



ABSTRACT

State Action Plan for Eradication of Child Labour and Eradication of Adolescent Labour in Hazardous occupations and processes – Approved – Orders - Issued.

LABOUR AND EMPLOYMENT (U2) DEPARTMENT

G.O.(Ms).No.8

Dated 30.01.2019

விளம்பி, தை 16

திருவள்ளூர் ஆண்டு 2050

Read:

1. G.O.(Ms) No.53, Labour and Employment (U2) Department, dated 12.05.2003.
2. From the Commissioner of Labour Letter No.T1/28193/2017, dated 07.03.2018 and 12.11.2018.

ORDER:

In the Government Order first read above, the Government have approved the State Action Plan for Eradication of Child Labour and sanctioned a sum of Rs.1.25 crore to the State Child Labour Rehabilitation Cum Welfare Society for implementing the Action Plan at District level and State level.

2. In the letter second read above, the Commissioner of Labour has sent the revised State Action Plan for Eradication of Child Labour and Eradication of Adolescent Labour in Hazardous Occupations and Processes as per the provisions available in the amended act that is the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 to the Government for approval.

3. The revised State Action Plan for Child Labour sent by the Commissioner of Labour contains the salient features of the amended Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, National Child Labour Project, Release and rescue process, Enforcement of Labour Laws, Awareness Generation, Skill Development Training, Implementation of State Action Plan, Economic Rehabilitation, Community Participation, Monitoring Mechanism, Mainstreaming Child Labour and Convergence of Services of the concerned departments etc.,. The above said actions are interrelated with line departments of Labour, Revenue, Municipal Administration and Water Supply, Social defence, Home (Police), Health, Adi Dravidar and Tribal Welfare, Rural Development and School Education, etc.

4. The Government after careful consideration approve the "State Action Plan for Eradication of Child Labour and Eradication of Adolescent Labour in Hazardous Occupations and Processes as in the annexures.

5. The Departments noted in the address entry are instructed to implement the State Action Plan for eradication of child labour and eradication of adolescent labour in Hazardous Occupations and Processes immediately and extend the fullest co-operation to the Collectors and the Commissioner of Labour for the successful implementation of the Action Plan. The District Collector, who play a vital role in achieving convergence of services of all Governmental and non-Governmental agencies are requested to effectively implement the Action Plan.

6. Progress of implementation of the Action Plan shall be monitored by the Commissioner of Labour and a report sent to Government by 10th of each month.

(BY ORDER OF THE GOVERNOR)

**SUNIL PALIWAL,
PRINCIPAL SECRETARY TO GOVERNMENT.**

To

The Additional Chief Secretary to Government, Rural Development and Panchayat Raj Department, Chennai-9.

The Additional Chief Secretary to Government, Home Department, Chennai-9.

The Additional Chief Secretary to Government, Finance Department, Chennai-9.

The Additional Chief Secretary to Government, Highways and Minor Ports Department, Chennai-9.

The Principal Secretary to Government, Adi Dravidar and Tribal Welfare Department, Chennai-9.

The Principal Secretary to Government, Municipal Administration and Water Supply Department, Chennai-9.

The Principal Secretary to Government, School Education Department, Chennai-9.

The Principal Secretary to Government, Health and Family Welfare Department, Chennai-9.

The Principal Secretary to Government, Public Works Department, Chennai-9.

The Principal Secretary to Government, Social Welfare & Nutritious Meal Programme Department, Chennai-9.

The Secretary to Government, Tamil Development and Information Department, Chennai-9.

All District Collectors (Through Commissioner of Labour, Chennai-6).

The Commissioner of Labour, Chennai-6.

The Commissioner, Department of Employment and Training, Chennai-32.

The Commissioner of Social Defence, Chennai-10.

The Director of Industrial Safety and Health, Chennai-5.

The Commissioner of Municipal Administration, Chennai-5.

The Director of Rural Development, Chennai-15.

The Director General of Police, Chennai-4.

The Director of School Education, Chennai-6.

The Director of Elementary Education, Chennai-6.

The State Project Director, District Primary Education Programme, Chennai-6.

The Director of Public Health and Preventive Medicines, Chennai-6.

The Chief Engineer (General), PWD, Chennai-5.

The Director of Social Welfare, Chennai-5.

The Chief Engineer (Highways), Chennai-5.

The Director of Information and Public Relation, Chennai-9.

Copy to:-

The Private Secretary to Principal Secretary to Government, Labour and Employment Department, Chennai – 9.

The Deputy Secretary to Government, Labour and Employment Department, Chennai-9.

The Special Personal Assistant to Hon'ble Minister for Labour, Chennai-9.

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//FORWARDED BY ORDER //

சு. அ. சுவாமி
05/02/2019
SECTION OFFICER.
6.24
07/02/19

ANNEXURE

G.O.(Ms) No.8, Labour and Employment (U2) Department, dated 30.01.2019

STATE ACTION PLAN FOR ERADICATION OF CHILD LABOUR AND ERADICATION OF ADOLESCENT LABOUR IN HAZARDOUS OCCUPATIONS AND PROCESSES.

“We are guilty of many errors and many faults
But our worst crime is abandoning children”

I. INTRODUCTION

The national child policy (2013) refers to children as the ‘Supremely important national asset’. Children form nearly 40% of the population. It is a great human resource that need to be nurtured and developed. A strong and shining India depends on today’s children. Hence it is very essential to provide a healthy and safe environment for the children where they enjoy their basic rights and have space and opportunity to develop into good citizens. All children irrespective of their colour, creed or caste have the right to nutritious food, quality health care to ensure their survival; quality education, training and opportunities to foster physical, emotional, intellectual and psychological development; a safe environment that protect them from violent, abusive and exploitative situations and have the space to express their opinion which is taken into consideration in decision making by adults and policy makers.

Child labour denies children of their rights to a healthy life, right to education and expose them to a violent and abusive situation. Being deprived of a safe and healthy childhood child labourers work in unsafe conditions, get drawn into anti-social activities, suffer physically and psychologically and are vulnerable to physical and sexual abuse. Their future becomes bleak and they fall into the vicious cycle of poverty. At the national level child labour perpetuates poverty, increases illiteracy, slows down growth and development. As a country that has ratified United Nations Convention on the Rights of the Child (UNCRC) we have the obligation to protect our children from the practice of child labour.

UNCRC Art. 32 : States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

Child Labour (Prohibition & Regulation) Act, 1986 which came into force from 01.09.2016 has called for a revision of State Action plan for eradication of child labour (2003). This revised State Action Plan rolls out a multipronged, comprehensive and convergent strategy towards achieving the vision of ‘A State free of Child labour in all occupations and Adolescent labour in hazardous occupations by the end of 2025’.

II STATUS OF CHILD LABOUR IN TAMILNADU

International Labour Organisation (ILO) defines child labour as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development.

According to 2011 census there are 1.51 lakh child workers in Tamilnadu.

Proportion of child workers as per 2011 census is presented below

Age	Rural	Urban	Total	Male	Female
5-9 yrs	1.51	1.69	1.59	1.62	1.56
10-14 yrs	3.40	2.90	3.17	3.47	2.85

III. LEGAL PROVISIONS

The Constitution of India Article 24 prohibits employment of children below the age of 14 years in factories, mines or hazardous employments.

The Constitution of India Article 21 A guarantees Right to free and compulsory elementary education for all children in the 6 - 14 years of Age group.

Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 and rules prohibits child Labour in any employment and Adolescent Labour in hazardous occupations and processes. Salient features of the amendment act are as follows:-

- The Child Labour (P & R) Act 1986 substituted by Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.
- "Adolescent" means a person who has completed his fourteenth year of age but has not completed his eighteenth year.
- No children below 14 years shall be employed or permitted to work in any occupation or process.
- No Adolescent shall be employed or permitted to work in any of the hazardous occupations or processes set forth in the schedule of the act.
- Exemptions given to a child who helps his family or family enterprises which is other than any hazardous occupations or processes after his school hours or during vacation.
- Whoever employs any child or permits any child to work in contravention of the provisions of section 3 shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years, or with fine which shall not be less than twenty thousand rupees but which may extend to fifty thousand rupees, or with both:
- Provided that the parents or guardians of such children shall not be punished unless they permit such child for commercial purposes in contravention of the provisions of section 3.
- Whoever employs any adolescent or permits any adolescent to work in contravention of the provisions of section 3A shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years or with fine which shall not be less than twenty thousand rupees but which may extend to fifty thousand rupees, or with both:
- The parents or guardian having been convicted of an offence under section 3 or section 3-A, commits a like offence afterwards he shall be punishable with a fine upto 10000 rupees.

- An offence committed under section 14 (3) for the first time by the accused person or by a parent or guardian is made compoundable.
- Special exemptions given to child artists in an audio–visual entertainment industry, including advertisements, films, television serials or any such other entertainment or sport activities except circus subject to conditions and safety measures.
- The Government contribution to the fund has been enhanced from Rs.5,000/- to Rs.15,000/- for each child or adolescent for whom the fine amount has been credited.

IV STATE ACTION PLAN

Vision

A State free of Child labour in all occupations and Adolescent labour in hazardous occupations' by the end of 2025.

Objectives

- To prohibit employment of children below the age of 14 years in all Industries.
- To prohibit employment of adolescents in hazardous employment and regulate their employment in other sectors.
- To rescue and rehabilitate child/adolescent labour.
- To mobilise community participation and create a positive climate for elimination of child and adolescent labour.
- To effect convergence of different departments for prevention, rescue and rehabilitation of child/adolescent labour .

Key strategies

- Identification of children and adolescents engaged in employment.
- Enforcement of labour laws prohibiting child and adolescent labour.
- Economic rehabilitation
- Awareness generation
- Recognition for child labour elimination and celebrating success
- Involving employers
- Community participation
- Trainings
- Convergence of services

1. Identification of children and adolescents engaged in employment

- Generate data base of child labour from existing source such as SSA data and undertake survey where necessary.
- Conduct a survey to identify adolescent labour in hazardous and non-hazardous sectors to facilitate the process of eradication and regulation.
- All surveys would be carried out by independent agency.
- For identification purpose area based approach would be adopted based on 2011 census in all blocks.

