receive a first level of sustained exposure to possible trades, which they could link into once they completed education and are of the appropriate age. Therefore in the NCLP schools the focus must move on from education per se to a greater synergy between basic education and well rounded planned vocational training which would adequately equip them with the requisite skills to enter the job market and thereby generate sustenance income for themselves and for their families at the earliest possible.

4.6 Experience of implementing the INDUS project has shown that there is also a great need to provide employable vocational skill training to adolescents to prepare them to enter the world of work with skills and attitude. It has also shown that providing vocational skills to this age group would also attract child labour families to positively change their behaviour in withdrawing their young children from work and motivate them to complete the primary education and then acquire technical skills. Providing vocational skills to working adolescents would also largely improve the access of vulnerable families to vocational education.

IV. MEASURES TO DEAL WITH CHILD LABOUR - STRATEGY FOR THE 11TH PLAN

Expansion of NCLP Scheme

4.1 The NCLP Scheme, which began with a modest number of only 12 districts has been progressively expanded to various parts of the country with a major thrust in the 10th Plan, when it was expanded to cover 250 districts, spread over in 20 States of the country. In addition, Indus Project, which is a joint Indo-US child labour project for rehabilitation of children, is being implemented in 21 districts of the country. The Project would be ending in August, 2007 and therefore these districts would also need to be taken over under the NCLP Scheme thereafter. There have been demands from various States for expanding the coverage of the NCLP Scheme to more districts. Some States like Orissa and Bihar have proposed for coverage of the entire State under the Scheme. To target every working child engaged in hazardous occupation in the country, which is the immediate objective of the Government, there is therefore, a need to expand the scheme to all the districts in the country. The Central Monitoring Committee (CMC) on Child Labour also recommended this in its last meeting (minutes of the CMC meeting given as **Annexure IV**). Hence, all other remaining districts having a reasonable number of working children in the hazardous category would have to be covered under the NCLP Scheme during the 11th Plan.

Revision of NCLP Scheme

4.2 The NCLP Scheme, within the broad guidelines, provides flexibility in implementing the Scheme at the field level. Various innovations and initiatives are therefore, being tried under the Scheme in different states as per their specific requirements. Some of the successful practices include development of standard curriculum for the Special Schools at the State level, Mid-day meal menu based on dietary habits and nutrition value, tracking & monitoring of children even after mainstreaming, closer interaction with education department and the mainstream schools for smooth transition of children into mainstream education system, immunization and regular health check-ups and provision for vitamin and mineral supplements through coordination with the Health Department and the provision of vocational skills to the children based on their aptitude and market needs. There is a need to incorporate some of these successful individual state interventions into the NCLP Scheme.

4.3 The recommendations of the Working Group regarding revision of the Scheme for the 11th Plan are as follows: -

(i) **Child Labour Survey:** - To have a correct estimate of child labour in the country, there is an immediate need for child labour survey in all the districts of the country. This is important since the last countrywide enumeration of the working children was held in 2001 Census and the incidence of child labour may have undergone change since then with population growth and the large-scale migration of workforce. The demand for child labour survey in all districts of the country has also been expressed in the Parliament and also by the State Governments, NHRC and Civil Society. Since the NCLP Scheme is proposed for expansion to all districts of the country, there is an immediate requirement for child labour survey in all these districts. The financial implication for

conducting child labour survey twice during the 11th Plan in 600 districts of the country @ Rs. 2.75 lakhs per survey per district works out to Rs. 33 crores (Annexure -VI).

(ii) **Standard Curriculum and Learning Materials:** - Experience of implementing the NCLP scheme has shown that those States, which have developed a standard curriculum for teaching children in the Special Schools, have had much better results in mainstreaming and retention of children as it helps in their smooth transition to regular schools. Therefore, there is a need to develop an improved and standardised curriculum to provide basic education in the special schools. The specific recommendations in this regard are:

- State Governments to develop a standard curriculum to be adopted in all the special schools in the State for providing uniformity and linkage with normal schools.
- The content of curriculum developed should be in consonance with the curriculum followed by the regular schools for ensuring smooth mainstreaming.
- State Education Departments and the curriculum and text-book development agencies be asked to develop new bridging modules or adapt the ones developed under SSA for this target group.

The proposal does not have any financial implication, as it would be using the SSA set up. However, if there is any additional requirement, then a separate allocation will be made to the concerned state governments. For this purpose a provision of Rs. One crore is proposed.

(iii) **Teachers' Training:** - To make learning a joyful and enriching experience for the children, it is essential that the teachers are well trained and geared up to take this challenge. These teachers have a major

responsibility of nurturing these children and developing confidence in them to join the mainstream education. Periodic training and retraining of the teachers in joyful and multi-grade teaching techniques and sensitizing them on the specific requirements of working children would largely help the teachers to contribute their best. Strong linkages for this may be forged with the DIETs/DRUs in the districts for the training provided under the District Primary Education Programme (DPEP)/Sarva Shiksha Abhiyan (SSA). A satisfactory method of selection of teachers, with the involvement of the community should be worked out. For this, the specific recommendations are as follows: -

- Teachers' Training, twice during the 11th Five Year Plan, preferably through DIETs/DRUs in the districts, in association with SSA.
- Preparation of specific modules for training the teachers of special schools considering their specific needs.
- The teachers of the special schools can be provided an exposure to the life skills education programme, so that they can train the children on the basic life skills, which can have a major impact on the life condition of the children. NCERT has developed some life skill modules incorporating elements of basic health, hygiene and key skills of self-esteem etc. These could be appropriately modified for the requirements of the children in NCLP schools.

The financial implication for conducting training twice during the 11th Plan for every Educational Instructor in NCLP School, which is provided for currently works out to Rs. 10.8 crores (**Annexure-VII**). This has been worked out at the same rate as was earmarked during the 10th Plan. The additional features in the 11th Plan would be carried out under SSA set up.

(iv) **Comprehensive Pre-Vocational Training:** - In India, child labour is not only the means to supplement the family income, but is also perceived as the way of acquiring skills and learning the job which will be useful for the child to earn livelihood later in his life. As the families of the child workers are living in abject poverty, they are often not able to appreciate the need for education for the overall development of the child, and also due to various other socio-economic reasons and attitudes, young children are employed in wide range of jobs including hazardous and dangerous occupations. On the one hand, while the public elementary education in India does not provide the necessary opportunities for skill development, access to vocational training otherwise is also not easy. It is in this context that vocational training has been provided as an important component in the National Child Labour Project Scheme. Vocational training to the children would also help in development of their extra curricular activities.

Although vocational training has been a component in the NCLP Scheme since beginning, the skills provided have been limited to the stereo-type old trades like Sewing, Tailoring, Embroidery, Wool Knitting, Bag-making, painting, Carpentry, Book-binding and toy making. To make vocational training more meaningful, therefore, would require identifying those skills that have marketability and linkage with training institutes in the area. Providing vocational skills to girls is another challenge, as they are mainly tuned to typical stereotype roles and any attempt to provide them with alternatives requires an attitudinal change on the part of the parents. Providing vocational training to the working children also requires developing specific modules for rural areas and urban areas, as the chances of wage employment in rural areas are considerably lower than the urban areas. Developing a flexible demand driven vocational skill training programme, post training support and regular training of

the Vocational Instructors in special schools are also required to make pre-vocational training in NCLP schools more meaningful and effective.

Well-planned pre-vocational/ life skill education provides an attractive pull factor for children withdrawn from work and their families to see strengthened value for education. It could help the children to link up with vocational training programmes being run in the district at the appropriate time and age once they have completed their education. The specific recommendations in this regard are as follows: -

- The pre-vocational skills being imparted in NCLP schools be upgraded to enable the children withdrawn from work to be equipped to retain traditional skills with an added emphasis on theory as one of the objectives.
- Labour Market Survey to be conducted in each district to assess the skills, which have marketability.
- Regular training of the vocational teachers of the special schools through the ITIs and other vocational training institutes in the district.
- Document the successful pre-vocational training modules in some of the NCLP districts and offer them to other districts for replication.

The financial implication for training Vocational Instructors twice during the 11th Plan works out to Rs. 5.4 crores (**Annexure-VII**).

(v) **Strengthen Health Component:** - Provision of health care to child workers in the special schools would help in timely detection of ailments and their treatment. In this regard, the specific recommendations are as follows: -

- Provision of a health kit with first-aid essentials and few basic medicines for the children of the special schools.

- Flexibility in utilizing honorarium for doctors in the special schools either on a monthly or per visit basis. In case of Government doctors, the flexibility should be there to utilize the funds allotted for this purpose for their transportation to visit special schools.
- Emphasis should be on convergence with the local Government hospitals, dispensaries or PHCs to provide health care facilities, medical camps and also preventive health education.
- Health cards for each child must be maintained in each school and the observations of the doctor recorded thereon.

The financial implication of providing a doctor for every 20 schools and first-aid kit with basic medicines works out to Rs. 54 crores (**Annexure-VII**). The provision of the doctor for every 20 schools is already there in the 10th Plan under the current scheme.

(vi) Uniform & School bag: - Provision of school uniform to children in NCLP schools is essential for inculcating discipline as well as raising self-esteem amongst these children, who are coming from the economically deprived sections of the society. It would also help them to overcome the sense of discrimination that such children suffer from, while comparing their lot with those studying in regular schools. This demand has come from various states and NGOs and has also been recommended in the last meeting of the Central Monitoring Committee. It is therefore, proposed that, in the 11th Plan a provision be made for at least two sets of uniform with a pair of shoes and a school bag every year for each child covered under the Scheme. Financial implication @ Rs. 500 per child per year works out to Rs. 225 crores for the 11th Plan (**Annexure VII**).

(vii) Provision of Computer & Printer :- With increasing use of computers in all the fields, and their effectiveness, they are essential for every office. More so in NCLP Project Office so as to help in effective tracking & monitoring

of the children, better supervision over various activities under the Project and finally record keeping and reporting through the net. A computer with a printer & a modem therefore, must be provided to every NCLP district for which a provision of Rs. 50,000/- in the O.E. to be made for each NCLP. Financial implication of Rs. 3 crores for this proposal is given in **Annexure VI**.

(viii) Economic Rehabilitation and Sensitization of the Parents: - As poverty and illiteracy are the prime reasons for child labour, a combined and coordinated effort of the various departments would greatly help to mitigate this problem. Providing income generation opportunities to the parents of these children would enable them to send their children to school rather than work. This aspect has been clearly recognized even in the National Policy on Child Labour, which prescribes need to focus on general development programmes for the benefit of the families of child labour. But, the parents need to be sensitized about all these programmes to enable them to take any benefit from them. In this regard, formation of the SHGs of the parents of the working children is being encouraged.

A concerted effort also needs to be made to continuously convince parents about the importance of education and the deleterious, long-term effects of children working. This would also help to bring children from these families in the fold of education.

(vii) Strong Linkages with Education Department: -

Convergence with Education Department on a sustained basis is required for the following:

- Correct identification of the child labour under the survey from the information pertaining to out of school children collected under SSA.

