CHAPTER - IX

MEASURES RECOMMENDED TO COMBAT AND ERADICATE CHILD LABOUR

NATIONAL CHILD LABOUR PROJECTS (NCLP) AND CHILD LABOUR PROJECT SOCIETY (CLPS):

The NCLP at Markapur, Andhra Pradesh, meant for the children working in the slate industry, enacted in 1988, has made some impact on the policy for acceptance of abolishing child labour by the owners of the factories and mines. This NCLP at Markapur was one of the nine such projects started between 1986 and 1990 in the name of Jagruthi by the government of Andhra Pradesh.

Child labour Action and Support Project (CLASP) of ILO, started at the end of 1992 has the objectives of strengthening the capacity of the government to tackle the problem of child labour. The enforcement officers of the state government have been trained for effective enforcement of child labour laws. This activity was also taken up by another ILO project, known as IPEC. Project coordinator, enforcement officials from Andhra Pradesh have been trained by IPEC. They may be factory inspectors or labour inspectors of state government. The Factory Act, Shops and Establishment Act, Minimum Wages Act, Mines Act
1952, and the Child labour (Prohibition and Regulation) act 1986 are the different acts which empowers the enforcement officials.

Residential schools, special schools, and mid day meal schools:

One of the major welfare activities taken up by Assist India (enforcement society of Jagruthi) is to promote education on non-formal and vocational lines. Special schools were set up at Markapur on Ongole–Markapur road, particularly in the heart of Industrial area. Children from villages in the project area, such as Nagireddypalli, Obyapalli, Rayavaram, Potalapadu, Gajjalakonda, Markapur, Vemulakota and Nagularam, are enrolled in the schools and syllabus prepared by NCERT, Delhi is followed. Vocational training is given in the trades like carpentry, silk reeling, carpet making, tailoring and stitching, fitting, plumbing, motor mechanism etc. Assist India has designed and implemented number of other schemes such as day school centers with mid day meal provision and balwadi centers.

The Assist India runs the programs at their camps, such as nursing school(balwadi), primary school, adult schools, residential schools, mid day meal school, trade schools and medical centers. Medical benefits arranged by Assist India are TB camps, eye testing camps. The camps are attended by the private hospital doctors as well as government hospital doctors.
However as per the patients attending camps, the doctors want the patients to come to their private clinics. Some of the private hospital doctors admit the patients in their own clinics. Hence there is a resentment on the programs run by Assist India.68

VELUGONDA PROJECT AND OTHER GOVERNMENT PROGRAMS:

This Project is started for improving the agricultural potential in the area. The main reason for poverty and child labour existence is because of the drought conditions existing in the area. The water scarcity, due to lack of underground water and no rivers flowing in to that area, has left most of the land as dry and waste land without cultivation. Hence the government has taken up the Velugonda Project to trap the rainwater and the excess flow from Krishna river and store in the dam for using for agriculture and drinking purpose. Much work is being done on this project and job potential has been increased. The government is sanctioning the tube wells for agricultural purpose and the banks are providing loans for sheep rearing and other small manufacturing units at Tarlupadu and Markapur. The housing schemes and other benefits are created for the weaker sections. The Markapur general hospital is upgraded to hundred bed capacity. The existing ESI hospital is upgraded as inpatient centre.69


69 Velugonda project- Details of the project and other programs—literature at the office of R.D.O. Markapur and reports at collectorate, Ongole.
IMPACT OF SOCIAL, POLITICAL AND ECONOMICAL MEASURES IN
IMPLEMENTATION AND THE RESPONSE OF PEOPLE:

The large scale agricultural growth is prevented by the land lords who hold individually one hundred to two hundred acres of land with them. Very few villagers are holding medium and small holdings. The medium land holdings ranging from ten to twenty acres are possessed by one or two dominant caste people of the village. Few people of the B.C and S.C. community are having five acres to ten acres and most of them are with out land holdings. The irrigation of the most of the agricultural land depends on tanks and bore wells. A small portion of the land depends on rain. Hence, the facilities available for the cultivation are very less. There is no large scale industrial development in the Markapur area. Because of this reason the region is poor in resource availability and most of the industrialists prefer not to start industries in this region. Only in Tarlapadu mandal there are two mills one rice mill and other dhal mill. Land lords and business people (Reddy and Vysya community) at Markapur would like to take up slate mining and marketing and not interested in starting other industries. Lack of major industrialization and agricultural backwardness of the region are the main reasons for the present status of child labour. The conditions necessitate the people to undertake mine work even with the knowledge of the legislations, acts, and hazards.

