VARIOUS GOVT. POLICIES AND CHILD WELFARE PROGRAMMES IMPLEMENTED IN DISTRICT SAHARANPUR

Child labour is making children do extremely hazardous work in harmful conditions, putting their health, education, personal and social development, and even their life into risk sometimes. Child labour is also any work within or outside the family that involves a time and energy commitment which affects the ability of the child to participate in leisure, play and educational activities.

International Labour organization (ILO) has defined child labour as that which includes “children prematurely leading adult lives, working long hours for low wages under conditions damaging to their health and to their physical and mental development, sometimes separated from their families, frequently deprived of meaningful education and training opportunities that could open up for them a better future”.

India has the largest number of child labour in the world. Even after 64 years of Independence with various legislations and policies coming into existence, the problem of poverty still continues to hold alarming proportions in India. Large numbers of children continue to work in cottage industries and small scale units producing a wide range of products such as bidis, carpets, firecrackers, matches, bangles, etc. However, in the estimation of the number of child workers in India, different research bodies have arrived at
different figures. This is mainly because of the difference in the methodology that is used to estimate child labour and also because of the difference relating to the definition of ‘child labour’ and ‘work’ itself. For example, child labour may not be recognized when children work as part of the family unit. This is particularly common in agriculture, where an entire family may work.

Child labour hampers the physical, intellectual, emotional and moral development of children. Children who are in the growing process can permanently distort or disable their bodies when they are forced to carry heavy loads or adopt unnatural positions at work for long hours also since children are less resistant to diseases compared to adults. They suffer more readily from chemical hazards and radiation than adults.

**Child welfare programmes implemented in Saharanpur**

“Pratham” started in Saharanpur in May, 2005 with the ITC limited. Mr. Vineet Johri, state coordinator of UP started this programme in Saharanpur. Pratham Saharanpur started work in two zones of the city named khatakheri and Noorbasti. The majority population of both zones belongs to muslim community. When Pratham Saharanpur started their work large number of children were out of school belonging to woodworker.

After three years, the conditions is much better, it is clear from the below table.
Table – 3.1
Child labour programs in Saharanpur

<table>
<thead>
<tr>
<th></th>
<th>Total Male</th>
<th>Total Female</th>
<th>Private</th>
<th>Anganwadi</th>
<th>Pratham</th>
<th>Oos</th>
<th>Total</th>
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<tbody>
<tr>
<td>3-5 years children</td>
<td>1649</td>
<td>1436</td>
<td>862</td>
<td>251</td>
<td>457</td>
<td>1515</td>
<td>3085</td>
</tr>
<tr>
<td>6-14 years children</td>
<td>4769</td>
<td>4417</td>
<td>3468</td>
<td>1361</td>
<td>631</td>
<td>1554</td>
<td>1100</td>
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Source: 'Pratham’ NGO Survey March 2008

According to our survey total 3069 children are OoS and 631 children have dropped out this year, we are running 20 RLP & 10 PEC. Total 755 children are coming to our classes and approximately 1400 children are covered through our Library programme.

Pratham Saharanpur changed its strategy at regular time intervals. For example, when pratham found that computer education is necessary for children Pratham Saharanpur started their Roaming Laptop Programme and increased parental and community interest in computer technology and its uses in education. This programme helped us to positively impact children’s learning level.

When Pratham Saharanpur realized that after the completion of RLP children are facing problems in school, because, there was no space for extra children and the education level was also very low. Moreover, parents wanted Pratham Saharanpur to teach their children. To respond to these needs,
Pratham Saharanpur started the “Pratham Education Centre”. Pratham Education Centers are organized where there are no schools or where the schools are over-crowded. PECs bring together three to four classes in one location usually in a rented building. This is the second year for our PEC programme. In first year we gave the third standard education to our children. Total 306 students gave their final exam and out of that 244 students are passed out.

Currently, Primary Education Centres operate in both zones, i.e.; Khatakheri and Noorbasti. Currently we are covering 254 children. We are giving fifth standard education to the children with the help of NOS, Mumbai.

One of the Pratham Saharanpur innovative work is the Sponsorship Programme. In this innovative programme we adopted 25 brilliant children from the poor family background who were unable to pay fees and continue their education. ITC has adopted these children’s education. These children are enrolled in private schools for the better education. Tuition fees, uniforms, text books, note books, school bags, private tuition fees for these children are provided under the sponsorship program.

As a new innovative program, Pratham Saharanpur has stared “School Infrastructure and Support Work”. In this programme, 19 selected Government Primary School are provided TLM, Teachers training and infrastructure support. The main objectives of this programme are:
**Community Mobilization (mothers intervention)**: It has been realized that parent’s especially mothers participation in children’s learning is an important element. So it was decided to try out various methods to involve mother in children’s learning. Advocacy for children’s basic education is also covered in this programme.

Because, the enrollment level is reaching near about 90% in our city, primary need today is to increase the teaching level among school teachers. So the city team is working on increasing the learning level of primary schools. Because our axiom is to improve the learning level of children not the 100% enrollment in schools.

