

REPORT ON

Stakeholder Consultation

Collaborative Efforts to End Violence Against Children

AT

INDIA INTERNATIONAL CENTRE

DATE 26 JULY 2023



ORGANIZED BY

NATIONAL ACTION AND COORDINATION GROUP (NACG-EVAC)



A stakeholder consultation was organized on 26th July 2023 by the National Action Coordination Group to End Violence Against Children (NACG EVAC India) at India International Center, Delhi. The main objective of the consultation was to have a comprehensive discussion on the sensitive issue of child labour and challenges faced by children and non-government organizations, especially after the case of Dwarka Delhi so that this kind of case doesn't get repeated. In which a girl was a bonded labour by a so-called elite and educated family. In this meeting, a whole range of key stakeholders, experts, academicians, and representatives from different government institutions like DCPCR, CWC, NGOs, lawyers, representatives from Resident Welfare Associations (RWAs), children and media was invited. During the meeting, various essential topics related to child protection and child labour were discussed.



The meeting commenced with a brief introduction by Mr. Sanjay Gupta, chairperson NACG EVAC India, Director of CHETNA NGO shared about NACGEVAC. He said that National Action and Coordination Group for Ending Violence against Children (NACG EVAC) India, is a country-level civil society platform of the South Asia Initiative to End Violence against Children (SAIEVAC), an apex body of the South Asian Association for Regional Cooperation (SAARC). The director of the Ministry of Women & Children Development is the Nodal officer for SAIEVAC NACG EVAC India presently has a total membership of 563 member organizations in 25 states of India with a strong 64 National Board Members, Executive Committee, and State Conveners. He included that NACG EVAC focuses on 5 critical thematic issues, Child Labor, Child Marriage, Child Trafficking, Corporal Punishment, Child Sexual Abuse and Exploitation, and two cross-cutting thematic issues Children with Disability and Child Participation.



After that, **Mrs. Madhwi Kotwal Simson** State Convener Delhi NACG EVAC extended her gratitude to all the stakeholders for attending on short notice. She started the discussion with a recent bizarre case of a girl being employed by a Dwarka couple. This certainly shows insensitivity among the so-called educated classes. She stated that this is really a shocking incident, how these little kids are employed as domestic help by the elite classes. She urged CWC to look into the matter and do the need full. She included that we consider it only a case but there are many children who are suffering from the same problem. So, we have to increase awareness by working at the ground level. She said that it's the responsibility of every citizen. We don't have to wait for the Nirbhaya kind of case to make new laws and policies.

To give an insight of the meeting **Mr. Sanjay Gupta** shared some agendas which need to be discussed in detail in that forum. The agendas were:

1. There should be a common National Child Protection Policy and all government bodies, RWA, and NGOs have to be aware of various laws related to children.
2. Let RWAs play an active role and they should be responsible for reporting any information to the police
3. There should be a single window approach to deal with child labor issues, presently dealt with by various departments like the labor department, child line, police, CWC, SDMs, etc. and because of this we are facing the problem of everybody's responsibility is nobody's responsibility.
4. Having a common Child Protection Policy issued by MWCD, to be signed as a mandatory document when once join the government or private job
5. State/district/block/village Child Protection Committees should play a vigilant role

Further discussion was started by **Mr. Varun Pathak** from Child Welfare Committee (CWC), he said that it's a very sensitive issue and actually a crime and it's the right time to deal with this kind of issue. He emphasized that RWAs should play an active role in child protection and be responsible for reporting any relevant information to the police. He included that there is a Child Protection Policy but it has not been implemented properly.

On this, **Mr. H.K. Chetty** from Ashadeep Foundation shed light on the fact that a national child protection policy exists but no one takes it seriously, he also suggested that a few amendments



are needed in the policy and more vigilant surveillance is required at the district level and at the state level. He included that we have to think it all over India not only for Delhi for new reformation of the policy.

In continuation, **Mr. Vishwajeet Ghosal**, representing Prayas NGO, stressed the importance of RWAs including club and community members in the meeting to raise awareness about child labor norms. This approach aims to prevent misconceptions and ensure a better understanding of the issue among a broader audience. He included that we have to break the impression of walking away we will have to reach gated societies.

Ms. Naseem Khan, from Cequin (Centre for Equity and Inclusion), highlighted the need to differentiate child labor in various terms due to the increased threats posed by technological advancements and social media. Due to these new dimensions have come and new age challenges arise. Additionally, she passionately raised the issue of child safety in the context of combating child labor.



