

LABOUR SECRETARIAT

NOTIFICATION

No: LD 82 CLC 2016, Bengaluru, Dated: 31.05.2017

Government of Karnataka is pleased to introduce "MEMORANDUM OF STANDARD OPERATING PROCEDURES (SOPs) FOR DISTRICT ADMINISTRATION TO DECLARE A DISTRICT AS "CHILD AND ADOLESCENT LABOUR FREE ZONE-CALFZ" by issuing this Draft Notification, inviting objections and suggestions from the person(s) or Officer(s) or organization(s) or any other agencies, likely to be affected or concerned about, thereby within fifteen (15) days from the date of publication of this Draft Notification in the official gazette. Objections and suggestions, if any, shall be submitted to the Additional Chief Secretary/Secretary to Government, Labour Department, Room No. 414, 4th Floor, Vikasa Soudha, Bengaluru-560 001.

The salient features of the "MEMORANDUM OF STANDARD OPERATING PROCEDURES(MSOPs) FOR DISTRICT ADMINISTRATION TO DECLARE A DISTRICT AS "CHILD AND ADOLESCENT LABOUR FREE ZONE-CALFZ" " are given as hereunder:-

1. Preamble

Children are the most precious assets of our nation. They constitute a significant segment of our population. As per 2011 census, children below the age of fourteen (14) years account for 29% of the total population and while adolescents between the age group 14-18 years account for another 10% of the population.

Every child's natural place is at playground and the school. However many children and adolescents are deprived of the opportunity of schooling and playing, due to various reasons. Unfortunately many children and adolescents are burdened with in various forms. The government and civil society together have continuously been making planned multi-pronged efforts to root-out the problem of child and adolescent labour, which is embedded in an exploitative socio-economic-structure. It is still a matter of great concern to the government and civil society and there is a need to evolve creative, constructive and pragmatic action-plans and implement measures to address this problem, in all its dimensions and manifestations.

The Government of Karnataka after review of its existing policies, action-plans and programmes for eradication of child and adolescent labour, and for declaring a district as 'Child and Adolescent Labour Free Zone-CALFZ' are pleased to issue this Memorandum of Standard Operating Procedures.(MSOPs).

2. Role of District Administration in making CALFZ

The District Administration (DA) consisting of Deputy Commissioner, Chief Executive Officer of Zilla Panchayat in the rural areas and Commissioner of the Corporations in Urban areas, Superintendent of Police (SP) and officers of all participating Departments of Government at the district level mention in the Table 1, plays a predominant and pivotal role in all aspects of administration in the district. The District Administration is the vertical and horizontal connecting link between the Central and State Government as well as various departments operating at various levels of governance both rural and urban local bodies including civil society. The District Administration under the leadership of Deputy Commissioner cum-District Magistrate is the single-most important convergence platform for the purpose of inter-departmental co-ordination and co-operation in the district. The District Administration possesses a clear and gestaltic picture of the working of all departments and non-state organisations, in order to evolve an integrated and participative approach to the complex problem of child and adolescent labour.

Hence, the responsibility of prevention, prohibition and regulation of child and adolescent labour in the district and thereby finally declaring a district as 'CALFZ' is entrusted by the State Government to the District Administration (DA). The District Administration is completely responsible for initiating these SOPs in full-scale and declaring their district as 'CALFZ'.

Table 1: Participating Departments

SL. No	Departments
1	Labour Department-Nodal Department
2	Finance Department
3	Revenue Department
4	Rural Development and Panchayat Raj Department
5	Department of Women and Child Development
6	Social Welfare Department

SL. No	Departments
7	Urban Development Department
8	Department of Primary and Secondary Education
9	Department of Agriculture
10	Department of Health and Family Welfare
11	Department of Information Technology, BT & ST
12	Law Department
13	Department of Handlooms and Textiles
14	Department of Horticulture
15	Department of Sericulture
16	Department of Mines and Geology
17	Department of Social Security and Pensions
18	Infrastructure Development Department
19	Department of Industry and Commerce
20	Information and Publicity Department
21	Public Works Department
22	Department of Fisheries