- To ensure that the working children identified in the age group of 5-8 years are covered directly under SSA.
- One of the formal schools in the area to be identified as a lead school for the mainstreaming of the children coming out of the special schools in that area. Specific instructions to be issued by the Education Department to the lead schools for smooth mainstreaming.
- To ensure timely supply of textbooks and bridging material for children in NCLP Schools by the Education Department.
- Assistance in developing curriculum for the NCLP Schools.
- Training of teachers in NCLP Schools as a specific component under the SSA.
- Monitoring of special schools through the Village/Block Level Education Committees under SSA to ensure that no child in the area remains out of school.
- Sensitizing the district education administrative setup, SSA Planning teams and school head-masters/teachers/VEC members about child labour issues & the specific needs of these children.

(viii) Enhancement of honorarium: - There is a strong & persistent demand for revision of honorarium of the NCLP staff and the school functionaries. Considering the rate of inflation since 2001, when the last revision of honorarium was carried out under the Scheme, approximately 25% increase is proposed for the 11th Plan. It is proposed to enhance the honorarium for different categories of staff as follows:-

A.

Project Society Staff	Existing honorarium	Proposed honorarium
Project Director	Rs. 6000 per month	Rs. 7500 per month
Field Officer	Rs. 4000 per month	Rs. 5000 per month
Clerk-cum-Accountant	Rs. 2000 per month	Rs. 3000 per month

Steno/DEO	Rs. 2000 per month	Rs. 3000 per month
Driver	Rs. 2000 per month	Rs. 3000 per month
Helper/Peon	Rs. 1500 per month	Rs. 2000 per month

B.

NCLP School Staff	Existing honorarium	Proposed honorarium
Educational Instructors	Rs. 1500 per month	Rs. 2000 per month
Vocational Instructors	Rs. 1500 per month	Rs. 2000 per month
Clerk-cum-Accountant	Rs. 1400 per month	Nil (Not proposed)
Community Volunteers	Nil	Rs. 2000 per month
Peon/Helper	Rs. 800 per month	Rs. 1000 per month

The total financial implication of Rs.1074.60 crores after enhancing the honorarium has been worked out in the **Annexure VI & VII** for NCLP Project and school functionaries respectively.

(ix) Enhancement of Rent, etc.: - There has been demand for raising the rentals for special schools in the big cities, as NGOs have been facing difficulty in hiring suitable accommodation for this purpose in the existing budget of Rs.1,000/- per month. Apart from the rent, water and electricity charges have also gone up during this period, therefore, revised rentals are proposed as follows:

- A Class Cities Rs. 3,000/-
- B Class Cities Rs. 2,000/-
- C Class cities Rs. 1,000/-

The financial implication of the proposed hike is given in the **Annexure VII.**

(x) Residential facility for migrant children: -

Children from the economically backward areas of Bihar, UP, West Bengal and other States are migrating to the metropolitan cities of Delhi, Mumbai & Bangalore in search of employment. Various raids conducted by the Labour Departments in these cities have revealed that these children are working in most pitiable conditions. They are living in their work places, as they have no regular shelter. They work for long hours and are provided with meagre wages. These children have no security in terms of their family or community and are, therefore, in a highly vulnerable position for exploitation.

There is an immediate need to develop special strategy to deal with the unique circumstances of migrant child workers. Strong rehabilitative measures in the States, to which these children belong, would help to keep them from migrating from their homes. Those children, who have migrated to metropolitan cities without their parents, also need to be appropriately rehabilitated through a provision of residential schools so that they get food, shelter alongwith education and skill training in these cities.

Residential facility would also be required for children withdrawn from work in far-flung areas of the districts, with less concentration of working children and not having special schools. It is, therefore, proposed to make a provision of 10 residential schools each in A Class cities and 5 schools each in B Class cities. The financial implication for the same is given in the **Annexure VIII**.

(xi) **Award Scheme:** - In order to motivate the Project officials, a monetary incentive scheme is proposed for various levels of functionaries as follows:

Best NCLP District in the country	Rs.25,000/-
Best NCLP District in the State for District	Rs.15,000/-

Collector	
Best Project Director in the State	Rs.10,000/-
Two best Field Officers in the State	Rs.8,000/- each
Five best teachers in the State	Rs.5,000/- each

The financial implication of the proposal is given in **Annexure IX**.

(xii) Awareness Generation: -

So far, the Communication approach followed under the NCLP Schme has been to undertake awareness generation exercises at the local/district level. A provision of Rs. 1,25 lakhs per year was made in the budget for every NCLP for this purpose. The activities undertaken in this regard consisted of exhibitions, fairs, rallies, street plays, camps, meetings and workshops etc. on the child labour in the district. No funds were made available to the State Governments or even kept at the Centre for awareness generation.

Being localized, these activities had a very limited impact and the need has been felt to carry out media campaign at the national level, particularly since the incidence of child labour is quite wide spread in the country. Even the states have been demanding funds for carrying out state level campaigns on the issue.

To invoke public interest and large-scale awareness on this issue, there is a need for an extensive awareness generation campaign launched over a period of time at the Centre and State on a sustained basis. Keeping this in mind, a provision of at least Rs.50 crores is to be kept aside in the Ministry's budget in the 11th Plan for undertaking national level media campaign on the subject. Recognizing this need, an initial provision of Rs. 5 crores has been made in the Ministry's budget in the current year for this purpose.

Out of Rs.1.25 lakhs presently allocated to each NCLP district, Rs.1 lakh to be allocated to the concerned State Government for carrying out state level awareness generation exercise.

The financial implication of Rs. 87.50 crores of the proposal is given in **Annexure X**.

(xiii) Enforcement: -

Strict enforcement measures are most essential to deter employers from employing children. Effective rehabilitation measures therefore, must be supplemented with strong enforcement measures to prevent further entry of children into the work force. Successful experiences of some states in this regard suggest that the districts must be galvanized to take enforcement measures in a targeted manner and that their performances on this front must be closely monitored by the State Monitoring Committee on a regular basis against the targets set for them. Special Task Forces against Child Labour must be set up in all the districts to carry out raids and inspections to instill an element of deterrence among the offenders.

(xiv) Tracking & Monitoring of Child Labour

Tracking is an important tool to record the progress of the Project beneficiary right from the time of his/her identification as child labour in the survey to his/her enrolment in the special schools, through his/her stay therein and up to mainstreaming. In fact, this monitoring needs to be continued even beyond mainstreaming to determine if the child is continuing with his/her studies in the regular schools or has dropped out. Once a child is rehabilitated under the Project, it is an important follow up step to check if he/she is faring well in the mainstream school. Such a monitoring would ensure that the child does not relapse back to exploitative work. A well-designed T&M system therefore would ensure that the beneficiary has been effectively rehabilitated. An effective web-based monitoring would also benefit in keeping track of migrant child labour from one NCLP district to another and would help in continuation of their schooling and rehabilitation in spite of their movement.

This process of Tracking & Monitoring is, therefore, important in determining the real success of the Project in terms of children's actual mainstreaming and continuation in schools thereafter. It would also provide credibility and authenticity of the efforts made under the Project.

While Tracking & Monitoring is possible through Index Cards too, the more efficient and modern way of doing so is through web-based electronic system, particularly since provision has been made for a computer in every NCLP district in the 11th Plan. These computers can be made use of for the purpose of Tracking & Monitoring too with a bit of computer training of the Project Staff. A provision of Rs. 20,000/- for capacity building of the staff in this regard is proposed in the first year of the Plan period for every existing NCLP district or in the first year of their operation in case of new NCLPs. The web-based Monitoring & Tracking software developed under INDUS Project or under the

UNICEF Child Protection Programme or that developed by the Government of Tamil Nadu could be utilized for this purpose, depending on the ease and efficacy of any of them. The customization and trial runs of these softwares are under way.

Further, in order to encourage the Project Staff to learn computer skills, an incentive of Rs. 200/- per month is proposed for any project staff, which becomes computer proficient and helps in entering the requisite data on a regular basis and keeps it up to date. The incentive to be available as long as all the data entry is kept updated with regard to the NCLP functioning. The financial implication for this component for the 11th Plan comes to Rs. 2.88 crores (**Annexure- IX**).

(xv) Vocational Training for adolescents

It is important to address the specific needs of the adolescents in order to equip them with appropriate skills before they enter the job market. This is being tried under the Indo-US Child Labour Project, where a provision of systematic vocational training has been made for working adolescents in the age group of 15-18 years. A comprehensive market survey is conducted to identify marketable skills in the area. After identifying the marketing skills and suitable training institutes, these adolescents are provided with intensive vocational training in various trades for a period of about 6 months to enable them to get job placements on the basis of the skill learnt or to get self-employed. Specific recommendations in this regard are: -

- Identifying the marketable and employable skills by conducting labour market surveys in the districts. This could be done in coordination with local ITIs and the other vocational institutions in and around the district.

If the local it is have recently conducted such surveys then their existing database would be used for such purposes.

- Developing vocational training modules and course materials specifically for the working adolescents.
- Suitable alternatives to the adolescent girls in skills other than the stereotype vocations for example training as front desk staff for hotels, training in running beauty parlours etc.
- Developing linkages with the local ITI for providing vocational training to adolescents.
- Developing linkages with industries & industrial associations for providing vocational training to adolescents and also for their absorption later on.

The financial implication for providing vocational training for 5,000 adolescents in A Class cities, 2000 for B Class cities and 500 for C Class cities during the 11th Plan is given in the **Annexure XI**.

(xvi) State Level monitoring

For an effective implementation of the Scheme, close monitoring is essential at the State level. The role of the State Government is critical to the project as it provides guidance, coordination and convergence support to the project societies. In addition, the State Government is also able to closely monitor implementation of all the components of the project. The experience of implementing INDUS Project, where State Project Steering Committee (SPSC) is closely monitoring the progress of the project districts has further reinforced the important role of the State Government.

The State Government can provide support in the child labour elimination programmes in the districts through:-

- Collaboration with key Government departments to ensure that child labour concerns are addressed at the policy level.
- Coordination with other State Government departments, like Elementary Education, Employment and Training, Rural and Urban Development, Health and Women and Child Welfare to provide effective convergence at the field level.
- Development of district-wise State Action Plan for Elimination of child labour in the entire State, with clear cut time- lines taking into account the magnitude and problems in each district separately.
- Conducting fresh child labour surveys, wherever required.
- Organizing training and capacity building programmes on child labour.
- Undertaking State level Awareness Generation, Advocacy and Community mobilization campaigns.
- Stepping up Enforcement drives in the State

The recommendations of the Central Monitoring Committee for two tier monitoring committees at the State level, which has been successful in some States, is proposed to be extended to other States also as follows: -

- (i) **Core Committee on Child Labour (CCCL)** to ensure effective monitoring at the highest level. It would be headed by the Chief Secretary and would have Secretaries of various State Departments as members. The State Labour Secretary to be the convenor of this Committee, which would meet every quarter.
- (ii) **State Monitoring Committee (SMC)** for better implementation of the scheme. It would be headed by the State Labour Secretary with State Project Director (Education), Commissioner, Employment and Vocational Training, Director, Elementary Education, representatives from Department of Rural Development, Municipal Administration, Social

Welfare, Public Health, District Collectors, representatives of Employers and Employees organizations, representatives of State Human Rights Commission and the prominent NGOs, etc as members. It can meet once in every three months to:

- Oversee implementation of each project and try to address problems, if any.
- Formulate project related policies and strategies, and
- Facilitate convergence and co-ordination amongst existing Government scheme towards elimination of child labour.

