

Report of Dr. Ashok Sahu, Thematic Special Rapporteur (Child/Bonded/Migrant Labour), NHRC on visit to Andaman & Nicobar (A&N) Islands during 05-09 March, 2018.

I. General

1.1 The Union Territory (UT) of Andaman & Nicobar (A&N) Islands, consisting of about 572 Islands (of which about 32 are inhabited) belonging to two groups, namely, Andaman and Nicobar, is located at the juncture of Bay of Bengal and Andaman Sea. The UT is spread over an area of about 8,250 sq. k.m. According to 2011 census, it had a population of about 3.80 lakh, of which 7.5% belonged to S.T. and rest to general castes. The UT has three Districts, namely, North & Middle Andaman, South Andaman and Nicobar Islands. Cultivation (paddy, coconut, arecanut, pulses, oilseeds, vegetables, fruits, spices, rubber, palm and cashew), fisheries, small scale industry, construction, tourism and trade are main vocations. The UT was affected by a catastrophic tsunami occasioned by the Indian ocean earthquake in 2004. The islands witnessed a phase of reconstruction thereafter, massive investment in respect of which has altered the character of the economy. It has witnessed a boom in construction activities and tourist inflow, which continues to be attracted not only by historic sites like cellular jail and beautiful islands but also by upcoming better infrastructural facilities and air connectivity. Because of labour-scarce

and high-wage environment, it has augmented inflow of migrant labour as well. Child labour problem is marginal and labour bondage is non-existent.

Child Labour

1.2 Except for sporadic instances (only 3 cases in the past), the Islands are free from any large instance of child labour engagement. Nevertheless, Special Squad constituted by the Labour Department conducts surprise inspection/raid. A Child Labour Survey was conducted on annual basis till 2016, covering about 7000 establishments across the Islands, but no child labour was detected. Awareness generation is created through TV and radio programmes, display of hoardings and sensitization of PRIs about child rights.

Bonded Labour

1.3 In A&N Islands no instance of bonded labour has been reported. As a proactive step, Vigilance Committees have been constituted in each of the three Districts.

Migrant Labour

1.4 The dynamics of labour market in A&N Islands i.e. more demand and less supply of labour, attracts migrant labour and at the same time prevents their exploitation. The workers mainly come on their own and get engaged in the unorganised sector. It is estimated that about 48,000 workers are engaged

in unorganised sector, of whom nearly 15,000 are migrant workers. The prevalent favourable conditions are:

- Higher wages (including minimum wages) compared to mainland India.
- Free education, text books & uniforms and mid-day meals for children.
- Free medical facilities including medicine and surgeries.

1.5 There is no brick kiln in A&N Islands. But about 16,000 workers, including the migrant workers, are engaged in building and construction industry. About 14,348 such workers have been registered between 2010-2018 and received benefits out of Building and Other Construction Workers Cess Fund amounting to Rs. 6.39 crore (till 31.12.2017) by way of educational, marriage, medical and funeral assistance and maternity, death and pension benefits.

Human Trafficking

1.6 Human Trafficking is not a problem area in A&N Islands primarily because of its geographical location.

1.7 Against this background, field visits were made to two Islands, namely Havelock and Neil, Abhyuday Complex at Ferrargunj and ITI at Dollygunj. Discussions were also held at Port Blair with UT Administration officials, whose outcome is discussed below.

II. Meeting at Port Blair

2.1 The meeting at Port Blair was attended by Secretary (Labour) and other officials of Labour Department, District Magistrates, and representatives of Police and Health Departments and Child Protection Unit. At the outset a presentation was made by the UT Administration whose highlights have been reflected in para 1.2 to 1.6. Thereafter I mentioned about important facets of child, bonded and migrant labour as well as trafficking like the need for capturing whether education of children working for the family is getting adversely affected and emergence of new forms of bondage or 'neo-bondage' through fresh Surveys and whether apart from payments, minimum creature comforts are being provided to migrant labour. During interaction it was pointed out that due to better educational facilities and high literacy rate, the problem of child labour is virtually non-existent. Even though A&N islands is a labour-deficient UT, due to constant awareness generation, employment of child labour is neither practised nor encouraged. Besides, there are no out-of-school children, which reduces further vulnerability of becoming child labour in future. Similarly, the system of bonded labour is not prevalent. However, availability of work, congenial work environment and high level of minimum wages have attracted migrant labour. On health front, the migrant workers are

carrier of certain diseases like leprosy which are otherwise non-existent in A&N Islands. A view emerged that more vigilance is required on this front. Similarly, even though Anti-Trafficking Unit and Helpline are functioning, no specific case of trafficking has been reported. However, it was felt that considering seriousness of the problem, complacency in the matter needs to be avoided.

