



Every child will have every right.

... woh din aayega
aayega zaroor

Note on the Maharashtra Government Resolution, April 2006

The Child Labour (Prohibition and Regulation) Act was passed in 1986. It banned Child Labour from a list of hazardous industries, and over the next 25 years, continued to add sectors and tasks to the list of 'hazardous' ones, thus gradually increasing the scope of the act to cover various kinds of Child Labour.

In April 2006, the Maharashtra government passed a GR (Government Resolution) to make Maharashtra free from Child Labour. According to the GR, a 'Task Force' was to be formed in each district of Maharashtra to 'free the child labourers from the clutches of the unscrupulous employers, to enroll them in the mainstream education process and as required rehabilitate the families of the rescued working children.'¹

The GR accepts the Supreme Court directive that "Child Labour is an unacceptable practice and therefore, needs to be prohibited. Therefore, it is imperative to root out child labour in any form from the State as a whole and to include them in the mainstream education process and rehabilitate the child labourers and if required their family."²

The district collector is responsible for the proper functioning of the Task Force.

If "the child is engaged in non-hazardous occupations, he shall also be rescued from the employer and handed over to the police, in order to be mainstreamed into education."

Rescued children over the age of 14, but under 18, should be rescued and handed over to the police since the cut off age for a 'child' under the Juvenile Justice (Care and Protection) Act, 2000, is 18.

The various acts under which the defaulting employer can be prosecuted are:

1. Bombay Shops and Establishments Act
2. Minimum Wages Act
3. Motor Transport Workers Act
4. Factories Act

According to the GR, rehabilitation is to take place in the following manner:

- If the child labourer belongs to the local area, then the rehabilitation will happen through the District Collector with the help of NGOs
- If the child labourer belongs to the local area, s/he shall be enrolled into mainstream education through the education officer and where possible vocational training shall be provided

Health treatment to rescued child labourers is to be paid initially by the District Collector from the District Child Labour Welfare Fund and then recovered from the defaulting employer

Fines collected to be deposited in the Child Labour Welfare Fund. The contribution of the State Government is Rs5000/ child. Funds should be used to rehabilitate child labourers

For each child labour rescued, one unemployed adult member of the family shall be provided employment

¹ P14. Govt. Resolution No.CLA-2006/(299)/Lab-7A

² Ibid