The decrease of use of writing slate and slate pencils has affected the earlier mining activity for writing stone slates and thus the child
labour was decreased before ten years back. However for the past ten years mining of the design slate, used for construction of buildings, is increased. These slates are exported to Srilanka, Bangladesh, USSR, China as “design slates” and with increase of design slate marketing the child labour has been increased in two folds.

The political structure also went against the economic well being of the villages. Some village administrative bodies (panchayats) could not be in a position to pay the maintenance of power supply and hence the villages went without power supply. Involvement of political leaders, most of them being mine owners, in the sanction of loans has also created several problems among the beneficiaries, when it comes to the proper utilization of the loans. The loans does not reach the beneficiaries as the allocated amount is retained by the middle man such as pit contractor, mine owner etc. with the influence of political leaders as well as some union leaders.

The political leaders are the lease holders of the most of the mines. The government hospital capacity has been up-graded to hundred bedded hospital. The political leadership is involved in the administration of the hospital. The same political leaders are the lease holders of the mines. The strength of the doctors in the hospital is less due to the fact that the doctors are not willing to come to Markapur. The political interference is involved in the transfer of self interested medical professionals to the area hospital Markapur. The doctors are
having local private practice and local business of mining with the support of political leadership and trade union leaders.

**RESPONSE OF LOCAL SOCIETY ON THE POLICIES ON CHILD LABOUR:**

The workers in slate mines are governed by the mines Act and it does not specify the minimum wages. The minimum wages act of the state (GO No. 260, labour, employment and Tech. Education dt.17-10-87) also does not specify the minimum wages to slate mine workers. Hence mine workers are virtually not protected by the mines Act, as well as minimum wages act. Enforcement of the mines Act is entirely under the purview of the central officials, whose offices are located at distant places like Vijayawada and Nellore. Hence slate mine owners are taking advantage and the mine workers has to resort to the protection and help of mine owners only. In the event of any accident or any type of incident that takes place, the child labour has to go to the hospital or place, where the mine lease holder can dictate the terms and conditions. Hence the response of labour towards the act is not encouraging.

The minimum wages act related to the slate factories is not a comprehensive one. All the categories of work are not mentioned in mining act notification. Hence the employers place the skilled workers who are not mentioned in this notification as the least paid category, Employers give “general labour” category designation to skilled and semi skilled workers in order to deny them minimum wages applicable to their level of work. The minimum wages act related to slate factories in
Andhra Pradesh has to be reviewed regularly so that wage structure may not lag behind the rest of the market structure. The minimum wages act covers only some categories and not those coming under the jurisdiction of the shops and establishment act. Under the minimum wages act, consolidated wages are fixed on the basis of categories of skills required, only for slate factories and not for mines. On the other hand, the companies which are covered by Shops and Establishment act specify the wages for different skills on piece rate basis. Thus the slate workers with same skills and same hours of work get different wages depending on the employer is governed by the Factory act or the shops and Establishment Act. Hence response of owners is divided in implementation of provisions of law.

The mine owners maintain the less number of workers than actual in their registers. Also they register the skilled workers as unskilled. This will evolve the mine owner to deny the workers welfare facilities as well as the extra wages to the skilled labour. This type of misleading will deny the facilities such as canteen coupons, toilets, ration and medical facilities. The state insurance act does not apply to mine labour and in particular to child labour, as the child labour is not acceptable as per law.

Most of the slate mines are situated in the surrounding villages, to which place the enforcement officials of child labour does not have any administrative intervention. Hence the child labour injured in mines will
not get the compensation and judicial process takes long time about certification of age of the child.

The enforcement officials such as labour officer, who is responsible for implementing shops and establishment is also given additional work of implementing prohibition of child labour. This additional burden on them, make them to go slow on the child labour problems.

Also the officials enforcing mines act are from central government and stay at far off places and not stationed at Markapur. The implementation of rules is not uniform for all the mines around Markapur as they fall in two revenue divisions Markapur and Kandukur, since the implementing authority R.D.O.) is different.\textsuperscript{70}

**MARKAPUR MODEL – TO REDUCE AND PREVENT CHILD LABOUR:**

This model is governed by four project components as given below.

The first one is National Training program for trade unions and enforcement agencies which has following components. (1) Model systems for integrated monitoring and evaluation for development and use. (2) Support for state level ILO/IPEC set up and coordination.

(3) State based project approach in Andhra Pradesh. (4) National training program for trade unions and enforcement agencies has the action based program. (5) Trade Unions ensure fair employment practices by the mine owners.

The second is model systems for integrated monitoring and evaluation has the following program components. (1) Appropriate indicators have been developed and tested for child watch approach. (2) Manuals and guidelines for monitoring and evaluation are produced. Programming and planning better practice is tailored for actual needs.