Mr. Rajendra expressed concerns about the government's will and effectiveness in addressing the occurrence of bizarre child labor cases in the national capital. He included that every organization has a child protection policy and there should be pressure by the government bodies to follow it properly. There should be a proper way firstly they have to reach the parents of the child whether they know about their child or not, secondly the agencies should be bound with proper policies and last but not the least it's the responsibility of every citizen to follow rules properly.

After that, **Mr. Zubaid** from Sakshi NGO informed that the families living in servant quarters of officers send their children to work at officers' houses. There should be preventive measures for that.

Ms. Itishree, representing the Asia Regional Child Labour Project from ILO, shared that she covers Nepal, Bangladesh, Afghanistan, and Pakistan. She also shared a practice that there is a trade union policy in their department in Nepal that without any signature they can not hire any child labour in houses, MSMEs, factories, or any other department. Otherwise, they will not get a license. She has seen a commendable practice in Nepal and Pakistan that along with Girl's guide association, Scouts and RWAs ILO is running a pilot project in which they go to each and every house and put a sticker in front of the house that there is no child labour in that house. Till now they have covered around 50k families. These scouts are actively engaged in making girls aware of child labor and their rights. They serve as a valuable channel to disseminate information and contribute to preventing child labor.



On this **Mr. Sanjay Gupta** added that this trade union policy is a very good idea and we have to add this kind of system in our country too because if children are selling books on the roads these

books also belong to some company. So, if the trade union will interfere then we can do something on this issue.

After this **Ms. Khan** from Cequin added without knowing the root cause of this issue we cannot solve it. Sometimes they do it because it's their survival issue and they have to work for their basic needs only.

Mr. Anant Kumar Asthana, a lawyer from Delhi, provided insights into the amendments made to the labor code in 2021. He added instead of making a whole policy we have to make 10-12 points which we can discuss with the government, which is clearer because sometimes policies remain only in papers and it becomes a file only and nobody reads it in detail. Specifically, he highlighted that as per Section 79 JJ Act from major 16 now most offenses against children, which were previously cognizable, are no longer treated as such after the 2021 amendment. Now when these have become non-cognizable that's why police don't file FIR. This has been challenged by DCPCR in the supreme court and the government is on the back foot because they know that they have taken the wrong move. This change may have implications for addressing child labor cases. So, he requested to have a look at this too, and discuss this issue with the government. He added that the funder's priority is misplaced they just want to file FIR. They have to think about implementation and further processes too because FIR is not the only solution so funders should review their priorities.

Mr. Surendra from CHETNA arises a point that anyone has to take responsibility and it should be pre-decided that by CWC that who will take action against these cases.

After that the Ajungla from Nagaland shared the scenario of child labor and child protection in their region, shedding light on the specific challenges and issues faced in Nagaland. She shared that they have problems with domestic workers that along with work, they have to go to school. So, it's very difficult to manage schools with domestic work and their education and childhood go backside. On this, Ms. Kotwal added that it's always been domestic work Vs Childhood/ education.

Mr. Varun from CWC said that there should be a specific policy for that even government should make some rules that if there is any case of child labour on you then you cannot do a government job. He added that as per the Minimum Wages Act of 1948, domestic help is not included anywhere. So, their employment and right were not supported by the law anywhere. So, in 2014 notification of the labor department, they have covered both minor and major cases of domestic help. For majors, they have given responsibility to DCW and for minors, responsibility was given to CWC. Police verification is the responsibility of RWAs. So, there is a need to activate every system to see the changes. **Mr. Sanjay Gupta** shared an incident where SDM didn't have information on the Child Labour Act and laws. So, it was very upsetting that we are seeking justice from them and they even don't have basic knowledge/ information. Then he asked **Mr. Varun** to take any action on this and give proper training to each department. **Mr. Varun** explained that this action will be taken by Revenue Commissioner. It is very important that the structure should

be active as per law. Mission Vatsalaya is there for this but prevention is much needed. We have to include RWAs in this structure and for that we can put in front of houses or societies that there is no child labour in this society/house.

Educationist **Ms. Subalakshmi** added that there should be an emotional aspect too and people don't bother to complain about these kinds of cases. She included there is much need to work on the mental health of people. As per a survey, Indians are found most stressed people in the world.

Mr. Sukhendu from Childline said that people are very self-centered and casual about children and their issues. He emphasized that major gap is in the integration. He shared a case that even after rescuing 17 child labours he was unable to file a FIR.

Ms. Nida added that law is one thing but value is 2nd, children are not a homogenous category. These are vulnerable children; the poverty trap is also there and are at risk. So, there is much need for nodal officers and governing bodies to handle this kind of case. She included that vulnerability mapping is also necessary.



