

Chapter 1

Background

- 1.1 Government of India has been pro-actively taking focused and concerted efforts in addressing the problem of child labour. Article 24 of the Indian Constitution states that “No child below the age of fourteen years shall be employed to work in any factory or mine or employed in any hazardous employment”. Article 39 (e) directs State policy such “that the 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 avocations unsuited to their age or strength”. Article 39 (f) 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 abandonment. The Constitution 86th Amendment Act, which came into force on 12th December, 2002, inserted Article 21A in the Fundamental Rights that “The State shall provide free and compulsory education to all children of the age of 6 to 14 years in such a manner as the State may, by law, determine”.
- 1.2 The Government enacted The Child Labour (Prohibition & Regulation) Act in 1986 with the objective of prohibiting employment of children who have not completed their 14th year in specified hazardous occupations and processes. India is the first developing country to have announced very progressive
- 1.3 National Policy on Child Labour in 1987 with Project-based Plan of Action as one of its main ingredients. Efforts are to be renewed and strengthened, however, for identification, rescue and rehabilitation of child labour which need effective institutional systems and more institutional mechanisms, adequate support not just by the government but by public participation as well.
- 1.4 Convergence of services is the most crucial component of the National Child Labour Project. For the NCLP to be successful in the long-run and to achieve its ultimate objective of child labour elimination it is of utmost importance to achieve convergence at every stage and almost for every single component of the programme. Withdrawal of the children from work, sending them to schools, mainstreaming them and meeting the opportunity cost of the poor families would be possible only if there is convergence of schemes, services and efforts

in the real sense of the term. The NCLP guidelines particularly mention to forge convergence with key departments such as Education, Rural Development, Health, Women and Child Development, Social Welfare, Tribal Welfare, and Labour for effective rehabilitation of children and economic rehabilitation of parents. Implementation of the National Child Labour project thus, involves consultation with all the concerned Ministries/Departments.

- 1.5 A Task Force had been constituted by Ministry of Labour & Employment, Government of India, to review the existing National Child Labour Project (NCLP) scheme and for making suggestions towards making the Scheme more child-friendly, child-supportive and sensitive for rehabilitation of rescued child labour. The mandate of the Task Force on Child Labour is also to consider the suggestions and recommendations of the Working Group of National Advisory Council on Social Protection on Abolition of Child Labour. The recommendations of the Working Group include a far greater convergence between the Departments of Labour, Education, Women & Child Development and Health at District and sub-district levels for better monitoring, prevention, rescue and rehabilitation of child labour.
- 1.6 The meetings of the Task Force held on 16th July 2012 and 9th August 2012, at the Ministry of Labour & Employment, Shram Shakti Bhawan, New Delhi, under the Chairmanship of Shri Anup Chandra Pandey, Joint Secretary (Child Labour), Ministry of Labour & Employment, Government of India. The Task Force unanimously was of the view that convergence would be helpful in resources distribution and resources utilization by different schemes for rehabilitation of children rescued from hazardous occupations and processes. Further, there should be capacity building for promoting convergence.
2. In order to make the NCLP Scheme more sensitive and child supportive rehabilitation of child labour and Keeping in view the suggestions of the Task Force.
3. Some revisions in the existing National Child Labour Project Scheme are necessitated because of the need for realignment of the NCLP Scheme in the light of Right to Education Act, 2009. Some structural changes are proposed in the existing Scheme for greater involvement of State Governments in the running

of the Scheme. Besides that it incorporates revision of rates in essential heads of the existing Scheme.

Chapter 2

Organisation Structure

Structure at Central Government Level

As it has been mentioned earlier, Government of India (GoI) has been making concerted efforts to follow a pro-active policy towards tackling the problem of child labour through constitutional, Statutory and development measures. The formulation of the NCLP scheme involved consultation with all the concerned Ministries/Departments. At the National level the programme is being monitored by the Central Monitoring Committee headed by the Secretary, MoLE. A core group has also been set-up for active convergence on a sustained basis among various ministries at the central level for rehabilitation of child labour and their families. This core group is headed by the Secretary, MoLE comprising representatives from concerned ministries such as Women and Child Development, Human Resource Development, Social Justice and Empowerment, Rural Development, Urban Housing and Poverty Alleviation.

The Child Labour Division (CLD) has been set up in the Ministry of Labour & Employment and various activities relating to NCLP are carried out by this division at national level i.e.

- Selection of districts for approval of project
- Release of fund to district
- Review the progress at district levels
- Monitoring
- Co-ordination with State Governments through periodic meetings
- Follow up with State-level Labour Department
- Promote and fund sensitization and training programmes
- Helping enforcement of Child Labour Act and other Labour Acts

State Level Project Society

The functioning of the Child Labour Projects is to be monitored and reviewed at the State level by State Level Project Societies under the Chairpersonship of Principal Secretary/Secretary (Labour). The State Project Society should ensure coordination among different government departments for convergence of programmes and should also be responsible for effective functioning of the Project in the State. Funds

for implementation of the National Child Labour Project in different districts of the State should be directly released to this State Project Society instead of releasing to the districts. There are a number of areas in which the intervention of the State Government is essential. Few of them are illustrated below:

- i. Finalization of a uniform curriculum, course content and textual material through involvement of the Deptt. Of Education, SCERT, DIET, etc.
- ii. Coordination with the State education Deptt. for facilitating enrolment of children passing out of the special schools/rehabilitation centres into the formal education system.
- iii. Finalization of craft and pre-vocational training module for children enrolled in the special schools.
- iv. Ensuring inspection of the Child Labour projects and sending periodic (at least once a year) inspection reports to the Ministry of Labour & Employment.
- v. Regular interaction with project societies for ensuring timely submission of Audited Accounts and Utilization Certificates by the project societies.

District Level Project Society

At district level registered Project Societies has been set up under the overall Chairpersonship of District Collector. The composition of Project Societies is as follows:

- a) Project Director as overall in charge of the Project for effected implementation and co-ordination with the district and other authorities
- b) Two Field Officers to assist the Project Director in implementing the Project. They will make frequent visits to the Project areas and ensure that the different components of programme are properly implemented.
- c) A Clerk-cum-Accountant to keep the records and accounts of the project in the Project Director's office.
- d) A Stenographer to assist the Project Director.
- e) A Peon in the office of the Project Director.

The major activities that are to be taken up at District level:

- i. Survey to identify children in hazardous occupations and processes;
- ii. Withdrawal of the children from the factory/work environment through awareness generation and enforcement of the CL (P&R) Act, 1986;

- iii. Rehabilitation of children withdrawn from work through special schools established by the project society;
- iv. Furnishing of documents i.e. quarterly progress reports, utilization certificates and monitoring of fund utilization;
- v. Convergence with SSA of the Ministry of Human Resources Development and other developmental schemes of the different Departments of the Govt. of India and the State Government.

School level Structure

Each NCLP centre would be attached to a neighbourhood school and would serve as a special training centre for age appropriate admission of identified child labour in that school. The school management committee (SMC) of the school would monitor the progress of the NCLP centre also. Each NCLP centre would have two education instructor, one vocational trainer, one clerk-accountant and one helper. All these people would be volunteers and would be entitle for honorarium as prescribed.