State Monitoring Cell: -

A specific provision has been made for creating a State Monitoring Cell in each State under the State Labour Secretary, for effective monitoring of the child labour elimination programme in the State. It is also proposed to allot funds to the State Government for creating wide scale awareness on child labour issues throughout the State. In this regard, the financial implication of Rs. 8.52 crores has been worked out in the **Annexure XII**.

V. CONVERGENCE WITH OTHER MINISTRIES/DEPARTMENTS

5.1 The National Policy on Child Labour enunciated in 1987 recognized the need to focus Government action programmes of income and employment generation to the families of child labour in order to supplement the resources of these hapless families which depended on their children to supplement family income. The scheme of NCLP, therefore, always recommended convergence of efforts with other developmental schemes to help the families of child labour being targeted under the Project. This was emphasized again in the 10th Plan strategy. However, such dovetailing of schemes has been inadequate so far and hence, the imperative need is to have specific component or built-in explicit provision for the families of child labour in these schemes of the Government so as to adequately cover these families and raise their family income in various forms.

5.2 This requirement has assumed still greater importance in view of the Government's decision to prohibit employment of children as domestic servants or in dhabas, teashops, restaurants, hotels and recreation centers, where the incidence of child labour is quite widespread and visible. A meeting on the issue of convergence was called to discuss these issues with the Ministries/Departments of Rural Development, Elementary Education & Literacy, Women & Child Development, Housing & Poverty Alleviation and Social Justice and Empowerment. They have also been addressed to take appropriate steps in this direction. The Planning Commission may also insist on inclusion of such provisions in the schemes of these Ministries and Departments in the 11th Plan, so as to maximize the impact of Government intervention in a concerted manner. The efforts towards educational rehabilitation of these working children need to be supplemented by economic rehabilitation of their families,

since a boost in their family income will be critical for the success of Government interventions in elimination of child labour from the country.

5.3 Some of the prominent schemes of these Ministries/Departments, which could have an explicit component for child labour and their families are given below and could be utilized for supporting Government's intervention for elimination of child labour. This is however, only an indicative list and could be extended to other programmes too.

I Schemes of the Department of Elementary Education

- Sarva Siksha Abhiyan (SSA)
- Vastishala
- Shiksha Mitra Yojana
- Mid Day Meal Scheme

II Schemes of Ministry of Women & Child Development

- Anganwadi Centre/ Day Care Centre
- Extension Services of Anganwadi Workers
- Balika Samridhi Yojana
- Swavalamban
- Mahila Samakhya (Assistance to Voluntary agencies with Mahila Samakhya Women)

III Schemes of Ministry of Rural Development

- Swarnjayanthi Gram Swarozgar Yojana (SGSY)
- Samporna Grameen Rozgar Yojana (SGRY)
- Indira Awas Yojana (IAY)

(VI) CHILD LABOUR (PROHIBITION & REGULATION) ACT, -
PROPOSALS FOR AMENDMENT

6.1 The Child Labour (Prohibition & Regulation) Act, which was enacted in 1986 prohibits employment of children in hazardous occupations & processes and regulates their working conditions in other occupations. This was in accordance with the Constitutional provisions, particularly Article 24, which prohibits employment of children below 14 years in factories, mines and hazardous occupations. The twin pronged approach followed in the Act was also a culmination of basic principles laid down by the Gurupadaswamy Committee, which was set up in 1979 to examine issues relating to child labour.

6.2 While there was already pressure from international quarters for providing a minimum age of employment for all categories of jobs in terms of ILO Convention No. 138 on Minimum Age of Employment, with the recent insertion of Article 21A in the Constitution which provides for Right to Education to children up to 14 years of age, there has been a similar demand from certain sections within the country also for amendment of the Act. As the Act provides for employment of children in non-hazardous occupations and processes, it is argued by some that by allowing children to work, their right to education would be adversely affected and the two are contradictory.

6.3 The Act has been in operation for last 20 years and being a social legislation needs to be revisited on account of the societal changes having occurred since then. An attempt in this direction was made and a draft Bill was prepared by NLI for amending the Act in 1999. The Bill has been referred to all the States for their comments and views have been received only from some States. A comparative chart giving various provisions of the draft Bill with the

existing provisions under the Child Labour (Prohibition & Regulation) Act is given in **Annexure - XIII**.

6.4 One of the idea mooted in the NLI draft is the introduction of light work for children in the age group of 12-14 years, a practice followed in many developed countries, including US where children are permitted to take up jobs in occupations like paper vending, shop assistants in departmental stores etc. These occupations are considered light work & children above 12 years of age are allowed to work in these provided they are beyond school hours & do not affect their schooling, for which they are required to get a NOC from their schools.

6.5 Another proposal made in NLI draft relates to redefining the term 'occupier' under Section 2 of the Act. The idea is to include even those situations where work is undertaken by families, etc. on behalf of or under orders of the employer. In many such cases, raw materials and other specifications etc are provided by a third party, i.e. the main contractor or supplier. This practice is quite widespread in Beedi making and leads to carrying out such hazardous activities in the household, where children are also engaged in great number, especially since the payment is made on piece-meal basis. By amending the definition of occupier, the Act would be able to cover even such contractors or suppliers who are getting their work done through families, where children are also engaged in carrying out these jobs.

6.6 There is a need to impose stiffer penalties for violation of the Act. The Act may be amended so as to make imprisonment compulsory by replacing 'or' by 'and' in Section 14 of the Act. This amendment would add more teeth to the Act and make it more deterrent. A similar proposal for imposing stiffer penalties under the Act is under consideration before the Ministry in a Bill proposed for

revising penalties in case of non-maintenance of records & registers under various labour laws.

6.7 In addition, suggestions have also been received from the Task Force set up by Department of Women & Child Development, which recommended following amendments in the Child Labour (Prohibition & Regulation) Act:

- (i) Fixing 11 years as minimum age for employment in non-hazardous occupations (Section 3).
- (ii) To provide 50% of the members on the Child Labour Technical Advisory Committee as women (Section-5).
- (iii) Include education of child labour as an objective of making rules & also among the matters to be provided for by the rules (Section 13).

6.8 All these recommendations were considered by the Central Monitoring Committee in its meeting held on 5-6th June 2006. The Committee made following recommendations in this regard:

- (i) Fixing 14 years as minimum age of employment in non-hazardous occupations. Raising minimum age of employment in hazardous occupations from current level of 14 years to 18 years.
- (ii) 33% of the seats in the Technical Advisory Committee (TAC) be reserved for women.
- (iii) Inclusion of education as one of the objectives for framing rules under the Act for regulation of working conditions.

6.9 Ministry has agreed to the recommendation for reservation of 33% of the seats for women in the TAC and the inclusion of education as one of the objectives for framing rules under the Act for regulation of working conditions. As regards the complete ban on all forms of child labour in the country, it may

be mentioned that in many of the communities engaged in traditional professions, children are imparted family skills and trades to help them earn livelihood later on in life. These children are not necessarily out of school children and may be learning these traditional skills simultaneously while attending schools. It is, however, essential that the process of imbibing traditional skills does not affect their regular education. Provision of education and child labour of this form are not mutually exclusive and considering the socio-economic conditions in the country, children would continue to assist parents at home. But, what is not negotiable is the children's right to education and hence, Government's endeavour is to ensure that all children up to 14 years of age are provided education.

6.10 As regards the argument from some quarters, that with the insertion of Article 21-A in the Constitution, the Child Labour (Prohibition & Regulation) Act has become unconstitutional, it may be mentioned that Article 21-A only states that it is the responsibility of the Government to provide free & compulsory education to all the children between the ages of 5 to 14 years. It does not presuppose prohibition of child labour or else Article 24, which specifically prohibits child labour in factories, mines & hazardous occupations, would have been suitably amended to extend this ban to all forms of child labour. Since, the rightful place of the child is in school, the Government's endeavour is to ensure that all the children in the age group of 5-14 years are provided education. Keeping this in view, Government is implementing the National Child Labour Project for providing education to working children in specified hazardous occupations and mainstreaming them into formal education system.

6.11 Education for all the children is the utmost concern of the Government, which is being pursued specifically under the Sarva Shiksha Abhiyan since 2001-2002. For the Child labour, which constitutes one of the most vulnerable

segments of the child population, Ministry of Labour & Employment has been implementing the Scheme of National Child Labour Project. Under this Scheme, working children in specified hazardous occupations in the age group of 9-14 years are withdrawn from work and put into Special Schools to prepare them to join regular education system. The National Child Labour Project is therefore, supplementing the Government's efforts for providing education up to 14 years under Sarva Shiksha Abhiyan.

6.12 The elimination of child labour in totality in the country is an ideal situation and Government is making all efforts to move in this direction. However, in view of the existing socio-economic conditions in the country, imposing a blanket ban on all forms of child labour or raising the minimum age of working from 14 to 18 years would not be practical and would be very difficult to implement, particularly keeping in view the diverse levels of economic development in different areas of the country. Therefore, looking into the diversity in the country, the provisions of the Act have to be such which are uniformly enforceable in all parts of the country. As such, flexibility exists under NCLP as well as SSA for implementing these Schemes as per the local conditions. Through these Schemes, Government is trying to bring all children under the education net, where NCLP Scheme is particularly targeting the disadvantaged group of working children. As existence of child labour is directly linked to poverty, Government is following a holistic and sequential approach and striving progressively to move in the direction of complete elimination of child labour. As elaborated above our endeavour during the 11th Plan period would be to cover all children working in hazardous occupations in all districts of the country where it is prevalent.

