Child Labour and International Labour Organisation (ILO):

Children are part and parcel of the economic activity of each and every society. In the ancient period, socialization was the main intention behind the child labour. This kind of work assigned to them was so helpful for the overall development of the children. The kind of involvement of the children in their early age was aimed at in preparing for their adulthood. Moreover, those kinds of works were free of any harm to the children. But, after industrialization the meaning of child labour went on changing. Children gradually started to work for others in the form of labourers. Slowly, the world community started to discuss about the conditions of working children. Kind of large scale protestations were took place here and there around the globe. The first international effort to fight against child labour has begun with the establishment of International Labour Organisation (ILO).

The ILO since 1919, has been much concerned with the general elimination of child labour and the promotion of well being of the children. Improvement of labour standard around the world is the basic aim of the ILO and has given a lot of emphasize to protect the working children in the form of convention and recommendations. From its inception, it has made child labour one of its central concern. ILO works on the child labour and related issues over the decades has mainly taken its cue from the phrase “protection of children” in its preamble of its constitution (Bandari, 2000). The ILO’s prime tool in pursuing the abolition of child labour has always been and has remained to this day, the labour standards that embody the concept of a minimum age to enter into employment. Further, the main function of the ILO is to work with various Governments by providing technical and financial assistance for the effective implementations of the anti child labour programmes in the respective countries.
The existing international efforts are of two kinds as Kaushik Basu had explained. They are; 1) extranational and 2) supranational. An extranational effort is a reform and action taken within the industrialized countries that provoke the underdeveloped countries to raise labour standards. A good example is that of banning on the export of items in which the exporting country intensively involves children in the manufacturing of such goods exported. Supranational effort is execution of rights of the workers, raising the standard of working conditions, aid to curb child labour through international bodies like ILO and UNISEF etc. (Basu, 1999).

The ILO policy in the field of child labour derives from two related but distinct objectives. The first is the effective abolition of child labour. To attain this objective, the concerned countries are requested to carryout a series of socioeconomic measures. All this countries are supposed to make necessary amendments TO their existing constitution to protect their children. Further improvement of living standard, increase in higher economic growth, open avenues for adult employment, universalisation of primary education have to be adapted in order to make child labourer as socially and economically unnecessary and to enhance the moral force and practical application of the existing laws (Jonson, 1995).

ILO since its inception in 1919, has adopted the following conventions with regard to children and adults;
1. Medical Examination of Young Persons (Sea) Convention, 1921
2. Minimum Age Convention, 1929
3. Night work of young Person Convention, 1919
4. Minimum Age (New Industrial Employment) Convention, 1932
5. Minimum Age (Sea) Convention (Revised), 1937.
6. Minimum Age (Non industrial) Revised Convention 1937
7. Medical Examination of Young Persons (Revised), 1946
9. Night work of young Persons (Industry) Convention (Revised), 1948

One of the recent policy to curb this problem is *product labeling*, i.e., pasting of labels on the products with a message such as it is produced without small hands. According to this rule some of the exporting oriented companies should paste above words on their respective products. Now, it is the choice left over to the customer whether he/she has to buy it or not. But nowadays, the validity of the labelling is highly questionable.

**International Programmes on Elimination of Child labour**

The issue of child labour in India attracted public attention and debate for the first time in 1985. However, it becomes the focus of major concern in the aftermath of globalization in 1991, whereby India entered to a new era of liberalization and privatization. The international community has already expressed through various conventions and declarations its strong opinion that child labour needs to be eliminated. Apart from ILO, other international agencies to eliminate child labour signed a joint declaration in New Delhi in 1998. Many international agencies have launched some major projects to eliminate child labourers from hazardous sectors.

The International Programme for the Elimination of Child Labour is a global programme launched by the International Labour Organisation in December 1991. India was the first country to join this in 1992 and signed a treaty with ILO. The long-term objective of IPEC is for the effective abolition of child labour is:

- Enhancement of the capability of ILO constituents and non-government organizations to design, implement and evaluate programmes with regards to child labour elimination
- To identify intervention at community and national level which could serve as models for replication and
• Creation of awareness and social mobilization for the elimination of child labour.

