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CHILDREN AND WORK

12.1 CONSTITUTIONAL AND POLICY FRAME WORK

- India has all along followed a proactive policy in the matter of tackling the problem of child labour. India has always stood for constitutional, statutory and developmental measures that are required to eliminate child labour.
- Six ILO conventions relating to child labour have been ratified and three of them as early as first quarter of 20th century.
- The framers of the Indian Constitution consciously incorporated relevant provisions in the constitution to secure compulsory universal primary education as well as labour protection for children.

Labour commissions and committees have gone into the problems of child labour and made extensive recommendations. India's judiciary right up to the apex level has demonstrated profoundly empathetic responses against the practice of child labour. India's policy on child labour has evolved over the years in this backdrop.

- The present regime of laws relating to child labour have a pragmatic foundation and are consistent with the International Labour Conference Resolution of 1979 which calls for a combination of prohibitory measures and measures for humanizing child labour wherever the same cannot be outright eliminated in the short run (Box 12.1).

Box 12.1 —Constitutional Provisions

Article 24

Prohibition of employment of children in factories etc.

No child below the age fourteen years shall be employed in work in any factory or mine or engaged in any other hazardous employment.

Article 39

The State shall, in particular, direct its policy towards securing :-

(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength.

(f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

Article 45

Provision for free and compulsory education for children.

The State shall endeavour to provide, within a period of ten years from the commencement of this constitution, for free and compulsory education for all children until they complete the age of fourteen years.

12.2 LEGAL PROTECTION OF CHILDREN AT WORK

- The policy of the Government is to ban employment of children below the age of 14 years in factories, mines and hazardous employments and to regulate the working conditions of children in other employments.
- The Child Labour (Prohibition & Regulation) Act, 1986 seeks to achieve this basic objective. The Act prohibits employment of children in occupations and processes listed in Part A and B of the Schedule to the Act. Through a Notification dated 26.5.1993, the working conditions of children have been regulated in all employments, which are

not prohibited under the Child Labour (Prohibition & Regulation) Act, 1986. Through later Notifications, the Schedule has been substantially enlarged to add six more occupations and 33 processes bringing the total to 13 occupations and 57 processes respectively.

- Section 5 of the Child Labour (Prohibition & Regulation) Act, 1986 provides for the constitution of a Child Labour Technical Advisory Committee to advise the Central Government for the purpose of addition of occupations and processes to the schedule of the Act. The Committee consists of a Chairman and such other members, not exceeding 10, as may be appointed by the Central Government.

Box 12.2 - The Rights of the Child The United Nations Convention(Excerpts)

Article 27

1. States parties recognise the right of the child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

Article 28

1. States Parties recognise the right of the child to education and with a view to achieving this progressively and on the basis of equal opportunity they shall, in particular:

- (a) make primary education compulsory and available free to all;
- (b) encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) make educational and vocational information and guidance available and accessible to all children;

(e) take measures to encouraging regular attendance at schools and the reduction of dropout rates.

Article 32

1. State Parties recognise the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical mental, spiritual, moral or social development.

2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present Article. To this end, and having regard to the relevant provisions of other international instruments, States parties shall in particular:

- (a) provide for a minimum age or minimum ages for admission to employment;
- (b) provide for appropriate regulation of the hours and conditions of employment
- (c) provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present Article.

