

## **STATE ACTION PLAN FOR ELIMINATION OF CHILD LABOUR IN ODISHA**

### **The State of Orissa : At a glance**

On the eastern coast of India, Orissa lies between 17<sup>o</sup>. 15' and 22<sup>o</sup>.45' in the North latitude and between 81<sup>o</sup>.45' and 87<sup>o</sup>.50' East Longitude. The state is bounded by Jharkhand on the north, West Bengal on the north-east, Chhatisgarh on the west, Andhra Pradesh on the south and the Bay of Bengal on the East. The state lies in a sub-tropical geo-climatic zone and is broadly divided into four distinct natural physiographic regions viz. 1) northern plateau and upland region, 2) central table land, 3) eastern ghat region and 4) coastal belt. Administratively, Orissa has three revenue divisions, 30 districts, 58 sub-divisions, 171 tehsils and 314 community development blocks, 138 towns, 6235 Gram Panchayats and 51,349 villages.

The land area of Orissa is 155,707 sq. km which is 4.74 percent of the total land area of India. Among the districts within the state, Mayurbhanj with a land area of 10,418 sq.kms rank first position (6.69% to the total area of the state) while Jagatsinghpur with a land area of 1,668 sq.kms ranks the lowest position ( only 1.70% to the total area of the state).

Orissa , with 36.71 million people (2001 census ), accounts for 3.57% of the population of the country and hence the state is 8<sup>th</sup> largest and 11<sup>th</sup> most populous state in the country. Nearly 85% of its population live in the rural areas and depend mostly on agriculture for their livelihood.

### **Sex Ratio**

The sex ratio in the state i.e. number of females per 1000 males marginally increased from 971 in 1991 to 972 in 2001 as compared to all India average which increased from 927 to 933 during the corresponding period. On the literary front the achievement has been impressive as the literacy rate increased from 49.1% in 1991 to 63.6% in 2001 as against an increase from 52.1% to 65.4% at the national level during the same period. The male and female literacy rates which were 63.1% and 34.7% in 1991 have increased to 76.1% and 51.0% respectively in 2001.

## **Workforce**

The Census in India divides all workers into main and marginal. The main workers have to work at least six months in the reference year to earn the status and marginal workers work less than six months. Census of 2001 enumerated 14.3 million workers in the population of 36.7 million in Orissa. Of the workers, 9.6 million were main workers and 4.7 million marginal.

## **Child Labour**

- The number of working children identified through the survey conducted by the State Labour Department in pursuance of the directions of the Supreme Court in CWA 465 MC Mehta vrs State of Tamilnadu on 10.12.96 – 2,15,222;
- Findings of the Department of School and Mass Education through the survey conducted by Sarva Shikshya Abhiyan in 2007-08 indicate the number of out of school children at 2.70 lakh;
- Findings of the NSSO Survey (55<sup>th</sup> & 61<sup>st</sup> round):
  - 55<sup>th</sup> round – 2.4 lakh;
  - 61<sup>st</sup> round – 1.87 lakh.

On the basis of the empirical studies/surveys working children in different districts are concentrated in certain occupations/processes which are injurious to human life and limb and detrimental to growth and development of children. These are:- Agriculture, Beedi rolling, labeling and packaging, Collection and processing of minor forest produce, Forest timber operations, Hotels/motels/road side dhabas, Domestic help, Collection and assembly of charcoal and coal, Cattle and goat rearing, Operations in motor garages, Operations in brick kilns, Operations in stone quarries, Stone crushing, Fire works, Weaving and dyeing, Rag picking, Wood processing, Clay image making, Transport operations, Loading and unloading in mining areas, Building and construction operations, Biscuit and Bread making, Selling of country liquor, Cotton ginning, Cycle/automobiles repairs and Shops & commercial establishment.

## **Migrant Child Labour**

Migration is an integral part of rural livelihood in Odisha and people move to other states in search of work and better wages. Migration is more pronounced especially from the districts of Bolangir and Nuapada (the Koraput-Bolangir-Kalahandi or the KBK region) because of difficult living conditions and an undeveloped economy. The situation is further compounded because of exploitative practices of moneylenders and recruitment agents/middle men who take advantage of this situation.