3. Concept of Child and Adolescent Labour-Free Zone-CALFZ

The Child and Adolescent Labour Free Zone-CALFZ is a geographical area – where all children and adolescents are systematically being taken away from labour and (re)integrated into the full-time formal mainstream education system through appropriate bridge-course and special training programmes as provided under the Right of Children to Free and Compulsory Education Act, 2009. Because every child and adolescent labour has the right to education, the focus is therefore on all children and adolescents within a district who don't attend school. These include-Out of School children and adolescents who work on their family's work or as domestic workers in the household. The area-based approach towards child and adolescent labour free zone involves all stakeholders, including all officials of various departments, teachers, parents, children/ adolescents, trade unions, community based organisations, civil society organizations, self-help groups, voluntary organizations, academic institutions, local authorities, elected representatives, SDMC's, Anganwadis, Asha workers, religious leaders, District Child-line, public spirited individuals and Business. The strength for this task comes from the people living in these communities who set the norm that 'no child and adolescent should work, but every child and adolescent must be in school.

4. Target Group for Child and Adolescent Free Zone:

The target group to be taken care of for the purpose of 'CALFZ' by the District Administration is;

- All child below the age of fourteen(14) years in the identified target area
- All adolescent in the age group of fourteen to eighteen (14 to 18) years in the target area engaged in the hazardous occupations and processes, as per Section-3A of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.
- Families of child and adolescent in the identified target area.
- All Out of School Children in the district

5. Convergence Meetings, Periodic Reviews and Follow-up Actions.

The following convergence meetings, regular reviews and follow-up actions shall be conducted by the Deputy Commissioner (DC) every three months

- 1) Coordination meetings with officials of all concerned Departments/ Authorities/ Local Bodies, District Child Labour Project Society, elected representatives will be held under the Chairmanship of Deputy Commissioner.

- 2) Convergence meetings all primary stakeholders and beneficiaries, Business Associations and Trade Unions
- 3) Meetings to promote ownership of the Task of 'CALFZ'

The DC in each District will also organize Focused Group Discussions (FGDs) with Academicians/ Educationists, Experts, Activists, Officials, ILO, UNESCO, UNICEF Representatives, Child Rights Organisations on a Quarterly basis and sharing the inputs and action taken from the above meetings.

The proceedings of the convergence meetings, review meetings and follow-up actions shall be published in the official website by the Deputy Commissioner (DC) from time to time.

The District Administration (DA) shall send a communication to the Commissioner of Labour that it has initiated the process of CALFZ and thereupon send periodic progress reports from time to time.

6. Development of Area-Based Plan of Action

The head of District Administration (DA) namely Deputy Commissioner cum-District Magistrate is the key person for successful implementation of the CALFZ in the district. At the outset, for initiating the process of declaring a district as 'Child and Adolescent Labour Free Zone-CALFZ', the following area-based plan of action, in consultation with all stakeholders and experts, shall be prepared and published in the official website, of the Deputy Commissioner by the District Administration ;

- i. Village/Ward -wise Action Plan for Rural and Urban
- ii. Taluk /Municipal Corporation - wise Action Plan.
- iii. District/Purasabhe/Palike/Mahanagara Palike Action Plan

7. Enforcement of Child and Adolescent Welfare and Rights related Laws:

For the purpose of harmonious enforcement of relevant laws, the following steps shall be taken by the District Administration

