

PLAN OF ACTION

FOR WORKING CHILDREN IN DELHI

To address the situation arising from the recent notification declaring ban on employment of children in domestic work, eateries and dabhas

*Based on the Consultation on Child Labour
"FROM BANNING TO MOVING AHEAD"*

Organised by
Butterflies & Human Rights Law Network



Participants:

State Government Officials-Department of Labour, Social Welfare, Chairpersons-Child Welfare Committees **NGOs**-Ashadeep Foundation, Bachpan Bachao Andolan, Bal Sahyog, Bandhua Mukti Morcha, Butterflies, Deepalaya, Don Bosco Ashayalam, ENCARE, Human Rights Law Network, Prayas, Salaam Balak Trust, Samarth, SOS Children's Village of India, YWCA, DDA Residents Welfare Association, Delhi School of Social Work, **UN/INGOs**-UNICEF, Save the Children, Plan India, International Labour Organisation.

THE CONSULTATION ON CHILD LABOUR

From Banning to Moving Ahead

Strategy

Butterflies and Human Rights Law Network held a one-day consultation on the issue of Child Labour From Banning to Moving Ahead, with reference to notification banning child labour as servants, domestic servants and for work in restaurants, hotels and teashops. The Consultation was held at India International Center on 28th August 2006. It focused on mainly two questions. What is the plan for the rehabilitation of children affected by the ban? And What are the prescribed guidelines and standards for rescue to be followed on or soon after October 10 when suddenly lakhs of children will find themselves out of the job.

This consultation aimed at bringing together the voices of common concern and collectively arrive at a consensus for concerted action to pursue a multi-pronged and multi-sectoral approach to address this sensitive issue. The immediate goal was formulation of a doable Delhi State Plan of Action to deal with the situation of child labour and develop a protocol for rescue, restoration and rehabilitation of affected children.

Consensus

Participants from the Government departments, Voluntary Organisations and UN/International NGOs gathered their thoughts together on the issue and presented their views for the finalization of the Plan of Action and Protocol for rescue, restoration and rehabilitation of children involved in domestic work, hotels and tea stall and other hazardous occupations. The present documents is the outcome of the Consultation.

Joint organizers of the Consultation on Child Labour From Banning to Moving Ahead



Butterflies is a programme with Street and working Children that has been reaching out to children in Delhi since 1989. Butterflies works with over 1100 street and working children in Delhi and 85 villages in 5 islands in Andaman and Nicobar Islands. With a focus on empowering children to develop their skills and capacities as respected citizens, children's participation is central to its programming. Butterflies works with the Delhi State government and also partners with the National government on various schemes and in policy and programme actions in the area of Child Rights. Butterflies, is constantly striving to find creative ways of promoting and protecting children's rights especially of the most marginalised and vulnerable children with the emphasis on empowering children. Butterflies is working through a team of committed street educators who operate directly on the streets at ten contact points across the city. A contact point describes a certain area, such as a bus station, railway station, market area where there is a concentration of street and working children. Butterflies focuses on the needs of the children, lets them to define their own priorities and concerns, come up with own solutions and implement their own programmes. It is a hope for many street and working children to have better control over their lives with the endeavour to have a meaningful and secured future.



The Human Rights Law Network (HRLN) is a collective of lawyers and social activists dedicated to the use of the legal system to advance human rights, struggle against violations, and ensure access to justice for all. Starting in 1989 as an informal group of lawyers and social activists, HRLN has evolved into a human rights organisation with an active presence in 22 states of India. The organisation provides pro bono legal services to those with little or no access to the justice system. It participates in the struggle for rights through its various activities including public interest litigation, advocacy, legal awareness programmes, investigations into violations, publishing 'know your rights' materials, and participating in campaigns. We collaborate with social movements, human rights organizations, and grass-roots development groups to enforce the rights of children, dalits, people with disabilities, farmers, HIV positive people, the homeless, indigenous peoples, prisoners, refugees, religious and sexual minorities, women, and workers, among others. The **Child Rights Initiative (CRI)** is a unit of HRLN. The main objective of this unit is to combat all forms of violation of rights of the child and increase their access to the justice system.

Save the Childrens Fund gave part funding for the one day consultation. Butterflies & Human Rights Law Network jointly supported the consultation costs and printing of the report.

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SECTION I

Children in Delhi

(The following is a compilation of sections relating to the situation specific to children extracted from the Delhi Human Development Report 2006)

Delhi development goals and targets

- Goal 2:** *Achieve Universal Elementary Education:* ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of 8 years of elementary schooling.
- Goal 4:** *Reduce Child Mortality;* reduce by two-thirds between 2000 and 2015, Delhi's Infant Mortality Rate

Health

- Delhi's Infant Mortality Rate has fallen steadily from 43 per 1000 live births in 1990 to 28 in 2003. But it is also to be noted that Delhi's Infant Mortality Rate (IMR) is almost three times higher than Kerala's IMR of 11 per 1000 live births.
- 59% of births were delivered in a medical institution and 66 per cent were assisted by a health professional.

Selected Human Development Indicators relating to children: Delhi vis-à-vis India and best performing Indian State

HEALTH

Most recent estimate	India	Delhi	Best performing state
Life expectancy at birth (years): 1998-2002	62.9	70.0	73.5 (Kerala)
Infant mortality rate (deaths per 1000 live births) – 2003 (Source: Sample Registration System 2005 2005)	60.0	28.0	11.0 (Kerala)
Proportion (%) of moderately and severely malnourished children below age 3, 1998-9 (National Family Health Survey 1998-9)	47.0	35.0	27.0 (Kerala)
Proportion of children age 6-35 months with moderate or severe anemia 1998-9 (National Family Health Survey 1998-9)	74.0	69.0	44.0 (Kerala)
Proportion of children 12-23 months fully immunized 1998-9 (National Family Health Survey 1998-9)	42.0	70.0	89.0 (Tamil Nadu)

Discrimination against girls

Women and girls in Delhi face strong discrimination and anti- female biases. This is most strikingly reflected in the adverse and deteriorating female to male ratio. In 1951, there were 768 women for every 1000 men in Delhi's population. The ratio improved to 827 in 1991. But in 2001, the ratio deteriorated to 821. Equally disturbing is the sharp decline in Delhi's Sex ratio among children in Delhi's sex ratio among children 0-6 years from 915 in 1991 to 865 in 2001.

Disadvantaged Working and Street Children

Progress has bypassed, to a large extent, the disadvantaged and street children. **There are a large number of children who work as domestic servants, in dabbas, in shops and other occupations. Many are migrants with or without their families, often forcibly brought to Delhi. Instances of exploitation and abuse are commonly reported. Many live off the streets with little protection from exploiters. The indifference to this problem is most starkly reflected in the absence of reliable data on working children in Delhi. While every one knows the problem exists, little efforts have been made to acknowledge, track monitor and eliminate the scourge of Child Labour from Delhi. Most at disadvantage among working children are girls.**

Government of Delhi has very few crèches for nearly 2 million children in the age group of 0-6 years. The severe shortages of crèches frequently impose an unfair burden of childcare on older girls in poor families. Apart from sibling care, the older girls are forced to help out harsh household chores: cleaning, washing, fetching water, cooking and rag picking. Among working children, girls are found to be at a greater disadvantage.

The Homeless:

Homeless children and women in particular face many insecurities. A person with no fixed address is by definition a suspect in the eyes of the police. As a result, the homeless are at times trapped under the anti-beggary laws. They find themselves at the mercy of not only criminals but also policemen. Even children are not spared. Most of them have no ration card, no steady job, and cannot get into schools. A survey conducted in 2001 by a Delhi based NGO, Ashray Adhikar Abiyan, counted 52,765 homeless men, women and children. Another recent study by the Delhi state Aids Control Society found 35,000 children living on the streets of Delhi and validates the earlier estimate. In 1996, there were nineteen night shelters in Delhi and they all lacked basic facilities, though children were allowed in these shelters.

Action needed to make Delhi a child friendly city

Group discussions among residents in different localities have brought out the neglect of Delhi's children. Several problems confront Delhi's children. Many children are engaged in child labour in the capital city. According to recent estimates, close to 1.3 per cent of Delhi's children aged 5-14 years are employed. Only 74 per cent of the children aged 6-11 years are enrolled in school. The remaining are unfortunately called 'no where' children – perhaps working children. Crime against Delhi's children is also reportedly high. **Delhi accounts for 4.8% of crimes against children – as against the national average of 1 per cent.**

Government in partnership with non- government organizations needs to initiate a movement for making

Delhi child- friendly. This would require a pledge a commitment to:

- Ensure universal immunization coverage
- Establish universal ICDS coverage especially in slums
- Ensure access to safe drinking water and sanitation facilities.
- Ensure that children live in unpolluted environments
- Ensure that all children up to age of 14 years attend school.
- Ensure effective learning in school
- Ensure safe transport to school and public transport
- Prevent and eliminate crime against children
- Ensure safe streets for children by building sidewalks, playgrounds and parks
- Ensure effective protection against child labour and exploitation
- Encourage participation in social events.

Addressing the needs of Delhi's special and disadvantaged children.

Not all of Delhi's children have the good fortune of leading comfortable lives. Many face several hardships that threaten their very survival. Among them are children with disabilities, children living in slums, relocated colonies and in unauthorized colonies and street, working children.

Government of Delhi in their efforts to draw inputs towards an action plan for the human development report organized a workshop in collaboration with CRY, Chetna and Action Aid. Invited to the meeting were representatives from non-governmental organizations and Government departments as well as experts and concerned children. The main recommendations for an action plan are summarized below:

Children of relocated and unauthorized colonies:

1. Establish a well functioning universal Integrated Child Development Services (ICDS) programme that covers all children and should cover every child in need of service. The location and address of all ICDS centers should be available to every person needing it. A system of concurrent evaluation of ICDS must be established.
2. Ensure availability of on-site crèches for children of construction workers.
3. Open adequate number of anganwadi centers in compliance with Supreme Court orders.
4. Establish Samuday Nigrani Samiti (Community Monitoring Committee) must be formed with parents of children for monitoring all activities relating to child care and development.
5. Ensure proper functioning of schools with focus on quality of education.
6. Effective regulation must be put in place to check private schools and private healthcare providers from exploiting the ignorance of poor families.

Street and working children:

1. Designate NGOs to ensure proper food, shelter, and clothing for working children.
2. Introduce an appropriate and sensitive education policy for working children.
3. Put in place a suitable shelter policy for street and working children, with focus on proposals targeting schools and government buildings for children, ensuring quality environment in children's homes and greater involvement of NGOs.

4. Ensure easy and free access to healthcare facilities for street and working children.

Children in slums:

1. Ensure basic infrastructures like roads, hospital, schools, anganwadis, water and sanitation, etc. before relocating families.
2. Sensitize the police on issues of child rights.

Children with disability:

1. Encourage and promote early identification and early intervention through existing services of ICDS, Balwadis, NGOs, hospital (referrals), and parent groups.
2. Allocate special resources to upgrade schools to make them disabled friendly.
3. Organize special training of teachers.

Actions needed to promote a child-friendly city

Delhi needs to put in place certain essential requisites for making the city-state more child-friendly. The constituents of a child-friendly city are:

1. Encourage child participation
 - Promote children's active involvement in issues that affect them; listen to their views and take them into consideration in decision-making processes.
 - Art competitions, peer-mentoring programmes and sporting events that involve children at all levels.
2. Develop a child-friendly legal framework.
 - Establish legislation, regulatory frameworks and procedures that promote and protect the rights of all children.
 - Review the existing legislature and develop a Delhi specific code to integrate children's rights into local plans, budgets and programmes.
3. Evolve a city-wide child rights strategy:
 - Develop a comprehensive strategy towards making Delhi child-friendly, involving stakeholders – local and national governments, NGOs, teachers, child care providers and parent teacher associations (PTAs), and businesses.
 - Involve youth clubs and other community service organizations to help address the needs of children.
4. Establish a child rights cell
 - Establish a child rights cell in Government of Delhi to address priority concerns affecting children
 - Promote awareness of children's rights.
5. Initiate child impact assessment and evaluation studies
 - Establish a process to assess the impact of law, policy and practice on.
 - Actively involve non-governmental organizations especially in monitoring and evaluations.

6. Develop and monitor a children's budget
 - Ensure adequate resource commitment and budget analysis for children.
 - Monitor and ensure effective outcomes from requisite outlays for children.
7. Prepare periodic State of Delhi's Children Report
 - Initiate regular public reporting on performance of children.
 - Develop a specialized data base on children.