Chapter 3

NCLP Centre

Rehabilitation of working children withdrawn from hazardous occupation and processes in the age group of 9-14 years through special schools is the single most important activity of the NCLP and a direct responsibility of the district project authority. The NCLP guidelines clearly mentions that project societies are required to set up child labour special schools (rehabilitation-cum-welfare centers) as a transitional space by encouraging voluntary efforts for imparting formal/non-formal education and vocational training. Apart from providing quality and meaningful education to children, the schools are supposed to provide supplementary nutrition, stipend and health care services. In the context of above, this chapter provides detail accounts about the current status and functioning of the special school in different districts. Each school is supposed to provide basic education to all the enrolled children with a perspective of mainstreaming them to formal education or labour markets within a period ranging from six months to three years. The schools are also supposed to provide, along with basic education, some basic vocational training to all children. This is particularly important from the point of view of developing basic skills among children belonging to marginalized community and mainstreaming them in labour markets. In general, the special schools are supposed to provide variety of opportunities to children and expose them to skill and education for mainstreaming.

1. Re-alignment of the NCLP Scheme in the light of Right of Children to Free and Compulsory Education Act, 2009 (RTE Act)

Right of Children to Free and Compulsory Education Act, 2009 details the right granted by the Article 21-A of the Constitution of India and mandates that the State provide free and compulsory education for all children between the ages of 6 to 14. An elaborate mechanism has also been provided in the RTE Act to ensure development of children's human capital to its fullest potential. With the understanding of the fact that the task of withdrawing a child from work is synonymous with inducting the child into school, and in accordance with the provisions of Section 4 of the RTE Act and Rule 5 of the Right of Children to Free and Compulsory Education (RTE) Rules, 2010, the NCLP Schools should serve as

Special Training Centres and the nomenclature of NCLP School should be changed as NCLP Special Training Centre accordingly.

In coordination with the State Education Department and the District level official in-charge of elementary education, the NCLP Special Training Centres should facilitate transformation of children rescued from work, from child labourers to students, by imparting quality, relevant and non-discriminatory education. Coordination with the State Education Department is also required for mainstreaming of children passing out of the NCLP Special Training Centres into the Formal Schools. The duration of special training would be as prescribed in the RTE, ACT, 2009.

2. Strengthening Health Component:

Provision of health care to child workers in the special schools would help timely detection of ailments and their treatment. In this regard, following are suggested:-

- a. Provision of a health kit with first-aid essentials and few basic medicines for the children of the special schools @ Rs.3000/- per NCLP school/per year.
- b. Provision may be made for increased honorarium of the doctors, monthly health check-up, and maintenance of health card.
- c. Flexibility in utilizing honorarium for doctors in the special schools either on a monthly or per visit basis. In case of Government doctors, the flexibility should be there to utilize the funds allotted for this purpose for their transportation to visit special schools.
- d. Emphasis should be on convergence with the local Government hospitals, dispensaries or PHCs to provide health care facilities, medical camps and also preventive health education.
- e. Health cards for each child must be maintained in each school and the observation of the doctor recorded thereon.
- f. The Financial Implication for provision of Medical kit to 7500 schools will be Rs 2,2500,000 per year.

3. Rent:

Though focus would be on utilisation of vacant building/school. However, if the vacant government building is not available then realistic provisions for rent has been made based on city gradation. At present, an amount of Rs. 1,000/- per school towards rent, water, electricity & other basic facilities is released to the Project Societies. This amount was fixed when NCLP scheme was initiated in 1988. Apart from the rent, water, electricity and water charges have also gone up, therefore, revised rentals are proposed as follow

Class of city	Existing Rent Per month	Proposed Rent (per month)
A	1000	8000/-
B	1000	4000/-
C	1000	3000/-

The total financial implication per year will be Rs.33, 22, 80,000/-.

4. Computerisation of NCLP Societies: With the increasing use of computers in all the fields, and their effectiveness, they are essential for every office. More so in NCLP Project Office so as to help in effective tracking & monitoring of the children, better supervision over various activities under the Project and finally record keeping and reporting through the net. The financial implication for 271 project societies will be Rs.2,71,00,000.

5. Enhancement of honorarium:

There is a strong & persistent demand for revision of honorarium of the NCLP volunteers and the school functionaries. The honorarium was last increased in May, 2011. However, since the increase was marginal, it is felt that there is still need for further increase in the 12th Plan. It is proposed to enhance the honorarium for different categories of staff as under:-

A Project Society:

Project Society Staff	Existing honorarium	Proposed honorarium
Project Director	Rs.12000 per month	Rs.15000 per month
Field Officer	Rs. 8000 Per month	Rs. 10000 per month
Doctor	Rs.5000 Per month	Rs.15000 Per month
Clerk-cum Accountant	Rs. 3000 per month	Rs. 5000 per month
Steno/DEO	Rs. 3000 per month	Rs. 5000 per month
Driver	Rs. 2750 per month	Rs. 5000 per month
Master Trainer	Rs.5000 per month	Rs.12000 per month
Helper/Peon	Rs. 2000 per month	Rs. 3000 per month

B. Special School:

NCLP School Staff	Existing honorarium	Proposed honorarium
Educational Instructors (two)	Rs. 4000 per month	Rs. 6000 per month
Vocational Instructors (one)	Rs. 4000 per month	Rs. 6000 per month
Clerk-cum-Accountant	Rs. 3000 per month	Rs.5000 per month
Peon/Helper	Rs. 2000 per month	Rs. 3000 per month

6. Streamlining payment of Stipend:

At present, stipend is paid @ Rs.150/- per month/per child. The stipend is remitted by the Project Societies in their Bank/Post Office Accounts on monthly basis and the same could be withdrawn by the child only after he/she is mainstreamed into a regular school after completing bridge education in the NCLP schools. If the child drops out or migrates in between, no money is made available to him/her and in such cases, the money of the stipend is held up in the Bank indefinitely since the child in whose name the account has been opened alongwith his parent become untraceable. Thus the money which is primarily meant for the welfare of the children remains unutilised/locked in the Bank account. It is proposed that the rate of stipend may be increased from Rs.150/- to Rs.500/- per month/per child and for payment of stipend a modular scheme may be followed where a child, after completing one module of one year, would be entitled to stipend. This would, in turn, address the

problem of blocked money in the bank and provide encouragement to the child to complete the module.

The financial implication for providing stipend to NCLP school children per year will be 225,00,00,000.

7. Provision for vocational Training for adolescents: It is important to address the specific needs of the adolescents or pass out from NCLP centers to equip them with appropriate skill before they enter the job market. It has been provided in the Skill Development Initiative Scheme (SDIS) manual that priority will be given to NCLP School children for admission to vocational training institute after they pass out from NCLP School and attain the age of 14 years so as to enable them to learn employable skills in order to get gainful employment. Cluster approach has been adopted with a view to further reducing the incidence of child labour; parents of child labour could also be enrolled on a preferential basis for providing skills so as to improve their employability. Therefore a provision of Rs.10,00,00,000/- for the 12th Plan period may be kept for payment of fees for vocational education as revolving fund. Further, the mechanism with DGE&T needs to be worked out.