Box 12.3 - Evolution of India's Child Labour Policy

1. Ratification of No. 6 Night Work of young persons (Industry) Convention. 1919 of ILO	July, 1921	Night work of young persons in any public or private industrial undertaking prohibited
2. Ratification of No. 15 Minimum age of (Trimmers and Stokers) Convention, 1921 of ILO	November, 1922	Employment of young persons as trimmers and stokers in vessels or ports prohibited.
3. Ratification of ILO No. 16 Medical Examination of young persons (c) Convention, 1921 of ILO	November, 1922	Compulsory medical examination of children and young persons employed at sea provided for.
4. Enactment of Children (Pledging of Labour) Act, 1933	February, 1933	Pledging of Labour of children prohibited and penalty for parents/guardians pledging child labour prescribed.
5. Enactment of Employment of Children Act, 1938	1938	Employment of children below 14 years prohibited in certain occupations.
6. Adoption and Enactment of Constitution of India Act by the Constituent Assembly	1949	Prohibition of employment of children below 14 years of age in factories, mines and hazardous employments in terms of a fundamental right; and Directive Principles laid down against the abuse of the tender age of the children until 14 years of age.
7. Ratification of No. 90 Night Work of Young Persons (Industry) Convention, (Revised) 1948 of ILO	February, 1950	Night work by children and young persons abolished.
8. Ratification of No. 5 Minimum Age (Industry) Convention, 1919 of ILO	September, 1955	Employment of children under 14 years of age in any public or private industrial under-taking prohibited.
9. Report of the National Labour Commission	1969	Recommended combination of work with education and flexible employment hours which would not inhibit education.
10. Ratification of No. 123, Minimum age (Under ground Work convention), 1965 of ILO	March, 1975	Employment of persons below 16 years of age for work under ground in mines prohibited.
11. Report of Gurupadswamy Committee, 1979	1979	Recommended setting up of Child Labour Advisory Boards, fixation of minimum age of entry to any establishment, strengthening of enforcement machinery, formulation of effective educational policy with emphasis on integration of educational requirements with local crafts.
12. Establishment of the Central Child Labour Advisory Board with Labour Minister as Chairman	March, 1981	To review implemetation of existing laws; to suggest legislative and welfare measures for working children; to review progress of welfare measures; and to recommend industries where child labour should be eliminated.
13. Enactment of Child Labour (Prohibition & Regulation) Act, 1986	December 1986	Employment of children below 14 years of age prohibited in specified occupations and processes; procedure of modification of schedule of banned occupations of processes laid down; regulation of working conditions of children in non-prohibited employments provided for; penalties for violation of the law provided; and uniformity in definition of "child" in related laws provided for.
14. Adoption of the National Child Labour Policy, 1987	August, 1987	Provided for a legislative action plan; focussing of general development programmes for the benefit of working children as well; and formulation of project based action plan in areas of high concentration of child labour.

15. Report of the task force on child labour set up by the Child Labour Advisory Board under the Chairmanship of . L.M.Singhvi.	December 1989	Recommended amendments to child labour laws and national policy on Child Labour
16. Report of the National Commission on Rural Labour	July, 1991	Recommended enactment of compulsory primary education Acts by State; creation of non-formal education centres; enhancement of outlays for elementary education; guarantee wage employment of parents of working children; universal prohibition of child labour; media publicity against child labour.

Box 12.4 - Employment of Children - Protective Legal Provisions

Sl. No.	Name of Enactment	Protective provisions for children
1. 2. 3. 4. 5. 6.	1. The Children (Pledging of Labour) Act, 1933 2. The Factories Act, 1948 3. The Mines Act, 1952 4. The Motor Transport Workers Act, 1961 5. The Beedi and Cigar Workers (Condition of Employment) Act, 1966 6. The Child Labour (Prohibition & Regulation) Act, 1986	Any agreement to pledge the labour of children is void. Employment of children under 14 years of age prohibited under the law at Sl. Nos. 1 to 5. Except in the process of family based work or recognised school based activities, children below the age of 14 are not permitted to work in occupations and processes listed in the schedule to the Act including: * Passenger, goods, mail transport by Railway * Carpet weaving * Cinder picking, cleaning of ash pits * Cement manufacturing * Building operation construction * Cloth printing * Dyeing, weaving * Manufacturing of matches, explosives, fireworks * Catering estt. in Railway premises or port limits * Beedi making * Mica, cutting, splitting * Abattoirs * "Hazardous Process" and "Dangerous Operation" as defined notified in Section 2(cb) & Section 87 of the Factories Act, 1948 respectively * Wool cleaning * Printing as defined in section 2(k) of the Factories Act, 1948 * Cashew and Cashewnut descaling and processing * Soldering processes in electronic industries In occupations and processes other than the above mentioned, work by children is permissible only for six hours between 8.00 A.M and 7.00 P.M. with one day's weekly rest. Occupier of establishment employing children to give notice to local Inspector and maintain prescribed register.
7. 8.	7. The Plantations Labour Act, 1951 8. Minimum Wages Act, 1948	Children /adolescents are allowed to work 27 hours a week. Child work is not allowed during night i.e 7.00 P.M. to 6.00 A.M. Children permitted to work in plantations only where certificate of fitness is granted by a certifying surgeon. On completion of 15 days work one day's leave with wages is to be allowed.