- All out of School Children engaged in activities like rag picking in the dumping yards and involved in beggary in all places, including pilgrimage centres, to be identified with the help of NGOs by the District Administration in all the districts and in Chennai by the Chennai Corporation.
- The district administration will lead an enrolment campaign in the month of June every year by involving officials of all line departments. In the district including noon meal organizers school teachers district child protection suggested by social defence unit staff etc.
- Samagra Shiksha Abhiyan (SSA) focuses on identification of out of school children in the age group of 6-14 in the State which includes never enrolled children and children who have dropped out of school.

2. Enforcement of labour laws prohibiting child and adolescent labour

The Prohibitory provisions under the following labour enactments are implemented in the State by the Assistant Inspectors of Labour, Deputy Inspectors of Labour, Assistant Commissioner of Labour (Enforcement) and Assistant Commissioners' of Labour in the Labour Department and enforcement officers of Directorate of Industrial Safety and Health.

- The Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.
- The Factories Act, 1948
- The Motor Transport Workers Act, 1961
- The Beedi and Cigar Workers (Conditions of Employment) Act, 1966
- The Tamil Nadu Shops and Establishments Act, 1947
- The Tamil Nadu Catering Establishments Act, 1958
- The Bonded Labour System (Abolition) Act 1976

2.1. Inspections / Raids to rescue rehabilitate Child and Adolescent Labour

- Planned inspections/Surprise Inspections and raids in all the establishments including factories shall be vigorously undertaken by Labour Department and Directorate of Industrial Safety and Health in co-ordination with line departments and the same will be reviewed periodically.
- The District Special Task Force in each District is functioning under the Chairmanship of the District Collector and consists of Members from line departments as detailed below:

District Collector	-	Chairman
Superintendent of Police	-	Vice Chairman
Joint Director of Industrial Safety and Health	-	Member Secretary
Joint Commissioner of Labour	-	Member
Revenue Divisional Officers of the District.	-	Members
Joint Director of Health Services	-	Member
Chief Educational Officer	-	Member
Project Director NCLP	-	Member
NGO Representatives	-	2 Members

- The District Task Force will undertake regular raids to rescue, rehabilitate the Child and Adolescent Labour employed mainly in domestic and hospitality sector and other hazardous/ Non hazardous occupation / processes apart from initiating legal action against the erring employers.

- The Police officials shall exercise the powers vested in them under Section 16 of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 and book cases against erring establishments.
- The outcome of inspection and ideas will be shared about the rescued children/adolescents to the District Education Officers and Social Welfare department for rehabilitation of children/adolescents.

2.2. Rescue and legal action

- If a child labour in any occupation and adolescent labour in hazardous occupation and processes is identified Child Line- 1098 and the District Child Protection Units could be informed for rescue and rehabilitation.
- If a child/adolescent labour is identified during the survey / inspections / raids in the establishments and factories, he / she should be withdrawn from the employment immediately and the errant employer should be prosecuted under the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.
- In respect of trafficked / bonded children, the legal action should be initiated under the Bonded Labour System (Abolition) Act, 1976 as well as under the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 by the Revenue and Labour Department respectively.
- If a child / adolescent labour identified is a destitute or orphan then the child/adolescent has to be produced before the Child Welfare Committee / District Child Protection Units. Follow up action to be taken based on the provisions in the Juvenile Justice (Care and Protection of Children) Act, 2015. Physical examination of the rescued child / adolescent should be carried out by Appropriate Medical Authority. The age certificate issued by the appropriate Medical authority should be as per the format prescribed under the State Rules.
- Identify the nearest Government Hospital and availability of professional medical help in case of emergencies.
- Identify resources to provide psychological support to the victims of trafficking as soon as possible after rescue.
- Health check-up and counseling should be conducted for all children / adolescents who have been released and rescued.
- If the rescued child labour/ adolescent labour is a migrant, he / she shall be handed over to the District Child Welfare Committee / District Child Protection Unit for handing over the child to the parent / guardian as per the procedure laid down in the Juvenile Justice (Care and Protection of Children) Act 2015.
- If a rescued child/ adolescent labour is a trafficked child he / she shall be handed over to the District Child Welfare Committee / District Child Protection Unit for further course of rehabilitation and legal action should be taken by the Human Trafficking Unit of Police Department under section 370 and 370A of IPC.
- If the enforcement officer on enquiry finds that the rescued child/adolescent has been sexually abused, they should be immediately referred to Special Juvenile Police Unit or Local Police for necessary action and report the matter to the District Child Welfare Committee and the Special Court within the period of 24 hours under provisions of the Protection of Children from Sexual Offences Act, 2012.

- Strict and effective enforcement of the Labour Laws and RTE Act relating to prohibition of child/adolescent labour in all forms and in all establishments and factories.
- There should be a method of self-certification by the Flat Owners Associations to declare that no child/adolescent is employed in their residential premises and this should be monitored by Municipal Administration, City Corporations and Local Bodies Authorities.

3. Education and skill development

3.1. Mainstreaming Child Labour

- Children who are rescued from Labour or Adolescents who are rescued from hazardous employments shall be mainstreamed to education in the following ways:-
- If the child is between 5-8 years she / he will be directly linked to the Samgara Shiksha Abhiyan to access their Right to Education.
- A Child between 9-14 years will attend two year bridge education course in the NCLP Special Training Centers and then will be mainstreamed to the Schools under Samgara Shiksha Abhiyan Program.
- To ensure quality of educational rehabilitation, the index card prepared under PENCIL portal of Ministry of Labour and Employment would be updated regularly by the District Project Society under NCLP
- An adolescent between 14 – 18 years will be linked to a skill development program run by the Government of India or the State Government.
- The data of rescued adolescents would be shared with Ministry of Skill Development through PENCIL portal.

3.2. National child labour project

The Government of India is implementing the NCLP Scheme since 1988 for the rehabilitation of children withdrawn from certain occupations and processes. The Target group under revised NCLP guidelines covers all child workers below the age of 14 years in the identified target area and adolescent workers in the age of 14-18 years engaged in hazardous occupations and processes. These changes are brought considering the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.

In Tamil Nadu the National Child Labour Project (NCLP) funded by the Government of India is implemented in 15 Districts viz., Chennai, Coimbatore, Dindigul, Dharmapuri, Erode, Krishnagiri, Kancheepuram, Namakkal, Tuticorin, Thirunelveli, Trichy, Thiruvannamalai, Salem, Vellore and Virudhunagar.

NCLP Society is headed by District Collector who is the Chairperson of District Child Labour Monitoring Committee.

Special Training Centres (STCs) are functioning in the 15 National Child Labour Project districts and rescued child labourers are studying. The children are provided bridge education, vocational training, mid-day meal, stipend, health care and recreation etc. with the ultimate objective of preparing them to be mainstreamed in the formal system of education. The stipend amount of Rs.400/- per month is paid to each child under NCLP Scheme through STC. The State Government has enhanced the monthly cash assistance

provided to the erstwhile child labour from NCLP schools to pursue higher education from Rs.250/- to Rs.500/-.

Use of PENCIL portal for effective implementation of NCLP and enforcement of the Child and Adolescent Labour (Prohibition and Regulation) Amendment Act 2016 is made mandatory. The Assistant Commissioners' of Labour (Enforcement) are appointed as District Nodal Officers for tracking the cases of Child Labour on PENCIL portal.

3.3. Alternate schools under SSA

In Non-NCLP districts the child labour identified should be admitted in the alternate schools proposed to be run by education department. Samagra Shiksha Abhiyan under School Education Department will provide academic support like admission in schools / special training centres immediately after identification and also provide all cost-free items supplied by the Government, mainstreaming of children in school after completing special training and tracking their continuance in school till their elementary education.

Samagra Shiksha Abhiyan (SSA) focuses on identification of out of school children in the age group of 6-14 in the State which includes never enrolled children and children who have dropped out of school.

3.4. Skill Training (Modular Employable Skill) for the NCLP Children who are not mainstreamed in to formal Schools

The rescued children who could not be mainstreamed into formal schools and adolescents rescued from hazardous occupation/process may be given skill training through Modular Employable Skill Scheme (MES) / ITI / TNSDC / empanelled training providers.

3.5. Vocational training and employment opportunities to adolescents rescued from hazardous occupations and processes:-

- Vocational/skill training shall be provided for rescued adolescent labour for a period of 1 year in each district in training institutes earmarked for the purpose / ITI / Industrial Schools Empanelled training providers.
- Provide employment opportunities to rescued adolescents on completion of such training in various employment schemes / Apprentices Training in Industrial Establishments.

4. Economic Rehabilitation:

- Back wages: All rescued child labourer and adolescent labourers in hazardous employment shall be paid back wages at a rate not less than minimum wages for their period of employment.
- Immediate financial assistance of Rs.20,000/- under the Central Sector Scheme for Rehabilitation of Bonded Labourer 2016 is available, if the child / adolescent is a bonded labour. Additional compensation up to Rs.2,00,000/ Rs.3,00,000 is payable after proof of bondage in the Court of Law.
- The amount of Fine Rs.20,000/- and an additional amount of Rs.15,000/- is to be credited by the Government for each child or adolescent in such fund.
- Focusing of development schemes in the Child/Adolescent labour intensive districts/blocks identified through SSA Survey, to benefit the rescued child labour.

- Child/Adolescent Labour families should be covered under the Social Security net. The parents of the child/adolescent labour should be registered in the relevant unorganized workers welfare boards.
- Parents of rescued child labour/adolescent Labour shall be given priority in the existing poverty alleviation and self-employment schemes.
- To supplement income loss, mothers of rescued child/adolescent labour to be given appropriate skill training and encouraged to become members of self-help groups.

5. Awareness Generation

- Widespread awareness generation by all departments individually or collectively or in co-operation with UNICEF, ILO, civil society organizations, employers' associations and trade unions will be undertaken by all departments so as to create a positive climate for sending the children to school and not to work. Awareness among children and adolescents can be undertaken at the school level or through folk activities.
- Effective use of folk, print, electronic and social media in the awareness campaign.
- Organising rallies, human chains, signature campaigns, wall paintings, etc will form part of awareness activities.
- The 'Anti Child Labour Day' on 12th June shall be observed at the State and District levels to create awareness among public.
- To take a pledge against Child Labour on 12th June of every year in all Schools, Offices, Factories, other establishments and also in all Government Offices, throughout the State to focus public attention.
- The District Collector, Local Bodies, Teachers, Project Directors, Field Officers, Inspector of Labour and Deputy Director of DISH shall continue to be awarded every year for their best work in eradication of child labour on "Anti Child Labour Day".
- Establish links with railway authorities, State Transport authorities and other private transport companies and arrange for telecasting the awareness films through internal circuit televisions maintained by them.
- Create and display in an easily understandable manner Salient provisions of the Act and the Rules in public places.

