

**Remarks made by  
Shri K R Venugopal IAS (Retd.)  
Former Secretary to the Prime Minister  
Special Rapporteur  
National Human Rights Commission  
Hyderabad**

**At the**

**TAMIL NADU CHILD LABOUR SEMINAR ON  
CONVERGENCE OF SERVICES FOR ELEMINATION OF  
CHILD LABOUR  
ON 26<sup>TH</sup> JUNE 2003 AT  
G.R.T. GRAND DAYS HOTEL, T'NAGAR, CHENNAI.**

**Convergence as against Coordination.** Convergence is synergy, spin off, not just the sum total but many times the sum total of various Departmental and other NGO efforts. There will be a natural opposition to this concept as this calls for giving up of sovereignty and assumption of new and extra responsibilities on the part of all Departments to a certain extent in favour of the goals of the nodal Department. Convergence does not mean the disappearance of the Nodal Department e.g. the Labour Department, in the case of child labour, ADW Department in the case of bonded labour and so on. So when we talk of convergence of efforts, each one of the Departments which are part of the effort, should first understand and be clear about what their own goals are for the child and how the achievement of their own Departmental or institutional goals is furthered by the goals of the Nodal Department and how their own goals help achieve the goals of the Nodal Department. So, there is no conflict of interest in such a philosophy. That is why we call this convergence; a convergence of interests in terms of goals and objectives. The services each Department renders ultimately is aimed at the child, often the same child and therefore convergence means economy of effort and economy in resource deployment.

Training is an important, a very important input or element in convergence. One of the basic assumptions in convergence is that most of the services that a child requires can be imparted by any one of the several agencies involved in child welfare and child development, provided they are all trained in the delivery of all these various services. This applies not only to the personnel of various Departments and various NGOs but to parents, mothers, fathers,

members of the family and, therefore, groups of families, which we call the community. This is why, when we talk of convergence of services, there are four areas of convergence – (i) between the various departments of the Government such as Labour, Adi Dravidar and Tribal Welfare, Social Welfare, Women and Child Development, Revenue, Police, Rural Development and Panchayati Raj, Health, Factories, Industries, the Electricity Board etc. (ii) between the NGOs involved in constructive work in these areas (iii) between Departments of Government on the one hand and NGOs on the other [(i) and (ii)] and (iv) between Government and NGOs on the one hand and the families represented by the community and the community's leadership. There would be occasions when genuine NGOs and community leadership could be the same. However, as I said earlier, each of these protagonists has to shed a part of their own 'ego' so as to make it possible for the other partners to cooperate whole heartedly.

The essential questions we have to face in the elimination of child labour in the context of convergence of services relate to strategies and resources. As far strategies, obviously they could be different. Where convergence in strategies is not possible, but differing strategies are sound nevertheless, an area approach could be sound, leaving specific geographic areas to groups with specific strategies. But all groups have to be accountable to a centrally situated stock-taking agency in terms of their actions and work so that we can evaluate how **effectively** and **speedily** we are moving towards the goals set up.

Strategies involve resources for building infrastructure, and paying for manpower involved in effective utilization of the infrastructure as also activities involving surveys, detection, enforcement including effective prosecution, temporary shelters, expenditure on transport and so on, we have to make a clear assessment of the **financial resources required. How much will come from where - the State, the Centre, donors, NGOs, Charities etc., - should be assessed.**

All this must be fitted into a **specific timeframe.** Nothing need be left undefined. So, goals in terms of numbers, methodology timeframe and of strategies, resources required should all be written down. We should create composite implementation groups consisting of all partners who would report to the Collector and the Collector in turn to the Commissioner and the Principal Secretary, Labour. While the NGOs should be given full autonomy where they are

ready and ask for it, at no time should the ultimate responsibility of the Government to the elimination of child labour within a specific timeframe in the not too distant future, be diluted. This is because the Government, the elected representatives who constitute the Legislatures and Parliament and the permanent executive represented by the civil services are all answerable to the people who have given themselves the Constitution of India whose mandate on child labour eradication, as forcefully enunciated by the Supreme Court of India in its recent judgments, is absolutely clear. So we have here the whole concept of convergence and the concept of a lead role to spell out in this seminar.