One of the major problems of Saharanpur city is child labour. Because, wood carving is a major business in this city and the maximum labour are children in this work. And the problem behind child labour is the population of Muslim community. In each family there are 8 to 10 children. Therefore, they can’t educate their children. Because, they belong to poor family.

Pratham Plans to setup PRATAP Centres in order to begin its transition to a post secondary institution which will not only be accessible to volunteers but to all youth. These centres will be run in conjunction with the EFE programme initially. At this time, a village census has been conducted which includes details of proximity travel times and travel costs from villages to proposed EFE centres.
CRITICAL REVIEW OF GOVT. POLICIES AND PROGRAMMES

Although child labour is spread all over the country, there are few areas which are found to have a concentration of child labour. Since it is not possible to eliminate and prevent child labour from the district once for all, the need is to phase out the work as follows:

The first and foremost task that needs to be undertaken is a survey with a view to prepare a child labour profile of the district. The profile will include, the age, composition of the working child, the area in which children are employed, the wages earned, the condition of work, the economic and occupational status of the parents, the size of the family, educational infrastructure, facilities provided through government welfare measures, programmes of rural development etc.

The survey will be done by the district project society with the help of officers and staff of labour department and block level officers and staff of the district administration.

Key elements

The key elements of the policy package for elimination and prevention of child labour will be:

(a) Education
(b) Awareness
(c) Enforcement
(d) Training
(e) Rehabilitation
(A) Education

Education has a strong negative correlation with child labour. Universalisation of Primary Education (UPE) is the main strategy for the immediate prevention and ultimate elimination of child labour. The following plans of action will be adopted as part of the UPE strategy in the district.

(i) Improving the quality of the formal school system through the provision of software as well as hardware facilities.

(ii) Improving the course curriculum and quality of teaching in primary schools.

(iii) Increasing enrolment in primary schools through special drives of incentives and disincentives.

(iv) Checking drop-outs from schools by introducing skills training.

(v) Providing free meals and learning materials to children enrolled in primary schools.

(vi) Implementing the UPE strategy in phased manner.

(vii) Improving the quality and capacity of Ashram school.

(viii) Establishing non-formal education (NFE) Centres for working children and gradually sending them to regular schools.

(ix) Providing scholarships to children of the scheduled castes/schedule tribes and backward castes through the department of social welfare.

(x) Providing education through the play way technique.
Increasing literacy through the implementation of adult education programmes and opening of Charwaha Vidyalayas.

Despite the continuous efforts of the government to provide proper and sufficient education to all the children of the country, there are many drawbacks in the schooling system.

The major problem that government policies face is the frequent migration of large number of people from one place to the other which leads to low attendance in schools. Then, the concerned authorities themselves are inefficient in the proper implementation of such schemes. Also, government officials are unable to get proper and true information from poor people as these people give fake information about their children’s age and enrollment in some school, if any. Besides, mid-day meals are also improper in many schools.

(B) Awareness

Mass awareness regarding the evils of child labour and necessity of education is an important strategy for elimination/prevention of child labour. The following plan of action will be formulated in this direction.

(i) Utilisation of print media,

(ii) Utilisation of electronic media, and

(iii) Utilisation of folk media.

The message of the campaign will be conveyed through newspapers hand bills, pamphlets, posters and banners. Some slogans pertaining to the importance of education and evils of child labour will be written on walls.
Efforts will be made to convey the message through pictures and symbols. Hand bills and pamphlets will be distributed door to door. Colourful posters and banners will be displayed on vulnerable spots of mass public use. The welfare department will be persuaded to earmark funds for spreading message through the print media.

Electronic media comprise radios, televisions, videos and microphone. Efforts will be made to broadcast short feature film and documentaries though the television network, in connection with the show in the rural areas depicting the conditions and exploitation of child labour and facilities provided by the Government for the education of children. Again, the department of welfare will be asked to provide necessary funds for this purpose and take up the activities.

Though the government is trying day and night to abandon or at least manage child labour, still no great effects have been seen yet. One reason for this is the unawareness of millions of people in India. As the elders of many rural and poor children are illiterate, they are unaware of the benefits of literacy and do not want to invest in their children’s education. Moreover, the various policies of government are not accessible to communities such as peasant, landless labourers and migrant herders. This is because they do not have the necessary means of communication such as television and radio through which government does the advertisement of its beneficial programmes to Educate children and improve their future.
(C) Enforcement

The Child Labour (Prohibition and Regulation) Act, 1986 is a specific act for the working children and is an improvement over all other previous legislations pertaining to the child labour. This act intends to:

(i) Ban employment of children, i.e. those who have not completed their fourteenth year, in specific occupation and processes.

(ii) Lay down a procedure to decide modification to the schedule of banned occupations and process.

(iii) Regulate the conditions of work of children in employments where they are not prohibited from working.

(iv) Lay down enhanced penalties for employment of children in violation of the provisions of this Act and other Acts which prohibit the employment of children.

(v) To obtain uniformity in the definition of child in the related laws.

