

Ready Reconnor in case of Child labour & Bonded labour cases

- Who can give complaint?
 - Any person, or member of civil society, institution, or organisation, govt official etc.
- Where to give complaint?
 - In case of child labour/ child bonded labour - Child Line (1098)/PENCILportal /Police station- SJPU/District task force/Labour Dept/ Labour Insp, District nodal officer, CWC, WCD even.
 - In case of Adult bonded labour – DM/ SDM/ Police/ Labour department.
- What information required?
 - Details of victim(s), place of exploitation, person reporting *
- Who can be part Rescueoperation?
 - In case of child labour or child bonded labour- DNO, Police/SJPU, CWC, PLV, SJPU, DM/ SDM/ tehsildar. NCLP, NGO as well as Childline representatives.
 - In case of adultbonded labour – DM/SDM/Tehsildar, Labour inspector, police, NGO

At the rescue facility:

- Ensure presence of owners; Separate victims &owners/accused so that they don't intimidate the victims.
- Police to Collect evidence
- DM & DNO, Police Protection to victims & Facilitate resources &provide separate transportation for victims & accused

Post -rescue

In case of child labour or child bonded labour:

- a. the victims fall under the category of child in need of care and protection as defined under the JJA.
- b. Produce child victims before CWC who shall then order inquiry which may include medical examination, determination of age, intermediary care and protection, tracing parents or if the CWC deems fit sending the child with parents, home verification etc. as per Section 31 of the JJA.
- c. Do not disclose the identity of children especially to the media. Follow guidelines under Section 74 of the JJA.

In case of Adult bonded labour:

- a. Produce the victims before the DM/SDM for Inquiry as per the Central Sector Scheme.

If FIR is not registered already, who can give complaint for Registration of FIR?

- Identify relevant laws by police/SJPU and PLV's can support.
- DNO, Police/SJPU, PLV, Labour inspector or anyone who was part of rescue. SLSA/DLSA to assist in filing FIR. If no one is willing to file a complaint can write to JJB / SLSA to direct for registration of FIR.
- In cases of child labour cases where no FIR is registered the CWC can also write to JJB to direct police for registration of FIR.

Relevant section for registration of FIR.

BLSA S. 9 (2)	Whoever accepts any payment from a labourer for a bonded debt	Cognizable and bailable	Up to 3 years and Fine
BLSA S. 16	Whoever compels any person to provide bonded labour	Cognizable and bailable	Up to 3 years and Fine up to Rs. 2,000
BLSA S. 17	Whoever advances a bonded debt	Cognizable and bailable	Up to 3 years and Fine up to Rs. 2,000
BLSA S. 18	Whoever enforces any custom, tradition, contract or agreement requiring any person to work under a bonded labour system	Cognizable and bailable	Up to 3 years and Fine up to Rs. 2,000
BLSA S.19	Whoever fails to restore any property of a bonded labourer	Cognizable and bailable	Up to 1 year and/or Fine up to Rs. 1,000
BLSA S.20	Abetment of offence	Cognizable and bailable	Same as Offence
JJA S. 76	Employs child for begging	Cognizable and Non-bailable	Up to 5 years and Fine of Rs. 1,00,000
JJA S. 76	Amputates or maims child for begging	Cognizable and Non-bailable	7 to 10 years and Fine of Rs. 5,00,000
JJA S. 77	Giving liquor or drugs	Cognizable and Non-bailable	Up to 7 years and Fine up to Rs. 1,00,000
JJA S. 78	Smuggling liquor or drugs	Cognizable and Non-bailable	Up to 7 years and Fine of Rs. 1,00,000
JJA S. 79	Employing child in bondage	Cognizable and Non-bailable	Up to 5 years and Fine of Rs. 1,00,000
JJA S. 81	Buying Selling children for any purpose	Cognizable and Non-bailable	Up to 5 years and Fine of Rs. 1,00,000
CLA S. 3/14(1)	Employing child in any occupation and process	Cognizable and bailable	6 months to 2 year or Fine of Rs. 20,000 to Rs. 50,000 or both
CLA S. 3A/14(1A)	Employing adolescent in prohibited process or industry	Cognizable and bailable	6 months to 2 years or Fine of Rs. 20,000 to Rs. 50,000 or both
CLA S.3, 3A/14(2)	Like offence afterwards	Cognizable and bailable	1 year to 3 years
CLA S.3, 3A/14(2)	Like offence afterwards by parent/guardian	Cognizable and bailable	Up to Rs. 10,000

CLA S.14(3)	Contravention of any other provision under the Act	Non-cognizable and bailable	Up to 1 month or Fine up to 10,000 or both
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Rehabilitation:

I. In case of child and adolescent labour or bonded labour

1. Write to labour department for the following:
 - a. **For back wages** contact the District Labour commissioner / Labour Inspector or the Crime against labour cell.
 - b. Rs. 20,000 per child is recovered from the employer and deposited to the Child Labour Rehabilitation-cum-Welfare Fund. Ensure that the government deposits an additional Rs. 15000 for each child in such fund.
 - c. the Government provides employment to an adult member of the child or contributes Rs. 5000 per child to this fund.
 - d. Ensure transfer of principle amount and interest along with interest is transferred from the Fund to the child's bank account when such child or adolescent attains the age of 18.
 - e. Ensure that the Labour Department creates a bank account for each child and adolescent
2. Write to the National Child Labour Project program for enrolment of the child into their NCLP program.
3. Write to Rural Development department for enrolment of the adolescent in the skill development program Rural Self Employment Training Institutes (RSETI), DeenDayal Upadhyaya Grameen Kaushalya Yojana(DDU-GKY) etc.
4. Write to Education department for the following:
 - a. enrolment of 6-14 years children in School.
 - b. enrolment of girl child in KGBV (SC/ST, OBC, Minority, BPL – Gen in Block level)
 - c. enrolment of SC/ST children in residential schools (district +2 and block level Std. v-xii)
 - d. stipend for SC/ST, OBC & Minority children from Std. I

II. In cases of Adult bonded labour

1. District Magistrate issues Release Certificate as per the Standard Operating Procedure and releases the amount of immediate cash assistance out of the Bonded Labour Rehabilitation Fund as per the Central Sector Scheme for Rehabilitation of Bonded Labourer.

2. Write to Panchayat or Block Project Officer for Job card&100 days of employment under MNREGA scheme.To apply for MGNREGA job card, the applicant needs to download the Performa for Job Card under MGNREGA from the respective state website and submit the duly filled application form to the Goan office or any other equivalent office of their respective area. Alternatively, they can also get the NREGA job card form from the local panchayat, or else the application can be made on a plain paper by submitting the following details:

- Photograph of applicant
- Name, Age and Gender
- Name of Village
- Name of Gram Panchayat
- Name of Block
- Details of whether the applicant(s) is/are beneficiaries of SC/ST/IAY/LR
- Specimen Signature/Thumb impression of applicants

Once the applicant has submitted the application form, the Gram Panchayat verify the Form based on the following factors:

- The applicants who have applied should be adults.
- All the applicants should have a local domicile.
- If a woman is single and living alone, she can also apply under the MGNREGA yojana.

After successful verification of the application, the job card is issued to the applicants. In case more than one member of the family has applied under the NREGA, a job card is issued to every member within 15 days of applying for the employment scheme.

3. Write to Food and supply department for the following:

- a. supply of essential commodities (PDS) to rescued/distressed families for minimum 3 months – write to circle officer
- b. ensure immediate issuance of Ration Card
PROCEDUREFor issuing Ration card certificate Applicant should visit the official website of Madhya Pradesh Public Service Guarantee Portal (<http://mpedistrict.gov.in/Public/index.aspx>) and apply for the New BPL Ration Card Certificate by downloading the form and duly filled form need to be submitted to the Jan Seva Kendra Officials. Upon submission, the applicant will receive an acknowledgement number confirming the receipt of your application.The concerned authority will issue the ration card within 30 working days after approval.

4. District Legal Services Authority to appoint a Para Legal Volunteer to assist in rehabilitation and a Panel Lawyer to be appointed to represent victims in their court cases under the NALSA (Legal Services to Unorganised Worker) Scheme 2015 and NALSA (Victims of Trafficking and Commercial Sexual Exploitation) Scheme 2015.

5. Write to Department of Rural Development, District Officer of SRLM for livelihood benefits under various Schemes to be provided to the victims.

6. Write to Department of Women and Child Development to ensure under the Mahila Shakti Kendra scheme the female victims are aided in obtaining entitlements and reliefs.
7. Write to Panchayat & Tehsildar for land allotment under **Pradhan Mantri AwasYojana(PMAY)**-Beneficiary are people whose names are listed in SECC 2011 or enrolled in BOCW

PMAY (U) - Eligibility Criteria

A citizen can become beneficiary under PMAY(U) if he/she belongs to **EWS, LIG or MIG** category as per the details below:

Category	Annual Household Income (Rs in Lakh)	Carpet Area of House (Sq. m)	Eligible for Vertical
EWS (Economically Weaker Section)	upto 3	30 Sqm	AHP, BLC, CLSS & ISSR
LIG (Lower Income Group)	3 – 6	60 Sqm	CLSS
MIG-I (Middle Income Group-I)	6 - 12	160 Sqm	CLSS
MIG-II (Middle Income Group-II)	12 - 18	200 Sqm	CLSS

Providing legal assistance to the victim(s) during trial

1. Explain to the victim the importance of the vakaltnama and what the document means before the victim signs the document. Explain the legal proceedings.
2. If there is apprehension of threat or harassment, write a letter to the local police of the jurisdiction(s) at which the victims reside seeking protection from harassment. Attach a copy of the release certificates, the complaint, and the FIR to the letter.
3. Ensure that the Investigation Officer files an accurate charge sheet within the period stipulated provided by law.