Table 12.1: State-wise Distribution of Working Children According to 1971, 1981 and 1991 Census

State/ Union Territories	1971	1981	-----1991-----		
	Workers	Workers	Main Workers	Marginal Workers	Total Workers
1 Andhra Pradesh	1,627,492	1,951,312	1,537,293	124,647	1,661,940
2 Assam	239,349*	**	259,953	67,645	327,598
3 Bihar	1,059,359	1,101,764	795,444	146,801	942,245
4 Gujarat	518,061	616,913	373,027	150,558	523,585
5 Haryana	137,826	194,189	89,030	20,661	109,691
6 Himachal Pradesh	71,384	99,624	30,771	25,667	56,438
7 Jammu and Kashmir	70,489	258,437	**	**	**
8 Karnataka	808,719	1,131,530	818,159	158,088	976,247
9 Kerala	111,801	92,854	28,590	6,210	34,800
10 Madhya Pradesh	1,112,319	1,698,597	997,940	354,623	1,352,563
11 Maharashtra	988,357	1,557,756	805,847	262,571	1,068,418
12 Manipur	16,380	20,217	13,478	3,015	16,493
13 Meghalaya	30,440	44,916	30,730	3,903	34,633
14 Nagaland	13,726	16,235	16,106	370	16,476
15 Orissa	492,477	702,293	325,250	127,144	452,394
16 Punjab	232,774	216,939	132,414	10,454	142,868
17 Rajasthan	587,389	819,605	490,522	283,677	774,199
18 Sikkim	15,661	8,561	5,254	344	5,598
19 Tamilnadu	713,305	975,055	523,125	55,764	578,889
20 Tripura	17,490	24,204	13,506	2,972	16,478
21 Uttar Pradesh	1,326,726	1,434,675	1,145,087	264,999	1,410,086
22 West Bengal	511,443	605,263	593,387	118,304	711,691
23 Andaman & Nicobar Island	572	1,309	758	507	1,265
24 Arunachal Pradesh	17,925	17,950	11,632	763	12,395
25 Chandigarh	1,086	1,986	1,839	31	1,870
26 Dadra & Nagar Haveli	3,102	3,615	2,677	1,739	4,416
27 Delhi	17,120	25,717	26,670	681	27,351
28 Daman and Diu	7,391	9,378	741	200	941
29 Goa			3,938	718	4,656
30 Lakshadweep	97	56	17	17	34
31 Mizoram	***	6,314	6,391	10,020	16,411
32 Pondicherry	3,725	3,606	2,565	115	2,680
TOTAL	10,753,985	13,640,870	9,082,141	2,203,208	11,285,349
* Includes figures of Mizo district also which then formed part of Assam					
** Census could not be conducted.					
*** Census figures of 1971 in respect of Mizoram included under Assam.					
NB: Figures for 1991 relates to workers of age group 5-14 years.					

12.3 CURRENT STATUS

- The Census data is compiled by the Registrar General & Census Commissioner. According to the 1981 Census, the estimated figure of working children was 13.6 million. According to the 1991 Census, the number of working children in the country is of the order of 11.28 million. The estimated number of working children in the country is 10.4 million according to the Estimates of the 55th round of the NSSO survey (1999-2000).
- As per the 1991 Census, the State with the highest child labour population in the country is Andhra Pradesh, which had 1.66 million working children. Other states where child labour population is more than one million are Madhya Pradesh, Maharashtra and Uttar Pradesh. More than 90% of child labour is engaged in rural areas, in agriculture and allied employments like cultivation, agricultural labour, livestock, forestry and fisheries. Two positive implications regarding the number of working children are as follows: —
 - The number of working children has come down both in absolute as well as in percentage terms. In 1981, out of a total population of 685 million, the number of working children was 13.6 million which works out to about 2% of the total population. In 1991, out of a total population of 838.6 million, number of working children was 11.28 million, which works out to only 1.34%.
 - In 1981, the total work force in the country was about 223.00 million and the number of working children was 13.6 million. This worked out to about 6% of the total work force. In 1991, however, the total working population in the country was 314 million, out of which the number of working children was 11.28 million, which works out to only 3.59%.
- A legislative action plan;
- Focussing of general development programmes for benefiting children wherever possible, and
- Project-based action plans in areas of high concentration of child labour engaged in wage/quasi-wage employment.
- Under the project based action plan, 12 National Child Labour Projects (NCLP) were initially started in Andhra Pradesh (Jaggampet and Markapur), Bihar (Garwah), Madhya Pradesh (Mandsaur), Maharashtra (Thane), Orissa (Sambalpur), Rajasthan (Jaipur), Tamil Nadu (Sivakasi), and Uttar Pradesh (Varanasi-Mirzapur-Bhadohi, Moradabad, Aligarh and Ferozabad).
- A major activity undertaken under the NCLP is the establishment of special schools to provide non-formal education, vocational training, supplementary nutrition, stipend, health care etc. to children withdrawn from employment.
- With a view to fulfilling the constitutional mandate, a major announcement was made on 15th August 1994 for withdrawing child labour working in hazardous occupations and rehabilitating them through Special Schools. As a follow up, a series of steps were taken by the Government. A high-powered body, the National Authority for the Elimination of Child Labour (NAECL) was constituted on 26th September 1994 under the Chairmanship of Labour Minister. The functions of NAECL are: —
 - (i) to lay down policies and programmes for elimination of child labour particularly in hazardous industries;
 - (ii) to monitor the progress of implementation of programmes, projects and schemes for elimination of child labour;
 - (iii) to coordinate implementation of child labour related projects of the various sister Ministries of the Government of India (to ensure convergence of services for the benefit of the families of child labour)
- Secretaries to Government of India in the Ministries of Labour, Information & Broadcasting, Welfare, Rural Development,

