

REPORT ON WORLD DAY AGAINST CHILD LABOUR 2014

INTRODUCTION

The World Day Against Child Labour is commemorated every year on 12th June to draw World's attention to the plight of millions of children around the world who are exploited by child labour. National Commission for Protection of Child Rights (NCPCR), constituted under the Commission for Protection of Child Rights (CPCR) Act, 2005, to protect, promote and defend child rights in the country, has been commemorating the World Day Against Child Labour every year in collaboration with UNICEF & ILO since 2009.

During the year 2014, the Commission commemorated the World Day Against Child Labour in collaboration with UNICEF & ILO on the theme of '**Extend Social Protection: Combat Child Labour**'. The Day was commemorated in two phases. In the first phase, four Round Table Conferences were organized in the four Regions of the country and in the second phase the inputs received from the Regional Conferences were deliberated upon in the National Conference held on 12th June, 2014.

The Objectives of Zonal and National Conferences were to:

- Review the progress made during the past years on the elimination of child labour and sharing experiences on the process;
- Draw conclusions and recommendations from the zonal meetings on the areas to improve and extend social protection to feed into the National Convention;
- Identify one or two thematic areas emerging from these meetings as areas for focused collaboration (also in line with UNDAF Outcome 1 on inclusive growth) between NCPCR, ILO and UNICEF on elimination of child labour.

REGIONAL CONFERENCES

The four Regional Conferences were organized in North, East, West and South Zones of the country. These conferences were organized through the State Commissions for Protection of Child Rights (SCPCR) in collaboration with UNICEF & ILO, as briefed below:



Southern Zone Conference

The Southern Zone Conference was held on 29th May, 2014 at Bangalore and covered the States of Karnataka, Andhra Pradesh, Kerala, Pudduchery and TamilNadu. The Conference was participated by 47 representatives from the Government and Non-Governmental/Civil Society sectors and made recommendations.

Eastern Zone Conference

The Eastern Zone Conference was held on 2nd June, 2014 in Guwahati, Assam. The Conference was attended by 141 Government/Non-Governmental representatives from the Eastern States of Assam, Arunachal Pradesh, Bihar, Jharkhand, Mizoram, Meghalaya, Manipur, Nagaland, Orissa, Sikkim, Tripura and West Bengal, and recommendations were made.

Western Zone Conference

The Western Zone Conference was held on 5th June, 2014 at Ahmadabad, Gujarat and covered the States of Gujarat, Rajasthan, Madhya Pradesh, Goa, Chhattisgarh and Maharashtra. The Conference was participated by 150 representatives from Government and Non-Governmental sectors and made detailed recommendations.

Northern Zone Conference

The North Zone Conference was held on 6th June, 2014 at Dehradun and covered the States of Uttarakhand, Haryana, Punjab, Uttar Pradesh, Himachal Pradesh and Delhi. The Conference was participated by 80 participants and made recommendations.

NATIONAL CONFERENCE

The National Conference was organized by NCPCR on 12th June, 2014 at India Habitat Centre, New Delhi. The Conference was held with the purpose to adopt common recommendations which could be taken forward at the Central and State Level to make a dent to the problem of child labour. The Conference was participated by 80 officials from Centre & State Governments, NCPCR, Chairpersons and Members of State Commissions and Child Welfare Commissions, UN agencies, and Civil Society/NGOs.



The recommendations of the Regional Conferences as came out during deliberations at Regional level and as presented by the Chairpersons of the State Commissions in the National Conference are briefed below:

Southern Zone

The Conference deliberated and enumerated factors under the following three major themes.