Education

- Close to 82 per cent of Delhi's population is literate – higher than the National Average of 65 per cent. In 2001, 75 per cent of girls and women in Delhi above 7 years of age could read. In 2004-05 close to 93,000 teachers were teaching more than 3 million children enrolled in over 2500 schools in classes 1-12. In 2003-04, Delhi government spent Rs. 927 per child on the education as against the National Average of Rs. 749. It is estimated that almost 75 percent of all children in the primary school age attend government schools. Schooling is, however not yet universal. There are an estimated 103,643 out of school children (6.4%) in the 6-10 years age group; of these 49.5% are girls. Similarly an estimated 83,971 (7%) out of school children in the age group of 11- 14 years, of these, 48 per cent are girls.
- A report by Pratham (NGO) reveals that 37 per cent children 7-10 years in Basic education assumes the greatest significance from a human development perspective. Receiving good quality elementary education is particularly important as it often distinguishes the poor from the non-poor. For instance, recent data for Delhi reveal that nearly 50 per cent of those above the poverty line had completed secondary school or higher levels of education. And another 27 per cent had studied till Class 8. In contrast, a third of Delhi's population below the poverty line had not finished primary schooling and another third had just completed Class 5. Despite the expansion in primary and upper primary schooling, the student-teacher ratio remains high. The average student-teacher ratio was 41- varying from 22 in New Delhi to 44 in North-East Delhi. Out of the 1840 MCD primary schools, nearly one-fourth of them have student-teacher ratios greater than 60. In some zones, the situation is worse and more than a third of schools have student-teacher ratios greater than 60. Upper primary schools (Class 6-8) : student-teacher ratio was, on average, 28, varying from 24 in New Delhi to 35 in North-East Delhi. Reliable data on school retention and survival are not easily available. However, according to an extensive door-to-door survey conducted in 2003 by the Government of Delhi, there were an estimated 103,643 out-of-school children (6.4 per cent) in the 6-10 years age group. Of these, 49.5 per cent were girls. Similarly, there were an estimated 83, 971 out-of-school children (7 per cent) in the 11-14 years age group. Of these 48 per cent were girls.

How much do Delhi's school children learn?

Pratham administered a simple 'dipstick' test to over 3000 children to find out how much they were learning in school. The results of the survey reveal serious gaps in learning achievements of children. The main findings of the survey are presented below:

Reading:

7-10 years

- Thirty-seven percent of children in government schools cannot even read words.
- Forty-six per cent of children can read at least four simple lines (i.e., easy paragraphs) – classified by the study as ‘readers’.
- Even in private schools, 16 per cent of children can read only letters or nothing at all.
- Sixty-nine per cent of children in private schools can be classified as ‘readers’.

11-14 years

- Close to 90 per cent of children in government and private schools can read.
- Seventy-one per cent of government school children and 85 per cent of private school children are fluent readers, that is they can read a ‘story’.
- Thirty per cent children who should be in Standard 6 or above in government schools are unable to fluently read a simple Class 2 level story.

Arithmetic

- Fifty-two per cent of children between 7-10 years attending government and municipal schools cannot do anything or are only able to recognize numbers but not do any further operations. The proportion is lower, around 30 per cent, for private school children.
- Among children between 11-14 years, 60 per cent of government school children and 80 per cent of private school children can solve division sums. This suggests that there are 40 per cent of children in government schools and 20 per cent in private schools who are unable to do a Standard 3 level arithmetic operation.
- Even more alarming is the fact that there are 15 per cent children between 11-14 years in government schools and 5 per cent in private schools who cannot do anything or can only recognize numbers but are not able to do any operations.



SECTION II

NOTIFICATION BANNING CHILD LABOUR AND ITS IMPLICATION

The Central government Notification banning child labour in domestic service, hotels, tea stalls and hospitality sector comes into effect on 10th of October 2006. This will affect the lives of nearly 5 lakh children who work in these sectors. Thousands of children will lose their jobs and places of stay. There is a big threat that they might become homeless and take to streets for survival.

Organizations running Protective Homes for children or Drop-in Centers for children have already started receiving children leaving work. It is important that these children are provided with safe and caring stay after they leave their work and are safely re-united with their families.

In this scenario it is important that the NGOs and other stakeholders should have a common Plan of Action for a concerted and coordinated action to safeguard rights of the children affected by the Notification.

Press Information Bureau

Government of India

Ministry of Labour & Employment

EMPLOYMENT OF CHILDREN AS DOMESTIC SERVANTS

AND IN DHABAS BANNED FROM OCTOBER

MLD//L -53 (cpi-iw) 1.8.06 12:50 IST

The government has decided to prohibit employment of children as domestic servants or servants or in dhabas (roadside eateries), restaurants, hotels, motels, teashops, resorts, spas or in other recreational centres. The ban has been imposed under the Child Labour (Prohibition & Regulation) Act, 1986 and will be effective from 10th October 2006. The Ministry of Labour has recently issued a notification to this effect giving three-month mandatory notice. The Ministry has warned that anyone employing children in these categories would be liable to prosecution and other panel action under the Act.

It may be recalled that the government servants have already been prohibited from employing children as domestic servants. By issuing this notification, the Government has imposed these restrictions on everyone.

The decision has been taken on the recommendation of the Technical Advisory Committee on Child Labour headed by the Director General, ICMR. The Committee considers the occupations mentioned in the above notification as hazardous for children and has recommended their inclusion in the occupations which are prohibited for persons below 14 years under the Child Labour (Prohibition & Regulation) Act, 1986. The Committee while recommending a ban on employing children in these occupations had said that these children are subjected to physical violence, psychological traumas and at times even sexual abuse. It said that invariably such incidents go unnoticed and unreported as they take place in the close confines of the households or dhabas or restaurants. It said that these children are made to work for long hours and are made

to undertake various hazardous activities severely affecting their health and psyche. The Committee has said that the children employed in road-side eateries and highway dhabas were the most vulnerable lot and were easy prey to sex and drug abuse as they came in contact with all kinds of people. The measure is expected to go a long way in ameliorating the condition of hapless working children. The Labour Ministry is also contemplating to strengthen and expand its rehabilitative Scheme of National Child Labour Project, which already covers 250 child labour endemic districts in the country.



SECTION III

THE CONSULTATION ON CHILD LABOUR *From Banning to Moving Ahead*

Strategy

Butterflies and Human Rights Law Network held a one-day consultation on the issue of Child Labour – From Banning to Moving Ahead, with reference to notification banning child labour as servants, domestic servants and for work in restaurants, hotels and teashops. The Consultation was held at India International Center on 28th August 2006. It focused on mainly two questions. What is the plan for the rehabilitation of children affected by the ban? And What are the prescribed guidelines and standards for rescue to be followed on or soon after October 10 when suddenly lakhs of children will find themselves out of the job.

This consultation aimed at bringing together the voices of common concern and collectively arrive at a consensus for concerted action to pursue a multi-pronged and multi-sectoral approach to address this sensitive issue. The immediate goal was formulation of a doable Delhi State Plan of Action to deal with the situation of child labour and develop a protocol for rescue, restoration and rehabilitation of affected children. In this regard.

Consensus

Participants from the Government departments, Voluntary Organisations and UN/International NGOs gathered their thoughts together on the issue and presented their views for the finalization of the Plan of Action and Protocol for rescue, restoration and rehabilitation of children involved in domestic work, hotels and tea stall and other hazardous occupations. The present documents is the outcome of the Consultation.

Background Note

Background Note for Consultation on Child Labour— From banning to moving ahead —
(With Reference to Notification Banning Child Labour as Servants, Domestic Servants and for work in Restaurants, Hotels, and Teashops)

By Mr. Gerry Pinto, Specialist Child Rights & Child Protection, Advisor, Butterflies

Indeed child labour is a developmental issue. Children being forced into labour and exploited, while not receiving education crucial to their development negates all pronouncements made by government and sections of civil society to promotion and protection of children's rights.

India is always referred to being the home to the largest number of working children in the world. Government's 2001 census estimates 12.05 million children out of school and children involved in labour. Some other estimates state between 60 and 115 million working children in India — (Human Rights Watch 1996, 1).

The percentage of the population of India living in poverty is high. Poverty has an obvious relationship with child labour, and studies have "revealed a positive correlation - in some instances a strong one - between child labour and such factors as poverty" (Mehra - Kerpelman 1996, 8). Caste is another determinant. It has

been observed that incidence of child trafficking for hazardous occupations is higher from certain specific areas of the Country, which are facing acute poverty. Recent studies have shown that a high number of children, working in major Metro cities, are from some specific districts of Bihar, Uttar Pradesh, West Bengal, Orissa and Rajasthan as well as many children come from adjoining Nepal.

Comparatively, higher proportion of scheduled caste, backward caste and minority children work at a younger age for their own and their families' economic support. Children of these communities tend to be pushed into child labour because of their family's poverty. 63.74% of child labourers said that poverty was the reason they worked, Nangia (1987). At the same time it is imperative to accept that poverty has seeped in so deep in certain communities in extremely poverty ridden areas of the country that it has become a generational, if not a millennial, challenge to remove it.

Evidence shows that a combination of poverty and the lack of a social security network form the basis of the worse form of child labour — bonded child labour. Even if bonded child labourers are released, "the same conditions of poverty that caused the initial debt can cause people to slip back into bondage" (International Labour Organization 1993, 12).

Inadequate schools, lack of schools or expense of schooling keep children away from education and push them into work. Attitude of parents and sections of civil society further justifies the existence of child labour.

The NPA and Child Labour

The Government of India, through the National Plan of Action for Children, 1995 committed that in order to strengthen prevention of Child Labour, emphasis will be on compulsory education for all children and on strengthening anti-poverty and development programmes and focusing them on at risk families. NPA's goal included more vigorous implementation of National Child Labour Policy 1987.

Trafficking

Trafficking of child labour is rampant. Children as young as 5 years are trafficked to big cities like Mumbai and Delhi to work in hazardous trades flourishing on cheap labour. Last year nearly 1000 children were rescued from the embroidery factories of Mumbai and Delhi which were operating clandestinely. Activists believe there are more than 50,000 children still working in this trade in both these cities.

The poor infrastructure at home forces the children out of the family and community again and again into the web of hazardous work. This situation is well exploited by a network of middlemen and agents who make use of this readily available and cheap human resource for filling their coffers.

Question of fundamental rights

Year after year, these questions remain unanswered while situations become threatening to the families having no options to livelihood, very low nutrition levels and threatened survival. For many families, children working in hazardous occupations are the only ray of hope to a livelihood.

INDIA'S COMMITMEN

India has committed itself to be against child labour from the time of its independence. 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 . . . 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” The Bonded Labour System Act of 1976 fulfills the Indian Constitution’s directive of ending forced labour. The Act frees all bonded laborers, cancels any outstanding debts against them, prohibits the creation of new bondage agreements, and orders the economic rehabilitation of freed bonded laborers by the state. Article 23 prohibits trafficking for forced labour and begging.

The Government enacted The Child Labour (Prohibition & Regulation) Act in 1986. The purpose of this act was to “prohibit the employment of children who have not completed their 14th year in specified hazardous occupations and processes” (Narayan 1988,). India is the first developing country to have announced very progressive National Policy on Child Labor in 1987. On 15 August of 1994, the then- Prime Minister Narasimha Rao announced his proposal of an Elimination of Child Labour Programme. The programme pledged to end child labour for two million children in hazardous industries as defined in the Child Labour Act of 1986, by the year 2000.

EDUCATION

India’s state of education contributes generously to the numbers of working children. The drop out rate stands at 53% for classes I –VIII (Krishna Kumar, The Hindu, 27, July, 06). “The pressing need for the child’s earnings as well as low perceived advantages of school” cause parents to withdraw children from school and deposit them in the labour force”, (Nangia, 1987). Thus poverty and the inadequacy of the education system contribute significantly to prevalence of child labour.

Article 45 of the Constitution of India states that, “The State shall endeavor to provide within a period of ten years from the commencement of this Constitution for free and compulsory education for all children until they complete the age of fourteen years”. It is obvious that “the State” has not achieved this goal, shown by the literacy, dropout, and child work participation rates discussed previously. A National Policy on Education was adopted in 1986 to address the need to “expand and improve basic education”. The Government implemented The District Primary Education Program to support the National Policy on Education. Then recently the Government enacted the Free and Compulsory Elementary Education Act.

Child labour cannot be prevented or eliminated by legislations banning “all forms of Child Labour” or by simple one point slogans of “Education for all”. The government of India must realize that programmes must be in place that respond to the needs of the poor before the poor themselves join the effort to eradicate child labour.

One more ban? How do we move forward?

Child labour in 57 hazardous occupations should have been eliminated since the 1986 legislation having banned it. We are adding two more in that list with no indications at all that action has been taken on the 57 hazardous occupations. Government’s flagship response to child labour has been the NCLP projects in 250 districts and now as a support to recent ban in two more occupations it proposes to increase coverage by adding 150 more districts.

There has been much media hype on this recent banning and so also numerous articles either welcoming or condemning the ban. Some say it is a symbolic response by the government to its critics but has no substantial commitment of policy, programme and funds support to address the main causes of child labour – poverty, poor quality education, adult unemployment, and no minimum wages. From some quarters voices are being raised that there should be a complete ban on all forms of child labour, i.e. all work done by children should be put in the category of hazardous child labour since it is detrimental to children’s development and growth.