- i. Harmonious enforcement of laws such as the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, the Juvenile Justice (Care and Protection of Children) Act, -2015, the Right of Children to Free and Compulsory Education Act, 2009 etc.,
- ii. Formation of Multi-disciplinary Enforcement Teams consisting of Inspectors notified as per Section-16 and Section-17 of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 and tightening of action by the Enforcement Teams, in the form of unexpected but regular inspections, raids on work spots engaging children/ adolescents and periodic enforcement drives. The DC's and all functionaries will have to follow the 'Standard Operating Procedure for the Rescue and Rehabilitation of Child Labour' notified by the Department of Labour.
- iii. 100% check of all hazardous/non-hazardous factories and other hazardous/ non-hazardous establishments shall be made in the organized sector as well as unorganized sector to identify, rescue and rehabilitate child and adolescent labour.
- iv. Identification and rehabilitation of child and adolescent labour through survey data, education data, and other available database.
- v. Data on migrant labour and steps taken to provide educational facilities to migrant children in respect of hazardous/ non-hazardous establishment in organized and unorganized sectors shall be prepared and kept available. In case the children and adolescent as admitted in the Transition Education Center/Regular Schools drop out on account of migration of the parents/guardians etc., the Child and Adolescent Labour Monitoring Tracking and Reporting System (CALMTRS) shall ensure that the child or adolescent who dropped out is admitted in the special Transition Education Center/ Bridge Course/ Regular School etc., in their native/migrant districts.
- vi. The Department of Labour will notify 'Standard Operating Procedure for the Rescue and Rehabilitation of child labour' which will be a innovative, sensitive and humane strategic handbook to rescue and rehabilitate children, adolescent and their families.

8. UEE-Universalization of -School Education (Enrolment, Retention and Achievement of Children in Education).

Universalization of School education is the ultimate goal of these SOPs. For UEE, the following actions are suggested to the District Administration;

- i. All children below 14 years and all adolescents between 14 and 18 years of age identified in hazardous/ non-hazardous employments in organized and unorganized sectors shall be enrolled in Transition Education Centers or Regular schools, depending upon the need of the child or adolescent.
- ii. Mapping of area for establishment of Transition Education Center (TEC) under SCLP or Special Training Center under NCLP or for exploring alternative education strategies as per section 4 of the Right to Education Act, 2009.

- iii. Establishing and Running of transition education system, by pooling resources from SSA/SCLP/NCLP etc., and running the same in government buildings, as far as possible.
- iv. Ensuring the quality and standards of bridge/ transition education centers as per the standards in the Juvenile Justice (Care and Protection of Children) Act, 2016 or any other applicable law, in force.
- v. Retention rate of child and adolescent labourers released, rehabilitated and admitted in Transition Education Centre or Regular schools, shall not be less than 95-100%
- vi. Net school enrolment in respect of hazardous/ non-hazardous employments in organized and unorganized sectors shall be monitored based on the following indicators;
 - i. Total children/adolescents in the area/ zone vis-a-vis enrolled children/adolescents
 - ii. Enrolled children/adolescents vis-a-vis dropped out children/ adolescents as well as migrated children/adolescents.
 - iii. Dropped out children/adolescents vis-à-vis rescued and admitted children/adolescents
 - iv. Children/adolescents who attend school, but work in after school hours
 - v. Out-of-School Children and Adolescents (OoSCA) vis-a-vis mentally retarded children/ adolescents
 - vi. Children/ adolescents working with family and as child and adolescent artists.
 - vii. Sorting out the issues related to mainstreaming of child and adolescent children, after transitional education.
 - viii. Documentation of achievements in the form of periodic progress reports and publishing the same in the official website/ Notice board by Local Panchayats from time to time.
 - ix. Ensuring Universalization of School Education (USE) in the target area.

9. Tracking the progress of Children and Adolescents withdrawn

For the purpose of ensuring the progress of the child and adolescent withdrawn from work, the following strategies shall be implemented by the District Administration;

- i. Each child or adolescent withdrawn from work through legal processes like enforcement or identified under 'education survey' or any other survey ordered by Central or State Government shall be enrolled in appropriate school through SSA/ RMSA/ NCLP/SCLP etc.,
- ii. Each child or adolescent admitted in SSA/RMSA/NCLP/SCLP education/training center shall be mainstreamed into Regular school, within a clear time-frame.
- iii. Each child or adolescent who is mainstreamed through SSA/RMSA/NCLP/SCLP shall be tracked to avoid further drop out.
- iv. Panchayat Raj Institutions (PRIs), Urban Local Bodies (ULBs), all other Local Authorities and civil society organizations shall be involved to monitor every child and adolescent at Village Level, Taluk Level and District Level.