2.2 A courtesy visit was also made to the Chief Secretary, A&N Administration, with whom the above-stated issues were briefly discussed.

III. Field Visits

3.1 Field visit was made to places, namely, Havelock and Neil, located in two different islands. Between the two, Havelock is a major tourist attraction. Post tsunami a lot of construction activities in respect of hotels and resorts is going on and many of them have started functioning, providing employment in service as well as building and construction sectors. As a result, many migrants from within A&N islands and other States have come to Havelock. This is facilitated by better cruise connection. Two places, namely, TSG Resorts (functioning) and Havelock Village Resort (under construction) were visited and the management and the workers were interacted with. In case of the former, the workers (about 60) were from A&N islands and from other States. The workers were being paid minimum wages credited to their Bank Accounts, food and accommodation. Since there is universal health coverage in A&N

Islands, getting medical treatment is relatively easy. By its very nature the migrant workforce is floating, shifting from one establishment to another in search of better employment opportunities. This needs to be facilitated by some kind of formal training. In case of the latter establishment, at the time of visit, the workers being contractor workers, had come from Goa, though belonging to different States like Bihar and West Bengal. Besides, some regular workers originally belonging to Andhra Pradesh but settled in A&N Islands were also employed. There was no problem in payment received. There was provision for accommodation, potable water and preparing food. The workers were advised to register themselves as building and construction workers and avail benefits as applicable to them either from Labour Department of A&N Administration or their Home States.

3.2 I visited Abhyuday Complex, Ferrargunj which is an institution of Social Welfare Department. It has three units, the first one functioning as a Shelter Home for neglected and orphan male children (presently having 15 inmates), the second one functioning as a Shelter Home for both male and female disabled children (presently having 8 and 6 inmates respectively) and the third one functioning as an Old Age Home for males (presently having 29 inmates). The Deputy Director, Social Welfare Department, the management and staff and some inmates were interacted with. The infrastructure and facilities

provided are quite satisfactory. However, during interaction, it was observed that there is a felt need for a playground which can be used for cycling and walking, a mini bus for transporting purpose including taking children to school and bringing them back and tutors for coaching English, Mathematics and Science from 8th class onwards. It was also indicated that there is big demand for accommodating more inmates in the Old Age Home for men as well as having an Old Age Home for women. It was pointed out that there is in principle approval for meeting some of these requirements, the implementation of which only needs to be expedited.

3.3 A visit was also made to ITI at Dollygunjand which has come up quite well and caters to the vocational training needs of students of A&N Islands. Since school level educational facilities in A&N Islands is good, the 10th and 12th class pass students are obtaining vocational training here. Matters relating to placement, career advancement and soft skill training were discussed with them. The teaching staff members of the ITI were also interacted with. It was pointed out that ITI pass outs are getting reasonable placement and they are getting NCVT certificates on time. It was suggested that since hospitality, building construction and maritime related sectors are buoyant in A&N Islands, trades relating to them should be emphasized upon.

IV. Conclusion

4.1 Andaman & Nicobar Islands have a different topography and hence different economic structure. Understanding of the labour situation there imparts a diverse perspective. The problems are unique, so also the solutions. The recommendations are annexed. NHRC may like to take up relevant issues with concerned Ministries and UT Administration.

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Annexure

Recommendations

- (i) On health front, the migrant labour should be checked regularly so that they do not become carriers of new diseases like leprosy.
 - (ii) Vocational training facilities need to be emphasized keeping in view the employment opportunities both available and emerging in the A&N Islands, mainland and globally.
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