

# CHILD HOPE

Newsletter on Child Labour Vol. 2, No. 10 & 11, Jan. - March & April - June, 2013

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## From the Director General's Desk

Child labour, poverty and natural disasters are closely linked. Floods cause economic and development shocks by devastating human lives, destroying infrastructure and means of production and disrupting essential services. Death and disabilities, production loss, unemployment, underemployment, losses of incomes, inflation and scarcity of food are some of the consequences. Natural disasters have the disruptive power on socio-economic systems. The poorest of the population carry the heaviest burden of the damaging effects of disasters due to inaccessibility to resources, opportunities and insensitivity to risks.

When the economic situation gets worsened due to the aftermaths of natural disasters, to cope up with the income loss of the adult members of the households, very often, children are sent to work. Natural disasters have deleterious consequences on nutrition, health and education of children. Education and learning conditions of children are worsened when schools and other education-related infrastructure and roads leading to schools are obliterated by Floods. Even after restoring and renovating the schools, children who have migrated along with their families do not return and they continue to remain out of school and may be at work.

Temporary hazards of natural disaster not only limit the years of schooling attainment but also can have persistent repercussions on children. Adverse nutrition may lead to premature onset of chronic diseases. Poor health and malnutrition at early stages in life tend to reverberate in school performance, cognitive development and then productivity and earnings. Therefore, the impacts of natural disaster on children need to be properly and timely addressed on priority.

In the event of destruction of schools buildings and other related infrastructures by the floods, education should be offered in non-formal settings. Such a structured environment will facilitate providing food, water, health care, clothing, counselling etc., for children, in addition to education. It will also enable the children to play and have a normalizing effect for the whole community. Special efforts should be made to identify and locate those children who are orphaned or dislocated from the parents or guardians and to access them with basic necessities, such as food, water and other life-saving services. Children without families are to be particularly safeguarded from abuse, labour exploitation and other vulnerabilities.

## Child Labour Programme conducted by the National Resource Centre on Child Labour (NRCCL)

The 'Training Workshop on Making National Child Labour Projects Effective' was organized from April 15th to 18th at the V.V. Giri National Labour Institute, Noida, as one of the activities of the ILO Convergence Child Labour Project which the Institute is implementing. The aim of the workshop was to build the capacity of officials of NCLPs towards effective implementation of National Child Labour Projects. The objectives of the Training Workshop were to impart skills of identifying children at work for effective rehabilitation; to familiarize with existing mechanisms, schemes and services and to equip them with abilities towards forging convergence among various schemes focusing on Child Labour families; to develop understanding on financial aspects of NCLP and Direct Benefit Transfer scheme; and to share successful experiences of child labour prevention and elimination. Thirty-four participants attended the training-workshop from 18 NCLP districts namely Tirunelveli, Virudhnagar and Tiruchirapalli



of Tamil Nadu; Hasanpura of Rajasthan; Panipat of Haryana; Damoh, Jabalpur and Sidhi of Madhya Pradesh; Sundergarh and Bolangir of Odisha; Begusarai, Nalanda and Gaya of Bihar; Bilaspur of Chhattisgarh; Nasik and Thane of Maharashtra; Hooghly and Birbhum of West Bengal and Moradabad of Uttar Pradesh. Besides the Institute's faculty, officials from different Central Ministries and UN organizations interacted with the participants.

### Second SAARC Regional Workshop on Child Labour

Second SAARC Regional Workshop on Child Labour was conducted during 29<sup>th</sup> to 31<sup>st</sup> May 2013 in New Delhi to share experiences and to draw lessons from the successful experiences of different countries in the SAARC Region. The Workshop was organized by Ministry of Labour & Employment, Government of India, V. V. Giri National Labour Institute (VVGNI) and the ILO. Participants of the workshop comprised of senior government officials, representatives from Employers' Federations and Workers' organizations from the SAARC countries. The themes of the workshop were (i) Combating Child Labour: Challenges and Good Practices, (ii) Child Labour: Trends and Patterns, (iii) Right to Education and Elimination of Child Labour, (iv) Combating Child Labour: Initiatives and Interventions, (v) International Instruments, Legal Framework and Judicial Interventions on Employment

of Children. The specific objectives were to (i) promote a comprehensive and gender-sensitive approach to the understanding of child labour magnitude, trends and patterns, (ii) showcase achievements and discuss challenges and priorities





from the countries and also to discuss the legal framework, policies, interventions and institutional structures to end child labour and protect adolescents at work in the SAARC countries and (iii) to identify potential indicators for monitoring progress on prevention and elimination of child labour through the SAARC Development Goals.

Shri V.P. Yajurvedi, Director General, V.V.Giri National Labour Institute welcomed the dignitaries and delegates of the workshop. **The workshop was inaugurated by Shri. Kodikunnil Suresh, Honourable Minister of State, Labour and Employment, Government of India.** In his inaugural address, the Minister stated that child labour denies children of their childhood and dignity, and children need to be seen as one of the most important assets. The honourable Minister touched upon the need for integrated approach to eliminate child labour. He mentioned that the South Asian region has the capacity and the means to realize the elimination of child labour and stressed the need for greater south-south cooperation.



Mr. A.C. Pandey, Joint Secretary, Ministry of Labour and Employment, Government of India, in his address gave an overview of child labour in the SAARC countries. He also detailed the various initiatives and strategies adopted by the national Governments to tackle the issue.

Mr. Manish Chauhan, Joint Secretary (SAARC), Ministry of External Affairs, Government of India, in his address stressed on the need for understanding of challenges and addressing them through mutual cooperation among countries. He also mentioned that the problems emerging out of ever expanding informal sector in most of the South Asian countries, need to be addressed focusing on mutual growth, development and trade in the region.

Mr. Ibrahim Zuhree, Director, Social Affairs, SAARC Secretariat, in his address stated that 38 per cent of the population of South Asia is under 18 years of age which is both a huge development opportunity and also a challenge. Therefore, there is a need to ensure that the young people have





adequate opportunities to be successful in their lives.

In her address, Ms. Constance Thomas, Director, IPEC mentioned that elimination of child labour can be effectively done through regional cooperation based on mutual respect, solidarity and experience sharing as the solutions and strategies need to emerge from the region. She further mentioned that this regional workshop would feed into the 3rd Global Conference on Child labour, which will be held in Brazil with a focus on south-south cooperation.

Ms. Tine Staermose, Director, Decent Work Technical Support Team (DWT), International Labour Organization (ILO), detailed the prevalence of child labour in the South Asian region and highlighted the critical need for such regional workshop. She also touched upon the need for inclusive growth in the region. She reiterated the importance of education as a key strategy to end child labour, and the dire need to ensure employment opportunities for the youth

population in the region. Mr. H. K. Jethi, Director, Ministry of Labour and Employment, Government of India, proposed a vote of thanks.

The inaugural session also included testimonials from Mr. Ramalingam and Mr. G. Mohan, who were the former students of NCLP Special Schools from Salem and Namakkal Districts of Tamil Nadu. Forced by economic compulsion of their families, Mr. Ramalingam was working in the powerloom factory and Mr. Mohan in the silver industry. The NCLP Project staff located them when they were at work in these hazardous sectors and enrolled them in the NCLP Special School. On completion of bridge education they were mainstreamed into formal education and got ultimately access to professional education. Due to the intervention of NCLP, the lives of both Mr. Ramalingam and Mr. Mohan are transformed. Enrolled in a medical college in Tamil Nadu, Mr. Ramalingam is pursuing his studies in medicine. After his graduation in Engineering, Mr. Mohan is presently working as a Software Engineer in a reputed software company in Chennai.