12.4 NATIONAL CHILD LABOUR POLICY

- The Government announced the National Policy on Child Labour in August 1987. The action plan under the National Child Labour Policy comprises:

Textiles and the Departments of Expenditure, Education, Health, Family Welfare and Women & Child Development are members of the National Authority for the Elimination of Child Labour. The NAECL in their meeting on 16th January, 1995 adopted a programme of securing convergence of services of the Ministries of Government of India and Departments of the State Governments which implement child related programmes at the national, state and field levels. The purpose of securing convergence of services is to provide education, health and other inputs to children taken out of schools in a cost

effective manner by pooling the resources of various ministries.

- The Budgetary allocation for the Ninth Five Year Plan is Rs.249.60 crores
- During the Ninth Plan approval was accorded to sanction upto 100 NCLP projects
- There are currently 100 National Child Labour Projects in 13 child labour endemic states for rehabilitation of about 2.11 lakh children removed from work. State-wise coverage under the NCLP is as under (Table 12.2):

Table 12.2 COVERAGE UNDER NATIONAL CHILD LABOUR PROJECTS						
Sl. No.	Name of States	No. of districts covered	Sanctioned coverage		Actual coverage	
			No. of Schools	No. of children	No. of Schools	No. of children
1.	Andhra Pradesh	22	1008	51650	965	50921
2.	Bihar	03	85	6500	85	6316
3.	Chattisgarh	05	139	9900	98	5128
4.	Jharkhand	05	114	5700	114	5700
5.	Karnataka	05	190	9,500	105	5222
6.	Madhya Pradesh	03	88	4600	44	2334
7.	Maharashtra	02	74	3700	69	3570
8.	Orissa	18	696	39550	628	35002
9.	Rajasthan	06	180	9000	154	7700
10.	Tamil Nadu	09	425	21900	417	22029
11.	Uttar Pradesh	114	26500	365	21574	
12.	West Bengal	08	347	17350	298	14950
13.	Punjab	03	107	5350	27	1350
	Total	100	3967	211200	3369	181796

- A review of the implementation of various programmes for elimination of child labour reveals that even though considerable efforts have been made, in order to make a significant dent in this age old social evil, a multi pronged strategy coupled with a massive mobilisation of resources, both physical and financial, is required.
- Before considering any expansion of the programme, it was considered appropriate to get the existing projects evaluated through independent evaluation agencies. Accordingly, five evaluation agencies were identified for evaluating identified child labour projects in the States of Uttar Pradesh, Tamilnadu, Andhra Pradesh,

Orissa and Rajasthan. The reports received showed, inter alia, that the magnitude of the child labour problem can be considerably reduced through rehabilitation measures by the projects and that there is need to continue the component of special schools or camp approach. The need for awareness generation among the public was also been highlighted.

- Subsequently, Inter-Ministerial Teams were constituted to assess the progress made so far under the NCLPs and to ascertain the strengths and weaknesses of the child labour projects. Accordingly, teams comprising the representatives of the Department of Expenditure, Planning

Commission, Department of Women & Child Development, Ministry of Labour and Controller of Accounts of the Ministry undertook extensive visits to the NCLPs at Ranga Reddy (Andhra Pradesh), Kalahandi (Orissa), Varanasi (Uttar Pradesh), Sivakasi (Tamil Nadu) and Jaipur (Rajasthan). The teams interacted with State Governments, NGOs, officials of the Project Society, parents of children admitted in the special schools and representatives of the public in order to make an objective assessment of implementation of the NCLPs. Some of the observations and recommendations of the teams are as follows:

