

Report of Shri Chaman Lal, Special Rapporteur on his visit to
Kanpur, Lucknow and Allahabad from 3 – 5 June, 2002.

I visited Kanpur, Lucknow and Allahabad from 3 to 5 June, 2002 to review the Child Labour and Bonded Labour situation in the State and meet the Principal Secretary, Labour and Secretary, Social Welfare in connection with the reports of the Expert Groups constituted by the NHRC to study Child Labour in Aligarh and the economic plight of KOLs residing in Allahabad and Chitrakoot.

The Review of the Child Labour and Bonded Labour situation in UP with focus on the Districts of the Carpet Belt was made in a meeting held in the office of the Labour Commissioner U.P, Mrs. Zohra Chatterjee. Shri M.N. Siddiqi, Director, Factories, UP and other senior officers of the Labour Department were also present.

CHILD LABOUR

A total of 1068 children were identified and withdrawn from hazardous work and 2793 from non-hazardous work in the year 2001-2002. 232 and 169 of these respectively relate to the districts of carpet belt. With this, the total number of children identified and withdrawn from hazardous and non-hazardous work since the directions dated 10.12.1996 of the Supreme Court in U.P comes to 28,952 and 60,997, respectively.

Non-invasive surveys have also been carried out for detecting working children and arranging their educational rehabilitation. These surveys conducted by taking the employers into confidence by allaying their fear of prosecution are found to be a more reliable and useful way of ascertaining the magnitude of the problem and arranging educational rehabilitation of the affected children. The results of these surveys are shown below:

1. Moradabad (DPEP survey) from 15 May to 15 August 1999 – 6099 working children detected.
2. Aligarh (UNICEF survey) from January to April 2001 - 8975 working children detected.
3. Jalesar, Dist. Etah (DPEP survey) from 30 April to 15 May 2001 - 1615 working children detected.
4. Mirzapur (DPEP survey) from 3 November to 15 December 2001 - 34,226 working children detected.

A total of 2674 children withdrawn from hazardous work and 3225 from non-hazardous work were admitted to schools in 2001-02.

418 prosecutions were launched in 2001-02. 327 RCs for recovery of Rs.20,000 per child from the offending employers were issued in 2001-02 and Rs.14,47,396 were actually recovered in 2001-02.

820 families out of a total of 1457 affected families pertaining to detections of 2001-02 have been provided employment/assistance till March 2002.

The overall detection of child labour and the follow-up in accordance with the directions issued by the Supreme Court appears to be satisfactory.

Child Labour Elimination Societies have been constituted in all the 70 districts of the State. The State Govt. has provided Rs.100 lakh as its contribution for the Child Labour Rehabilitation and Welfare Fund. Interest of Rs.36.28 lakh has been earned on this corpus till 31.3.2002. Rs. 5 lakh as seed capital has been provided by the State Govt. to each of the 23 child labour endemic district to establish a fund for activities relating to Elimination of Child Labour. Although rules to administer and regulate this fund have been notified by the State Govt. on 16.11.2000, utilization has been 'NIL' so far. The Labour Commissioner was advised to plan purposeful utilisation of the available funds which can help in promoting the cause of working children.

A number of workshops, seminars and other awareness generation activities on child labour were arranged in UP in 1999-2000 and 2000-01. In 2000-01 4 workshops were held with the assistance of UNICEF involving NGOs, trade unions and social workers for drawing up action plan for Elimination of Child Labour - at Aligarh on 30 September 2000, at Kanpur on 9.10.2000, at Allahabad on 10.10.2000 and at Moradabad on 9.11.2000. The workshops proved useful in assessing the magnitude of the problem of Child Labour and sensitising the civil society and concerned agencies. However, this commendable initiative of the Labour Department seems to have

totally stopped in 2001-02. The Labour Commissioner assured that these activities will be resumed in the current financial year. She intends holding a 'brain-storming' session with her senior colleagues to finalise an action plan for this purpose.

The directions issued by the Supreme Court on 10.12.1996 in MC Mehta Vs. State of Tamil Nadu and others for regulating the working conditions and care and welfare of children working in non-hazardous occupations do not seem to have received any significant attention from the Department. The Labour Commissioner was advised to start on a selection basis the enforcement of the directions of the Apex Court regarding working hours (should not exceed 6 hours a day) and education. (The employer concerned should arrange and bear expenditure on education for 2 hours a day) of such children.