One representative from CRY shared that there should be a child labour campaign along with parents and RWAs. She added that she has talked to many RWAs but they don't have proper knowledge of the law. Reporting of such kinds of cases is very low. On this **Mr. Sanjay Tiwari**, a Freelance social worker added that everyone has knowledge of the law but they don't endorse it. He added that societal pressure is also there. He suggested that the village child protection policy should be merged with vatsalya scheme and PRI because most of these labours are coming from villages only.

Ms. Itishree from ILO added that labour course needed to be surveyed because we don't have data. There are policies but they are not working at each level. There should be a domestic worker trade union with the forms to be signed that they will not keep children as labours.

Mr. Vishwajeet added that there are some cases where relatives only keep children as child labour and parents are bound to leave them. Parents don't complaint because they thought that their children are safe with relatives. So there is no monitoring, reporting and surveillance of these kind of cases.

Ms. Laura Prabhu from Cequin suggested that there is need of social action and campaign by all supporting agencies under one umbrella.



Mr. H. K. Chetty from Ashadeep Foundation shared the cases of labors at Moradabad brass factory. He said that in a survey they found that now work is outsourced and every house has become a factory he shared one more case where Labour Commissioner did dealing with the brick factory owner.

Mr. Vikram from Independent Thought Organization shared that there is need to know the gaps between policies and their implementation. People don't know to whom they have to contact and where they have to complain. If there is any option of reviewing the 2014 law then it is much needed. We have to work on state level especially in Bihar and Uttar Pradesh from where maximum labour is migrating. He advised that there should be a child labour tracking system and roles and responsibilities of each department should be clear to them.

Mr. Avdhesh added that there is a need of district child protection policy and its advocacy on ground level. **Mr. Sudhir** from Plan India shared that the state is the biggest stakeholder. There should be policies and framework and their assessment at the district level is needed. One DCPCR member stated that they have started EWS (Early Warning System) in which they tracked the child, reported attendance, and get in the child. There is a need to find remedies for the adversities. We can keep track suppose there is child labor and whose mother is a widow then we can attach them with Widow Scheme. She emphasized that citizen engagement is very necessary. For that campaigns are required.

Ms. Azungla from Nagaland added that the main causes of child labor are poverty, lack of education, and lack of awareness about policy. She said that policies are on paper only they never reach the community.



Mr. Vaibhav, State Convenor NACG EVAC Uttar Pradesh expressed that mainly these labors come from UP and

Bihar. There are many trafficking cases from Mushahar community of UP. Their main reasons of migration are:

1. Livelihood is very important
2. School education system is very poor
3. Citizen awareness is very low even within government bodies.
4. Mental trauma/ stress

Mr. Manish added a point that children are the best informer they only can give information about other children and the community. He shared a case where they have stopped child marriage because of the support of children from that society.

During the meeting, **Ms. Bhawana Gupta**, Member of Citizen Alliance and General Secretary of Vasant Kunj Mall Road Association, responded to **Mr. Sanjay Gupta's** question about why such incidents of child labor were happening and whether there is a legal authority where the RWA can lodge complaints. She provided valuable insights into the RWA's approach to addressing child labor in their locality.

Ms. Bhawana explained that their RWA has a child protection policy in place, demonstrating their commitment to safeguarding children in the community. She highlighted an essential authority vested with the RWA, which allows them to take action against families caught supporting child labor. Specifically, they have the power to ban such families from accessing essential services provided by the RWA. However, **Ms. Bhawana** expressed her concern that very few people are aware of these rules and provisions.

Acknowledging the need for broader awareness and collective action, **Bhawana** agreed with the suggestion to call a meeting involving 50-60 RWAs. This gathering would serve as a platform to discuss matters related to child labor and collectively work towards finding solutions and raising awareness about the existing child protection policies and authorities.

Mr. Anant added that most of the RWAs are not working properly on the issues of children. Even in front of other issues, child labor issues get covered and RWAs are busy working on other problems only like electricity, roads, and water. Children stand nowhere in their agendas of work. There should be some points where the children should be the center of attention.

Mr. Sanjay Tiwari added that advisory should be very clear below 14 years or above 14 years.

Mr. Anant added that Domestic work is hazardous and there are two categories below 14 and above 14. Below 14 they can not be employed and above 14 they can do some work. He shared it is very sad that from 2017 amendment ministry of labour removed domestic work from their provisions list.

Ms. Dipika shared that there are cases of forced dropouts from school after class 9th because schools think that these children may drop down school results level. After 9th they suggest children to do an education from open schools which are costlier than normal education. One RTI is also filed on that case.