- i) *Key issues or push factors that lead to and maintain child labour:*
Development dynamics, Institutional challenges, Structural issues and Legal framework which have to be taken into account while framing and implementing social protection schemes with regard to child labour.
- ii) *Anticipated challenges and bottleneck in elimination of the issue:*
Inadequate child budgeting and weak monitoring resulting in the lack of awareness, access and portability of social protection programmes.
- iii) *Main strategies for short term plan in combating the child labour issue:*
 - Evaluation of implementation of schemes at the national, state and district level with focus on coordination between health, education, and social welfare departments to maintain and access child records;
 - Tracking of all child births and compulsory birth registration and relying on medical practitioner certificate in case of absence of birth certificate;
 - Ensuring availing of Aadhar Card;
 - All child labour cases to be transferred to special courts;
 - Child protection committees to be functional along with resident associations in urban to prohibit domestic child labour;

(Presentation made by Shri H.R. Umesh Aradhya, Chairperson, SCPCR, Karnataka)



Eastern Zone

The following key recommendations were presented based on the outcome of the detailed deliberations made in the Conference.

- i. Informed and enhanced understanding of the scope and context of social protection vis-à-vis child labour involving scientific disaggregated age, health surveys and baseline assessments to understand the accessibility of social protection utilizing the child tracking systems being developed under ICPS or RTE.
- ii. The critical pre-requisite need for addressing child labour is the lack of budgetary allocation. Except the National Child Labour Project schools, there are no specific schemes and monitory allocations for the issue of child labour to the nodal departments in the States.
- iii. The issues of convergence and need for more structured frameworks to ensure accountable convergence at the state, district and sub-district levels encompassing the National Flagship Programmes with an operational guidelines and enhanced capacity building of duty bearers.
- iv. Need for enhanced focus on hidden and more specific contexts of child labour–e.g.; Child Domestic Workers and around the implementation of the Plantation Labour Act, 1951- which is very important for states like Assam where 17% of the population come from the socially and economically marginalized tea communities.
- v. Joint Review Missions, Social Auditing, Public Hearing and role of media to ensure public accountability in order to ensure that social protection is delivered with required effectiveness and efficiency and are able to address the complexities of child labour.

(Presentation made by Ms. Runumai Gogoi, Chairperson, SCPCR, Assam)

Western Zone

The following highlights were made:

- i. Robust identification of child labour through survey, awareness campaigns and focusing on migrant children by developing District Child Protection Plans alongwith vulnerability analysis for CNCP.



- ii. Educational rehabilitation of rescued children with an alternative income generation facilities for parents of child labour.
- iii. Proliferation of the Gujarat Convergence Model, Child tracking system, GIS integration and “Friend’s Club” under the Surksha Setu Programme through online system.
- iv. To integrate and evolve a structure to sensitize Family, System and Society on the importance of education by educating mothers, improve sanitation facilities at schools to reduce girls drop out from schools.
- v. The amount of fine of Rs. 20000/- should be charged at the time of filling charge-sheet instead of at the time of conviction.

(Presentation made by Ms. Rameshwari Panday, Chairperson, SCPCR, Gujarat)

Northern Zone

The recommendations based on the deliberations were as follows:

i) Issues and Challenges for Rescue of Child Labour

- Joint orientation and responsibilities should be clear for Police, Labour, Social Welfare and Education Department with a robust Task Force for Pre/Post rescue operation invoking JJ Act through Task Force and strengthening of CWC.

ii) Schemes and gaps for Protection and Rehabilitation of Child Labour

- A special drive should be made to identify all Child Labour so that their families need to be linked with appropriate Social Security schemes;
- ICPS must be implemented and accountability should be fixed for proper implementation with adequate budgetary provisions which includes having one Child Home and one Shelter Home in every district.
- Scheme should be make better for regular compensation for livelihood of children and wherever needed special schemes with provisions for Counseling and Rehabilitation for the Children with drug abuse should be brought.



iii) *Role of RTE in Protection and Rehabilitation of Child Labour*

- Identifying child labour or out of school children through child tracking and parents of Out of School Children should get interlink with scheme like MNAREGA for financial security.
- Amendments in RTE for Migrated labourers families who are not having their permanent identity for getting benefit of RTE and MNREGA should be banned up to the age of 16 years.

iv) *Role and Responsibilities of Stakeholders*

- Action plan on abolition of child labour need to be approved by Chief Secretary to be followed by the entire department with adequate strengthening of DCPC.
- Follow up of rescued child labourers who are sent back to their families to ensure their retention in school.