Chapter 4

Convergence Strategy

1. Convergence with Ministry of Human Resource Development

The National Child Labour Project will converge with the schemes of Department of Elementary Education, Ministry of Human and Resource Development (MHRD), which implements the scheme of *Sarva Shiksha Abhiyan* (SSA- Education for All) and the Education Departments at the State level, to implement the educational component, Teachers' Training, Mid-day Meal, Curriculum Development and other education-related initiatives and innovations.

1.1 Alignment of NCLP Scheme with the provisions of the Right of Children to Free and Compulsory Education (RTE Act, 2009).

The NCLP School will serve as Special Training Centre in accordance with the provisions of Section 4 of the RTE Act and Rule 5 of the Right of Children to Free and Compulsory Education (RTE) Rules, 2010. Children withdrawn/rescued from work will undergo the special training for being mainstreamed into the regular school in an age appropriate class.

The benefits like free uniforms, free bus pass, free bi-cycles and scholarships given to the Formal School children by the State Education Departments should be extended to Children enrolled in the NCLP Special Training Centres.

1.2 Standard Curriculum, Course content and Learning Materials:

Curriculum of NCLP Special Training Centres assumes importance taking into account the aspects of multi-age, diverse background and skill sets of the enrolled children and the mainstreaming aspects with the purpose of smooth transition to formal schools. Moreover, innovative methods of imparting education are required to engage the children and to enable them to achieve school related competencies and skills. "Activity-based learning" (ABL) and "Joyful Learning" are some of the methods which can keep children motivated and fully occupied, while they are mastering the fundamentals. Through these methods, the teacher facilitates learning and the child learns in a self-directed way from the learning material provided. Methods and materials, therefore, need to be devised

appropriately and be made attractive to help the children catch up on the lost years of childhood. For providing uniformity and linkage with normal schools and to correspond to appropriate classes in the mainstreamed schools curriculum/syllabus and course materials for adopting in the NCLP Centres should be developed by curricular experts constituted for this purpose by the Ministry of Human Resource Development. The entire textual material should be broken up into small incremental units, which could be mastered one at a time and could be completed serially. The subjects covered could be five plus one. The local language, English, Mathematics, Science, Social Science and vocational education. Attractive Montessori materials could be used with the variety of activities attached to every chapter. Indoor and outdoor games should also be included as a part of the curriculum. Games The curriculum thus developed for the NCLP Centres should be contextualized and standardized by the State Education Departments and the Curriculum and Text-book Development Agencies in the light of Chapter 5, Section 29, Sub-section 2 of the RTE Act.

1.3 Convergence with Education Department for Teachers' Training:

Unlike Teachers of Formal Schools, the Educational Instructors of the NCLP Centres have to deal with children who are withdrawn from work, are of multi-age constituting a heterogeneous category and by and large belong to oppressed and marginalised backgrounds. The Educational Instructors, at times, may also have to deal with children who might have traumatic experiences both at home and at work places. It is essential that the teachers are well trained and geared up to take up these challenges.

Having specific modules for accelerated learning, joyful education techniques, or training for multi-grade teaching were extremely helpful in stimulating learning. Variety of educational techniques that were tried in NCLP Schools in different states of the country India had varying degrees of success due to being contingent upon the initiative of the teacher, the project will have to explore ways to incorporate these techniques in teacher training programmes.

The Teachers' Training programmes for the NCLP teachers will emphasize the adoption of the joyful learning methods and pedagogical methods for imparting education. There should be a special component of handling child labour with sensitivity to their backgrounds and past work-life. They need to be trained to innovate and create a culture in the classroom that might produce an inclusive environment for these children. Since NCLP Centres provide a short-term bridge course the quality of education imparted is highly important from the mainstreaming perspective. Teachers should be oriented to carry out their roles and responsibilities towards the realization of the objectives of the NCLP Scheme.

The training needs of the NCLP teachers should be identified for development of appropriate training modules through BRGs/ DRGs/ SRGs. The training design should emphasize local specificities in the teaching learning situation. Such specialized training should be imparted forging convergence with Sarva Shiksha Abhiyan (SSA) which places great emphasis on building the capacity of teachers for teaching, through regular training programmes. DIETS are ideally placed to provide academic and resource support at the grass-roots level for the success of the various strategies and programmes being undertaken including those in the areas of imparting education to children. All trainings funded from SSA cover several pedagogical issues, including content and methodology, improving teaching learning transactions at classroom level, child-centered pedagogy and activity based teaching learning.

The teachers of the NCLP Special Training Centres should be imparted training for a minimum of 20 days per teacher per year. Out of these 20 days a maximum of 10 days for institutional training and another 10 days specifically at school-level in order to ensure follow-up, peer learning and experience practical classroom transactions. DIET can invite additional experts/Trainers from relevant institutions for the purpose of specific inputs, like gender training of teachers, development of visual teaching learning material, etc.

The financial implication @ Rs 500/ per teacher twice in a plan period will be Rs.1,20,000 per project society.

Mid-Day Meal Scheme:

Supported under the Sarva Shiksha Abhiyan scheme of MHRD, the Mid-Day Meal Scheme of the MoHRD, provides every child with a nutritious, cooked mid-day meal for about 100 million children of primary and upper primary classes (I-VIII) in all Government Schools, Government-aided Schools, Schools run by Local Bodies Education Guarantee Scheme (EGS) and Alternate Innovative Education (AIE) centres including madarasas / maqtabas.

Nutrition and Food Norms (Per Child)

Items	Primary	Upper Primary
Calorie	450	700
Protein	12 gram	20grams
Rice/Wheat	100 grams	150 grams
Pulses	20 grams	30 grams
Vegetables	50 grams	75 grams
Oil & fats	5 grams	7.5 grams
Micro-nutrients & De-worming medicines	As per local need. In convergence with SHP of NRHM	

The objectives of this scheme is i) to address hunger in schools by serving hot cooked meal, ii) to improve nutritional status of children, iii) to encourage poor children, belonging to disadvantaged sections, to attend school more regularly and help them concentrate on classroom activities, iv) to provide nutritional support to children in drought-affected areas during summer vacation.

Ministry of Human Resource Development has requested all the States / Union Territories to treat the NCLP Schools at par with the Government-Aided Schools being run under SSA and to make necessary steps for providing mid-day meal to children in the NCLP Special Training Centres. Since then necessary arrangement has been made to provide mid-day meal to NCLP Special Training Centres children for 310 days in a year. Arrangement has also been made to enhance the quantity of meal provided to the children of NCLP Special Training Centres to be equivalent to that which has been provided to children of upper primary level.

2. Convergence with Ministry of Women & Child Development (MWCD):

2.1 Rehabilitation of Migrant and Trafficked Child Labour through NCLP

A large number of children keep shifting from one form of labour to another and from one geographical location to another. Some forms of child labour such as ragpicking, domestic service, working in Dhabas/restaurant etc., occur in almost all districts in the country and therefore it is important to reaching out to all children working in hazardous occupations or at risk. Moreover, a number of children are trafficked for servitude in various kinds of labour and in different economic sectors such as industrial labour, agricultural labour, etc. Some children migrate with their parents and engaged in different hazardous occupations at the place of destination. Their inaccessibility to education and health services results in a negative spiral of social and economic deprivation for the next generation perpetuating child labour as an inter-generational phenomenon. Given the gargantuan growth of Foot-loose labour in the country the migrant child labour and the children of the migrant labour should receive special attention.