At the international level International Project for Eliminating Child labour (IPEC) has a Programme Steering Committee consisting of representatives of the ILO, the donors and participating countries. The IPEC Programme Management is guided from the ILO Headquarters. At the national level in India, there is a National Steering Committee of which the Union Labour Secretary is the Chairman. This Committee is tripartite in composition with representations from different NGOs and other developmental organisations.

IPEC became operational in the field in early 1993. The period till 1996 saw a focus on NGOs action programmes covering almost every State of the country. The second phase of the period 1998-99, marked larger programmes in six selected districts in the country in conjunction with the Government of India’s National Child Labour Projects which now are the vehicle of ILO’s outreach strategy.

During the period 1992-2001 the budget allocation and commitment for India approved by IPEC was US$ 6.9 million. The amount disbursed during this period is of 5.6 million US dollar. All together about 165 action programmes were taken up for implementation under IPEC during 1992-2001. 11 projects are currently being under implementation. A proposal for taking up ‘New Comprehensive IPEC Projects’ in 10 identified industries and in selected areas of 4 States is also on the agenda of the Govt. of India.

In recent times, it has been decided including at the meeting of the IPEC Programme Steering Committee that IPEC activities should be conducted in conjunction with national policies, priorities and programmes of the recipient member states. The concerned member States should fully aware of the activities
undertaken under IPEC. All proposals recommended by the National Steering Committee must be processed with expeditiously and sanctions communicated in time backed with timely release of funds. It has also been decided that it is essential to augment funding for IPEC activities in India and that contributions should be towards core funding rather than specific projects (Hearry, 2003).

In 1998, ILO has set-up Statistical Information and Monitoring Programme on Child Labour (SIMPOC) as a part of IPEC. This new programme was formulated IPEC and ILO’s Bureau of Statistics jointly. It is designed with the major aim of assisting individual countries in collecting comprehensive qualitative and quantitative data on child labour of the respective countries. Further, this programme aim’s at to improve the capacity of building of the Statistical Offices and to train the statisticians of member’s countries.

The ILO Bureau of Employers Activities assist employer organizations in member states with information, advice and assistance regarding child labour issue. Further, this organisation conducts various programmes like establishment of child labour cell in every trade unions, action research projects and to involve employers in advocating the elimination of child labour. Not only ILO many other international organisations like UNISEF, DFDI, Wold Bank and IMF also extend their help to the countries where the high incidences of child labour. Many structural causes of child labour like poverty, illiteracy and health are the mandates of these different agencies.

Apart from the International Confederation of Free Trade Unions (ICFTU), Southern Asian Developmental Community (SADC), Universal Alliance of Diamond Workers (UADW) and World Confederation of Labour (WCL) are some of the other international organisations working in India to eradicate the child labour problem. In 1999, more than 191 countries have ratified the Convention on
the Rights of the Child (CRC). This treaties mapout the international legal framework of the fundamental requirements of right for education and to secure free primary education for all children.

For the first time in the history of child labour, the USA Government brought out a welfare programme which may be a guide to rest of the countries in 1996 by launching Aid to Families with Department Children (AFDC) scheme. Through this programme, qualified families could get some special assistance from the federal government. AFDC also assured access to other benefits, such as medical aid and food, so that these families could send their children to work up to certain standards. Some of the African countries have implanted some programmes with the help of World Bank. UNO also has instructed its members to take some projects, which could promote gender equality, reduce child mortality and improve the jeneral health. Many international NGOs are helping to poor African and Asian countries under this programme.

**Child Labour and Indian Constitution;**

Over the years, however, global consciousness about the seriousness of the problem has created Govt. and several NGOs who are working towards the welfare of these children. The Constitution of India is also committed to the protection and promotion of the welfare considerations over the economic ones. It was not surprising therefore, that a series of Committees and Commissions have been appointed by the Govt. of India, either specifically on the question of child labour condition in general, which give us insights into the problem and suggestions to alleviate it. These are; 1 The Royal Commission on Labour (1944) 2 The labour Investigation commission (1944) 3 the National Commission of labour (1966) Gurupadaswamy Committee (1966) and Sanat Mehta Committee (`1986) which deserve special attention.
Ever society has its own pattern of life suited to their livelihood. This pattern of life in the old society was regulated through certain social norms. Social norms and values were upheld by approved machinery of the society to regulate and maintain the social order. In a complex society where the existing social systems are easily broken, it becomes very difficult to maintain the continuing of the existing social systems. Hence, in that modern time, formal laws and Acts will be of highly useful. Constitutions usually reflect the basic laws of the particular soil and society. Basically all laws and provisions in the Constitution will reveal the background of social and economic situations of the concerned country.