This vulnerable group of workers moving from one state to another often do not have access to the government schemes for social security, health, education and welfare benefits. Often, because of the seasonal nature of their work, these workers move with their families and children are the worst sufferers. They discontinue their education in the source states and move with the families to the destination states and subsequently become child labourers.

## **Action Plan for Elimination of Child Labour**

### **VISION**

Our vision under the new scheme of things is universal education with universal prohibition of child labour.

### **OBJECTIVES**

The three main objectives of SAP are -

- a) Complete elimination of child labour in all occupations and processes by 2012/2014.
- b) Achieve complete universalization of primary and elementary education (UPE & UEE) along with universal prohibition of Child labour.
- c) Rehabilitation and reintegration of all children withdrawn from work through education, nutrition, primary health care and skill training and socio-economic empowerment of their families.

## DURATION

The initial period shall be from 2013 to 2019.

### **Key Interventions and Implementation Plan**

The key interventions for elimination of child labour will focus on the followings –

- (1) Prevention,
- (2) Enforcement,
- (3) Awareness Generation
- (4) Rescue & Rehabilitation,
- (5) Education & Skill development ,
- (6) Adoption of a multipronged approach which is integrated and convergent by involving all the stake holders at various levels
- (7) Monitoring & Review Mechanism.

#### **1. Preventive Mechanism**

- **Targeting vulnerable families and children** – Initiatives at the grassroots level to identify vulnerable families & children and subsequently linking them with various income generation and social protection schemes shall be a key factor for prevention of child labour. A systematic process for tracking and identification shall be initiated at the G.P. level by PRI Functionaries in collaboration with Sarva Shiksha Abhiyan and District / Block / Village level Child Protection Units under the Integrated Child Protection Scheme (ICPS).
- **Registration of Child Labour / Migrant Labour** –A register of all identified child labourers including children migrating from the Gram Panchayat in search of work or with their families during lean seasons shall be maintained at the Panchayat Office and will be regularly updated. The register would have the pages earmarked for the children released from work and restored to their families and / or

enrolled in the schools. The Panchayat Secretary shall be the custodian of the Register.

**2. Strict Enforcement of Laws with special focus on Child Labour ( Prohibition and Regulation) Act.1986.**

- Strict enforcement of Labour Laws with special focus on Child Labour (Prohibition and Regulation) Act. 1986 will curb the demand for child labour. Regular inspections shall be conducted with filing of prosecutions against the erring employers. The activities of District Level Task Force (DLTF) shall be expedited to curb both supply and demand of child labour. Besides, all the special laws relating to children alongwith sections of Indian Penal Code will be used to protect the rights of the children.

**3. Heightening the critical consciousness of every citizen in Orissa through print and electronic medium as also through folk cultural medium.**

For awareness generation programmes, there are two sub-components namely (a) content (b) methodology. As far as content is concerned, the ideas which are undisputed and unexceptionable shall be kept in view. For methodology, steps shall be taken to resort to the following things –

- The folk forms (Pala, daskathia etc.) can be effectively harnessed and used as medium of communication to create awareness about elimination of child labour. For this purpose, Folk cultural troupes can be formed, workshops can be organized for them, themes / central messages can be designed in the workshop, the troupes can be spread out to villages and made to perform on the stage, for the audience which is generally cynical and skeptical about child labour elimination. Child right clubs can be initiated in every school / every village along with folk forms.

- Trade Unions of Workers, Employer's Associations and Civil Society Organisation networks shall be involved with awareness generation programme;
- Awareness generation programmes shall also be conducted for Resident Welfare Associations, Religious Associations and other bodies which can work for elimination of Child Labour with collaborative NGOs.
- Activities with collaborating efforts shall be planned at automobile workshops, hotels, construction industry, factories, shops and commercial establishments, brick kilns, stone quarries to sensitize the employers and create a positive climate for elimination of child labour in these establishments.
- Audio-Visual Programmes by making short films of 60 seconds and 35 seconds duration on elimination of child labour and working out an arrangement with the district administration – the licensing authority for screening of these films in cinema/theatres, local city cable networks, railway stations, bus stand and through video on wheels.
- Establish links with railway authorities, OSRTC authorities and other private transport companies and arrange showing the films through internal circuit televisions at all major railway stations.
- Identify areas for wall paintings of 10' x 6' size in consultation with Tahasil / Block authorities, Civil Society organization networks and NGOs.
- Design messages along with pictures and arrange to display the paintings on roadside at vantage points in child labour endemic Villages / Panchayats / Blocks of a district.
- Hoardings - Get the artwork painted on hoardings at major road junctions, railway stations, bus stands and other vantage points.