6. Recognition for child labour elimination and celebrating success

Every year Awards are distributed to the following categories:-

- Students(rescued child labour), teachers and officials for their good performance in eradication of child labour.
- The mainstreamed students of the Special Training Centres of National Child Labour Projects who secured high marks in the 10th and 12th standard public examinations.
- The NCLP Project Director and two Programme Managers for their good performance in their area of work.
- One best Volunteer educational instructor from each NCLP district for their best work in Special Training Centres(STCs).

- One Assistant Commissioner of Labour (Enforcement) and one Deputy Director of Industrial Safety and Health for their best work in eradication of child labour.
- State Award to District Collectors for excellent work in child labour eradication.

9. Involvement of Employers

Involving the Employers' Associations in elimination of child labour is very important. Efforts have to be made to impress upon the employers so that they should stop employing child labour and come forward voluntarily in rehabilitation of child labour.

10. Community participation in child labour elimination

- Local community will be involved in eliminating child labour practice. Panchayats and Town Panchayats, Corporation wards should aim to become 'Child Labour Free'
- Government will institute an award for Child Labour Free Panchayats / Town Panchayats / Municipalities.

11. Training

- Training Programmes to be organized for the Enforcement officials, Labour, DISH, Judiciary, Education, Health, Social Welfare, Social Defence, Police, Revenue officials for implementing the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.
- Workshops on convergence of Departments, Civil Society and Local Bodies, Employers Associations, Trade Unions and NGOs for eradicating child/adolescent labour.
- Capacity building of all notified Inspectors under Child & Adolescent Labour (Prohibition and Regulation) Act 1986 and Rules.

12. Convergence of services

In addition to the specific measures under the Action Plan, convergence of the existing services of the following departments of Governmental Organizations and other bodies is necessary to eliminate child labour.

1. Labour department
2. Directorate of Industrial safety and health
3. Education department
4. Directorate of Employment and Training
5. Department of Industries and Commerce
6. Social welfare and Nutritious meal programme department
7. Department of Rural development
8. Department of Municipal administration
9. Police department
10. Health department
11. Public works and highways department
12. Information and public relations department
13. Revenue department
14. Adi dravidar and tribal welfare department

15. Backward Community And Most Backward And Denotified Communities Welfare Department
16. Commissionerate of Social defence
17. Tamil Nadu State Commission for Protection of Child rights
18. NGOs and other organizations
 - Non Governmental organization
 - Employers' associations
 - Trade unions
 - Resident welfare associations

Suggested activities are given in the annexure III.

13. IMPLEMENTATION OF THE STATE ACTION PLAN

At the State Level

- The State Child Labour Rehabilitation cum Welfare Society under the Chairmanship of the Commissioner of Labour will be responsible for monitoring the implementation of the State Action Plan for Eradication of Child/adolescent labour.
- The monitoring cell which has already been constituted in the Office of the Commissioner of Labour shall continue to monitor the activities relating to elimination of child Labour as per the directions of the Hon'ble Supreme Court.

At the District Level

- In all the 15 districts where National Child Labour Projects are functioning National Child Labour Project Societies have been formed comprising of concerned departmental officers under the Chairmanship of the District Collector. These Societies are responsible for implementing the Action Plan for elimination of Child/Adolescent Labour at the District level in the NCLP Districts.
- In other districts, Child/Adolescent Labour Rehabilitation cum Welfare Societies have been constituted for identifying children/adolescent employing in hazardous and non-hazardous establishments. These Societies are responsible for implementing the Action Plan for elimination of Child Labour at the District level.
- District Collectors to take steps to declare their districts as "*Child/Adolescent Labour Free*" before the year 2025.

VI. MONITORING MECHANISM

State Authority on Elimination of Child Labour

The State of Tamil Nadu has constituted an Apex committee named as 'State Authority on elimination of Child Labour' for the purpose of elimination of Child labour under the chairmanship of Chief Secretary to Government and the Secretaries of Labour, Finance, Education, R.D., Health and family Welfare, MSME, Commissioner of Labour, DISH, Director of Social Defence, DGP and 2 psychiatrists as Member. This authority is responsible for co-ordination and monitoring of implementation of child labour related programme of various department.

State Level Monitoring Committee

A Central Monitoring Committee has been constituted for the overall supervision, monitoring and evaluation of the NCLP. Accordingly a State Level Monitoring Committee was set up under the Chairmanship of Secretary to Government, Labour and Employment Department on the lines of the Central Monitoring Committee for monitoring the National Child Labour Projects in the State.

The Secretary to Government, Labour & Employment is the Chairman and the Commissioner of Labour is the Secretary to this Committee. This Monitoring Committee would undertake the work of monitoring the implementation of the State Action Plan.

VII. FUNDS

- Funds may be provided for conducting awareness generation and Training Programmes. Community/ private/ corporate sponsorship for the programmes may also be sought.
- At the district level, the district committee headed by the District Collector may receive funds from State Government, Government of India and Private / Corporate sponsorship.
- In addition to the funds under Action Plan, the funds available under regular budget schemes of various departments should be utilized giving priority for the activities connected with the elimination of child and adolescent labour.
- Section 14B(1) of Child Labour (Prohibition and Regulation) Amendment Act 2016, Child and Adolescent Labour Rehabilitation Fund should be constituted

VIII. EVALUATION

Documentation and dissemination of successful experiences are necessary. Periodical independent evaluation study will be commissioned by the District level Societies and reports shall be placed before the Government.

ANNEXURE- 1

CONSTITUTIONAL PROVISIONS

Special provisions in the Constitution of India for Education and protection of children from employment.

Article 21A:

Free and compulsory education

‘The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine.’

Art- 23:

Prohibition of traffic in human beings and forced labour.

Traffic in human beings and beggars and others similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.

Art- 24:

Prohibition of employment of children in factories etc.

No child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

Article-39(e) and (f):

Directive principles of the state policy

The state shall, in particular, direct its policy, securing:

(e) That the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocation unsuited to their age or strength.

(f) That children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

Article- 45:

Provision for early childhood care and education

‘The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years’.

ANNEXURE-2

DEFINITION OF CHILD AND PROVISIONS RELATING TO EMPLOYMENT OF CHILDREN UNDER VARIOUS ACTS

1. **The Factories Act, 1948:**
The Act prohibits the employment of a child who has not completed 14 years.
2. **The Apprentices Act, 1951:**
A person shall not be qualified for being engaged as an Apprentice . . . unless he is not less than 14 years of age.
3. **The Plantation Labour Act, 1951:**
"Child means a person who has not completed his 14th year."
4. **The Mines Act, 1952:**
The Act prohibits the employment of a child below 18 years of age for work below ground.
5. **The Child & Adolescent Labour (Prohibition & Regulation) Act, 1986:**
The Act prohibits the engagement of children in all occupations and prohibits the engagement of adolescent in hazardous occupations and processes.
6. **The Merchant Shipping Act, 1958:**
The Act prohibits Children less than 14 years of age to be engaged or carried to sea work in any capacity in any ship, subject to certain exceptions.
7. **The Motor Transport Workers Act, 1961:**
The Act prohibits the employment of Children less than 14 years of age in any motor transport undertaking.
8. **The Beedi and Cigar Workers (Conditions of Employment) Act, 1966:**
The Act prohibits the employment of children less than 14 years of age in any industrial premises manufacturing beedi or cigar.
9. **The Tamil Nadu Shops and Establishments Act, 1947:**
The Act prohibits employment of Children who have not completed 14 years of age.
10. **The Tamil Nadu Catering Establishments Act, 1958:**
The Act prohibits employment of Children who have not completed 16 years of age.
11. **The Tamil Nadu Handloom Workers (Conditions of Employment and Miscellaneous Provisions) Act 1981**
The Act prohibits employment of Children who have not completed 16 years of age.
12. **The Tamil Nadu Manual Workers (Regulation of Employment and conditions of work) 1982**
The Act prohibits employment of Children who have not completed 16 years of age in any scheduled employment.

ANNEXURE 3

SUGGESTED ACTIVITIES OF VARIOUS DEPARTMENTS

Labour Department

- Labour department to act as nodal agency and facilitate the co-ordination between various implementing agencies / departments at State level.
- Ensure strict implementation of all the labour laws relating to prohibition of child/adolescent labour.
- Conduct raids/ inspections with the help of District Task Force in spots having high incidence of child/adolescent labour.
- Facilitate the collection and compilation of data on child/adolescent labour through district administration.
- Prepare profile of rescued child/adolescent labour and their families.
- Coordinate with Childline in rescue of child/adolescent labour.
- Post rescue coordination with NGOs for accommodation, transportation, producing of children before the Child Welfare Committee, food and medical check-up.
- Enrolment of rescued child/adolescent labour by providing vocational training in Special Training Centres under NCLP or SSA bridge courses in the home district.
- After the raid, intimate the press to give wide publicity on raids and prosecutions without revealing the name and photo of the rescued child/adolescent.
- Utilize the services of Medical Officers of Employees State Insurance Corporation, Health Department/ Local PHC's for the certification for proof of age of child/adolescent labour.
- Vigorous enforcement of the Minimum Wages Act, 1948.
- Observe June 12th of every year as Anti Child Labour Day by organizing awareness programmes.
- Generate awareness among employers, parents, trade unions, student community about child/adolescent labour by organizing campaigns and sensitization programmes.
- Organize training programmes seminars and workshops.
- Share information about the rescued children/adolescents to the District Education Officers for rehabilitation of children and Revenue Department for providing alternative income generation through various schemes.
- Make documentation of success stories and publish them.
- Rehabilitate the families of child/adolescent labour under various welfare schemes of the respective boards.
- State Award to District Collectors for excellent work in child/adolescent labour eradication.
- Organise to issue free bus passes and uniforms to the children studying in the special schools of National Child Labour Project in the State

Directorate of Industrial Safety & Health (Factories Department)

- Ensure strict implementation of all the labour and factory laws relating to prohibition of child/adolescent labour.