On a positive interpretation it is a statement of good intention with a serious commitment to move ahead. Several UN and bilateral agencies display their commitment to protection of children's rights in their websites and also fund pilot projects directed to prevention and elimination of child labour. Several child rights activists make convincing statements on strategies which can effectively eliminate child labour. Educationists claim that enforcing free and compulsory elementary education is the sure answer. Media cashes on the debate and also describes minutely the inhuman exploitation of working children. The core common belief is child labour is not acceptable and children's rights to survival, development and protection cannot be violated.

But the major question that still eludes the government machinery remains what after the legislation? The ban order gives bigger room for implementation of the law by way of rescuing children who are already working.

Unfortunately there has been a serious lag in the commitment to bring about a holistic change in the child labour scenario. First of all there is no concrete data or study of the level at which child labour persist, though there are estimates and counter estimates. Secondly there is a huge gap in the legislative provisions and available resources for transportation, restoration and rehabilitative measures for even a very small numbers of rescued children – and here we are talking of tens of thousands of children. Thirdly poor inter-agency and inter-state coordination often results in re-victimization of the victims of child labour as they are forced to suffer post rescue.

Some of the above factors have always been placing impediments in a drive to a meaningful rehabilitation of affected children. Even today, it needs to be sorted out how these impeding elements are removed from the way of making the good intentioned step a reality for the best interest of the children and their wellbeing. It would be sorry state if only our voices became shriller against child labour and the actual efforts still remained cosmetic.

Hence this Consultation - Strategizing for Delhi

Currently, there are about five lakh children working in the above-mentioned hazardous occupations. What is the plan for their rehabilitation? The ban alone will not ensure well being of the child in any form. Even if we leave aside the question of long-term rehabilitation plan, how does the government plan to restore such a huge number of children back to their homes? The truth is that as this act goes into effect, lakhs of children are likely to be rendered homeless, out in the streets, thrown out of the job. What is the plan for their rehabilitation? What are the prescribed guidelines and standards for rescue to be followed on or soon after October 10 when suddenly lakhs of children will find themselves out of the job.

Hence through this consultation, we aim at bringing together the voices of common concern and collectively arrive at a consensus for concerted action to pursue a multi-pronged and multi-sectoral approach to address this sensitive issue. The immediate goal is to formulate a doable Delhi State Plan of Action to deal with the situation of child labour and develop a protocol for rescue, restoration and rehabilitation of affected children. In this regard, we would request you to kindly put your thoughts together on the issue and present your views on the following aspects:

1. Data pertaining to children who will be affected
2. Resources needed before there is a blanket ban on the occupations they are involved in
3. Preparations for their safe removal from work, transit stay and repatriation after the ban comes into full effect.

We hope this open forum will be an opportunity for all of us who are concerned about this issue to jointly forge a plan and make a difference to the present scenario of child labour.

Program Schedule

IIC, Conference Hall No. 1, Lodhi Road, New Delhi – 110001
Monday, 28th August 2006, 9.30 AM to 5 PM

09.30 - 09.40	Objectives of the Consultation <i>Ms. Aatreyee Sen, Human Rights Law Network</i>
09.40 - 09.50	Child Labour in India: From Banning to Moving ahead – Commitment made in National Plan of Action for Children 2005 <i>Mr. Gerry Pinto</i>
09.50 – 10.50	Notification banning child labour in domestic work and hotels: Lessons learnt from Rescue and Rehabilitation, followed by discussion. <ul style="list-style-type: none">• Kailash Satyarthi (Bachpan Bachao Andolan)• Rajib Haldar (Prayas)• Junned Khan (Butterflies)• Delhi Domestic Workers Forum
10.50 – 11.05	Tea Break
11.05 – 01.15	Response of the Government, the UN and the Bilateral Agencies <ul style="list-style-type: none">• Mr. Gerry Pinto, Moderator for the session• Chief Secretary, Govt. of NCT Delhi• Secretary, Ministry of Labour, Government of India• Secretary Education, Government of NCT Delhi• Secretary, Ministry of Social Welfare, Government of NCT Delhi• Labour Commissioner, Delhi Government• MCD Commissioner• NDMC Chairperson• Chairperson, Child Welfare Committee• ILO representative• UNICEF representative• UNIFEM representative• Save the Children Fund, UK, representative• Plan India representative
11.05 – 11.15	
11.15 – 11.25	
11.25 – 11.35	
11.35 – 11.45	
11.45 – 11.55	
11.55 – 12.05	
12.05 – 12.15	
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12.25 – 12.35	
12.35 – 12.45	
12.45 – 12.55	
12.55 – 01.05	
01.05 – 01.15	
01.15 – 1.25	Discussion
01.25 – 02.10	Lunch Break
02.10 – 02.40	Towards a Draft Protocol for Rescue, Restoration and Rehabilitation. <i>Rita Panicker, Director, Butterflies & Aparna Bhat, Supreme Court Advocate</i>
02.40 – 03.00	Legal Strategies on Rescue, Restoration and Rehabilitation <i>Colin Gonsalves (Human Rights Law Network)</i>
03.00 – 03.20	The Role of RWAs in Prevention, Rescue and Monitoring <i>RWA representative</i>
03.20 – 04.00	Group Discussion on Plan of Action on <ul style="list-style-type: none">• Rescue (Group 1)• Restoration (Group 2)• Rehabilitation (group 3)
04.00 – 04.15	Tea Break
04.15 – 04.45	Group Presentations
04.45 – 05.00	A Framework for Plan of Action for Delhi for Prevention, Rescue and Rehabilitation

Presentations made during the Consultation

First Presentation

— From Banning to Moving Ahead —

(With Reference to Notification Banning Child Labour as Servants, Domestic Servants and for work in Restaurants, Hotels, and Teashops)

Mr. Gerry Pinto, Specialist Child Rights & Child Protection,
Advisor, Butterflies

Child Labour Scenario

- Government's 2001 census estimates 12.05 million children involved in labour.
- Some other estimates state between 60 and 115 million working children in India — (Human Rights Watch 1996, 1).

Reasons for child labour

- Correlation - in some instances a strong one - between child labour and such factors as poverty (Mehra-Kerpelman)
- Caste is another determinant.
- Child trafficking for hazardous occupations is higher from certain specific areas of the Country, which are facing acute poverty.
- Higher proportion of scheduled caste, backward caste and minority children work at a younger age.
- 63.74% of child labourers said that poverty was the reason they worked, Nangia (1987)
- Inadequate schools, lack of schools or expense of schooling keep children away from education and push them into work
- Attitude of parents and sections of civil society further justifies the existence of child labour.

Trafficking

- 1000 children rescued from the embroidery factories of Mumbai and Delhi which were operating clandestinely were trafficked
- The poor infrastructure at home forces the children out of the family and community again and again into the web of hazardous work. This situation is exploited by a network of middlemen and agents.

Education

- India's state of education contributes generously to the numbers of working children. The drop out rate stands at 53% for classes I–VIII (Krishna Kumar)
- "The pressing need for the child's earnings as well as low perceived advantages of school" cause parents to withdraw children from school and deposit them in the labour force", (Nangia, 1987).

Education cont.....

- Thus poverty and the inadequacy of the education system contribute significantly to prevalence of child labour.
- Article 45 of the Constitution of India promises free and compulsory education for all children until they complete the age of fourteen years

- Recently the Government enacted the Free and Compulsory Elementary Education Act

Question of fundamental rights

- Lack of livelihood opportunities
- Low nutrition levels
- Threatened survival

India's commitment

- Article 24 of the Indian constitution states, "no child below the age of fourteen years shall be employed in any hazardous employment".
- The Government enacted The Child Labour (Prohibition & Regulation) Act in 1986.
- India is the first developing country to have announced very progressive National Policy on Child Labor in 1987 and has the largest programme for elimination of child labour in the world

The NPA on Child Labour

- The National Plan of Action for Children, 2005 (please refer chapter 15 – Combating Child Labour), committed compulsory education for all children and strengthening anti-poverty and development programmes.
- NPA's goal included more vigorous implementation of National Child Labour Policy 1987.

One more ban? How do we move forward?

- Government is adding two more with no indication of action on 57 already banned occupations. Government's only response has been NCLP (250 + 150 Districts).
- No substantial commitment of policy, programme and funds support to address the main causes of child labour.
- On a positive interpretation it is a statement of good intention with a serious commitment to move ahead. But the core issue is children's rights to survival, development and protection should be ensured.

What after the Ban?

- There is no concrete data or study of the level at which child labour persist, though there are estimates and counter estimates.
- There is a huge gap in the legislative provisions and available resources for transportation, restoration and rehabilitation of children already working.
- Poor inter-agency and inter-state coordination may result in re-victimization of children.

DELHI-Human Development Report 2006

- 'Delhi has failed to adequately address the concerns of the aged, disadvantaged and working children and the disabled'

Chief Minister's Commitment

Ms. Sheila Dixit, Chief Minister of Delhi said on 25th August that her Government will ensure that all children live in an unpolluted environment and attend school upto 14 years of age, Government was committed to ensuring effective protection against child labour and exploitation. "It is unfortunate that a large number of children work as domestic servants, in dabhas and other occupations....."

Hence this Consultation - Strategising for Delhi

- About five lakh children working in the above-mentioned hazardous occupations.
- How does the government plan to restore such a huge number of children back to their homes?
- What is the plan for their rehabilitation?
- Where are the prescribed guidelines and standards for rescue to be followed on or soon after October 10 when suddenly lakhs of children will find themselves out of job.

Way Ahead

- Consensus for concerted action
- A doable Delhi State Plan of Action
- A protocol for Rescue, Restoration and Rehabilitation of affected children
- Rough data pertaining to affected children
- Plan for strategy and resources
- Organized Plan for Rescue and Rehabilitation
- Monitoring for follow-up and impact

Role of All Committed to Protecting Children's Rights

- Government: Ministry of Labour, GOI, Railways, Dept. Of Labour, Delhi, Social Welfare Dept., Education Dept., Police
- NGOs, International & Bilateral agencies
- Corporates
- Elected Representatives, Religious Groups
- Schools of Social Work
- Civil Society

Putting the Act together...

- In MP – 40,000 teachers' posts out of 2.9 lakhs are vacant for years
- *Sarva Shiksha Abhiyan*—the government's flagship programme to enroll all children in the age group of 6-14 in schools—suffers from inadequacies ranging from misuse of funds to ineffective monitoring both at the national and state levels. "SSA, which is a significant initiative to bring back all the children in the targeted age group to schools, has achieved the targets only partially so far," the Comptroller and Auditor General said in a report.

Sarva Shiksha Abhiyan cont...

- There was substantial under-funding, ranging between 43 and 57 per cent during 2001-02 to 2004-05.
- Even four years after the implementation of the scheme and utilisation of almost 86 per cent of the funds available with implementing agencies, the revised target of SSA to enroll all children in schools by 2005 was not achieved.

Reported in Newspaper on 26 August 2006

- The Planning Commission met with city planners and officials of the Ministry of Urban Development make Delhi "World class city" before the 2010 Commonwealth Games by;
- Waltzing fountains, new turf grass, sensitive flora,

- Departments asked to submit proposals with budget estimates,
- Central grant of Rs 770 Crores

HOW ABOUT PRESENTING DELHI AS THE MOST CHILD FRIENDLY CITY IN THE WORLD?

Thank You

- References:**
1. Ms. Sheila Dixit, Chief Minister of Delhi at the launch of Delhi Human Development Report. *Business Standard*, August 24 06, New Delhi.
 2. Nangia, P. 1987: *Child Labour: Cause – Effect Syndrome*. New Delhi: Janak Printers
 3. Prof. Krishna Kumar, *The Hindu*, 27th July 06
 4. CAG report on Sarva Shiksha Abhiyan, *The Hindu*, *Business Line* 19 August 06

Second Presentation

By Mr. Rakesh Senger, National Campaign Coordinator

Bachpan Bachao Andolan

(On Behalf of Mr. Kailash Satyarthi, Chairperson, Bachpan Bachao Andolan)

Let us begin with Ashraf. It would be inappropriate, rather unethical not to remember this brave boy. The Government of India's notification to ban some shameful forms of child labour like employment of children as domestic workers and in dhabas (roadside eateries), restaurants, hotels, motels, teashops, resorts, spas or in other recreational centers, is nothing but a great moral victory in the fight against these invisible forms of slavery.

Young Ashraf, who was employed at the residence of a senior IAS officer, was burnt with a stove by his employer because he dared to drink the milk meant for his child. Bachpan Bachao Andolan (BBA), a civil society movement took up Ashraf's case with National Human Rights Commission and after extensive struggle, in 1999 a service rule was passed prohibiting government servants from employing children as domestic servants.

Since then, we have been trying to extend the ban on use of children as domestic slaves. By issuing this notification, the Government has extended these restrictions to everyone and is recognition of our genuine efforts in the fight against child labour, especially domestic child labour.