LIST OF DISTRICTS COVERED UNDER NCLP SCHEME

S.No.	Name of States	No. of Districts	Name of the Districts
1	Andhra Pradesh	23	Ananatapur, Chittoor, Cuddapah, East Godavari, Guntur, Hyderabad, Karimnagar, Kurnool, Medak, Nalgonda, Khammam, Nellore, Nizamabad, Prakasam, Rangareddy, Srikakulam, Vizianagaram, Vishakhapatnam, Warangal, West Godavari, Mehbubnagar, Adilabad and Krishna
2	Assam	3	Nagaon, Kokrajhar and Lakhimpur
3	Bihar	24	Nalanda, Saharsa, Jamui, Katihar, Araria, Gaya, East Champaran, West Champaran, Madhepura, Patna, Supaul, Samastipur, Madhubani, Darbhanga, Muzaffarpur, Nawada, Khagaria, Sitamarhi, Kishanganj, Begusarai, Banka, Saran, Purnia and Bhagalpur
4	Chhattisgarh	8	Durg, Bilaspur, Rajnandgaon, Surguja, Raigarh, Dantewada, Raipur and Korba
5	Gujarat	9	Surat, Panchmahals, Bhuj, Banas Kantha, Dahod, Vadodara, Bhavnagar, Ahmedabad and Rajkot
6	Haryana	3	Gurgaon, Faridabad and Panipat
7	Jammu Kashmir	3	Jammu, Srinagar and Udhampur
8	Jharkhand	9	Garwah, Sahibganj, Dumka, Pakur, West Singhbhum (Chaibasa), Gumla, Palamu, Ranchi and Hazaribagh
9	Karnataka	17	Bijapur, Raichur, Dharwad, Bangalore Rural, Bangalore Urban, Belgaum, Koppal, Tumkur, Devangere, Haveri, Mysore, Bagalkot, Chitradurga, Gulbarga, Bellary, Kolar and Mandya.
10	Madhya	17	Mandsaur, Gwalior, Ujjain, Barwani, Rewa, Dhar,

	Pradesh		East Nimar(Khandwa), Rajgarh, Chhindwara, Shivpuri, Sidhi, Guna, Betul, Shajapur, Ratlam, West Nimar(khargon) and Jhabua
11	Maharashtra	13	Solapur, Thane, Pune, Ahmadnagar, Sangli, Kolhapur, Jalgaon, Nandurbar, Nanded, Nasik, Yavatmal, Dhule and Beed.
12	Mizoram	1	Aizwal
13	Nagaland	1	Dimapur
14	Orissa	18	Angul, Bargarh, Bolangir, Deogarh, Gajapati (Udayagiri), Ganjam, Jharsuguda, Kalahandi, Koraput, Malkangiri, Mayurbhanj, Nabarangpur, Nuapada, Rayagada, Sambalpur, Sonepur, Cuttack and Balasore
15	Punjab	3	Jalandhar, Ludhiana and Amritsar
16	Rajasthan	23	Jaipur, Udaipur, Tonk, Jodhpur, Ajmer, Alwar, Jalor, Churu, Nagaur, Chittaurgarh, Banswara, Dhaulpur, Sikar, Dungarpur, Bharatpur, Bikaner, Jhunjhunu, Bundi, Jhalawar, Pali, Bhilwara, Ganganagar and Barmer.
17	Tamil Nadu	13	Chidambaranar (Tuticorin), Coimbatore, Dharmapuri, Vellore, Pudukkottai, Salem, Tiruchirapalli, Tirunelveli, Krishnagiri, Chennai, Erode, Dindigul and Theni.
18	Uttar Pradesh	42	Varanasi, Mirzapur, Bhadohi, Bulandshahar, Saharanpur, Azamgarh, Muzaffarnagar, Gonda, Kheri, Bahraich, Balrampur, Hardoi, Barabanki, Sitapur, Faizabad, Badaun, Gorakhpur, Kushinagar, Maharajganj, Siddharthnagar, Rae Bareli, Unnao, Sultanpur, Fatehpur, Shravasti, Pratapgarh, Basti, Sonebhadra, Mau, Deoria, Banda, Ghaziabad, Jaunpur, Rampur, Bareilly, Lucknow, Meerut, Etawah, Agra, Ghazipur, Mathura, and Ettah.
19	Uttaranchal	1	Dehradun
20	West Bengal	19	Burdwan, North Dinajpur, South Dinajpur, North 24-

			Parganas, South 24-Parganas, Kolkata, Murshidabad Midnapore, Maldah, Bankura, Purulia, Birbhum, Nadia, Hugli, Howrah, Jalpaiguri, Cooch Bihar, East Midnapore, Darjeeling.
	Total	250	

Note : Districts highlighted in the list are those which have been included under the scheme in the Tenth Plan.

STATE-WISE ENFORCEMENT DATA

State/ U.T.	Inspections Conducted	Violations detected	Prosecutions launched	Convictions
Andaman & Nicobar U.T	57	74	0	0
Andhra Pradesh	206832	70922	31375	15294
Arunachal Pradesh	36	0	24	0
Assam	14901	546	12	0
Bihar	199801	21582	2002	3
Chandigarh U.T.	3316	0	0	0
Chattisgarh	11172	550	627	4
Dadra & Nagar Haveli UT	906	0	0	0
Daman & Diu U.T.	3020	0	0	0
Delhi U.T.	26407	1355	801	257
Goa	2592	35	35	7
Gujarat	13262	1028	477	18
Haryana	9193	150	113	91
Himachal Pradesh	5150	4	8	4
Jammu & Kashmir	5329	31	31	1
Jharkhand	10187	648	138	37
Karnataka	95146	9968	1386	197
Kerala	10044	591	23	7
Lakshadweep U.T.	0	0	0	0
Madhya Pradesh	31976	1221	1221	243
Maharashtra	152992	2161	137	33
Manipur	486	0	0	0
Meghalaya	1978	5	5	0
Mizoram	0	0	0	0
Nagaland	13431	200	0	0
Orissa	1853	1145	303	7
Pondicherry U.T.	69846	11511	0	1
Punjab	19139	91	103	61
Rajasthan	32015	567	1653	2141
Sikkim	0	0	0	0

Tamilnadu	1232060	6122	4165	917
Tripura	891	11	5	0
Uttar Pradesh	12234	8123	6885	300
Uttaranchal	39859	117	87	10
West Bengal	90656	4153	79	3

LIST OF DISTRICTS COVERED UNDER INDUS PROJECT (21)

1. MADHYA PRADESH (5):- Damoh, Sagar, Jabalpur, Satna and Katni
2. MAHARASHTRA (5):- Amravati, Jalna, Aurangabad, Gondia and Mumbai Suburban
3. UTTAR PRADESH (5):- Moradabad , Allahabad, Kanpur Nagar, Aligarh and Ferozabad
4. TAMIL NADU (5):- Kanchipuram, Thiruvannamallai, Tiruvallur, Nammakkal and Virudhunagar
5. DELHI (1):- NCT Delhi

Minutes of the Meeting of Central Monitoring Committee
(CMC) on Child Labour

The meeting of the Central Monitoring Committee (CMC) on Child Labour under the Chairmanship of Secretary, Labour and Employment, Shri K.M. Sahni was held on 5-6th June, 2006 at Lal Bahadur Shastri National Academy of Administration, Mussoorie. The list of the participants is placed as Annexure - 'A'.

The meeting commenced with the welcome address of Director, Lal Bahadur Shastri National Academy of Administration, Shri R. Gangadharan to all the participants of the meeting. He stated that Ministry of Labour and Employment had been in the past also frequently utilizing the services of Academy for holding various conferences and meetings and these conferences provided a good opportunity for them to know the latest developments and ideas in various fields.

Director, Ministry of Labour and Employment, Shri Shahid Meezan in his opening remarks mentioned that meeting of the CMC on Child Labour was long overdue. Although review meetings at the zonal and state level were being conducted by the Ministry regularly, the CMC which was the highest executive level body for monitoring and reviewing the child labour programmes in the country had not met for a long time. He mentioned that this meeting of CMC was significant as we were approaching end of the 10th Plan and the deliberations of this meeting would greatly help to evolve new strategies for the 11th Plan. He further mentioned that during this meeting, apart from the State-wise review of the implementation of National Child Labour Project Scheme, it was also proposed to have discussions on some of the critical areas

like Revision and Expansion of the NCLP scheme, State Level Monitoring of the Scheme and Amendment of the Child Labour (Prohibition & Regulation) Act. He further stated that at a time when our economy was making rapid strides, it was necessary that the benefits of the economic growth must percolate down to fight this menace and this could be achieved if we worked towards it in a targeted and time-bound manner. He also mentioned that in the 'Global Report on Child Labour' released by the ILO recently, there was an encouraging picture, particularly in respect of Latin American and Caribbean countries where there had been substantial decline in child labour between 2000 and 2004. He observed that this could be achieved in our country also, provided there was a right mix of political will, policies and a targeted approach.

Shri K.M. Sahni, Secretary (L&E) while giving a keynote address thanked the participants for attending the meeting and the Academy for helping us in organising the meeting here. He stated that Ministry had very good experience in past also in holding various meetings and conferences in the Academy and it was a very good venue as could also be seen by excellent turnover for the conference.

Secretary observed that as per India's demographic profile, 54% of the country's population was below the age of 25 years and it was in our hands to turn this youth into an asset or disaster. The challenge, therefore was to find appropriate jobs for them in the next 5 to 7 years. Speaking on the subject of Child Labour, he mentioned that the problem of child labour and bonded labour existed to a large extent because we were not able to ensure minimum wages to the workers. He requested the labour secretaries to speak up about their experiences in implementing the Child Labour Projects in their States during the 10th Five Year Plan and suggest strategies for the 11th Five Year Plan. He

also urged them to think about the possibility of public-private partnership for some components of the NCLP Scheme.

He mentioned that Ministry had recently organized Maharashtra State conference at YASHADA, Pune which was attended by the Union Minister of State for Labour & Employment alongwith the Deputy Chief Minister & the Labour Minister of Maharashtra. He expressed his anguish that out of 18 districts of the State, which were covered under NCLP and INDUS projects, only 5 District Collectors were present during the conference. He stated that District Collectors had a critical role to play in this programme and had to give their time and attention to ensure proper implementation of the scheme. He further mentioned that in future, the probationers in Academy should also be involved more closely in such meets so as to sensitize them of these important issues in the beginning of their career itself. He urged upon the State Labour Secretaries to make all out efforts to implement the project well in their States so as to ensure that maximum benefits were provided to the working children and that the funds were gainfully utilized.

Thereafter, Deputy Secretary, Ministry of Labour & Employment, Smt. Harjot Kaur, made a detailed presentation on the existing policy and programmes of the Government on child labour elimination. While explaining the government policy on the subject and the implementation of child labour schemes, she mentioned that there were some States like Tamilnadu, Andhra Pradesh, Karnataka and Orissa where there had been an appreciable decline in child labour, whereas there were other States like Uttar Pradesh, Rajasthan and Bihar which had recorded large increase in child labour.

She mentioned that since there was a huge migration of child labour from various States to Mumbai and Delhi, there was a need to develop separate

strategy for these Metropolitan cities. As regards mainstreaming, which was the prime indicator of the success of the scheme, she mentioned that only two States, i.e. Andhra Pradesh and Orissa had performed well and States like Uttar Pradesh and Rajasthan, where a number of projects were being implemented since long had very low mainstreaming figures.

While talking about enforcement levels, she stated that a lot was required to be done towards strict enforcement of legislation to prevent more and more children from joining the work force. She also talked about good practices emerging out of the implementation of the scheme and the challenges before us today.

Thereafter, State-wise Review of Child Labour Projects was taken up. The details of the discussions held on State-wise review of the NCLP Scheme and the views of the representatives of ILO & NGOs thereon are placed as Annexure-'B'.

Recommendations of the Sub-Committees

Three Sub-Committees of the members of CMC during the meeting were constituted to give suggestions on three important areas of Revision & Expansion of NCLP Scheme; State level monitoring and State Action Plan; and Amendment of the Child Labour (Prohibition & Regulation) Act. The background notes on these subjects were also circulated in advance to all the participants. The composition of the Sub-Committees is given at Annexure - 'C'.