The number of NCLP schools sanctioned for UP has increased from 370 to 470 since the last Review made by Dr. Justice K. Ramaswamy, Member, NHRC on 7 July 2001. It is heartening to note that all the 470 schools are operational. 263 of these are being run by the NGOs and 207 by the District Child Labour Committees headed by the D.M. 142 schools were opened in 2001-02. A total of 25,831 students are receiving accelerated primary education with supplementary nutrition and health-care in these schools. Increase in the number of schools in Aligarh from 30 to 50 following the visit of the NHRC team needs specific mention.

BONDED LABOUR

Vigilance Committees have been constituted in all the 70 districts. Sub-Divisional-level Vigilance Committees are in place at 288 out of a total of 299 Sub-Divisional HQs. Progress registered since the last review made by Dr. Justice K. Ramaswamy on 7 July 2001 is noted with satisfaction. Only 190 Sub-Divisions were having Vigilance Committees at that time. Proposals for notification for the committees at 7 more Sub-Divisional HQs are pending with the Govt. Proposals are still awaited from the DMs for constitution of Vigilance Committees at Gautambudh Nagar, Sadar and Jevar of District Gautambudh Nagar, Nizamabad of District Azamgarh and Varanasi Sadar of Varanasi.

Vigilance Committees have yet to offer any proof of their effectiveness in identifying bonded labour and arranging their release and rehabilitation. However, some encouraging reports have come about release of child labourers from Allahabad.

In the year 2001-2002, 180 bonded labourers were identified and released in UP. 150 of them were migrant labourers and were repatriated to their native States. The total number of bonded labourers identified and released in UP since 1996-97 when the Supreme Court had ordered a special survey is 2060. 1263 of them were migrant labourers. 797 were required to be rehabilitated in UP. 31 released bonded labourers were received from outside UP - 10 from Rajasthan in 1998-99 and 21 from Haryana in 2000-01. As

such, the number of bonded labourers required to be rehabilitated by the UP Govt. comes to 828. It is reported that 10 of them have died, 2 have refused any rehabilitatory assistance and one is untraceable. Only 337 have till now been actually rehabilitated under the Centrally Sponsored Scheme. That leaves a huge back log of 478 released labourers who are yet to be rehabilitated. Funds for rehabilitation have been provided for 13 of these – 2 in Chittrakoot and 11 in Sonebhadra districts.

It follows from the above that rehabilitation of 465 released bonded labourers is to be arranged. 257 of these are entitled to receive rehabilitatory grant at the old rate of Rs.10,000 each. 208 released in 2000-01 and 2001-02 are entitled to receive rehabilitatory grant at the rate of Rs.20,000 each. I was informed that requirement of funds has been projected to the Ministry of Labour, Govt. of India but no allotment has been received. It is learnt that an amount of Rs. 3.95 lakh out of earlier allotment has not been made available to the Labour Department and has as such remained unspent. The Labour Ministry might be asking for utilisation certificate in respect of this amount.

It was a pleasure to meet Shri Brijendra, the newly posted Principal Secretary, Labour, UP in his office (Lucknow) on 4 June 2002. I found him very enthusiastic about the issues relating to the Child Labour. He is keen to give a new thrust and direction to the drive against Child Labour. He has issued a number of instructions to the Labour Commissioner for this purpose. He has issued orders for

installation of computers in the Project Society for maintaining ON-LINE information on detection of child labourers and their educational rehabilitation. I am not sure whether he has considered the financial implications of his initiative, requirement of the training of staff and rigid financial parameters of the Project Scheme. He has reiterated instructions that only those children who are actually withdrawn from hazardous work should be admitted to NCLP schools. He has also instructed the Labour Commissioner to work out integration of educational activities under the NCLP with the programmes of Basic education Department, ICDS and ITIs.

I requested the Principal Secretary, Labour to give his personal attention to the following matters which have been pending since long:

1. Response of the State Govt. to the report of the Expert Group constituted by the NHRC to study employment of children in the Lock Industry, Aligarh is awaited since May 2001 despite several reminders. The Labour Commissioner informed me that comments from the D.M. and ALC, Aligarh have since been received. Special Secretary, has assured that these would be put up to the Principal Secretary Labour within a day or two.
2. The grant from the Govt. of India for rehabilitation of Bonded labourers seems to have been stopped because of the inability of the State Govt. to submit utilization certificate of

the amount already received. In the year 1999-2000, the Centre share (Rs.12.45 lakh) was less by Rs.3.95 lakh than the State share of Rs. 16.40 lakh. Subsequently, Rs. 3.95 lakh was released and transferred in the State Govt. account. However, this amount has not been released to the Labour Department for disbursement. Non-submission of the utilisation certificate in respect of this amount seems to have stopped the flow of funds from the Government of India.