- Bus Shelters and Pillar boards - Get the artwork painted on bus shelters and on the Pillar boards in all the major municipal towns of the State.
- Stage Shows - Organize events and stage shows in all the schools with the help of school management; Hold major events like 2 k.m. run, signature campaign and children carnival for wide publicity.

#### **(4) Education and Skill Development**

- Children in 5-10 age group to be straight away enrolled in formal schools through Age Appropriate Education system.
- Children in 10-14 age group (who have read up to a particular level and have dropped out from the formal school system thereafter) to pass through an intermediate or transitional phase such as Transitional Education Centre (TEC) for adequate preparation before being enrolled into the formal school system on the basis of equivalence and after qualifying in a test.

#### **(5) Adoption of a multipronged approach which is integrated and convergent by involving all the stake holders at various levels**

- The steps already initiated by Labour Department by establishing State Resource Cell on Child Labour shall be expedited to facilitate convergence with all the related line departments and other relevant agencies for review of information flow and identifying strategies for implementation.

#### **(6) Rescue and release, interim rehabilitation after release, repatriation and full rehabilitation of working children both within the State and children who have migrated outside Orissa either with their parents or on their own.**

### **The Rescue Team**

- Representative of the Department of Labour in the district, not below the rank of District Labour Officer;
- Sub-divisional Magistrate, concerned;
- Head/Nodal Officer of specialized Juvenile Police Unit (SJPU);
- District Inspector of Schools ;
- A member of the CWC;
- At least one NGO actively involved in the rescue and rehabilitation of child labour.
- The rescue team should ensure that the working children who are rescued and brought to transit home soon after rescue are given the solicitude, care and comfort so that they do not feel distraught and out of place.
- Being the nodal officer the District Labour Officer, as the case may be, should be responsible for pre-rescue planning as also necessary co-ordination and liaison with all concerned.
- The rescue team should, wherever possible, be accompanied by a Sub-divisional Magistrate (SDM) who is generally the implementing authority under the Bonded Labour System (Abolition) Act and concerned officers of Labour Department.

### **Procedure relating to production of the Child before the Child Welfare Committee:**

- Once the child has been rescued he/she shall be produced before the Child Welfare Committee which is the competent authority u/s 32 of the Juvenile Justice (care and protection of children) Act, 2000;
- It shall be the primary joint responsibility of labour and police department officials;
- The CWC shall be the guardian of the rescued child; it has full powers to secure all relevant materials on record from any source and it is fully empowered to take decisions in the best interest of the child / children being produced before it and a permanent and meaningful rehabilitation - physical, emotional & psychological shall be the central objective of the proceeding before a CWC.

**Compliance with direction of the Supreme Court of India in CWA No. 465 (1986) MC Mehta vrs State of Tamilnadu dtd. 10.12.1996.**

- According to the said direction a sum of Rs. 20,000/- per child was recoverable from every offending employer found responsible for pushing a child involuntarily to hazardous work.
- For this the following procedure should be followed :
- Issue a show cause notice to every such offending employer directing him to deposit the said amount into the District Child Labour Welfare-cum-Rehabilitation Fund;
- If the offending employer does not comply with the direction issued through the show cause notice, a requisition should be sent to the Collector of the district to start a certificate proceeding under the Public Demands Recovery Act;
- Wherever the amount is deposited in response to the show cause notice it shall be credited into the District Child Labour Welfare-cum-Rehabilitation Fund and invested in the best possible manner so as to fetch the best possible dividend;
- In case of migrant working children the said amount should be transferred to the District Child Welfare-cum-Rehabilitation Fund of the district to which the child belongs and where the child will be eventually repatriated for his rehabilitation.