Rehabilitation of child labour who are away from their families and have little or no linkage with the community involves a process of identification, rescue, repatriation and rehabilitation. Ministry of Labour & Employment has issued a Protocol on prevention, rescue, repatriation and rehabilitation of trafficked and migrant child labour specifically for the rehabilitation of trafficked and migrant child labour.

A customized strategy is needed to work with children migrating with families and are at work and unaccompanied migrant child labour. Any successful and sustainable rehabilitation programme for these children has to include components on transitory residential education, intensive follow-up through an effective monitoring and tracking system, as well as strong coordination mechanisms among 'sending' and 'receiving' areas mediated by the state governments depending on whether it is intra or inter-state migration. It has also made evident the key role of two other actors in the process of rescue and rehabilitation of migrant and trafficked child labour, i.e. the police department and

the 'child welfare committees' and residential institutions supported by the Ministry of Women and Child Development. Operating procedures must be standardized for the rescue and rehabilitation of these children. The MOLE has also issued a comprehensive "Protocol on Prevention, Rescue, Repatriation and Rehabilitation of Trafficked & Migrant Child Labour". The operationalization of this Protocol involves active coordination and cooperation among different organizations and Departments and the Project will help in increasing institutional capacity in this regard. Efforts should be taken for dovetailing the NCLP Scheme with Child Protection Units, Child Welfare Committees, Juvenile Justice Boards and Special Juvenile Police Units that form a part of the implementation of Juvenile Justice (Care & Protection) Act, particularly for post-rescue and repatriation of child labour.

Procedures for rescue and rehabilitation of Migrant Child Labour:

- a) Child-friendly procedure must be adopted during the rescue operations.
- b) Well planned inspections and raids to be conducted in all the factories and establishments.
- c) Well planned strategy to locate children engaged/employed in domestic sector and household manufacturing units both in rural and urban informal sectors.
- d) Children engaged in rag picking in the dumping yards to be identified with the help of NGOs
- e) Field staff of all concerned Government Departments, Formal School Teachers, Mid-day Meal organizers, ICDS/ICPS Field Staff, Health workers, Literacy Mission Volunteers, Project Directors, Field Officers, Community Mobilisers and Teachers of NCLP Special Training Centres, NSS/NCC Volunteers and Elected representative and staff of Local bodies should be involved in locating and identifying child labour.
- f) If a child labour is identified Child Line – 1098 could be informed for rescue and rehabilitation of the child. The national 24x7 free emergency outreach service (1098 phone number) for children in need of care and protection, under MWCD, is a very useful tool for identification, reporting, referral and

investigation of instances of child labour and also to track and monitor child labour particularly the single-migrant child labour at the city, district and state-levels.

- g) In districts where Child Line is not operational, a complaint cell should be created in the office of the District Collector/Dy. Commissioner/District Magistrate to receive the complaint and take necessary action.
 - h) In districts where National Child Labour Project (NCLPs) is not operational and / or in districts where Child Welfare Committee has not yet been constituted, for the purpose of Rescue, Rehabilitation and Repatriation of Trafficked and Migrant Child Labour, a Committee should be constituted with District Collector/Dy. Commissioner/District Magistrate as Chairperson and Members comprising of i) Chief Medical Officer, ii) District Education Officer, iii) District Level Officer from the Social Welfare Department, iv) Probation Officer. This Committee will carry out the role of Child Welfare Committee.
 - i) If the child is identified during the inspections/ raids conducted by enforcement officials/ District Special Task Force in the establishments and factories then the employer should be prosecuted under Child Labour (Prohibition and Regulation) Act 1986.
 - j) If a child is identified who has been engaged in ragpicking then s/he should immediately be rescued and rehabilitated
 - k) If the child labour identified is a destitute/orphan/single migrant/trafficked child and needs care and protection then measures to be taken to produce the child before the Child Welfare Committee. Follow up done to be based on the provisions in the Juvenile Justice (Care and Protection of Children) Act, 2000
 - l) Health check-up and counselling should be conducted for all the children who have been released and rescued.
- ii. The Child Welfare Committee / the District-level Committee as the central focal point shall coordinate and liaison with officials of Police, Labour, Health, Social Welfare and relevant Departments of the Government to facilitate necessary procedures.

iii. The Child Welfare Committee / the District-level Committee shall be the guardian of the rescued child and is empowered to take decisions in the best interests of the child. It shall have the power to secure all relevant information and documentation in order to plan the rehabilitation plan of the child.

iv. Complaints under the labour laws shall be filed by the labour officials. In order to ensure that the case is covered completely, the officials must examine implementation of all applicable labour laws and assess the violations. The labour officials shall also take necessary action for obtaining compensation/claim/wage arrears on behalf of the rescued child.

v. As per the directions of the Hon'ble Supreme Court of India, labour officials shall also issue a notice to the defaulting employers to deposit Rs. 20,000 per child in the District Child Labour Rehabilitation cum Welfare Fund. In the case of migrant child labour, the amount will be transferred in the child's name to the District Child Labour Society to be utilized for the education of the child.

vi. The labour officials would also take appropriate action for a deposit of Rs 5,000 to be made by the State Government to the Child Labour Welfare & Rehabilitation Fund for every rescued child in case employment cannot be provided to an adult member of his/her family.

vii. The Probation Officer shall communicate with the child and prepare a course of action for the immediate repatriation and rehabilitation of the child in association with the Child Welfare Committee.

Procedures to be established for the repatriation of the child rescued from work

(a) Assessment and verification of the child's background on the basis of the information provided

- i. The Child Welfare Committee / the District-level Committee shall undertake a detailed assessment to verify the information provided by the child and have a dialogue with corresponding Child Welfare Committees / the District-level Committees in the cited place of origin.

- ii. In the case of claimants of the child, the CWC / the District-level Committee shall adopt extreme caution and shall seek specific documentation, wherever possible, to verify the claims, considering the risks of claims by the employers or their representatives or agents.
- iii. Considering the risk of employers tutoring the child, the Child Welfare Committee / the District-level Committee shall adopt extreme care and caution and satisfy itself completely when taking a decision and shall record the reasons for taking the decision in writing.
- iv. For children who cannot be repatriated, care shall be taken to ensure their effective rehabilitation within the State where the child was located.

(b) Intra-State Repatriation

- i. For any child under the age of fourteen years, the Child Welfare Committee / the District-level Committee in the place where the child is rescued shall coordinate with the Child Welfare Committee/the District-level Committee in the home district to repatriate the child.
- ii. For a child between the ages of fifteen to eighteen, the Child Welfare Committee / the District-level Committee shall have the discretion to determine the appropriate course of action, on a case by case basis, keeping the best interests of the child in mind.
- iii. The Child Welfare Committee / the District-level Committee in the home district shall coordinate with the District Collector/District Magistrate/ Deputy Commissioner to tracing the family of the child and inform the Child Welfare Committee/the District-level Committee of the district where s/he has been rescued of the course of action that would be adopted.