Mr. Ratnesh Kumar from Barabanki, U.P shared that the child-friendly environment is decreasing day by day and in the last few months he is handling 28-30 cases of POCSO per month. If there are any child labor victims girls, she doesn't want to go home back her family doesn't accept her and begging is the only option left for her.

Ms. Gurpreet, State Convenor NACG EVAC Haryana Chapter shared that in her state maximum child labor cases come from Faridabad district.

Ms. Sneha Singh, Child Rights Lawyer shared that conversion/ navigation is always an issue. Nobody knows that if there is any kind of cases then where do they have to go and to whom do they have to contact? She suggested that we can contact local MLAs so that they can raise this issue in the present monsoon parliament session and we have to support the citizens who report these cases.

After that **Mr. Sanjay Gupta** added that donors have to be made aware about child labor law. They have to add child labour in their CSR policy. Every corporation has to inform their employees about child labor Act. There should be a single level window approach to deal with these issues. In last he shared the main points discussed in meeting:

Key takeaways from the meeting:

- We will work on to make common child protection policy and make it peoples friendly and to make it in action will request that all government officials, politicians, police department, DMs will sign that during their job tenure. It will not have any legal identity but it will see as commitment that person is morally bound that he/she signed that document.
- A request was made to Bhawna Ji, the General Secretary of Vasant Kunj Mall Road Association, to convene a meeting involving 50-100 RWAs. The purpose of this meeting is to collectively address the issue of child labor and violence against children in households and devise more diligent strategies to tackle it. It will help to see an example to all over India that how RWAs can play an important role in society. Existing child protection policy in Residential Welfare Associations (RWAs) needs to be made more peoples-friendly and accessible to people. A support from commissioner revenue will be asked to send a letter to RWAs.
- As a civil society forum we have to consider household/domestic work as hazardous work for children. The participants planned to engage with a few Members of Parliament (MPs) during the ongoing monsoon session in parliament to raise awareness about child labor and seek their support in combating the issue.

- The trade union of malls, market, factories should made aware of the policy. Associated authority should order to display that there is no child labour in their mall/market.
- An influence should be create in the trade unions or employee unions that they should keep in mind children's presence in their supply chain. It may harm them at later stage when issue is arises.
- It is the responsibility of citizens so it was agreed upon to increase the awareness in schools, RWAs and civil society forum where stakeholders can collaborate and work together towards common content of child protection.
- The meeting emphasized the importance of considering children as stakeholders because child participation in the process is important. By involving children, they can act as watchdogs for the society, and can alert their peers by helping to address and prevent child labor at the grassroots level.
- Another crucial point raised during the meeting was the need to conduct mapping to identify the extent and areas of child labor involved in household employment.
- It was noted that the current Corporate Social Responsibility (CSR) norms do not address child labor. As a result, the meeting participants discussed the significance of including child labor in CSR initiatives to combat the problem more effectively.

In summary, the meeting focused on enhancing child protection in RWAs, urging collective responsibility, seeking support from government officials, and involving children as active stakeholders to combat child labor. They also emphasized the need for inclusive approaches through civil society forums and CSR involvement, aiming for a coordinated and holistic effort to address this pressing issue.

Media Coverage of meeting:

'Govt should rope in RWAs to curb child labour, amend law'

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New Delhi: In the wake of the recent incident in which a pilot and her husband allegedly employed a 10-year-old girl as a domestic help and tortured her in Dwarka, rights activists want residents' welfare associations to be made accountable for child labour in their localities. The activists and RWAs also urged the government on Wednesday to amend the law and put household work under the hazardous category to curb crime against minors.

During a roundtable conference organised by National Action & Coordination Group to End Violence Against Children on Wednesday, several NGOs, Child Welfare Committees (CWCs), Delhi Commission for the Protection of Child Rights, and child-right lawyers demanded a better governmental approach to curb the "rampant" child labour in the city.

Hundreds of children are engaged in work that deprives them of their childhood, education and future prospects. Despite legal frameworks and initiatives to eradicate child labour, the minors continue to work in many sectors, often in hazardous conditions, claimed Sanjay Gupta, director of NGO CHETNA and chairperson of NACGEVAC.

In 2016, Parliament lifted the 40-year ban on employing adolescents under 18 in any job and approved the Child Labour (Prohibition and Regulation) Amendment Act allowing employment of children above 14 years for jobs not considered as hazardous, among them domestic work.

Talking about the Dwarka incident, rights activist Madhavi Kotwal Samson said this was only one of the rare cases that captured media attention. "The number of ca-

ACTIVIST SAYS

The number of cases of child labour in both hazardous and non-hazardous occupations reported is only the tip of the iceberg

ses of child labour in both hazardous and non-hazardous occupations reported is only the tip of the iceberg," Samson said. The activist argued that household work could be defined as hazardous for minors because they have to cook and deal with electronic gadgets.