Child is the wealth of the society and future hope of the Nation. Children’s are the supremely important national asset. It is obvious that children need special protection from various exploitations. With a view to protect the children from undue exploitation and ill treatment, various legislative measures had been enacted till today in India. During the tender age, children need some kind of love and affection that plays a vital role in overall development of the children. In western countries, spending at school at least during childhood period is mandatory by law.

Most of the countries are bounded to one or the other international conventions on welfare programmes for the children. Countries having high incidences of child labour have made some amendments in their respective Constitutions to enforce strict laws on the exploitations of the children. Some of the international bodies like ILO, UNO, UNESCO, UNISEF and WHO are implemented several programmes in some of the developing countries to help the governments and local NGOs to curb the problem. These Organisations have also brought UNO Convention on the Rights of Children to which India is also one of the signatories. Further the comprehensive Human Rights Convention has drafted the rights of the child which has a binding effect on all signatories. Being a democratic country, India has also provide protection of children in its constitution against child labour
to regulate the minimum age of employment, hours of work and physical conditions at working place. The constitution of India has given protection to children in two ways. Through Fundamental Rights and Directive Principal of State Policy.

The following articles are noteworthy to mention;

- Article 15(3)- provision to enact laws to protect women and child.
- Article 21- protection of life and personal liberty
- Article 23- right against exploitations and ban on traffic in human beings and forced labour.
- Article 24- prohibition on the employment of children in factories etc. This article states “No children below 14 years shall be employed to work in factory or mines or in any other hazardous jobs.” This is the most important and vital article regarding child labour in India.
- Article 39(e) obligation of the states to safeguard the health of the children.
- Article 39(b) and (e) states that during the tender age, children should not be abused and that they should not be forced by economic necessity to enter avocations unsuited to their age or strength.
- Article 39(f) proclaims that the children are given opportunities and facilities to develop in a healthy manner in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment. Article 45 is a supplementary to the Article number 24 on the ground that when the child is not be employed before the age of 14 years he /she should be in educational field. Also this article instructs the states to provide free and compulsory education for children up to 14 years of age.
Out of all these article only the Article 24 is directly related to the child labour problem in India. Most unfortunate is that this Article does not spell out a complete ban on the employment of children below 14 years of age altogether. Just it provides provision to ban of children employed in hazardous sectors. However till today Government could not list out the sectors, which comes under hazardous one.

**Interpreting Constitutional Rights for Children.**

The Supreme Court has held that when it comes to uphold or guaranteeing Fundamental Rights and that rights are not be seen in isolation but as a bundle of rights to fulfil the mandate outlined in the Preamble of our Constitution. The Supreme Court again has held that “paramount among rights is the right to life and that right to life includes the right to livelihood and the right to live in dignity and security”. Denial of survival and development, freedom of expression causing harm of neglect and exploitation of children in any form is a violation of the right to live with dignity and the right of protection against exploitations. Employment of children thus violates the essence of Article 21.

The Constitution especially prohibits employment of children below fourteen years. Children below the age of 14 years as per the Article 24 cannot be employed in any factory or mine or any other hazardous works. But the Constitution of India has not attempted to outline what is hazardous and what is non-hazardous to the children. It is known act that what is hazardous for an able bodied adult cannot be the barometer for deciding what is hazardous for the child. It is for this reason that Article 24 did not stop with factories and mines but said “or engaged in any other hazardous employment.” So according to the Constitution of India all forms of work by children below the age of 14 years is hazardous. This is now supplemented by the recent 93rd Constitutional
Amendment Act that guarantees the free and compulsory education as a fundamental right for all children between 6 to 14 years of the age in the country.