In provisions to section 3 of the Child Labour Act, 1986, there is a clause which offers exemption to any establishment in which the work is undertaken by the owner’s family loopholes, therefore, exists which make enforcement difficult. The state will approach the Central Government to amend this clause in order to plug the loophole. The employment of child labour is violation of the provisions of Child Labour Act, 1986 should be made cognizable offence and for that the State Government will try to suitably amend and insert relevant provisions of the Act.
For disposal of the cases pertaining to employment of child labour the executive Magistrate should be empowered to try and decide the cases in a manner as is under section 21 of the Bonded Labour System (Abolition) Act. For this, efforts will be made to suitably amend and insert the provision in the Act.

Enforcement of the Child Labour Act is done by the labour department of the State Government officers of the labour commissioner including officers of the factory Inspector have been notified inspectors for securing compliance with the provision of the Act. These officers are required to carry out statutory inspections. Targets for monthly inspections to be done have been fixed and their activities are being monitored by the State level child labour monitoring cell.

Although the child labour Act was implemented long back in 1986, still it has not been able to visualize all the firms and industries which employ child labourers. There are several such firms that are unregistered legally but employ small children at a large scale. These firms are found in hard-to-reach places like homes or buildings covered from outside. Thus, they remain unrecognized by the government. Apart from it, parents enroll their children in schools but hardly send them once in a week or so. In the other days, they are forcibly sent to work. In many cases, children even escape from school during the mid-day meal in half time. This is the tragedy that comes in the way of proper enforcement of laws.
(D) Training

The State Government is working to train the government servants including officials, teachers, anganwadi workers etc. so that these people would further impart this training to the children who work as child labourers unfortunately, in the first step, the training given to the government servant is not properly held. Moreover when these people go to train children, they are unable to get enough children as the working children later attend school and training camp. The indifference of children and their parents towards training does not set the former improve in their skills and develop nicely.

(E) Rehabilitation

Children who are weaned away work and their families should be provided with a package of rehabilitation measures which is self-sustaining in order to ensure that children withdrawn from work do not go back to their jobs. The State Government will try to provide the package of rehabilitation measures which will consist of the following:

1- Establishment of special schools of N.F.E. Centre.
2- Provision of mid-day meals to children.
3- Provision of regular health check up.
4- Vocational training.
5- Recreation
6- Provisions of working capital to all children enrolled at the N.E.E. Centres.
7- Convergence and focusing of employment and income generating programmes of the Central and the State Government like JRY, IRDP, PMRY TRYSEM, Indira Awas Yojna, Rain Basera, MNREGA etc on the child labour families and linking them with literacy programmes.

2- The rehabilitation measures will be implemented through the following departments of the State Government.

1- Education

2- Health

3- Welfare

4- Rural Development

5- Urban Development

6- Labour

The departments will work together in a co-ordinate manner through the task force constituted at the state level with representatives from each department and the Commissioner and Secretary. Labour Department as the Chairman of the task force

For educational advancement of child labour, there will be a need for school hostels and other institutions. There will be requirement of food, clothing, medical care and recreational facilities, such arrangements will be made under various Central and State sector programmes like National Child Labour Projects, Bihar Education Project, Non-formal Education, Residential Schools, and Hostels maintained by Welfare Department. The U.N. agencies
like UNICEF, ILO and UNESCO will be approached with specific projects. Programmes administered by ILO like IPEC and CLASP will be important components of the policy of rehabilitation.

As per Article 24 of the constitution, no child below the age of 14 years is to be employed in any hazardous employment. But the real current phase does not follow the law. Instead, a very large no. of children are employed in factories, mines and other hazardous Industries.

Further, free and compulsory elementary education is not being provided to all children effectively. A large proportion of children remain illiterate. Moreover, in the child labour Act, 1986, employment of children working as domestic servant dhabas, motels etc. has not been banned yet. They are abused and harassed also very often.

The National Policy on Child Labour, 1987, emphasised the need for strict enforcement measures in the areas of high child labour concentration alongwith opt. rehabilitative measures to curb this menace. But till now, there has been no significant decrease in child labour in such areas. (The root cause of this situation is apparently poverty, for which any definite step has not been taken).

The National Child Labour Project Scheme, 1988, has not been able to identify enough working children and put them to special bridge schools which claim to provide nutrition and vocational training.
DEFECTS IN THE IMPLEMENTATION OF THE PROGRAMMES

Though the Government is undertaking legislative measures to protect the child labour in India, but these are not effectively implemented. Moreover, there is need for strengthening the existing legislation aimed at protecting the child labour to make it completely free from loopholes.

The employers are also responsible for intensifying the problem of child labour in India. Though the employee’s community prides itself in providing law bound welfare measures, this section is not whole-heartedly interested in implementing the spirit behind the legislative measures. The employer always wants to cash on the loopholes that are there in the legislation. Hence there is a need for change in the attitude of the employers towards the upliftment of the child labour. But, this humanness is mostly lacking in most of the employers.