- The National Child Labour Projects, which were set up with the main objective of withdrawing children working in hazardous occupations and mainstreaming them to the formal school system, have succeeded in achieving the desired objective to a large extent.
- They have bridged an important gap in the education system and have been able to ensure rehabilitation of children withdrawn from hazardous employments, through education in the special schools.
- Performance of some of the projects is appreciable and worthy of replication.
- As the working children are from different socio-economic backgrounds and have different skills and experience, normal schools are not in a position to cater to their specific needs. The special schools essentially act as a bridge to facilitate their entry to the formal schools. Their continuance is therefore necessary.
- One of the main weaknesses observed by the teams was lack of systematic and periodic monitoring and inspection, both through the State Government and periodic visits by officers in the Ministry. Enforcement of labour laws also needs to be stepped up.
- A Central Monitoring Committee for the overall supervision, monitoring and evaluation of the National Child Labour Projects was set up under the Chairmanship of Secretary, Ministry of Labour with representatives of State Governments and concerned Ministries/Departments. State Governments have been written to for setting up State Level Monitoring Committees similar to the Central Monitoring Committee. Action is also being taken at the district and State level to monitor the pace and progress of operationalisation of NCLPs. Detailed instructions have been issued to Project Societies, regarding the manner of operationalisation of projects, selection and training of teachers, curriculum, course content and textual material, evaluation of learning outcomes, mainstreaming of children etc.
- Government commitment to addressing the problem of child labour is reflected in the announcement made in the National Agenda for Governance (1998). The agenda states that the aim is to ensure that no child remains illiterate, hungry or lacks medical care and that measures will be taken to eliminate child labour.
- A National Conference on Child Labour was held at New Delhi on 22nd January 2001, which was addressed by Hon'ble Prime Minister. Representatives of concerned State Governments, Dist. Collectors, Project staff in-charge of implementing the National Child Labour Projects, Trade Unions, Employers, Research Institutions, NGOs, and other concerned parties met and deliberated on the subject of the elimination of child labour and it was resolved that all efforts be made for complete elimination of child labour beginning with children working in hazardous occupations.
- A Comprehensive exercise to evaluate the National Child Labour Projects in the country has been conducted by independent agencies in 2001. 50 National Child Labour Projects have been covered in the first phase. The evaluation exercise was coordinated by the V.V.G. NLI. The finding and recommendations that have emerged, inter alia, include the following:
- In most areas the community has welcomed the opening of the NCLP schools. This has provided an opportunity to fulfill the educational needs of the locality. Given the fact that more than 60% of the children in NCLP schools are actually children withdrawn from work indicates that the NCLPs have been successful in their attempts to withdraw children from work and provide them education. The special schools need to be continued. There is need to relocate NCLP schools in some projects to areas where they are most required.

- Selection of teachers is mostly done by the Project Society. In some areas where the community has been involved in the selection, the levels of the motivation of instructors are found to be higher.
- Local attempts to link training of teachers/instructors to the District Primary Education Programme (DPEP) or have them systematically trained through DIET/DRUs in the district have shown positive results in terms of increased comprehension among these instructors about the special need of children enrolled in the NCLP Schools.
- One of the primary objectives of the special schools is to mainstream as many children as possible into the formal school system. The position regarding the curriculum and mainstreaming in the NCLP indicated a varied picture.
- While some districts are pursuing their teaching through the non- formal education method, others are using the formal school syllabus. One positive aspect of using the formal syllabus is that it has enabled a smooth transition of children from the NCLP centers to mainstream education. A mix of the two types of curricula is also followed in some pockets where mainstreaming has also been effective. Adoption of different curricula has reflected itself in terms of varied levels of mainstreaming across regions.
- While use of adoption of either curricula could be appropriate to achieve a satisfactory level of mainstreaming, the issue that requires to be focussed upon is adequate and timely supply of appropriate teaching-learning material. The desirability of having a uniform curricula at the national level or at least the state level should be examined.
- Provision of Mid Day Meal and Stipend have been important motivational factors for parents to send their children to the special schools.
- In some projects stipend money is used for supplementing the nutrition component or for purposes like providing uniforms for the children. There seems to be wide community support for such arrangements which are normally undertaken after taking the parents of the children enrolled in special schools into close confidence.
- Most projects provide adequate teaching learning material to the students.
- Vocational training in most centers is not based on a scientific need based assessment of the labour demand in different sectors and sub-sectors in the local areas.
- Tests to assess the learning achievements of children to facilitate their entry to formal schools need to be conducted systematically.
- Once children are mainstreamed to formal schools it would be necessary to have a plan of action to ensue a 'follow up' or tracking of these children to monitor their progress in schools and provide them help in case they are not able to cope with the curricula.
- There is a mix of part time and full time Project Directors in a project society. The availability of a full time Project Director is found to provide a momentum to the activities of the NCLP.
- Within the Government Departments a number of NCLPs have effectively converged with the Education Ministry/ Department and the Health Ministry. However, convergence with the Department of Rural Development needs to be strengthened.