Children have fundamental rights under Article 45 to have basic education and to be brought up in a healthy manner. If the child is denied elementary education because of the need to work for survival for social and familial it is a hazard. Article 45 and the Supreme Court judgment clearly explains that every child is not merely expected, but is a duty, to be educated. Similarly any work under taken by a child that results in exploitation and material abandonment is a hazards one. The industrial definition of hazardous in the Factories Act and other labour laws cannot be the basis of deciding what is hazardous for a child and what is not.

Non-discrimination (among children) is one of the most important guarantees provided in Article 14, wherein the State is bound not to deny any child equality before the law or equal protection of laws. Since millions of children are being discriminated and exploited, the Constitution makers have revealed Article 14 with Article 24 (Prohibiting Employment) and Article 15 (3), where the State is empowered to make any special law for the welfare of the children. Central to these articles is the Article 21 on fundamental rights whereby no person (read also children) shall be deprived of his life or personal liberty. And any form of employment of children amounts to forced labour or bonded labour is a violation of Article 21 and Article 23.

The constitution contains other provisions, guaranteeing that a child must be given an opportunity and facility to be brought up in a healthy manner. Article 39 (e) mandates that the tender age of children is not abused and those citizens are not forced by economic necessity to enter avocations unsuited to their age or strength. Article 39 (f) ensure childhood and all-round development of children. It states that “Children are given opportunities and facilities to develop in a healthy manner
and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abondment”. Thus, several Articles must be read and understood along with Article have 14, 15(3), 21, 23, 24, 39 (e) and 45.

Thus Indian Constitution both in the Directive Principle of State Polices and in the Fundamental Rights has laid down that state is obligated to frame policies for the welfare of her citizens including the children. A child must be given enough scope to come up in healthy environment in the interest of the nation and dignity and no citizen will be forced by economic necessity to enter avocation unsuitable to their age or strength. Since childhood plays an important role in shaping the future of that child and there by the development of the concerned country there should be enough provisions in all the constitutional measures to protect children from various possible exploitations (Ministry of Law, Govt. of India, 2001).

**Child Labour and Welfare Legislations**

In every society, old tradition customary norms and values create difficulty in adopting new changes for development and growth of its members. So, reformation in relating is to change its old system and to meet the needs for their welfare and development. Long ago, child labour was not a social problem, but with the change in social understanding, child labour needed legislative protection against the exploitations and for their proper growth and development.

In India present structure of labour legislations was originally developed in the British period. In 1875, colonial government had appointed a committee to suggest the necessity of legislations to protect young children and women. Committee also felt that it is one of the principal duties of the State to guard and promote the well being of her citizens.
1 The Factories Act 1881
The Factories Act of India was passed in 1881. It defined a child as a person below the age of 12 years and prohibited the employment of children below the age of 7 years. The Act of 1891 raised the minimum age of employment of children from 9 years to 14 and maximum of two-day holiday in a week. The minimum age of employment was raised to 12 years in 1905.

2 The Children (Pledging of Labour) Act, 1923
This act defines child means a person who is under the age of 15 years. This act prohibits to go in for an agreement to pledge the labour of children and the employment of children whose labour has been pledged.

3 The Minimum Wage Act-1948
This act makes provision in fixing minimum rate of wages in certain employments which have been specified by appropriate government in the Schedule of the Act.

4 Employment of Children Act –1938
It regulates the admission of children to certain industrial employments. No child who has not completed his fifteenth year shall be employed or permitted to work in any occupation connected with the transport of passengers, goods or mails by a Railway or connected with a Port authority within the limits of any port. Further, no child who has completed his fifteenth year but has not completed his eighteenth year may be employed on any day, unless the periods of work are so fixed as to allow an interval of rest for at least 12 consecutive hours, seven of which must fall between 10 p.m. and 7 a.m.
5The Indian Factories Act-1948

This Act defines an adolescent as a person who has completed his eighteenth year and a child as a person who has not completed his fifteenth year. No person who has not completed his fourteenth year may be allowed to work on any factory. The hours of work of children should be limited to 4½ hours per day and must be spread over on shift only and not more than 5 hours’ duration. A child should not work in any factory on any day on which he has already been working in another factory. According to this Act the employer has to maintain a register of child workers and the periods of work have to be notified.