(c) Inter-State Repatriation

- i. In the case of inter-State Repatriation, a dual strategy shall be adopted based on the age of the child:
 - For a child below the age of fourteen, the child shall be handed over to the Child Welfare Committee/the District-level Committee in his/her

home state, with a view to prevent false claimants and to prevent the possibility of re-entry into child labour.

- For a child between the ages of fifteen to eighteen, the Child Welfare Committee/the District-level Committee shall have the discretion to determine the appropriate course of action, keeping the best interests of the child in mind, on a case to case basis.
- ii. The children identified during the rescue operations/raids/ inspections should be added to the existing data and the profiles of the children rescued in raids should be maintained.
- iii. Parents/guardians/native place of the should be Identified
- iv. If the children withdrawn from work are residing with the parents and below 9 years, the list of names and addresses of the children should be provided to SSA for their enrolment in the Formal Schools in their age appropriate Class. If they are above 9 years, then be admitted in the NCLP special Training Centres/ Alternative Innovative Education Centres/ Centres run under Education Guarantee Schemes for special training as required in the RTE Act, 2009.

2.2 Residential facilities for Migrant/Homeless child labour

A substantial proportion of child labour is migrant and trafficked children. These children are those who belong to poor landless families with no assets or skills; children separated from their families due to disrupted family backgrounds (e.g. orphans, victims of abuse, single-migrant or unaccompanied children, children from single-parent families, or from families headed by women or children themselves); economically and socially deprived children (belonging predominantly to the SC, ST, OBC and minorities in difficult areas who are unemployed, poor, those without employable skills, access to education, or a reasonable standard of living), internally displaced persons, and children from the areas of social and armed conflict and natural calamities. These children for a variety of reasons migrate and join the labour force in the place of their destination and they are the worst affected.

Homeless children with no fixed address face much insecurity. They face several hardships that threaten their very survival. Unlike withdrawal, rescue of children from hazardous occupations and processes presupposes existence of residential facilities during the rehabilitation process. However, NCLP guidelines do not provide for Residential facilities.

As per Section 2, Clause (d) Sub-clause (ia) of the JJ Act every working child comes under the definition of 'children in need of care and protection'. This qualifies every child labour who needs shelter to get accommodated in the Shelter Homes/ Open Shelters till the time the child is repatriated.

2.3 Residential School:

In Districts where there are a minimum of 50 homeless child labour can formulate a proposal for setting up of Residential NCLP Training Centre/s. The number can be more than 50 depending on the migrant-prone characteristics of the district. These Residential Centres will enroll child labour who are orphaned, deserted, trafficked, separated from parents, children of prisoners and criminals, run-away children who were withdrawn/rescued from hazardous occupations and processes. In view the irregularity in the inflow of migrant child labour into residential schools, the enrolment in these schools will be kept open throughout the year. Homeless Child labour released by labour department through its inspection and raids on factories and other workplaces, etc. will also be enrolled in these residential centres.

The Residential NCLP Training Centre/s will be implemented by State Governments through the NCLP Project Society. Established NGOs and other non-profit making bodies could be involved in the running of the residential centres, wherever possible. These Residential centres can also be adopted by the corporate groups.

Direction, support and monitoring will be undertaken by a State level coordination committee constituted for this purpose. This Committee will consist of nominees from relevant State Government Departments, educationists, elected representatives of PRIs etc. Based on the recommendation of the District NCLP Project Society, this Committee will decide on:

- Location and Setting up of Residential NCLP Training Centre
- Selection of Implementing Agencies for running the Centres
- Providing necessary infrastructure for these Centres
- Selection of children to be enrolled
- Procuring necessary teaching learning material and aids for the schools
- Selection of staff to be engaged and other related issues
- Putting in place appropriate systems to motivate, provide necessary academic support, Health-care and psychological counseling for the children

Financial Norms

The proposal for Residential NCLP Training Centre/s shall be forwarded to the Ministry of Labour and Employment, Government of India, which will approve based on the merit of the proposal.

The pattern of financing with 50:50 ratio of sharing between the Centre and the States, will be adopted. Commitments regarding sharing of cost would be taken from the State Governments in writing. The Government of India would directly release funds to the State Child Labour Project Societies formed under the Chairpersonship of Principal Secretary/Secretary (Labour). The State Government will also release its share to the State Project Society. Funds will be released thereafter to the District Project Society. The State Project Society shall ensure that funds allocated are appropriately utilized. (Financial Implication for One Residential School with 50 children is given in Annexure)

Children who get into school early are more likely to continue their schooling. Therefore, as a preventive measure, younger siblings of children withdrawn from work should have the opportunity to attend pre-school education centres. Workers and helpers of ICDS programme (Aanganwadis) of MWCD should understand the importance of education and the need for children going school and should make sure that as children finish the pre-school, they move directly into the formal school. Special efforts should be taken with girls to ensure they make this transition successfully. The staff of ICDS programmes should also come forward for identifying and locating children in the age group of 5 to 9 years who are found working so that highest priority could be accorded for their withdrawal from work.

3. Convergence with Ministry of Health and Family Welfare

Having toiled at a tender age, children rescued from hazardous occupations may have been exposed to serious health hazards ranging from toxic chemicals, cuts and burns, skeletal damage and may have been affected psychologically due to different forms of exploitation. They require regular health check-up for timely detection of ailments and their treatment. Health care services should be mobilised through convergence with Department of Health at the District and Sub-district levels. The nature of health check- up should also include normal growth-related aspects of the children.

- Department of Health should ensure that the Medical Officers accompany the enforcement officials/task force during inspections/raids , if required for release and rescue of child labour and do health check-up to the rescued released child labour
- Wherever there are actual signs of injury or hurt the Health Department should facilitate further medical examination of the child labour in the nearest Government hospital
- Wherever considered appropriate, the medical officer can also recommend that the child shall be kept for further observation or sent for counselling
- The Department should also ensure the issue of correct age certificate to child labour by competent doctors
- Medical officers should be encouraged to undertake health care programmes and periodical health check-up to the children enrolled in NCLP Special Training Centres.

4. Convergence with Ministry of Rural Development (MoRD)

The National Child Labour Project will converge with different schemes of Ministry of Rural Development for providing skill-development, raising economic level, employment and income generation and other support to child labour families.

Economic Rehabilitation and Sensitization of the Parents through convergence with Ministry of Rural Development:

- 4.1 Acute poverty, illiteracy and social backwardness have a positive correlation with child labour. A combination of poverty and the lack of a social security network compel the poor out of desperation to send their children out to work in order to supplement the family income. The casual nature of work without basic work security and uncertainty of income also plays potent role in increasing child labour. It is, therefore, necessary to raise the economic standards of the parents of working children to address poverty which continues to remain as the predominant reason for child labour.

Educational rehabilitation of child workers must be accompanied by economic rehabilitation of their families. The MOLE is striving vigorously towards implementing the strategy of “convergence” which brings the resources of the country’s major educational and poverty alleviation programmes to bear on the problem of child labour as poverty continues to remain as the predominant reason for child labour. Child labour could be addressed with family centric convergence of Government development programmes that are related to poverty alleviation for improving economic status of family and social empowerment.