**Procedure to be established for the repatriation of the child : (relevant for migrant children only) :**

- On the basis of the information provided by the Child, the Child Welfare Committee shall undertake a detailed assessment to verify the information provided and shall enter into a dialogue with the corresponding Child Welfare Committee in the relevant place of origin;

- Considering the risk of tutoring the child by the concerned employers the Child Welfare Committee shall adopt a cautious and guarded approach; it must satisfy itself completely and shall record the reasons in writing for taking a just and fair decision keeping the interests of the child uppermost in its mind;
- Repatriation of the child shall be undertaken if it is in the best interest of the child by the Child Welfare Committee;
- Such repatriation may be intra State or inter State. The procedure for repatriation in each would be slightly different.

**Intra State repatriation:**

- For any child under the age of fourteen years the Child Welfare Committee of the district in which the child is rescued shall co-ordinate with the Child Welfare Committee in the home district as to how and when repatriation exercise can be undertaken.
- For any child between the ages fifteen to eighteen, the Child Welfare Committee shall have the discretion to determine the appropriate course of action, keeping the best interests of the child in mind on a case by case basis.
- The Child Welfare Committee in the home district shall co-ordinate with the Collector / District Magistrate towards undertaking family tracing of the child and inform the Child Welfare Committee of the other district where the child is rescued of the course of action contemplated.

**Inter State repatriation :**

- In case of interstate repatriation, a dual strategy shall be adopted based on the age of the Child;

- For any child below the age of fourteen the child shall be handed over to the Child Welfare Committee in his/her respective home State with a view to preventing false claimants for the child and to prevent the possibility of relapse to child labour;
- For any child between the age of fifteen to eighteen, the Child Welfare Committee shall have the discretion to determine the appropriate course of action, keeping the best interests of the child in mind on a case by case basis;

## **7. Monitoring and Review Mechanism**

Monitoring and Review provides continuous feedback to take timely corrective measures as and when necessary and to implement a programme effectively in a time bound, cost effective and result oriented manner. This will be done at the district and state levels.

### **Institutional Mechanism**

It has been felt that having a plethora of Committees at the State level for the same purpose is unnecessary and that the ends of precision, time management, consistency in taking decisions and earnestly implementing them will be met if all the 3 bodies namely (1) State Level Co-ordination Committee on Child Labour since 1997 (reconstituted on 14<sup>th</sup> July 2000), (2) A State Level Monitoring Committee for supervision, monitoring and co-ordination of the work of NCLPs since 24.09.1999 and (3) State Child Labour Advisory Board since 24<sup>th</sup> June 2008 are wound up and in their place only one body is constituted. This body may be called State Level Task Force (SLTF) on Child Labour. It may be under the Chairmanship of Chief Secretary with Secretaries to all concerned departments of the State Government such as Labour, Law, Home, Women & Child Development, Panchayati Raj, Health and Family Welfare, School & Mass Education, Revenue, Works, ST and SC Development etc. as members. The Labour Commissioner may be Convenor of this Committee.

The State Resource Cell on Child Labour, currently functioning at State Labour Institute, Odisha should function as the secretariat of the State Level Task Force on Child Labour with the following functions-

- Compilation of data on NCLP Schools and children mainstreamed to the formal school system;
- Compiling information from DLTF on conducting raids, rescue/release of children at work, repatriation in case of interstate and intrastate migrant children, rehabilitation of working children withdrawn from work etc. and placing quarterly before the SSC / SMC.
- Compilation of activities initiated for children as bonded labourers and trafficked children – their identification, release and rehabilitation.
- Compilation of information on enrolled children, dropouts and Out of School children and place them quarterly before the SSC / SMC.
- Initiation and coordination of Capacity Building Programmes for the stakeholders.
- Compilation of information on the activities initiated for protection of children at District Level.
- Collect, compile and disseminate all important events relevant to elimination of child labour extracted from newspapers, AIR, Doordarshan etc. to Collectors/District Magistrates;
- Design a few simple and intelligible messages relating to elimination of child labour and have them broadcast and telecast at prime time through AIR and Doordarshan, Bhubaneswar;
- Design simple messages to appear as advertisements in all local newspapers published from different parts of the State and on all the buses of OSRTC and other private transport companies (4500) (since the buses go to all villages, the messages will also travel with them);