6 The Plantation Labour Act -1952

This Act applies to all tea, coffee, rubber and Cinchona plantations. Children under 12 years of age shall not work in any plantation. No child worker shall be employed except between the hours 6 a.m. and 7 p.m. with due permission of the concerned State government. No child or adolescent may work in a plantation the employer is in possession of a certificate of fitness given certifying surgeon and the worker himself carries a token giving to such certificate.

7The Mines Act-1952

Under this Act, no child under 15 years of age may be employed in mines. No child may be allowed to be present underground excavation where mining operations are carried out. He however, be given half an hour’s rest after every 4½ hours work. An adolescent may be employed in any operation on the above ground provided that he shall not be required to work more than fixed hours.

8The Merchant Shipping Acty-1958

This act prohibits employment of children less than 15 years in a ship or sea related activities. This act is not of much importance today
9The Motor Transport Workers Act-1961
This Act prohibits employment of persons less than 14 years of age in any capacity in the motor transport undertaking. It covers every motor transport undertakings across the county.

10The Apprentices Act-1961
This act lays down that a person shall not be qualified for being engaged as an apprentice to undergo apprenticeship training in any recognized trade unless he is not less then 14 years of age.

11The Beedi and Cigar Workers Act-1966
This Act prohibits the employment of children below 14 years of age in all industrial premises where in any manufacturing process connected with making of beedi and cigarette.

12Shop and Establishment Act. -1948
This Act prohibit the employment of children in shops, commercial establishments, restaurants, hotels etc The age of children varies from 12 to 15 years.

Further, in 1958, Central Board for Worker’s Education and Child Labour was started. It was entrusted with the effective implementation of the worker’s education scheme in India with a view to equip all sections of workers for the participation in social and economic developments of the country. Further this center conducts seminars, workshops, symposiums and training’s for all workers, child labourers and human right workers on child labour issues. It works as a resource center on child labour. It is a nation wide network in all sectors of employment.

Laws and Acts enacted and welfare programmes implemented for the sake of child labourers revealed that the Government is keep doing its best to avoid
children from various exploitations. But, the ground situation is really very pathetic. In 1979, the central Government constituted Gurupadaswamy Committee on child labour. Report has emphasized on the distinction between child labour and the exploitation of child labour because they are of different orders. More interesting fact is that the committee never mentioned about imposing ban on the child labour using any new laws or Acts. Instead, this committee has stressed to improve the working condition and protection must be given to the childlabouers working both in hazardous and non-hazardous sectors.

Next, this committee has expressed the view that the State should give attention for rectification, amelioration and regulation through specific laws and Acts. It has felt that the existing laws relating to prohibition and regulation of employment of children’s should be consolidated into a simple and comprehensive one.

In 1974, The National Policy for Children Resolution was adopted. It was the main avenue to frame new programmes and policies for the betterment of children to the Govt. This resolution stressed on the free and compulsory education, Nutrition programmes to children, alternative courses to whom formal education is not possible and attention against various exploitation’s.

In 1979, Child Labour Cell was set up as an integral part in the Department of Labour. The main function of this cell is responsible for the formulation, coordination and effective implementation of various programmes for the welfare of child labourers. This cell has been empowered with to evaluate the projects and recommend to release funds to various NGOs working against child labour across the country.

In 1981, Central Government of India constituted Child Labour Advisory Board. The main intention was to review the existing laws and acts, evaluation of the field projects and recommend to the government and industries where there must be
rapid and progressive elimination of child labour. The advisory board was reconstituted in 1994, by taking representatives from related Ministries, MPs, NGOs and representatives from trade unions coming under chairmanship of Union Labour Minster.

