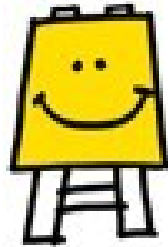




Pratham Council for Vulnerable Children

How to make India Child Labour Free?





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I. Child labour: a brief overview

A. What is child labour?

1. Child labour in international legislation

Children enjoy the same human rights accorded to all people but they also have distinct rights to protection by virtue of their age.

Regarding child labour, as stated in the International Labour Organization's (ILO) **Minimum Age Convention** (1973) No. 138, "The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years. » (article 3) Nevertheless, the Convention allows members « whose economy and educational facilities are insufficiently developed » to « initially specify a minimum age of 14 years. » This is the case of India.

In this convention, child labour is referring to any work that is done by children under the age of 15 (or 14), light work that doesn't interfere with education being permitted from the age of 12 years.

But with the adoption of the United Nation's **Convention on the Rights of the Child** in 1989,

« Certain types of work categorized as "the worst forms of child labour" are totally unacceptable for all children under the age of 18 years, and their abolition is a matter for urgent and immediate action. These forms include such inhumane practices as slavery, trafficking, debt bondage and other forms of forced labour; prostitution and pornography; forced recruitment of children for military purposes; and the use of children for illicit activities such as the trafficking of drugs. Dangerous work that can harm the health, safety or morals of children are subject to assessment by governments in consultation with workers' and employers' organizations. »

The Worst Forms of Child Labour Convention, 1999

and the ILO's **Worst Forms of Child Labour Convention** (No. 182) in 1999, the phrase "child labour" now tends to refer more generally to all cases in which children of any age below 18 are involved in work that restricts or damages their physical, emotional, social and/or spiritual growth and jeopardizes their education and development.

Such conventions define child labour that should be eliminated not in terms of content of the activities carried out by the child, but in terms of the consequences that such activities have on education, health and more generally on the welfare of the child.

Indeed, according to the Convention on the Rights of the Child, article 32, « States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. » The convention condemns forms of work that interfere with education and those that cause harm. Children can help out with household chores, or contribute to a family business, as long as this does not jeopardize their education or expose them to harm.

Indeed, according to the Convention on the Rights of the Child, article 32, « States Parties recognize the right of the child to be protected

Although India is a signatory to the UN Convention on the Rights of the Child, it has not yet ratified either of the two ILO's child labour conventions (Convention 138 and Convention 182)¹.

¹ <http://labour.nic.in/ilas/indiaandilo.htm>



2. Child labour, poverty and education

“One of the most commonly held beliefs in the area of child labour, especially in an under developed economy like India’s, is that it exists because parents unable to make ends meet put children to work in order that the family survives.”² But there is no evidence showing a direct correlation between the level of poverty and the tendency to send a child to work.

While it is generally true that the poorest sections of the population tend to engage their children in work more often than the better off, other factors such as parents’ low regard for education, parents’ literacy status, social background, accessibility of schools or failing education systems can also contribute to child labour.

Moreover it’s important to dispel the myth that child labour will never be eliminated until poverty is eradicated. While numerous people are saying that these children have to work because they are poor, we should object that working prevents them from escaping inter-generational trap of child labour and poverty.

Indeed, child labour is not only a consequence but also a cause of poverty: if economic development can help reduce child labour, eradicating child labour and redirecting child labourers to schools will undeniably help curb poverty.

Education provides knowledge that can create options for the children and allow them to escape poverty. It is a key factor in eradicating child labour. Many of the out-of-school population being child workers and every out-of-school child being a potential child worker, implementing the right to education to all children and eliminating child labour are deeply intertwined.

WHY DO CHILDREN WORK?

- Poverty / need of an additional income
- Lack of available and accessible schools
- High school fees and/or costly school supplies such as uniforms, school materials, meals
- Low quality of education
- Low regard for education/ school not considered as a joyful and attractive place of learning
- Acceptance of child labour, especially with children who are older than 15

This connection has become increasingly recognized at the international level: the Convention on the Rights of the Child recognizes education as the right of every child and an influential factor creating pathways for the realization of all other rights. The ILO also mentions education as the right response to child labour in its report “combating child labour through education”.