The valedictory address of the Second SAARC Regional Workshop on Child Labour was delivered by Dr. Mrutyunjay Sarangi, Secretary, Ministry of Labour and Employment, Government of India. In his address, Dr. Sarangi, stressed the need for inclusive growth, and to address the social and economic inequalities in the SAARC countries. Dr. Mrutyunjay Sarangi noted that changing mindsets is crucial in eliminating child labour and suggested using mass media tools such as feature films to bring about change in the social- cultural norms that perpetuate child labour.

## Second SAARC Regional Workshop on Child Labour 29-31 May 2013, New Delhi, India

### *Commitment Statement of Workshop Participants*

Following the Second SAARC Regional Workshop on Child Labour for SAARC Member Countries, held in New Delhi on 29 - 31 May 2013, WE, the participants of the Workshop, commit to invigorated collaboration, building on the experiences of our countries, for strategic action focused on the prevention and elimination of child labour. Notwithstanding economic and social gains, ending child labour remains a challenge. South Asia is, in many ways, at the centre of the world's critical fight against child labour. All South Asian countries face challenges in confronting child labour, and there are many common trends.

South Asia is the region with the greatest number of children and those engaged in child labour.<sup>1</sup> A large number of children in the age group of 7 to 17 year olds in the SAARC region are in employment,<sup>2</sup> many of them in child labour. Many of these are in the worst forms of child labour.

- South Asian girls remain particularly vulnerable to being put to work in the home and kept out of school. In some of our countries, 15 to 17 years old girls are more than six times as likely to be inactive (out of both work and school) than their male peers.<sup>3</sup> We find it of great concern that a quarter of the inactive and unemployed youth in the entire world are South Asian women.<sup>4</sup>
- We also find it a matter of concern that despite gains in school attendance, education spending in South Asia continues to trail the rest of the world, including developing countries in Sub-Saharan Africa and East Asia.

In light of these challenges, and in order to take rigorous and informed action against child labour, WE, the Workshop participants, commit to taking the following steps:

- WE will continue to share and promote the exchange of policy recommendations, stories of success and areas of difficulty to enable collective fight against child labour and trafficking of children for labour exploitation in the region.
- Realizing the fact that only by accurately identifying problem areas and vulnerable populations can SAARC member states take effective action against child labour and child trafficking, WE commit to enhance data collection tools and building knowledge resources to derive a more precise understanding of child labour and to have clarity of concepts and operational indicators to identify trafficking of children for labour exploitation.
- Acknowledging that effective progress is difficult without sufficient institutional and individual capacity, WE, the Workshop Participants commit to capacity development of key actors, including government officials, members of employers' and workers' organizations, representatives of local government institutions.

To translate the aforementioned commitments into action, we RECOMMEND the establishment of a SAARC Regional Resource Centre on Child Labour. WE further propose that this Centre be established at the V.V. Giri National Labour Institute, India.

1 ILO: Accelerating action against child labour, 2010 Global Report, (Geneva, 2010).

2 UCW calculations based on India National Sample Survey (NSS), Round 66, 2009-2010; UCW calculations based on Pakistan, Labour Force Survey (LFS), 2010-2011; Bangladesh Annual Labour Force Survey (BALFS), 2005-2006

3 UCW calculations based on Bangladesh Annual Labour Force Survey (BALFS), 2005-2006

4 Generation Jobless, The Economist, April 27, 2013.

## Events of ILO-IPEC Convergence Child Labour Projects

*Follow up Meeting of Training of Trainers (ToT) Programme for Enforcement Officials held on 31.01.2013 by SRC-Odisha at Bhubaneswar*



A State Level Follow-up Meeting of the Training of Trainers programme earlier held on 17-19 January, 2012 for enforcement officials on elimination of child labour was held on 31<sup>st</sup> January, 2013 at Hotel Suryansh, Bhubaneswar. Enforcement Officials comprising of Deputy Labour Commissioners (DLCs), Assistant Labour Commissioners (ALCs), District labour Officers (DLOs), Assistant labour Officers (ALOs), Rural Labour Inspector (RLIs), Factory Inspectors from different districts of Odisha participated in the meeting. The meeting for the inaugural session started with lighting of lamp by Shri Hemant Sharma, IAS, Labour Commissioner, Odisha, in the presence of Dr. Helen Sekar, Senior Fellow, V.V.G. National Labour Institute, Noida and other

senior officials of the Labour Directorate, Odisha, Bhubaneswar.

The strict implementation of Child Labour (Prohibition and Regulation) Act, 1986 by the labour officials need to be taken up very seriously, said the Labour Commissioner. Filing prosecutions will give some strong message to the erring employers engaging child labour. Besides, the District Labour Officers (DLOs) can play a crucial role through the District Level Task Force for raid and rescue of child labour. As the NCLP Schools play a major role in rehabilitating the children working in the hazardous sector, proper focus need to be given in managing the schools and during relocation of schools in every three years, said the Labour Commissioner.

*State level Meeting of different departments on Converging against Child Labour held at the Office of the Labour Commissioner, Odisha on 13.03.2013*

The second State level Meeting on Converging against Child Labour was held in the office of the Labour Commissioner, Odisha, Bhubaneswar on 13<sup>th</sup> March 2013. The purpose of the meeting was to discuss a mechanism for inter departmental coordination / convergence for prevention and elimination of child labour in the State. It was presided over by Shri Hemant Sharma, IAS, Labour Commissioner, Odisha. Senior





Officials from 12 departments participated in the meeting. The Labour Commissioner said that the eradication of child labour has become a joint responsibility which can be successful if all the departments converge with each other in the process. As per the responsibilities of Labour Department, he said that strict enforcement of labour laws has been given utmost priority. The



District Labour Officers are focusing on the raids and action against the erring employers. However, at the same time, the enrolment in schools need to grow along with the retention. As the poverty factor is always cited as a predominant reason for child labour, the poor families need to be covered under various poverty alleviation schemes, the Labour Commissioner said.



Enforcement Officials of Labour Directorate and SRC staff participating in the Meeting



## Success Stories from SRC (ILO Convergence Project), M.P.

**Twelve year old Akram and ten year old Shabana** used to work along with their parents in home-based work of *Agarbatti* making. They used to get exhausted of their time and energy because of this monotonous work of long hours. Besides they were exposed to health hazards of this occupation particularly respiratory and posture related problems as they were at tender age. Afzal, their father, also used to do the work of installing *jhoolas* (various rides and wheels) in Fairs which come up periodically in order to supplement the income. However the total family income was insufficient to provide for a family of seven.

The NCLP team of Ujjain District in Madhya Pradesh identified them and subsequently enrolled both Akram and Shabana in NCLP Special School of Juna Somwaria. Besides, the ILO-Convergence Project team, motivated their Afzal to participate in the Block-level *Antyodaya* Fair. The team also helped him in submitting the forms and completing other formalities and enabled him to get a loan of Rs. 8000/- for buying a *Thela*. Afzal started carrying the material for installing *jhoolas* on the *thela* and thus saved money which he earlier used to spend on hiring one. After repaying the loan taken under *Jila Antyodaya Scheme*, he applied for a loan of higher

amount to buy a Loading Auto. Now he transports the material for installing *jhoolas* from one fair to other on his own Loading Auto. He also hired it out for other works which raised his family income substantially.

The whole family expresses their gratitude towards the concern of NCLP and ILO-Convergence Project for the educational rehabilitation of the children and economic rehabilitation of the family.