In 1986, Government of India implemented a comprehensive Child Labour (Prohibition and Regulation) Act was implemented which was applicable to the entire India. But this Act didn’t draw a clear line between hazardous and non-hazardous sectors. The headline of this law is the total prohibition of employment of children below 14 years of age that aims to abolish the problem within 10 years after its commencement. This is the first comprehensive Act that defined the term child labour more precisely for the first time. Moreover, this Act does empower anybody to file a complaint against an offender in any court of competent authority. Further this Act empowered the government to revise any existing laws and acts. According to the provision made in this Act Government of India set up a Child Labour Technical Advisory Committee for the purpose of addition of occupations and process to the original schedule.

In 1987, Government adopted the new National Child Labour Policy (NCLP) under which several legislative steps have been taken to curb the practice and several development schemes initiated to rehabilitate the child labour. Under this protected action plan, 13 projects are now operating in 79 districts across the India. Adequate non-formal education, vocational training, supplementary nutrition, stipend and health care are also provided to the child laboures.

In 1988, Ministry of Labour-Govt. of India implemented National Child Labour Project (NCLPS), a scheme for the effective rehabilitation of child labour. The major activities undertaken under the NCLP are the establishment of special schools which provide a package of welfare measures, including technical and non-formal education to present and ex-child laboures. Besides the NCLP, the
child labour action and support programme (CLASP) with the aid of Government of Germany and an action programme under the International Programme for Elimination Child Labour with the assistance from ILO is going on since 1991. The allocation of funds since 1992, for IPEC programme in India stands at 4.15 million US$ supporting 100 projects in 15 states benefiting 81,000 children. In 1990, a separate child labour cell was established at National Labour Institute. The main function of the cell is publication of related to the child labour issue, documentation, evaluation of government and NGOs field project from time to time and conducting action research projects (CACL, 2001).

In India, International Programme on the Elimination of Child Labour was established in 1992 with an objective to enhance the capability of ILO constituents and NGOs to design, implement and evaluate programmes to create awareness and social mobilization for securing child labour elimination. Besides, IPEC also undertakes district support programmes, sensitizes trade unions and their workers against employment of child labour, conduct research on child labour, and organizes training for labour inspectors and NGO personnals on various aspects of child labour.

The National Authority for Elimination of Child Labour (NAEC) was constituted in 1994. The vital role of this authority is required to implement & monitor the progress of implementation of programmes, projects and schemes for the elimination of child labour, especially in hazardous industries. It ensures convergence of services for the benefit of child labour. The purpose of securing convergence of service is to provide education, health and other inputs to the children forced to leave their studies from schools in a cost-effective manner by pooling the resources of various ministries. Further, it co-ordinate among different projects running by the various ministries. Apart from this institutional framework,
Ministry of Labour has implemented many programmes with the collaboration of labour departments of respective states.

The Central Government in 1995, set-up National Resource Centre on Child labours (NRCCL) involving many local and national NGOs. This centre is intended to activate and supplement all programmes taken up by the ILO under its International Programme on Elimination of Child Labour and by other foreign agencies. Besides, NRCCL has been entrusted with the task of assisting central and social groups working in the field of child labour. In 1990, one of the task force recommended the Government to set up child labour commission, that all the laws pertaining to child labour be integrated to form a unified child labour code. This task force has insisted the government to produce a white paper on the present condition of the child labour across the country (ILO, 200).

In 1996, few noted NGOs in India, working against child labour decided to form South Asian Coalition Child Servitude (SACCS). A is a like a vigilance committee on child labour to monitor nation wide implementation of Supreme Court’s judgement banning on child labour in all hazardous and non hazardous industries. SACCS emphasized, “child labour is not a necessary consequence of poverty. Rather it is rampant menace of child labour that perpetuates poverty.” It is a known fact that poverty is the heart and sole of this problem. So the Government of Indian has implemented many policies and programmes to curb poverty especially in urban areas. Despite of all these efforts poverty is still more prevalent among the people just because, these programmes have been framed without involving any poor people.

Some of the programmes are;

- Urban Basic service for the poor Programme (UBSPP)
- Prime Minister’s Integrated Urban Poverty Eradication Programme (PMIUPEP)
• Self-employment to the Educated Urban youth Programme (SEEYP)
• Financial Assistance for Constructing houses.(FACH)
• Emphasis on vocational education
• Sampoorna Nager Rozgar Yojana (PMGY)
• The Millennium development goals-2015.