10. Capacity Building as well as Information, Education and Communication (IEC) Activities

The District Administration shall make use of both traditional and modern method and media of IEC as well as advanced technology based methodologies of capacity building in the district. In this connection, the following action-points are suggested;

- i. Legal Awareness generation programmes to educate the masses through activities like street plays, wall paintings, advertisements, competitive activities for students, pamphlets, leaflets, calendars, folklore activities etc., shall be periodically undertaken.
- ii. Training and sensitization programs for the District / Taluk Level enforcement officials, field officials like Village Level Officers, Anganawadi Workers, ANMs, school leaders and enforcement officials shall be conducted regularly.
- iii. A Complaint Cell shall be established (a separate phone line for child and adolescent labour) in every District which can also be linked to 1098 recognized by the Government through proper monitoring system in place. Any complaint on child or adolescent labour received from public/NGOs etc., shall be immediately addressed to by the Deputy Commissioner and his subordinates.
- iv. Behavioral change communication strategies shall be used by the District Administration.
- v. Taking help of print and electronic media to hold discussion and programmes regarding child labour issues regularly and broadcasting Programmes relating to "Child and Adolescent Labour Free Zone-CALFZ" in local televisions and radio channels.

- vi. A watsAPP Group of all stake holders shall be established.

11. Ensuring Community Participation

The District Administration shall take all possible steps to involve the community by forging alliances and partnerships with various agencies. The suggested action-points for this purpose are;

- Community participation through Grama Sabha meetings and special programmes for eradicating child and adolescent labour shall be organized.
- Self Help Groups (SHGs) and SDMC's shall be involved in the campaign.
- The Local Bodies /Village Education Committee etc., shall declare their Village/Ward /Town Panchayat/ Corporation as "Child and Adolescent Labour Free Zone 'CALFZ' and a certificate will be issued by the DC's every year
- Meetings for sensitization of officials of development and credit agencies- on the size of child and adolescent labour in the district, profile of child and adolescent labour families and on the need to prioritize these beneficiaries under Government Social Security and Welfare Schemes/ Programmes.

12. Passing of Resolution in Local Bodies

The District Administration shall motivate and support the local authorities to own the task and pass resolutions in their decision making bodies;

- Declaration as "Child and Adolescent Labour Free Zone 'CALFZ' shall be passed in the form of Resolution published by all Panchayat Raj Institutions specially Gram Panchayats, urban local bodies such as Town Panchayats, Municipalities and Corporations in their official website/notice boards etc.,
- Specific Resolutions in all Village Education Committees, SDMCs etc., shall be passed by them and countersigned by the Block Education Officers (BEOs).

13. Family Rehabilitation through Social Security Programmes

The District Administration shall develop a detailed information-base of all socio-economic security programmes of central and state government and enable the target group to avail the benefits. The suggested action-points for this purpose are;

- 'Child and Adolescent Labour Mother Groups' shall be formed and wherever it is not possible they shall be enrolled at least in the existing Self Help Groups/Stree Shakti Schemes.
- Identification of labour and poor families vulnerable for child and adolescent labour and rehabilitating them by giving priority through providing skill training, financial assistance and credit linkage through various poverty alleviation programmes, like Mahatma Gandhi National Rural Employment Guarantee Programme, Swarna Jayanthi Grama Swarozgar Yojana (SJSRY), NABARD, Deputy Commissioner's Fund etc.

14. Issuance of Declarations at Micro-Level

The District Administration shall encourage all officers to actively participate in the task and issue declarations pertaining to their jurisdictions. The suggested action-points for this purpose are;

- Officials of the Department of Labour and all concerned Department officials shall issue declaration that their jurisdiction is free of child and adolescent labour.
- The District Level Committee on hazardous employments in organized and unorganized sectors shall declare that there is no child and adolescent labour in the district in respect of hazardous employment in all organized and unorganized sectors and the declaration shall be signed by the Chairman and all the Members.
- The District Child Labour Project Society shall record in its minutes that the district can be declared as "Child and Adolescent Labour Free Zone 'CALFZ' both in hazardous and non-hazardous employments in organized and unorganized sector.