Sub-Committee- I Revision and expansion of NCLP Scheme

The NCLP Scheme presently covers 250 districts of the country and there was a demand for expanding its coverage to more districts. Further, based upon the experience of implementing the Scheme, there was also a scope for its revision incorporating some good practices emerging out from the implementation of NCLP and INDUS Schemes.

The Sub-Committee considered these issues and recommended coverage of the Scheme to all the districts in the country with every district having a time-bound Action Plan for elimination of Child Labour.

As regards revision of the NCLP Scheme, the Sub-Committee recommended that the Scheme must have provision of uniforms and sport kits for children enrolled in Special Schools, close tracking & monitoring of children even after mainstreaming, better interaction with education department and the mainstream schools through a system of 'Lead School' for smooth transition of children into mainstream education system, immunization & regular health check-ups and provision for vitamin and mineral supplements with the help of

the health department. It also recommended provision for residential schools for migrant child labour, sustained campaign for awareness generation and a need for high level coordination with other departments/Ministries for effective convergence.

In light of the experience of INDUS Project, the Sub-Committee recommended for Vocational Training based on market survey for skills in demand and its linkage with the ITIs located in the district or its neighbourhood. It further recommended up scaling the component of Vocational Training to adolescents in the age group of 14 to 17 years from the existing INDUS districts to all the NCLP districts in the country.

The other recommendations included enhancement of honorarium for NCLP Staff, provision of administrative expenditure for NGOs running special schools and posts of community workers in place of clerks in special schools under the Scheme.

The recommendations of the Sub-Committee were discussed in detail among all the participants of the CMC and were broadly agreed upon. The Committee also felt that for smooth transition to mainstream schools, a uniform curriculum for special schools should be developed at the State Level in coordination with the State Education Department of the concerned State.

Sub-Committee-II: State Level Monitoring & State Action Plan

The success of the scheme in some of the States has highlighted the greater role of the State Government in effective monitoring of the scheme. The Sub-Committee examined this issue and recommended that for close monitoring of the Scheme there should be two state level Committees:-

- (iii) **Core Committee on Child Labour (CCCL)** to ensure effective monitoring at the highest level. It would be headed by the Chief Secretary and would have Secretaries of various State Departments as members. The State Labour Secretary to be the convener of this Committee which would meet every quarter.
- (iv) **State Monitoring Committee (SMC)** for better implementation of the scheme. It would be headed by the State Labour Secretary with members from different departments including Education, SPD of SSA, Director of Vocational Training and Director Publicity & PR etc.

The recommendations were agreed upon by the participants of the CMC. The Committee also felt that every State must develop a State Action Plan laying down specified targets for all the districts in the State for elimination of child labour and that the State Monitoring Committee could help in developing this State Action Plan.

Sub-Committee- III: Amendment of Child Labour (Prohibition & Regulation) Act, 1986

The Sub-Committee considered various proposals for the amendment of the Child Labour (Prohibition & Regulation) Act, 1986 including the Model Bill prepared by the NLI which was earlier circulated to all the States for their views. The Committee also examined the feasibility of incorporating provisions laid down under the ILO Convention No. 138 on Minimum Age for Employment.

The Sub-Committee felt that there was no need to make a new law and that the existing Child Labour (Prohibition & Regulation) Act, 1986 could be amended to incorporate desired features. It recommended that under the Act,

a minimum age for employment should be fixed at 14 years and that the age limit for hazardous occupations, should be raised from the current level of 14 years to 18 years.

It also recommended that some of the directions of the Hon'ble Supreme Court given in its Judgment of 1996 in the case of M.C. Mehta vs State of Tamilnadu may be incorporated into the Act, viz creation of Child Labour Welfare Fund in every district and deposit of fines therein for being used for the welfare of child labour & their families.

The Sub Committee also considered the recommendations of the Task Force for legal equality for women set up by the Department of Women & Child Development. Of the three recommendations given by the Task Force to amend the Child Labour (Prohibition & Regulation) Act, the Sub-committee agreed to include education of child labour as one of the objectives for framing rules under Section 13 of the Act. However, it did not agree with the Task Force's recommendations to fix 11 years as minimum age of employment and reserving 50% of seats for women in the Technical Advisory Committee on Child Labour. Instead it agreed for 33% reservation for women.

All these recommendations of the Sub-Committee were deliberated extensively among all the participants of the Central Monitoring Committee meeting and were agreed upon.

Conclusions:

On the basis of extensive discussions held in the meeting over two days, following, in brief, were the major decisions arrived at by the Central Monitoring Committee:

2. To **expand the NCLP Scheme to all the districts** of the country in the 11th Plan.
3. To **revise the NCLP Scheme** in the 11th Plan by adding new components; e.g. (a) Provision of uniform and sports kits to children enrolled in special schools (b) Providing immunization & mineral/vitamins supplements to them regularly with the help of Health Department at State level (c) Development of Curriculum for special schools at State level in collaboration with Education Department (d) Establishing a system of 'lead schools' in every district for smooth transition into mainstream education (e) Monitoring & Tracking of child labour even after mainstreaming, and (f) Vocational training based upon market survey and in association with ITIs and vocational training to adolescents also.
4. Need for greater monitoring and convergence at the State level with formation of a **Core Committee on Child Labour (CCCL)** headed by the Chief Secretary & a **State Monitoring Committee (SMC)** headed by the State Labour Secretary in every State for more effective implementation of the Scheme.
5. Every State to develop **State Action Plan** with specific targets for every district to eliminate child labour in a time-bound manner.
6. Need to evolve a **specific strategy for migrant child labour** in metropolitan cities with greater inter-state coordination.
7. Need to **amend the Child Labour (Prohibition & Regulation) Act, 1986;**

- (i) Fixing 14 years as minimum age of employment in non-hazardous occupations.
 - (ii) Raising minimum age of employment in hazardous occupation from current level of 14 years to 18 years.
 - (iii) Inclusion of education as one of the objectives for framing rules under the Act for regulation of working conditions.
8. Assessment of child labour in various occupations in the district through intensive **fresh child labour surveys** in all the districts. This would enable the State and district level authorities to develop the action plan to tackle this problem in the entire State.
9. **Strict enforcement measures** were most essential to deter employers from employing children. Effective rehabilitation measures had to be supplemented with strong enforcement measures to prevent further entry of children into the work force.
10. To invoke public interest and awareness on this issue, there was a need for an **extensive awareness generation campaigns** launched over a period of time at the centre, State and district levels.
11. Since the problem of child labour essentially emanated from poverty, there was a need to develop **strong convergence mechanism and linkages** between NCLP and other Schemes of the Government under poverty alleviation, employment generation, rural development, women and child development, health care, etc. to target child labour & their families for improving their economic conditions.

The meeting ended with a vote of thanks to the chair and to all the participants.

ANNEXURE - A

LIST OF PARTICIPANTS IN THE MEETING OF THE CENTRAL MONITORING COMMITTEE HELD ON 5-6th June, 2006 AT MUSSOORIE

Ministry of Labour & Employment

1. Shri K.M. Sahni, Secretary (L&E),
2. Shri Kanwar Manjit Singh, Director, V.V.G.N.L.I.
3. Shri Shahid Meezan, Director,
4. Mrs. Harjot Kaur, Deputy Secretary,

State Governments

5. Shri V.K. Kapoor, Addl. Chief Secretary, Govt. of Chattisgarh
6. Shri K. Jothiramalingam, Principal Secretary (Labour), Govt. of Karnataka
7. Shri Rakesh K. Bansal, Principal Secretary (Labour), Govt. of Madhya Pradesh.
8. Shri J.P. Dange, Principal Secretary, Govt. of Maharashtra
9. Shri Anil Kumar Gupta, Principal Secretary (Labour), Govt. of Uttar Pradesh
10. Shri A.M. Chakrabarti, Principal Secretary, Govt. of West Bengal
11. Shri Vinod Babar, Principal Secretary Labour, Govt. of Gujarat
12. Shri C.K. Vishwanathan, Secretary Labour, Govt. of Kerala
13. Shri S.S. Channy, Secretary (Labour), Govt. of Punjab
14. Shri Siya Ram Meena, Secretary (L&E), Govt. of Rajasthan
15. Shri Ramesh K. Khanna, Secretary (Labour), Govt. of Tamilnadu
16. Shri T.T. Bhutia, Additional Secretary, Govt. of Sikkim.
17. Shri G.D. Wadhawa, Financial Commissioner & Secretary, Govt. of J& K
18. Mrs. Sarooj Siwatch, Special Secretary & Labour Commissioner, Haryana
19. Shri S.M. Mazumdar, Commissioner-cum-Secretary Labour, Delhi.

20. Shri S. Sailo, Commissioner & Secretary, Govt. of Tripura
21. Dr. P.S. Gusain, Labour Commissioner, Govt. of Uttranchal
22. Shri K.K. Mahto, Labour Commissioner, Bihar
23. Shri K. Chandramouli, State Project Direct, Hyderabad
24. Shri Piyush Sharma, Joint Labour Commissioner, Delhi.
Shri J.C. Negi, Labour Department, Govt. of Delhi.

Representatives of ILO

25. Shri Harve Berger, Senior Specialist - Child Labour, ILO
26. Mrs. Surina Rajan, Project Manager, INDUS, ILO

Representatives of NGOs

27. Mrs. Farida Lamabay, PRATHAM, Mumbai - NGO
Shri Kishore Bhamre, Co-ordinator, PRATHAM, Mumbai - NGO
Shri Vikas Sawant, Co-ordinator, PRATHAM, Mumbai - NGO
28. Shri Dharmesh Dwivedi, SEWA, Kanpur - NGO
29. Shri R. Sahaya Raj, SPEECH, Virudunagar - NGO

STATE-WISE REVIEW

Andhra Pradesh

State Project Director (Education), Shri K. Chandramouli, Department of Education gave an account of the project activities in the State. He mentioned that the NCLP Scheme was being implemented in the State in convergence with the Sarva Shiksha Abhiyan and there was also a provision of residential schools to the children in some districts. He outlined the efforts made by the State to bring down the number of out of school children in the State.

It was pointed out to him that NCLP schools in the State were not being run exclusively for the working children as all out of school children were being enrolled in these schools. Therefore, the NCLP schools did not have an identity distinct from regular schools being run under SSA. Therefore, the necessary focus on the working children was lacking in the State. It was also pointed out that there was large scale under utilisation of funds in various districts like Vishakapatnam, Vijayanagaram, Sirikakulam, Hyderabad, etc. He was requested to review the implementation of the Scheme in each district and ensure that funds were properly utilized and for those components for which they were given and the working children were provided effective rehabilitation under the NCLP Scheme.