- Flash messages on elimination of child labour in simple and intelligible Oriya in all Panchayat Samiti and Gram Panchayat Offices for the benefit of parents as also with a view to sensitizing all parents that what they have been doing so far is wrong; they have no moral and ethical right to push their children involuntarily to work and through drudgerous and hazardous work which tantamounts to carrying children to the brink of destruction; they must stop doing what they have been doing so far;
- Coordination of awareness activities for elimination of child labour
- Compilation of information on enforcement / prosecutions
- Activities / Assignments as suggested by SSC / SMS from time to time.

The Child Labour Cell at Labour Directorate will have a full time functionary of the rank of Joint / Additional Labour Commissioner who should attend to the following functions :

- Maintain a close and constant liaison with the district administration to get accurate and up to date information about endemic pockets of child labour, getting raids conducted in sensitive pockets, tracking and rescuing children who were employed in various establishments, getting them to transit care centres and rehabilitating them through education, nutrition and skill training;
- Management of NCLP and mainstreaming children through special schools of NCLP to the formal school system;
- Adult Employment and enforcement of minimum wages for adults;
- Children as bonded labourers and trafficked children – their identification, release and rehabilitation.

Steps shall be taken to revive and expedite the works of the DLTF at the District Level.

### **Structure of DLTF**

- Collector and District Magistrate of the district – Chairman;
- Additional District Magistrate – Member;
- Superintendent of Police – Member;
- District Social Welfare Officer – Member;
- District Health / Medical Officer – Member;
- A representative of District Small Industries Development Corporation or General Manager, DIC – Member
- Chairman of the Child Welfare Committee – Member;
- An NGO who is actively involved in the rescue and rehabilitation of working children of the area – Member;
- District Labour Officer – Convenor

The Task Force so constituted will be responsible for all operations i.e. conducting raids, rescue/release of children at work, repatriation in case of interstate and intrastate migrant children, rehabilitation of working children withdrawn from work etc.

Similar structures need to be in place at the Panchayat Samiti and Village Panchayat level. The structure at the Panchayat Samiti level will be known as Panchayat Samiti Implementation Committee while the structure at the village Panchayat level will be known as village Panchayat Implementation Committee.

The composition of these two structures will be as under :

#### **Panchayat Samiti Implementation Committee**

- Panchayat Samiti Chairman – Chairman
- Tahasildar – Member
- Block Development Officer – Member
- CDPO, ICDS – Member
- SSA in charge at the Block level – Member

- PHC in charge – Member
- A senior police officer at the PS level - Member
- An NGO active in the field of child labour – Member
- Assistant Labour Officer – Convenor

**Village Panchayat Implementation Committee**

- Sarpanch – Chairman
- Gram Panchayat Secretary – Convenor
- Anganwadi Worker – Member
- Village School Teacher (Head Master) – Member
- ANM / ASHA Worker – Member
- SHG Secretary – Member

Depending on the progress made through setting up of Implementation Committees at the District, Panchayat Samiti and Village Panchayat level and functioning thereof similar structures could be in place at the Corporation/Municipality/NAC level and the composition of the structure would be as under:-

- Mayor of the Corporation / Chairman of the Municipality / NAC – Chairman
- Municipal Commissioner / Executive Officer of Municipality / NAC – Member
- Health Officer, Corporation / Municipality – Member
- Deputy Superintendent of Police – Member
- District Labour Officer – Convenor
- An NGO active in the field of child labour – Member

The progress of implementation shall be reviewed by the Labour Department ( being the Nodal Department) quarterly every year and by the State Level Task Force twice every year.

Besides, steps shall be taken to form an External Committee with representatives from different stakeholders to suggest on the implementation of Action Plan from time to time.