Ironically government does not have data on domestic child labour or children working in hospitality industry. However, BBA estimates that at least 10 million (1 Crore) children are victims of child servitude in each of these two sectors. Since, as domestic help is "invisible" slavery, the agony and plights including branding, beating and rape remains unheard and unnoticed.

Looking at the track record, since the enactment of Child Labour Law 1986, not a single offender has been imprisoned for 2 years as per the provision of the law. Similarly, a path breaking judgment by the Supreme Court of India in 1996 on Child Labour abolition has been grossly and completely violated.

Now, the government has to show adequate political will, substantiated with well trained enforcement machinery as well as prompt and effective rehabilitative and educational measures. Civil society organisations, NGOs, Village Panchayats, teaching communities and particularly Residential Welfare Associations in urban setup must be invited to partner with the govt. agencies. A massive and sustained media campaign must be launched by the state. And the most important is to fix the accountability of the enforcement agencies. The

Labour, Police and Factory Inspectors as well as other relevant department officials must be punished, if child labour is there, in their jurisdiction.

Poverty has often been considered the key reason for perpetuation of child labor. However child labor is the primary cause of poverty, as it pushes children early to premature work thereby denying children the opportunity to acquire the education and skills they need to obtain decent work and incomes as adults. The employment of children depresses the wages of adults and weakens the bargaining power of adult workers to receive their legally guaranteed minimum wage or decent working conditions. About 6 million children are estimated to be working in India, while 6.5 million adults are unemployed. In Pakistan about 1.2 crore children are working, while equal number of adults are working.

This trend is visible in many other countries. While child labour has a negative impact on the economy, the investment in basic education aimed at eliminating child labour brings much more positive returns to an overall economic development. A recent report released by ILO has argued that the initiatives to prevent and eliminate all forms of child labour through ensuring education for all have economic return 7 times higher than their investment[^]. The elimination of child labour is a pre-requisite for any country's fast economic development. A World Bank study in 2002 (Achieving EFA by 2015) estimated that if countries in South Asia and Africa had been as successful in raising enrolment rates in basic education, they would have achieved much faster economic growth of 3% per year instead of the actual 1.8% per year in GNP per capita. We must show the will to bring our words into action, and must begin walking the most direct path to an end to child labour, by educating every child today.

Third Presentation

Prayas Response on the recent Notification

Prohibiting Child Labour

By Ms. Anupama Sahaya, Manager R&D, Prayas

(On behalf of Mr. Rajib K Halder, Executive Director, Prayas)

Background

Perhaps 60th year of independent India would bring a new dawn for deprived children. Government of India's recent notification prohibiting employment of children as domestic servants and in dhabas, restaurants, hotels, tea-shops, etc is a welcome step. This has been in demand for long by the civil society organisations and activists who are working on this issue. Linking it with the recent development in the policy matter making education for 6-14 years of children as a Fundamental Right, this has become a constitutional obligation on the government.

Prayas has been working on this issue for the past 18 years in Delhi and other states/ UTs of the country. This notification dated 10th July 2006, making changes in Part A of the Schedule, under the Child Labour (Prohibition and Regulation) Act, 1986, would help solve the growing problem of child labour. In Delhi alone there are 41899 child labour and at least 12666377 child labour all over India (census 2001).

However, despite supporting this move as a policy matter, we are concerned with the implementation of this notification in the best interest of the children. We would like to intervene in this matter and support a well thought-out strategy or a Plan of Action to identify, rescue and rehabilitate the children engaged as domestic

workers, and in dhabas, restaurants, hotels, motels, tea-shops, resorts, spas and other recreational centers.

Following are the issues that need to be addressed by the concerned authorities for the effective implementation of the Notification.

Identification and Survey

- Conduct a baseline survey to identify child labour
- The Juvenile Justice (Care and Protection of Children) Act, 2000 defines children as a person below 18 years of age. However, the Child Labour (Prohibition and Regulation) Act, 1986 defines children as those below 14 years of age. Prayas Institute of Juvenile Justice is concerned about the children between 14 to 18 years of age, who will be found engaged into such labour. We recommend to include such children for the purpose of the recent notification.
- Identify native place/ States, if the children are migrants
- Identify the parents/ guardian to hand over the child
- Identify the Employer
- Awareness programme addressing to the concerns of enforcement agencies and the children, employers, parents, etc

Rescue Operations

- Joint rescue operation team- Labour Department, Employer unions, NGOs, policemen from SJPU, Education Department
- Rescued children must be given care and protection- health check-up, food, shelter, counseling, etc.
- Child-friendly procedure must be adopted during the rescue operations

Rehabilitation

- Identified parents/ guardians be informed immediately to come and receive the children
- Rehabilitation team to repatriate children to their native place, in cases where parents/ guardians are unable to come. Sufficient funds to be allocated in advance for restorations.
- The Employer to compensate rescued children as per the provisions in the Child Labour (Prohibition and Regulation) Act, 1986. Rescue and rehabilitation cost may be partially met by this fund.
- After-rehabilitation, follow up process is very important to ensure children are not back again on the street or work place. We shall ensure children are enrolled into the schools. Rehabilitation programme to ensure involvement of teachers, education department, labour department, panchayats, district administration, local leaders to ensure rehabilitation
- Children without parents/ guardians to be produced before Child Welfare Committee. Follow-up to be done based on the provisions in the Juvenile Justice (Care and Protection of Children) Act, 2000.
- For economic rehabilitation of families of such children, women are given training to form Self-help group (SHGs) and initiate income generation activities.

Prayas being a member of the advisory board constituted under the Child Labour Act named as Rehabilitation- cum-Welfare Society of GNCT Delhi, we would like to contribute to this process, as and when required.

Fourth Presentation

Rescue and Rehabilitation

— Lessons Learnt —

By Junned Khan, Consultant - Alliance Building, Butterflies

Respect to the Rights of the Child

- During rescue operations, rights of the child should be the primary consideration
- It must be ensured that the children have a right to get their dues back, belongings, compensations and earnings
- The children have a right to be respected during rescue operations; the employer should be penalized not the child

Post Rescue Transit Care and Protection

- Children should be provided with adequate care and protection after rescue
- Safe place of stay and basic facilities post-rescue; hygiene, nutrition and medical care
- Each child should be given counseling especially if the child has expressed apprehension on returning home

Legal Action Against the Employers

- In most cases children are removed while the employers go scot-free
- Cases must be filed on the basis of children's testimonies
- After children have been removed the factories/shops must be sealed

Restoration Process

- While broad plans must be in place, interim services for children soon after rescue should be in place; children should not be made to wait
- Arrangements for adequate resources for children's and adult escort's travel
- Adequate security, medical care during transit

Rehabilitation Process

- Rehabilitation should include preventive strategies at the village/districts/State level
- District administrations and the local Panchayats must be involved in the rehabilitation and preventive strategies (including poverty alleviation, quality education, health care facilities, potable water and effective public distribution system)
- The gram sabhas/panchayats/women organizations like SHGs/Mahila Mandals should be part of the rehabilitation and preventive strategy and act as vigilant groups

Inter-agency Coordination & Clarity is important

- Greater participation of NGOs, Government and Civil Society Representatives
- Mutual trust and clarity on sharing of responsibility
- The problem cannot be handled by a handful of organizations/departments because of its size and complexity

Inter-NGO Coordination and Clarity

- Organizations and individuals having expertise should come forward for:
- Identification of children in hazardous work

- Identification of industries using child labour
- Joint action for their removal from banned work
- Resource sharing for their safe stay and transit

Inter-state Coordination

- The States which have large numbers of migrant child labours should work closely with the source States for the effective rehabilitation of these children and their families.
- It must be ensured by the States that the children are quickly restored
- The source States should have a policy for rehabilitation of affected children

Minutes of the consultation

Minutes of the Consultation on Child Labour

Monday, 28th August, 2006

Butterflies along with HRLN held a one-day consultation on the above-mentioned topic at the India International Centre on 28th August, 2006.

The consultation began with Ms. Atrayee Sen, HRLN putting forth the objectives of the consultation. She began with a brief introduction of the state of child laborers and especially child domestic workers in today's scenario, followed by a brief introduction of the notification made by the government and about the lack of rehabilitation for the children unemployed due to the notification being put into effect. She emphasized the need for the civil society to form a plan of action for rescue, rehabilitation and restoration and stated that the main objective of the organizations coming together was to form these strategies and the Plan of Action.

Mr. Gerry Pinto, Advisor Butterflies gave a presentation on Child Labour in India: From Banning to Moving Ahead – Commitment made in National Plan of Action for Children 2005. His presentation mainly focused on the commitment made by the Government to address the issue of child labour within the National Plan of Action, the reasons for child labour, the present child labour scenario, role of education, and directions for addressing the problem of child labour. The presentation concluded with looking at the effects of the implementation of the notification, the role of all committed to protecting Children's Rights and finally in brief what can be done as part of the way ahead.

Mr. Junned Khan, Butterflies made a brief presentation and shared his experiences and lessons learnt from his personal involvement in activities of rescue and rehabilitation. His presentation mainly spoke about the need for Inter-Voluntary Organization coordination and clarity along with Inter-agency and inter-state coordination in the rescue and rehabilitation process. It also spoke about the respect to the rights of the child in the midst of rescue operations. He also put forth before the audiences the problems faced during rescue operation undertaken by a few voluntary organizations in East Delhi a couple of years ago. According to him the lessons learnt during this operation and other such similar operations were mainly lack of proper planning before the operation, police interference which help the labour department and Voluntary Organizations (VOs) from conducting the rescue in a child friendly manner and he also emphasized that large scale rescue operations cannot be undertaken without adequate transit, rehabilitation and restoration facilities.

The floor was opened for discussion after this and the following are the suggestions and lessons learnt that emerged:

- Need for a “Quick Rapid Survey” in order to get a fair idea of the number of children involved in domestic work in the city and areas of concentration of children engaged in hazardous occupations, this will help prepare better rescue and rehabilitation strategies.
- Ms Rita Panicker, Butterflies stated that resources would be required for quick assessment and mapping of concentrations of child labour.
- There is a need for rescue homes with appropriate facilities for rescued children.
- CWC needs to play a more pro-active role, may need to go to shelter homes to handle cases rather than expect groups of children to be brought to them in situation where large number of children might have to be presented to the CWCs.
- **Mr. Oberio, Chairperson-CWC, Mayur Vihar** stated that there is need for short stay home, and NGOs need to play a proactive role in this.
- **Dr. Bharati Sharma, Chairperson, CWC, Nirmal Chhaya**, shared her experiences; she stated that media should not exaggerate and sensationalize the rescue operations. There is need for proper rehabilitation and restoration, and it should be ensured that the children are sent back to their homes and not elsewhere. She also mentioned how the package money that the parents receive affects the restoration process and that a number of parents are willing to take their children back only when they receive the package money.
- **Mr. Piyush Sharma, Joint Labour Commissioner, Delhi**, accepted that large-scale rescue operations should not be encouraged because of the need for massive infrastructure set-up. He emphasized on the need for safe accommodation where children can be retained over a period of time.
- **Ms. Shireen Miller, Save the Children** shared their experience of working in Kolkatta and again reiterated that large-scale rescue operations should be discouraged. She suggested that a difference approach should be taken for rehabilitating and restoring street children, children working as domestic help and the children working in Dhabas, etc.
- **Mr. Rakesh Senger, Bachpan Bachao Andolan** emphasized the need to safeguard the rights of the child during the rescue operations, for e.g. Helping him to get his/her salary etc. he also mentioned the problems that are faced by children and their parents to get the package money (Rs.20, 000/-), how the release certificate requires the signature of SDM, which delays the process. He emphasized the need for a holistic approach, where the stakeholders, community and the judiciary work together.

After the discussions the next session was the response of the government, the UN and the bilateral agencies. The following were the responses of these agencies:

Department of Labour:

- Emphasized the importance of convergence between the government and the civil society.
- The role of Voluntary Organizations:
 - ◆ Accommodation – food/clothing and shelter
 - ◆ Rehabilitation packaging, not monetary but in terms of vocational and emotional support

- ◆ Public awareness should be created by Voluntary Organizations (VOs) and should ensure that undue media hype is not created.
- ◆ They can be part of the escort service provided to the child while restoration, to provide a child friendly atmosphere and provide emotional support along with protection.
- UNICEF could provide guidance to various stakeholders because of their expertise.
- Need for a list of VOs that volunteers to take specific responsibilities in the rescue and rehabilitation process.
- The Joint Labour Commissioner assured that the department would take into consideration the suggestions provided by the consultation while drafting the Plan of Action which is under preparation at the Government level.
- He did voice reservations on the suggestion of a survey to be conducted, as he thought that this works well in a village set-up, however, in a city like Delhi this will not be feasible.

Ms. Rita Panicker, Butterflies requested that the Department of Labour share the plan with VOs as well. Mr. Pinto suggested that the purpose of survey should not be merely to get a head count but also to use the opportunity of the survey to create awareness about the issue in the community.

Ms Shahin Sultana, Lecturer from Department of Social Work put forth the need for counselors in the process. She also suggested that Schools of Social Work may be involved in the city wide mapping of concentration of child labour areas in Delhi.

