

DIVISIONAL LEVEL WORKSHOP ON CHILD RIGHTS AND CHILD LABOUR

DIVISIONAL COMMISSIONER OFFICE, AMRAVATI (MS)

DATE - 25TH AUGUST 2011

A Report

NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS (NCPCR).

NEW DELHI

Background for Workshop on Child Rights and Child Labour –

1. To understand role in the process of child protection.
2. To obtain information on the systems meant for child protection
3. Understanding role for working in coordination
4. Active participation in the endeavor of making Maharashtra, a Child Labour Free State.

This workshop aims at increasing coordination amongst all stakeholders through mutual dialogue for reaching at consensus and devising a common action plan for coordinated and concerted efforts for eradication of child labour and protection of child rights.

The Workshop was attended by following

1. Dr. Yogesh Dube, Member, NCPCR, New Delhi
2. Shri Ganesh Thakur, Divisional Commissioner, Amravati
3. Dr. Madhukar Gumble, State Representative, NCPCR, RTE
4. Shri Suryakant Kulkarni, State Representative, NCPCR, RTE
5. Shri Santosh ji Shinde, State Advisor, CWC, Maharashtra
6. Shri Pankaj Kumar, Center for Advocacy, Pune
7. Shri. Warwantkar, Asst. Tribal Commissioner, Amravati Division
8. Shri. Ashok Shukla, Deputy Commissioner (Development)
9. Government Officials from Labour dept, Education dept, Women and Child Welfare dept, Police dept.
10. Office bearers of Child Rights Protection Committee from village and Block level, and representatives of Voluntary organizations.

The workshop started by reiterating the fact that workshop is organised with a view of abolition of child labour from the region and also for ensuring that child rights are protected and preserved. It was emphasised that aim of the workshop is to learn and understand about respective roles in different capacities in eradication of child labour, and to get acquainted with the existing situations, resources, schemes and Acts which can we use to protect the rights of the children.

Major Points emerged during the workshop are:

- Police Department should have a child welfare officer, who shall look after the cases of abuse, child labour, etc. Though there is appropriate provision in the Act still its effective implementation is not done.
- The women and child welfare department though has the prime responsibility of looking after the welfare of the child should look into the functioning of the Bal Grihas and ensure that the rescued child should be first admitted to the Bal Griha and his custody should not be handed over to any other person. The Women and Child welfare department should strive to file cases where children are engaged in labour by the establishments and industries and file cases against the errant employers.
- As far as education department is concerned, there should regular effort to ensure that the RTE Act must be implemented properly so that every child gets formal school.
- For tribal children separate arrangements pertaining to Education, accommodation, meals and bathrooms should be made for children in Ashram schools from Tribal region. Since the children from tribal Ashram schools are residential, extracurricular programs should be organized and implemented and its regular report should be released. The increased interest of tribal children towards education should be met by making increase in classes and sections to accommodate all children's. Appointment of lady Superintendent in all Ashram school where girls are pursuing their studies should be ensured
- Health check up of children should be done twice in a month. There should be separate lady doctor for girls.
- In Amravati Division since 1986, not even 100 complaints have been filed pertaining to child labour which is a serious issue and needs to be looked after.
- The complete process of rehabilitation of child is still not adopted by the concerned departments.

Dr. Yogesh Dube while talking on the responsibilities and roles emphasized that every child should gets food, education, protection and the child labour must be totally abolished. He showed his unsatisfaction that very few government officials from the concerned department were present. He spoke about activities of National Commission for Protection of Child Rights and its efforts to protect the rights of the children.

He emphasised that it is not the unawareness of concerned officials but what is lacking is proper sensitization of concerned officials from different departments about their roles and responsibilities in securing the rights of the children. He told that though circulars have been passed that there should be Special Juvenile Police Unit (S.J.P.U) in the police department, but this still not implemented. He also raised the issue of proper rehabilitation of rescued child labourer, since the situation of the Children Homes is quite unsatisfactory and the role of CWCs is still not upto the mark. He said that there must be a proper coordination between the concerned departments on the issue of child rights.

He told that at the Ashram schools the school infrastructure is lacking, there is no proper security of the girl child at these schools. According to Dr. Dube the anganwadis have become merely Khichadi

distribution center. He said recommended that there is need of regular trainings and capacity building of the Anganwadi worker so that they impart pre-primary education and other functions properly to ensure protection and preservation of child rights.