Due to defective and unsuitable plans and programmes of development particularly on educational policies, we find that the objectives are not met successfully. Most of the schemes whether poverty elimination or literacy campaign do not fulfill the local needs of the people and the schemes meant for them being not fit for their socio-economic and cultural environment are not fruit bearing. Experiences show that a very negligible percentage of children get admitted into primary schools and majority of them drop out
after continuing there for a year or two. During the seasons of agricultural operation most of them remain absent.

At the international level also we find that the poor children that can be exploited in this way has increased because of international economic developments over the last decade and a half. Structural adjustment programmes imposed on the economics of developing countries by the World Bank and the International Monetary Fund (IMF) have meant cuts in social spending that have hit the poor disproportionately. In Zimbabwe, reports of both the Government and the International Labour Origanization (ILO) has linked the explosion of child labour directly to the impact the country’s structural adjustment programme. National policies and priorities also contribute to the problem. Cuts in social spending have hit education – the alternative to child labour – particularly hard. In the countries experiencing economic hardship in the last decade, per capita spending on education has declined significantly. In all regions, spending per student for higher education fell during the 1980s, and in Africa and Latin America, spending per pupil also fell for primary education.

There is large number of child labourers, Though it is prohibited legally but still it is continuing because of the limitations of the legal system due to so many reasons. Only the mutual agreement between the employer & the parents get them employed. The implications of the child labour programmes are very severe, because it is affecting the largest part of
population of India and it is obstacle for the proper and smooth development of the human resources and social welfare. Its important implications are as follows:

- **No education**: As the children would be confined to his job only, he would not have time for education. Even the elementary education will not be available to them. The time they would be doing their jobs that could be the period when they could learn something. Even the employers would suggest that there is no use of education. The parents would be persuaded not to send their child to the school. On the other side, the poverty of the parents and demonstration of half hearted and incomplete education before them, would compell the children to remain confined to their jobs only.

- **No development of All-round Personality**: The child joins the job at a very small age just when he is out of infancy. At that stage he/she had not grown so much either physically or mentally. He works in very uncertain and insure conditions. Always dictated by the employer, abused and many times being beaten for the small mistakes about whom he is never aware. He would develop the inferiority complex. On the other side, he is never given an opportunity to take the independent decision. He is always dictated either wrong or right. So he is also not given the opportunity to grow mentally. He is never given time to play that is most essential at this stage. So he always goes
on observing. Even he is not aware that why he is employed over here. What are his wages, when the parents are getting his wages? He is working for very long hours without any break. So it creates the atmosphere where he cannot develop his all-round personality.

➢ **No professional Training** : The children those are employed on various jobs they are performing do not require any skill. They leave one job and adopts the other where again there is no need of any skill. They are entrained for any job and there is no need for their services, that they had been performing since long because now they are no longer children and they are not fit to perform these jobs like the jobs in household and carpet fabrication etc. So it restraints them to enter into some better career and they have to depend on this manual labour, those are less paying, uncertain, having no social security and they have to pass a uncertain and insecure life. They have to be satisfied with small income and low standard of living.

➢ **No chance to show their Abilities** : Sports is the first and foremost hobby of every child. Even in his infancy he is interested in sports. But once they have joined some job they are given no chance to perform their hobby and they have to curb their hobbies and to suppress their emotions against the child psychology. That affects them physically and mentally and they grow as a suppressed personality. Similarly, there can be many other talents in the personality of the child, like his
abilities for dance, drama, music, painting, debate etc. Neither these can be exposed, nor the chance is given to those millions of children to show their talents. Even they would not be allowed to express their desire anywhere. So they would watch the other people performing these talents. They would have the desire to express it and show it by them but it is never possible and they have to suppress this.

- **Alternative to Education**: There is no question of their formal or informal education or training. The time when they would go to school at that time they are serving at one job or the other. So they remain illiterate, in spite of the provision of free and compulsory education by the Government. So the parents prefer their job instead of education because by joining the school they would be deprived of earning of income that is the source of income for their parents. So while comparing the education and employment, the parents prefers employment because of their compulsions.

- **Violation of Human Rights**: As the norms of employment, the wages, the terms and conditions of service are denied to these children who are serving as labourers. It is the open violation of the human rights.

- **Exemption from the old Loan**: The parents who had availed loan and they were unable to return back that loan, they are paying very high rate of interest on that loan. So many studies have provided that the
payment of loan and interest had been the reason for compelling their children to join labour. So at the national level, the old loan of such parents should be exempted. They should be made free from their old loan. This can be a big relief to the parents and can help to solve this problem to large extent.

**Industrialization and Creation of Job opportunities:** India is much backward in industries. Still the agriculture is employing more than seventy percent of the population, though the population has increased by there times since 1950, there is little scope of employment in agriculture. The industrial sector was employing only 10 percent in 1950 and still this percentage had not increased much. In developed countries of the world, 80 percent of the population is engaged in industries and services.