**The precise role of each Department who can make a significant contribution to the task of elimination of child labour is outlined as under-**

**1. Labour & Employment Department:**

- Ensuring that all laws relating to prevention and prohibition of child labour are strictly implemented;
- Ensuring that a positive correlation is established between incidence of child labour and enforcement; this means that inspections by the labour law enforcement officials should be conducted primarily with a view to identifying and releasing children from work;
- If children are found to be employed and their number is high, immediate action should be taken to contact Collector / D.M. of the district and senior police officers with a view to carrying out a raid through the District Level Task Force;
- Labour Department officials should keep track of planning and conduct of every rescue operation in a bid to release all working children from work. The Deptt should ensure that the labour law enforcement officials are present during the raid;
- The Department should also ensure that prosecution is launched against all offending employers as per provisions of Section 3 of Child Labour (Prohibition and Regulation) Act if the same is applicable; if Section 3 of the Act is not applicable action should be taken under provisions of Section 7, 8 & 9, 11, 12 and 13 of the Act;
- Even if the employment in question does not come under the hazardous category (as in part A and Part B of the schedule to the Child Labour (P&R) Act) the working child should be liberated from the clutches of unscrupulous employers and produced before the Child Welfare Committee constituted under Juvenile Justice (Care and Protection of Children) Act, 2000 (as amended in 2006).
- Simultaneous legal and penal action should be launched by the officials of the Department against all offending employers;

- Due care of all liberated working children should be taken till they are sent to children's Home and they should be provided with proper food, water and other facilities / amenities;
- A computerized data base on Child Labour for the whole State should be built up in the office of the Labour Commissioner, Orissa;
- The cell constituted in the Department as per the directions of the apex court should be strengthened; it should be manned by a full time officer of the rank of Additional Labour Commissioner to do justice to the mandated given by the Supreme Court to the State Government;
- A calendar of training for all officers Labour Law enforcement machinery should be drawn up and implemented with the involvement of V.V.Giri National Labour Institute, other Institutes of Social Science Research, State Judicial Academy and State Resource Cell at State Labour Institute, Odisha;
- The State Resource Cell on Child Labour to assist the authority ( State Level Task Force) should meet regularly and discharge the functions assigned to them.

## **2. Women and Child Development Department**

- Should take initiative and interest in rehabilitation of local working children with the help of Collector / District Magistrate of the District concerned and NGOs, if the working children are from the local area;
- Should take charge of all working children who are liberated by the District Level Task Force and ensure that the rescued/released children are provided adequate food, clothing and shelter. Their safety should also be ensured.
- If the working child is a local person, she/he should be inducted into the formal system of education with the help of officers of Education Department;

- The Superintendent of the Children's Home where the rescued / released working children have been placed should arrange for the interaction / recording of statements by the concerned Child Welfare Committee;
- The Department should designate a nodal officer at a senior level who can be part of the District Child Labour Task Force for every district;
- C.W.C of the district concerned should also be asked by the Department to nominate a member who can be part of District Child Labour Task Force;
- Such a member can be a vital link between the Child Welfare Committee and District Child Labour Task Force for all practical purposes such as:
  - attending pre-rescue planning meeting of the Task Force;
  - issuing orders for the interim care and custody of the rescued children;
  - verification / identification of their families and ultimate repatriation and rehabilitation;
- To keep the homes ready for reception of all rescued working children.
- To consider synchronizing the timing of Anganwadis with that of primary schools, so that the girl child does not miss school to take care of the siblings at home.
- To create a critical awareness about the pernicious effects of Child Labour in all the institutions under the control of the Department.

### **3. School and Mass Education Department**

- It is the primary responsibility of the Department to ensure that all working children who have been withdrawn from work should, without any discrimination whatsoever, be enabled and facilitated to have smooth access to the formal school system;
- During the period these children are in the formal school system they should get the benefit of free noon meals under the approved scheme of the State Government;

- The Department may set up initially a few alternative innovative education centres (AIEC) / NRBCs in the areas where working children are concentrated and/ or in the areas having large number of out of school children;
- Care should be taken to make learning joyous, exciting, interesting, innovative and worthwhile;
- The Education Officer and Principal of the school should be held accountable for the dropouts among the working children receiving education in the formal school system;
- There should be regular programmes for counseling the parents of working children about the importance of enrolment of working children in the formal school system;
- Monitoring of academically weaker children in schools should be done with the involvement of CRC and NGOs for preventing dropouts;
- The deptt. should ensure that all the lower & upper primary schools under it have adequate number of teachers in proportion to children in each class; it should also introduce a system of incentive / reward for its schools which maintain higher enrolment / retention of out of school children and prevent dropouts as well as a system of disincentives for those who consistently fail to identify, enrol and retain the out of school children.