Atrayee Sen, HRLN wanted to know the budgetary allocation made for the process and if there is any scope to increase the fund allocated, she also wanted to know from Department of labour what role does Child Labour Welfare Fund play here. Mr. Piyush Sharma, Jt Labour Commissioner, responded saying that funds are not a constraint once the government has formulated the plan of Action. However, there is support that the civil society will have to provide for a number of issues like providing counseling and clothing /accommodation etc.

Ms. Bharati Sharma, again reiterated the importance of convergence of civil society and Department of Labour.

Mr. Sharma assured that if the department is provided with concrete suggestions by the Consultation, they would be definitely considered while preparing the POA.

Bharati Sharma, Chairperson, CWC suggested:

- Need for baseline survey
- Need to look at all aspects of child restoration and rehabilitation
- Need for coordination between the civil society and the government
- Need for further working with the repatriated children at the local level, – for eg. Providing vocational training.
- Gave example of west Bengal where CWC has joined hands with an VO to track the parents of rescued children, this could be replicated in Delhi as well.
- Need to strengthen the education system- need to retain children and make the education more beneficial to children.
- Placement agencies need to be controlled so as to know the children who are brought to the cities for domestic work and where are they primarily coming from. These agents need to be tracked so as to put an end to these agencies.

- Role of CWC needs to be broadened, should be beyond just handling cases. It needs more support and needs to be empowered more. Need full time welfare officers, need for coordination with VOs, and need for more institutional support like more short-term homes to deal with emotional and mental needs of the children.
- CWC is working with CRY (to coordinate with RWAs) to focus on children from 14-18 years working as domestic workers, to provide them personality development, training etc. to help them take care of themselves and improve their income as well.

Mr. J.N.Kaul, SOS agreed to take care of 100 children and also emphasized that the perspective has to be clear and there is need for a holistic approach. Need for preventive strategy.

Ms. Shireen Miller, SCF:

- Focus needs to be child domestic workers and mainly children between 14 – 18 years, as most of them are girls who are abused (almost 99% such girls working in Delhi are abused).
- Need to work strongly in the source areas.
- Need to sensitize the law implementation bodies.
- Placement agencies need to be regulated
- Rehabilitation thru the education system, getting children back to school. Need for planned effective strategy, need to improve the education system

Ms. Victoria Rialph, UNICEF, India Country Office

- Need for assessment of stakeholders, their role and what they can do, inventory of resources needed.
- Notification is a wake up call stronger than any in the past.
- Need to make priorities – what is immediate, what is the next step and to see where no intervention needs to be done.
- Mapping of source areas in Delhi and transit areas.
- Need to look at the best practices of different organizations.
- Existing protocols need to be followed and maintained.
- Need for working on bilateral agreements between state/cities etc.
- Media needs to give up the sensationalization of issues, need to create awareness in media and make them child-friendly.
- Need for minimum standards of care like accommodation, inspection system, accreditation of VOs etc.
- Monitoring and evaluation of the money being spent and the VOs using it (assessment)

Ms Rashmi Singh, Joint Director, Social Welfare Department:

- Reemphasized the need to assess if the government has the capacity to take care of children who will get unemployed due to this notification.

- Need for effective institutional systems, need for more institutional mechanisms, adequate support not just by the government but by public participation as well.
- Again emphasized the need for cooperation between government and civil society.
- Need for enabling environment for the implementation of the notification.
- Public awareness and participation should be kept in mind.

Ms Sonia Kapur, Plan India:

- Questioned the quality of homes, this makes their restoration extremely difficult for organizations,
- Need for holistic approach because of the continuous induction and increase in number of children into domestic work sector.
- Need to prepare plans for rehabilitation
- Need for sensitizing all the stakeholders in source areas – community development approach
- Continuous media sensitization
- How to create better infrastructure

Post Lunch session:

Mr. Colin Gonsalves, HRLN spoke about the legal strategies on Rescue, Restoration and Rehabilitation:

- While the notification by the Government is in response to advocacy of several NGOs some of the prominent NGOs present should file a PIL with the Supreme Court, asking financial allocation for the children who will be unemployed due to the notification being implemented.
- Need to ensure links are created with the various government departments and also ensure government uses these resources effectively.
- Appoint NGOs member as inspectors, empowered by government to ensure appropriate implementation of the notification.

Towards a draft protocol – Rita Panicker, Director, Butterflies and Aparna Bhat, Child Right Activist:

- Aparna Bhat emphasised on PIL and advocacy as the important tools that can be used. She suggested that before filing a PIL a plan of action should be prepared, with official statistical figures and then see how the government responds to it.
- Need to look at resource areas to take up preventive measures, need to involve mechanism to get to know about children in such situations. The support of local police should be taken for this.
- PIL can also be to make amendments in the JJ Act making it more favorable for children.
- It should not just focus on child domestic worker but include all categories of working children.

- Suggested that the draft proposal should include the support and partnerships.

Rita Panicker went through the draft proposal with the members present;

- Suggestion was made that the rapid survey clause be removed, as Mr. Piyush Sharma from the Department of Labour did not approve of its feasibility, however, registration of placement agencies can be considered.
- She requested CWC members about making their rules more flexible, for e.g. Going to shelter homes to handle cases when there are large numbers of children to be restored to their parents.

Mr. Colin Gonsalves suggested

- The guidelines in the protocol need to be child friendly and not on conducting a raid approach.
- Media should be utilized more, for eg. Giving child friendly advertisements on Door Darshan aimed at children working as domestic help.
- More emphasis should be given on advocacy and to try and pressurize the government for financial allocation through advocacy.
- PIL should be very planned and should be made keeping in mind all the pros and cons, should not be sporadic.

Mr. Srinivas from SCF suggested that before filing the PIL the role of NGOs should be clearly defined and we should not expand it way beyond the actual role.

UNICEF has agreed to share their documents on best practices from different states.

Way ahead:

- Prepare a Plan of Action Report based on the consultation to be presented to the state government for action. This to be ready by Friday—1st September. Members were asked to volunteer to be part of the drafting group.
- Present Plan Of Action to Mr. Piyush Sharma, Joint Commissioner-Labour
- Have a further meeting with Mr. Majumdar (Labour commissioner) based on the POA
- Seek an appointment with the CM and make a Power point presentation on the POA to the CM
- Prepare a post press release
- Form a State Task Force on Child Labour (STFCL) with members from the various Government departments, Voluntary Organizations, Legal Counselors, Medical and Mental Health professionals, Police and Media.
- Organizations having transit centers/shelters/homes to go through the tentative budget made in the draft protocol and revert back by 29th evening.
- Need for media campaign – TV, Radio, Paper etc. A communication strategy would be included in the POA.
- Get corporate sector support.

Partners in consultation

Representatives of 22 Voluntary Organizations, Government Departments, Child Welfare Committees, Schools of Social Work, Residents' Welfare Associations and UN and Bilateral Agencies participated in the Consultation:

Name	Organization
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Mr. Harender Kumar	Salam Balak Trust
Ms. Maya Rachel Thomas	Deepalaya
Mr. M.M. Vidyarthi	Saamarth
Mr. Sudhir Kr. Modi	Salaam Balak Trust
Mr. Devender	Bal Sahyog
Ms. Archina Dhar	SOS Children
Col. J.C. Kapur	ENCARE
Mr. Akshay Anand	Bandhua Mukti Morcha
Sr. Jyothi Chetty	Ashadeep Foundation
Ms. Kalpana David	YWCA
Mr. J. N. Kaul	SOS Children's Village of India
Mr. Rakesh Senger	Bachpan Bachao Andolan
Ms. Anupama Sahaya	Prayas
Ms. Aparna Singh	Prayas
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Dr. A. Shahin Sultana	Delhi School of Social Work
Ms. Rashmi Singh	Joint Director, Department of Social Welfare, Govt. of Delhi
Mr. Piyush Sharma	Joint Labour Commissioner, Delhi
Dr. Bharati Sharma	Chairperson CWC Nirmal Chaya
Mr. Y. P. Oberoi	Chairperson, CWC, East Delhi
Ms. Prabha Mathur	Chairperson, CWC, Sewa Kutir
Mr. M. M. Vidyarthi	Member, CWC, Lajpat Nagar
Ms. Aparna Bhat	Senior Advocate, Supreme Court of India
Mr. Gerry Pinto	Specialist, Child Rights & Child Protection, Advisor, Butterflies
Mr. Colin Gonsalves	HRLN
Ms. Rita Panicker	Butterflies

Name	Organization
Ms. Aatreeye Sen	HRLN
Ms. Victoria Rialp	UNICEF
Ms. Carlota Bargaró	UNICEF
M.s Shireen Miller	Save the Children Fund (UK)
Ms. Preet Verma	International Labour Organisation
Ms. Sonia Kapur	Plan India
Mr. Gauri Shankar Sharma	Apex RWA of DDA Colonies
M.s Priya Bajpai	HRLN
Mr. Ambuj Agrawal	HRLN
Ms. Radhika Arora	HRLN
Ms. Dipti Singh	HRLN
Mr. Bhushan Oza	HRLN
Mr. K. K. Tripathi	Butterflies
Mr. Junned Khan	Butterflies
Ms. Aneesha John	Butterflies
Ms. Sophia Lonappan	Butterflies

SECTION IV

PLAN OF ACTION

A. Goal

Towards prevention and progressive, organized, child friendly approaches to elimination of child labour in domestic work, dabhas, and other hazardous occupations.

B. Program Objectives

- a. Prevent children being engaged for domestic labour, in dabhas and other hazardous occupations;
- b. Phase wise progressively, through organized and child friendly approaches, under take Rescue, Repatriation and Rehabilitation of children in hazardous occupations;
- c. Create Awareness in society on the notification and implications and mobilize civil society against child labour and promotion of ALL CHILDREN IN SCHOOL

C. Urgent Action

(Time frame for each of the following will be developed, beginning prior 10 October)

1. COMMUNICATION STRATEGY

Concept note

AWARENESS CAMPAIGN

(Compiled by the Task Force of NGOs constituted for developing a Plan of Action, post 28 August Consultation on Child Labour held at IIC)

- *All children have Rights*
- *No child in domestic work in dabhas and in other hazardous occupations*
- *All children in School*

Goal

- Inform all citizens of Delhi on the recent Notification and its implications
- Inform populations in the relevant districts in the related states such as Bihar, West Bengal, UP, MP, etc which are source areas providing child labour in Delhi
- Inform all on Children's Rights to Protection and Education
- Disseminate widely information on Compensation and benefits available to children rescued from employment in hazardous employments including support and facilities for Repatriation and Rehabilitation
- Inform all, including children where they can call, write or report for assistance on the subject

Strategy

- Access Public and Private Electronic and Print media
- Involve School and Colleges
- Mobilize Resident Welfare Associations – child labour free colonies
- Develop Communication materials like: Newspaper inserts, Pamphlets, TV/Radio spots, stickers "*This house has no child labour*", Comic books for children, Street plays, Posters
- Induct a module in all training programmes of all functionaries of all programmes on the subject

Partners

- Government of Delhi
- NGOs
- UN and International agencies

Messages

1. All Children have Rights to Survival, Development, Protection and Participation
2. No Children (below) should be employed in factories, Workshops, dabhas or homes
3. All children have a Right to Education

Implementation

- Government of Delhi to identify a professional media agency to refine the proposed strategy, produce material, implement and monitor impact
- The Task Force of NGOs along with Government representatives to be the Think Tank to guide the assignment and monitor implementation
- Funding from all stakeholders – Government, UN and Bilateral agencies, Corporates.

BACK TO HOME CAMPAIGN

(Release of Children from Domestic Labour and in Dabhas)

(Draft)

As you know, Government of India has banned child labour as domestic help and in dabhas. Government of Delhi, the NGOs, International agencies and civil society of Delhi want to help children released from domestic child labour and from eateries return home - back to their villages and back to education.

Back to home campaign is an appeal to employers of children in their houses or in their hotels/eateries and in other occupations to cooperate with and support the Government's efforts to return the childhood back to the children and to help their return back to their families and back to education wherever possible.

This is also an invitation to the children themselves to respond with necessary details if they would like to return back home to their families and their homes in their village.

With the cooperation of the Government and support by all those who are committed to protection of the Rights of Children we shall endeavor to send you back to your family and to help your family to ensure they are able to help you remain at home and resume your education.

Please fill in the form given below and mail it to the address given below.

ALL YOU NEED IS....POSTAL STAMP TO EXPRESS YOUR WISH TO RETURN HOME.