3. The Ministry of Labour, Govt. of India has sanctioned Rs. 25 lakh under the Modified Centrally Sponsored Plan Scheme for survey (Rs. 5 lakh), awareness generation (Rs. 10 lakh) and Evaluatory Study (Rs. 5 lakh). Survey is to be conducted in districts Mirzapur, Allahabad, Kanoj, Meerut and Gautambudh Nagar. Districts Chittrakoot, Mirzapur, Sonbadhra , Varanasi and Mathura have been selected for the Evaluatory Studies. This money, transferred and deposited in the account of the State Government of UP in October, 2001, is yet to be released to the Labour Department. As such, the proposed programmes have not been started.
4. Under the Centrally Sponsored Plan Scheme, a released bonded labour is to be paid immediate subsistence allowance of Rs.1000/- which is to be adjusted against the rehabilitatory grant of Rs.20,000 to be shared by the Government of India and the State Govt. on 50:50 basis.

This payment is not being made in any case reported from UP. The Commission has since 1997 been requesting the Govt. to authorise the DMs to draw this amount under TR-27. Dr. Justice K. Ramaswamy, Member, NHRC has, on my request, written to the Chief Minister and the Chief Secretary, UP on this subject on 13 June, 2002.

A total of 200 prosecutions have been launched under the Bonded Labour Act till December, 2001/. Only 20 cases have been disposed of so far. Prosecution does not seem to have received adequate attention.

KANPUR

The review of the Child Labour situation in Kanpur revealed that a total of 140 children have been detected and withdrawn from the hazardous work since the 1st survey of 1997. There has been no detection in 2000-01 and 2001-02 despite popular belief that children are being employed in huge numbers in leather and chemical industries in the district.

All the children withdrawn from the hazardous work since 1997 are reported to have been admitted to schools. A total of 99 prosecutions were launched after 10.12.1996. Only 3 of these have been decided till 31.3.2002 and all in acquittal. 99 RCs involving a total amount of Rs.24,80,000 were issued. Actual recovery of Rs.9,20,000 is commendable.

40 NCLP schools were sanctioned in Kanpur in 1999-2000. These were made operational in September, 2000. All the schools are being run by the NGOs. However, allotting one school to one NGO and thereby involving as many as 40 NGOs in this activity indicates that the easier course of obliging all possible claimants was followed without a proper scrutiny of the background and experience of the NGOs in the field of education. This raises serious doubts about the quality of selection made by the District administration. It is also distressing to know that the posts of 2 field officers, one clerk and one driver under the Project have not been filled up. Absence of Field Officers has the obvious adverse impact on the supervision over the functioning of the schools. It is a serious failure on the part of the D.M. who is the Chairman of the Project Society. I do not accept his view (reported to me) that the officers of the Labour Department can take care of these students.

I visited 2 NCLP schools of Kanpur and my observations are given below:

1. **NCLP School, Mazdoor Sabha Bhawan near P.S. Gwalpuri**

This school is being run by Akhil Bhartiya Manushiki Evam Mahila Vikas Sangathan. Professor Hemlata Swaroop, a well-known public figure and the head of the organisation was present. The school was started with 50 students in 1.9.2000 at a rightly selected site in the middle of a labour-prone area. 8 children dropped out in 2000-01 and 17 in 2001-02. This does not speak well of the

motivational abilities of the teachers. No wonder, parents' meetings are not being held. 3 of the 17 children dropped in 2001-02 were, however, admitted to formal stream of education.

The strength of the school on the day of visit was 48 – 21 girls and 27 boys. It is commendable that 18 of the students are from the minority (muslim) community. Daily absence rate is found to be around 20 % which is yet another weak point of the school. SNP is being run properly. Arrangements of health-care do not appear to be perfunctory. In a recently held health check up conducted by the Lions Club, 3 cases of eye-trouble were detected but medicines for the children could not be arranged. D.M's help should have been sought. Vocational Training is not receiving any worthwhile attention. It was reported that only 16 children are receiving training in embroidery. What I found most objectionable was the disbursement of the stipend mostly in cash (Register revealed that only once payment was made by cheque) by the Labour Inspector.