12.5 SUPREME COURT JUDGEMENT ON CHILD LABOUR

- The matter regarding elimination of child labour has also been deliberated by the Hon'ble Supreme Court. The Supreme Court of India, in its judgement dated 10th December, 1996 in Writ Petition (Civil) No.465/1986 has given certain directions regarding the manner in which the children working in the hazardous occupations are to be withdrawn from work and rehabilitated as also the manner in which the working conditions of the children working in non-hazardous occupations are to be regulated and improved upon.
- The important directions given in the judgement dated 10th December, 1996 include completion of the survey of children working in hazardous employments within a period of six months, payment of compensation amounting to Rs.20,000/- by the offending employer for

every child employed in contravention of the provisions of the Act, giving alternative employment to an adult member of the family in place of the child withdrawn from the hazardous occupation or payment of an amount of Rs.5, 000/- for each child employed in hazardous employment by the appropriate Government, payment of interest on the corpus of Rs.25,000/- (Rs.20,000/- to be paid by the employer and Rs.5,000/- to be contributed by the appropriate Government) to the family of the child withdrawn from work, provision of education in a suitable institution for the child withdrawn from work and constitution of the Child Labour Rehabilitation-cum-Welfare Fund, constitution of a separate cell in the Labour Dept. the appropriate Government for the purpose of monitoring.

- In a related judgement on 7th May, 1997, the Supreme Court in Writ Petition Civil No.12125/84 and 11643/85- Bandhwa Mukti Morcha, etc. (Petitioner) V/s UOI & Ors.(Respondents) has also given a number of directions on the identification, release and rehabilitation of child labour. The Court, inter alia, directed Government of India to convene a meeting with the State Governments to evolve principles/policies for progressive elimination of employment of children below 14 years in all the employments consistent with the scheme laid down in Civil Writ Petition No.465/86. These directions were given by the Court in the context of employment of children in the carpet industries in the State of U.P. In this case, the Court issued the following directions to the Government of Uttar Pradesh:

- Investigate into the conditions of employment of children.
- issue such welfare directions as are appropriate for total prohibition of employment below 14 years of age.
- Provide facilities like education, health, sanitation, nutritious food, etc.

- The implementation of the directions of Supreme Court is being monitored by the Ministry of Labour and compliance of the direction reported to the Hon'ble Court on the basis of information received from the State/UT Governments from time to time.

12.6 ASSISTANCE TO VOLUNTARY ORGANISATIONS

- Under the Grant-in –aid scheme voluntary organisations are being financially assisted to the extent of 75% of the project cost, for taking up welfare projects for rehabilitation of working children. Financial assistance may also be given for useful and action-oriented research and study on the subject of child labour and preventive measures to discourage further accretion of children into employment. The particulars of voluntary organisations which were extended assistance under the scheme during 2000-2001 (up to 31st December, 2000) are as under:

Andhra Pradesh (4)

1. Rural Social Welfare Association, Mahaboobangar
2. Rural Development Organisation, Mahboobnagar
3. Youth Association .for Rural Education & Dev., Khammam
4. Sri Triveni Educational Academy, Nandigama, Krishna

Assam (2)

5. Bahumukhi Krishi Aru Samaj Kalyan Samiti, Nagaon
6. Sadau Asom Gramya Puthibhaval Santha, Nagaon.

Bihar (9)

7. Vaishali Kala Kunj, Hajipur
8. Alpshankhyak Mahila Prathishthan Kendra, Patna
9. Sudha Mahila Samaj Kalyan Parishad, Nalanda
10. Chandrashekhar Yuva Kendra, Vaishali
11. Helping India, Saran
12. Bhartiya Gramin Seva Sansthan, Dharbhanga
13. Subidha International, West Champaran
14. Mahila Evam Shishu Vikas Parishad, Khagariya
15. Gramin Sansthan Vikas Parishad, Buxar.

Haryana (2)

16. Haryana Lok Kalyan Shiksha Samithi, Panipat
17. Jan Chetna Sangthan, Sirsa

Kerala (1)

18. Tagore Memorial Charitable Trust,
Thiruvananthapuram.

Madhya Pradesh & Chattisgarh (2)

19. Shri Nav Niketan Shiksha Samiti,
Bhopal
20. Manju Mahila Samiti, Jabalpur

Manipur (1)

21. United Rural Development Service,
Thoubal

New Delhi (4)

22. PRAYAS, Vasant Kunj,.
23. Jan Jagruthi Education, Mangol Puri
24. Mobile Creches, Gole Market.
25. National Fed. Of Labour Coop. Ltd.
Siri Instt. Area

Orissa (6)