B. The situation in India

1. Legal background

² “The poverty argument”, MV Foundation



Article 24 of the **Indian constitution** clearly states that “no child below the age of fourteen years shall be employed to work in any factory or mine or employed in any hazardous employment”, while Article 39 (f) enjoins the State to direct its policy towards securing “that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.”

The Child Labour (prohibition and regulation) Act, 1986, makes it illegal to hire children under 14 years old in specified occupations and processes, which are considered unsafe and harmful to child workers and regulates the conditions of work in non-prohibited employments. The Act also lays down penalties for employment of children in violation of the provisions of the Act (up to two years of imprisonment and and/or fine of Rs. 10,000 to Rs. 20,000).

In 2006, the Indian government has taken a step forward by extending the ban on employment of children below the age of 14 years in the areas of domestic help, dhabas, restaurants, hotels, and the hospitality sectors.

Unlike the Child Labour Act, which still provides no protection for children aged 14 to 18, the **Juvenile Justice (Care and Protection) Act 2000** seeks to protect any children below the age of 18 from exploitation and neglect.

Provisions in **numerous other Acts** (Factories Act 1948, Mines Act 1952, Beedi and Cigar workers Act 1966 and Shop and Commercial Establishment Act) also prohibit employment of children.

But there is still an implementation gap between the legislation prohibiting child labour and the actual situation of child labourers, and child labour convictions have been rare due to many loopholes.

2. The largest number of child labourers in the world

India has the largest number of child workers under the age of 14 in the world with millions of children employed in homes and factories. Estimates range from 12,6³ to 60 million⁴. According to the UNICEF, at least 14% of children aged 5 to 14 years of age are estimated to be involved in child labour in India⁵.

According to governmental estimates, approximately 5,8 million out of the 12,6 million children engaged in child labour were identified as “main workers” who worked more than six months a year. The other 6,8 million children were identified as “marginal workers” who worked less than six months per year⁶.

Most of these working children are found to be working in agricultural activities as wage labourers or cultivators (up to 70-80% according the NGO CRY). The other children are

³ India 2001 Census

⁴ CRY - <http://www.cry.org/newsandevents/cryinnews/60mchildlabourersinindia.html>

⁵ UNICEF Statistics on India at http://www.unicef.org/infobycountry/india_india_statistics.html Figures for 1999-2005.