The standard of teaching roughly judged by testing some of the students in reading, writing and arithmetic was found to be fairly good. Teachers were advised to spare a few minutes every day for talking to the students on subjects of general interest in order to improve their awareness about the elementary things around them.

2. NCLP School, Kalyanpur

This school is being run by Maharishi Dayanand Sarasvati Shishu Mandir Samiti, Kanpur. It was started on 1.9.2000 with 50 students. The present strength is 48 including 20 girls. 43 were

present at the time of visit. However, daily average absence rate is found to be 2-3 students. The school is rightly located in a predominantly muslim/ST area. 27 children belong to muslim and 8 to ST families. 24 Students dropped in 2000, 7 in 2001 and 2 in the current year.

Medical check up is not being done regularly. Stipends are being paid through bank only. Supplementary nutrition programme and vocational training arrangements are also satisfactory.

Teachers were not found clear about the most basic aspect of the Project. The teaching curriculum and schedule seems to be based on 5 years instead of 3 years which is the duration of the Project. It was explained to them that they are required to bring the admitted children to V class standard in 3 years. The standard of teaching ascertained by testing some of the students in reading, writing and arithmetic was found to be rather poor.

Visit to 2 schools in Kanpur City gives me some reason to say that the supervision of the Dist. Admn. on the functioning of these schools is far from satisfactory.

Meetings at Lucknow

I met Shri Majid Ali, Secretary, Social Welfare Department to seek some clarification and additional information on the response received from the Govt. of UP on the report of the Expert Group for the upliftment of KOL tribals. The report was sent to the Govt. of UP

in February 2001. The following omissions/deficiencies in the response of State Govt. were explained to the Secretary, Social Welfare Department which is the nodal Department.

1. Comments of the DM Allahabad on specific complaints relating to land alienation received by the Group from Shankargarh block. These were listed in Appendices IIA, IIB and IIC and IID of the report.
2. Comments of the DM Chitrakoot on the observations of the Group on acquisition of land for a glass factory in Bargarh in Mau block, Chitrakoot.
3. Observation of the Group relating to the land in possession of KOI families which is being claimed as forest land although it is so degraded that afforestation is either impossible or prohibitively expensive.
4. Current status of the appeal No.481 of 1979 (State Vs. Rani Rajendra Kumari Ba) pending in the Allahabad High Court as also the matter pending before the Controller of Mines, Nagpur.
5. Details of payment made by the UP Forest Corporation in 2000-01 and 2001-02 to the tribals in Chitrakoot District who are, as per the Govt. response, allowed to freely collect Aaomla and sell it to the Corporation.

Secretary, Social Welfare was requested to arrange to send the above information within one month so that the proposed meeting of

the Commission with the Chief Secretary and other Secretaries may be fixed.

I also met Shri Brijendra, Principal Secretary, Labour. Account of this meeting is given on pages 6-7.

ALLAHABAD

Shri Amar Saran, Advocate and Member of the Expert Group on KOLs met me at the Circuit House and briefed me about the functioning of the Self-Help Groups of the KOLs in Shankargarh which have been given mining leases by the District Collector. This has brought about significant improvement in the lives of these people, who are earning three-times more than before and are no longer dependent for loans and advances on the contractors. It was heartening to learn that most of the children of these families are now attending schools.

It is remarkable that the Self-Help Groups in one village Gorha Katra have over a period of 3 ½ years paid about Rs.12 lakh as royalty to the State. In contract, Raja of Shankargarh who has mining rights in perpetuity over 120 sq.meters stretch of mining land in 46 villages has not paid Rs. 1 lakh as royalty in the last 50 years.

Shri Amar Saran informed me that 2036 acres of land in 9 villages in Shankargarh has recently been transferred to BPCL which is setting up a refinery. 187 hec. of forest land involving six KOL villages is also being transferred to BPCL. A team had come from Delhi to clear the State Govt's proposal for transfer of forest land to

BPCL under the Forest Conservation Act. In order to validate the transfer of forest land and compensate the loss to the Forest Department, 187 hec. of Gram Sabha land in 4 villages is being transferred to the Forest Department which would adversely affect some 2500 KOLs. The Expert Group had recommended a thorough survey to identify the land in possession of KOLs which is being claimed by the Forest Department, ascertaining the actual status of this land and in regularise their possession if the land is found to be a part of the degraded forest. The issue has gained urgency in view of the transfer of land to the BPCL.