The efforts are required to be made to develop in industries and create more and more jobs in that sector. The work in the industry is done with machines, If more job opportunities are available in industries, it can improve the standard of living and can increase the income of the parents and they would not think for sending their children to the jobs. On the other side it would encourage the children to study in schools obtain some technical skills and to become fit for the industrial job and it would reduce the problem of child labour.
PROBLEMS FACED BY THE GOVERNMENT AGENCIES

Lack of Detection

Though the government has launched several programmes and appointed numerous incharges to detect the children and enroll them in schools, yet it is to much extent unable to achieve the purpose due to lack of detection. The chief reason is the frequent migration that is practiced by many families in the country. Poor families keep moving from one place to another in search of jobs. Hence, these families are unable to take the benefit of these programmes. Even if they get enrolled in any such programmes, they get out of it very soon for going to some other place. The improper detection is further contributed by the parents who don’t wish to send their children to get educated and show fake ages above fourteen years. They do this so that their children may go to do labour and earn some money for the subsistence of their family.

False enrollment in schools

The poor parents enroll their children’s names in schools but rarely send them to school. Rather, they send them to work so that they supplement to the families income. Enrolling their names in schools just a source of getting some surplus money from the scholarships set by the government. But they merely send their children weekly and fortnightly. This makes the children appear to be enrolled in government schools while they are actually unrolled.
Parent’s tendency towards child labour

Poor parents have a tendency to think of the present needs rather than future. They have more children than the children they could afford for. So, they think that they must engage their children in labour to earn money. They are neglected towards their future and the country’s future. They regard school education as a waste of time and money. This is the reason that they don’t invest in human resource development. They are unawareness of the benefit they would get afterwards.

Unawareness among people

Due to poverty and negligence, there is widespread unawareness among people towards the beneficial schemes to eradicate child labour. They do not know the benefits of these schemes and hence do not pay attention to them. Moreover, they do not think about their children’s future so do not think about these schemes. Also, most of the rural people do not have access to such information of schemes. Hence, government should look into the matter so that people may become aware of these schemes and let their children get benefited from them.

Illiteracy

Illiteracy is the root cause of unawareness among people, and hence child labour. Most of the poor people are illiterate and they cannot think about their and the country’s progress, being illiterate, they do not know the importance of education. They do not spend time in knowing about the
schemes and their benefits. Hence, this is a major challenge before child labour eradication.

**Producers’ Motive**

Producers and manufacturers employ child labourers at low wages for their work. They take advantage of small children though it is forbidden by the law. Hence, such selfish producers too enhance child labour. By employing children, they stop their access to education and recreation. Children are employed commonly at restaurants, hotels, shops wood carving, carpet weaving and as domestic labourers. They are paid too low for their work.

**Areas out of government’s approach**

Some areas which are out of government’s approach contain more number of child laborers as compared to areas within government’s approach. One such example is in Muslim community, where children are emphasized to read religious books. They are given more religious education rather than proper general education. This makes them educationally weak and forces them to engage in child labour to earn their living.

**Improper Education System**

The functioning of the country’s education system is improper and ineffective which does not provide the required education to children. The children who go to school despite the above hardships are not provided proper education which forces them to engage in child labour.
MEASURES TAKEN UP BY THE GOVT. AGENCIES

The government had initiated the National Child labour programme (NCLP) intrigue in 1988 to rehabilitate working children in 13 toddlers proletariat disease district of the state. Its reporting was multiplied progressively to screening 271 districts in the region.

Low the NCLP intrigue, children are reserved from energy and put into special schools, where they are provided with bridging pedagogy, vocational preparation, hour alimentation, stipend, health care facilities, etc. At verbalize, there are much than 10000 NCLP schools being run in the state with an enrollment of 5 lakh children. About 5.21 lakh working children human already been mainstreamed to regular pedagogy under the NCLP connive from 1996-97 to 08-09 Likewise children who has been provided with vocational breeding bonk joined the mainstream.

From the time of its Independence India has committed itself to the giants child labour. Article 24 of the Indian constitution state that “No child below the age of 14 year shall be employed to work in any affecter or mine or employed in any hazardous employment.”

National policy on child labour

The Constitution of India, both in the Directive Principles of the State Policy and as a part of the Fundamental Rights, has laid down that the State shall direct its policy towards securing that health and strength of workers, men and women and the tender age of children are not abused, and that
citizens are not forced by economic necessity to enter vocations unsuited to their age or strength, and that children, particularly, are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity. Childhood and youth are to be protected against exploitation, and no child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

The National Policy for Children Resolution, adopted in August, 1974, further developed the above ideas and set out a policy framework and measures aimed at providing adequate services for children. These were to form a prominent part of the nation’s plan for development of human resources. Free and compulsory education for all children upto the age of 14, provisions of health and nutritional programmes and services, providing alternative forms of education for children unable to take full advantage of formal school education for whatever reasons and measures for protecting children against neglect, cruelty and exploitation form part of the National Policy for Children. The Policy also provides, as one of its objectives, that no child under the age of 14 years shall be permitted to be engaged in hazardous occupation or to be made to undertake heavy work.