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बाल श्रम अभिसरण परियोजना, अंतर्राष्ट्रीय श्रम संगठन, नई दिल्ली के द्वारा पायलेट प्रोजेक्ट के रूप में भारत के पांच राज्यों बिहार, गुजरात, झारखंड, मध्य प्रदेश एवं ओडिशा में संचालित है। बिहार में यह परियोजना दो जिलों कटिहार और सीतामढ़ी में संचालित है। इस परियोजना का मूल उद्देश्य ऐसे स्थानों को, जहाँ बाल श्रमिक सबसे अधिक मात्रा में पाये जाते हैं, चिह्नित करके वहाँ के विभिन्न विभागों के बीच समन्वय स्थापित करना है ताकि बाल श्रम को रोकने के लिए सभी विभागों के प्रतिनिधियों को एक मंच मिल सके।

परियोजना के इसी मूल उद्देश्य को ध्यान में रखते हुए बाल श्रम अभिसरण परियोजना, कटिहार ने अंतर्राष्ट्रीय श्रम संगठन, नई दिल्ली के सहयोग से कटिहार जिले में बाल श्रम से जुड़े विभिन्न विषयों पर निम्न प्रशिक्षण शिविर एवं कार्यशालाओं का आयोजन किया।

बाल श्रम एवं तकनीकी शिक्षा के विषय पर शिक्षकों एवं अभिभावकों के लिए एक-दिवसीय प्रशिक्षण शिविर : इस प्रशिक्षण शिविर में जहाँ एक ओर शिक्षा संदर्भ केन्द्र स्वयं सेवकों तथा मुख्य वक्ताओं ने बाल श्रमिकों के परिवारों को बच्चों को स्कूल भेजने के लिए प्रेरित करने का प्रयास किया, वहीं दूसरी ओर बाल श्रमिकों के अभिभावकों ने भी अपने बच्चों के उज्ज्वल भविष्य के प्रति जागरूकता दर्शाते हुए बच्चों को स्कूल भेजने का आश्वासन दिया। अधिकांश अभिभावकों का मानना था कि बाल श्रमिकों को कम से कम समय में विशेष रूप से प्रशिक्षित करके उनका नामांकन उनकी उम्र के अनुसार मुख्यधारा के विद्यालयों की कक्षाओं में करवाया जाए ताकि वे हमउम्र बच्चों की भांति अवसरों का लाभ उठा सकें।

50 औपचारिक स्कूलों की तदर्थ समिति के सदस्यों के लिए बाल श्रम उन्मूलन विषय पर एक-दिवसीय प्रशिक्षण कार्यशाला: इसमें प्रत्येक स्कूल के दो – दो सदस्यों ने भाग लिया। परियोजना समन्वयक श्री निलेश कुमार ने प्रशिक्षणार्थियों को बाल मजदूरी – कारण एवं इसके उन्मूलन हेतु किए जा रहे प्रयास, भारत में बाल श्रम के खिलाफ राष्ट्रीय कानून और नीतियाँ, मौलिक अधिकार के रूप में शिक्षा तथा सबके लिए शिक्षा संबंधी जानकारियाँ दी।

डीएलटीफ/बीएलटीफ के सदस्यों के लिए बाल श्रम उन्मूलन विषय पर एक-दिवसीय प्रशिक्षण कार्यशाला: इस कार्यशाला का उद्घाटन करते हुए डी0डी0सी0 श्री केशव कुमार सिंह ने बाल श्रम रोकने की दिशा में किए जा रहे प्रयासों के बारे बताते हुए कहा कि इस उद्देश्य से बाल श्रम अभिसरण परियोजना, कटिहार के द्वारा चयनित 500 बाल श्रमिकों के परिवारों को सरकार की विभिन्न कल्याणकारी परियोजनाओं से जोड़ने का कार्य प्रगति पर है। इनमें से लगभग 300 परिवारों को अब तक तीन योजनाओं का लाभ दिलाना सुनिश्चित किया जा चुका है तथा लगभग 200 परिवारों की पहचान करके उन्हें भी तीन योजनाओं का लाभ दिलाने का कार्य प्रगति पर है।



45 लीड स्कूलों की तदर्थ समिति के सदस्यों के लिए बाल श्रम उन्मूलन विषय पर एक-दिवसीय प्रशिक्षण कार्यशाला: इस कार्यशाला का उद्घाटन करते हुए परियोजना निदेशक श्री सुरेन्द्र कुमार अलवेला ने कहा कि यदि हम समाज को वास्तव में सभ्य एवं सुंदर बनाना चाहते हैं तो हमें बाल श्रमिकों के हाथों से औजारों को हटाकर उन्हें कलम देनी

होगी ताकि वे भी समाज की मुख्य धारा से जुड़कर समाज के प्रति अपने कर्तव्यों का निर्वाह कर सकें।

45 लीड स्कूलों के शिक्षकों के लिए बाल श्रम उन्मूलन विषय पर एक-दिवसीय प्रशिक्षण कार्यशाला: प्रशिक्षण कार्यक्रम के महत्व पर प्रकाश डालते हुए श्री अलवेला ने कहा कि आज की प्रशिक्षण कार्यशाला का मूल उद्देश्य बाल श्रम उन्मूलन के मुद्दे पर 45 लीड स्कूलों के दो-दो शिक्षकों को प्रशिक्षित करना है ताकि लीड स्कूलों में बाल श्रम से मुक्त कराये गये बच्चों के पठन-पाठन के लिए उपयुक्त माहौल तैयार किया जा सके।



## Amendments proposed in Child Labour Act

- The Child Labour (Prohibition & Regulation) Act, be renamed as Child & Adolescent Labour (Prohibition) Act.
- Employment of children below 14 years would be completely prohibited and the age of the prohibition would also be linked to the age under Right to free and Compulsory Education Act.
- Prohibition of working of children/Adolescent from 14 to 18 years in Mines, Explosives and hazardous occupations set forth in the Factories Act, 1948.
- There should be no bar on children helping their families after school hours and in vacations, in fields, home based work (except commercial purpose) Parents and guardians of children would be punishable under this Act only when they permit engagement of their children for commercial purposes in contravention to this Act.
- The punishment to the offender under the Act would be stricter and **the offences under the Act would be cognizable.**
- The overall responsibility for implementation of the act shall be vested with the District Magistrate and the monitoring and inspection is to be done by Labour Department with the appropriate Government.

# Application of Total Quality Management to the implementation of National Child Labour Projects

– Ciby George

This article is an outcome of an abstract study of the principles of Total Quality Management (TQM) and their interoperability with the National Child Labour Projects (NCLP). It discusses various opportunities for incorporating TQM into NCLP and concludes that building an interface between TQM and NCLP would benefit enormously in strengthening the overall efficiency and successful implementation of the project implementation.

Child labour has been acknowledged as a social evil in India and eradication of child labour is a critical factor for the socio-economic development of the country. National Child Labour Project was first launched in 1988 and is presently operationalized in 266 districts across the country. The sheer enormity and diversity coupled with the dynamic nature of child labour rehabilitation makes the NCLP an immense management challenge requiring constant ingenuity and innovation.

The philosophy of Total Quality Management (TQM) has unequivocally influenced organizational performance across the world since the 1970s. TQM provides a systematic and scientific framework based on sound management principles to facilitate long term success of organisational management. TQM has also formed the foundation for quality management standards around the world, such as the International Standards Organisation. TQM<sup>1</sup> is defined as a management philosophy and practice

that aims at harnessing the human and material resources in the most effective and efficient manner to achieve organizational goals. The philosophy of TQM is summarized into eight principles<sup>3</sup> which were simple, logical yet scientific, as illustrated in Figure 1. These principles also formed the basis for the development of ISO standards and several other international quality standards.