- Conduct raids/ inspections with the help of District Task Force in spots having high incidence of child labour/ adolescents in factories
- Prepare profile of rescued children/adolescents and families
- Coordinate with Childline in rescue of child/adolescent labour
- Post rescue coordination with NGOs for accommodation, transportation, producing of children before the Child Welfare Committee, food and medical check-up.
- Enrolment of rescued child labour in Special Schools under NCLP Special Training Centres or SSA bridge courses in the home district.
- Provide employment oriented trainings to rescued adolescents.
- After the raid, intimate the press to give wide publicity on raids and prosecutions.
- Utilize the services of Medical Officers of Factories Department, Employees State Insurance Corporation, Health Department/Local PHC's for the certification for proof of age of child/adolescent labour.
- Vigorous enforcement of the Minimum Wages Act, 1948.
- Observe June 12th of every year as "Anti Child Labour day" by organizing awareness programmes.
- Develop awareness among employers, parents and trade unions about child/adolescent labour by organizing campaigns and sensitization programmes.
- Share information about the rescued children/adolescents to District Education Officers for rehabilitation of children/adolescents and Revenue Department for providing alternation income generation through various schemes.

Education Department

- Implementation of the provisions relating to child labour contained in the provisions of Right of Children to Free and Compulsory Education Act, 2009 and the Tamil Nadu Right of Children to Free and Compulsory Education Rules, 2011.
- Create awareness among general public vulnerable communities for prevention and ensuring that children have access to free compulsory education as per section 2A of the rules.
- Enrolment of the children/adolescents in the NCLP Special Training Centres in the age appropriate classes in the neighbourhood Government / Government aided schools and training may be imparted to those children at the Special Training Centres.
- Establish bridge centres for the children rescued as child/adolescent labour to facilitate their eventual mainstreaming.
- Samgara Shiksha Abiyan (SSA) would formulate curriculum for the bridge course in the NCLP Special Training Centres and impart training to the teachers of NCLP to efficiently handle the bridge courses.
- Books, uniforms and other education material will be provided by the Education Department to the NCLP special training centre children
- Children who are mainstreamed after completion of the bridge course would be monitored and tracked by SSA.

- Incorporate child labour module evolved by Labour Department in surveys of out of school children in order to identify child labour and share the survey details with the Labour Department.
- Identify children who work part time and children who migrate temporarily so that their special needs could be adequately addressed in order to retain them in schools.
- Include the issue of child/adolescent labour and its link to universalization of elementary education in the teachers training programme.
- Issuing of orders not to insist upon birth certificates or proof of age or other such documentary evidence for admitting released child/adolescent labour.
- Make provision for admission of rescued child/adolescent labour at any time of the academic year.
- Bridge courses could be started for the children of migrant families from other states in the destination areas who work at the construction sites, Brick Kilns, Rice Mills and in other sectors of employment in their mother tongue.
- The residential schools could be set up for the children of migrant labour in the source districts of our state. Such schools need to have necessary infrastructure facilities and appropriate methodology of teaching by creating conducive environment to retain the children at schools. Provide for adequate number of schools in resettlement colonies to prevent drop out which lead to child labour.
- Training Programmes on rehabilitation of child/ adolescent labour may be arranged for grass-root level workers of the Department.
- Adult education programme be taken up for the parents of child labourers so that a literate environment is created in the family
- Counseling the parents of working children about the importance of enrolment of working children in the formal school system.
- Support adolescent workers who were drop out, to pursue school education till 12th Std.
- The component of child labour issue may form part of all the programmes of the Department of Education.
- Training to be organized for NCC, NSS, Parent-Teacher Association on the issue relating to child/adolescent labour.
- Sensitize the society on elimination of child/adolescent labour by mass awareness campaign

Directorate of Employment and Training

- Provide skill training to adolescent labour rescued from hazardous occupations and processes.
- Provide employment to rescued adolescent on completion of training.
- Provide employment to parents of the Children / adolescents through the Job Mela.

Department of Industries and Commerce

Provide loan facilities to the parents of the child /rescued adolescent labour under various self-employment schemes implemented by them.

Social Welfare and Nutritious Meal Programme Department

- Support labour department in detecting child /adolescent labour in various institutions, organizations and industries.
- Create awareness about the evils of child labour among their members of Madhar Sangams & in their communities.
- Rehabilitate the Children who are in need of care and protection in Children Home/Shelter Home and Hostels run by the Department
- Ensure that no member of the SHG / Madar Sangams employs children including domestic labour.
- Provide Nutritious Mid Day Meal to all Children/adolescents who are enrolled in NCLP.
- All SHG members to take a resolution against child labour.

Department of Rural Development

- Observe 12th June of every year as "Anti Child Labour Day" by organizing awareness programmes involving Panchayat Raj Institutions.
- Ensure that every Panchayat Raj Institution passes resolutions stating that they would eliminate child/adolescent labour and endeavour to rehabilitate the released child labour and shall make efforts to declare their Panchayat as a child labour free Panchayat.
- Maintain Profiles of children/adolescents up to the age of eighteen years.
- Ensure and monitor admission, attendance and completion of elementary education by every child/adolescent.
- Ensure that no child below 14 years of age and adolescent is allowed to work in their jurisdiction of Gram Panchayats and review the status as a standing agenda in all monthly meetings of Grama panchayats.
- The licences issued by the Panchayat Raj Institutions to be cancelled if such licence holders are found engaging child labour and adolescent in hazardous occupations/ processes.
- Reporting of the existence of child /adolescent labourers in their jurisdiction to the enforcement officers of Labour and DISH of the District shall be made compulsory duty of each Panchayat.
- Provide alternative income generation through various Schemes to the rescued Child Labour families referred by Labour/Factories/ District Special Task Force/NCLP.
- Convene Village watch dog committee meetings to monitor the status of children in the village.

Department of Municipal Administration

- Observe 12th June of every year as "Anti Child Labour Day" by organizing awareness programmes involving all elected representatives of all the wards and Councils.
- Ensure that every council passes resolutions stating that they would eliminate child/adolescent labour and endeavour to rehabilitate the released child/adolescent labour and shall make efforts to declare their Council as a child/adolescent labour free council

- Maintain profiles of children up to the age of eighteen years at Ward level.
- Ensure and monitor admission, attendance and completion of elementary education in schools run by Municipalities / Corporations.
- Ensure that no child/adolescent is allowed to work in their jurisdiction
- Obtain an undertaking while granting any license / permission to the effect that the applicant should not engage child/adolescent labour. In case of violation, such licenses / permission should be cancelled.
- Conduct sensitization and awareness training programmes against the employment of child/adolescent labour to all functionaries of urban local bodies including the Councilors, Commissioners and field functionaries.
- Report the existence of child labourers in their jurisdiction to enforcement officer of Labour / DISH of the District shall be made mandatory.
- Initiate Child Labour Monitoring system in all local bodies to prevent the system of Child Labour

Police Department

- The Police Inspectors should exercise the powers vested in them under Section 16 of the Child Labour (Prohibition and Regulation) Act, 1986 and book cases against erring establishments.
- Provide adequate protection to the District Task Force officials when the raids are conducted for release of child/adolescent labour and collect evidence for the case.
- The child welfare police officer should take custody of the rescued Child/adolescent Labour who need care and protection and hand over them safely to the Children's Home.
- Initiate action on middle men and agents under appropriate criminal laws.
- Provide escorts and protection during awareness campaigns.
- The Railway Protection Force should inform Labour Department on prevalence of Child/adolescent labour in catering establishments at Railway Stations.

Health Department

- Accompany the enforcement officials during special raids by Labour and DISH Department and raids organized by the district Special Task Force.
- Ascertain exact age and issue Age Certificate after appropriate medical examination.
- Undertake health care programmes, counselling and periodical health check-up to the released child/adolescent labour at the NCLP Special Training Centres.

Public Works and Highways Department

The work contract assigned to the contractors shall be cancelled if they engage child/ adolescent labour in executing works and such contractors should be black listed for three years.

Information and Public Relations Department

- Undertake massive publicity campaign among the public to create an environment that encourage the children to go to school instead of work.

- Play a pivotal role with the active support of media and other resource groups including advertising agencies, NGO and district committees for child/adolescent Labour elimination.
- Highlight and document the issue of child/adolescent labour and their success stories
- Undertake a campaign to create awareness about the government schemes specially meant for rehabilitating child/adolescent labour.
- Produce Documentary films and awareness creating programmes on the issue of Child / Adolescent Labour and screened on LED video vans available and through Arasu Cable TV Corporation Limited.

Revenue Department

- To enforce Child/adolescent Labour (Prohibition and Regulation) Act, 1986 and identify children employed in hazardous employment and take necessary measures to release them from employment.
- All Revenue Divisional Officers to be made responsible for rescue and rehabilitation of Child/adolescent Labour.
- Take measures to rehabilitate child/adolescent labour families by issuing free housing patta.
- To provide alternate income generation through various schemes.

Adi Dravida and Tribal Welfare Department

- Provide hostel facilities to the child/adolescent labourers of SC/ST Community.
- Provide scholarship amount to children/adolescents who are released from employment and mainstreamed into formal schools.
- Improve the economic standard of the child/adolescent labour families by enabling them to get bank loans through TAHDCO.

Backward Community And Most Backward And Denotified Communities Welfare Department

- Provide Hostel facilities to the child/adolescent labourers of BC/MBC Community.
- Provide scholarship amount to children who are released from employment and mainstreamed into formal schools.

Commissionerate of Social Defence

- The service of Children Homes may be utilized for the child/adolescent labour who are in need of Care and Protection.
- Start NCLP Special Training Centres in the Children Homes when the admitted number of Child/adolescent Labour exceeds 25.
- Create awareness on Child Line Toll Free 1098 Help Line Services
- Improve infrastructure of Children Homes and Shelter Homes.
- Sensitize CWC about the special needs of Child/adolescent Labour so as to ensure speedy and adequate repatriation and rehabilitation of these Children.
- District Child Protection officers may accompany Labour/ DISH Department Officers during special drives.
- Children have to be placed in children homes only through child welfare committees.

Tamil Nadu State Commission for Protection of Child rights.

- The commission shall undertake programs and activities which may lead to building of an enabling environment and awareness in the society against the practice of child / adolescent labour.
- The Commission shall conduct surprise inspections to the NCLPs at the District level.
- The Commission shall play a significant role in holding public hearings on child/adolescent labour issues.
- The Commission shall monitor and review the implementation of legislations and measures for welfare of child/adolescent labour, and advise the Government on matters related to child/adolescent labour.