**4. Health & Family Welfare Department:**

- Complete medical examination of all rescued / released working children should be carried out on receipt of information about outcome of the raid by district level task force;
- Immediate medical treatment should be arranged, if required;
- A clear certificate of age ( issued by a Medical Officer not below the rank of Govt. appointed Asst. Surgeon) of the rescued / released working children should be

furnished without any loss of time to the investigating Police Officer or Govt. Labour Officer as per their demand;

- Expenses incurred towards the treatment & issue of medical certificate should be met by the Collector / District Magistrate of the district concerned from the corpus of District Child Labour Welfare-cum-Rehabilitation Fund.

**5. Industries Department (for the purpose of skill training) :**

The rationale for skill training for adolescent children in 14-17 age group is as under:

- by definition children up to 14 constitute working children under the Law;
- Special Schools of NCLP cater to children in this group;
- adolescents in 14-17 age group are left out;
- this group according to available evidence is actively participating in the activities of informal sector;
- parents of adolescent children who have full knowledge and information on the availability of employment in the informal sector encourage them to learn skills on the job;
- this is how a no of adolescents (14-17) land up in the informal sector,
- if a working child has been withdrawn from work and does not commence a living, the poor parents may push him/her involuntarily to work again;
- access to a decent livelihood rests on the acquisition of a set of skills which enhance employability.
- many children who have dropped out from a formal school system at an early age will remain incomplete women & men without vocational skill training.

**6. Urban Development Deptt. :**

- all urban local bodies to ensure access to and retention of all children in 6-14 age group in free and compulsory education;
- institutional mechanisms to be created for implementing the SAP in town, Panchayats, Corporations & municipalities;
- to obtain an undertaking while granting any licence / permission to the effect that the applicant should not engage working children; in the event of anything to the contrary the licence / permission to be cancelled;
- all corporations, municipalities & NACs to launch a sensitization and awareness generation programme against employment of children for all Mayors, Councilors, Municipal Commissioners and field functionaries;
- to extend the benefit of all urban poverty alleviation programmes to all child labour families in general and BPL families living in slum areas in particular through constitution of SHGs;
- all Corporations, Municipalities, NACs should plan, resolve, implement and monitor programmes under their jurisdiction to make the Corporation, Municipality & NAC child labour free.
- in addition, the Corporations at Bhubaneswar and Cuttack should initiate the following focused special measures for elimination of child labour in their respective jurisdictions:
  - to enhance the standard of living, health & nutrition of all children living in the slums;
  - in particular, they should ensure effective access to free health check up, medical care, quality education, recreation, vocational training & quality of community life;
- The schools under these corporations should provide access to free & compulsory education to all rescued working children irrespective of their age (by arranging

- accelerated learning for the older children through NRBCs wherever necessary for mainstreaming them to age appropriate classes);
- to monitor the content, quality and impact of non-formal education programmes run by NGOs in various slums with a view to bringing all out of school children in the area into the fold of mainstream education;
  - Headmasters and teachers of Corporation schools should hold a monthly meeting of all parents for sensitizing & counseling them about the importance of education for their children;
  - Similar sensitization and counseling programmes for the slum dwellers in general should be taken up to highlight the importance of education of their children, current facilities available, new facilities being created and pernicious effect of child labour through meetings, padyatras, documentary films etc.;
  - to launch a drive and obtain an undertaking from all residents of group housing societies / builder's flats that they will not engage domestic help below the age of fourteen;
  - corporation managements to ensure that all schools have adequate number of teachers in proportion to children (teacher pupil ratio to be minimum 1:30) in each class;
  - Punctuality in attendance of all teachers should be meticulously enforced;
  - a system of incentive / reward for the schools which consistently maintain higher enrolment / retention of all out of school children and prevent dropouts as well as a system of disincentive for those who consistently fail to identify, enroll and retain the out of school children to be introduced;
  - education deptt. of all Corporations to obtain & maintain through survey a list of children who are not attending schools and will launch a drive through the Principals of the school(s) concerned to bring such children back to school.