NCLP is a multi-layered programme requiring convergence of schemes, activities and efforts of various central ministries including Ministry of Labour and Employment, ministries for Women and Child Development, HRD, Social Justice and Empowerment, Rural Development and Urban Housing and Poverty Alleviation. Similar participation of government officials, trade unions, employers, NGOs, community, parents and children has been envisaged at the district level. This vertical and horizontal matrix renders the NCLP scheme enormous in size and complexity. In such complex set up having large number of stakeholders of differing priorities, having a common philosophy, principles, goals and shared values is the first step towards integration of the entire structure of NCLP.

**Exploring Interface between TQM and NCLP:** TQM provides a conceptual framework based on sound principles of management. The strength of TQM lies in its simple, logical yet scientific approach to management. Leaders are visionaries. They establish vision and direction and also create and maintain the right environment for everyone to perform with utmost dedication and motivation. Leadership also facilitates creation of the ideal alignment of the individual's as well as project's goals. Leaders set challenging goals and targets and inspire people to achieve these targets. They develop and maintain the right values and culture, build trust and eliminate fear, and above all, they influence and change minds.

Effective leadership becomes all the more important for NCLP because of the enormous complexities



Fig 1. TQM Principles.

involved in implementation of the project. The structure involves variety of stakeholders such as central and state government officials, NGOs, children, parents etc. Other challenges are the geographical spread of the project covering the remotest locations of the country, identification of target beneficiaries, motivation and training of project staff, timely releasing of funds, etc. The challenge is also to harmonise interrelationship and interdependence of various stakeholders to create synergy. Convergence<sup>10</sup> among various departments and organisations is an important factor as it interconnects various stakeholders at the execution level. An example of success of systems approach was Hazaribagh<sup>11</sup>, where the NCLP, State labour Commissioner, Director, SSA, NGOs, parents and children have established coordinated system to implement special school projects.

**Process Approach:** ‘A desired result is achieved more efficiently when related resources and activities are managed as a process.’ An activity which receives input and converts it into output with some value addition may be called a process. Once the desired output/result is identified, the process to achieve the output is defined. The activities, interconnectivity, equipments, materials, methods, measurement, responsibility / accountability etc., are identified. This finally should take the form of a Standard Operating Procedure (SOP) which consists of standardized steps, simple and easy to be followed by the concerned staff. This makes process the lowest level activity where the root causes of problems could be identified and corrected. Process approach aids in assigning responsibility and accountability for activities, resources, input and output.

NCLP is a service oriented, social-sector programme where the parents, children as well as the project staff at the ground level often lack knowledge and awareness of the whole system. They are concerned about simple instructions that can be understood and acted upon without ambiguity. This is facilitated by SOPs. Need for Standardisation of survey<sup>12</sup>, and standardization of syllabus and curriculum<sup>13</sup> in schools are examples of process approach.



Fig 2.

**Factual Approach to Decision Making:** Effective decisions are based on logical appreciation backed by credible intelligence and aided by experience. This is yet another principle that is highly relevant to the NCLP. To improve the efficiency of Executive Committee meetings, a Project Coordination Committee with lesser but committed members could be formed and productive meetings could be held more regularly.

Managing NCLP entails collection of enormous data and information through observation and measurements. Some of the challenges include physical collection of data, reliability, validity, timeliness and completeness. These data and information are analysed using valid and time tested tools and techniques to arrive at the right decisions. The advantages of following this principle are two-fold. One, the decisions would be consistent and reliable. Second, even in case of failure, scientific analysis would be possible to identify the cause of failure and take corrective measures. Continual detection of defects and systematic correction of process faults is the key to continual improvement of quality.

**Communication:** In the contemporary scenario of information technology, effective communication is not only a binding factor but also a force multiplier for efficient management. Effective communication means timely, reliable and actionable communication. The significance of communication to make or break success cannot be over-emphasized. Communication covers not only official communication but also inter-personal, human relations communication. In the case of NCLP the latter would assume much importance.

A Management Information System specially designed for NCLP networking the entire country could be put in place to ensure valid and reliable communication.

**Continual Improvement(CI):** This principle provides dynamism and heartiness to the system making it a constantly changing and evolving phenomenon. It enables everyone to constantly innovate and change with the surrounding environment and stay ahead of competition. NCLP has the potential to be transformed into the epitome of innovation and self-improvement. People should be encouraged to innovate and bring in new ideas to increase the efficiency and effectiveness of the processes. No outcome is perfect, hence everyone constantly strives for improvements through learning and problem-solving. There are two kinds of Continual Improvement, incremental improvement and breakthrough improvement. While incremental improvements are small, breakthrough improvements, are by chance or by design It is practical for NCLP to strive for incremental improvement as it is more easy to identify and implement at lower levels with involvement of project staff

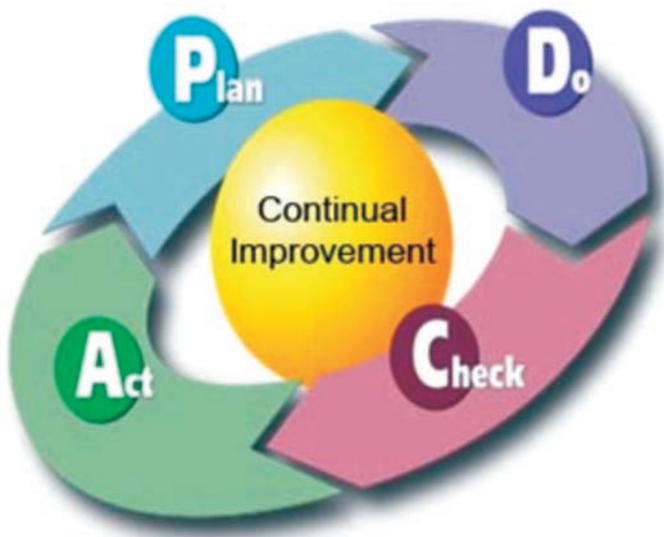


Fig 3. PDCA Cycle of Continual Improvement

**Analysis and Recommendation:** Commitment, synergy, teamwork and striving for continual improvement are some of the imperatives of success of NCLP. The philosophy of TQM can be applied to NCLP. An objective, system oriented

approach helps in maintaining a standardized management model irrespective of individuals. The knowledge of common vision, mission, strategy, goals, shared values and culture at all levels would remain a common binding force of NCLP. There is tremendous scope for application of TQM in NCLP and improve the efficiency of the projects.

**Conclusion:** ‘Change is the only constant in life.’ NCLP has achieved commendable results since its launch in 1988. It has also located deficiencies and brought forth improvements in several areas. In the modern time of ‘change at the speed of thought’ it is only appropriate for NCLP to consider adopting the right management philosophies and principles for more effectiveness in its implementation. There may be barriers and resistance to change which need to be moderated and overcome. TQM provides an ideal framework which may be suitably adapted according to the needs of NCLP.