NGO's and Other Organizations

a. Non-Governmental Organizations

- Help in identification and mapping of various forms of Child/Adolescent Labour.
- Help in release of Child/Adolescent Labour.
- Help in taking care of the rescued Child /Adolescent Labour until they are rehabilitated.
- Conduct Awareness Programmes on Eradication of Child/Adolescent Labour.

b. Employers' Associations

- The Employers' Associations including Chambers of Commerce may influence their members not to employ child /adolescent labour in any of the activities.
- They should also sponsor schemes / programmes to help in rehabilitation of released child /adolescent labour.

c. Trade Unions:

- Help in identification and mapping of various forms of Child /Adolescent Labour.
- Help in release of Child /Adolescent Labour.
- Conduct Awareness Programmes on Eradication of Child /Adolescent Labour.

d. Resident Welfare Associations

- Ensure that no child/adolescent is employed in the premises.
- Display awareness information on child/adolescent labour elimination and Childline109.

Annexure -4

- (1) Part A : Hazardous Occupations and processes in which adolescents are prohibited to work and children are prohibited to help
- (2) Part B : List of Occupations and processes where children are prohibited to help in family or family enterprises (in addition to PART A)

Encl: Notification S.O.2827(E),
dated. 30.08.2017 of MOLE

ANNEXURE-5

Government orders (enclosed)

SUNIL PALIWAL,
PRINCIPAL SECRETARY TO GOVERNMENT

//TRUE COPY//

S. N. S. S.
05/02/2019
SECTION OFFICER
b. S.
05/02/19

ANNEXURE - 4
MINISTRY OF LABOUR AND EMPLOYMENT
NOTIFICATION

New Delhi, the 30th August, 2017

S.O. 2827(E).—Whereas the draft notification further to amend the Schedule to the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 (61 of 1986) was published vide notification of the Government of India in the Ministry of Labour and Employment number S.O.1022 (E), dated the 31st March, 2017 inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of three months from the date on which the copies of the Official Gazette containing the said notification were made available to the public;

And whereas the copies of the said Gazette were made available to the public on the 3rd April, 2017;

And whereas objections and suggestions received from the public in respect of the said draft notification have been duly considered by the Central Government;

Now therefore, in exercise of the powers conferred by section 4 of the said Act, the Central Government hereby notifies, the following notification further to amend the Schedule to the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, namely:—

I. In the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, in the Schedule, for the brackets, figures and words -

- '(1) Mines.
- (2) Inflammable Substances or Explosives.
- (3) Hazardous Process.

Explanation.- For the purposes of this Schedule, "hazardous process" has the meaning assigned to it in clause (cb) of the Factories Act, 1948 (63 of 1948)'. ,

the following shall be substituted, namely:-

"PART A

Hazardous occupations and processes in which adolescents are prohibited to work and children are prohibited to help

- (1) Mines and Collieries (underground and underwater) and related work in,-
 - (i) stone quarries;
 - (ii) brick kilns;
 - (iii) preparatory and incidental processes thereof including extraction, grinding, cutting, splitting, polishing, collection, cobbling of stones or lime or slate or silica or mica or any other such element or mineral extracted from the earth; or
 - (iv) open pit mines.
- (2) Inflammable substances and explosives such as -
 - (i) production, storage or sale of fire crackers;
 - (ii) for manufacture, storage, sale, loading, unloading or transport of explosives as defined under the Explosives Act, 1884 (4 of 1884);
 - (iii) work relating to manufacturing, handling, grinding, glazing, cutting, polishing, welding, moulding, electro-plating, or any other process involving inflammable substances;
 - (iv) waste management of inflammable substances, explosives and their by-products; or
 - (v) natural gas and other related products.

Hazardous processes (serial numbers (3) to (31) below are as specified in the First Schedule of the Factories Act, 1948 (63 of 1948))

- (3) Ferrous Metallurgical Industries
 - (i) Integrated Iron and Steel;
 - (ii) Ferro-alloys;
 - (iii) Special Steels.
- (4) Non-ferrous Metallurgical Industries: Primary Metallurgical Industries, namely zinc, lead, copper, manganese and aluminium.
- (5) Foundries (ferrous and non-ferrous): Castings and forgings including cleaning or smoothening or roughening by sand and shot blasting.

- (6) Coal (including coke) Industries:
 - (i) Coal, Lignite, Coke, similar other substance;
 - (ii) Fuel Gases (including Coal Gas, Producer Gas, Water Gas).
- (7) Power Generating Industries.
- (8) Pulp and paper (including paper products) Industries.
- (9) Fertilizer Industries:
 - (i) Nitrogenous;
 - (ii) Phosphatic;
 - (iii) Mixed.
- (10) Cement Industries: Portland Cement (including slag cement, pozzolona cement and their products).
- (11) Petroleum Industries:
 - (i) Oil Refining;
 - (ii) Lubricating Oils and Greases.
- (12) Petro-chemical Industries.
- (13) Drugs and Pharmaceutical Industries: Narcotics, Drugs and Pharmaceuticals.
- (14) Fermentation Industries (Distilleries and Breweries).
- (15) Rubber (Synthetic Industries).
- (16) Paints and Pigment Industries.
- (17) Leather Tanning Industries.
- (18) Electro-plating Industries.
- (19) Chemical Industries:
 - (i) Coke Oven By-products and Coaltar Distillation products;
 - (ii) Industrial Gases (nitrogen, oxygen, acetylene, argon, carbon dioxide, hydrogen, sulphur dioxide, nitrous oxide, halogenated hydrocarbon, ozone, similar other gas);
 - (iii) Industrial Carbon;
 - (iv) Alkalies and Acids;
 - (v) Chromates and dichromates;
 - (vi) Lead and its compounds;
 - (vii) Electro chemicals (metallic sodium, potassium and magnesium, chlorates, per chlorates and peroxides);
 - (viii) Electro thermal products (artificial abrasive, calcium carbide);
 - (ix) Nitrogenous compounds (cyanides, cyanamides, and other nitrogenous compounds);
 - (x) Phosphorus and its compounds;
 - (xi) Halogens and Halogenated compounds (chlorine, fluorine, bromine and iodine);
 - (xii) Explosives (including industrial explosives and detonators and fuses).
- (20) Insecticides, Fungicides, Herbicides and other pesticides industries.
- (21) Synthetic Resin and Plastics.
- (22) Man-made Fiber (Cellulosic and non-cellulosic) industry.
- (23) Manufacture and repair of electrical accumulators.
- (24) Glass and Ceramics.
- (25) Grinding or glazing of metals.
- (26) Manufacture, handling and processing of asbestos and its products.
- (27) Extraction of oils and fats from vegetable and animal sources.
- (28) Manufacture, handling and use of benzene and substances containing benzene.
- (29) Manufacturing processes and operations involving carbon disulphide.
- (30) Dyes and dyestuff including their intermediates.
- (31) Highly flammable liquids and gases.
- (32) Process involving handling and processing of hazardous and toxic chemicals as specified in Part-II of the Schedule I to the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989.
- (33) Work in slaughter houses and abattoirs including work with guillotines.
- (34) Work involving exposure to radioactive substances including electronic waste and incidental processes therein.
- (35) Ship breaking.
- (36) Salt Mining or Salt Pan Work.
- (37) Hazardous processes as specified in Schedule IX to the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Central Rules, 1998.
- (38) Work in beedi-making or processing of tobacco including manufacturing, pasting and handling tobacco or any drugs or psychotropic substance or alcohol in any form in food processing and beverage industry and at bars, pubs, parties or other similar occasions that serve alcoholic substances.

PART B

List of occupations and processes where children are prohibited to help in family or family enterprises (in addition to PART A)

Occupations

Any Occupation concerned with-

1. transport of passengers, goods or mails by railways;
2. cinder picking, clearing of an ash pit or building operation in the railway premises;
3. work in a catering establishment at a railway station, involving the movement of a vendor or any other employee of the establishment from one platform to another or into or out of a moving train;
4. work relating to the construction of a railway station or with any other work where such work is done in close proximity to or between the railway tracks;
5. a port authority within the limits of any port;
6. automobile workshops and garages;
7. handloom and powerloom industry;
8. plastic units and fiberglass workshops;
9. domestic workers or servants;
10. dhabas (roadside eateries), restaurants, hotels, motels, resorts;
11. diving;
12. circus;
13. caring of Elephant;
14. power driven bakery machine;
15. shoe making.

Processes

1. Carpet-weaving including preparatory and incidental process thereof;
2. Cement manufacture, including bagging of cement;
3. Cloth printing, dyeing and weaving including processes, preparatory and incidental thereto;
4. Shellac manufacture;
5. Soap manufacture;
6. Wool-cleaning;
7. Building and construction industry including processing and polishing of granite stones; hauling and stacking materials; carpentry; masonry;
8. Manufacture of slate pencils (including packing);
9. Manufacture of products from agate;
10. Cashew and cashew nut descaling and processing;
11. Metal cleaning, photo engraving and soldering processes in electronic industries;
12. Aggarbatti manufacturing;
13. Automobile repairs and maintenance including processes incidental thereto namely, welding, lathe work, dent beating and painting;
14. Roof tiles units;
15. Cotton ginning and processing and production of hosiery goods;
16. Detergent manufacturing;
17. Fabrication workshops (ferrous and non-ferrous);
18. Gem cutting and polishing;
19. Handling of chromite and manganese ores;

20. Jute textile manufacture and coir making;
21. Lime kilns and manufacture of lime;
22. Lock making;
23. Manufacturing processes having exposure to lead such as primary and secondary smelting, welding and cutting of lead-painted metal constructions, welding of galvanized or zinc silicate, polyvinyl chloride, mixing (by hand) of crystal glass mass, sanding or scraping of lead paint, burning of lead in enamelling workshops, lead mining, plumbing, cable making, wire patenting, lead casting, type founding in printing shops, shot making and lead glass blowing;
24. Manufacture of cement pipes, cement products and other related work;
25. Manufacture of glass, glass ware including bangles, fluorescent tubes, bulbs and other similar glass products;
26. Manufacturing or handling of pesticides and insecticides;
27. Manufacturing or processing and handling of corrosive and toxic substances;
28. Manufacturing of burning coal and coal briquettes;
29. Manufacturing of sports goods involving exposure to synthetic materials, chemicals and leather;
30. Oil expelling and refinery;
31. Paper making;
32. Potteries and ceramic industry;
33. Polishing, moulding, cutting, welding and manufacturing of brass goods in all forms;
34. Processes in agriculture where tractors, threshing and harvesting machines are used and chaff cutting;
35. Saw mill – all processes;
36. Sericulture processing;
37. Skinning, dyeing and processes for manufacturing of leather and leather products;
38. Tyre making, repairing, re-treading and graphite beneficiation;
39. Utensils making, polishing and metal buffing;
40. 'Zari' making and processes involving the use of zari (all processes);
41. Graphite powdering and incidental processing;
42. Grinding or glazing of metals;
43. Diamond cutting and polishing;
44. Rag picking and scavenging;
45. Mechanized fishing;
46. Food processing;
47. Beverage industry;
48. Cultivating, sorting, drying and packaging in spice industry;

49. Timber handling and loading;
50. Mechanical lumbering;
51. Warehousing;
52. Massage parlours, gymnasiums, or other recreational centres, or in medical facilities;
53. Operations involving the following dangerous machines:-
 - (a) hoists and lifts;
 - (b) lifting machines, chains, ropes and lifting tackles;
 - (c) revolving machinery;
 - (d) power presses;
 - (e) machine tools used in the metal trades;
54. Composing types for printing, printing by letter press, lithography, photogravure or other similar process or book-binding, as specified in sub-clause (iv) of clause (k) of section 2 of the Factories Act, 1948."

