

Forest, Ecology and Environment Department.

**LABOUR SECRETARIAT**

**NOTIFICATION**

No: No: LD 82 CLC 2016, Bengaluru, Dated: 16-10-2017.

**MEMORANDUM OF STANDARD OPERATING PROCEDURES [MSOPs] FOR DISTRICT ADMINISTRATION TO DECLARE A DISTRICT AS "CHILD AND ADOLESCENT LABOUR FREE ZONE-CALF-Z"**

Whereas, Section 17A of the Child and Adolescent Labour [Prohibition and Regulation] Act, 1986 stipulates that "the appropriate Government may confer such powers and impose such duties on a District Magistrate as may be necessary, to ensure that the provisions of this Act are properly carried out and the District Magistrate may specify the officer, subordinate to him, who shall exercise all or any of the powers, and perform all or any of the duties, so conferred or imposed and the local limits within, which such powers or duties shall be carried out by the officer as may be prescribed".

Whereas in pursuance of the Section 17A of the Act, and in view of creative as well as effective enforcement of the Act, draft Notification dated 31/05/2017 was published by the Government of Karnataka, inviting objections/suggestions from all people likely to be affected there by within fifteen [15] days from the date of its publication, in the official gazette. Whereas, all the objections and suggestions which, were received in this respect were considered by the Government of Karnataka.

Now therefore, in exercise of the powers conferred on the State Government under Section 17A of the Child and Adolescent Labour [Prohibition and Regulation] Act, 1986, the Government of Karnataka, are pleased to publish the final "MEMORANDUM OF STANDARD OPERATING PROCEDURES [MSOPs] FOR DISTRICT ADMINISTRATION TO DECLARE A DISTRICT AS CHILD AND ADOLESCENT LABOUR FREE ZONE-CALF-Z".

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-CALF-Z' are given as hereunder :-

#### 1. Introduction

Children are the most precious living 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 the adolescents are deprived of the opportunity of schooling and play, due to various reasons. Unfortunately many children and adolescents are burdened with work of various forms. The government and civil society together are continuously making planned efforts to root-out the problem of child and adolescent labour, which is embedded in exploitative socio-economic structure, by adopting multi-pronged strategies. It is a matter of great concern to the government and civil society 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-CALF-Z' are pleased to issue this Memorandum of Standard Operating Procedures (MSOPs).

#### 2. Role of District Administration in making CALF-Z.

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 mentioned in the Table 1, plays a predominant and pivotal role in all aspects of administration in the district. The District Administration acts as 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 brings wholistic and decentralised strength to 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. The District Administration shall develop a complete database of child and adolescent labour in the district.

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

Table 1: Participating Departments

SL. No	Departments
1	Labour Department-Nodal Department
2	Department of Home
3	Revenue Department
4	Rural Development and Panchayat Raj Department [RDPR]
5	Department of Women and Child Development
6	Social Welfare Department
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, Bio Technology & Science Technology
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



SL. No	Departments
19	Department of Industry and Commerce
20	Information and Publicity Department
21	Public Works Department [PWD]
22	Department of Fisheries
23	Youth Services
24	Transport Department
25	Department of Personnel & Administrative Reforms [DPAR]
26	Co-operation Department
27	Department of Public Enterprises

The support of Self-Help Groups, Mahila Mandals, Youth Associations/ Organisations, Trade Unions, Trade Associations, Non-Governmental Organisations, Companies etc., shall also be availed for this purpose.

### 3. Concept of Child and Adolescent Labour Free Zone-CALF-Z.

The Child and Adolescent Labour Free Zone-CALF-Z 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 entrepreneurs/employers. 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 and learning.

### 4. Target Group for Child and Adolescent Labour Free Zone.

The target group to be taken care of for the purpose of 'CALF-Z' by the District Administration are:

- All child labourers below the age of fourteen(14) years in the identified target area
- All adolescent workers who fall under 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 workers in the identified target area.
- All Out of School Children (OOSC) in the district.

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

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

- 1) Coordination and Convergence meetings with officials of all concerned Departments/ Authorities/ Local Bodies, District Child Labour Project Society and elected representatives.
- 2) Convergence meetings of all primary stakeholders and beneficiaries, Business Associations, Trade unions and NGO's.
- 3) Meetings to Promote ownership of the Task of 'CALF-Z'.

The DC (Deputy Commissioner in each District will also organize Focused Group Discussions (FGDs) with Academicians/ Educationists/ Experts/ Activists/ Officials/ ILO/UNESCO/UNICEF Representatives, Child Rights Organizations 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 as well as District Bulletin by the Deputy Commissioner (DC) from time to time. All the relevant judgments pronounced by Hon'ble High Courts and the Hon'ble Supreme Court of India, shall be kept in mind, while taking decisions.