Bihar

State Labour Commissioner, Shri K.K. Mahto informed that out of 23 NCLP Projects sanctioned for the state in the 10th Plan, only 4 were in operation. He informed that survey had already been completed in some districts and reports would be sent to the Ministry soon for setting up schools there. Expressing concern about slow pace of implementation of Scheme in the State he was asked to expedite operationalisation of the Scheme in the State,

particularly in Sitamarhi which was a major source of migrant child labour to other parts of the country like Delhi and Maharashtra. The Labour Commissioner informed that due to various natural calamities in North Bihar, the survey work could not be completed especially in Sitamarhi and that the delay in survey was also due to Assembly Elections in the State. He assured that the survey in the remaining districts would be carried out on priority now. He also suggested that the problem of migrant child labour would be best solved if there was a provision for residential schools under the project. He also proposed for providing funds for setting up State Monitoring Committee in the State.

Chhattisgarh

State Labour Secretary, Shri V.K. Kapoor briefed the members of the Central Monitoring Committee about the activities under NCLP Projects in the State. He informed that due to Dantewada being naxalite infested, the survey work could not be carried out, resulting in delay in starting the project. He requested the Ministry for the inclusion of Maha Samudra district under the NCLP Scheme. He suggested that to step up enforcement in the State, there was a need for training of the enforcement staff and more extensive public awareness generation campaigns. He also emphasized the need for setting up residential schools for the child labour. It was pointed out to him that Raipur district where 103 schools had been sanctioned last year had not yet informed the Ministry if these schools had been started. In addition, fresh survey was required to be carried out in old NCLP districts. The State Labour Secretary assured quick action in this regard.

Delhi

State Joint Commissioner, Shri Piyush Sharma gave a detailed account of recent raids conducted by the State Government for the rescue of children

working in the Zari industry in Delhi. It was pointed out that INDUS Project had not been operationalised in the Capital even after more than 2 years of its launch. Since Delhi was also getting large-scale migratory child labour from other States, it was emphasized that there was an immediate need for initiating the project in the State for providing rehabilitation to the working children. He informed that survey for identifying children in the capital had already been conducted and the project would be initiated soon.

Gujarat

State Labour Secretary, Shri Vinod Babbar informed that there had been an increase in the number of inspections conducted by the enforcement machinery in the State to detect cases of violation of the law. He further mentioned that survey had already been conducted in three districts viz. Vadodara, Surat and Dahod and that they would be sending detailed proposals for sanction of schools shortly.

It was pointed out to him that nine projects had been sanctioned to the State in the year 2004, out of which only one had become operational. He was requested to get other projects also operationalised in the state on priority.

Haryana

State Labour Commissioner, Smt. Saroj Siwatch accepted that there had been lot of delay in initiating the projects in three NCLP districts of the State. She however assured that she would expedite the matter and would send proposals soon to the Ministry for setting up schools in all the three districts.

Jammu & Kashmir

State Labour Secretary, Shri G.D. Wadhwa, stated that there had been a delay in conducting survey in the NCLP districts of the State but assured that

it would be done on priority and the proposals would be sent to the Ministry soon. He also assured that the Utilization Certificates for 11 districts for which funds were released in 1997-98 for conducting child labour survey would be sent to the Ministry at the earliest. As regards the proposal for running Special Schools with 30 children each in Jammu, he was requested to send a detailed justification for the same.

Karnataka

State Principal Labour Secretary, Shri K. Jothiramalingam, while giving information on the project activities in the State informed that the State Government had recently released a report in association with UNICEF on the impact of government interventions in sericulture industry in Magadi. He was requested to share the report with the Ministry. Regarding the proposals pending from the State, he was requested to get the survey completed in Belgaum, Davangere and Mysore districts and send Registration Certificate for Haveri for operationalising the Scheme in these districts which was already long delayed. As regards, Tumkur and Chitradurg districts, since the number of children engaged in hazardous occupations was very small, these could be covered under Grants-in-aid Scheme of the Ministry. State Government had earlier been requested to suggest alternate districts for inclusion under the NCLP Scheme. The State Labour Secretary was requested to expedite the same.

Kerala

State Labour Secretary, Shri C.K. Vishwanathan informed that by and large there was no child labour in the State, however, during sowing and harvesting seasons, the State gets some migrant child labour alongwith their families from other States to work on the fields. At present, there was no NCLP project under implementation in Kerala State.

Madhya Pradesh

State Principal Labour Secretary, Shri. Rakesh Bansal gave a detailed presentation on the Scheme of child labour projects in the State. In his presentation, he made certain suggestions like enhancement in rate for mid day meal from Rs. 5 to Rs.7 due to increase in the cost of fuel and other food materials and provision of uniform to children under the Scheme.

It was mentioned that out of 14 new NCLP districts in the State, funds had already been released for starting schools in 10 districts in 2005, but the schools had not yet been started in these districts. The State Principal Labour Secretary assured that these would be operationalized at the earliest and progress report in the matter would be submitted in 2 to 3 months. He also assured to send revised proposals from Betul, Rajgarh and Shivpuri districts from where proposals had been received without giving essential details of the number of children involved in hazardous occupations.

Maharashtra

State Principal Labour Secretary, Shri J.P. Dange, informed that State Government had decided to make Mumbai Child Labour free by August 2006 and the remaining districts of the State by 2010. The State Government was taking active measures in this direction. He suggested that Confidential Reports of the District Collectors and Police Officers should include a column regarding their performance in the area of child labour elimination. He also suggested that incentives in the form of Trophies and Shields to the best districts implementing the NCLP Scheme may also be introduced to encourage districts to perform. He further mentioned that Ministry of Rural Development may be requested to issue guidelines that whenever a child labour is identified, his

family should also be included in the Below Poverty List(BPL) for providing income generation to the families of working children.

Regarding the status of NCLP Scheme in the State, it was pointed out that in the 10th Plan, Maharashtra was sanctioned 11 new districts under NCLP Scheme and 5 under INDUS, but the progress of implementation of NCLP Scheme in these districts was very slow. Further, from the two old districts, Thane had large amount of funds lying unutilized hence there was a need to pay more attention to the project. It was also mentioned that out of 11 new projects, schools had been opened in only four districts and that the proposals for opening of special schools were still awaited from the 5 districts i.e. Kolhapur, Pune, Jalgaon, Sangli & Nandurbar. Further, in case of Nasik, where Schools were already sanctioned based on the proposal received from the State Government, the district had now reported that they did not want to open Special Schools under the Scheme and instead wanted the stipend to be given to working children enrolled in regular schools. It was clarified that since the NCLP Scheme does not provide for stipend to the children in regular schools, the State Principal Labour Secretary was requested to get the special schools opened in Nasik immediately and expedite action in respect of other districts.

Punjab

State Labour Secretary, Shri S.S. Channy, informed that the inspections were being regularly conducted in the State to detect cases of violation of Child Labour (Prohibition & Regulation) Act. Secretary (L&E) requested State Labour Secretary to get survey conducted in the border districts as well as in Patiala district to assess the extent of child labour in these districts, so that appropriate rehabilitation benefits could be extended to them. He was also requested to get survey conducted immediately in the existing NCLP districts in the State. Labour Secretary, Punjab suggested increase in the rates of

honorarium to the instructors under NCLP Scheme and the need for more extensive awareness generation campaigns.

Rajasthan

State Labour Secretary, Shri Siya Ram Meena, while giving an account of the child labour elimination activities in the State informed that there was high dropout rates in the regular schools in the State and many of these dropouts eventually join the work force. He also mentioned that the State was also getting migratory child labour from Bihar and West Bengal.

As there had been major increase in the number of child labour in the State between 1991 & 2001 Census, State Labour Secretary was requested to step up enforcement activities in the State and to take proactive measures for providing effective rehabilitation to these children under the NCLP Scheme. The State may immediately draw up a State Action Plan with specific targets for each district for elimination of child labour in a time-bound manner. As regards, covering the remaining districts of the State under the Project, he was informed that the expansion would be considered during the 11th Plan.

Secretary (L&E) requested State Labour Secretary to hold a conference on child labour in Udaipur in July, where important issues like convergence etc. would be discussed. He requested all State Labour Secretaries to attend this conference.

Sikkim

Additional Labour Secretary, Sikkim, Shri T.T. Bhutia, informed that as per the 2001 Census, there were 16,457 child workers in the State. He requested that the funds may be provided for conducting survey in the State

for identifying working children. He was advised to send a proposal for the same to the Ministry.

Tamil Nadu

State Labour Secretary, Shri Ramesh Kumar Khanna made a presentation on the implementation of the Child Labour elimination programme in the State. During his presentation, he gave an account of various activities for child labour elimination as per the State Action Plan. He also informed that very soon many districts of the State would be declared Child Labour free. The State Government was drawing up guidelines involving independent agencies for the verification for declaring a district free of child labour. He also informed that apart from implementing various activities under the project, the State Government was also providing free uniform both to boys and girls in NCLP schools, financial support to Self Help Groups (SHGs) of the parents of the child labour to supplement their income and a systematic job-oriented Vocational Training to the identified child workers to help them earn decent livelihood later in their lives.

Tripura

Commissioner & Secretary (Labour), Shri S. Sailo, stated that there was substantial number of child labour in the State of which a large number were working as ragpickers and domestic workers. Therefore, the State had requested for inclusion of all the districts of the State under the NCLP Scheme.

He was informed that the inclusion of new districts under the Scheme would be considered in the 11th Plan and in the meantime, funds could be provided directly to NGOs for this purpose under the Ministry's Grant-in-aid Scheme.

Uttar Pradesh

State Labour Secretary Shri Anil Kumar Gupta informed that the present political leadership was keen to take all steps towards elimination of child labour from the State. The State Action Plan was being finalized which aimed at eliminating child labour from the State by the year 2011.

At present 42 districts of the State were covered under NCLP Scheme and 5 districts under the INDUS Project. Regarding the pace of implementation of the Scheme, it was pointed out that the stipend was not being deposited regularly in most of the districts and many districts had not even opened the bank accounts for this purpose. The vocational training component was also very weak in most of the NCLP and Indus districts. The mainstreaming figures were very low considering the fact that some of the projects in the State were as old as 1988. Assistant Labour Commissioners were working as Project Directors for NCLP Scheme, in addition to their normal duties and hence were not able to spare enough time and attention for project activities. State Labour Secretary was requested to speed up project activities in the State especially in view of large-scale increase of child labour in the State in the last ten years.

Uttranchal

State Labour Commissioner, Dr. P.S. Gosain informed that the child labour survey had been conducted and 681 working children were identified in the 9-14 years age group. He further informed that some schools may have less than 50 children because of less number of working children in the area. He was requested to send detailed proposal to Ministry immediately for sanction of schools, as it was already delayed.

West Bengal

State Principal Labour Secretary, Shri Ashok Chakraborty made a presentation on the implementation of the Scheme in the State. He suggested that the support under the NCLP Scheme may be extended to children even beyond three years, if required. He also suggested provision of Rs. 3000/- to each school for sports and cultural activities for the children and provision of uniforms in NCLP schools. He also suggested enhancement in the rates of honorarium to the NCLP staff and the parents of the children in NCLP schools be involved for supervising mid-day meal in the Special Schools. He requested the Ministry to include Darjeeling district also under the NCLP Scheme.

Discussions with regard to **Assam, Goa, Jharkhand, Orissa** etc. could not be taken up as there was no representative from these States.