The third component is support of state level ILO / IPEC set up and coordination, to include the following action plan steps. (1) ILO has set up a state level office with staff. (2) Technical assistance is provided as necessary. (3) Operational guidelines are provided for the state based approach.

The State based project approach include the following points. (1) Strengthen and broaden the nodal coordinating committee. (2) Devise and implement the state frame work for elimination of child labour by including the resource centre. (3) Set the standards for service provision. (4) Funding needs and mechanisms for to be identified at government level. (5) Strong links are provided between enforcement and rehabilitations services. (6) Develop agencies–media net works to raise child labour issues at state level.
By acting on and implementing Markapur model, the government succeeded in getting the following results.

(1) Children in the target villages are withdrawn from work and admitted in school education. (2) The number of development initiatives in each village has been increased. (3) Democratic election of leaders for village administrative body has taken place. (3) Number of villages are identified where development funding mechanism have been handed over to the village bodies. (4) The villages are able to use government funding. (5) Improved environmental / health standards in target villages are provided. (6) Increase in family income has been assured even though children have been withdrawn from work.

**GUIDE LINES FOR PREPARATION AND SELECTION OF PROGRAM PROPOSALS:**

The international labour organization has identified elimination of child labour as one of its thrust areas on project entitled “International Program on the Elimination of Child labour (IPEC)” was introduced in April 1992 in consultation with several governments, workers and employers organizations of member states and government of Germany (the main donor agency). The IPEC aims at complementing the govt. resources and efforts to encourage, promote and support action oriented program by NGO’s and other institutions with in the frame work of the national policies and program relating to child labour. The long term objective of the IPEC is the effective abolition of child labour.
It calls for social and legislative action for the progressive elimination of child labour and its regulation during the transition period. The IPEC comprises National program which can constitute the major part, and promotion of world wide movement against child labour. Under the national program, the IPEC’s work program is characterized by flexibility and innovativeness in approach. It lays down only broad guidelines for implementation, because of complicity of the problems of child labour. Further in-view of the seriousness and the size of the problem on one hand and the limited resources and institutional capabilities of the participating countries on the other hand, the program selects certain priorities of action program at the national level. The priority areas of action which have been taken up in the first phase are- a) Preventing employment of children in hazardous work or employment. b) Protecting those under age of fourteen years, including girls.

**TARGET GROUPS AND TIME OF THE PROJECT:**

The target groups are identified and formed from the following categories.

Child workers in factories, industrial enterprises, cottage industries, Beedi making textile and leather industries, food processing, match factories, construction industry, slate mines and industries at Markapur, industries of hazardous occupation, children working in service sector which includes street children and children of families of...
street and children in informal sector which includes street children. The project was for five years and general criteria for program selection is based on following elements. (1) The proposal must be flexible and qualitative in prevention of child labour and look in to the welfare of working children (2) The major funding will be on elements of proposal such as education, pre-vocational training. (3) The proposal must have been linked with program of central /state / local government. Linkage must be clearly spelt out in the project. The program must be continued beyond the donation of IPEC.71

**ELIMINATING CHILD LABOUR THROUGH PARTICIPATION:**

Collective Action For Rural Development (CAFORD), started and funded by G. Range Gowde, works to eliminate child labour through a participatory approach in the rural interior of Andhra Pradesh and Markapur. CAFORD organizes people to solve their problems through collective action by channeling the energies of women and youth towards development initiatives and to provide education and health facilities with a focus on child labour and woman. CAFORD conducted three months camp, an intensive residential one, where the child is motivated and helped, to enroll in the regular class work. Most of the CAFORD’s projects are based at Prakasam district, particularly at Markapur.

The drought conditions force the population to migrate to the other districts in search of livelihood. This forced migration leads the children leaving school and supplementing their family income by working as labourers for the sake of lively hood. Education is definitely not a priority among the migrants, more over facilities and infrastructure for education is poor. Government school registers shows a hundred percent enrolment but it is seen that barely fifty percent of the children attend classes regularly. The attendance of the teachers in the schools is irregular and in most cases it is a single teacher who handles the classes in the village schools starting from morning to evening. The teachers are also engaged in design slate business. Industries are very few and the major industry is mining and slate production. Children are either employed in the slate industry or bonded labour in agriculture. They have been dropped out of schools and in some cases, never attended the schools.