(Presentation made by Ms. Savitri Dhaka, Chairperson, Haryana)

The Presentations on the recommendations of the Regional Conferences were followed by Panel discussion on Extend Social Protection: Combat Child Labour under the Chairpersonship of Ms. Kushal Singh, Chairperson, NCPCR.

The panelist for the Session included:

- Mr. Joechim Theis, Child Protection Chief, UNICEF
- Ms. Sherin Khan, Senior Child Labour Specialist, ILO DWT South Asia
- Shri. Lov Verma, Secretary, Ministry of Health & Family Welfare
- Mr. Ashok Kumar, Joint Secretary, Ministry of Civil Aviation, Gol
- Mr. Sanjay Prasad, Secretary, Labour Department, Govt of Gujarat
- Mr. Ajay Pratham-IG Intelligence, Govt. of Gujarat
- Mr. Pankaj Kumar, Presiding Officer, Labour Court, Ghaziabad



The members of the panel first made presentations individually to share their views. The gist of presentations made by the panel members are annexed. This was followed by detailed deliberations among the panel members. The conference finally came up with following **suggestion/recommendations/ outcomes.**

1. Strengthening policy commitments

- a. Definition of child and legal frameworks requires attention and alignment with International Labour Standards.
- b. Need for a single act to deal with the issue and a single window system for all children schemes;
- c. Greater clarity is needed to highlight the linkages of social security schemes with child rights and must also be child centred.
- d. Minimum entitlement needs to be worked out and Govt. needs to ensure that last person in each village gets access to his/her entitlements. This involves portability of social benefits as family migrates;
- e. Adequate budget allocation for child centered schemes and programmes by linking child labour issue with corporate sector fund and promoting child budgeting

2. Renewed implementation actions

- a. Ensuring proper convergence and robust implementation of social schemes with systemic government /stakeholder accountability.
- b. Promoting external monitoring for the schemes especially pertaining to National Child Labour Project Schools.
- c. Constituting special child labour units in labour departments and specially designated courts for violation of child labour laws and legislations

3. Prohibit all forms of child labour

- a. Address all forms of child labour up to 18 years of age and focusing on worst forms of child labour like child trafficking and migrant children who are normally outside the purview of social protection.
- b. Provisions to include development schemes to vulnerable children in prison and children of Jail inmates.



4. Prioritizing prevention and addressing push factors

- a. In order to exploit the cheap labour of children which are economically beneficial, steps are to be taken to address unfavourable school conditions which push the children out of school.
- b. Neglect of children by parents and duty bearers have to be viewed seriously.
- c. Social protection schemes have to take strong measures to address poverty and families below poverty line.
- d. Due to the increase of urbanization and subsequent migration the system of contract labour based on infirmity is increasing and has to be tackled on a priority basis.

5. Increase awareness and access to schemes

- a. Myths related to nimble finger theory in labour intensive occupations like silk, match, cotton have to be countered through increased awareness on child rights recognizing it as a developmental problem which hampers the growth of the economy. Stop consuming services of children, message must be firmly entrenched in the minds of all.
- b. Evaluation of implementation pertaining to awareness, reach, efficiency, timeliness must be undertaken on a priority basis at national, state and district levels.
- c. Social Protection programmes must be ensured that they are adequately reaching the migrant workers and their children and should have simple procedures/provisions in accessing the entitled resources. System of awareness creation for disclosure on schemes for the corresponding beneficiaries at local level must be strengthened.
- d. Basic social protection floor with focus on health and income security for family and children adhering to the life cycle approach and sustainability of schemes must be promoted.

6. Strengthening Right to Education

- a. To counter child labour gaps pertaining to Quality of education, accessibility of schools and education facilities must be given top priority.
- b. Education departments must focus in giving admission to migrant children who are hard to bring into the education fold due to their transitory position.
- c. Means to redesign education system to support livelihood requirements of vulnerable children above 14 focusing on Job oriented education can be inducted in to the curriculum.
- d. Children of inmates should also be taken care of in terms of the quality of education so that they don't end up engaging themselves in labor or disengage themselves from education.