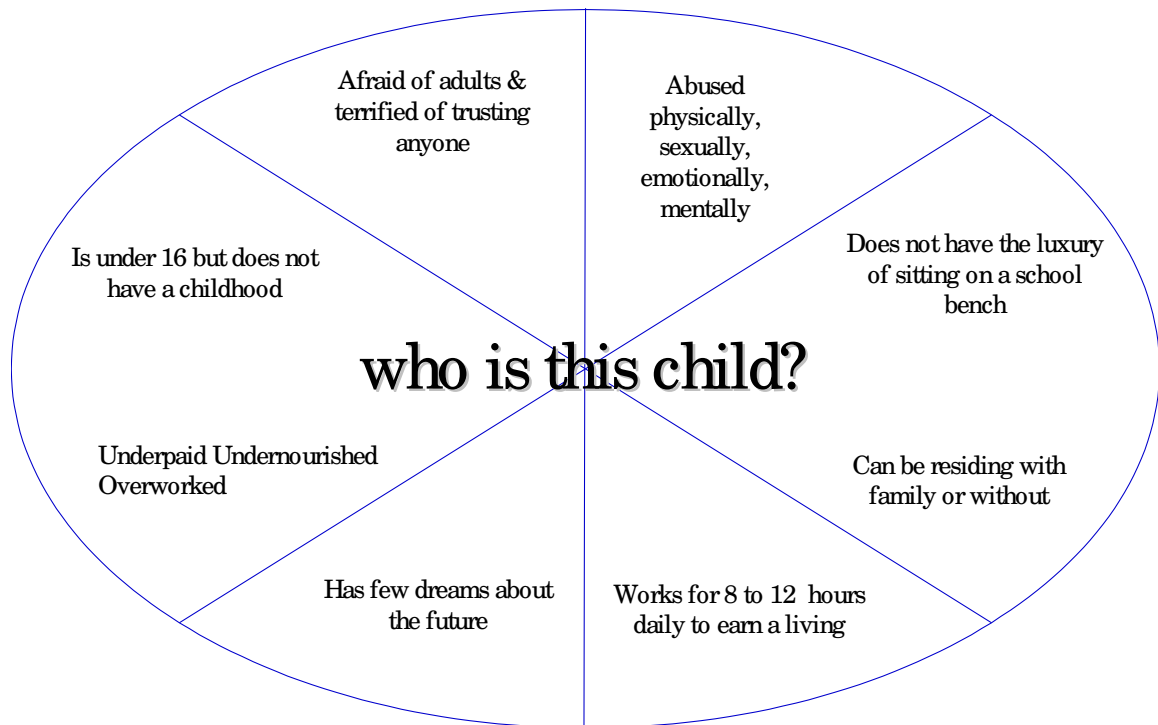
⁶ www.hihseed.org

PRATHAM MUMBAI EDUCATION INITIATIVE



involved in household industries, factory work, small trade activities or in the service sector, mostly as domestic workers.

Child workers often face the worst humiliation and are deprived of their basic rights to Education, Health, Recreation and development.





II. How Pratham has been able to reduce the number of child labourers from 35000 to 9000 in Mumbai?

A. 2001-2005: Using education as an entry point and building Pratham's expertise on child labour

1. Creation of the PCVC / Outreach Program

Since 1994 the goal of Pratham has been to ensure that “every child is in school and learning well”. Pratham first started classes in the slums of Mumbai and rapidly developed programs all over India. While working in the different communities, the teachers noticed that some children, especially child labourers, were missing school. These children were of two kinds:

- Children living with their families, sometimes working (rag picking, selling articles at signals...), sometimes just loitering around the whole day.
- Children coming from other states (Rajasthan, Gujarat, UP, Bihar), brought to Mumbai by owners, who often cheated the families about the future of their child, and working in factories.

In April 2001, Pratham created the “Pratham Council for Vulnerable Children” (PCVC) and started its Outreach Program to reach out to these most vulnerable children (child labourers, ragpickers, street children...) with a new motto: “No Child working and every child in School”.

The Outreach program started its journey with the instrument of education: one of the fundamental rights of the children and a non-controversial issue. Pratham's teachers approached the owners and proposed them to bring school within the factories. Without losing sight of its objective of eradicating child labour, Pratham decided to use education as an entry point and a strategy to reach to these children and gain a better understanding of their situation.

2. Collaborating with the owners to enter the factories

Even though the owners were illegally employing children, the first strategy was to collaborate with the owners, enter the karkhanas (factories) and teach the children in their workplace. This was meant to allow Pratham to gather accurate data on the situation of the child workers - who they were, from which states they were coming – in order to have a broad overview of the child labour issue in the city.

At first, some owners let the teachers come in the factories 15 minutes to half an hour a day outside working hours. The teachers barely had the time to interact with the children and faced many obstacles: owners claimed children had work to finish, the teachers had to do the class in tiny, uncleaned, unlighted rooms.

It took more than a year to get the owners' confidence but Pratham's teachers eventually obtained some improvements, and in some factories the owners allowed the teachers to hold classes during up to 4 hours. To maintain cordial relations with the owners, the teachers also used to keep them updated with the activities in the class and the child's progress. Some owners

PRATHAM MUMBAI EDUCATION II



who got convinced by Pratham's arguments even formed a group to put pressure on their peers.

Over the years, thanks to its presence in every factory, Pratham slowly persuaded the owners of the importance of education and managed to involve the children in educational activities. Owners meetings were organized regularly, many children appeared to the National Open School exam, some owners agreed to send children to school some days a week and Pratham set up an attendance card to monitor the children school attendance and put more pressure on the owner to send the children to school regularly.

“Some children didn't know how to hold a pencil. The only thing they had learnt was zari and they only knew how to hold a needle. To teach them to draw the alphabet letters, we had to paint letters on pieces of cloth and ask the children to embroider them.”

3.Raising awareness on the issue of child labour

In the community, people were well aware of the fact that children were working but they had become indifferent. Some even tried to convince Pratham's teachers that their attempts to convince the owners were useless.