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### Achievement of mainstreamed NCLP Special School Children of Tamil Nadu in 10<sup>th</sup> Standard Board Examination (2013)

Sl. No.	Name of the Student	Marks Secured	Percentage of marks	Occupation Rescued from	NCLP District
1.	<b>Guruvidhya</b>	480	96	Match works	Sivakasi
2.	<b>Prabu</b>	483	97	Textile work	Namakkal
3.	<b>Karthik</b>	473	95	Domestic Work	Dharmapuri
4.	<b>Vigneskumar</b>	414	83	Domestic Work	Coimbatore
5.	<b>M. Dhanasekaran</b>	460	92	Silver works	Salem
6.	<b>Veeramanikandan</b>	459	92	Silver works	Salem
7.	<b>V. Mahalakshmi</b>	473	95	Domestic work	Trichy
8.	<b>J. Gokul Kumar</b>	423	85	Cycle shop	Trichy
9.	<b>Balaji</b>	448	90	Domestic Work/Goat rearing	Trichy
10.	<b>Nazima</b>	432	86	Beedi work	Vellore
11.	<b>Ponmani</b>	459	92	Match works	Sivakasi
12.	<b>Poovarasn</b>	425	85	Domestic work	Krishnagiri
13.	<b>Thirumaal</b>	421	84	Domestic work	Krishnagiri
14.	<b>Gunasekaran</b>	419	84	Domestic work	Krishnagiri
15.	<b>Dhanalakshmi</b>	456	91	Domestic work	Thoothukudi
16.	<b>Vijayalakshmi</b>	431	86	Domestic work	Thoothukudi
17.	<b>Malathi</b>	456	91	Domestic work	Thoothukudi
18.	<b>Muppidathi</b>	435	87	Beedi work	Thirunelveli

## Events of National Child Labour Projects from Different parts of the Country

### *District- level Sports and Cultural Programmes by Children of NCLP Special Schools, Raichur District, Karnataka*



Awareness Campaign by School Children by NCLP Kamrup Metro District, Assam

### *Events of NCLP, Udhampur District, Jammu and Kashmir*



Rally Flagged off by District Development Commissioner (Chairman NCLP), Udhampur, Jammu & Kashmir



Senior Superintendent of Police Udhampur Distributing Uniforms, School Bags, Shoes and Stitching Charges to 463 NCLP Students at Udhampur on 31<sup>st</sup> March 2013

**Awareness Generation Campaigns on Child Labour:  
Glimpses from villages of Surguja District, Chhattisgarh**



Nukkad Natak in the Village Kantiprakashpur



Nukkad Natak in the Block Batauli of Village Boda



Nukkad Natak in the Block Batauli of Village Mangari

**Observance of World Day against Child Labour in Andhra Pradesh  
Events of NCLP, Ranga Reddy District, Andhra Pradesh**

The NCLP, Ranga Reddy District, has organized meetings, rallies and processions with children enrolled in NCLP special schools involving local community on the occasion of world day against child labour day on 12<sup>th</sup> June 2013.

The District also participated in the Education fortnight programme. The main objective of the

programme is to enroll the out of school children/Child Labour in regular schools. Such awareness activities are being brought to achieve the goal of Universal Elementary Education by 2014 in convergence with the line departments. It is also conducting raids on the employers who employed children by invoking Child Labour Act and Minimum Wages Act.



## Observance of “World Day Against Child Labour” by National Child Labour Project, Gajapati

A meeting was organized by IGOSA Children Home Premises at Singipur Village on the supervision of District Labour Officer-cum-Project Director, National Child Labour Project on the eve of “WORLD DAY AGAINST CHILD LABOUR”. The Hon’ble Collector & District Magistrate, Gajapati, Hon’ble Registrar of District Judge Court, Paralakhemundi, Secretary of District Legal Service Authority, Gajapati, Bar Association Secretary, Gajapati and Students from different NCLP School alongwith their parents participated in the meeting.

The meeting was inaugurated by the Sri Basudev Bahinipati, Hon’ble Collector & District Magistrate, Gajapati, presided by Sri P. Surya Rao, Hon’ble Registrar of District Judge Court, Gajapati and convened by Sri Muktolal Nayak, the District Labour Officer-cum-Project Director, Gajapati. All staff of District Labour Office and National Child Labour Project Office attended the meeting.

The Collector, Gajapati, mentioned in his speech that “Child labour is a social evil”. Hence, it is highly essential to root out the evil from the Society. The Collector Chairman/SWCL, Gajapati directed the officials to inspect different establishments in every month with assistance of the Police. He further mentioned that drastic action should be initiated against the employers who engage child labour in their establishments. Further, he told that sensitization of the Parents of Child Labour is needed. He requested all the Govt. officials, Workers, PRI Members, NGOs to take steps for elimination of Child Labour from Gajapati District and requested the Parents of child

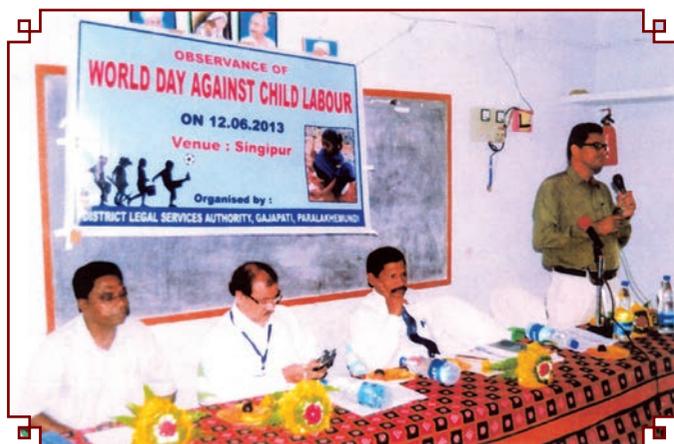


Labourers to send their children to school rather than to work.

Sri Purthiviraj, Secretary, Bar Association, Gajapati opined that the main object of the Programme is to eliminate child labour from Gajapati District as the Children of poor are exploited in hazardous work with very low wages.

Then the Sub-Judge & Secretary, District Legal Service Authority, Gajapati requested the employees of the Govt. to detect Child Labour from different establishments and send them to NCLP schools. He also requested the Government to open transit home in each block of Gajapati District. The Hon’ble Registrar, District Judge Court, Gajapati narrated the laws relating to Child Labour.

All the eminent persons of Paralakhemundi were present in the meeting. They viewed about eradication of child labour practice from the society through public awareness and sensitization of parents of child labourers.



## Achievements of NCLP in News

NOIDA/DELHI  
THE HINDU - FRIDAY, JUNE 28, 2013

**M. Moorthi**  
**Medical student**  
(Rescued from: Construction work)

**M**oorthi is on his way to becoming a radiologist. An MBBS student at Salem Government Mohan Kumaramangalam Medical College, he discontinued school after Class V to become a construction worker. He supported his mother and siblings with the Rs. 80 he made a day. It was a Pongal day when the staff of NCLP rescued Moorthi. Going to school was all that he wanted at that age. For, he stood class first in all his exams till Class V. "When I quit school, I thought, 'This is it. It's all over'. But looks like it's not," smiles Moorthi.