Views of ILO

Mr. Harvey Berger and Smt. Surina Rajan, Project Manager, INDUS represented ILO during the meeting as special invitees. Mr. Berger appreciated the commitment of the Government in this area and the initiatives and activities being taken in various States towards elimination of child labour. He referred to the findings of Global Report on Child Labour and the decline of the child labour in Latin American and Caribbean countries. He reiterated ILO's support to Government of India in its programmes for curbing this menace.

Views of NGOs

Representatives of NGOs, PRATHAM, Mumbai , SPEECH, Virudunagar & SEWA, Kanpur, participated in the discussions in the meeting. They were also part of the Sub-Committees formed during the meeting.

PRATHAM

Smt. Farida Lambay representative from PRATHAM, gave the details of the activities of the NGO particularly about their participation in various raids conducted by Maharashtra Government for rescue of the child labour in Mumbai. PRATHAM is also part of the Task Force set up by Maharashtra Government to carry out work of rescue and repatriation of child labour in Maharashtra.

Smt. Lambay emphasized the need for setting up of Inter-State Coordination Committee to take up rehabilitation of migrant child labourers. As regards mainstreaming, she suggested that there was a need for regular monitoring of the children who had been mainstreamed to regular schools. This would help to avoid drop outs among these children. She also suggested that one NGO should be made responsible for running all special schools in a particular area to enable the NGO to provide effective rehabilitation to child workers in that specified area.

SPEECH

Shri R. Sahaya Raj, a representative from SPEECH, Virudunagar explained the activities of NGOs towards child labour elimination in Virudunagar district. He suggested that there should be school counsellors instead of Doctors in NCLP Schools and the system of help line for reporting cases of child labour in every district. He stressed the need to generate greater awareness on the issue of child labour. He stated that greater involvement of children in this drive would also be useful. Bal panchayats of the children at the village level could be a step in this direction.

SEWA

Shri Dharmesh Dwivedi, SEWA, Kanpur apprised the members of the CMC of the activities undertaken by the NGOs in UP State. He suggested that the house rent for the schools under the NCLP Scheme be enhanced particularly for big cities and one NGO may be allowed to run all schools in one cluster. He also suggested reimbursement of administrative charges to the NGOs and an appropriate check on the quality of mid day meal provided by the NGOs in NCLP Schools. He further suggested free availability of books and basic medicines in the NCLP Schools.

Financial Outlay for 11th Plan

S.No.	Item of Expenditure	Total Amount(in Rupees)
1.	Budget for NCLP Project Societies	193,60,00,000
2.	Budget for running of special schools including school uniform	2847,69,00,000
3.	Budget for Residential Schools	140,92,50,000
4.	Budget for Awareness Generation	87,50,00,000
5.	Budget for Vocational Training	422,32,50,000
6.	Budget for Survey	33,00,00,000
7,	Budget for Market Survey	1,50,00,000
8.	Budget for Incentive to Functionaries of Project Society for working on computer	2,88,00,000
9.	Budget for Award Scheme	96,95,000
10.	Budget for State Level Monitoring Committee	8,52,60,000
	Total	3738,91,55,000

Annexure - VI

PROPOSED REVISED BUDGET OF NCLP PROJECT SOCIETY DURING 11TH PLAN PERIOD

S.N.	Item of Expenditure	Existing Rate	Existing Budget	Revised Rate	Proposed Revised Budget	Annual Financial Implications for 600 districts	Financial Implications for 600 districts for Plan period
A.	(I) Honorarium to :						
	Project Director	Rs.6000 p.m.	72000	Rs.7500 p.m.	90000	54000000	
	Field Officer (two)	Rs.4000 p.m.	96000	Rs.5000 p.m. for two	120000	72000000	
	Clerk-cum-Accountant	Rs.2000 p.m.	24000	Rs.3000 p.m.	36000	21600000	
	Steno/DEO	Rs.2000 p.m.	24000	Rs.3000 p.m.	36000	21600000	
	Driver	Rs.2000 p.m.	24000	Rs.3000 p.m.	36000	21600000	
	Helper/Peon	Rs.1500 p.m.	18000	Rs.2000 p.m.	24000	14400000	
	Total (I)		258000		342000	205200000	1026000000
	(ii) Office & Support Expenses						
	For old 100 NCLP Districts		200000		200000	20000000	100000000
	For new 500 NCLP Districts		300000		300000	150000000	750000000
	Total Recurring Expenditure					375200000	1876000000
B.	Non-Recurring Expenses (Once in 5 years)						
	Vehicle		0		0	0	0
	Furniture		50000		50000		30000000
	Computer with Printer as per DGS&D Rate Contract	0	0		50000		30000000
	Survey @ Rs.2.75 lakhs per district for 600 districts, twice during Plan Period	275000		275000			330000000
	Market Survey for identifying vocational skills in the district	0	0	@ Rs.25,000 per district for 600 districts			15000000
	Total Non-Recurring Expenditure		50000		100000	0	405000000
	Total Recurring & Non-Recurring Expenditure					375200000	2281000000

Old NCLPs: Recurring Budget of Project Society	542000
Non-Recurring Budget of Project Society	100000
Total Recurring & Non-Recurring Budget of PS	642000

New NCLPs: Recurring Budget of Project Society	642000
Non-Recurring Budget of Project Society	100000
Total Recurring & Non-Recurring Budget of PS	742000

Budget for Residential School for 50 children

S.No.	Item of Expenses	Amount (in Rs)	Total Amount (in Rs)
	Non-Recurring budget (one time for 5 years)		
	Furniture/Bedding/Equipment including kitchen equipment	150000	
	Total Non-Recurring	150000	150000
	Annual Recurring Budget		
	Nutrition: Diet @ Rs.600 per month per child	360000	360000
	Miscelanerous Expenses:		
	Teaching/Learning/Vocational Material	10000	
	Rent @ Rs.5000 per month	60000	
	Water & Electricity @ Rs.2500 per month	30000	
	Medical @ Rs.5000 per annum	5000	
	Recreation @ Rs.5000 per annum	5000	
	Contingencies @ Rs.6000 per annum	6000	116000
	Other Expenses on child:		
	Stipend @ Rs.100 per month per child	60000	
	2 Uniforms,Summer &Winter wear @Rs.750 per child per annum	37500	
	Miscellaneous Expenses @ Rs.50 per child per month	30000	127500
	Staff Honorarium		
	(a) Warden @ Rs.2000 per month	24000	
	(b) Educational Instructors (Two) @ Rs.2000 per month	48000	
	(c) Vocational Instructor @ Rs.2000 per month	24000	
	(d) Clerk-cum-Accountant @ Rs.2000 per month	24000	
	(e) Chaukidar @ Rs.1000 per month	12000	
	(f) Peon @ Rs.1000 per month	12000	
	(g) Cook @ Rs.1500 per month	18000	
	(h) Helper to Cook @ Rs.1000 per month	12000	
	(i) Safaiwala @ Rs.1000 per month	12000	186000
	Total Recurring Budget for one school for one year	789500	789500

Reasons:

*Diet:- Child has to be provided three full diets including milk per day. The amount of Rs.30 per day per child is reasonable.

*Misc. Expenses:- It will include Toilateries, other everyday general items required by the child.

*Safaiwala will attend to the work of Cloth washing, Bartan washing and House cleaning.

Financial Outlay for 5 years		
1	Metro Class Cities(6) for 20 schools of 50 children each	
	Non-Recurring (6x20x150000* 5 years)	90000000
	Recurring (a) Schools (6*20*789500*5 years)	473700000

	Total	563700000
2	A' Class Cities(7) for 10 schools of 50 children each	
	Non-Recurring (7x10x150000* 5 years)	52500000
	Recurring (a) Schools (7*10*789500*5 years)	276325000
	Total	328825000
3	B-1' Class Cities(22) for 5 schools of 50 children each	
	Non-Recurring (22x5x150000* 5 years)	82500000
	Recurring (a) Schools (22*5*789500*5 years)	434225000
	Total	516725000
	Grand Total	1409250000

BUDGET DETAILS FOR AWARDS SCHEME

Sl. No	Name of the Award	Amount proposed
1.	Best NCLP in the Country @25,000 x 5 years	Rs. 1,25,000
1.	Best NCLP in the State @15,000 X29X5	Rs. 21,75,000/-
2	Best Project Director in the State @ 10,000X29X5	Rs. 14.50,000/-
3	Best Field Officer in the state(2) @ 8000X2X29X5	Rs.23,20,000/-
4.	Best teachers in the state (5) @ 5000X5X29X5	Rs.36,25,000/-
	TOTAL	Rs. 96,95,000/-

BUDGET FOR INCENTIVE TO FUNCTIONARIES OF PROJECT SOCIETY
FOR WORKING ON COMPUTER

Rate of incentive Rs. 200 p.m. per functionaries

Annual Incentive for one functionary Rs. 200 x 12 = Rs.2400/-

Annual Budget for one Project Society (2 Field Officers, 1 Clerk-cum-Accountant & 1 Steno/DEO) Rs.2400 x 4 = Rs. 9600/-

Annual Budget for 600 Project Societies Rs. 9600 x 600 = Rs. 57,60,000/-

Budget for the Plan Period Rs.57,60,000 x 5=Rs.2,88,00,000/-

**BUDGET PROPOSED FOR AWARENESS GENERATION DURING THE
11TH PLAN PERIOD**

NUMBER OF DISTRICTS PROPOSED OT BE COVERED: 600 Approx.

1.	Grants to be released at district level is	Rs. 25,000/-
2.	Grants to be released at State Level	Rs. 1,00,000/-
	Total budget per NCLP	Rs. 1,25,000/-

REQUIREMENT OF FUNDS AT DISTRCIT LEVEL:

1.	Existing 250 NCLPs x25,000x5	Rs. 3,12,50,000
2.	Addl. 250 districts x25,000x5	Rs. 3,12,50,000
3.	(+) Another 100 districts x25,000x5	Rs. 1,25,00,000
	TOTAL fund required for one year	Rs. 7,50,00,000

REQUIREMENT OF FUNDS AT STATE LEVEL:

600 Districts X1,00,000X5	Rs. 30,00,00,000
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REQUIREMENT OF FUNDS AT NATIONAL LEVEL: Rs. 50 Crores

Therefore, the total budget is required for five years would be Rs. **87.50 crore for awareness generation.**

The modalities and the Ministry/Institution at state level to whom the funds are released at State Level are required to be identified.