Shri Devesh Chaturvedi, DM Allahabad called on me at the Circuit House. I requested him to send through the Govt. the factual position of the land alienation cases of Shankargarh mentioned in the report of the Expert Group. I was happy to hear from him the encouraging account of the functioning of the SHGs. of KOLs. He informed that 40 more applications for grant of mining leases have been received by him. I told him that the Commission will formulate its' recommendations for the State Govt. after examining the response, additional information in respect of which has been sought.

BALVIKAS ASHRAM

I visited the Balvikas Ashram at village Taraun, PO: Karaon, Allahabad. Father Louis, Director was kind enough to accompany me. The Ashram was established as a Transit Home in 1999 for the rescued migrant child labourers. It has the capacity to accommodate 40 male children. The Institution is run by Dioceson Development

and Welfare Society (DDWS). The rescued children belonging largely to Bihar (Saharsa, Katihar, Sipol, Khagaria and Araria) and Jharkhand (Gharwa, Palamu) are given Non-formal education upto 5th class along with Vocational Training in Tailoring and Carpentry. I enjoyed interacting with Shri Raj Nath Singh, Coordinator who is working with exemplary dedication and commitment for the rehabilitation of rescued children belonging to Bihar and Jharkhand. I felt happy to learn from him that the intervention of the NHRC has made some positive changes in the response of the District Magistrates of some of the districts in Bihar, who are now promptly pursuing the cases of rehabilitation of rescue children.

The Ashram was found holding 30 rescued children – 27 of Bihar and 3 of Jharkhand released in four lots from the looms at Handia (Allahabad) and Bhadoi in November 2001 and March 2002 83 children have so far passed out from the Ashram. 20 of them have passed 5th class examination. The DDWS spends Rs.1050/- p.m. on boarding and lodging of each child and also gives a stipened of Rs.350/- p.m. paid in lump-sum at the time of final departure of the child from the Ashram.

I spoke to some of the inmates and learnt about their miseries before they were rescued and brought to the Ashram. Mohd. Naushad, aged 10 years of village Gochhi dist. Arariya (Bihar) was rescued from Bhadoi on 6.3.02. He told me that he was brought to the loom owner by one Mohasin Mulla of the same village by paying Rs.200 to his father. Mohd. Nizam s/o Mohd. Uman of village

Bhollani, Dist. Arariya was rescued from Bhadoi on 23.4.02. He said that they were forced to work at the loom from 5 AM to 12 in the night and were never allowed to go out. Ramesh s/o Harelal (10 years) of Saharsa was rescued on 20 November 2001. Mohd. Nassibul s/o Khaleel of Saharsa was rescued from Handia in November 2001 and is being shifted to Allahabad for orthopaedic treatment.

DDWS is also running 'Child-Line Allahabad'. The monthly report on Child Line for May 2002 showed that it had handled 846 calls and provided intervention in 4 cases of medical help and 3 of shelter. The Child Line, Allahabad established 4 months back is still working without a City Advisory Board. I requested the District Collector Devesh Chaturvedi to review its' functioning and help the DDWS in constituting the CAB.

MEETING WITH LABOUR OFFICERS

I took a meeting of the Deputy Labour Commissioner/Assistant Labour Commissioner of the districts of the carpet belt in the office of Deputy Labour Commissioner, Allahabad on 4.6.02. It was attended by Shri M. N. Siddiqi, Director, Factories. The following district-wise picture of the Child Labour and Bonded Labour situation emerged from this meeting:

ALLAHABAD

CHILD LABOUR: In the year 2001-02, 17 children were identified and withdrawn from hazardous and 67 from non-hazardous work. Corresponding figures for 2000-01 are 10 and zero,

respectively. All the 17 children withdrawn from hazardous work have been admitted to schools. With this the accumulated number of detection from hazardous work since the survey of 1996-97 comes to 6971. A total of 469 prosecutions have been launched and 521 RCs for recovering a total amount of Rs.4.84 crores have been issued. As many as 428 RCs involving a sum of Rs.4.17 crores have been stayed by the courts. The total amount of Rs.1,90,174 has been recovered so far. The total number of affected families is 5110. Only 1114 families were provided employment. After considering the migrant families and those who have refused to take any employment were already employed, as many as 725 families still remain to be rehabilitated. However, it is heartening to know that 307 families were provided rehabilitation in 2001-02.

