



LOV VERMA, IAS
Member Secretary

भारत सरकार
GOVERNMENT OF INDIA

राष्ट्रीय बालक अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
जनपथ, नई दिल्ली-110 001
JANPATH, NEW DELHI - 110 001

F. No. Meghalaya/Comp/2011/

Dated: 28th October 2011

Dear *Sir,*

On behalf of the National Commission for Protection of Child Rights (NCPCR), we wish to thank the Government of Meghalaya for all the arrangements made during the visit of NCPCR team led by Dr. Yogesh Dube (Member), accompanied by a Senior Consultant, Dr. Ramanath Nayak to the State from 16th – 18th October 2011.

2. The team had a meeting with the Chief Secretary and representatives from various Departments (Social Welfare, Education, Labour, Mining and Police among others). The team also met the Director, Social Welfare and his team separately; visited Meghalaya Hindu Mission Orphanage to inquiry into a complain of child abuse and interacted with the representatives of civil society organizations.

3. The visiting team was highly discontented over the dismal condition of child labours in the coal mines areas as well as widespread prevalence of child labours in other sectors like hotels, restaurants and market places. They were also shocked to learn about the pathetic situation of the street, disable and HIV/AIDS affected children in the State. The Commission expresses its displeasure over the status of child labours in the State and directs the respective departments/authorities to initiate immediate action on the issues and concerns listed below in order to ensure the rights and entitlements of the children:

Education:

- (i) The Department shall ensure mapping of the schools and survey of the out-of-school children in the State within 3 months and report to the Commission;
- (ii) Undertake mapping of schools in the coalmine and coal depot areas of Lad-Rymbai and Rymbai in Jaintia Hills district and may consider the relocation of schools;
- (iii) The Annual Work Plan under SSA must take into account the gaps in terms of primary school, secondary school etc. in the coal mines areas;
- (iv) Popularize the RTE Act and Rules and ensure adequate infrastructure at the earliest in compliance with the norms of the Act and Rules;
- (v) Ensure the constitution of school management committees (SMCs) and the orientation/training of the members;
- (vi) Ensure that all children in the age group of 3-6 are mainstreamed to Early Childhood Care and Education (ECCE) facilities, children of 6-14 years of age effectively realize their Right to Education (RTE);
- (vii) To achieve the goal ensure assessment of the educational status/learning level and further needs, admission to age appropriate class, provision of

textbooks/notebooks/guidebooks, stationeries, school bags, uniforms and tuitions free of cost;

- (viii) Energize the enrolment campaign to ensure that the children below 14 are in the schools and not forced to work in rat hole of coal mines; and
- (ix) Ensure that corporal punishment is not practiced in the schools and furnish a report to the Commission on the ongoing enquiry involving the same.

Health Department:

- (x) Furnish status report on School Health Programme and Immunization initiative in the State within 2 weeks;
- (xi) Develop an action plan for the care and protection of Orphan and Vulnerable Children (OVC) Affected/Infected by HIV/AIDS to ensure minimum food security, nutritional support, education, counseling and preventive measures to curb child labour and discrimination;
- (xii) Making available good quality supplementary nutrition, in the form of micro-nutrients and double or dry ration to OVC;
- (xiii) Ensure sensitization of doctors and staff as well as child friendly services, capacity building of doctors at Government hospitals, especially relating to paediatric HIV and free access to quality prevention, treatment, care and support services; and
- (xiv) Initiate sensitization of hospital staff to deal with the cases of children affected/infected by HIV/AIDS.

Mining and Geology:

- (i) Undertake a survey /mapping of the mines and mining areas of the State and report to the Commission within 4 weeks;
- (ii) Draw a complete action plan/guidelines on mining practices, environmental clearances and the safety standards in the State as applicable to mining under the Mines Act, 1952;
- (iii) Not undermining the traditional institutions (Sixth Schedule State), issue lease and license to ensure revenue for the State;
- (iv) Ensure regulation of labour in mines, to prohibit employment of children under 18 in mines;
- (v) The Child Labour (Prohibition and Regulation) Act of 1986 clearly prohibits employment of children under 14 in mines or any other hazardous processes. The Mines Act of 1952 (updated to 1983) goes further, prohibiting the employment of those under 18 in mines, unless working as an apprentice under the supervision of a manager, in which case they must be 16. The Mines Rules of 1955 also has a similar clause. Ensure compliance of regulations of the Mines Act, protection of children and records keeping of Mines about employees, including their age, name, and father or husband's name if applicable, and complete information on each employee is required before they may begin work; and
- (vi) Expedite and finalise the proposed Mining Policy (2009) which is under process with the Government;

