

June 24, 2008

Dear

Subject: Tracking Child Labour through Task Force

It is heartening to note that the June 12th World Day against Child Labour was observed in several Districts in the country by the District Collectors in collaboration with the local NGO's. The National Commission for Protection of Child Rights (NCPCR) would like to keep the tempo of activities going in order to combat child labour in our country and ensure that every child enjoys his/her right to education.

It is in this regard that NCPCR sees the need to take a concerted action, especially considering the fact of prevalence of child labour across the country in almost every sector of the informal production process and occupations. It has been noticed that in spite of the existence of Child Labor (Prohibition and Regulation) Act, 1986 and the Bonded Labour System (Abolition) Act, 1976, action to rescue children from the labour force or enforce the law by booking cases against the employers has been negligible. The numbers of employers prosecuted remains abysmally low, compared to the numbers of children who are being exploited.

In order to strengthen the enforcement of the law, the District Authorities must put in place a mechanism of 'social audit' through a Task Force to make sure that children are not employed in the processes and occupations as listed in the Schedule (Part A – Occupation and Part B – Processes) of the Child Labor (Prohibition and Regulation) Act, 1986. This would also include residential complexes in case of employment of children as domestic child labour.

A review of the social audit through Task Force must be made by the Collector and the Labour Department must take action to book cases against the concerned employer(s) and take the case to its logical conclusion in cases where child labour continues to exist.

A note on social audit through Task Force procedures is enclosed.

With

Yours sincerely,

Encl. As above.

(Shantha Sinha)

The Chief Secretary
(All the State Governments/UT Administration – List attached)

National Commission for Protection of Child Rights

Social Audit through Task Force on Child Labour - Some Guidelines

Objectives

1. To examine the existence of child labour in all the units prohibited under the Schedule (Part A – Occupation and Part B – Processes) of the Child Labour (Prohibition and Regulation) Act, 1986
2. To identify children being employed as bonded labourers
3. To rescue all such children and ensure that they attend full time formal schools.

Constitution of Task Force Team

The Task Force shall have the following members at the District level -

- Representatives from the Departments of Labour, NCLP, Revenue and Education
- Representatives from a couple of reputed NGOs
- A public person such as an advocate, educationist, and so on
- A member from a Trade Union
- Representatives from NYK

Preparation for Task Force

- The Task Force shall be oriented on the relevant legal instruments to rescue children from work.
- The Task Force shall prepare a block-wise list of units with processes and occupations
- This list is to include the units in the district headquarters
- From the list, the Task Force is to mark all those localities on a random basis where it proposes to do the social audit
- At the district headquarters, the entire Task Force participates as a team to conduct the audit.
- At the sub-district level, the Task Force splits into 3-4 groups. Each of these groups would then go to the selected blocks for conducting a social audit. The blocks would be selected by the District Collector on a random basis.
- The Task Force may co-opt a few more members at the block level in consultation with the District Collector

Conducting of Social Audit

- The Task Force shall visit a production unit everyday for a continuous period of one week at different times. During the day it shall intermittently check the unit for existence of child labour. The Task Force should inspect the premises for child labour during the visit.
- The subsequent visit to the unit shall be planned after a gap of one week.
- The Task Force shall hold meetings with the community in the neighborhood of the unit, the local school teachers and the police on the nature and purpose of the social audit and enlist their cooperation.
- It should maintain a diary of the social audit reports.
- The SSP/SP of the District will provide necessary police protection to the Task Force during their field visits.