**Enforcement carried out vigorously, rigorously and honestly is itself the best instrument of generating and sustaining public awareness.** The investigating authorities and public prosecutors are bound by their ethics to look at child labour cases in all their dimensions and not merely under the 1986 Act. My experience shows that often children are also bonded on account of the advances taken by their parents from the employers. Girl child labour are often subjected to sexual abuse. Bonded children are often wrongfully confined. They are often beaten and inflicted with grievous injuries. A decent investigating officer and public prosecutor should look at all these aspects cumulatively while dealing with a child labour case and see how the offenders can be comprehensively charged under different laws so that the courts can be enabled and assisted by the prosecutors effectively. Often, the child labourers who suffer are Dalits and laws relating to atrocities and civil rights should also be brought in. This kind of an approach is conspicuous by its absence. An effort of this kind would call for and represent convergence under the supervision of the Collector. If such an effort is made and a few big violators sent to jail, social mobilization will automatically take place.

The commendable features of the Government of Tamil Nadu's "Action Plan for Eradication of Child Labour in Tamil Nadu" are the following:--

1. The objectives have been clearly defined as also the strategies.
2. Re-directing the implementation of development schemes so as to focus on and benefit the families of child labour is a unique feature in this Plan. While dealing with child labour, it is not enough only to focus on the child, important as it is. After all every child has to go back to the family after some time and the causes which contributed originally to the child becoming a labourer can be dealt with only if the family as a

whole is focused on, in its awareness and development contexts. This, the Plan has identified, as one of its main strategies. This is commendable.

3. The Plan involves the participation of the Community. Community is an extension of the family. Families in the community coming together to work against the child labour practices and their elected representative like Panchayats and Corporations being held responsible to make their areas "Child labour free" is a good strategy incorporated in the Plan.

However, this strategy can be strengthened by suitable amendment to legislation pertaining to Panchayats and Municipalities and Corporations by providing for penalties against them where child labour prevails after 2007.

4. The Plan clearly lists out the convergence to be achieved in the delivery of services of 10 Departments of the Government on the one hand and with the NGOs on the other. This is a clear and specific statement of intent and also spells out what activities need convergence. This detailed effort is commendable. Training and funding have also been specifically mentioned as strategies required to enhance the effect of convergence. This approach is correct for without training of officials in each Department on how to assist the Labour Department, convergence is not possible.

However, to effectively achieve this strategy, Departments have to sit down and work out how much of their financial and man power resources they can spare for child labour enforcement and related development work. Without such a clear cut quantification of resources related to the numbers of child labourers and their families, we cannot make a credible effort in regard to elimination of child labour. After this quantification is made, the numbers and funds required and available should be incorporated into the Action Plan. The National Human Rights Commission wants this exercise to be done immediately so that resources and the magnitude of the problem of child labour in Tamil Nadu are identified and matched.

5. The National Human Rights Commission also welcomes the involvement of the NGOs in the convergence efforts. The National Human Rights Commission desires

the immediate formation of composite squads of NGOs and officials to work all over the State to identify, release and rehabilitate child labour, under the supervision of the Labour Commissioner.

In this context, the State Monitoring Committee headed by the Principal Secretary, Labour and the State Authority on Child Labour with the Chief Secretary as Chairperson, incorporated in the Action Plan are commendable.

K R VENUGOPAL.

GOVERNMENT OF TAMIL NADU

ABSTRACT

Bonded Labourers – Release and Rehabilitation – constitution of High Level Monitoring Committee headed by Chief Secretary and District Level Committee – Orders issued.

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Adi Dravidar and Tribal Welfare (ADW-8) Department

G.O.(MS) No.79

Dated.17.9.2002.

Read:

G.O.MS.No.122, Adi Dravidar and Tribal Welfare Department,  
Dated.20.6.1997.

ORDER:

For the eradication of bonded labourers system at national level, Bonded Labour System (Abolition) Act has been enacted in the year 1976. This Act is being implemented in this State since its inception in 1976. To relieve persons who were held in bondage both in Tamil Nadu and in other States are to provide rehabilitation measures action were taken by this Government.

2. The expenditure for implementation of this scheme is borne both by the Central and State Government on 50:50 ratio basis. Each bonded labourer who have been released from the clutches of Bonded Labour System is provided with Rs.1000/- in cash as immediate relief measures and afterwards they will be provided Rs.19,000 by way of supply milch animals, quarry stone cutting machines etc. (Total Rs.1000+19,000) powers have been delegated to District Collectors for implementing rehabilitation measures in a effective manner.

3. During 1997 the work of conducting survey of number of Bonded Labourers in this State was entrusted to Non-Governmental Organisations. As per their report, the Bonded Labourers in this State is 25,005. Among them now 13,107 have been released.

4. For the speedy action in releasing and rehabilitating bonded labourers this portfolio is coming under the control of Minister (ADW). To speed up this work a senior I.A.S. officer has also been appointed as Special officer for rehabilitation of bonded labourers.