1. Your Name:
2. Age:.....
3. Sex:.....
4. Address:

5. Telephone number of Employer:
6. Telephone number of your friend:
7. Name of your Father/Mother:
8. Name of your village:
9. Name of the Taluks:
10. Name of the District:
11. Name of the State:
12. Nearest Railway station to your village:
13. Approximate cost of Railway ticket to your village:

Please send in the filled in form to :

BACK TO HOME PROGRAMME

Name & address of concerned organization

2. PROTOCOL FINALIZATION -DRAFT

DELHI STATE PROTOCOL FOR RESCUE, RESTORATION AND REHABILITATION OF CHILDREN RESCUED FROM DOMESTIC WORK/HOTEL AND EATERIES AND OTHER HAZARDOUS OCCUPATIONS

The Child Labour Act, 1986, bans employment of children, below 14 years, in 57 occupations considered hazardous for their health and wellbeing. Recently in the list of hazardous occupations, the Central government has added two more occupations; children working in houses as domestic servants and children working in hotels, tea shops and hospitality industry.

At the outset this action seems to be a good intentioned move. It is also imperative to look at the fact that there are appropriate provisions for the safe removal, restoration and rehabilitation of tens of thousands of children already involved in these occupations and who will be immediately affected by the complete implementation of the Act. In Delhi alone, thousands of children will be left without work and they may also lose their place of stay. When it happens, where will the children go in the first place? How will they survive when they don't get meals, as they currently get from their employers?

Since children leave their homes and villages to work in the cities due to acute poverty it is very unlikely that they will go back in the same situations. Even if they did, there are very little chances of their retention. Thus, there is a danger children might start living off the streets and this poses even a greater threat of them becoming victim of vagrancy, drug addiction, transmitted diseases, HIV/AIDS and other problems that street children face.

Though oblivious of these facts, the government seems to be suddenly proactive on completely banning the above mentioned occupations and for the first time the media is playing a proactive role in sensitizing – rather warning – the general public about the punishments they attract by employing

children. What is missing is the same proactive approach in ensuring that in the name of benefiting children the move did not further victimize them and became a tool for the violation of their rights; survival and livelihood.

What is completely missing behind this sudden move is recognition to the extent at which this problem of child labour employment in these occupations persists and a foolproof strategy for long term prevention with a focus on strengthening the families these children belong. It seems that all are marching towards a chaotic condition when the Act comes into effect on 10 October 2006 and the children are left without this or that. Though VOs have been hinting presence of nearly half a million children in these occupations in Delhi, no efforts have been made by the government for their identification and effective rehabilitation.

The occupations of domestic service, hotels and hospitality employ the highest number of children in urban areas. If the present trend of ignorance on part of the Government and other stakeholders continued, lakhs of children would be thrown out of their work and their places of stay will be seized from them. The law enforcement agencies, social welfare groups and departments and VOs would be helpless due to absence of any appropriate data pertaining to the extent of child labour, resources for their rescue, transit and restoration and inter-agency and inter-state coordination which are necessary for a meaningful restoration and rehabilitation program.

In this scenario, it is very important to take a look at the problem right now, instead of waiting for the law to come into effect. Taking appropriate measures for minimizing the adverse impact on the wellbeing of the children, due to the Ban on their work, can only be ensured by a collective and cohesive stand from today itself.

Thus it is important to develop a multi-stakeholder approach in a coordinated and concerted manner where all the concerned stakeholders have a clear role for protection of affected children's rights. Broadly it should be ensured that no child is left unidentified, employers are motivated to voluntarily release children, resources are made available for children's travel to their homes, efforts are made to ensure children stay back in their homes after restoration and legal actions are ensured on the employers who will keep employing children forcefully or clandestinely even after the deadline of 10th October is over.

The past experiences in dealing with rescue and rehabilitation of children in other hazardous occupations have taught us that, it is easy to say than actually do unless there are clearly chalked out guidelines for the effective rescue and rehabilitation strategies involving all the responsible stakeholders and identifying impeding factors. These guidelines would not have any meaning unless recognized and adopted by all the stakeholders.

Keeping these aspects in mind, we are suggesting some strategies for making children's rescue and rehabilitation from hazardous occupations successful, safe and meaningful. These guidelines are presented for necessary discussion; omissions and additions so that they become more effective for a coordinated effort.

Stakeholders:

1. State Government
2. Voluntary Organisations
3. State Task Force on Child labour
4. Child Protection Team (at the state level)
5. CWC
5. Social Welfare Department
6. Labour Department (including labour Inspectors and factory inspectors)
7. Revenue departments
8. Health Department
9. Education Department/Schools
10. MCD/NDMC
11. Police
12. Media
13. Judiciary
14. Local Community
11. Elected Representatives (MPs, MLAs, Municipal Counselors)
12. Religious Bodies
13. UN Agencies/INGOS
14. Residents' Welfare Association
15. Corporates/Industries
16. Market/Traders/Hotel owners Association

A. STRATEGY FOR RESCUE, TRANSITIONAL CARE AND PROTECTION

I. Guidelines for the State Government

1. Develop a State Policy for prevention of child labour
2. Create a State Task Force on Child Labour (STFCL) which has representatives from various government departments – Social Welfare, Labour, Health, Mental Health, Education, MCD/NDMC, Police, Legal Professionals, Voluntary Organizations (VOs) and media. A government nodal person must be designated by name to head this task force.
3. The STFCL should interface with a specially created cell constituting of senior government officials of Delhi and Source States from where child labour migration is higher, like UP, Bihar, Orissa, Rajasthan, Jharkhand and West Bengal.
4. The State Task Force on Child Labour (STFCL) must prepare financial outlay required for rescue, transit, restoration and rehabilitation programmes. The State Government must ensure smooth release of funds from the government and other sources.

5. Create and update annually database of employment agencies/placement agencies involved in procuring and placing workers in the State, so as to ensure that children are not being placed for work in the 59 specified hazardous occupations.
6. The Labour Department must license and monitor all employment agencies/placement agencies and strictly penalize violations.
7. Instruct and sensitize Police department towards the issue of child labour and their role in safeguarding children's rights.
8. Establish Helplines and Child Assistance Booths (CAP) to be managed by VOs and other agencies.
9. Develop a media strategy to create awareness on the issue – rights of children. The latest notification banning child labour and penalties for violations, compensations and other benefits for the rescued children – targeting different stakeholders such as- general public, employers, child labourers, children going to schools, community/parents.
10. Awareness material for child labourers should contain helpline telephone numbers, NGO numbers and addresses of persons they can contact.
11. Make provisions for inter-state repatriation of children rescued from child labour. The State would be responsible for transportation, food, travel cost and other incidental costs for the rescued child and adult escort.
12. Collect specific information about the presence of children in hazardous occupations by Assembly/Constituency wise mapping of areas.

II. Guidelines for the Child Protection Team (set up at state level)

1. A Delhi State Child Protection Team should be constituted with representatives from Police, Labour Department, Department of Social Welfare, health department, including mental health professionals, legal counselors and VOs. The Child Protection Team should perform following tasks.
2. Identification of shelter facilities for the safe stay of the child labour removed from work.
3. During the removal process children's belongings and payments etc. should be recovered from the employers. Employer's address and other details should be taken in order to ensure legal action and compensations.
4. No force should be used on the child during the rescue process that might physically or emotionally harm the child.
5. The child should be informed as to why he/she is being removed from the place of work and reassure the child that he/she has not committed any crime or done anything wrong but that they will be taken care of and sent back to their families.

6. The persons involved in the rescue should be gentle and not use language that is threatening or use physical force when a child might refuse to be taken away from the place of work.
7. The child should also be reassured that his/her wages and personal belongings will be collected from the employer and handed over to him/her.
8. Provisions for Trauma Counseling, health and medical care to be in place.

III. Guidelines for Voluntary Organizations and Government Shelter/children's Homes *

* It is imperative that minimum standards for establishment and management of homes /shelters are developed and ensured at the earliest.

1. On arrival at the shelter home/transit home/reception center the child should be welcomed by a social worker of the agency, given refreshment and made comfortable. Children should be provided with necessary clothing, towels, slippers and toiletries on their arrival. There should be adequate arrangement for sleeping, bathing and toilet facilities.
2. Once the child is comfortable, only then should the agency social worker(s) /counselor(s)/ facilitator(s) should document the case study/profile of the child.
3. The social workers/counselors who are given the task to document the personal details of the children should have the skills in interviewing children so that they are not further traumatized by the process.
4. The social worker(s) / counselors would interview the child (ren) according to a prescribed format and prepare case study of each child that would have information of name, age, sex, family address, parents names and for how long the child worked in the present employment and wages paid and yet owed to him/her. Any sickness/wound that needs to be attended to.
5. Each child's case-study/profile should have all details related to dues, belongings etc. These may be shared with the law enforcement agencies for proper legal actions. Enough copies should be made in order to share with the child, parents and all other concerned agencies.
6. All the above details should be noted down very clearly and precisely so that it helps at the time of restoration.
7. Counseling services must be provided to every child at the VO/Government Shelter/Children Home. The counselors must note down the case details and take note of untoward incidents or experiences of abuse reported by children. Furthermore, mental and medical care support must be provided in the event of abuse.
8. In cases where rescued children have been victim of abuse and exploitation the concerned VO's/Government Shelter/Children Home functionaries must in consultation with the child lodge a First Information Report at the nearest Police Station. The child must be informed of the legal procedures and assured all kinds of support. The FIR should contain details of location and description of crime, victim and accused, chronology of crime right from the time the child came on his/her own, was brought or trafficked. The FIR should be as detailed as pos-

sible. The child/guardian should receive a copy of the FIR and one copy should be kept in the safe custody of the VO/ Government Shelter/Children Home.

9. The functionaries of the VO/Government Shelter/Children Homes must ensure that the child does not come in contact with the employers, traffickers or any such person.
10. The rescued child should be produced before the Child Welfare Committee within 48 hours of his/her recovery. If that is not possible CWC should be informed about the rescued children.
11. Children should be accompanied by a social worker/caretaker/responsible agency representative whenever they are to be restored to their family.
12. Qualified medical personnel at the Shelter/Government Shelter/Children Home should conduct health checkup and provide necessary medical care. Counseling should be part of the healthcare provided.
13. Children should be engaged in educational and recreational activities by trained educators during their period of stay at the transit centers/shelters/homes. Simultaneously they should be prepared for their repatriation/integration with the family.

IV. Guidelines for the Child Welfare Committee members

1. In case of large numbers of children it is important that CWC shall meet the children at the place of stay.
2. Strengthening CWC with increased numbers of qualified social welfare officers to handle additional work load generated by this GOI order.
3. In order to address the additional work load created by the notification more CWCs to be created.
4. CWC should also be provided with additional infrastructure, including transportation and child friendly spaces.
5. CWC should function 5 days a week.
6. CWCs must identify fit institutions and short stay homes where children can be provided transit care and protection facilities.
7. Children rescued from child labour are also recognized as "children in need of care and protection", by the Juvenile Justice Care and Protection of Children Act 2000, and should be produced before the CWC by the concerned departments/voluntary organizations.

V. Guidelines for the Social Welfare Department

1. Issue licenses to institutions, where children rescued from hazardous child labour can be kept in safe custody. This list should be circulated to all Police Stations, CWCs and VOs.

2. Issue licenses to VOs where children with disabilities can be kept in safe custody.
3. Assign trained Child Welfare Officers/other officers of the department to accompany the Child Protection Team during rescue operations and restoration processes.
4. Should undertake awareness drive against employment of children in hazardous occupations.
5. Identify and renovate spaces available with the state government i.e. social welfare department/rural development department/labour department/education department to be used as temporary short stay/transit shelter homes for rescued children.
6. State government to negotiate with MCD/NDMC to provide spaces (including night shelters) available with them to be used as temporary short stay/transit shelter homes for rescued children.
7. Arrangement between Social Welfare and Labour Department to maintain a continuous liaison with each other to jointly plan operations and programs.

VI. Guidelines for the Labour Department

1. Training of functionaries on identification and legal provisions for children in hazardous occupations.
2. Assembly-Constituency wise mapping with the help of VOs and other stakeholders to find out the concentration of child labour working in hazardous occupations in different parts of Delhi.
3. Play an active role in the Delhi State Task Force on Child Labour by providing, collating and disseminating data pertaining to child labour concentration, coordinating with the Child Protection Team, Police and VOs/Government Shelter/Children Homes during the rescue operations and ensuring legal action on the employers.
4. The Labour Department functionaries should immediately carryout all the documentation work pertaining to the names, addresses of the rescued children and names and whereabouts of their employers. Labour Department must ensure that in each case the employers are penalized.
5. Licensing, monitoring and prosecution of placement agencies, employment agencies and individual employers.

VII. Guidelines for the Police Department

1. Special Juvenile Police Units (SJPU) to be set up in every District Child Welfare Officers (CWOs) to be assigned in every Police Station, as specified under the Juvenile Justice Care and Protection of Children Act, 2000. These officers shall be given additional charge to deal with the rescue and protection of children in hazardous occupations. There should be intensive training of the Police personnel on the rights of the child and provisions of the Child Labour Prohibition and Regulation Act, 1986.