But Pratham needed the support of the community to put pressure on the owners and improve the living conditions of the children. Pratham's staff decided to start awareness raising activities in the communities. They organized street demonstrations with the child labourers and made them participate in public functions such as Independence Day. They also approached private school and made the child labourers interact with school children, asking each family to buy a full school set for a child labourer.

Pratham was pursuing two objectives: first, motivating the child labourers by showing them what kind of life they could aspire to; then, bringing the issue of child labour to the eyes of the public and reduce indifference. Thanks to these efforts, the community slowly started supporting Pratham's activities.

4.Slowly taking the children out of the factories: the creation of the first Drop in Centre

By bringing education into the factories, Pratham had never lost sight of its objective: taking the children out of the factories and eradicating child labour.

Pratham took a step forward by opening a Drop in Centre close to the factories and proposing the owners to teach the children in the Drop in Centre rather than within the factories.

Owners were at first quite reluctant to let the children leave the factories but thanks to the cordial relations they had built with Pratham many of them eventually accepted. Few children began attending classes in the Centre, and after some time, groups of children from different factories followed one another from morning to evening in the Drop in Centre.

The main objective of the Drop in Centre is to keep the children away from their workplace a few hours a day and cater to their recreational needs. For many children who had lived within the factories for years, the Centre was the first contact with the outside world.

Beside the class, the children were watching TV, reading books, and playing games: they were given their childhood back a few hours a day.



B.2005, turning point in Pratham's strategy: rescuing the children and eradicating child labour

1. Putting an end to the collaboration with the owners

Away from the factories a few hours a day, the children acquired confidence and started to tell the teachers about their living and working conditions.

The teachers came to know that most of the children were ill treated, subject to verbal and physical abuse and forced to work over hours in unhealthy environment. Many of the children had never left the factory and were not even allowed to talk with their families. Being given the title of "apprentice", the children were not being paid even minimum wages. Some of them were not paid more than 10 rupees a week. As no one is checking whether the apprentices receive a genuine on-the-job training, apprenticeship often becomes an excuse to abuse and exploit young people.

At this stage, Pratham was facing a contradiction: promoting children rights and collaborating with people exploiting children. They felt the necessity to change their strategy. A meeting was organized with the senior members of Pratham during which the teachers read letters written by the child labourers to their parents, telling about their living conditions and their will to go home. The decision was taken to begin taking the children out of the factories and sending them back home.

2. The first rescue: a confidential Pratham initiative

Pratham approached the Labour Commissioner to inform him of the situation. As he didn't seem to take the question seriously, Pratham then decided to do its first raid without governmental support.

This first raid took place in Govandi on January 12th 2003. Pratham's staff told children from different factories they were going to be rescued and sent home. Not even the children's teachers were informed of the rescue.

Pratham's staff took the children from Govandi to Kurla Station and from Kurla to Thane. From Thane they took a train to Lucknow. They had decided not to go directly to the villages in case one of the owners decided to go there to find the missing child. Their action not being legal, they couldn't run the risk to be recognized. After 4 days in UP, they headed to Patna, in Bihar, where they rented a jeep to go to every child's village.

In the train between Mumbai and Patna, the children had been prepared to answer their families. Indeed, Pratham's staff was not sure about the families' reaction: having sent their children in town to work and raise money, they would possibly be upset to see them come back.

But the children explained their families how they had been exploited and tortured. They told them they were not given food and were not paid a full salary. As for the families, they reported owners had deceived them, saying they would give the child an education and take care about his future. Both the children and the families were extremely thankful to Pratham for this rescue



and Pratham's staff came back to Mumbai with increased confidence.

Aware of the illegality of their business, none of the employers dared making noise about the missing children.

This first rescue was unprepared and not part of a well-considered strategy but the death of a child in Govandi in 2005 triggered a radical change in Pratham's strategy.

In Patna, Sarika and Sharmishta were told that it was too dangerous for young girls to go to the villages to take the children home.

“We refused to wait in Patna. We had gone this far, done the whole journey with the children and we wanted to be there when they would meet their families. To avoid any problem, we removed every piece of jewellery – rings, necklaces, everything – put them in a safe in the hotel in Patna, and went to the villages with the children.”

3. Afzal's death triggered a new political strategy

In 2005, Afzal, a 10 year-old zari worker, was found dead, his body wrapped in a mat in the public toilets of the basti. The post-mortem examination revealed he had died from malnutrition and bad treatments.