II. This notification shall come into force on the date of its publication in the Official Gazette.

[F. No. A-42011/2/2016-CL]

RAJEEV ARORA, Jt. Secy.

Note : The Schedule was substituted by the Child Labour (Prohibition and Regulation) Amendment Act, 2016 (35 of 2016) which came into force with effect from the 1st day of September, 2016 and before the substitution, the Schedule was amended by –

- (i) S.O. 404(E), dated, the 5th June, 1989
- (ii) S.O. 263(E), dated, the 29th March, 1994;
- (iii) S.O. 36(E), dated, the 27th January, 1999;
- (iv) S.O. 397(E), dated, the 10th May, 2001;
- (v) S.O. 1742(E), dated, the 10th October, 2006;
- (vi) S.O. 2280(E), dated, the 25th September, 2008; and
- (vii) S.O. 2469(E), dated, the 8th October, 2010.

**GOVERNMENT OF TAMIL NADU
ABSTRACT**

Child Labour eradication-observance of "Anti Child Labour Day" Orders-Issued

LABOUR AND EMPLOYMENT (U.I.) DEPARTMENT

G.O.(D) No.534

Dated: 12.5.2003

1. From the Commissioner of Labour, Lr.No.T1/14622/03, dated:7.3.2003
2. G.O.Ms.No.53, Labour and Employment, Dated 12.5.2003.

* * *

ORDER :

In the Government Order second read above Government have approved an Action Plan for eradication of the use of Child Labour in the State. The Action Plan proposes observances of one day every year as "Anti Child Labour Day" to focus Public attention on the subject. The Commissioner of Labour has reported that the International Labour Organisation (ILO) observed 12th June every year as "Anti Child Labour Day." He has proposed that it would be desirable to follow the ILO and observe 12th June of every year "Anti Child Labour Day/"

2. The Government after careful consideration accepts the proposal of Commissioner of Labour and directs that the 12th June of every year be observed as "Anti Child Labour Day."

(By order of the Governor)

**M.B.PRANESH,
PRINCIPAL SECRETARY TO GOVERNMENT**

GOVERNMENT OF TAMIL NADU

ABSTRACT

CHILD LABOUR ERADICATION - State Award to District Collectors for excellent work -
Orders issued.

LABOUR AND EMPLOYMENT (U2) DEPARTMENT

G.O.Ms.No.60

Dated 20.5.2003

Read:

1. From the Commissioner of Labour letter No.T1/15021/03, dated : 21.3.2003
2. G.O.Ms.No.53, Labour and Employment Department dated 12.5.2003.

* * *

ORDER :

Government of Tamil Nadu has adopted Child Labour elimination as one of its top priorities in its 15 point Programme for making Tamil Nadu the best State in the Country. In order to achieve this objective, a State Action Plan for elimination of Child Labour in hazardous employment by the year 2005 and in non-hazardous employment by the year 2007 has been prepared and approved by the Government in the G.O. second read above.

2.The Action Plan requires coordinated action for detection of Child Labour, rescue and rehabilitation of such children, enforcement of laws prohibiting Child Labour and a strong programme to create Public opinion against employment of Child Labour. All this requires convergence of activities of a number of Government Departments and Non-Government Organisations. Such coordination has to be provided at the district level by District Collectors. In order to encourage and motivate the District Collectors in their action towards elimination of Child Labour, the Commissioner of Labour in his letter first read above has recommended a scheme of giving an annual Award to the District Collector who has done the best work in the field of elimination of Child Labour.

3. The Government, after careful consideration, accept the recommendation of the Commissioner of Labour. They accordingly order that a State Award in the form of a Shield shall be given every year to the Collector of the District with the best achievement in elimination of Child Labour. The Award will be presented during the Annual Collector's Conference. The selection shall be made considering the following points:

- (i) Number of Child Labour identified and rehabilitated.
- (ii) Total number of Child Labour mainstreamed from National Child Labour project special schools/ Transit schools fun under Sarva Shiksha Abiyan Scheme.
- (iii) Number of training programmes organized on Child Labour issues.
- (iv) Number of Child Labour families benefited from developmental schemes.
- (v) Total number of Panchayats / Town Panchayats / Municipalities declared "Child Labour free."

4. The Commissioner of Labour is requested to send necessary proposals for sanction of funds for the purchase of a Shield every year for the above purpose

(BY ORDER OF THE GOVERNOR)

M.B.PRANESH
PRINCIPAL SECRETARY TO GOVERNMENT.

/True Copy/

GOVERNMENT OF TAMILNADU

ABSTRACT

Child Labour – National Child Labour Project – Issue of Free Bus Pass to the children studying in the Special Schools of National Child Labour Project in the State – Issued.

LABOUR AND EMPLOYMENT (U2) DEPARTMENT

G.O (D) No. 427

Dated: 09.04.03.

READ:

From the Commissioner of Labour, D.O
Letter No.T2/4416/2003, dated: 24.01.03

ORDER:

In Tamil Nadu National Child Labour Project is being implemented in Tirunelveli, Thoothukkudi, Virudhunagar, Pudukkottai, Tiruchirapalli, Vellore, Salem, Dharmapuri and Coimbatore Districts. 436 Special Schools are functioning and 18,794 children are studying in the Special Schools in the above 9 Districts.

2. The National Child Labour Project Special School are situated in the centre of habitations where the Child Labourers live. But some schools are situated away from the residence deprived of a future by being deprived of education and having to spend its childhood working. Every child out of school would become as a Child Labourers or a potential Child Labourers. To tackle this problem the Government after careful consideration decided to issue free bus passes in to the Special School children whose residence are away from the Special Schools.

3. Accordingly the Government direct that free bus passes not exceeding the following numbers, be issued by the Tamil Nadu State Transport undertakings to the children studying in the National Child Labour Project Special Schools in the Districts noted below immediately enabling them to go to Special Schools located at some distance from their residences. The Children to be issued passes will be identified by the Project Directors of the National Child Labour Project in the district.

Thoothukkudi	99	Children
Tirunelveli	250	Children
Coimbatore	500	Children
Dharmapuri	323	Children
Virudhunagar	350	Children
Pudukkottai	117	Children
TOTAL	<u>1639</u>	Children

4. Expenditure towards issue of students concession ordered in Para 3 above will be reimbursed by Government to the State Transport Undertaking concerned, as is being done in respect of schools recognized by the Director of School Education.

5. This order issued with the concurrence of Finance Department vide its U.O.No. 204/F2/03 dated: 20.01.03.

(BY ORDER OF THE GOVERNOR)

M.B.PRANESH
Principal Secretary to Government

To
The Transport Department, Chennai: To issue necessary instructions to the Transport undertaking concerned

*The School Education Department, Chennai-9.

The Collectors of Thoothukudi / Tirunelveli / Coimbatore / Dharmapuri / Virudhunagar and Pudukkottai Districts

The Commissioner of Labour, Chennai-6

Copy to:
The Finance Department, Chennai-9

// True Gopy //

GOVERNMENT OF TAMIL NADU

ABSTRACT

Eradication of Child Labour – Observation of “Anti Child Labour Day” taking of pledge throughout the State on 12th June of every year – Orders – Issued.

LABOUR AND EMPLOYMENT (U1) DEPARTMENT

G.O (Ms) No 9

DATED: 1.2.2005

READ:

1. G.O.Ms.No 53, Labour and Employment Department, Dated: 12.5.2003.
2. G.O (D) No 534, Labour and Employment (U1) Department, dated. 12.5.2003.
3. G.O Ms.No 149, Labour and Employment Dept, Dt. 28.5.04
4. From the Commissioner of Labour, Letter No T1/30635/2003, dated: 16.12.2004.

ORDER:

In the Government Order 1st read above, Government have approved an Action Plan for eradication of the use of Child Labour in the State. The Action Plan proposes observance of one day every year as ‘Anti Child Labour Day’ to focus public attention on the subject. Therefore in the Government Order 2nd read above, orders have been issued to observe 12th of every year as ‘Anti Child Labour Day’. In the Government Order 3rd read above, Orders have been issued that a pledge on child labour should be taken at 11.00 A.M on 12th June of every year which has already been declared as ‘Anti Child Labour Day’.

2. The Commissioner of Labour in his letter fourth read above, has proposed the Government to modify the pledge approved in the Government Order 3rd read above.

3. The Government after careful consideration accept the proposal of the Commissioner of Labour and in supersession of the orders and in the G.O 3rd read above, direct that at 11.00 a.m on the 12th June of every year which has already been directed as ‘Anti Child Labour Day’, a pledge as in the annexure should be taken in all Schools, Offices, Factories, other establishments and also in all the Government Offices, throughout the State to focus public attention on this subject. The Government also direct that if 12th June happens to be a Government holiday, and the pledge be taken on the previous working day.

(By orders of the Governor)

LAKSHMI PRANESH,
CHIEF SECRETARY TO GOVERNMENT

To

The Commissioner of Labour, Chennai -6.

The Chief Inspector of Factories, Chennai-5 to communicate all Factories and other establishments.