NOIDA/DELHI  
THE HINDU - FRIDAY, JUNE 28, 2013

**E. Rajeswari**  
**Headmistress**  
(Rescued from: Match works industry)



**R**ajeswari is the Headmistress at the Panchayat Union Primary School, Odakkarai in Ramnad district. As the first woman in her village to have secured a government job, she is proud of the life she leads. Rajeswari started working when she was 12 years old. She stuck labels on matchboxes at home with her family to earn Rs. 10 a day. They worked from 8 a.m. to 10 p.m., sometimes even longer. Relief came in the form of NCLP. "The staff came home and asked my parents to send me to school. They said that I will be provided a monthly stipend, taught tailoring and basket-weaving." After a week of goading, Rajeswari's parents gave in. She went to school, and did a teacher's training course with 1,014 marks in her Higher Secondary examinations. In 2001, Rajeswari became a government school teacher. The next year, she

NOIDA/DELHI  
THE HINDU - FRIDAY, JUNE 28, 2013

**M. Sankaralingam**  
**Police constable**  
(Rescued from: Match works industry)

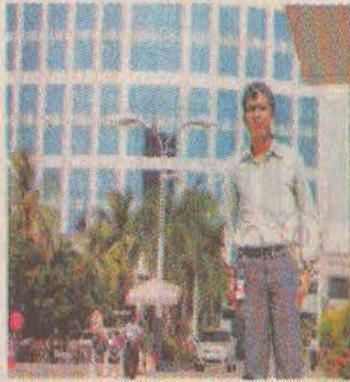
**S**even-year-old Sankaralingam earned Rs. 20 a day for wrapping matchboxes at a factory in Sivakasi. The money supplemented his farmer parents' income; school was hence out of the question. The kid spent almost two years of his life stacking and packing matchboxes inside tiny rooms. Little did he know then that 25 years later, he will be on bandobast duty on the bustling streets of Madurai dressed in starched khakis. A Grade II constable with the Madurai City Police, M. Sankaralingam recalls how he was rescued by staff from the National Child Labour Project (NCLP). "People from NCLP came to our village for a census on children who didn't go to school," he says. They spotted Sankaralingam, and convinced his parents to send him to their special school. Sankaralingam says he will never forget the day he walked into the classroom in his new uniform and with freshly printed books. He says, "Had I not been rescued, I would have been doing some menial job. But now, I guard the city day and night."



## Mohan Govintharaj

Software engineer

(Rescued from: Silver anklet industry)



Mohan detested evenings as a little boy. His employer sent him out to pluck flowers from plants at the entrance of the workshop's building. That was when the evening bell of the school in the vicinity rang out. As chatty kids walked home past him with their school bags, Mohan felt sad. Why wasn't he there with them? He was making bells for silver anklets when children his age were studying. NCLP came to his rescue, and today, Mohan is a software engineer in Chennai. "There is no electricity connection in my village; as children, we studied under the streetlamp. Passers-by would scold us for sitting by the road... the situation has not changed even today," says Mohan. As the first engineer in his village, Mohan took the initiative to talk to the district administration about the problem. "They have promised us a solution," he says.



Awareness Generation organized by NCLP  
Guntur District, A.P.



District Development Commissioner (Chairman NCLP) distributing Stipend Pass Books to 132 Mainstreamed Students of NCLP Schools, Udhampur District, J&K

# A new beginning

**OFFBEAT** As kids, they stuck labels on matchboxes, mixed sand and cement at construction sites with their little hands... But today, they are doctors and engineers, thanks to the National Child Labour Project's rescue efforts. Four successful youngsters, who were once child workers, share their stories



## C29 Forced Labour Convention, 1930

Convention concerning Forced or Compulsory Labour  
(Note: Date of coming into force: 01:05:1932.)

Convention: C029

Place: Geneva

Session of the Conference: 14

Date of adoption: 28:06: 1930

Subject classification: Forced Labour

Subject: **Forced Labour**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Fourteenth Session on 10 June 1930, and

Having decided upon the adoption of certain proposals with regard to forced or compulsory labour, which is included in the first item on the agenda of the Session, and

Having determined that these proposals shall take the form of an international Convention, adopts this twenty-eighth day of June of the year one thousand nine hundred and thirty the following Convention, which may be cited as the Forced Labour Convention, 1930, for ratification by the Members of the International Labour Organisation in accordance with the provisions of the Constitution of the International Labour Organisation:

### Article 1

1. Each Member of the International Labour Organisation which ratifies this Convention undertakes to suppress the use of forced or compulsory labour in all its forms within the shortest possible period.
2. With a view to this complete suppression, recourse to forced or compulsory labour may be had, during the transitional period, for public purposes only and as an exceptional measure, subject to the conditions and guarantees hereinafter provided.
3. At the expiration of a period of five years after the coming into force of this Convention, and when the Governing Body of the International Labour Office prepares the report provided for in Article 31 below, the said Governing Body shall consider the possibility of the suppression of forced or compulsory labour in all its forms without a further transitional period and the desirability of placing this question on the agenda of the Conference.

### Article 2

1. For the purposes of this Convention the term *forced or compulsory labour* shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.
2. Nevertheless, for the purposes of this Convention, the term *forced or compulsory labour* shall not include--
  - (a) any work or service exacted in virtue of compulsory military service laws for work of a purely military character;

- (b) any work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country;
- (c) any work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations;
- (d) any work or service exacted in cases of emergency, that is to say, in the event of war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population;
- (e) minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such services.

### Article 3

For the purposes of this Convention the term *competent authority* shall mean either an authority of the metropolitan country or the highest central authority in the territory concerned.

### Article 4

1. The competent authority shall not impose or permit the imposition of forced or compulsory labour for the benefit of private individuals, companies or associations.
2. Where such forced or compulsory labour for the benefit of private individuals, companies or associations exists at the date on which a Member's ratification of this Convention is registered by the Director-General of the International Labour Office, the Member shall completely suppress such forced or compulsory labour from the date on which this Convention comes into force for that Member.

### Article 5

1. No concession granted to private individuals, companies or associations shall involve any form of forced or compulsory labour for the production or the collection of products which such private individuals, companies or associations utilise or in which they trade.
2. Where concessions exist containing provisions involving such forced or compulsory labour, such provisions shall be rescinded as soon as possible, in order to comply with Article 1 of this Convention.

### **Article 6**

Officials of the administration, even when they have the duty of encouraging the populations under their charge to engage in some form of labour, shall not put constraint upon the said populations or upon any individual members thereof to work for private individuals, companies or associations.

### **Article 7**

1. Chiefs who do not exercise administrative functions shall not have recourse to forced or compulsory labour.
2. Chiefs who exercise administrative functions may, with the express permission of the competent authority, have recourse to forced or compulsory labour, subject to the provisions of Article 10 of this Convention.
3. Chiefs who are duly recognised and who do not receive adequate remuneration in other forms may have the enjoyment of personal services, subject to due regulation and provided that all necessary measures are taken to prevent abuses.

### **Article 8**

1. The responsibility for every decision to have recourse to forced or compulsory labour shall rest with the highest civil authority in the territory concerned.
2. Nevertheless, that authority may delegate powers to the highest local authorities to exact forced or compulsory labour which does not involve the removal of the workers from their place of habitual residence. That authority may also delegate, for such periods and subject to such conditions as may be laid down in the regulations provided for in Article 23 of this Convention, powers to the highest local authorities to exact forced or compulsory labour which involves the removal of the workers from their place of habitual residence for the purpose of facilitating the movement of officials of the administration, when on duty, and for the transport of Government stores.

### **Article 9**

Except as otherwise provided for in Article 10 of this Convention, any authority competent to exact forced or compulsory labour shall, before deciding to have recourse to such labour, satisfy itself--

- (a) that the work to be done or the service to be rendered is of important direct interest for the community called upon to do work or render the service;
- (b) that the work or service is of present or imminent necessity;
- (c) that it has been impossible to obtain voluntary labour for carrying out the work or rendering the service by the offer of rates of wages and conditions of labour not less favourable than those prevailing in the area concerned for similar work or service; and
- (d) that the work or service will not lay too heavy a burden upon the present population, having regard to the labour available and its capacity to undertake the work.