During 4 years, Pratham's staff had built cordial relations with the owners, trying to convince them to send the children to school. Meanwhile, thanks to its grassroots presence in the community, Pratham had also managed to collect accurate data and identify the zari units, the owners and the number of children working in each factory. The teachers had acquired a very good knowledge of the situation and the project was ready to enter a more offensive phase.

a) Contact with the chief minister and creation of the Task Force

Thanks to its 14-year hands-on experience, Pratham has gained credibility and is considered as one of the major organization working on education and child labour issues. Mrs. Farida Lambey, renowned vice-principal of Nirmala Niketan college of social work and founder-trustee of Pratham, is personally involved in different Government Committees (SSA, Child labour Committee) and is considered as a reference person in the field of child labour.

After Afzal's death, Mrs. Farida Lambey decided to bring the issue at a governmental level. She met the deputy Chief Minister who turned out to be very moved by Pratham's stories and pictures. During the meeting the deputy Chief Minister contacted all the persons politically involved and took the personal engagement to take action against child labour.

The meeting eventually led to the creation of a Task Force on May 5, 2005 under the chairmanship of the labour commissioner. The Force consists of officers from departments of police, labour, women and child welfare, shop inspectors and private organisations.



b) First raids and individual rescues

Over 400 child labourers rescued

3 juin 2005

The Times of India

MUMBAI: In one of the largest ever raids in the country to rescue child labourers, police in coordination with NGOs on Wednesday morning rescued close to 400 child labourers from Madanpura in central Mumbai. Later in the evening, deputy chief minister R R Patil met the children and promised to "teach the employers such a lesson that no one would ever dare to employ children again."

The raid, which has been over two weeks in planning, was meticulous down to the last detail, including a map of the exact locations of units employing child labourers. Additional CP Subodh Jaiswal, DCP Zone III Santosh Rastogi and ACP Syed Mobin planned the entire operation with members of voluntary organisations including Pratham, Balprafulta and Saathi. From 9.30 am to 11.30 am, 150 policemen combed 220 workshops in two areas of Madanpura, Dagdi Chawl and Shirinbai Chawl. The rescued children were employed in zari, leather and steel workshops, and came from Bihar, Uttar Pradesh and even Nepal. The police arrested 42 employers and will charge them under the Juvenile Justice Act, the Child Labour Act and the IPC.

Rescue teams constantly explore different areas to check if children are working.

When they find a child working, they build up a case study based on the child's testimonies and go to meet the owner. The team talks to the owner to convince him/her to send the children back to their homes.

They threatened the owners to send the case study to the police unless they accept to sign a written statement promising to release the

"At that time, we didn't have mobile phones, and we had to use public phones to communicate and organize the rescues. As the rescues were being organized confidentially, we used a secret code to communicate: children were called "biscuits", police station "factory" and the buses were referred to as "boxes".

When we would call the other persons involved in the raid, we would ask: "How many biscuits did you find?", "how many biscuits are already packed in boxes?", "how many boxes have been brought to the factory?"

children. If the owners do not agree to release the children, notices are issued warning them of government action. Government raids are kept as the last option.

Thanks to Pratham's accurate data, the Task Force conducted about 87 raids in Mumbai and

Thane, as a result of which, 2,287 children were rescued and 516 employers were arrested, while 20 000 children were released through convincing the employers.



III. From practice to policy: what has been achieved at a political level?

A. At a state level (Government of Maharashtra)

1. Some significant improvements in legislation

- Suppression of the distinction between « hazardous » and « non hazardous » work
- Increase of the legal age to employ children from 14 to 18 years old

2. Government Resolution to form a Task Force in all districts of Maharashtra.

Observing the success of the Task Force in Mumbai the Government has decided to form teams at district level all over Maharashtra as per its resolution of April 25, 2006, thereby further strengthening the movement against child labour.

Building an informal platform of NGOs

Pratham is constantly striving to build strong alliances with like minded-organizations working in the child labour arena.

3. State plan of Action on Eradication of child labour

After the death of Afzal in 2005, the Bombay High Court had taken 'suo-motu' action against child labour.

Building networks with these organizations will facilitate the sharing of experiences and expertise and help put more pressure on governments.