The District Administration (DA) shall send a communication to the Commissioner of Labour that he/she has initiated the process of CALF-Z 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 CALF-Z in the district. At the outset, for initiating the process of declaring a district as 'Child and Adolescent



Labour Free Zone-CALF-Z', the following area-based plan of action, in consultation with all stakeholders and experts, shall be prepared and published in the official website as well as District Bulletin of the Deputy Commissioner (District Administration);

- i. Village/Ward -wise Action Plan (for Rural and Urban Areas)
- ii. Taluk /Municipal Corporation - wise Action Plan
- iii. District/Purasabhe/Palike/Mahanagara Palike wise Action Plan
- iv. Action Plan for any other areas.

**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 Taskforce [MD&TF] 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 Taskforces, in the form of unexpected but regular inspections, raids on work spots engaging children/adolescents and periodic enforcement drives. The Deputy Commissioner [DC] and all functionaries will have to follow the 'Standard Operating Procedure for the Rescue and Rehabilitation of Child Labour' notified by the State Government.
- iii. 100% checkup 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 databases in the district.
- 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 State Government 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. The following Guidelines/Protocols/SOPs shall be followed by the District Administration:
  - a. The Standard Operating Procedure for Enforcement of Child and Adolescent Labour [Prohibition and Regulation] Act, 1986, for Employers/Parents/Enforcing Agencies, Central Government, State Government And Local Authorities/Civil Society, Trade Unions/Employers Associations, prepared by the Ministry of Labour and Employment [MOL & Government of India in August 2017].
  - b. Standard Operating Procedure to handle Trafficking of Children for Child Labour – measures to be taken for rescue of trafficked child labourers and action against the traffickers/employers prepared by MHA, government of India.
  - c. Draft Protocol on Prevention, Rescue, Repatriation and Rehabilitation of Trafficked and Migrant Child Labour 2008, prepared by MOLE, Government of India.
  - d. Proceedings of the National Human Rights Commission, New Delhi dated 5<sup>th</sup> April 2010.

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

Universalization of School Education [USE] is the ultimate goal of these SOPs. For UEE/USE, the following actions are suggested to the District Administration:

- i. All children below fourteen [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 compulsorily enrolled in Transition Education Centers or Regular schools, depending upon the need of the child or adolescent
- ii. Mapping of area for the 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 [bridge-education] system, by pooling resources from SSA/SCLP/NCLP etc., and running the same in government buildings infrastructure 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 to 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-a-vis rescued and admitted children/adolescents
  - iv. Children/Adolescents who attend school, but work 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 bridge 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 /Urban Local Bodies from time to time.
  - ix. Ensuring Universalization of School Education (USE) in the target area, at the earliest. The district Administration, shall exercise all its creative power, to make 'CALFA/CALFZ' a reality at the earliest.

#### 9. Tracking the progress of Children and Adolescents withdrawn from Work

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, Hobli Level, Ward 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 on the methodologies of the capacity building in the district. In this connection, the following action-points are suggested;

- i. Legal Awareness Generation Programmes [LAGPs] 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 recognised 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 to 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. Regularly publishing news items in the print media goes a long way in this regards.

#### 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:

- i. Community participation through Grama Sabha meetings and special programmes for eradicating child and adolescent labour shall be organized.
- ii. Self Help Groups (SHGs) and SDMC's shall be involved in the campaign.



- iii. 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
- iv. 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;

- i. 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.,
- ii. 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 and Welfare 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 these purposes are:

- i. 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.
- ii. Identification of labour and poor families vulnerable for child and adolescent labour and rehabilitating them by giving priority in the form of 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:

- i. Officials of the Department of Labour, Police Authorities and all concerned Department officials shall issue declaration that their jurisdiction is free of child and adolescent labour.
- ii. 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.
- iii. 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, after ascertaining field level realities clearly and completely.

## 15. Success Indicators of CALFZ

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

- i. Quality of the Area Based Plan of Action [ABPA] prepared to declare 'CALFZ'
- ii. Number and Quality of convergence meetings/review meetings held with all stakeholders and implementation of the decisions
- iii. Number and Quality of (IEC) activities organized and impact of the same on the target group and public at large
- iv. 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 agencies.
- vi. Successful mainstreaming into regular schools of all the children and adolescents who have been withdrawn from child and adolescent labour and rehabilitated through SCLP/NCLP/SSA etc., i.e., universalisation of school education (USE) in target areas
- 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 of the corporate sector for activities related to 'CALFZ'
- ix. Quality and number of Transition Education Centers in the target areas 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, CEOs, SPs of Labour shall issue clarifications on any issue raised by the Deputy Commissioners in this connect.
- 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, which enable the District Administration, to achieve the goal of 'CALFZ' in a reasonable time-frame such as:

- 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 complied and submitted to the State Government for review.
- iii. The Commissioner of Labour shall issue official Protocols/Guidelines based on intellectual consultations with stake holders in this connection, if necessary.
- iv. The Commissioner of Labour shall hold, as 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/district bulletin.

#### 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 at 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 with prior approval of the State Government 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 professionals 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 by using 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 the Commissioner of Labour.