Currently the Ministry of Labour, Government of India in collaboration with ILO has issued guidelines to all the states that all concerned labour inspectors so notified should be made responsible for securing compliance of the directions of the Supreme Court in the matter of inspecting the work-place for identification of the child labour, collection of Rs.20,000 per child from the employer and depositing this amount in the Child Labour Rehabilitation-cum-Welfare Fund. Interest amount will goes to the released child’s family.

The Supreme Court has also deliberated the matter regarding the elimination of child labour. The court in its judgement in 1996, in a Writ Petition has given a judgement in favor of directions regarding the manner in which the children working in the hazardous occupations are to be withdrawn from work and rehabilitated. The working conditions of the children working in non-hazardous occupations are to be regulated and improved upon and the judgement has directed to complete the survey of children working in hazardous employments within a period of 6 months, and a compensations amounting to Rs 20,000/ by the offending employer of every child employed in contravention of the provisions of the Act (Darmesh, 2001).

The Government of India has drawn up a large number of policies and programmes to deal with the problems of child labourers. Many different alternative income generating programmes to the families who are sending their children to schools have been implemented. In some cases where child labour has been found to exist in concentrated form, special schools have been opened. The
Ministry of Human Resource Development is running many education-related activities to the children who are compelled to work due to economic stress. Other strategies to reach out these children include running of well defined “Open Learning System (OLS) especially for girls, women, SC, ST and the poor, the unemployed and the untrained with the thrust of the OLS being acquisition of the life skills, vocational skills, and contributing to productively and inculcation of habits of self learning”(Lillykuty, 2001). During the 10th plan, all child labour endemic districts in the country would be covered with a substantial outlay of 668 crore which is 2.7 times more of than the allocation made in the 9th plan.

**Action Plan- 2001: A Scheme by the Government of Karnataka**

After Andhra Pradesh, Karnataka has the highest incidence of child labour. Though efforts to draw the attention of the government and the public towards the effects on child labour were on since 1986, still Karnataka alone accounted for more than 37.23 lakhs child labours who are working in different parts of State. They are mainly working in agricultural, garages, factories, beedi and agerbathi, silk, carpet, and domestic sectors and other petty establishments. Also children are engaged in rag picking, automobile, hotel, confectionery making, construction work etc

In a study conducted in Bangalore Urban District, girls attending schools, reported that they work at home before and after school. First-born girls in particularly to look after the siblings. Many girls also withdrew early from the school to attend household chores or work out side to supplement the family income. They are working in beedi rolling, handicrafts, construction, brick-klines, vending, and silk weaving. Quite few girls are forced sex trafficking too (CAACL, 2003).
Since child labour problem is gradually increasing in the state, State government has implemented many policies and programmes to curb child labour. The Government of India, ILO, UNISEF and other national and international agencies are offering all kinds of assistance to the government in fighting against the problem. Recently, the World Bank released money to tackle the poverty in the Karnataka State. Special Government machinery has been set up. Child labour cell has also been established in nine concerned State ministries. Moreover, the state government has implemented three vital programmes especially for child labourers: *Kooliyinda Shalege* (From work to school) *Baa Marali Shalege* (come again to school) and *Chinnara Angala* (A short-term bridge course).

Chinnara Angala programme has extended great opportunity for those who are deprived of normal school life. It was started in 2001 and till now, more than 3209 children have brought to the main stream (Department of Labour, Govt. of Karnataka)

- **Objectives of the Action Plan:**
  1. to identify the dropouts and non-enrollment of children who’re in the age group of 6-14 years and to create interest in learning
  2. to develop learning competencies according to their mental ability and
  3. to bring them to the main stream on the basis of their achievement through bridge course

Chinnara Angala Centers have been opened where drop out and non-enrollment rate is more and centres and will be functioning for 60 days during summer vacations for the formal schools..

All these programmes are specially ment for the former and present child labourers. Moreover the labour inspectors are also frequently conducting intensive raiding on the places where large number of children found to be employed. These child workers or released and children will be sent to the special child labour
hostels. In such hostels, education (Bridge course), and lodging and boarding facilities is provided for 6 months at free of cost. After that, boy or girl can join to formal school to the same standard/class where he or she had left before becoming the child labour.