Malnutrition is a serious issue in the region. These are the same children who die and the investigation reveals that the child was suffering from Pneumonia, typhoid etc but it would not come that the child had died due to malnutrition. Dr. Dube also told that there is a large industry in Surat and the figures about the child labour were misleading so there needs a continuous effort to free those children from child labour and rehabilitate them.

Dr. Dube also raised the issue of children of prisoners. Speaking on the issue of children below 6 years of age living with their mothers, who have been jailed, Dr. Dube recommended that for this purpose Anganwadis should be made available for such children. He told that the task committee meeting should be held regularly with all the concerned officials from the respective departments. He emphasised that the community members, government officials and the Civil Societies should act in harmonious manner to ensure that the child rights are protected and preserved.

Shri Ganesh Thakur (Divisional Commissioner, Amravati), appealed to all the women participants that if there is a women cleaner (Housework servant) who brings any child/ girl child with her then it the child should be admitted in school and the government is ready to provide and bear all the educational expenses of such a child. He also told that he will immediately arrange for raids in the district within a week soon after this workshop so that to put immediate break on child labour. He also emphasised that the figures about the irregular and out of school children are quite shocking, moreover when the figures are not inclusive of urban parts.

He felt that the government should strive for bringing in more transparency and faith, and this could happen only when the employee works sincerely with a humanitarian approach in a sensitized manner. He emphasised that all concerned line department like ICDS, Labour, Police, Education etc should at least have a meeting once in a month / quarter so that maximum impact could be achieved. He also drew every one attention on the government's circular whereby any government official who employs any child as a labour at his home for domestic work shall be punishable with fine.

He told that through such a workshop we strive to make you sensitize and aware about the child issues, however it is upto you to realize the gravity and work for addressing the issue. He told he will issue the requisite directions to organise similar workshop at district level to ensure that the message reaches to a larger number of peoples. Secondly some kind of documents, banners, posters etc should be prepared with the support of education and labour department to raise awareness.

During the workshop it came into notice that according to the survey recently carried out there in 5115 villages there are 56705 out of school and irregular children. The figures are from the villages only and the figures are not taken from the urban parts which mean that the figure may rise to considerable extent.

It also came to the fore that in the task of Abolition of child labour every department of the government has its own role and responsibility. By compelling the owner of any establishment to display the notice at conspicuous place in his establishment that there are no child working in his establishment plays a major role for making aware the masses that Child labour is prohibited by Law and is punishable offence. There are also Action teams (Kruti Dal) which if works properly in

coordination with the government machinery then lot of children can be rescued from child labour. As far as the rescued child is concerned no department has the authority to hand over his possession to anybody except the CWC. I am unaware as to how many cases have been filed against the employers employing children as laborers from the Amravati district. On the direction of Divisional Commissioner the officials from the Labour department gave information about the figure of the cases filled by the Labour department which were very less in number.

It was emphasised that the participants who are from different villages from the division should at least ensure that from their village there are no child labour and that every child from their village goes to full time formal school. If anyone has any problem in enrolling and regularizing a child in formal school then any one can approach to concerned official from the education department or to the Commissions' anytime either through personally, paper, phone or by any means. It is necessary that the community themselves should monitor whether the said acts are properly implemented or not.

The aspect of children who are affected by HIV/AIDs and the kind of discrimination and stigma they are facing in the school had also emerged in the workshop. It has been observed that there are approximately 545 cases of violation of child rights in which the children have been denied the right to education and it is alarming that the maximum numbers of cases are from Maharashtra. Moreover the maximum number of violations is from the primary school.

Action Plan formed to abolish child labour in the division –

1. Workshops should be held at the Block and District level on Child Rights and Child Labour
2. In the endeavor for Eradication of Child Labour, coordination of all concerned departments such as Education, labour, Tribal, women and Child development, Voluntary organizations and Child Rights Protection Forum and elected representatives support should be sought
3. As per government order no government employee should employ any child as domestic servant in the age group of 6 to 14 years
4. Labour, Police, Education and Revenue departments should collectively organize raids for which the Divisional Commissioner shall issue appropriate directions in that behalf
5. A monthly meeting at the Block and District level should be held of all the concerned departments on the issues concerning children
6. Training of Police Department employees should be undertaken on Acts pertaining to children
7. The government department should strive for increasing their trustworthiness for obtaining factual figures on child labour
8. For preparation of IEC materials like banners, posters etc for creating awareness on the issue of child rights and child labour the Police department, labour department may obtain assistance of Apeksha Homoeo Society
9. The participating government employees in this workshop shall strive to implement the decisions undertaken in this workshop with respect to their concerned department.