The committee on Child Labour (Gurupadaswamy Committee) which submitted its report in December, 1979, examined the problem of child labour in detail. India is one of the countries where the problems of child labour are quite openly manifest and the widespread existence of child labour
has been viewed by the Government of India with concern. The Gurupadaswamy Committee recognized that a distinction had to be made between child labour and the exploitation of child labour as, though both are a problem, they are of different orders. It had underlined that in all future action dealing with child labour this basic aspect would have to be taken note of i.e., that “labour becomes an absolute evil in the case of the child when he is required to work beyond his physical capacity, when hours of employment interfere with his education, recreation and rest, when his wages are not commensurate with the quantum of work done, and when the occupation he is engaged in endangers his health and safety”, i.e. then he is exploited.

Government has given consideration to these aspect of the problem of child labour, i.e., the need to protect child labour from exploitation or from being subjected to work in hazardous conditions which endanger such children’s physical and mental development; the need to ensure safety and health at their working places; that they should be protected from excessive long working hours and from night work; and that there should be regulated work even in non-hazardous occupations, and that all child labour have to be provided with sufficient weekly rest periods and holidays in their employments.

The recently enacted Child Labour (Prohibition and Regulation) Act, 1986, is the culmination of the process of consideration that Government has been giving to this pervasive problem figuring in the economic and social
landscape in the country. Both in enacting the legislation, and thereafter in proceeding to lay down the policy and the outline of the policy and the outline of the programme of action, Government have had to keep in mind the economic and social aspects of child labour in country. For example, with substantial portions of Gross Domestic Product coming from the agricultural sector, from rural industries or from artisan’s workshops, or from small scale services often children work as an essential part of a farm household, or as part of the working family assisting parents in ancillary tasks. In such working activities by children in farm and field, in artisan households or in small family centered trade or service establishments, children most often acquire the skills which enable them to become full-fledged workers in farming households, family establishments or traders. While work of such kinds has its problems, it is more essential at the present stage of our national development to concentrate in those sectors or establishment where children are developed on wage or quasi wage employment, outside the family, where there is most likely to arise exploitation, in whatever form it may be.

The national anti-poverty policies, the national education policy, the national policy on health for all and on nutrition, an also the generally stepped provisions in social services in national Plan outlays, are all geared to tackle the problems of poverty, where too often the origins and compulsions of child labour are rooted. The general raising of large number of the population above the poverty line, or the provisions of the entire spectrum of
improved social services in the areas above mentioned will, it is hoped, lead to progressive elimination of poverty, and consequently of the phenomena of children being put out for wage employment or quasi-wage employment at unsuitable ages. The measures to promote employment oriented development both in rural and in urban areas, and the all-round development and extension of adequate facilities for both formal and non-formal education, vocational education and training, and in the coverage and extension of social security and family welfare measures would all go a long way to tackle the basic and root causes of child labour.

This action programme, therefore, has to be viewed against the above background. Specifically, the attempt is to deal with a situation where children work, or are compelled to work, on a regular or a continuous basis to earn a living for themselves and for their family, and where their conditions of work result in their being severely disadvantaged and ex-polite, and where abuses connected with such factors impacting on wage-employed children need to be given close attention by the State for rectification, amelioration and regulation through specific legal and administrative instruments and measures.

The future action programme is set out under the following three heads:

I. The Legislative Action Plan;

II. The focusing of general development programmes for benefiting child labour wherever possible; and
III. Project based Plan of Action in areas of high concentration of child labour engaged in wage/quasi-wage employment.

**Legislative action plan**

A Child Labour Technical Advisory Committee has been set up to advise the Central Government in addition of occupations and processes to the Schedule contained in the Child Labour (Prohibition and Regulation) Act, 1986 (hereinafter referred to as CLA, 86).

The Provisions of the CLA, 86, the Factories Act and the Mines Act will be enforced so as to particularly ensure that children are not employed in factories or mines or in any other hazardous employment, and where they are employed in non-hazardous employments or occupations, to ensure that the work is regulated accordance with Part III of the CLA, 86, where it is necessary for State Government to make rules under CLA, 86 or under any other legislation so as to protect the interest of child labour, they will be so requested to undertake reviews and frame rules as necessary. The Railway Administration, major Ports and Central and State Government Departments, in charge of oil-fields and mines will also similarly be asked to review the situation arising from the enactment of CLA, 86, so as to ensure that child labour is not employed in prohibited occupations or employments, and if employed in other occupations or employments, and if employed in other occupations or employments, that the provisions set out for their health and safety, for the maintenance for registers, and for regulating the period and
hours of work or overtime or of weekly holidays and days of rest are enforced in all establishments.

Government will also bring forward legislation to delete the provisions contained in the Minimum Wages Act, allowing different wages to be fixed for children, adolescents and adults. In other words children will have to be paid the same as adults. This remove the economic incentive to employ child labour on lower wages. For enforcing other protective legislation like the Payment of Wages Act, The Equal Remuneration Act, etc. it will be ensured that child labour is not discriminated against as compared to adult labour. The Central and State inspection machinery will be geared up for this purpose.