### **Article 10**

1. Forced or compulsory labour exacted as a tax and forced or compulsory labour to which recourse is had for the execution of public works by chiefs who exercise administrative functions shall be progressively abolished.
2. Meanwhile, where forced or compulsory labour is exacted as a tax, and where recourse is had to forced or compulsory labour for the execution of public works by chiefs who exercise administrative functions, the authority concerned shall first satisfy itself--
  - (a) that the work to be done or the service to be rendered is of important direct interest for the community called upon to do the work or render the service;
  - (b) that the work or the service is of present or imminent necessity;
  - (c) that the work or service will not lay too heavy a burden upon the present population, having regard to the labour available and its capacity to undertake the work;
  - (d) that the work or service will not entail the removal of the workers from their place of habitual residence;
  - (e) that the execution of the work or the rendering of the service will be directed in accordance with the exigencies of religion, social life and agriculture.

### **Article 11**

1. Only adult able-bodied males who are of an apparent age of not less than 18 and not more than 45 years may be called upon for forced or compulsory labour. Except in respect of the kinds of labour provided for in Article 10 of this Convention, the following limitations and conditions shall apply:
  - (a) whenever possible prior determination by a medical officer appointed by the administration that the persons concerned are not suffering from any infectious or contagious disease and that they are physically fit for the work required and for the conditions under which it is to be carried out;
  - (b) exemption of school teachers and pupils and officials of the administration in general;
  - (c) the maintenance in each community of the number of adult able-bodied men indispensable for family and social life;
  - (d) respect for conjugal and family ties.
2. For the purposes of subparagraph (c) of the preceding paragraph, the regulations provided for in Article 23 of this Convention shall fix the proportion of the resident adult able-bodied males who may be taken at any one time for forced or compulsory labour, provided always that this proportion shall in no case exceed 25 per cent. In fixing this proportion the competent authority shall take account of the density of the population, of its social and physical development, of the seasons, and of the work which must be done by the persons concerned on their own behalf in their locality, and, generally, shall have regard to the economic and

social necessities of the normal life of the community concerned.

#### **Article 12**

1. The maximum period for which any person may be taken for forced or compulsory labour of all kinds in any one period of twelve months shall not exceed sixty days, including the time spent in going to and from the place of work.
2. Every person from whom forced or compulsory labour is exacted shall be furnished with a certificate indicating the periods of such labour which he has completed.

#### **Article 13**

1. The normal working hours of any person from whom forced or compulsory labour is exacted shall be the same as those prevailing in the case of voluntary labour, and the hours worked in excess of the normal working hours shall be remunerated at the rates prevailing in the case of overtime for voluntary labour.
2. A weekly day of rest shall be granted to all persons from whom forced or compulsory labour of any kind is exacted and this day shall coincide as far as possible with the day fixed by tradition or custom in the territories or regions concerned.

#### **Article 14**

1. With the exception of the forced or compulsory labour provided for in Article 10 of this Convention, forced or compulsory labour of all kinds shall be remunerated in cash at rates not less than those prevailing for similar kinds of work either in the district in which the labour is employed or in the district from which the labour is recruited, whichever may be the higher.
2. In the case of labour to which recourse is had by chiefs in the exercise of their administrative functions, payment of wages in accordance with the provisions of the preceding paragraph shall be introduced as soon as possible.
3. The wages shall be paid to each worker individually and not to his tribal chief or to any other authority.
4. For the purpose of payment of wages the days spent in travelling to and from the place of work shall be counted as working days.
5. Nothing in this Article shall prevent ordinary rations being given as a part of wages, such rations to be at least equivalent in value to the money payment they are taken to represent, but deductions from wages shall not be made either for the payment of taxes or for special food, clothing or accommodation supplied to a worker for the purpose of maintaining him in a fit condition to carry on his work under the special conditions of any employment, or for the supply of tools.

#### **Article 15**

1. Any laws or regulations relating to workmen's compensation for accidents or sickness arising out of the employment of the worker and any laws or

regulations providing compensation for the dependants of deceased or incapacitated workers which are or shall be in force in the territory concerned shall be equally applicable to persons from whom forced or compulsory labour is exacted and to voluntary workers.

2. In any case it shall be an obligation on any authority employing any worker on forced or compulsory labour to ensure the subsistence of any such worker who, by accident or sickness arising out of his employment, is rendered wholly or partially incapable of providing for himself, and to take measures to ensure the maintenance of any persons actually dependent upon such a worker in the event of his incapacity or decease arising out of his employment.

#### **Article 16**

1. Except in cases of special necessity, persons from whom forced or compulsory labour is exacted shall not be transferred to districts where the food and climate differ so considerably from those to which they have been accustomed as to endanger their health.
2. In no case shall the transfer of such workers be permitted unless all measures relating to hygiene and accommodation which are necessary to adapt such workers to the conditions and to safeguard their health can be strictly applied.
3. When such transfer cannot be avoided, measures of gradual habituation to the new conditions of diet and of climate shall be adopted on competent medical advice.
4. In cases where such workers are required to perform regular work to which they are not accustomed, measures shall be taken to ensure their habituation to it, especially as regards progressive training, the hours of work and the provision of rest intervals, and any increase or amelioration of diet which may be necessary.

#### **Article 17**

Before permitting recourse to forced or compulsory labour for works of construction or maintenance which entail the workers remaining at the workplaces for considerable periods, the competent authority shall satisfy itself--

- (1) that all necessary measures are taken to safeguard the health of the workers and to guarantee the necessary medical care, and, in particular, (a) that the workers are medically examined before commencing the work and at fixed intervals during the period of service, (b) that there is an adequate medical staff, provided with the dispensaries, infirmaries, hospitals and equipment necessary to meet all requirements, and (c) that the sanitary conditions of the workplaces, the supply of drinking water, food, fuel, and cooking utensils, and, where necessary, of housing and clothing, are satisfactory;
- (2) that definite arrangements are made to ensure the subsistence of the families of the workers, in particular

- by facilitating the remittance, by a safe method, of part of the wages to the family, at the request or with the consent of the workers;
- (3) that the journeys of the workers to and from the workplaces are made at the expense and under the responsibility of the administration, which shall facilitate such journeys by making the fullest use of all available means of transport;
  - (4) that, in case of illness or accident causing incapacity to work of a certain duration, the worker is repatriated at the expense of the administration;
  - (5) that any worker who may wish to remain as a voluntary worker at the end of his period of forced or compulsory labour is permitted to do so without, for a period of two years, losing his right to repatriation free of expense to himself.

#### **Article 18**

1. Forced or compulsory labour for the transport of persons or goods, such as the labour of porters or boatmen, shall be abolished within the shortest possible period. Meanwhile the competent authority shall promulgate regulations determining, inter alia, (a) that such labour shall only be employed for the purpose of facilitating the movement of officials of the administration, when on duty, or for the transport of Government stores, or, in cases of very urgent necessity, the transport of persons other than officials, (b) that the workers so employed shall be medically certified to be physically fit, where medical examination is possible, and that where such medical examination is not practicable the person employing such workers shall be held responsible for ensuring that they are physically fit and not suffering from any infectious or contagious disease, (c) the maximum load which these workers may carry, (d) the maximum distance from their homes to which they may be taken, (e) the maximum number of days per month or other period for which they may be taken, including the days spent in returning to their homes, and (f) the persons entitled to demand this form of forced or compulsory labour and the extent to which they are entitled to demand it.
2. In fixing the maxima referred to under (c), (d) and (e) in the foregoing paragraph, the competent authority shall have regard to all relevant factors, including the physical development of the population from which the workers are recruited, the nature of the country through which they must travel and the climatic conditions.
3. The competent authority shall further provide that the normal daily journey of such workers shall not exceed a distance corresponding to an average working day of eight hours, it being understood that account shall be taken not only of the weight to be carried and the distance to be covered, but also of the nature of the road, the season and all other relevant

factors, and that, where hours of journey in excess of the normal daily journey are exacted, they shall be remunerated at rates higher than the normal rates.