"Employers also torture child domestic workers behind the closed doors," said Samson. "To prevent incidents such as the one in Dwarka, we are demanding the government to amend the law that allows children above the age of 14 to work as domestic workers."

The activists also felt that holding the RWAs accountable would force them to act as the local vigilantes. Bhawana Gupta, general secretary, United Residents of Delhi, an umbrella body of RWAs, said, "The government should rope in RWAs to report child labour and hold them accountable for minors being employed in their locality."

The conference participants also wanted a single-window approach to deal with child labour victims, stricter rules for placement agencies and a fresh census of child labourers. They demanded an immediate crackdown on factories and units employing child labour. "Lack of implementation of the existing policies to curb the problem is the cause of persistent child labour in the city," said one of them.

Child Labour Cases Spike In Capital

Police Reveal 311 Kids Rescued In 1st Half of 2023 Compared With 107 Found Till Last June

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New Delhi: While police are still investigating the torture of a minor girl who was employed as a domestic help in Dwarka, data shows a substantial increase in child labour in the city. The number of underage workers rescued has almost tripled in 2023 compared with the previous year. Delhi Police data shows 311 children were rescued until June this year in contrast to the 107 rescued from different areas of the city in the same period last year. The statistics also shows that 22 people were arrested under the Child Labour (Prohibition and Regulation) Act this year, whereas only eight people were similarly taken in by police in 2022.

Police said the rescued minors were working in factories and shops or as domestic helpers. Delhi Police PRO Suman Nalwa said child labour was a manifestation of a complex web of socio-economic factors, including poverty, lack of access to education, inadequate social protection and the demand for cheap and exploitative labour in certain industries.

INNOCENCE LOST



Sanjay Gupta, director of NGO Childhood Enhancement through Training and Action (CHETNA), said there were many forms of child labour, including rag-picking and employment in eateries, hotels, factories, garment industries and manufacturing units in hazardous conditions. "They lose their child-

hood and have to face emotional stress, mental trauma and abuse from employers or other people. They lack parental care," Gupta said.

According to stakeholders involved in the rescue operations, the rehabilitation of child labourers is tough. In some cases, they found that the children, post-rescue, returned

PAST CASES

- In January, 25 children, including seven girls, rescued from various manufacturing units of Allipur
- In February, a 13-year-old boy was rescued. He was forced to join a factory in Wazirpur by his father and brother
- In May, 41 child labourers were rescued from multiple toy factories at Azad Market
- In July, 41 children between 14 and 17 years working in factories in west Delhi's Mundka and Nangli industrial areas rescued
- In July, a 10-year-old girl was rescued from a flat in Dwarka where she was working as a maid

ned to work in other factories. "After getting rescued, they are again forced to work. So, they change their place of employment," said Gupta. "If the child was rescued from south Delhi, then he would go to another district to work again." The absence of an Aadhaar number and a bank account make it more difficult for them

Times View

Child labour is a blot on any nation. According to the 2011 census, India has 10.1 million child labourers: 5.6mn boys and 4.5mn girls. It is worrying that in the national capital, the abhorrent practice continues, even in middle-class families. A reason why this unacceptable practice continues is that many offenders get away with it. Those who see this happening in their neighbourhood should call child helplines to ensure their rescue. Offenders should also be socially boycotted.

to get their compensations.

There is a need for a fresh census on the child labourers in the city. This will help in the implementation of programmes that assist in their rehabilitation, an officer said. According to Child Welfare Committee members, there was no change in the modus operandi of traffickers. They targeted vulnerable kids in remote villages across the country, bribed them and, assuring them of a good life or education, brought them to Delhi and forced them to work as house help or in factories.

Dhananjay Tungal of Bachpan Bachao Andolan said poverty was one of the major reasons why child labour was difficult to eradicate. Also, the welfare schemes were not reaching the impoverished children, forcing them to seek employment.

Another reason was the false promises of education and better life made by traffickers to the children and their families. "We have rescued many children," said Tungal. "They were working for several hours sitting in one place. If they did something wrong, they are punished."

In the Dwarka case, the 10-year-old working as a domestic help at the residence of an airline pilot suffered grievous injuries after she was allegedly subjected to physical abuse and torture by her employer and her husband, both of whom have been arrested.

PRO Nalwa said that addressing the problem of child labour required a multi-dimensional approach. Delhi Police worked closely with the labour department and the NGOs working in this field to curb the menace.