While concern for the weaker sections, women empowerment and enhancing the role of PRIs constitutes the underlying philosophy, the Ministry of Rural Development also stands committed to eradicate poverty and hunger from the face of rural India by providing wage employment and self employment. Convergence with the schemes of Ministry of Rural Development is therefore important in the context of providing livelihood support to the parents of child labour. Therefore MoRD is required to earmark resources in their existing schemes to cover child labour families and to give specific directives and guidelines to State Governments and implementing agencies to prioritize them.

- 4.2 By synergizing efforts with Department of Rural Development, parents of child labour should be made beneficiaries of self-employment, income generation, poverty alleviation and various other developmental schemes. This would enable them to send their children to school rather than making them supplement the family income.

- 4.3 An appropriate mechanism should be worked out for convergence with Department of Panchayat and Rural Development in the States to involve Gram Sabhas in identifying families with child labour so that such families could be prioritized for coverage under Employment Guarantee Schemes and targeted for insurance policies as a safeguard from indebtedness.
- 4.4 At the sub-district levels, the NCLP Special Training Centres are important structures for child labour and have the widest reach. Considering the spirit of the 73rd Amendment to the Constitution promoting decentralisation of governance, in convergence with Department of Panchayat and Rural Development, there must be substantial involvement of Panchayati Raj Institutions in i) generating awareness among the community on the evils of child labour; ii) effective implementation of legislative provisions; iii) facilitating coordination between the government and the civil society; and iv) Monitoring and Evaluation of the NCLP.
- 4.5 Convergence with different district-level agencies particularly District Rural Development Agency (DRDA) and the District Urban Development Agency (DUDA), which are responsible for executing poverty alleviation and local development schemes in rural and urban areas, is important for economic rehabilitation of child labour families. Since these agencies work in close association with local governance structures, they could play a vital role in encouraging Panchayats and Urban local bodies towards realization of the objectives of the National Child Labour Project.
- Having lost their parents many Child labour totally depend on their old aged grandparents who are extremely poor. Panchayats and Urban local bodies should locate such old people living below the poverty line and include them as beneficiaries for Indira Gandhi National Old Age Pension Scheme. They should also be made beneficiaries for Annapoorna Scheme.
 - Gram Panchayats/Municipalities should identify Child labour families which have lost the primary breadwinner and below the poverty line to make them beneficiaries of the National Family Benefit Scheme which is being implemented by the State Government through local bodies. Identification of the targets can take place in the Gram Sabhas by the

Gram Panchayats and in Neighborhood Mohalla Committees by the Municipalities.

- Children are sent to work to supplement the family income where adults are unemployed and searching for work or earning much below the subsistence level. To enhance livelihood security of these child labour families in rural areas by providing at least 100 days of guaranteed wage employment in a financial year, the Gram Panchayats, after due verification should issue Job Cards to every child labour household which has adults who are willing to do unskilled manual work under the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA).
- **Swarnjayanthi Gram Swarozgar Yojana (SGSY)** programme of the Ministry of Rural Development provides additional wage employment to poor families (*Swarozgaries*) in order to provide food security and improve nutritional levels, as well as to contribute to the creation of durable social and economic infrastructure in rural areas. The Gram Panchayats should strive organizing adult members of the child labour families into Self Help Groups (SHGs) through social mobilization for income-generating activities.
- Urban local bodies through community structures set up for urban basic services should target for the poor child labour families for coverage under **Swarna Jayanti Shahari Rozgar Yojana (SJSRY)**, a programme under the Department of Urban Development & Administration, which seeks to provide gainful employment to the urban poor (living below the urban poverty line) through self-employment ventures or wage employment.
- Gram Panchayats should ensure that no child below 14 years of age is allowed to work in their jurisdiction of Gram Panchayats and review the status as a standing agenda in all monthly meetings of Grampanchayats.
- The Panchayat Raj Institutions should cancel the licences issued by them if such licence holders are found engaging child labour

- Grama panchayat should liaise with the Village Education Committees, Panchayat Members, Village Elders, Teachers, Parents, Government Officials and NGOs to:
 - Monitor and report the existence of child labourers in their jurisdiction to the officials of Labour Department
 - Identify families of child labour for recommending to Urban/Rural Development (DUDA/DRDA) and other agencies for providing coverage under integrated packages of services including Self-help Group-formation, Skill training, social security schemes, etc.
 - Provide skill-training opportunities to identified members of the family through convergence with government schemes and programmes like SDIS, SGSY, SJSRY, PMRY, others.
 - Link child labour families to appropriate government poverty alleviation schemes such as pension revolving funds, micro-credit, subsidies, schemes promoting employment among the persons with disabilities, unorganized sector workers/ construction workers' health insurance schemes, state level unorganized workers' welfare funds;
 - Link socially marginalized families to appropriate poverty alleviation schemes SC-ST, and minorities' corporations etc.,

Panchayati Raj Institutions

- ❖ The elected representatives of PRIs should encourage the local youth, NGOs and other community-based organizations to:
 - generate awareness among the local population on the issue of child labour particularly on the evils consequences of child labour on the child and the community as a whole
 - mitigate the myths and notions prevailing about child labour in the society
 - promote adult education and community education and use such opportunity to persuade parents to enroll their children in school and discourage sending their children to work.

5. Convergence with Ministry of Home Affairs (MoHA)

Tracking & Monitoring of Child Labour/Trafficked Children

5.1 Impoverished family conditions forces the children out of their homes and community into the web of hazardous work. These children, very often, move without the family across State borders or even within the same State and are recruited, transported, transferred, harboured or received for labour exploitation by a network of middlemen and agents. These are also the factors responsible for children in large numbers being trafficked to metropolitan areas and big cities by middlemen who lure their parents with false promises. Geographical and sectoral patterns of trafficking in the country are clearly recognizable.

5.2 Activities are to be taken up to prevent migration and trafficking of children into exploitative labour by monitoring and tracking the movement of children.

- It is also important to evolve a system to operate at the local level and be linked at various levels with the government, utilizing existing administrative and governance structures for withdrawal, rehabilitation, and enforcement and have scope for accountability and verification of information with the purpose of :
 - Tracking in and out-migrant child labour
 - Locating Child labour, particularly those who are engaged in hazardous occupation
 - Withdraw/rescue/release children from labour and refer them to schools
 - Monitoring that there is no child labour at the village, block and district levels, and in any ward, zone or city

To compile an accurate local database for suggesting child-specific rehabilitation measures there is a need for Community-led monthly monitoring surveys to identify and review actual and potential child labour at village (rural) and ward (urban) level and to prepare village/ward-specific rehabilitation plan, addressing all identified children there should be consolidation of village/ward data at block or district-level.

To address child trafficking for labour exploitation effectively, there is a need for greater convergence of the relevant schemes of Ministry of Home Affairs and the NCLP scheme of the Ministry of Labour and Employment. National Crimes Record Bureau (NCRB) of the Ministry of Home Affairs has developed database for tracking children. Format should be designed for linkage of information on child labour available in the National Data Bank of NCRB for tracking of child labour for rehabilitation. Police officials, posted in Anti-Human Traffic Units that have been put in place by Ministry of Home Affairs, need to be sensitized for dealing with child labour.

The Police Inspectors should be encouraged to exercise the powers vested in them under Section 16 of the Child Labour (Prohibition and Regulation) Act, 1986 and file a complaint of the commission of an offence under this act in any court of competent jurisdiction.