All Head of Departments thro' Commissioner of Labour, Chennai-6.

All District Collectors thro' Commissioner of Labour, Chennai-6.

The Director of School Education, Chennai-6 thro' Commissioner of Labour to communicate all schools.

All Section in Labour and Employment Department, Chennai-9.

Stock File/ Spare Copies.

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இணைப்பு.

குழந்தைத் தொழிலாளர் முறையினை அகற்றுவதற்கான உறுதிமொழி

“இந்திய அரசியலமைப்பு விதிகளின்படி கல்வி பெறுவது குழந்தைகளின் அடிப்படை உரிமை என்பதால் 14 வயதுக்குட்பட்ட குழந்தைகளை ஒரு போதும் எந்தவித பணிகளிலும் ஈடுபடுத்தமாட்டேன் எனவும், அவர்கள் பள்ளிக்கு செல்வதை ஊக்குவிப்பேன் எனவும் குழந்தைத் தொழிலாளர் முறையினை முற்றிலுமாக அகற்றிட சமுதாயத்தில் விழிப்புணர்வு ஏற்படுத்துவேன் என்றும், தமிழகத்தை குழந்தைத் தொழிலாளர் அற்ற மாநிலமாக, மாற்றுவதற்கு என்னால் இயன்றவரை பாடுபடுவேன் எனவும் உளமார உறுதி கூறுகிறேன்.

/உண்மை நகல்/



ABSTRACT

Child Labour – Declaration of District as Child Labour Free- Guidelines and Criteria – Approved.

Labour and Employment Department (U1) Department

G.O. (2D) No. 24

dated 23.3.2007

Read:

1. G.O. (Ms) No. 53, Labour and Employment Department , dated 12/5/2003

Read also:

- 2) From the Commissioner of Labour, Chennai, Letter No. T1/77896/2003, dated 31.10.2005 and 21.12.2005 and Letter No. T1/82128/2005, dated 17.3.2006,4.4.2006 and 20.10.2006.
- 3) G.O. (2D) No. 7, Labour and Employment Department , dated 6.2.2007.

Order:

In the G.O. first read above, an Action Plan for Eradication of child labour in all hazardous occupation by 2005 and in all non-hazardous occupations by 2007 has been approved . In the G.O third read above an action plan for eradication of Child Labour in Domestic and Hospitality Sector has been approved.

2. The Commissioner of Labour in his letters second read above has stated that in order to implement the Action Plan all District Collectors were requested to take action and send proposals for declaring their respective districts as 'Child Labour free' after duly eliminating child labour from Organized / Unorganized, Registered / Unregistered employments. In the meeting of the State Authority on Eradication of Child Labour held on 17.11.2005 under the Chairmanship of the Chief Secretary to Government, it was also decided that the District Collectors could be empowered to declare their respective Districts as "Child Labour Free" subject to the fulfilment of the Guidelines and Criteria to be prescribed by the Government . The Commissioner of Labour has also stated that after taking note of the steps taken by the District Collectors, the points considered by the evaluating

agencies and the comments of the International Labour Organization on the draft criteria of the Commissioner of Labour a draft Guidelines and Criteria for the District Collectors to declare their districts as "Child Labour Free" has been prepared and sent for approval and for issue of orders by the Government .

3. The Government after careful consideration, approve the "Draft Guidelines and Criteria for the District Collectors to declare their districts as Child Labour Free" as in the annexure to this G.O.

4. . The Departments noted in the address entry are requested to extend the fullest co-operation to the Collectors and the Commissioner of Labour for the successful implementation of the Action Plan for Eradication of Child Labour and that the Guidelines and criteria are satisfied . The District Collectors, who play a vital role in achieving convergence of services of all Governmental and non - Governmental agencies are requested to ensure that the Guidelines and Criteria are fulfilled before declaring their Districts as "Child Labour Free".

5. The Commissioner of Labour shall monitor the performance of the District Collectors in this regard and report to Government .

(BY ORDER OF THE GOVERNOR)

RAMESH KUMAR KHANNA.
SECRETARY TO GOVERNMENT

ANNEXURE

GUIDELINES AND CRITERIA FOR THE DISTRICT COLLECTORS TO DECLARE THEIR DISTRICTS AS CHILD LABOUR FREE.

1) ACTION PLAN

At the outset for declaring a District as 'Child Labour Free' the following Action plan should have been framed, in consonance with State Action Plan.

- a) Block - wise Action Plan.
- b) District Action Plan

II) MEETINGS

The following meetings should have been conducted by the District Collector.

- a) Convergence Meetings with Stake Holders
- b) Special meetings with NGOs
- c) Special Meetings with Employer's Associations
- d) Society Meetings. (Executive Committee and General Body)

III) ENFORCEMENT

- a) Identification and Elimination of Child Labour through SSA data and Enforcement data.
- b) Developing as many number of Enforcement teams and tightening of Enforcement teams.
- c) 100% check up of all Hazardous/ Non Hazardous factories, and other Hazardous/ Non Hazardous Employments should have been made in the organised as well as unorganised sectors to identify, rescue and rehabilitate child labour.

- d) Data on migrant labour and steps taken to provide educational facilities to migrant children in respect of Hazardous/ Non Hazardous Employments in Organized and Unorganized sectors should be available. In case the children admitted in the special schools drop out on account of migration of the parents / guardian etc., the Child Labour Monitoring System should ensure that the child which dropped out is admitted in the special schools in their native/migrant Districts.

IV) ENROLMENT AND RETENTION

- a) All children below 14 years of age identified in Hazardous/ Non Hazardous Employments in Organized and Unorganized sectors ought to have been enrolled in Special/ Regular schools. (strike out which ever is inapplicable)
- b) Retention rate of child labourers released rehabilitated and admitted in Special/ Regular schools, should be between 95-100%
- c) Net school enrolment in respect of Hazardous/ Non Hazardous Employments in Organized and Unorganized sectors should be monitored based on
- i) Total children viz-a-viz enrolled children
 - ii) Enrolled children viz-a-viz dropped out children
 - iii) Children who attend school but work in after school hours

V) TRACKING OF CHILDREN WITHDRAWN FROM CHILD LABOUR

- a) Each child withdrawn from work through enforcement or identified under SSA survey or any other survey ordered by Central or State Government should have been enrolled in appropriate school through SSA/Project Directors. (NCLP / INDUS)
- b) Each child admitted in SSA/NCLP/INDUS school should have been mainstreamed into Regular school.
- c) Each child who is mainstreamed through SSA/Project Directors (NCLP/ INDUS) should be tracked to avoid further drop outs.
- d) Panchayat Raj Institutions should have been involved to monitor every child at Village Level, Block Level and District Level.

VI) AWARENESS AND TRAINING

- a) Awareness generation programmes to educate the masses, through various activities should have been periodically undertaken.
- b) Training and sensitization of the District Level officials, field officials like Village Administrative Officers, Anganwadi Woman Workers, Voluntary Health Nurses and enforcement officials, should have been conducted.
- c) A Complaint Cell should have been established (a separate phone line for child labour) in every District. Any complaint on child labour received from public/NGOs etc, should have been immediately addressed to by the District Collectors.

VII) COMMUNITY PARTICIPATION

- a) Self Help Groups should have been involved in the Campaign.
- b) Community participation through Grama Sabha meetings and special schemes like Namathu Gramam in eradicating child labour, should have been made.
- c) The local bodies / Village Education Committee should have declared their village /Ward/Town Panchayat –(Panchayat Union / Municipality / Corporation as child labour free.

VIII) RESOLUTIONS TO BE PASSED

- a) "Declarations as Child Labour Free" should have been obtained from all Village Panchayats, Special Village Panchayats, Municipalities and Corporations.
- b) Specific Resolutions from all Village Education Committees should have been counter signed by the Block Resource Supervisors.

IX) FAMILY REHABILITATION

- a) Child Labour Mother Groups, through NGOs, should have been formed and wherever it was not possible they should have been enrolled at least in the existing Self Help Groups.
- b) Identification of Child Labour families, and Rehabilitating them by giving priority through providing Skill training, work, financial assistance and credit linkages through various poverty alleviation programmes like National Rural Employment Guarantee Programme, Swarnajayanthi Grama Swarozgar Yojana(SGSY), Swarna Jayanthi Shahri Rozgar Yojana (SJSRY), Anna Marumalarchi Thittam (AMT), TAHDCO, NABARD, Collectors fund etc.,

X) CERTIFICATION

- a) Inspectorate of Factories and Department of Labour of the District should have certified that their jurisdiction is free of Child Labour.
- c) The District level Committee on Hazardous Employments in Organized and Unorganized sectors should certify in the prescribed format as per Annexure - I that there is no child labour in the District in respect of Hazardous Employments in all Organized and Unorganized sectors and certificate should have been signed by the Chairman and all the members.
- d) The District Child Labour Rehabilitation cum Welfare Society should have recorded in its minutes that the district can be declared as Child Labour free both in Hazardous and Non Hazardous employments in organized and un organized sectors.

XI) PRELIMINARY PUBLIC NOTICE

Preliminary Public Notice calling for specific objection with facts and figures, if any, to declare the district as 'Child Labour Free' through Notice Boards, News Papers and Districts Gazette should have been issued by the District Collector before framing the evaluation proposal.

XII) PROPOSAL

The District Collector shall send his proposal to the Commissioner of Labour for declaration of the respective District as 'Child Labour Free' for evaluation in triplicate along with a panel of at least 3 independent evaluating agencies from within the District or adjoining District or elsewhere within the State.

XIII) EVALUATION

- a) The Commissioner of Labour shall fix the Evaluating Agency to evaluate the proposal.
- b) Rectification of the Evaluation Report should have been done by the District Collector.

XIV) FINAL PUBLIC NOTICE

The District Collector should have given wide publicity including publishing a notice in the district gazette and at least in two newspapers, one in Tamil and another in English having the highest circulation in the district calling for objections if any, to declare the district as Child Labour Free in the prescribed format. (Annexure – II).

XV) DECLARATION

The District Collector shall declare the District as Child Labour Free in the prescribed format as given in Annexure-3 and publish it in the District Gazette and in News Papers, with a cut – off date for declaration viz., the last day of the month.