**Focusing of general development programmes for benefitting child labour**

National development programmes exit with very wide coverage in areas of education, health, nutrition, integrated child development and the anti-poverty group of programmes. In order to have an impact on child labour it will be necessary to focus these programmes by the implementing agencies under the State Government or the Central Government so as to deliver benefit to child labour wherever possible, some areas where such focusing could be possible through:

*Education*: The National Policy on Education, 1986 (NPE) sets the target of all children who attain the age of 11 years by 1990 having had five years of schooling, or its equivalent, through a non-formal system of education. 4,90,000 non-formal education (NFE) centers are proposed to be
opened, which will supplement the formal education system. Since the central feature of the implementation of the strategy for non-formal education is based on Micro-level and area specific and population specific planning, NEF Centres for child labour will be set up with the involvement of voluntary agencies and Panchayati Raj Institutions which are capable of running non-formal education centers wherever possible care to child labour who, after work or during holidays can present themselves at the NFE Centers. Part time courses and vocational courses will also be created to at these centers. Such non-formal education centers for child labour would aim to educate children upto Class V level, with arrangements for continuance of non-formal education upto Class VIII level wherever possible. Where it is possible to organize such NFE centers for child labour, all the special features figuring in the Programme of Action of the NPE will be provided.

For child labour belonging to disadvantaged classes like SC/ST families, details of a scheme of incentive/assistance to SC/ST families who have to put out their children to wage/quasi-wage employment will be worked out in consultation with State Governments. For such children who come from families engaged in occupation like scavenging, flaying and tanning, scholarships will be extended, with constant micro-planning, and verification to ensure that SC/ST Child Labour in non-formal education centers are enrolled successfully complete the course of non-formal
education, upto Class VIII There are as per the specific provisions laid down in the programme of action of the NPE.

Micro-planning for non-formal education centers will have to be undertaken for child labour, especially for those belonging to such disadvantaged sections of the society as SC/ST, or in areas where there are known to be concentration of such disadvantaged sections of the society as SC/ST, or in areas where there are known to be concentration of such disadvantaged group of families.

In urban areas also, especially in urban slums, non-formal education programmes by both the State Government and by voluntary agencies will be promoted, including the organization of extra curricular activities, diversity in learning activity and with a provision of games and sports and related equipment, plays and skits, excursions, etc.

The project of voluntary agencies will be entertained for a period of 3-4 years, whether for urban or for rural areas, and while the initial proposals would be required to be sent to the State Governments, at subsequent stages, the voluntary agencies will directly approach the Department of Education for release of grants in aid to such non-formal education centers. The Ministry of Labour may also arrange for local-level planning for NFE centers for benefiting child labour and recommended these to the Department of Educations. NREP/RLEGEP funds would be used on a poverty basis for creating the infrastructure for non formal education centers catering to child
labour under the overall coordination and direction of the local district level development authorities.

For continuing education of child labour who have been enrolled and successfully completed their period of non formal education efforts would be made to link the non-formal educational institutions with the open schools, or with the formal educational system, so as to enable them to continue their education. The non-formal education programmes would also be linked with the Shramik Vidyapeeths, schemes of public libraries, Jana Shiksha Nilayams and vocational and technical courses of a wide variety would be provided where required for, among others, working children who come from the non-formal stream.

Health : Health is a State subject, and the programmes of medical inspection of children has been assigned to the State. The progress among the various States is uneven. A few states have good programmes but many other States do not. In those States where there exists a school health service programme, many and in some States even all, primary school-going children in the rural areas have been covered under the scheme for regular examinations. But those children who do not join school because of being at work would obviously not be covered by such school health programmes (where they exist). The Ministry of Health and Family Welfare will address the State Governments, recommending that intensive medical inspection of children be taken up in those areas where child labour is prevalent. The State
Government will have to be persuaded to extend the coverage of the school health services programmes to child labour. Since this is an area essentially under the State sector, a continuing dialogue, effort and persuasion with the State Governments will have to be maintained so that all children, irrespective of whether they are in primary school, or at work, are covered by regular health inspection and treatment/referral services. It should be possible to arrange for some health screening at NFE centers for child labour.

*Nutrition:* Department of Women and Child Development have an ongoing programme for women and children, i.e., Integrated Child Development Services which are approved on the basis of proposals by the State Government and non-government organizations. While it will not be possible to earmark funds specifically for child labour, proposals from State Governments/non-Governmental organizations and voluntary agencies in child labour areas will be funded on a priority basis and, if necessary, the rules could be relaxed to consider proposals from the organizations to be set up for taking up welfare measures for child labour also.