Police Department should give protection to the inspectors and authorities when the raids are conducted for release of child labour.

6. Convergence with DGET of Ministry of Labour & Employment

Skill Development of children in the age group of 15-17 years

Skill Development for adolescents is an essential element of National Child Labour Projects as it enables child labour issue to be addressed in a comprehensive manner. Acquiring marketable and employable skills would also enable their families to envision better opportunities in life as these children, when they grow up, could obtain productive and better-paid jobs because of the acquired skills. Providing vocational skills training is pivotal to boost the morale of children passing out of NCLP Special Training Centres who have reluctance in pursuing higher education in academic. To facilitate this, the Directorate General of Employment and Training of the Ministry of Labour and Employment relaxed certain norms by reducing the age limit and lowering the qualifications to enable child workers to access skills development programmes under the Skills Development Initiative Scheme.

Mechanism would be evolved to identify the target beneficiaries and they would be made aware about skills training opportunities. Vocational guidance and counselling

services on marketable skills would be offered on the basis of their interest and aptitude. The target groups would be provided competency-based modular employable skills (MES) after identification of training providers for implementation of Skill Development Initiatives. Using MES pattern, certification under SDIS would be provided on successful completion of the skill-training and they would also be provided with tool kits to enable adolescents to be gainfully employed. Efforts will be made to provide post-training job placement and self-employment support services in collaboration with government and private employment agencies.

7. Convergence with Ministry of Tribal Affairs and the Ministry of Social Justice and Empowerment

A substantial proportion of child labour are drawn from Scheduled Castes and Scheduled Tribes. There are over 75 tribal communities and a number of Scheduled Castes in India. The Ministry of Tribal Affairs and the Ministry of Social Justice and Empowerment are implementing several schemes to benefit the Scheduled Castes. An important programme is the residential schools for boys and girls who are admitted on the basis of merit and provided free education, as well as boarding, lodging, textbooks, stationery, medical care and other requirements. Children mainstreamed from NCLP Special Training Centres who belong to Scheduled Castes and Scheduled Tribes should be given priority in the Hostels while they pursue their education. Necessary instructions provide them with residential facilities should be sent to the State Governments by the Ministry of Tribal Affairs and the Ministry of Social Justice.

Chapter 5

District Project Society

As one of the components of the National Child Labour Policy, the NCLP scheme was initiated in the context of project-based actions in the areas of high concentration of Child Labour. The entire project is required to be implemented through a registered society under the Chairmanship of the administrative head of the district, (i.e. District Magistrate/Collector/Deputy Commissioners). Members of the society can be drawn from concerned Government Departments, elected representatives of the Panchayat Raj Institutions, NGOs, Trade Union, etc. Rehabilitation of working children, hence, is the direct responsibility of the project society. The Project Society should run minimum 10 schools and maximum 60 schools and each special school shall have 50 children withdrawn from hazardous work. The flexibility should be restricted to a minimum of 25 children and a maximum of 50 children.

Setting up a Project Society Office

- a) A Project Director, who would be overall in-charge of the Project for effective implementation & coordination with the District & other authorities.
- b) Two Field Officers to assist the Project Director in implementing the Project. They will make frequent visits to the Project area & ensure that the different components of programme are properly implemented.
- c) A Clerk-cum-Accountant to keep the records and accounts of the project in the Project Director's office.
- d) A Stenographer to assist the Project Director.
- e) A Peon in the office of the Project Director.

It is expected that only well qualified staff is engaged for Project Society Office. Since the Project is set up for a limited duration only the project staff is not to be regarded as permanent. The temporary & contractual nature of their assignments must be categorically mentioned while engaging these personnel so that they do not make a claim for their regularization in future.

1 Child Labour Survey:

- Conducting child labour survey is the immediate starting point of the NCLP and is one of the key inputs required for launching and implementing the NCLP project. An accurate estimation is required for assessing magnitude of children engaged in forms of work in the district and particularly for identification of children employed in hazardous occupations. The Survey needs to be conducted from a recognized agency/organization. The State Project Society, where different Government Departments are represented, would form a panel of Institutions/Organizations/Agencies of repute and the required professional capacity for conducting the Child Labour survey.
- Since Child labour survey forms the main basis for enrolment of children in the NCLP Special Training Centers, it is important to conduct at least two surveys during a plan period in each NCLP district to identify child labourers. Number of children identified through the first survey becomes the basis of the sanction of number of schools for the districts, while the second survey is conducted to update the records after two to three years of functioning of the project in the districts.
- The project societies are required to conduct survey to identify children working in hazardous occupations and processes. These children will then form the target group for the project society. Of the children identified those in the age group 5-8 years will have to be mainstreamed directly to formal educational system through the SSA. Working children in the age group of 9-14 years will have to be rehabilitated through NCLP schools established by the Project Society.
- Ensuring that all children in the age group 5-8 years identified through the survey get directly linked to formal education system through a close and coordinated attempt with the SSA scheme of the Ministry of Human Resource Development and working children in age group 9-14 years are to be admitted in NCLP Special Training Centers.
- At present an amount of Rs. 2.75 lakh is released per survey to each Project Society twice in a plan period. It is proposed to revise this amount to Rs. 5 lakh per survey twice in a plan period. The financial implication for 271 Project Societies will be Rs. 27,10,00000 for a plan period.

2 Awareness Generation:

- Awareness generation has a central place in the NCLP scheme and it cuts across all other components. The NCLP project societies are expected to design a year-long plan of action to undertake effective awareness generation programmes to mobilise large scale public support against child labour. The local community where the NCLP is operational should be sensitized about hazardous child labour and its consequences. They should also be motivated to keep a watch of children being employed in contravention of the law to report cases of the children working in the hazardous occupation to the designated Officials/Departments for this purpose. They should also be sensitized about all general development programmes for the benefit of family of child labour to enable them to benefit from the Development Schemes. The involvement of the community is also essential in awareness generation and monitoring of functioning of the NCLP Centres.
- In the light of the above there is a need to create a post of Community Mobiliser in each project society who can play a vital role in motivating various sections of the community to thereby ensuring their active participation and involvement in the project activities:
- Under the NCLP Scheme, fund to the tune of Rs.1.25 lakh is released to each Project Society towards Awareness Generation. The Project Societies launch campaigns against child labour and hold seminars to disseminate awareness amongst parents of the child labour. This amount needs to be revised as it has not been revised for many years. The revised amount is proposed to be revised to Rs.2,00,000/- per annum. At the Central level, Rs.5 crore is proposed to be allocated every year in the 12th Plan for Awareness Campaign through Electronic Media. Total financial implication for 271 Project Societies per year will be Rs. 5,42,00000.

3 Executive Committee Meeting, Periodicity, Regularity, Decisions Taken

One of the important function of Project Society is to conduct the Executive Committee Meeting of Project Society at regular interval is important from point of view of smooth functioning and improvement in the functioning of the

Project Society. The Project Societies are suppose to maintain proper records and minutes of such meetings held in past.