**INTEGRATED AREA–SPECIFIC APPROACH AGAINST HAZARDOUS WORK AND EXPLOITATION OF CHILD LABOUR IN PROJECT AREA:**

The Project is funded by International program on the elimination of child labour (IPEC) and executed by National child labour project society, Markapur. The program would consist of diverse but, integrated set of components. The formulation and design of this sub-program closely reflects the fact that child labour problem is a complex multidimensional problem which needs to be addressed through diverse set of social interventions but with a coherent, holistic strategy for
effectiveness and impact. There would be an experimental aspect to the use of the integrated area approach. Such an approach has not been used before in the social sector. Hence there would be significant gains to be realized from implementing such a strategy for understanding the various points of social intervention and their inter linkage in combating child labour. The area approach was successful in piloting the green revolution during the 1960s when seven districts were chosen for a pilot introduction of the green revolution technology in agriculture in India. It is hoped to replicate the same success in the social sector issue of child labour.

**Target groups are recognized by selecting the following categories.**

1) Child labour: Child labour in the identified hazardous work in Markapur would be provided education and skill training as per the need of the children who are to be rehabilitated.

2) Families of the child labour: The families of the child labour would be helped to upgrade their income levels.

3) Mothers of the child labour: The mothers of the child labour would be a focus target group. At least 1500 of them would be directly targeted.

4) Program staff of NCLP: The project would focus on upgrading the effectiveness of the program staff of NCLP at all levels.

5) Government functionaries: Government functionaries, particularly those involved with development activities.
6) Judicial functionaries, labour department officials. Community leaders, the general public and media.

Collaborating Institutions are also recognized by pointing out the following skills. The production of teaching material, training of master trainers for training teachers for transitional education centers etc. would be assigned to the specialist organizations which will be identified by IPEC. The entrepreneur development training of the mothers of rehabilitated child workers would be carried out by an institution which is identified by IPEC. The training of NCLP project director would be done by V.V. Giri National labour institute, New Delhi, or the Indian Institute of Public Administration New Delhi. Monitoring and evaluation would be carried out by any institute identified by IPEC. The updating of technology to release child labour from hazardous work would be carried out by the National Institute for small Industry extension and training or any other competent institute approved by IPEC.

Objectives and Indicators of the integrated area specific approach project are given below. a) To prevent, withdraw and eliminate children from hazardous work in Markapur by channeling the entire package of critical IPEC inputs in a focused geographical area. b) Implement the supreme court decision requiring the immediate withdrawal of child labour from hazardous work through the provision of an integrated package including direct services to child labour, strengthening the capability of the families of the child labour, enhancing the capability of
government institutions through training of key functionaries and awareness raising among different segments of the local community and district levels.

Following indicators are used to measure the progress during and towards the end of program implementation. Work places should be free of child labour. Number of children identified, with drawn from work, number provided education in transitional education centers, counseling, health services. Adult training programs in income generation activities and saving facilities for shifting economic responsibilities from children to the adult members are arranged. Number of children prevented from entering work and diverted to education and other services. Number of children who are entering the pre-vocational training, basic education and other services. Health and nutritional status of the above mentioned children. Percentage of dropout children from education. Percentage of families which refrain from child labour. Number of adults in the families taking on new economic activities to enable their children to refrain from child labour. Percentage of employers who take initiative to make their work places as child labour free. Community awareness and support mobilization. Trade union sensitization against child labour.⁷²

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CHILD LABOUR REDUCTION IN MARKAPUR SLATE INDUSTRY THROUGH AN ACTIVE TRIPARTITE FORUM:

The Tripartite forum which formed, consisting of trade unions, employers and the representatives of government is useful in reduction of child labour. These forums prevent, reduce and eliminate child labour in slate industry. The district collector chaired the tripartite and sustain action against child labour in the industry. The tripartite committee meets once in every quarter committee and initiate, promote to end child labour in slate industry.

The committee is encouraged to arrive at long term settlements under sec 12(3) of the industrial disputes Act to end child labour in the industry. Employers in the Tripartite-committee are sensitized of against the employment of children in hazardous work at Markapur. Trade unions are sensitized against the employment of children in Markapur slate mines. Since all the people cannot be accommodated in the committee only five representative from trade unions, fifteen from employers (four from Factory owners and eleven from Mine owners) and eighteen officers are nominated to be members of the Tripartite committee.

The main functions to be performed by the committee are as below.

Discuss and identify the areas of child labour in Markapur area.

Discuss and find out the reasons for child labour.
Organize the meetings with all the members of the concerned category and share the outcome of the discussions in the committee.

Conduct periodical checkups to the work spots for improving the effectiveness of implementation of the decisions taken in forum meetings.

Visit the parents and explain the importance of their child’s education.

Evolve effective mechanism to end the child labour.

Interact with the community for exchanging the views.

Find out the root causes for child labour and suggest the actions in that direction.\textsuperscript{73}

\textsuperscript{73} Triparte Forum –NCLP-ILO-IPEC action programs—VVGNLI, Noida-1993.