**7. Panchayatiraj Department:**

- to evolve institutional mechanisms for implementing the SAP in all CD Blocks / Gram Panchayats;
- to obtain an undertaking while granting any licence / permission to the effect that the applicant should not engage working children, in the event of action to the contrary the licence / permission to be cancelled;
- to launch sensitization and awareness generation programme against employment of children among all functionaries of Blocks & Panchayats including non-official members;
- to observe 12th June every year as 'Anti Child Labour Day' by all Panchayati Raj institutions;
- to ensure that all Panchayati Raj institutions pass a resolution stating that they would eliminate child labour and endeavour to rehabilitate working children who have been rescued / released from work;
- to ensure that no child below 14 years of age is allowed to work in the jurisdiction of a GP or Panchayat Samiti or even Zilla Parishad;
- to review the status of programmes for elimination of child labour in all monthly meetings of GPs (including gram sabha meetings);
- GPs to maintain liaison with Village Education Committees, Panchayat ward members, village elders, teachers, parents & NGOs, to monitor the performance of schools and ensure 100 pc enrolment and retention in the schools;
- to extend the benefit of all poverty alleviation programmes and employment generation programmes to child labour family through constitution of SHGs.
- to make every Panchayat Samiti and GP as Child Labour free by adopting an area specific approach;

- to accord high priority to child labour families who are invariably in the category of BPL families in allocation of grant under Indira Awas Yojna.

**8. Home (Police Department) :**

- The police Inspectors of the Department should exercise the powers vested in them u/s- 16 of Child Labour (Prohibition & Regulation) Act and file complaints in the wake of commission of an offence under the Act in a competent court;
- The Department to give protection to all labour law enforcement officials / staff and all members of Task Forces at the District and Corporation / Municipality levels at the time of conducting raids for rescue and release of working children;
- the Department to provide protection to all social and educational activists and civil society organizations when campaigns are being launched by them to create general awareness, to mobilize public opinion and to sensitize all sections of the civil society against continuance of Child Labour.

**9. Revenue Department :**

- To ensure that all recoveries which are covered under the directions of the apex court against offending employers are made in time under the Public Demands Recovery Act in vogue;
- where Government land is being leased out for setting up of a brick kiln, when minor minerals are being leased out or when river ghats / beds are being auctioned for ferry of passengers or extraction of sand from the river bed, the Department should obtain an undertaking that the lessee should not engage working children; in the event of any violation or action contrary thereto the lease should be cancelled;
- to accord a very high priority in allotment of both homestead and agricultural land to child labour families which are invariably landless and which push children to work on account of poverty, landlessness and assetlessness which also caused migration of families.

**10. SC & ST Development Department :**

- to ensure strict implementation of Prevention of Atrocities against SC & ST Act, 1989;
- To ensure coverage of all child labour families belonging to SC & ST under the schemes meant for special central assistance for SC & Tribal Sub-plan;
- to plan for residential schools for all SC, ST & OBC boys and girls upto a particular level as has been done by the Govt. of A.P.

**General**

Social security programmes for the rural poor through NAREGA or National Rural Health Mission or Rashtriya Swasthaya Bima Yojna shall be expedited. It may be appropriate to incorporate elimination of child labour as one of their components in these schemes / programmes.

**Odisha State Commission for Protection of Child Rights (OSCPCR)**

Steps shall be taken to build convergence with the activities and interventions of OSCPCR.

**Networking and Alliance Building**

Steps shall be taken to build wider alliance with other networks and social groups for elimination of child labour. A specific portal (Website) on child labour shall be developed for interaction, dissemination of information, identifying common areas of intervention and for promotion of partnership.

**Labour Commissioner, Odisha**