Options for schooling for the released child labour

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Schooling Options</th>
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<tbody>
<tr>
<td>7 to 9 years</td>
<td>Direct mainstream to regular school (<em>Baa Marali Shalege</em>)</td>
</tr>
<tr>
<td>9-12 years</td>
<td>Chinnara Angala to regular school (2month)</td>
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<tr>
<td>12 to 14 years</td>
<td>Chinnara Angala to regular school (2month)</td>
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<tr>
<td></td>
<td>Day bridge school (&gt; 6 months to regular school)</td>
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<tr>
<td></td>
<td>Presidential bridge school to regular school (6 Months)</td>
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<td></td>
<td>Residential bridge school to regular school (6months to 12 months)</td>
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Ministry of Education, Govt. of India

**New Action plan**

The government of Karnataka has implemented a new action plan to free the state from the child labour by 2007. For this purpose an action plan has been prepared by the Karnataka government with due assistance from many noted NGOs working in the field. Special child labour units have been setup in all state ministries and district head quarters. Few workshop and seminars have been organised by the State to sensitize all the stakeholders. Special aid programme to the NGOs also has been geared-up.

**The Objectives of the Action Plan are:**
1. to ensure universal primary education for all the children up to the age of 14 years
2. to ensure universal enrolment and retention of children in schools
3. to identify, release, rehabilitate and bring working children to schools
4. to create a positive climate through massive awareness generation for elimination of child labour
5. to focus convergence of all developmental effort to alleviate the socio-economic circumstance of the child labour family.

3. to establish a good network among the community, NGOs, employers, schools and other various departments.

**Strategies adopted to achieve the goal are;**

1. Survey and planning
2. Vigorously pursue *Sarva Shiksha Abhiyan (education for all)* and ensure mass enrollment, retention and scheme of mid day meal in all primary and higher primary schools across the State
3. Awareness generation and advocacy through different media
4. Strengthen enforcement machinery
5. Ensure effective convergence of developmental efforts
6. Open residential bridge schools to mainstream the released child labour
7. Involve community, NGOs, local bodies and all concerned Government departments.

**A new step in the child rights movement in Karnataka**

Child rights are natural. Showing love and affection to children is also very natural. The way a family, community and society takes care of their children shows whether the children get their rights or not. When we have considered the
children as future citizen of our nation, we need to question ourselves-how do we look after and support their rights. Public discussion with respect to child rights began at 1919. In 1989, the UNO promulgated the child rights convention and got approval of its member countries. This resolution says that the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth. In 1999, the Government of India signed the Convention on Rights of Children (CRC) declaration and agreed to provide the Indian children their rights to survive, develop, participate and get protection, provide excellent environment and develop suitable rules and regulations for the well being of the children.

So the Government of Karnataka has initiated many steps regarding effective and immediate implement of child rights across the State. The awareness on CRC is necessary and should reach every member of the community soon. In order to reach out to the public, State has arranged/ing many workshops, training and seminars to NGOs, community leaders, parents and to other Government Departments and other executive agencies that are providing fundamental service to the children. Government is also set up Child Right Cell at each Anganwadi Centres and each panchyaths level. State is also providing grants to the NGOs and other research institutes to take up research projects on local cultural norm regarding child rights and application of human rights and to introduce child rights through various methodology and mean.

**Evaluation and Monitoring**

An Independent Organisation has been set up for the monitoring and evaluation purpose. It helps in providing valuable feed back for taking mid course corrections from time to time. This Organisation will directly responsible to the State Government not only in terms of programme implementation but also in terms of interest and co-operation extended by the various functionaries particularly the
various Government Departments. This report first goes to the State level coordination committee and later on to High Power Committee for review.

It is the time to think about creating child labour free areas in each and every community by using a comprehensive decentralized approach which could have been developed in well partnership among children, community members and local NGOs. Also we should note that children themselves are an integral part of the monitoring process. State and community should consolidate the local resources to implement field oriented, realistic, child centered, and innovative packages to tackle the problem from local to national level.