XVI) SUSTAINABILITY

- a) Once a district is declared as 'Child Labour Free' the District Collector should keep constant vigil over the district, through the Stake holders and ensure that there is no recurrence of child labour in the district, which should be a continuous process.
- b) The District Administration should take steadfast efforts in enrolment and retention of all children below 14 years of age, and sustainable efforts should be made to rehabilitate the already identified child labour families.
- c) The District Collector should monitor the status of the child labour rescued and rehabilitated in a monthly review meeting of the District officials and the Stakeholders regularly to ensure that there will not be any relapse of child labour.

**RAMESH KUMAR KHANNA,
SECRETARY TO GOVERNMENT**

// TRUE COPY //

SECTION OFFICER.

ANNEXURE – 1

CERTIFICATE

We, the District Committee on Hazardous Employments after thorough inspections and examination and after careful analysis of the Criteria, to declare this District as 'Child Labour Free' in respect of Hazardous Employments, do hereby certify after taking all relevant facts and figures into consideration thatDistrict be declared as 'Child Labour Free' in respect of Hazardous Employments, both in the Organized and Unorganized sectors.

PLACE :

DATE :

**Sd/-V.K.Subburaj
Commissioner of Labour**

ANNEXURE-2

R.c. No.

Office of the District Collector,
..... District.

Dated:

FINAL PUBLIC NOTICE

Please take notice that it is proposed to declare
District as Child Labour Free in respect of hazardous / non-hazardous occupations both
in the organized and unorganized sectors of the district as on, after due
examination and careful consideration of the evaluation report of
(Name and Address of the Agency which prepared the evaluation report) prepared in
compliance to the Guidelines and Criteria prescribed by the Government in G.O. Ms.
No..... Labour & Employment Department dt....., and after taking
all facts, figures and related information into consideration and duly satisfying myself
fully of the same. Whosoever has any objection to the above proposal may file the
same in writing to the District Collector with specific facts and figures by registered post
with acknowledgement due on or before failing which it will be presumed
that none has any objection whatsoever to the above proposal and a declaration will be
issued accordingly as proposed above without any further notice.

Signature:

Designation:

Note: Strike out whichever is not applicable.

Sd/-V.K.Subburaj
Commissioner of Labour

ANNEXURE-3

R.c. No.

Office of the District Collector,
..... District.

Dated:

DECLARATION

I, the District Collector of
District, after due examination and careful consideration of the evaluation report of
..... (Name and Address of the Agency which prepared the evaluation
report) prepared in compliance to the Guidelines and Criteria prescribed by the
Government in G.O. Ms. No..... Labour & Employment Department dt.....
and after taking all relevant facts, figures, related information and objections received
in response to this office Notice in No..... dt..... into consideration and after
duly satisfying myself fully to declare District as 'Child Labour Free' as
on, in respect of hazardous / non-hazardous employments both in the
organized and unorganized sectors of the district, hereby declare ".....
district as Child Labour Free in respect of hazardous / non-hazardous employments
both in the organized / unorganized sectors as on"

Signature:

Name:

Designation:

Office Seal:

Note: Strike out whichever is not applicable.

Sd/-V.K.Subburaj
Commissioner of Labour



ABSTRACT

School Education – the Right of Children to Free and Compulsory Education Act 2009 – Issue of certain directions regarding compulsory admission, attendance and completion of education under the Right of Children to Free and Compulsory Education Act, 2009- Orders-Issued.

School Education (C2) Department

G.O.(Ms.)No.189

Dated: 12.07.2010.

1. From the Director of Matriculation Schools, Chennai 6, Letter RC. No. 2330/A2/2010, Dated: 22.06.2010
2. From the Advisory Committee on Free and Compulsory Education Act note dated: Nil

ORDER :-

The Right of Children to Free and Compulsory Education, Act, 2009 has come into effect from 1st April 2010. The Act provides for Free and Compulsory Education to all children including disabled children of the age of 6 to 14 years; Every child of the age of 6 to 14 years shall have a right to free and compulsory admission, attendance and completion of education in a neighbourhood school. The Act outlines the various duties and responsibilities of the appropriate Government, Local Bodies, Schools and Parents. In providing Free and Compulsory Education to children upto the age of 14 till the completion of elementary education, the Schools play a vital role. The Advisory Committee on Free and Compulsory Education Act has suggested issue of instructions to schools, keeping in view the following basic responsibilities of the schools:

1. No child shall be held back in any class or expelled from school till the completion of elementary education in a school.
2. Any child above 6 years of age not admitted in any school or could not complete his or her Elementary Education shall be admitted in a class appropriate to his/her age. When a child is directly admitted in a class appropriate to his/her age, then the child shall have the right to receive special training in the school in order to be at par with others. Wherever a Birth Certificate is not available any one of the following documents shall be deemed to be proof of age of the child for the purposes of admissions in schools.

P.T.O.

- a. Hospital / Auxiliary and Midwife Register
- b. Anganwadi Record
- c. Declaration through an affidavit of the age of the child by the Parent/Guardian

3. Extended period of admission shall be 6 months from the date of Commencement of the academic year of the school. Where a child is admitted in a school after the extended period he or she shall be eligible to complete the studies with the help of special training as determined by the head of the school.
4. In case there is no provision for completion of Elementary Education in a school, a child shall have a right to seek transfer to a school run by the appropriate Government or by a local authority or the Aided School receiving Aid or Grants from the appropriate Government or Local Authorities.
5. The child shall have a right to move from one school to another either within the State or outside for completing his or her Elementary Education. In such cases, the head teacher of the school where such child was last admitted shall immediately issue the Transfer Certificate. Moreover, the delay in producing Transfer Certificate shall not be a ground for either delaying or denying admission in such other school.
6. No school while admitting a child shall collect any capitation fees and subject the child or his or her parent or guardian to any screening procedures. Receiving capitation fee and subjecting a child to screening procedures in contravention of the provisions of the Act is punishable.
7. No child shall be subjected to physical punishment or mental harassment.
8. No child is required to pass any Board Examination till the completion of Elementary Education.
9. Every child completing Elementary Education shall be awarded a Certificate.

2. The Advisory Committee on Free and Compulsory Education Act has also requested to issue instructions to Director of School Education, Director of Elementary Education, and Director of Matriculation Schools in accordance with the RTE mandate.

3. The Government, after careful consideration, accept the suggestion of the Advisory Committee on Free and Compulsory Education Act, Accordingly they direct the Director of School Education, the Director of Elementary Education and the Director of Matriculation Schools to issue suitable instructions to the schools through their inspecting officers indicating the basic responsibilities to the schools as mentioned in para 1 above under the Right of Children to Free and Compulsory Education Act, 2009.

(By Order of the Governor)

M. KUTRALINGAM,
Principal Secretary to Government.

To
The Director of Elementary Education, Chennai-6
The Director of School Education, Chennai-6
The Director of Matriculation Schools, Chennai-6.
The State Project Director, Sarva Shiksha Abhiyan,
Chennai-6 .
The State Project Director,
Rashtriya Madhyamik Shiksha Abhiyan, Chennai-6.

Copy to:
All Members of the Advisory Committee on Free
and Compulsory Education Act,
(through the Members Secretary)
All Sections in School Education Department, Chennai-9.

//Forwarded/By order//

Section Officer.



ABSTRACT

School Education – To define Out of School Children (OoSC) / Drop out – Orders – Issued.

School Education (SSA 2) Department

G.O (Ms) No 10

Dated 11.01.2017

திருவள்ளூர் ஆண்டு 2017
மார்ச்சு 27

Read:-

1. From the Member, National Commission for Protection of Child Rights, New Delhi, D.O.Letter No.2506/01/2015/NCPCR-RTE/47093, dated 1.8.2016.
2. State Project Director, Sarva Shiksha Abhiyan letter Rc.No. 1191/B1/OoSC/SSA/2016, dated 14.10.2016.

ORDER:-

In the letter 1st read above, the National Commission for Protection of Child Rights (NCPCR) has given its recommendations on Identification, Tracking and Re-engagement of Out of School Children (OoSC).

2. In the letter 2nd read above, the State Project Director, Sarva Shiksha Abhiyan has stated that the procedures mentioned by the National Commission for Protection of Child Rights are being adopted at present in this State and suggestions given by National Commission for Protection of Child Rights may also be taken into account and requested to issue appropriate Government order to define "DROP OUT" as suggested by National Commission for Protection of Child Rights.

3. The Government after careful consideration accept the proposal of State Project Director, Sarva Shiksha Abhiyan and issue the following orders to define dropout / Out of School Children :-

Drop Out

- i. If a child absents from his/her school for 30 consecutive working days, and when his / her name is removed from the attendance register is considered to be "Drop out". Besides potential drop outs may also be taken into account.
- ii. A child 6-14 years of age will be considered out of school if he /she has never been enrolled in an elementary school or if after enrolment has been absent from school without prior intimation for reasons of absence for a period of 30 days or more.
- iii. A child never enrolled in school (as defined in 2(n) of RTE Act) for formal education.
- iv. A child once enrolled into formal system of education/school, if does not complete 8 years of compulsory education, should be treated as out of school child.

Tracking

- a. After this if the child absents for 7 working days (including these 3 working days) from his/her school, with the consent the HM, the class teacher will meet his/her parents and persuade them to send his/her child to the school.
- b. Even after this if the student is absent for next 7 working days from his/her school, the HM will meet his parents and convince them to send their child to school.
- c. In this way if the student is absent from his/her school for 21 working days then the student is treated as potential drop out. Now the SMC of the school will meet his/her parents and convince them to send their child to school.
- d. However, if the child is absent for 30 consecutive working days then he or she is declared "DROP OUT" child/ Out of School Children. These drop out / Out of School Children children should receive special attention to prevent the child from becoming a permanent drop out.
- e. After identifying a child as Out of School Children, head of school should report it on Unified District Information System for Education (UDISE) data and local Primary Rate Interface (PRI) or urban local body representative and District Elementary Educational Officer (DEEO) immediately.
- f. District should take steps to map children without guardians/parents, children at railway platform/bus stand, street children etc.

(By order of the Governor)

D. SABITHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The State Project Director,
Sarva Shiksha Abhiyan, Chennai-6.
Copy to:-
The Personnel Assistant to Minister for School Education &
Sports and Youth Welfare, Chennai-9.
The Member
National Commission for Protection of Child Rights, New Delhi.
The School Education (Budget) Department, Chennai-9.

//forwarded by order//

M. Vignesh
12/1/17
Section officer
12/1/17 5/17