7. Enhance capacity and participation of those who work for the children

- a. One of the challenges to abolish child labour is the lack of involvement and capacity building of local bodies at grass roots level. Therefore coordination with Panchayats and effective use of self help groups for implementation of social protection schemes is a must and measures have to be taken to enhance their capacities and their roles.
- b. Role of police needs to be pronounced especially in case of child abuse which is closely related with most forms of child labour.
- c. Given the important role of trade unions on the issue of child labour, all Government departments should make adequate provisions to involve and seek their opinion.

8. Develop and implement systematic national/state data collection and supplemental efforts

- a. Registration and tracking of child Birth at the district level by the District Magistrate.
- b. The need for a baseline survey to ascertain the number of children employed;
- c. Need to Replicate successful state programmes across country;
- d. Creation of evidence base for schemes – evaluation of efficacy;
- e. Provision of Aadhar card to all children including migrant and street children which will assist in tracking child missing, street and out of school children.

CONCLUSION

The World Day Against Child Labour 2014 organized by NCPCR in collaboration with ILO and UNICEF proved a landmark in the India's fight against the evil of involving children in Labour.

The participatory processes brought together the experiences of Government, International Organizations, Civil Society Organizations and concerned duty bearers and stake holders. This rich collaborative efforts generated expectations of renewed action amongst concerned constituents to live up to their responsibilities to make the vision of bringing an end to child labour, a reality for millions of working children by-Extending Social Protection to Combat Child Labour.



**Gist of presentations made by Panel Members of the National Conference
held on 12th June, 2014**

Mr. Joechim Theis Child Protection Chief, UNICEF shared his presentation and highlighted the linkages of Socio-economic vulnerabilities and child labour where millions of poor Indians are forced to accept work due to lack of living wages that does not pay raise their children to be educated and protected which is the main root causes of child labour.

Moreover it is important to understand the role of Social protection that addresses socio-economic vulnerabilities and helps poor families deal with shocks and emergencies and enable these families with resources which promotes household economy and children's access to school;

Some of the Child labour-sensitive social protection actions that can be undertaken are Cash and in-kind transfer programmes, public employment programmes (e.g. NREGA), Social health protection ensures access to health care, Social services (supply side) to include vulnerable or excluded children in education, child protection services and assistance in accessing services and entitlements.

There are still challenges and barriers to access social protection schemes like lack awareness, complicated eligibility rules, social exclusion of certain castes, tribal and migrant groups from decent work, social services and social transfers. But these can be overcome by making social transfers conditional on school attendance especially of vulnerable children/child workers. Few state's initiatives like Maharashtra's social protection schemes mapped in Wardha District; Rajasthan's database and registration of vulnerable families based on door-to-door survey and introduction of additional categories of vulnerable children after review of Palanhar yojana scheme; Uttar Pradesh's red Alert community monitoring of basic services in Uttar Pradesh on focusing 'at risk' women and children who have missed out on basic social services through various flagship programmes are worthy to be emulated.

Ms. Sherin Khan, Senior Child Labour Specialist, ILO DWT South Asia introduced the issue of Child Labour as Human Rights Issue and shared the ILO's core Conventions that binds all ILO Member States to respect, promote and realise mainly : i) freedom of association and the right to collective bargaining and ii) elimination all forms of child labour and discrimination.



Pertaining to South Asia it was highlighted that there is relentless employment of children in agriculture where Rural and especially girl children continue to be at a greater disadvantage and less likely to attend school and are not captured in national statistics and reflected as inactive (neither in school nor work).