5. To ensure the effective implementation of Bonded Labour system (Abolition) Act in the Districts, Sub-collectors/Revenue Divisional Officers are fixed with personal responsibility. However to speed up the progress of this scheme a new District Level Committee headed by District Collectors with District Revenue Officers, as Member Secretary and Revenue Divisional Officers/Block Development Officers as members is constituted. The Committee has been instructed to convene a meeting every month to review the progress of Bonded Labour Abolition act and send a report to Government. However to monitor and issue of suitable instructions at State Level, this Government cancelled the orders issued in G.O.(MS) No.122, Adi Dravidar Welfare and Tribal Welfare Department dated.20.6.97 and constitute a new High Level Monitoring Committee headed by Chief Secretary with the following members:-

- |     |                                                                        |     |                  |
|-----|------------------------------------------------------------------------|-----|------------------|
| 1.  | Chief Secretary                                                        | ... | Chairman         |
| 2.  | Secretary, Adi Dravidar<br>and Tribal Welfare Department.              | ... | Member           |
| 3.  | Secretary, Public Department                                           | ... | Member           |
| 4.  | Secretary, Revenue Department                                          | ... | Member           |
| 5.  | Secretary, Labour & Employment<br>Department                           | ... | Member           |
| 6.  | Secretary, Rural Development<br>Department                             | ... | Member           |
| 7.  | Secretary, Social Welfare & Noon-<br>Meal Programme Department         | ... | Member           |
| 8.  | Secretary, School Education<br>Department,                             | ... | Member           |
| 9.  | Secretary, Health & Family<br>Welfare Department                       | ... | Member           |
| 10. | Secretary, Planning & Development<br>Department                        | ... | Member           |
| 11. | Commissioner, Adi Dravidar Welfare                                     | ... | Member Secretary |
| 12. | Director, Tribal Welfare                                               | ... | Member           |
| 13. | Special Officer (Bonded Labour Abolition)                              | ... | Member           |
| 14. | Collectors<br>(2 District Collectors on rotation basis)                | ... | Member           |
| 15. | K.R. Venugopal Special Rapporteur,<br>National Human Rights Commission | ... | Special invitee  |

The above committee will meet once in three months and discuss and decide about the various rehabilitation measures implemented in various departments for the released bonded labourers especially Housing facilities (Group housing scheme, Rural Development Department) issue of pattas ( Revenue/Adi Dravidar and Tribal Welfare Department, milch animals/plough

bull). Further this Committee will review on the progress of the following issues:-

- 1) Release of persons from bondage
- 2) To constitute Committees of released bonded labourers.
- 3) To provide rehabilitation assistance to the released persons and to provide Jobs for coming regular income.
- 4) To provide education to the children of released persons.
- 5) To provide ways and means for creation of small savings among the released to meet out expenditures incurred in their families for marriage, ceremonies and medical expenses.
- 6) To provide necessary medical facilities.
- 7) To impart necessary awareness through propagandas for release from Bondage.
- 8) To provide legal assistance and services in legal matters to those released.
- 9) To initiate legal action against those kept them under bondage.
- 10) To review progress on the implementation of rehabilitation measures.
- 11) To take concrete steps to prevent released to go back to bondage.
- 12) Hearing the complaints and grievances received from Public and to review the progress of action taken on all levels.
- 13) To re-examine the dropped cases and release them and to provide rehabilitation assistance to them.

5. The member-Secretary is directed to make necessary arrangements to convene the above meeting once in three months and to prepare the Agenda for the meeting.

(BY ORDER OF THE GOVERNOR)

P. SELVAM,  
SECRETARY TO GOVERNMENT.

To  
The Private Secretary to Chief Secretary to Government, Chenna-9.  
The Secretary, Public Department, Chennai-9.

The Secretary, Revenue Department, Chennai-9.  
The Secretary, Labour & Employment Department, Chennai-9.  
The Secretary, Rural Development Department, Chennai-9.  
The Secretary, Social Welfare & Noo-Meal Programme Department, Chennai-9.  
The Secretary, School Education Department. Chennai-9.  
The Secretary, Health & Family Welfare Department, Chennai-9.  
The Secretary, Planning & Development Department, Chennai-9.  
The Commissioner, Adi Dravidar Welfare, Chennai-5.  
The Director, Tribal Welfare, Chennai-5.  
The Special Officer, (Bonded Labour Abolltion), Chennai-85.  
All Collectors,  
✓ K.R. Venugopal, Special Rapporteur, National Human Rights Commission .

/Forwarded by Order/

*S. B. Srinivasan*  
Section Officer *S. B. Srinivasan*  
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