26. PRRIYA, Balasore.
27. Orissa Multipurpose Dev. Centre,
Chandrasekharpur.
28. Institute for Communication &
Development Action, Bhadrak.
29. Ruchika Social Service Wing,
Bhubaneswar.
30. Manab Seva Sadan, Dhenkanal
31. Centre for Children & Women
Development, (CCWD),
Bhubaneswar

Rajasthan (1)

32. Jan Jati Mahila Vikas Sansthan, Swai
Madhopur.

Tamil Nadu (3)

33. Organisation for Rural Development,
Madurai
34. TN Village Consumers Protection
Council, Kavaraipeetai,
35. Chennai Mahabodhi Society,
Kavaraipeetai

Tripura (1)

36. Akhand Yoga & Natural Thrapy, Agartala

Uttar Pradesh (21)

37. Samaj Kalyan Sewa Samiti, Lucknow
38. Project Mala, Mirzapur
39. Gram Sewa Sansthan, Deoria
40. Children Emancipation Society,
"Project Mala", Mirzapur

41. Jan Seva Samithi Allahabad
42. Bal Vikas Avam Mahila Parishad,
Gonda
43. Kapil Bal Avam Seva Samithi, Basti
44. Avadh Mahila Avam Bal Kalyan
Samithi, Faizabad
45. Shikha Mahila Samiti, Basti
46. Dr. Bhim Rao Ambedkar, Mahrajganj
47. Vashnavi Shiksha Samiti, Allahabad
48. Jan Jivan Madhyamik Shiksha Samiti,
Gorakhpur.
49. All India Womens's Studies &
Dev.Org., Kanpur
50. All India Women's Conferemce ,
Kanpur
51. Swami Vivekananda Shiksha Samiti,
Mirzapur
52. Harijan Nirbal Shiksha Vikas Samiti,
Allahabad
53. Bharatiya Jan Kalyan Avam Mahila
Vikas Sewa Sansthan, Deoria.
54. Krishak Vikash Samiti, Ghazipur.
55. Purvanchal Manav Kalyan Sansthan,
Maharajganj.
56. PARAKH, Allahabad
57. Bhartiya Samajothan Sewa Sansthan,
Deoria

West Bengal (8)

58. Keorakhali Jan Sewashram, South 24
Parganas
59. Jan Siksha Prachar Kendra, Kolkata.
60. Centre for Social Development, North-
24 Parganas
61. Tafa Palli Milani Sangha, South 24
Parganas.
62. Indian Rural Medical Association,
Kolkata.
63. Village Welfare Socceity, Kolkata.
64. Mukti Rural Dev. & Child in need
Society, South 24 Parganas
65. Ikhupatrika Social Welfare
Organisation, Midnapore

- Grant-in-aid projects are monitored through periodic reports received, field visits, etc. All State Governments have been addressed for undertaking a comprehensive evaluation of projects. Evaluation reports have been received in respect of some projects.

12.7 NATIONAL RESOURCE CENTRE ON CHILD LABOUR (NRCCL)

- The National Resource Centre on Child Labour (NRCCL) was set up in V.V.Giri National Labour Institute in Noida, U.P in March, 1993 with financial support from the Ministry of Labour and UNICEF. The Centre has been entrusted with the task of documentation, publication and creation of a data bank on child labour, research and training, media management and technical support services etc. The main objective of the Centre is to assist the National and State Governments, NGOs, policy makers and other social groups in the field of child labour through a variety of supports and to develop capabilities of various target groups towards progressive elimination of child labour in India.
- In this direction, NRCCL has organized a number of training programmes for various target groups involved with different aspects of child labour conducted research studies and developed literature on the subject. A Manual for Trainers of Enforcement Officials in Child Labour Legislation and Enforcement Material for Factory and Labour Inspectors on child Labour has been prepared. Orientation training on child labour for Co-ordinators of NSS & NYK, Trade Union leaders, voluntary organisations and NGOs have been conducted by the Centre.
- The research studies taken up by NRCCL with a view to updating existing knowledge and exploring hitherto unexplored issues relating to child labour include a major project on child labour in home-based industries in 9 areas. Other research projects include: Child Labour in Beedi rolling industry in Orissa; Plastic bead making industry of Bhiwandi, Maharashtra; textile industries of Surat, Gujarat, Study on child labour as Domestic Servants; Child Labour as an indicator of backwardness; etc.
- The Centre has developed a Handbook on Child Labour for trade union members and a Handbook for Panchayati Raj members.