15. Success Indicators of CALFZ

The suggested parameters/ criteria for the Evaluating Agencies to make assessment of the progress achieved by the district administration are as follows;

- Quality of the area based plan of action prepared to declare 'CALFZ'
- Number of convergence meetings/review meetings held with all stakeholders and implementation of the decisions
- Number of (IEC) activities organized and impact of the same on the target group and public at large
- Coverage of the activities/events in the print and electronic media

- v. Comprehensive survey of the target area resulting in clear identification and eradication of all forms of child and adolescent labour through independent agency.
- vi. Successful mainstreaming into regular schools of all children and adolescents who have been withdrawn from child and adolescent labour and rehabilitated through SCLP/NCLP/SSA etc., i.e., universalisation of elementary education (UEE) in target area
- vii. Number of qualitative skill trainings and vocational education programmes organized for adolescent and linkage extended to the legally permissible occupations
- viii. Contributions from the community and social responsibility funds from the corporate sector for activities related to 'CALFZ'
- ix. Quality and number of Transition Education Centers in the target area under SCLP/Special Training Centers under NCLP or any other legally recognized bridge centers under SSA/ICPS etc.,
- x. Capacity building and training of the contractual, turn-key project staff
- xi. active involvement of all state and non-state actors in the target area
- xii. success stories in the form of creative innovations at the micro (grass root) level of the target area
- xiii. Active involvement of all local authorities and elected representatives
- xiv. Resolutions passed in PRIs, ULBs, Local Authorities, and various other Government and Non-Government bodies based on activities undertaken in the district.

Based on these and other relevant parameters, the Evaluating Agencies, can develop research tools and techniques for developing the evaluation report. Also scoring keys may be developed for rating the performance of the District Administration (DA).

16. Issuance of Clarifications

For removal of any difficulties in administration of the MSOPs, the Commissioner of Labour is empowered to clarify various issues which may crop-up during the course of implementation:

- i. The Commissioner of Labour shall issue clarifications on any issue raised by the Deputy Commissioners in this connection.
- ii. The Commissioner of Labour may issue further guidelines, parameters, action points etc., if any, for the purpose of smooth accomplishment of the task of declaration of a district as 'CALFZ'.

17. Organizing of Experience Sharing Meets

The Commissioner of Labour shall organize periodic intellectual meets, to enable the District Administration, to achieve the goal of 'CALFZ' in a reasonable time-frame;

- i. The Commissioner of Labour shall organize periodic meetings of Deputy Commissioners in the state and other concerned officials as and when necessary, for the purpose of exchange of experiences and best practices.
- ii. DCs will submit the action taken report to the Commissioner of Labour every year which will be compiled and submitted to the State Government for review.
- iii. The Commissioner of Labour shall organize intellectual meets involving experts from National and International Agencies like VGNLI, CBWE, ILO, UNICEF, UNESCO etc.,
- iv. The Commissioner of Labour shall issue Memorandum of Standard Operating Procedures (MSOPs) based on intellectual consultations with stake holders in this connection, if necessary.
- v. The Commissioner of Labour shall hold, if and when necessary, consultation with Independent Human Rights Institutions which include National Human Rights Commission (NHRC), Karnataka State Human Rights Commission, National Commission for Protection of Child Rights (NCPCR), Karnataka State Commission for Protection of Child Rights (KSCPCR), National Legal Services Authority (NALSA), Karnataka State Legal Services Authority, Child Welfare Committees or any other statutory authority.

18. Publishing of Preliminary Public Notice

The District Administration shall publish its intention of declaring the district as 'CALFZ', for the information of the general public, based on its internal assessment that the district is CALFZ. In this connection the following steps are suggested;

- i. Preliminary public notice calling for specific objections with clear verifiable evidence if any, to declare the district as "Child and Adolescent Labour Free Zone 'CALFZ' through Notice Boards, official website, News Papers and Official Gazette shall be issued by Deputy Commissioner, before preparing the evaluation proposal.
- ii. All the specific objections received in this regard shall be considered and an action taken report (ATR) shall be published by the Deputy Commissioner in the official website.