On the other hand the benefits of Social Protection was explained as a Fundamental Rights that refer to all measures (in cash or in-kind) that help to protect families or individuals from consequences of Lack of work-related (or insufficient) income, lack of access or unaffordable access to health care, insufficient family support and general poverty and social exclusion. It was stressed that South Asian capacity for innovative programming is established in forging ahead the first models in private-multi-lateral/stakeholder partnerships and integrated comprehensive family-focused approaches work- including income replacement through empowering families and convergence of impact of protection measures.

Shri. Luv Verma, Secretary, Ministry of Health & Family Welfare, Government of India stated that out of pocket expenditure is responsible for pushing 2% population below poverty line every year. This is closely related to the incidence of child labour where often children are forced to work as the main bread winner is ill and without adequate medical support. In order to provide them with Health facilities the Universal Health Assurance Scheme will be introduced wherein the Ministry of Health has shortlisted a list of 350 essential medicines which would further bring down to about 20-50 essential medicines. Anyone having a health card can avail these medicines. These health cards will be available within a year in the form of smart cards.

Sanjay Prasad, Principal Secretary, Labour and Employment, Government of Gujarat highlighted the Social Justice and Empowerment aspect under which rights of the child are guaranteed under various articles in Fundamental Rights, Directive Principles of State Policy, ILO Conventions and UN Convention on the Rights of the Child, 1989. Child Labour is very high amongst the socially marginalized vulnerable groups like SC/ST/OBC/ Nomadic and Denotified tribes/ Minority groups/disabled children etc. Thus these vulnerable groups require social protection policies. Child development indicators and indices are not well-defined in monetary/ nutritional calorific poverty lines, Below Poverty Line (BPL) Surveys, Child Development Index (CDI), Human Development Index (HDI), Physical Quality of Life Indicator (PQLI), Under 5 Mortality



Rate (U5MR)/ Under 5 Under Weight (U5UW) and National Family Health Survey. Hence Social Exclusion and deprivation takes place in the form of Food, water, sanitation, health, shelter, education, information and access to services. On the other hand increased school enrolment and literacy decreases child labour, better health and sanitation facilities, etc., reduces child labour. Social protection floor and social redistributive justice reduces child labour, therefore attitudinal change for “categorical imperative” to remove child labour have been created through mass awareness. Keeping these in mind the State Action Plan for Gujarat strives towards progressive elimination of child labour in worst forms on priority; followed by all kinds of child labour.

Mr. Ashok Kumar, Joint Secretary, Ministry of Civil Aviation, Government of India shared his experience and the while he was working as a District Collector of Nizamabad (which currently is located in the newly formed State of Telangana).The experience was related to the initiatives that were taken over a period of three years to combat child labour and promote education in the blocks which were engaged mostly in ‘rolling of beedi’ and other labour related activities. The initiative followed a community centric approach where the members were mobilized and mapping was carried to cover all children. The community itself monitored the progress of the initiative. Involvement of people guaranteed that no child was out of school. The notable aspect was the convergence with all the concerned Governments departments which resulted in a MOU signed with the panchayats to provide /ensure children are sent to school, 1 lakh pakka toilets for schools built in the district, formation of women’s self help group to clear off debts of their families. Emphasis was made towards greater collaboration, community mobilization, community engagement/centric approaches and innovative strategies.

Mr. Anil Pratham Officer - IG Police, CID Wing Gujarat highlighted the creation and formalization of the Child Tracking System through which Missing Children are tracked through Anti human trafficking unit in Gujarat. Trained operator in Police Department assist the process of child tracking and the Friends of CID Club created on Facebook creates awareness and seek support from individuals to help find missing children.



Mr. Pankaj Kumar, Presiding Officer, Labour Court, Ghaziabad indicated that in Uttar Pradesh the Labour Court deal most of the child labour cases and in most of the cases, the alleged accused is acquitted and the convictions are less as labour inspectors are less equipped with sufficient resources and face hostile atmosphere and the burden of proof is put on police and inspector. In addition there are practical challenges that are faced by the enforcement agencies still children are involved in work in urbanized sectors (construction work, food outlets/dhabhas). Therefore a non-invasive regular/ periodic surveys and inspections on routine basis required to be conducted.