Of a total of 483 prosecutions – 469 launched after 10.12.1996 and 14 pending from the previous year, only 24 cases have been decided, all in acquittal. There has been no disposal after my last visit in August 2001. Prosecution of cases under the Child Labour Act is not receiving proper attention. I requested the D.M. Shri Devesh Chaturvedi to take up the matter in the Monitoring Committee meeting.

40 NCLP schools sanctioned in June 1999 were actually started in March, 2000. 22 NGOs are involved in the running of these schools. Drop out rate is found to be nil. Vocational Training is not being imparted regularly at all places. IN 2001, 125 students had cleared V class examination and 34 of them were admitted to VI class.

This year, 116 students have taken class V examination and the result is awaited.

BONDED LABOUR: A total of 192 bonded labourers have been released in Allahabad since 1997-98. 47 were released in 2001-02. 175 of the total of 192 including 42 of 2001-02 are migrant labourers. As such only 17 bonded labourers belonging to UP were required to be rehabilitated - 4 of them belong to Allahabad, 12 to Sonbhadra and 1 to Balrampur. None of them has received the rehabilitatory grant so far.

VARANASI

CHILD LABOUR: 62 children were identified and withdrawn from hazardous and 23 in non-hazardous work in 2001-02. Corresponding figures for the preceding year are 75 and 5, respectively. With this, a total of 1349 children have been identified and withdrawn from hazardous work after the survey of 1997. All but 6 of them have been admitted to schools. The DLC assured that these 6 would also be admitted shortly. 995 cases including 392 of the period prior to 10.12.1996 have been prosecuted so far. 303 cases have been decided till now which include 104 decided in 2001-02. 171 have been acquitted and 132 convicted. Although the conviction rate is satisfactory, the sad fact is that all the cases decided in 2001-02 have ended in acquittal because of a judgement of Allahabad High Court in criminal revision No.2459 of 2001 making it essential for the Labour Department to get age of the released child medically determined before filing the prosecution. I have studied this

judgement which records that the documents of the case do not indicate that the age of the child was accepted by the employer as an undisputed fact. Medical examination of each and every child detected involves a lot of complications. The burden of proof under this Act is on the accused. What the Enforcement Department has to ensure is that the employer is given the opportunity to accept or question the age of the child recorded by the Inspector. I was informed that the Labour Department has filed an SLP against the judgement of the Supreme Court.

A total of 960 employers are involved in the detection of 1349 children so far. 626 RCs for recovery of Rs. 1,65,40,000 have been issued. 136 RCs involving an amount of Rs.36,80,000 have been stayed. Only an amount of Rs. 2,56,000 was collected till 31.3.2002. Recoveries are not at all satisfactory. Of a total of 1241 affected families, only 158 have received some rehabilitatory benefit. After considering the migrant families which are already employed under some schemes of the Govt., 28 eligible families are still to be rehabilitated. It is hoped that they will be considered this year.

40 schools are functioning in Varanasi. 10 were opened in August 1999 and 29 in December 2001. One more school is to be started. 30 children dropped out of the 10 old schools. 487 children of the old schools have successfully cleared Vth class examination. 9 NGOs were involved in the running of 10 schools opened in August 1999. As many as 30 have been selected for the new schools. I wish the DM, who is head of the Project Society, had with the help of other members assessed the capabilities and experience of the NGOs and

distributed the schools among a manageably small number to ensure proper coordination. He has, like his counterpart in Kanpur, followed the convenient path of pleasing who ever come forward to take these schools.

BONDED LABOUR: A total of 79 bonded labourers have been identified in Varanasi since 1996-97. No bonded labourer was detected in 2001-02. 45 out of a total of 79 bonded labourers are migrant labourers. Of the remaining 34, 13 released in 2000-01 belonging to Azamgarh are still awaiting rehabilitation.