In response to the court, the Government Labour Officer Vishwas Jadhav filed an affidavit in which he drew up an action plan to deal with the menace and pledged to “eliminate hazardous and worst form of child labour by 2008 and the practice of child labour by 2010.”

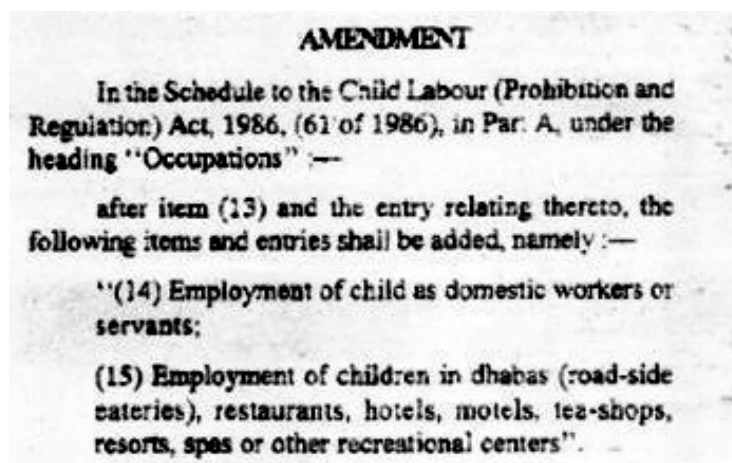
According to Jadhav, “the state’s action plan proposes conducting periodic surveys, creating public awareness, undertaking educational rehabilitation and generating special funds for children with special needs, such as domestic child labourers, street children and migrant labourers”.

B. At a national level (Central Government)

1. Release of a Protocol on Prevention, Rescue, Repatriation and Rehabilitation



2.The ban on child domestic work



The Child Labour Act prohibits the employment of children under age 14 in occupations deemed hazardous. Since October 2006, the list of hazardous occupations includes work as domestic help and in dhabas, restaurants, hotels and the hospitality sectors.

Violation of the ban invites imprisonment up to two years and/ or fine of Rs. 10,000 to Rs. 20,000.

C.How do go further? Our political demands

1.Framing a policy for rehabilitating child labourers

The laws do not properly provide for the rehabilitation and repatriation of the rescued children back to their parents or ensure the provision of educational opportunities for the children rescued, though the State is constitutionally obliged to provide educational opportunities to all children between 6 and 14.

Moreover, there is no proper institutional care for the rescued children who are usually placed in observation homes for juvenile delinquents.

2.Enforcing the Minimum Wages Act

Policies and actions taken to stop child labour should go beyond the issue of employment and address other factors such as poverty, which obliges parents to send their children to work. Providing adults with jobs paying a living wage will reduce their dependence on loans and on the money their children earn, and would therefore help tackling the issue of child labour.

3.Pushing the different governmental bodies to work more collaboratively

Pratham is also pushing the Labour Department and the Education Department to work more collaboratively on the issue of child labour. For example, the National Child Labour Project (Labour Department) and the Residential Bridge Centres (Education Department) should not be designed independently.



IV. How to go beyond the raids

A. Looking after the rescued children

1. Repatriation and Rehabilitation

a) Repatriation

After the rescues, the children are placed in Observation home and then sent back to their families in their villages.

b) Creation of the first Pratham shelter

Government Rehabilitation scheme under the JJ Act

Once rescued, the children are entrusted to a Child Welfare Committee and sent to an Observation Home while an investigation is done to decide what will be the best rehabilitation strategy for the child (adoption, sponsorship, foster family...). Following this investigation, the child is either sent home or sent to a Children Home.

Pratham is not involved in this process but is trying to improve the quality of these governmental institutions, which often lack in quality and suffer lengthy and bureaucratic procedures.

In 2005, Pratham encountered many difficulties to repatriate Tulsi, a rescued child worker from Nepal, and couldn't find a shelter ready to admit him. Pratham then decided to open its own shelters. The first Pratham shelter was created in 2005 thanks to the sponsorship of Johnson&Johnson. Tulsi, the first child admitted in Pratham's shelter, has now completed its 10th standard in college.