ANNEXURE - XI

<u>Budget for conducting Vocational Training activities adolescents over a period of 5 years</u>		
S.No	Activities	Budget (in Rs.)
	Fixed cost	
1	Remuneration to VT Co-ordinator @ Rs.6000 p.m. for 60 months	360000
	Variable Cost (depending on number of adolescents covered)	
2	Awareness camps to enroll the adolescents (for 1000 adolescents)	100000
3	Adaptation and production supply of training curriculum and course materials (for 1000 adolescents)	150000
4	Training Cost: Training cost for a batch of 20 trainees for an average period of 6 months @ Rs.600 per month per trainee. Rs. 600x6 monthsx20 trainees = Rs.72,000/- This includes cost of raw materials, remuneration to the course instructor and supporting staff, rent for the venue of the training (both theoretical and practical), electricity, water charges, exposure visits to the trainees, special incentives to girls and other miscellaneous expenses of the training provider. Rs.72,000x50 programmes.	3600000
5	Tools kits @2000 per trainee for 1000 trainees	2000000
	Total	5850000
S.No	Items	Amount (in Rs.)
1	Fixed Cost (Rs.3,60,000x600 districts)	216000000
	Variable Cost	
2	In 13 Group 'A' Cities (to cover 5000 children in each city in 5 years) (Rs.58,50,000x5x13)	380250000
3	In 22 Group 'B' Cities (to cover 2500 children in each city in 5 years) [1/2 of Rs.58,50,000x5x22]	321750000
4	In 565 Group 'C' Cities/Districts (to cover 1000 children in each city in 5 years) [1/5 of Rs.58,50,000x5x565]	3305250000
	Total	4223250000

Annexure XII.

BUDGET FOR STATE LEVEL MONITORING COMMITTEE

Sl. No	Item of Expenditure	Total Amount
1.	Project Coordinator @ 10,000/-pm (10000X12)	1,20,000
2.	Project Assistant cum Accountant @ Rs. 4,000/- pm (4000X12)	48,000
3.	Peon/Helper @ 2,500/- pm (2500X12)	30,000
4.	Furniture (including computer) (50,000+50,000)	1,00,000
5.	Office support expenses	2,00,000
6.	Meeting of expenditure on workshops etc	50,000
7.	Rent and Electricity and Water (3000X12)	36,000
8.	Contingencies	4,000
	TOTAL	5,88,000

So, budget for one State level Monitoring Cell for five years is Rs. 29,40,000/- .ie. the total budget required for 29 states/uts for five years would be Rs. 8,52,60,000

Draft Legislation on Child Labour (1998) prepared by NLI

It seeks to replace the existing Child Labour (Prohibition and Regulation) Act, 1986 by repealing the latter (Section 53). The salient features of the draft Act are:-

Part-I

It shall be the duty and obligation of the appropriate government to ensure compliance of Part III of this Act in a manner so as to ensure total prohibition of all forms of child labour within period of five years form the commencement of the Act [Section 1(4)].

The definition of "Child" proposed to be amended as a person who has completed twelve years of age and not completed fourteen years of age and "Young Child" has been defined as a person who has not completed twelve years of age [Section 2(iii)].

While interpreting the sections under this act, Court, Tribunal, Board or other forum, shall consider international law, including international covenants and may consider foreign law [Section 3].

Part-II

- (a) Complete prohibition of employment of 'Young child' in any occupation or process, in any capacity, under any circumstance [*Section 5*].
- (b) Prohibition of employment of 'child' in certain occupation and processes included in Part A & B of the Schedule to the Act [*Section 6*].
- (c) No child to be permitted to work during school hours on school working days [*Section 7*].

Part-IV

- (a) Appointment of Inspectors within 12 weeks of the coming into force of the Act [*Section 13(1)*].
- (b) Inspectors appointed under other labour laws, Police Inspector, Sarpanch of village, Development officers and Food and Sanitary Inspectors to be treated as Child Labour Inspectors under the Act [*Section 13(2)*].
- (c) Appointment of compliance officers [*Section 13(4)*].
- (d) Child Labour Advisory Board to receive notice and to check particulars submitted by occupier or employer and to initiate action on the receipt of notice and complaint [*Section 16*].
- (e) Notice of accident which results in death or body injury to child labour to be given to concerned inspector. Inspector to inquire into the matter [*Section 21*].

Part-V

- (a) Establishment of Child Labour Court [*Section 22*].
- (b) Right of Trade Unions, Panchayats and Registered Voluntary Agencies to bring action against employer [*Section 29*].
- (c) Affected employer may move court for legal action against other employers engaging child labour [*Section 31*].

Part-VII

- (a) Establishment of Child Labour Advisory Boards at State and Central Level, their constitution, appointment of officers, conduct of business and their duties [*Section 32, 33, 34, 35, 36 & 37*].
- (b) The functions of the Child Labour Advisory Boards shall be to promote the aims and objects of this Act and further protect the rights of working children [*Section 38*].

Part-VIII

- (a) Establishment of Child Labour Rehabilitation, Welfare and Development Fund, composition, utilization of the funds, education and rehabilitation of released children [*Section 42*].
- (b) District Commissioner to be the Chairman of the District Child Labour Rehabilitation, Welfare and Development Fund [*Section 43*].
- (c) The fund shall be utilized by the District Child Labour Rehabilitation and Welfare Committee for activities necessary or expedient to promote the welfare, educational and vocational training of children withdrawn from occupations and processes listed in the Schedule to the Act [*Section 45, 46 & 47*].

Comparative features of Draft Legislation on Child Labour vis-à-vis Child Labour (Prohibition & Regulation Act)

S. No.	The Child Labour Prohibition Bill, 1998	The Child Labour (P & R) Act, 1986	<u>Remarks</u>
1.	<p><u>Part-I</u></p> <p>It shall be the duty and obligation of the appropriate government to ensure compliance of Part III of this Act in a manner so as to ensure total prohibition of all forms of child labour within period of five years form the commencement of the Act. [Section 1(4)]</p>	<p>No such specific provision exists in the CL (P&R) Act, 1986.</p>	
2.	<p>Provides that while interpreting the sections under this Act, Court, Tribunal, Board or other forum, shall consider international law, including international covenants and may consider foreign law. [Section 3]</p>	<p>Provides that the Court can merely interpret the section (fulfilling the object of the legislation); it can not re-write, re-cast, or re-design the section. [Comments below Section 2].</p>	
3	<p><u>Part-II</u></p> <p>For the purpose of this Act, the term "State Government" shall mean and</p>	<p>No such specific provision exists in the CL (P&R) Act, 1986.</p>	

	include the Government of a Union Territory [Section 2(i)]		
4	<p>"child" means a person who has completed twelve years of age and not completed fourteen years of age and "young child" means a person who has not completed twelve years of age. [Section 2(iii)]</p>	<p>"child" mean as person who has not completed his fourteenth year of age. [Section 2(ii)]</p>	
5	<p>The term "establishment" expanded to include factory, agricultural or horticultural farm and including an establishment ancillary thereto or places where works incidental to the establishment are carried on and such other work places as may be notified by the Appropriate Government in the Official Gazette. [Section 2(vii)]</p>		
6	<p>"Hazardous Occupation" with reference to a child means any occupation or vocation or process which when a child is employed in it could ...prevent the child from seeking education or interferes with the child's education or from seeking opportunities and facilities to develop in conditions of freedom and dignity. [Section 2(ix)]</p>	<p>The 'Hazardousness' of an occupation/ process to be decided by the Child Labour Technical Advisory Committee. [Section 5(1)].</p>	
7	The term "Occupier" in relation to an	Provides that "occupier"	

	<p>establishment expanded to include owner or agent(s), persons on whose behalf or under whose orders processes or occupations are being undertaken, or person who is found in charge of employing or supervising the work in the establishment at the time of inspection. [Section 2(x)]</p>	<p>in relation to an establishment or a workshop, means the person who has the ultimate control over the affairs of the establishment or workshop. [Section 2(vi)]</p>	
8	<p>"Occupation" in relation to the child has been defined to include any vocation, process or job work undertaken by such child, either independently or for or on behalf of any other person under whom there exists a subordinate labour relationship. [Section 2(xi)]</p>	<p>No such specific provision exists in the CL (P&R) Act, 1986.</p>	
9.	<p>The terms "Board" - Child Labour Advisory Board, Child Labour Court", "Education", "Fund" - Child Labour Rehabilitation, Welfare and Development Fund, "Street Children", "Subordinate Labour relationship", which were not in the CL(P&R) Act, 1986, have also been defined.</p>	<p>The terms "family", "port authority" and "workshop" which were defined in the CL(P&R) Act, 1986, have been left out.</p>	
10.	<p>Section 5 provides that no young child shall be employed or permitted to work in any occupation or process, in any</p>	<p>It prohibits employment of children in occupations and</p>	

	<p>capacity, under any circumstance.</p> <p>Section 6 prohibits employment of 'Child' in hazardous occupations; occupations, vocations and processes set forth in Part A and B of the Schedule to the Act.</p>	<p>processes set forth in Schedule to the Act. It permits employment of such children in workshop wherein any process is carried on by the occupier with the aid of his family or to any school established by, or receiving assistance or recognition from Government. [Section 5]</p>	
11.	<p>Section 7 provides that no child shall be employed or permitted to work in any capacity during schools hours on school working days.</p> <p>The School hours shall be deemed to be between 10 a.m. and 3 p.m. except when determined otherwise by the appropriate Government.</p>	<p>No such specific provision exists in the CL (P&R) Act, 1986.</p>	
12.	<p>The "Board" may suggest suitable additions to the list of occupations or processes mentioned in the Schedule to the Act. [Section 8(2)].</p>	<p>The addition of occupation and processes to the Schedule is done on the advise of the Child Labour Technical Advisory Committee.</p>	

13.	<p>Part IV</p> <p>Section 13 empowers appropriate Governments to appoint sufficient number of Child Labour Inspectors within twelve weeks of enactment.</p> <p>In addition to above, the following shall be deemed to be Child Labour Inspectors:</p> <ul style="list-style-type: none"> • Inspectors appointed under other labour laws; • Police inspectors; • Sarpanch of a village; • Development officers; and • Food and sanitary inspectors. 	<p>The corresponding Section 17 empowers appropriate Government to appoint Inspectors.</p>	
14.	<p>It empowers appropriate Governments to authorize persons as Compliance Officers only for the purpose of filing complaints regarding non-compliance with the provisions of the Act. These persons include Nominated Teachers of Government Schools, Nominated Doctors, and Nominated Panchayat members. [Section 13(4)]</p>	<p>Under CL (P&R) Act, 1986, any person, police officer or Inspector may file a complaint of the commission of an offence under the Act in any court of competent jurisdiction. [Section 16]</p>	
15.	<p>Section 14 specifies duties of the Inspector and reporting to the Advisory Board of the initiative taken and status of compliance.</p>	<p>No such specific provision exists in the CL (P&R) Act, 1986.</p>	

16.	Section 16 of the intended Legislation prescribes duties of the State Advisory Board on receipt of Notice or Complaints.	No such specific provision exists in the CL (P&R) Act, 1986.	
17.	Notice of accident which results in death or body injury to child labour to be given to concerned inspector. Inspector to inquire into the matter <i>[Section 21]</i> .		
18.	<u>Part-V</u> Establishment of Child Labour Courts for hearing offences under the Act.	-do-	
19.	Right of Trade Unions, Panchayats and Registered Voluntary Agencies to bring action against employer <i>[Section 29]</i> .		
20.	Affected employer may move court for legal action against other employers engaging child labour <i>[Section 31]</i> .		
21.	<u>Part-VII</u> Establishment of Child Labour Advisory Board at Central and State level.	-do-	
22.	<u>Part-VIII</u> Establishment of Child Labour Rehabilitation, Welfare & Development Board.	-do-	