Anti poverty programmes, like: IRDP/NREP/RLEGP, etc. funds are meant for poverty alleviation programmes on the basis of criteria which have been laid down for the State to follow. Included in the coverage of the entire gamut of anti poverty programmes are families which have child labour and, to the extent that such families with incidence of child labour fall within the selection criteria for endowment of income-generating assets (i.e. IRDP) or
for wage employment (NREP/RLEGP) they would be benefited by the on-going programmes which have a large amount of funds allocated to them in the current Plan. To the extent, therefore, that the poorest families are often forced to put out their children to work for wage/quasi-wage employment, they would be getting assistance to raise the selves above the poverty line and this in conjunction with the non-formal education centers being opened in rural areas, slum areas, etc., will go a long way towards tackling one of the basic causes of children being put to work, i.e. poverty.

**Project based plan of action**

It is known that there are specific sectors of employment where the incidence of child labour is high, such as:

1. The match industry in Sivakasi, Tamilnadu.
2. The diamond polishing industry in Surat, Gujarat.
3. The precious stone polishing industry in Jaipur in Rajasthan.
4. The glass industry in Ferozabad in Uttar Pradesh.
5. The brassware industry in Moradabad in Uttar Pradesh.
6. The handmade carpet industry in Mirzapur-Bhadohi in Uttar Pradesh.
7. The lock-making industry in Aligarh in Uttar Pradesh.
8. The handmade carpet industry in Jammu & Kashmir.
10. The Slate industry in Markkapur in Andhra Pradesh and Mandsaur in Madhya Pradesh.
11. The leather units in Agra, Kanpur in Uttar Pradesh.
The child workers involved in the above mentioned sector of employment and geographical areas deserve priority attention because either the employments processes in which they work are prohibited under the Factories Act, or the Child Labour (Prohibition & Regulation) Act or the work is such that it is likely to affect the child’s well-being. In such of the 10 “project areas”, the strategy will be to evolve a package comprising of the following elements:

1- Stepping up the enforcement of the Child Labour (Prohibition & Regulation) Act, the Factories Act and the Mines Act. If necessary, special enforcement staff will be created for the purpose.

2- Coverage of families of child labour under the income/employment generating programmes under the overall head of anti-poverty programmes.

3- Where there is a concentration of SC/ST families with child labour, a concentration of special component and Tribal sub-plans by the State Government in each project areas.

4- Formal/non-formal education of ultimately all child labour engaged in hazardous employment, and of as many child labour as possible as may be in non-hazardous employments. Also, a stepped up programme of adult education (including non-formal education) of the parents of the working children.

5- Coordinating the activities of different Departments/Ministries of the Central Government and State Governments to benefit child labour.
6- Setting up of special schools for child workers together with provisions of vocational education/trading in such special school, supplementary nutrition, a stipend to the children taken out from prohibited employments, and health care for all children attending as such special schools.

For this purpose, i.e. (6) the infrastructure will have to be created, and wherever the infrastructure run by the Departments of Education, Health, etc. Like Shramik Vidyapeeth exists, they will be suitably modified and utilized. Stipend will not be paid to children who are working in non-hazardous/non-forbidden employments. The non formal education/formal educational institutions in the project area will function on flexible hour basis after working hours during holidays etc., as may be convenient. They will cover the range of special features of non-formal education set out in the Programme of Action of the NPE.

In order to enable intensive coverage in the Project areas of the anti-poverty group of programmes, the health programmes analogous to the school health programmes run by the State Government the special nutrition programme, and for the setting up of special schools, providing vocational education and training arrangements and for providing stipends to the children taken out from hazardous employments, it will be necessary to provide for additional funds over and above the funds that exits in the respective programmes administered under the Plan, whether by the Central
Government or by State Government. The additional of funds required will be channeled through the Ministry of Labour, which will be nodal ministry for the ten child labour projects.

In the first phase of the special project areas approach, it is proposed to cover upto 30,000 child labour. Each project will be carefully drawn up in consultation with the State Governments and Central Ministries concerned to ensure proper coverage and inter-meshing of programmes administrated by Central and State Governments under the overall coordinating agency of the Ministry of Labour. The Ministry of labour will be the nodal agency for drawing up a project report in respect of each project area and for providing the additional funds that may be required for the total coverage envisaged in each project area.

**Organization for implementing the child labour project**

There will be a Child Executive Officer in-charge of each project areas who will work under the general supervision and the direction of the administrative head of the district wherein the project is situated. There will be a Child labour project Board, with the Collector as its Chairman on which it will be represented the district educational, health and nutrition authorities, as also representatives of voluntary agencies/Panchayati Raj institutions who are active in the district in the area of child labour. This will ensure coordination of all inputs of the various departments executing plan and non-plan schemes in the project area, so as to enable the focusing for the benefit
of child labour/their families, and also to allocate the additionally in project funds made available to each project by the Ministry of Labour.

**Monitoring of projects**

The working of the child labour projects will be monitored by a high-powered Committee of the Central Government with representatives of the Ministries/Departments of Labour, Education, Health, Rural Development, Child and Women Development and the State Governments where child labour projects are being implemented, namely, Tamil Nadu, Uttar Pradesh, Rajasthan, Gujarat, Jammu & Kashmir, Madhya Pradesh and Andhra Pradesh. The Committee will meet as often and necessary to ensure the smooth working of the project.