#### **Article 19**

1. The competent authority shall only authorise recourse to compulsory cultivation as a method of precaution against famine or a deficiency of food supplies and always under the condition that the food or produce shall remain the property of the individuals or the community producing it.
2. Nothing in this Article shall be construed as abrogating the obligation on members of a community, where production is organised on a communal basis by virtue of law or custom and where the produce or any profit accruing from the sale thereof remain the property of the community, to perform the work demanded by the community by virtue of law or custom.

#### **Article 20**

Collective punishment laws under which a community may be punished for crimes committed by any of its members shall not contain provisions for forced or compulsory labour by the community as one of the methods of punishment.

#### **Article 21**

Forced or compulsory labour shall not be used for work underground in mines.

#### **Article 22**

The annual reports that Members which ratify this Convention agree to make to the International Labour Office, pursuant to the provisions of Article 22 of the Constitution of the International Labour Organisation, on the measures they have taken to give effect to the provisions of this Convention, shall contain as full information as possible, in respect of each territory concerned, regarding the extent to which recourse has been had to forced or compulsory labour in that territory, the purposes for which it has been employed, the sickness and death rates, hours of work, methods of payment of wages and rates of wages, and any other relevant information.

#### **Article 23**

1. To give effect to the provisions of this Convention the competent authority shall issue complete and precise regulations governing the use of forced or compulsory labour.
2. These regulations shall contain, inter alia, rules permitting any person from whom forced or compulsory labour is exacted to forward all complaints relative to the conditions of labour to the authorities and ensuring that such complaints will be examined and taken into consideration.

#### **Article 24**

Adequate measures shall in all cases be taken to ensure that the regulations governing the employment of forced or compulsory labour are strictly applied, either by extending the duties of any existing labour inspectorate which has been established for the inspection of voluntary labour

to cover the inspection of forced or compulsory labour or in some other appropriate manner. Measures shall also be taken to ensure that the regulations are brought to the knowledge of persons from whom such labour is exacted.

#### **Article 25**

The illegal exaction of forced or compulsory labour shall be punishable as a penal offence, and it shall be an obligation on any Member ratifying this Convention to ensure that the penalties imposed by law are really adequate and are strictly enforced.

#### **Article 26**

1. Each Member of the International Labour Organisation which ratifies this Convention undertakes to apply it to the territories placed under its sovereignty, jurisdiction, protection, suzerainty, tutelage or authority, so far as it has the right to accept obligations affecting matters of internal jurisdiction; provided that, if such Member may desire to take advantage of the provisions of article 35 of the Constitution of the International Labour Organisation, it shall append to its ratification a declaration stating--

- (1) the territories to which it intends to apply the provisions of this Convention without modification;
- (2) the territories to which it intends to apply the provisions of this Convention with modifications, together with details of the said modifications;
- (3) the territories in respect of which it reserves its decision.

2. The aforesaid declaration shall be deemed to be an integral part of the ratification and shall have the force of ratification. It shall be open to any Member, by a subsequent declaration, to cancel in whole or in part the reservations made, in pursuance of the provisions of subparagraphs (2) and (3) of this Article, in the original declaration.

#### **Article 27**

The formal ratifications of this Convention under the conditions set forth in the Constitution of the International Labour Organisation shall be communicated to the Director-General of the International Labour Office for registration.

#### **Article 28**

1. This Convention shall be binding only upon those Members whose ratifications have been registered with the International Labour Office.
2. It shall come into force twelve months after the date on which the ratifications of two Members of the International Labour Organisation have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which the ratification has been registered.

#### **Article 29**

As soon as the ratifications of two Members of the International Labour Organisation have been registered with the International Labour Office, the Director-General

of the International Labour Office shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

#### **Article 30**

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the International Labour Office.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of five years and, thereafter, may denounce this Convention at the expiration of each period of five years under the terms provided for in this Article.

#### **Article 31**

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

#### **Article 32**

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, the ratification by a Member of the new revising Convention shall ipso jure involve denunciation of this Convention without any requirement of delay, notwithstanding the provisions of Article 30 above, if and when the new revising Convention shall have come into force.
2. As from the date of the coming into force of the new revising Convention, the present Convention shall cease to be open to ratification by the Members.
3. Nevertheless, this Convention shall remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising convention.

#### **Article 33**

The French and English texts of this Convention shall both be authentic.

#### **Cross references**

Constitution: 22:article 22 of the Constitution of the International Labour Organisation

Constitution: 35:article 35 of the Constitution of the International Labour Organisation

Source: <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C029>

## Events on Child Labour at the Ministry of Labour & Employment, Government of India

**Orientation Training Workshops on Direct Benefit Transfer (DBT) Scheme** were conducted at the Ministry of Labour and Employment (MoLE), Shram Shakti Bhawan, New Delhi, during the months of February, March and April 2013. Project Directors and Accountants from different NCLP Districts across the country attended these one-day Workshops in five different batches.

Dr. Mrutyunjay Sarangi, Secretary, Labour and Employment, Government of India, in his address highlighted the importance of the newly formulated Direct Benefit Transfer (DBT) Scheme and its relevance to the NCLP. Further, Dr. Sarangi motivated the participants to understand the concept and implementation of DBT and encouraged them to clarify their doubts. on DBT also welcomed various queries from the participants. Dr. Mrutyunjay Sarangi provided his valuable suggestions for effective implementation of Direct Benefit Transfer Scheme.

In his address, Shri. A.C. Pandey, Joint Secretary, Ministry of Labour and Employment, Government of India, explained that the Direct Benefit Transfer Scheme is based on Aadhar card which shall be used to transfer the stipend amount directly to the account of children enrolled in the NCLP Special Schools. The NCLP Societies need to open accounts, in the

name of each of these children, either in banks or in the local post office. All cash transfers will take place through the Adhar card.

Shri H.K Jethi, Director, MoLE, informed the Participants that the Direct Benefit Transfer Scheme was announced by Prime Minister on 1st January 2013. This scheme will enable more transparency in the implementation of the National Child Labour Projects across the country. Previously, the Ministry used to transfer money to NCLP society and the project society transferred the money to the NGO for transferring it further to the child's Account.

Under the DBT scheme the money will be directly transferred to the child's account from the Ministry thus eliminating involvement of any other agency/person in the process. The Ministry will transfer the money in two instalments. As a monitoring mechanism the society shall be required to upload data every month. Officials from NIC and CPSMS demonstrated the portal and other systems created for uploading the details of children and other information from the districts. They further explained the functioning of software and the necessary steps to be taken at District level for acquiring user id, password and digital signature. They also made the Presentation on system developed for implementation of DBT at the Central Level.

### Implementation of Direct Benefit Transfer (DBT) Scheme through Aadhaar in NCLP Ranga Reddy District, Andhra Pradesh

The Ranga Reddy district is one of Districts selected by the Government of India for the introducing of Direct Benefit Transfer Scheme

for releasing of stipend to children enrolled in Special Schools under the National Child Labour Project.



Children enrolling in Aadhaar centre



Capturing biometric details in Aadhaar Centre