The objective of the residential program is to quickly increase the level of learning of the children so that they can be mainstreamed into schools. It provides health, nutrition and other extra-curricular services that are centred on the child's future performance in school.

The shelters cater to children who live in the city with families that are in dire economic conditions as well as without family children who cannot be returned back to their homes for various socio-economic reasons.

Currently shelters are being run in Mumbai, Gujarat and Bihar. Pratham is advocating the model to the government at various levels to start up residential shelters of their own. Indeed, quality residential care is the need of the hour, especially in the source districts.

2. Bringing the children back to school

The next step is to provide these former child labourers with educational opportunities and mainstream them into school. Pratham is running a large range of classes and educational centres to cater to the children's educational needs:

- Study Class
- Sarva Shiksha Abhiyan Class
- National Open School (NOS)



- Support classes

To retain the children in school support classes are organized for them. This class serves dual purpose; first it helps them in their studies and secondly keeps them out of work by engaging them for the entire day.

- TEC (Transitional Education Centre)

This project is supported by the INDIA and US Government, and is implemented through ILO. Pratham is a partner organization in running the TECs.

The aim of these TECs is to bring the children in the mainstream of education. The TECs don't focus only on formal education but also have extra curricular activities and a pre-vocational component and can be seen as a good alternative to residential model.

B.Preventing new inflows of child labourers in big cities

Children from poor states such as Bihar or UP are sent to big cities to work. To prevent this migration of children it's necessary to work both in receiving and in sending states, as well as building a strong interstate coordination.

To date, Pratham's Outreach Program is operational in 7 major states in India.

1.Working in source states

In sending state, Pratham's objective is to sustain the rescued children who have been sent back home and prevent the inflow of new children from these source states into metro cities.

Pratham has started 6 residential shelters in Bihar covering around 400 children in critical situations who were rescued and sent back from Mumbai. There are similar shelter started in UP (2 shelters), Andhra Pradesh (2 shelters), Gujarat (1 shelter) and Mumbai (2 shelters).

2.Working in receiving state

One of the ways of preventing the entry of children in big cities is to set up Help Desks in main railway stations. In 2006, Pratham has set up its first Help desk at **Kurla Railway Terminus**.

The Kurla Terminus team is in charge of establishing an accurate database of the children moving in and out of the city.

The desk is also serving as a point for building contact with children selling, begging or working on the platforms: the team runs a library, organizes meetings with the parents and counselling and medical sessions for the children.

The staff is also trying to involve the different organizations present at the Terminus (such as RPF, GRP, hamals, and rickshaw and taxi

Rescue at Kurla Terminus

In September 2005, the Bihar staff informed Pratham's Team at Kurla Terminus that a group of child workers was about to reach Mumbai.

The first rescue operation in the Terminus was planned: Pratham's staff entered the train one station before Kurla Terminus to localize the children and informed the staff in Kurla. The Government Railway Police intercepted the children before they leave the train and 37 children were rescued.



drivers unions) and to interact and raise awareness among the hundreds of passengers coming to and from the Terminus.

C. Making people change their behaviour: Community prevention and awareness raising activities

The aim of these activities is to create an environment of zero tolerance to child labour across the city of Mumbai and elsewhere in the country.

1. Community prevention

The involvement of the community is a key factor of success. The community can help Pratham to identify the factories where children are working and put pressure on the owners to release the children. Once the children are rescued, there's also a need to control that the factories permanently stop employing children.

Pratham helps the community by organizing vocational trainings, classes for the children, counselling sessions for the parents... In exchange to these activities, Pratham asks the community to help tackle child labour and sustain the Child Labour Free status in the communities. This led to the creation of Community Centres. Thanks to these Community groups, 759 small nagars (200 -250 households) have been declared child labour free.

2. Housing societies campaign

Pratham has sent letters to housing societies in Bombay to create awareness about the ban on domestic child labour and ask them to take the engagement not to employ children. Many societies wrote back to declare their Child Labour Free status.

V. Challenges

Since 2001, Pratham PCVC has mainly focused its action on child workers living without their families and working in factories. In few years, Pratham managed to reduce their number in Mumbai and other major cities.

It is now time to broaden the definition of vulnerable children: Pratham is now developing new programs to tackle problems such as domestic work, ragpicking, street children or children with disabilities.