4 Rationalization of Project Society at the District-level

As one of the components of the National Child Labour Policy, the NCLP scheme was initiated in the context of project-based actions in the areas of high concentration of Child Labour. The entire project is required to be implemented through a registered society under the Chairmanship of the administrative head of the district, (*i.e.* District Magistrate/Collector/Deputy Commissioners). Members of the society can be drawn from concerned Government Departments, elected representatives of the Panchayat Raj Institutions, NGOs, Trade Union, etc. Rehabilitation of working children, hence, is the direct responsibility of the project society. The Project Society should run minimum 10 schools and maximum 60 schools and each special school shall have 50 children withdrawn from hazardous work. The flexibility should be restricted to a minimum of 25 children and a maximum of 50 children.

Chapter 6

State Level Project Society

At present NCLP Scheme is being implemented through District Project Societies headed by Deputy Commissioners/District Magistrates of the Districts. The funds released by Government of India directly go to the District Project Societies headed by District Collector/Deputy Commissioners of District. The utilization certificates, quarterly progress reports and annual progress reports are sent by respective District Project Societies through DCs/DMs directly to the Government of India. The Principal Secretaries of Labour Departments are not directly involved in the process of grant in aid, they are not able to monitor the implementation of NCLP Scheme. For greater involvement of State Government in implementation of the NCLP Scheme. State Level Project Society formed under the Chairpersonship of Principal Secretary/Secretary (Labour) should have Members representing concerned converging Departments of Labour, Elementary Education, Women and Child development, Home, Social Justice and Empowerment, Social Welfare, and Rural Development. The State Project Society should ensure coordination among different government departments for convergence of programmes and should also be responsible for effective functioning of the Project in the State. Funds for implementation of the National Child Labour Project in different districts of the State should be directly released to this State Project Society instead of releasing to the districts. The Structure and functions of State Project Society will be as follow:

- A State Level Project Society should be formed under the Chairpersonship of Principal Secretary/Secretary(Labour) and the funds be released to the State Project Society which in turn will release funds to the National Child Labour Project Societies functioning in the Districts.
- State Project Society will be constituted with the members from the State Government Departments of labour, elementary education, women and child development, home and social justice & rural development, NGOs, trade unions and employers' organization.
- The Society will have one State Co-ordinator, one field officer and one computer operator.

- The total amount earmarked for the survey and awareness generation should be released to the State level project society which in turn should get the survey done through some reputed organization.
- The State Level Project Society should maintain a separate account to keep the funds released as grant-in-aid.
- The State Level Project Society would be responsible in releasing funds to the District Level Project Societies and also monitoring the various facets of the scheme including proper documentation, furnishing of reports/returns and audited accounts, utilization certificates, etc., to the Ministry of Labour, Government of India.
- The State Level Project Society would also co-ordinate measures to ensure proper enforcement of the provisions of the Child Labour (Prohibitions & Regulation) Act, 1986 and also Orders of Hon'ble Supreme Court of India and Other Courts of law.
- Project Appraisal Board (PAB) will be constituted at the National level in the Ministry of Labour and Employment.
- System of midterm appraisal and annual appraisal will be formulated to monitor the working of the NCLP scheme.

The Financial Implications for creation of 20 SLPS will be 1,73,60,000 per year.

Chapter 7

Structure at National Level

As it has been mentioned earlier, Government of India (GoI) has been making concerted efforts to follow a pro-active policy towards tackling the problem of child labour through constitutional, Statutory and development measures. The formulation of the NCLP scheme involved consultation with all the concerned Ministries/Departments. At the National level the programme is being monitored by the Central Monitoring Committee headed by the Secretary, MoLE. A core group has also been set-up for active convergence on a sustained basis among various ministries at the central level for rehabilitation of child labour and their families. This core group is headed by the Secretary, MoLE comprising representatives from concerned ministries such as Women and Child Development, Human Resource Development, Social Justice and Empowerment, Rural Development, Urban Housing and Poverty Alleviation.

The Child Labour Division (CLD) has been set up in the Ministry of Labour & Employment and various activities relating to NCLP are carried out by this division at national level i.e.

- Selection of districts for approval of project
- Release of fund to district
- Review the progress at district levels
- Monitoring
- Co-ordination with State Governments through periodic meetings
- Follow up with State-level Labour Department
- Promote and fund sensitization and training programmes
- Helping enforcement of Child Labour Act and other Labour Acts

Chapter 8

Monitoring and Evaluation of NCLP Scheme

Monitoring is an essential integral part of the National Child Labour Project. Regular monitoring at Central, State, district and school level is important for effective implementation of the Project. At the national level, a Central Monitoring Committee has been set up under the Chairmanship of Union Labour and Employment Secretary for overall supervision, monitoring and evaluation of various child labour projects. Though this structure exists at the Central level, given the increasing workload over the years due to the expansion in the NCLP's from 12 to 271 and likelihood of further expansion of the projects during the plan and also the different complexities involved at district-level, it is high time to establish a full-fledged, adequately equipped programme implementation unit at the national-level to be known as National Project Monitoring Cell (NPMC), within the CLD, thereby enabling the division to become more professional and systematic in delivering the output. This unit will deal with data management and report generation. The data for the NPMC will be generated by SPMC in various states.

Presently, barring a few states, monitoring at the state-level is by and large non-existence. In order to reap the benefits of the project, apart from monitoring by MoLE, State Government should also have an efficient, effective and sustainable system of monitoring. Regular observations on the functioning of the project by making periodical visits and documentation of various activities of the project at the State-level helps all those who are responsible for the implementation of the project in early identification of deviations from the set norms and take corrective actions. Such a system will ensure that workplaces are free from child labour and that various social protection measures benefit children and their families. Monitoring system at the state-level will also facilitate mobilizing government officials and civil society members to contribute effectively to the rehabilitation of enrolled children in the special schools and guard against the contribution and emergence of new child labour and hazardous child labour sectors.

National Project Monitoring Cell, State Project Monitoring Committee, District Project Monitoring Committee should be created at the National, State and District levels

respectively for effective monitoring of the overall administration of the Project at various levels.

Real monitoring is possible only when the community is empowered and motivated for monitoring. To ensure greater participation of community in the implementation of the Project, representatives of Panchayati Raj Institutions, Local Community, Teachers, and Parents of children should be involved for monitoring the day-to-day activities and the quantity and quality of the facilities being delivered by the NCLP Centres.

Financial Implication for Monitoring of NCLP:

- Creation of National Project Monitoring Cell: The financial implication will be Rs.15,68,000/- per year.
- Creation of State Project Monitoring Committee (SPMC): The financial implication for 20 SPMC will be Rs.1,73,60,000 per year.
- District Project Monitoring Committee: The committee under the chairmanship of District Collector is already exists in NCLP Districts.
- Involvement of Panchayats and parents of children in monitoring of school with members from project society, school teachers, local NGOs, etc.

Evaluation of NCLP

- Periodic review of the NCLP Scheme is of utmost importance as it helps to initiate necessary steps to make the scheme more meaningful and responsive. Further, evaluation of the effectiveness of the NCLPs would enable identifying the gaps and initiating corrective measures to achieve the desired objectives, or to modify the strategies, and assessing the impact of NCLP Scheme in eradication of child labour.
- Evaluation to be carried out by renowned independent agencies with substantial experience in the field of research and evaluation through a process of intense discussion and consultation on the strategy for the evaluation.
- The financial implication for conducting the evaluation through independent agencies would be Rs.5,00,00,000 per plan period.