2. SJPU/CWOs should be trained in interviewing children.
3. The Delhi Police Commissioner should be part of the Delhi State Task Force on child labour.
4. The Police must not ignore or overlook critical information about children working in hazardous occupations.
5. Police must take legal action against the employers.
6. Police must record the child's statement in presence of her/his lawyer and a social worker
7. Special Juvenile Police Units and Child Welfare Officers in the Police Stations must always be available to the Child Protection Team, VO's and Labour Department, even on a short notice, during rescue operations.
8. A circular should go to all Police Stations from the office of the Police Commissioner informing new notification and what is expected of them. The circular could also include information about the location of VO's/Children Homes where children are being kept directing them to provide security to these places on a priority.
9. There should not be delays in lodging FIR in case children come up with complaints of abuse, extortion and exploitation.
10. Police during rescue operations should wear plain clothes and not uniforms and shall not carry weapons, lathies etc.
11. Every Police Station should maintain a register where employers wanting to release children from work can report about the children's details. The employers themselves have to produce children in the CWC and make arrangements for their restoration and rehabilitation.

VIII. Guidelines for Media representatives

1. Media should observe constraint in reporting on the issue as irresponsible reporting often result in further victimization of children.
2. Media should play a positive role by making people aware about the Law and become a catalyst of change in attitudes towards children. Media should also highlight the laws of the land pertaining to safeguarding and protecting children's rights.
3. Media should highlight success stories and good practices.
4. Media personnel should take the consent of the child and responsible adult prior to taking photographs or interviewing the child.
5. A copy of the finished article/write-up/electronic coverage should be shared with the child and responsible adult before going for publication/telecast.

6. Media personnel should follow domestic and internationally accepted norms on interviewing, photographing and reporting children's stories/issues.
7. Media personnel should respect the views of the child if the child does not want to be photographed or interviewed.
8. Media personnel can only interview the child in the presence of a caretaker/responsible adult, he or she should be gentle and not interrogate or ask personal and insensitive questions that would make the child uncomfortable.
9. A child who has been abused should not be interviewed or photographed.
10. Press Council of India, and related authorities for electronic media, should propagate, disseminate and enforce the code of ethics promoting and protecting child rights.
11. Staff members of the media houses should be trained on child rights issues.
12. Media should be accessible and open to children's expression of their own opinions without inducement of any kind.
13. Media should strive for standards of excellence in terms of accuracy and sensitivity when reporting on issues involving children. It should avoid use of stereotypes and sensational presentation to promote journalistic materials involving children. Avoid programming and publication of images which intrude upon the media spaces of children with information which is damaging to them. Media should consider carefully the consequences of publication of any material concerning children and shall minimize harm to children.
14. Media should guard against visually or otherwise identifying children unless it is demonstrable in public interest.

IX. Guidelines for the Local Community

1. The community/RWAs should be sensitized about hazardous child labour, the harm resulting out of it and what to do in case they have knowledge of such incidents. Community members should be motivated to keep a watch of children being employed in contravention of the law.
2. The community members should be informed that they can report cases of the children working in the hazardous occupation to the Police Station /gram sabha/ Panchayat/MCD/NDMC/ Labour Department/VOs/Helplines and other designated places for this purpose. They should also be encouraged to contact the above officials/departments with out any fear.
3. Employers of child domestic workers shall not hand over children to VOs but will have to themselves make all arrangements for their restoration and payment of dues etc.
4. RWAs should ensure that no household employing a child as domestic worker will not throw out the child from the house or put the child in a train/bus to go back home so as to not to attract

punishment from the labour department. The employers must make safe arrangements to restore the child back to her/his parents. All employers will have to inform CWC of their intention to restore the child and fulfill all the legal formalities as prescribed under the JJ Act and Labour Act, i.e. payment of all dues belongings etc.

5. Involve community in rehabilitation of the victim.
6. The local community in the vicinity of work place should be taken into confidence during rescue operations; this helps in identification of children put clandestinely to work and also prevents hiding or disappearance of children.
7. The families of rescued child laborers should be part of government rehabilitation/anti poverty programmes.
8. The local community/RWAs should be sensitized and empowered to be watchdogs against employment of children in domestic work.

X. Guidelines for the Elected Representatives (MPs, MLAs, Municipal Councilors)

1. The elected representatives should support the Task Force in its pursuit.
2. In no case they should influence the Task Force/Child Protection Team/VOs/Police or the Labour Department for the release of any arrested person.
3. The MPs and MLAs and other elected representatives should not influence release of children before all legal formalities are completed. The MPs, MLAs and Councilors should be responsible for the constitution of the Task Force in their areas/constituency within 6 months of the adoption of this Protocol.
4. They should let the general public know about the child labour laws and rights of the children. Their agenda should also include protection of children.

XI. Guidelines for the Religious Bodies

1. Help in maintaining communal harmony during the rescue processes.
2. Support during transitional stay and care.
3. Religious heads while addressing their congregation should include child rights issues.

B. STRATEGY FOR RESTORATION, REHABILITATION AND PREVENTION

1. Reintegration of child with the family should be the first option and in the best interest of the child.

2. Rescued child should be sent back to his/her family by ensuring acceptance and family support, to prevent his/her re-entry into hazardous work.
3. The entire Rehabilitation Package should be made available to the child and the family within a span of 2 months.
4. Each child's home addresses and other details are properly taken and confirmed by verifying with the District Administration.
5. It would be better and economical if children belonging to same home districts are restored together in groups.
6. Children should be handed over only to parents and close relatives after their signatures are obtained on bond papers. It would be beneficial for the child if the local administration is also involved in the process of restoration.
7. The accompanying social worker should take the opportunity of having meetings with the community, gram-sabha and Panchayat members about situation of children sent to work in cities. They should also be apprised of the law that has banned children working in hazardous occupation.
8. The process of restoration should start as soon as each child's counseling has been done and all relevant information has been obtained. The CWC's recommendations are also important in this regard.
9. If parents come on their own to receive the child at the VOs/ Government Children's Home their identity must be verified before handing over the child.
10. The parents of the rescued children and families below poverty line should be issued with BPL cards and linked with anti – poverty and rural development programs of the government. At least 2 members of the child's family should be given employment under NREG Scheme.
11. 1 member of the family to be guaranteed work for 365 days with minimum wages.
12. Education Department to play an effective role in prevention of child labour by organising awareness campaigns and school enrolment drives in areas where there is a concentration of child labourers or high dropout rates.
13. Schools to ensure quality free education which also includes free books, uniforms, shoes, mid-day meals and school health programme.
14. Schools should also make arrangements for bridge courses so that children who had dropped out could re-enter the school system. The programme could be implemented through NGOs.
15. Vocational Training programmes linked to available employment/market requirements to be set up at Panchayat levels. Credit facilities under existing Government schemes to be provided to the trainees.

16. Anti poverty programmes to target families of rescued children.
17. Family and child counseling centres should be set up in the source areas.
18. Alternate care arrangement for children without family should be developed.
19. Alternate arrangements to be made for children who do not want to go back home. However in all matters related to the child, the child should be consulted before decisions are made.
20. Strengthen Department of Women and Children or create one in case not in existence.
21. Railway should have a special cell for coordination with the STFCL for safe restoration of children and also be vigilant of groups of children or a single child traveling in trains so as to prevent trafficking of children.
22. Involve teachers and anganwadi workers to report cases of trafficked children to the nearest Police Station/Panchayat/District Collector's office.
23. A list to be drawn up of Voluntary Organisations providing non institutional alternate care at State and District Level.

C. STRATEGY FOR PROSECUTION

1. On receipt of the complain, the childline / the police / any revenue department official (as per Bonded Labour Act) /the labour inspector should immediately register a complaint with the police Under the appropriate provisions, and present the child before the CWC without delay.
2. The Prosecution shall in association with concerned government departments and Commissions for Protection of Child Rights (National and State) as well as Child Rights Voluntary Organizations, ensure that all Magistrates and staff of the Courts, lawyers, doctors, investigating officers, Probation officers, Voluntary Organization personnel on panel of the prosecutors, should be trained on child rights with special emphasis on child labour and the need to effectively protect and meet the needs of child victims and witnesses.

This training should include:

- a) Relevant human rights norms, standards and principles, including the rights of the child; Principles and ethical duties of their office;
- b) Child Labour (Prohibition and Regulation) Act;
- c) Bonded Labour Systems Abolition Act 1976;
- d) M.C. Mehta Judgments and the Procedures prescribed in it;

- e) Signs and symptoms that indicate crimes against children;
- f) Crisis assessment skills and techniques, especially for making referrals, with an emphasis placed on the need for confidentiality;
- g) Impact, consequences, including negative physical and psychological effects, and ill effects/ trauma of crimes against children;
- h) Special measures and techniques to assist child victims and witnesses in the justice process;
- i) Cross-cultural and age-related language, religious, social and gender issues;
- j) Appropriate adult-child communication skills;
- k) Interviewing and assessment techniques that minimize any trauma to the child while maximizing the quality of information received from the child;
- l) Skills to deal with child victims and witnesses in a sensitive, understanding, constructive and reassuring manner;
- m) Methods to protect and present evidence and to question child witnesses;
- n) Roles of, and methods used by, professionals working with child victims and witnesses.

The training programme shall include both-

- a) orientation and training of the newly recruited staff
- b) refresher training courses at least once in 3 years, and

recognizing and preventing intimidation, threats and harm to child victims and witnesses.

The approach of the prosecution towards the child victims and witnesses should be of sensitivity and care and as soon as possible under the guidance of people trained for the purpose.

3. The Prosecution should ensure that upon the receipt of any complaint either from the police, or a private person or the victim child, immediate steps are taken by the CWC to ensure that the rescued children are in a safe and hygienic place, adequately protected and with facilities for proper food, medical care, recreation and sports, shielded from any form of hardship, abuse or neglect, including physical, psychological, mental /emotional and are not accessible to the perpetrator. The CWC should Place the child to any licensed organization/home under JJ Act.
 - i) The child should be offered free food, shelter and travel till the case is pending.
 - ii) The prosecution should keep a tab and on coming to know, shall immediately notify appropriate authorities if they suspect that a child victim or witness has been harmed, is being harmed or is likely to be harmed.

- iii) The Prosecution shall ensure that there is no direct contact between child victims and witnesses and the alleged perpetrators at any point in the justice process;
4. The Prosecution shall ensure that when a child is rescued there is immediate medical check up including comprehensive assessment to ascertain any injury- physical and/ or psychological for which treatment/ therapy may be needed. This should be arranged on priority. The child should thereafter be taken for regular medical check ups and provided with free Medicare as and when needed. The records must be preserved for court purposes including litigation for damages/ compensation.
The age assessment should also be done during the first medical check up and as the age determination may vary, arrangements should be made in the best interest of the child by obtaining some supporting evidence.
5. The Prosecution should ensure that following the preliminary protection granted to the child, in addition to and independent of the statement recorded by the police and statements be recorded also under section 164 of the Code of Criminal procedure.
6. The Prosecution shall ensure that the accused is immediately arrested, and enough property of the accused is attached to ensure the payment of financial liability to be decided by the court.
7. The Prosecution shall ensure that whatever cost is incurred by the victim or any of the Prosecution Witnesses in travel etc shall be reimbursed without any inconvenience whatsoever.
8. The Prosecution shall ensure that each case is assigned to at least two committed legal aid lawyers/ or lawyers of child's choice, both of whom would be equally answerable for the purposes of strict accountability, and each one of the lawyers :

The Prosecution should keep a tab on investigations and ensure that the same should not be carried out in ways that:

- i. are psychologically damaging to children;
- ii. put children at risk of intimidation or physical danger; undue disruption to their lives, identities or economic security, during the period before and after court proceedings; the best interests of the child (Article 3(ii) of the Convention on the Rights of the Child) and the right to have his/her opinion taken into account The Prosecution shall be duty bound to prevent any undue interference in the child's private life while high standards of evidence collection are maintained in order to ensure fair and equitable outcomes of the justice process.

The prosecution shall ensure that interviews, examinations and other forms of investigation should be conducted by trained professionals who proceed in a sensitive, respectful and thorough manner

9. Ensure that the case is prosecuted in a court which is located to suit the convenience of the Child and for the purpose file for transfer of the case if needed.

10. Every child is a unique and valuable human being and as such his or her dignity should be respected;

The Prosecution shall ensure that each child should be treated as an individual with dignity, special needs, interests and privacy, wishes and feelings and afforded equality as per Article 14 and 15 of the constitution of the country, regardless of his or her or the parent or legal guardian's race, ethnicity, colour, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability and birth or other status; that the *justice process and support services available to child victims and witnesses and their families should be sensitive to the child's age, wishes, understanding, gender, sexual orientation, ethnic, cultural, religious, linguistic and social background, caste, socio-economic condition and immigration or refugee status, as well as to the special needs of the child, including health, abilities and capacities.*

11. The Prosecution shall ensure that at least two committed legal aid lawyers and a support person whom the child has confidence in are assigned each case both of whom for the purposes of strict accountability:

- i. ought to keep a tab on investigation, with the assistance of court if required, putting questions to the investigators which are likely to be raised in the court, keeping records of the same, bring to their attention any vital/ important area that is being ignored, as well as assisting the investigators actively as and when possible.
- ii. shall be responsible for meticulous maintenance of file and pursuance of the case with complete compliance of court directives on time and in the best interest of the child.
- iii. should try to ensure that charge sheet is filed at the earliest and if possible within 15 days of the commencement of investigation, because the nature of the case is such that the investigation would not Child Labour cases it is very much possible.
- iv. should ensure that the accused is not allowed to misuse the process of law or any 'loop-hole' as such to circumvent the laws.
- v. should ensure minimal adjournments are allowed by the court and shall be strictly accountable for non compliance with the case orders, absence, wrong recording of statements, non payment of PF/RC, non execution of court orders, delayed or no appeal/ revision, and/ or slackness otherwise.
- vi. Should ensure appropriate proceedings like Appeal/ Revision etc. as and when needed/ required.