- iv. The Commissioner of Labour, with prior approval of the State 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 Departments 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:

- 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.
- 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 welfare programmes
- 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.
- 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 with the prior approval of State Government 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.

By Order and in the Name of the Governor of Karnataka

P.R. 2099

L.S. Srikantababu

SC-200

Deputy Secretary to Government  
Labour Department.

## LABOUR SECRETARIAT

NO. LD 113 CLC 2017 (P1), BENGALURU, DATED : 12-10-2017.

Sub : Government of Karnataka in exercise of its power under sub-section (1) of Section 18 of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986(61 of 1986), intends to amend the Child Labour (Prohibition and Regulation) (Karnataka) Rules, 1998 in order to give effect to provisions of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.

Ref : Labour Commissioner letter No : ಜಂಕಾಲ/ಸಿಎಲ್‌ಸಿ-2/ ಸಿಆರ್-6/2017-18, dated: 05/07/2017.

The draft of the following rules further to amend the Child Labour (Prohibition and Regulation) (Karnataka) Rules, 1998 which the Government of Karnataka proposes to make in exercise of the powers conferred under Section 18 of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 [Central Act 61 of 1986], is hereby published as required by sub-section (1) of the said section for the information of all the persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after thirty days from the date of its publication in the official Gazette.



Any objection or suggestion which may be received by the State Government from any person with respect to the said draft before the expiry of the period specified above, will be considered by the State Government. Objections and suggestions may be addressed to the Secretary to Government, Labour Department, 4<sup>th</sup> Floor, Vikasa Soudha, Bengaluru-560001.

#### DRAFT RULES

**1. Title and Commencement.-** (1) These rules may be called the Child Labour (Prohibition and Regulation) (Karnataka) (Amendment) Rules, 2017.

(2) They shall come into force on the date of their publication in the Official Gazette.

**2. Amendment of rule 1.-** In the Child Labour (Prohibition and Regulation) (Karnataka) Rules, 1998 (hereinafter referred to as the said rules), in rule 1, in sub-rule (1), for the words "Child Labour" the words "Child and Adolescent Labour" shall be substituted.

**3. Amendment of rule 2.-** In rule 2 of the principal rules,-

(i) for clause (a) the following shall be substituted, namely:-

"(a) "Act" means the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 (61 of 1986);

(ii) after clause (b), the following clauses shall be inserted, namely:-

"(ba) "Fund" means the Child and Adolescent Rehabilitation Fund constituted under sub-section (1) of section 14B of the Act.

(bb) "Inspector" means the Inspector appointed by the State Government under section 17;

(bc) "Municipality" means an institution of Local self-Government constituted under Article 243Q of the Constitution."

(bd) "Panchayat" means a Panchayat constituted under Article 243B of the Constitution."

(iii) after clause (c) the following clause shall be inserted, namely:-

(d) "Schedule" means the Schedule to the Act.

(iv) after clause (e), the following clause shall be inserted, namely:-

"(f) Words and expressions used in these rules, but not defined therein and defined in the Act, shall have the meanings as assigned to them in the Act."

**4. Insertion of new rules 2A, 2B and 2C:-** After Rule 2 of the principal rules, the following rules shall be inserted, namely:-

**"2A. Awareness on prohibition of employment of child and adolescents in contravention to Act.-** The State Government, to ensure that the children and adolescents are not employed or permitted to work in any occupation or process in contravention to the provisions of the Act, through appropriate measures, shall,-

- arrange public awareness campaigns using folk and traditional media and mass media including television, radio, internet based application and the print media to make the general public, including the employers and the children and adolescents who may be employed in contravention to the provisions of the Act, aware about the provisions of the Act, and thereby discourage employers or other persons from engaging children and adolescents in any occupation or process in contravention of the provisions of the Act;
- promote reporting of enterprises or instances of employment of children or adolescents in contravention to the provisions of the Act, by developing and advertising easily accessible means of communication to authorities specified by the State Government;
- display to the possible extent the provisions of the Act, these rules and any other information relating thereto in railway coaches, at railway stations, major bus stations, toll plazas, ports and port authorities, airports and other public places including shopping centers, markets, cinema halls, hotels, hospitals, Panchayat offices, police stations, resident welfare association offices, industrial areas, schools, educational institutions, court complexes, and offices of all authorities authorised under the Act;
- promote through appropriate method the inclusion of the provisions of the Act in learning material and syllabus in school education;
- promote inclusion of training and sensitisation material on the provisions of the Act and the responsibilities of various stakeholders thereto, in State Labour Service, police, judicial and civil service academies, teachers training and refresher courses and arrange sensitisation programmes for other relevant stakeholders including, Panchayat members, doctors and concerned officials of the Government; and
- Promote all possible activities which shall be of use in prevention, rescue and rehabilitation of the working children and adolescents.

**2B. Child to help his family without affecting education.-** (1) Subject to the provisions of section 3, a child may, without affecting his school education, in any manner,-