19. Proposal for Evaluation of Processes and Achievements

The District Administration (DA) shall send a detailed proposal to the Commissioner of Labour for declaration of the District as "Child and Adolescent Labour Free Zone-CALFZ" for evaluation, in triplicate, along with a panel of - least ten (10) independent members which will include experts in the field of child rights, child labour, academicians, activists, reputed research centers etc.

20. Evaluation of the Processes and Achievements of CALFZ

The Commissioner of Labour shall take initiatives to evaluate the performance of the District Administration and communicate his/ her decision in respect of declaring a district as 'CALFZ'. In this connection, the Commissioner of Labour shall take following steps;

- i. The Commissioner of Labour shall fix the Evaluating Team to evaluate the proposal.
- ii. The evaluation Team shall undertake scientific professional assessment of the processes and achievements and submit 'Evaluation- based Research Report' to the Commissioner of Labour, based on actual field visit, interaction with various stakeholders and other tools and techniques of research.
- iii. Rectification of the deficiencies noted in the Evaluation Report shall be done by the Deputy Commissioner and a final report shall be submitted to Commissioner of Labour.
- iv. The Commissioner of Labour, with prior approval of the Government, shall issue a communication to the Deputy Commissioner (DC) to declare the district as "Child and Adolescent Labour Free Zone- 'CALFZ'".

21. Final Public Notice about Declaration of CALFZ

The District Administration in general and specially the Deputy Commissioner, shall give wide publicity including publishing a notice in the official website, official Gazette and at least in two newspapers, one in Kannada and another in English having the highest circulation in the district calling for objections and suggestions, if any, to declare the district as "Child and Adolescent Labour Free Zone 'CALFZ'". The objections and suggestions received in this regard shall be considered and an Action Taken Report (ATR) shall be published by the Deputy Commissioner (DC) in the official website.

22. Declaration of CALFZ

The District Administration (DA) shall declare the District as 'Child and Adolescent Labour Free Zone' and publish it in the Official Gazette and official websites of various developments of the State Government every year and will be renewed by the Labour Department based on the review.

23. Post Declaration of CALFZ-Sustainability and Continuous Action

The District Administration shall continue all vigilance activities and use its due diligence, to safeguard the district from relapsing into the problem. In this regard following action-points are suggested to the District Administration;

- i. Once a district is declared as 'Child and Adolescent Labour Free Zone 'CALFZ', the District Administration shall keep constant vigil over the district, through the involvement of all stakeholders and ensure that there is no recurrence of child and adolescent labour in the district, which shall be a continuous process.
- ii. The District Administration (DA) shall take steadfast efforts in enrolment and retention of all children below 14 years of age and all adolescents within 14 to 18 years of age and sustainable efforts shall be made to rehabilitate the already identified child and adolescent labour families through social security programmes.
- iii. The Deputy Commissioner shall monitor the status of the child and adolescent labour rescued and rehabilitated in monthly review meeting of the district officials and the stakeholders regularly to ensure that there shall not be any relapse of child and adolescent labour.

- iv. All best practices followed in the Districts will be noted and shared with all stakeholders and put it on public domain so that other States can also access them in the process of elimination of child and adolescent labour from their respective States.

24. Recognition and Reward to District Administration

The Commissioner of Labour shall institute mechanisms for formative but systematic evaluation of the performance of the each district and thereby provide guidance to the District Administration (DA) for initiating corrective measures, if any.

The initiatives, activities, creative innovations, best practices and success stories in a district as part of the endeavor of District Administration towards declaring **CHILD AND ADOLESCENT LABOUR FREE ZONE-CALFZ**, shall be taken into consideration by the State Government for recognizing and rewarding the best performing and outstanding district.

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TARA

Deputy Secretary to Government

Labour Department