A. Child labourers living with their families

In Mumbai and other major cities, some children, living with their families, are sent to work in the streets; they work as rag pickers, on dumping grounds, sell articles at signals...

- Pratham is setting up hobby classes on the place of work to generate their interest in school-related activities and slowly mainstream them into formal education.
- There's now a need to further develop the Drop-in-Centre model and set up temporary shelters for children living with their families.



B.Domestic child workers

A large number of child workers employed in India work in domestic households, performing tasks such as cleaning, ironing, cooking, minding children and gardening. According to ILO, 20% of all children under 14 working outside the family are in domestic service⁷.

« Although it does not explicitly define child domestic labour as a worst form of child labour, ILO Convention No.182 includes a number of important provisions that are applicable to it. »⁸ Article 3 (a) states that ‘all forms of slavery or practices similar to slavery...’ should be counted as the worst forms of child labour. Therefore any cases in which a child domestic worker is confined to the employers’ home, verbally and/or physically abused, forced to work over hours or not remunerated, should be considered as a worst form of child labour. Domestic child labour has been described as a ‘modern day form of slavery’ by some organizations.

From October 10, 2006, the Indian government has prohibited the employment of child labour as domestic servants or as workers at dhabas, teashops, restaurants, hotels and other recreational centres under the Child labour (Prohibition and Regulation) Act, 1986.

Pratham needs to develop new programs and awareness raising activities to combat this “invisible” form of child labour.

C.Children with disabilities

While working in communities on the issue of child labour Pratham has come across children with various kinds of disabilities ranging from motor disabilities to cerebral palsy. To ascertain the number of children and the types of disabilities we undertook an initial survey in the month of July. The outcomes of the survey are as below:

Ward	Polio	Phys. Impairment	Mentally Challenged	Visually Challenged	Speech Impaired	Hearing Impaired	Dual Mute	Cerebral Palsy	BOY	Girl	In School	Out of School	Total	Receiving any Help
A TO E	3	34	20	6	3	0	8	7	51	30	26	55	81	6
F TO F	5	17	10	3	7	1	6	1	38	12	15	35	50	1
HKPR	4	34	14	7	7	3	13	9	60	31	25	66	91	7
LNST	7	87	59	6	14	2	24	24	160	63	55	168	223	6
M/E	31	73	48	6	6	1	22	14	135	66	37	164	201	7
MW	0	83	28	13	13	1	11	19	101	67	24	144	168	4
TOTAL	50	328	179	41	50	8	84	74	545	269	182	632	814	31

Pratham has built up a multiple approach to address the issue of development of children with disability and is pursuing the following objectives:

- Creating a database of services both governmental and non-governmental

⁷ *Helping hands or shackled lives?* International Programme on the Elimination of Child Labour (IPEC), ILO, 2004

⁸ <http://www.ilo.org/ipec/areas/Childdomesticlabour/lang--en/index.htm>

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- Increasing the awareness of parents through Parent trainings
- Developing preventive care through awareness programs at community level
- Establishing a remedial approach through medical camps for the children
- Linking the children and the families to resources both governmental and non-governmental.
- Collaborating with the Municipal and Government agencies for the efficient delivery of services

Since the issue of children with disabilities is a new area of work, Pratham has been collaborating with various non-governmental organizations to understand the concepts and dynamics of working with such children and families.

As a part of the remedial approach Pratham is undertaking home-visits of the children surveyed and doing case studies to ascertain the specific needs of the family. Pratham has also organized various medical camps in the different communities in Mumbai.

Pratham wants to ensure immediate and easy access to efficient rehabilitative services that allow the children to join the educational network and build a brighter future for themselves.

Child Labour: where do we stand today?

The government of Maharashtra had pledged in its action plan to “eliminate hazardous and worst form of child labour by 2008 and the practice of child labour by 2010.”

Before the deadline of 31st December 2008 Mumbai has been declared 85% Child Labour Free from organized sectors like zari, leather and other workshops. Pratham and the government are working together to tackle the remaining 15% and are focusing on prevention to sustain this Child Labour Free status.

At the start of 2009 Pratham is now widening the range of its activities to other vulnerabilities and replicating the Mumbai model in new localities on a catalytic mode to achieve the objective of a Child Labour Free State before 2010.