12.8 INTERNATIONAL PROGRAMME ON THE ELIMINATION OF CHILD

LABOUR (IPEC)

- The International Programme on the Elimination of Child Labour is a global programme launched by the International Labour Organisation in December 1991. India was the first country to join it in 1992 when it signed a MOU with ILO. The long term objective of IPEC is to contribute to the effective abolition of child labour. Its immediate objectives are:
 - § Enhancement of the capability of ILO constituents and Non-Government Organizations to design, implement and evaluate programmes for child labour elimination;
 - § To identify interventions at community and national levels which could serve as models for replication; and
 - § Creation of awareness and social mobilization for securing elimination of child labour.
- At the international level, IPEC has a Programme Steering Committee consisting of representatives of the ILO, the donors and participating countries. The IPEC Programme Management is guided from the ILO Headquarters. At the national level in India, there is a National Steering Committee of which the Labour Secretary is the Chairman. This is tripartite in composition with representation for NGOs as well.
- IPEC became operational in the field in early 1993. The period till 1996 saw a focus on NGO action through a very large number of small action programmes covering almost every State in the Country. The second phase of the strategy, 1998-99 was marked by a move to larger programmes in 6 selected districts in the country in conjunction with the Government of India's National Child Labour Projects which are now to be the vehicle for ILO's outreach strategy.
- For the period 1992-2001, budget allocation and commitment for India given under IPEC was US\$6.9 million. The amount disbursed during this period is of the order of US \$ 5.1 million. Altogether about 165 action programmes were taken up for implementation under IPEC during 1992-2001. The total number of children covered by these projects is 90,500. 11 projects are currently are under implementation.

- A proposal for taking up 'New Comprehensive IPEC Projects' in 10 identified industries, in selected areas in 4 states, is also on the anvil.
- In recent times, it has been impressed in various fora, including at the meeting of the IPEC Programme Steering committee, that IPEC activities should be conducted in conjunction with national policies, priorities and programmes of the recipient Member States. The concerned Member States should be fully aware of activities undertaken under IPEC. All proposals recommended by the National Steering Committee must be processed expeditiously and sanctions communicated in time, backed by timely release of funds. It has also been impressed that it is essential to augment funding for IPEC activities in India and that contributions should be towards core funding rather than to specific projects.
- The Memorandum of Understanding signed by the Government of India in 1992 for the implementation of IPEC in India expired on 31st December 1996. For the continuance of IPEC beyond December 1996, the Government of India and ILO signed the extension of the MOU on 28th January 1997. The extension of the MOU remained in force until 31st December 1997 in the first instance and was extended thereafter till 31st December 1999. Continuance of IPEC, beyond December 1999, has been extended for a period of 2 years upto December 2001 and can be extended by another 1 year by mutual agreement.

12.9 STRATEGY FOR THE TENTH PLAN

- The target should be to eliminate child labour from Hazardous Occupations by a determined time and progressively move towards complete elimination of child labour.
- The NCLPs should be expanded to cover all child labour endemic districts.
- Projects should have a fixed time frame which should not exceed 5 years and have clearly stated targets and strategy for fulfilling the targets.
- A detailed survey would be carried out to assess the number of working children in the district, including children working in hazardous occupations and children working for a wage. The survey would also collect relevant information on families of working children to enable the benefits of other social sector schemes to be made available to them.
- The task of elimination of Child Labour would be placed on the top of the nation's agenda and given a 'mission mode'. The activities of all concerned ministries/ departments have to be geared towards attainment of this common objective.
- Poverty has been identified as a major factor compelling parents to send their children to work. Lack of awareness and educational opportunity and ineffective enforcement of child labour related laws contribute to the existence and acceptance of this social evil. The improvement in the living and working conditions of parents and improvement in the economic conditions is considered crucial to the elimination of child labour. The support of Ministry of Rural Development has been enlisted in this context. The ultimate objective of the child labour Programme is to convert working children into productive and participative members of the society. For fulfilment of this objective there cannot be a more powerful and potent weapon than education and making universal Elementary Education a reality. The education imparted has to be appropriate to a group, which is multi skilled, multi aged, and multi level and with divergent socio-economic backgrounds. Apart from this, an appropriate climate has to be created by way of generating awareness among the public against this social evil. Simultaneously, the enforcement machinery has to be geared up to meet this challenge.
- The number of working children who have been covered by the special schools is a miniscule of the total number of working children awaiting to be released and rehabilitated. Evidently, the goal cannot be reached in one stroke. Considering the magnitude and multi faceted character of the problem, only a holistic and sequential, approach involving all sections of society can make a difference. Elimination of child labour cannot be the responsibility of one ministry/department or agency. It has to be a total national concern and the collective responsibility of all those in government as well as our friends in the civil society.