JAUNPUR

CHILD LABOUR: 125 children were identified and withdrawn from hazardous and 35 from non-hazardous work in this district in 2001-02. With this a total number of children detected and withdrawn from hazardous work after the survey of 1997 comes to 670. 225 of these were migrant labourers. The remaining 415 were admitted to schools. The ALC assured that the balance 30 are being considered for admission this year. Of a total of 358 employers were involved in detection. 268 prosecutions have been launched and 256 RCs for recovery of an amount of Rs.93,60,000 have been issued. A total amount of Rs. 3,60,200 has actually been recovered which includes 10,000 recovered in 2001-2002. 118 RCs involving an amount of Rs.44,66,000 have been stayed under court orders.

402 prosecutions including 134 of pre-10 December 1996 period were launched. Only 19 of these have been decided – 16 in

acquittal and 3 in conviction. Appeals against the acquittal have been filed in 3 cases. The sole case decided in 2001-02 ended in acquittal. Progress of prosecution is not at all satisfactory.

Out of a total of 509 affected families only 88 have received some rehabilitatory assistance. After considering the migrant families and those who have refused to accept the assistance, 98 families still remain to be rehabilitated.

BONDED LABOUR: A total of 11 bonded labourers have been released in this district after 1996-97. There has been no detection in 2001-02. 10 out of a total of 11 were migrant labourers. One detected in 1999-2000 has been rehabilitated.

SONEBHADRA

CHILD LABOUR: One child labour was identified and withdrawn from hazardous work and 29 children from non-hazardous work in 2001-02. Corresponding figures for 2000-01 are 1 and 7, respectively. With this, the accumulated number of children detected and withdrawn from the hazardous work after the survey of 1996 comes to 398. 372 of them have been admitted to schools. 287 out of a total of 353 affected families have been rehabilitated. 60 are migrant families and 3 have refused to take any assistance. As such only 3 families are awaiting rehabilitation. The DLC, Sonebhadra assured they will be covered this year.

373 prosecutions including 200 of pre-10 December 1999 were launched. 111 cases have been decided so far. Only one case has ended in conviction. 34 cases were decided in 2001-02 and 76 in 2000-01. Though the disposal has improved after the intervention of the NHRC, the conviction rate is hopelessly poor.

A total of 149 RCs for recovering an amount of Rs.46,60,000 have been issued. 13 RCs involving an amount of Rs.8,40,000 have been stayed by courts. A sum of Rs. 1,13,000 has been actually recovered so far.

BONDED LABOUR: A total of 168 bonded labourers were identified and released in this district in 1996-97. 34 of them were migrant labourers. Of the remaining 134, 2 have since died. Funds have been made available to the district for the rehabilitation of 132 affected families. However, only 127 of them could be located and have been rehabilitated.

It is worth-mentioning that 10 bonded labourers received after release from Rajasthan were also to be rehabilitated, 9 of them have received the rehabilitatory grant and one will be receiving shortly.

BHADOI

CHILD LAHOUR: 26 children were identified and withdrawn from hazardous and 3 from non-hazardous work were in 2001-02. The corresponding figures for 2000-01 are 11 and zero, respectively. With this, the total number of children identified and withdrawn from

hazardous work in this district after the survey of 1997 comes to 554. 464 of them were migrant children. 88 of the remaining 90 have been admitted to schools. The number of affected families is 93, 30 of them were rehabilitated. After considering the migrant families and those who have refused to accept the assistance or employment 13 are still awaiting rehabilitation.

214 RCs for recovering an amount of Rs.79,000 have been issued. 116 RCs involving Rs.44,50,000 have been stayed under court orders. Although the recovery of Rs.7 lakh in this district is one of the largest in the State, almost the entire amount was recovered in the year 1997. There has been no recovery in the year 2000-01. In 2001-2002, only Rs. 60,000 were collected.

As of 1.4.2001, 807 cases were pending trial, 4 prosecutions were launched in 2001-02. Of a total of 811 cases only 3 were decided in 2001-02, all in acquittal. 808 cases are pending. Since 1995-96, 675 cases have been decided in acquittal and only 25 in conviction. Except one case in 2000-01, there has been no conviction after 1st April, 1998 in this district.

Shri M.N. Siddiqi, Director, factories, UP who is also looking after Child Labour and Bonded Labour assured that the ongoing drive against Child Labour and Bonded Labour in the carpet belt will be continued with greater vigour. He was requested to give special attention to the pending cases of rehabilitation of Bonded Labour.