12. The Prosecution shall ensure that every child victim is afforded the opportunity to express his or her views, opinions and beliefs freely, in his or her own words, and to contribute especially to the decisions affecting his or her life, including those taken in any judicial processes, and to have those views taken into consideration according to his or her abilities, age, intellectual maturity and evolving capacity, in a non threatening manner and environment and to be treated with dignity and compassion.

The Prosecution shall ensure that trials take place as soon as practical, unless delays are in the child's best interest.

The Prosecution shall also ensure as far as possible and with the co – operation of the courts the use of child-sensitive procedures, including services of interdisciplinary experts (if need be at the courts itself), modified court environments that are child friendly, so that it is non threatening to a child, recesses during a child's testimony, hearings scheduled at times of day appropriate to the age and maturity of the child, an appropriate notification system to ensure the child goes to court only when necessary and other appropriate measures to facilitate the child's testimony like the presence of a support person and a informal approach as well as environment, that child victims and witnesses are questioned in a child sensitive manner directly by the judges, and reduce potential intimidation, for example by using testimonial aids or appointing psychological experts, prevent aggressive and confusing questioning or cross-examination of the child and that services are made available before the beginning of court to prepare the child and reduce anxiety about testifying.

The Prosecution shall also ensure that the proceeding is comprehensible to—

- (i) the child; and
 - (ii) the child's parents; and
 - (iii) all other parties who have a direct interest in the proceeding; and
 - (a) seek to satisfy itself with due consideration of the best interest of the child that She/he understands the nature and implications of the proceeding and of any order made in the proceeding; and
 - (b) allow—
 - (i) the child; and
 - (ii) the child's parents and all other parties who have a direct interest in the proceeding—to participate fully in the proceeding; and consider any wishes expressed by the child
12. The Prosecution shall ensure witness and evidence by protection, and for the purpose also ensure that they are made part of the court record as soon as possible.
13. The Prosecution should develop and implement measures to make it easier for children to testify or give evidence to improve communication and understanding at the pre-trial and trial stages; and provide certainty about the process, including providing child victims and witnesses with clear expectations as to what to expect in the process, with as much certainty as possible. The child's participation in hearings and trials should be planned ahead of time and every effort should be made to ensure continuity in the relationships between children and the professionals in contact with them;
14. The Prosecution should make every effort to enable child victims and witnesses to express their views and concerns related to their involvement in the justice process, including by:

- a) Ensuring that child victims and witnesses are enabled to express freely and in their own manner their views and concerns regarding their involvement in the justice process, their concerns regarding safety in relation to the accused, the manner in which they prefer to provide testimony and their feelings about the conclusions of the process;
 - b) Giving due regard to the child's views and concerns and, if they are unable to accommodate them, explain the reasons to the child.
- 15. The Prosecution shall protect the Right to Privacy of the child victim with zeal with measures to protect children from undue exposure to the public as per the best interest of the child.
 - 16. Provided that the High Court shall not pass an order under this section prejudicial to any person without giving him a reasonable opportunity of being heard.
 - 17. The prosecution shall ensure that the victim and his/her parents/support person understands the case by translations if needed.
 - 18. The Prosecution shall maintain a panel of lawyers, doctors, civil society organizations, other people and agencies who work for the children, and organize trainings to sensitise them periodically and coordinate with them for the purpose.

The Prosecutors shall also maintain a data base of all children rescued, keep a follow up so that they do not relapse, all cases contested their results, orders of the courts executed or not executed along with reasons for the same and whether some other child has/d been brought as replacement by the accused for the child rescued, and let the authorities like the DJ, DC, SP, CWC and Voluntary Organizations etc. know the same. The Prosecutors shall also publish a shame list of violators of child rights.

3. ORIENTATION/TRAINING OF FUNCTIONARIES

As an immediate step we propose to develop a training module for orientation of the functionaries of Police Department, Labour Department and other concerned departments. The module will be based on:

- a. Constitutional provisions and guaranties for children
- b. UN Convention on the Rights of the Child
- c. Child Labour Prohibition and Regulation Act, 1986 and National Child Labour Policy, 1987.
- d. Notification Banning employment of children as domestic servants and in dhabas from October 10th 2006.
- e. Implications of this notification on children working as domestic servants and in dhabas.

4. ARRANGEMENT OF ACCOMMODATION AND TRANSIT SHELTERS

A list of NGOs who have been contacted to participate in providing transit and short stay facilities with resources and support from the Government:

S. No.	Name of the concerned person, organisation and address	Phone No
1.	Mr. Raj Mangal Prasad Vice – President Programme AFD (Pratidhi) Sakerpur Police Station, 1st Floor, Pushta Road, Ramesh Park, Delhi -92	Tel: 22527259 (M): 9891788455 Email: pratidhi.org@rediffmail.com
2.	Ms Rita Panicker Director Butterflies Programme with Street and Working Children U-4, Green Park Extension New Delhi-110016	Tel: 91-11-26163935, Fax:26196117; 26191063 e-mail-butterflies@vsnl.com Website- www.butterflieschildrights.org
3.	Mr. M.M. Vidyarthi SAMARTH B-58, Tagore Garden Extn. New Delhi – 110 027	Tel : 25193726 Fax : 5449682 (M) 9810240835 Email: vidyarti@bol.net.in
4.	Mrs. Praveen Nair Managing Trustee Salaam Baalak Trust, 2 nd Floor, DDA Community Centre, Chandiwali Gali, Paharganj Main Market, New Delhi 110055	Tel. : 23589305, 23584641 Fax : 23584164 (M) 9818257109 E-mail: salaambt@vsnl.com
5.	Father Jose Mathew Director Don Bosco Ashalayam Old Najafgarh Road, Near Ashram Gali, Palam Chowk, Palam Colony, New Delhi 11045	Tel: 25070098, 25070102 25070103 Fax: 25075227 (M): 9313558433 ashalayam@mantraonline.com childlinewest@yahoo.com
6.	Mr. Rajib K. Haldar Executive Director Prayas Institute of Juvenile Justice 59, Tughlakabad Institutional Area New Delhi - 110062	Tel: 29955505, 29956244 Fax: 29955505 Email: prayas@del6.ndf.vsnl.net.in rajibhaldar@rediffmail.com
7.	Father Monodeep Daniel Director Delhi Brotherhood Society 7, Court Lane , Delhi-110054	Tel: 22577911, 22577917 Email: mono@del2.vsnl.net.in
8.	Sister Jothi, Chief Executive Asha Deep Foundation D-81, Shahid Nagar, Ghaziabad, U.P.	Tel. : 95120-2626309, 95120-2610498 (M) 9810009497 Email ashajim@vsnl.net
9.	Mrs. A.V. Kumar Hony. General Secretary PALNA Delhi Council for Child Welfare Qudsia Bagh, Yamuna Marg, Civil lines, Delhi –54	Tel 28524789 Fax 23944655 Email: palna@bol.net.in

S. No.	Name of the concerned person,organisation and address	Phone No
10.	Ms. Rekha Kapila General Secretary YWCA 10, Sansad Marg (Parliament Street), New Delhi-110 001	Tel: 23340294 / 23345235 Fax: 23341763; E-mail: ywcaind@vsnl.com
11.	Rnt T. K. Mathew Secretary and Chief Executive Deepalaya 46, Institutional Area, D – Block Janak Puri New Delhi – 110 058 info@deepalaya.org	Tel: 25590348(D) 25590347, 25548263, 25595326 Email: tkmathew@deepalaya.com www.deepalaya.org
12.	Mr. Devendre Director General Bal Sahyog , Connaught Circus, Opp. Nirula's Hotel, Near Kaka da Dhaba, New Delhi-110 001.	Tel. 23411995, 23411273(Director) E mail : balsahyog@bol.net.in , balsahyog@yahoo.co.in
13.	Mrs. Geeta Sidhartha Secretary General ICCW , 4 Deen Dayal Upadhyaya Marg, New Delhi.	Tel: 23239539, 23232427 and 23234508.Fax: 23232427, E-mail: iccw@del3.vsnl.net.in
14.	Mr. Kailash Satyarthi Bachpan Bachao Andolan L-6, Kalkaji, New Delhi – 110019	Tel: 26475481, 26224899 Fax: 2623618 saccc@ndf.vsnl.net.in
15.	Swami Agnivesh Bandua Mukti Morcha Dayanand Bhawan 3/5 Asaf Ali Road Near Ram Leela Ground, New Delhi – 11002	Tel: 23261843 Fax: 23261926 Email: agnivesh@vsnl.com
16.	Mr. J. N. Kaul SOS Children's Village of India A-7, Nizammudin West, New Delhi	Tel: 24355835, 24359734 Fax: 243572299 Email: soscvj@vsnl.com
17.	Mr. Edward Daniel Child Watch India 13, Raj Niwas Marg, Civil Lines, New Delhi – 110054	Tel: 23958272 M: 9811131776
18.	Mr. Rajesh Ranjan Singh Project Concern International 7B, Extension 110A, Safdarjung Enclave, New Delhi	Tel: 26187754, 2687870 Fax: 26187545 Email: concer@pciindia.org

D. STAKEHOLDERS AND ROLES OF EACH OF THEM (Please refer to the Protocol for the Roles)

1. State Government
2. Voluntary Organisations
3. State Task Force on Child labour
4. Child Protection Team (at the state level)
5. CWC
6. Social Welfare Department
7. Labour Department (Factory inspectors, and Labour Inspectors)
8. Revenue Department
9. Health Department
10. Education Department/Schools
11. MCD/NDMC
12. Police
13. Media
14. Judiciary
15. Local Community
16. Elected Representatives (MPs, MLAs, Municipal Counselors)
17. Religious Bodies
18. UN Agencies/INGOS
19. Residents' Welfare Association
20. Corporates/Industries
21. Market/Traders/Hotel owners Association

E. INDICATORS (MONITORING)

1. Agreement on a baseline figure of children involved in domestic service/hotels/eateries and other hazardous occupations
2. School enrolment figures and drop out rates
3. Children rescued (Voluntary Organisations, Police and CWC figures)
4. Children reporting for help
5. Children repatriated
6. Children's families supported back home
7. Number of placement agencies registered
8. Number of families reporting request for return of children
9. Number of radio programs broadcasted in source areas
10. Number of employers against whom action initiated by labour department
11. Number of rescued children enrolled for skill development for livelihood and Non Formal Education
12. Number of below poverty line families of rescued children linked with poverty alleviation programs
13. Number of networkings established in the source states with the Government and Non Government agencies
14. Feedback from the source states in relation to repatriated children's retention in the family and education

F. PUBLIC REPORT

A half yearly quarterly report in a public friendly language to keep civil society informed and mobilized

TENTATIVE BUDGET FOR RESCUE AND RESTORATION OF 100 CHILDREN

S.No.	Item	Description	Amount (per month)
A. Child Related Expenses			
1	Food and nutrition	100 x Rs. 50 per day	150000
2	Toiletries (Soaps, paste, etc.)	100 x Rs. 50 monthly	5000
3	Beddings	100 x Rs. 400 per unit	40000
4	Clothing	100 x Rs. 200 per unit	20000
5	Other items (slippers, towels)	100 x Rs. 50 per unit	5000
6	Health checkups including emergency		20000
7	Counseling	Rs. 10000 x 2 Counselors	20000
8	Legal Aid (for recovery of wages and other things)		25000
9	Home restoration	Rs. 2500 per child x 100	250000
10	Sports and enrichment materials		10000
B. Administrative Expenses			
11	Honorarium to temporary care takers	8 care takers in 3 shifts (1 per 50 children & 2 relievers) x Rs. 4000	32000
12	Honorarium to supervisors	2 supervisors in 2 shifts x Rs. 10000	20000
13	Communication and stationary		10000
14	Travel expenses		5000
15	Miscellaneous		5000
Total			617000

Total estimated expenditure involved in rescue and restoration of 100 children from child labour:
Rs. Six Lakhs Seventeen Thousands.

THE CONSULTATION ON CHILD LABOUR

From Banning to Moving Ahead



India International Center
28th August 2006



Programme with street and working children

Butterflies Programme with Street & Working Children

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