

Report-1V, about Bonded and/or Child labour who were released from Hyderabad in Telangana in 2015 and present position after discussions with Secretary Labour, Govt. of Bihar, Divisional Commissioner Gaya, District Magistrate Gaya, District Magistrate Nawada, Labour department officers at State, Division and District level and direct discussion with the freed labourers by Dr Vinod Aggarwal Special Rapporteur during 20<sup>th</sup> to 24<sup>th</sup> November, 2018.

1. This matter of Freed Bonded and most of them being Child labours is as old as 04/05/15, when the NGO, Bachpan Bachao Andolan (BBA) informed that 219 child labourers including 3 girls were rescued from 14 bangle making units of Hyderabad. NHRC took cognizance of matter on 01/06/15 vide case no 462/36/2/2015. There were directions for DM Hyderabad to get the enquiry conducted, whether these child labourers were bonded labourers also. DM Hyderabad was also supposed to deposit 25 thousand for each rescued child, 20000 to be recovered from the units employing the child labours and 5000 from the State Govt. of Telangana. It seems that amount seemed to have not been sent and more than 75 certificates of the bonded labour are pending with the DM Hyderabad. Although Bihar government should have prepared an integrated report of 219 bonded labours but they could give me sketchy report based on reports from Gaya and Nawada. The reports if received from Nalanda, Patna, Jehanabad and Sheohar are even much shoddy and even account of 219 freed labours couldn't be matched by the state Government. There is such labour from Patna but the list is not complete.

2. Gaya district had the major share in a way that 96 freed bonded labour came back to Gaya. Out of these, according to District administration 14 are above 14 years, on the date of being freed and in their case 5+25(30) thousands are not supposed to be given. They are to be given only 1800 rupees. The policy seems to be faulty. It should have been given to all the children because at the time must have been taken they must be below 14. As such these boys may also be given this amount for rehabilitation. Out of remaining 82, 6 could not be traced, either they have gone out of district or did not belong to the district. But whether the boys belonging to other district a coordinated action through divisional commissioner or state government has been established is not clear.

There is a boy named Rahul kumar, 9 years old who belongs to Nalanda district. This district is adjoining although belonging to Patna division. Coordination could have been established and information should have gathered whether he is being given full complement of rehabilitation aid. Out of 96 freed labours, only 68 have been provided full rehabilitation aid. At least 8 boys despite of district and below 14 years have not been provided rehab aid. 2 boys of 7 and 10 and sons of one karu Manjhi of Chilim village have not given any aid and no reasons have been given.

3. In Nawada district 43 certificates have not reached the district even after 3 years. Only 2 are above 14 years, but still another 15 out of these 43 and below 14 years have not been paid rehab assistance. The district administration, after intervention from undersigned during the last visit, have tried to get them the Ration card, MNREGA, Regd. Under building construction workers, Aadhar card, bank account, school admission for those eligible, and employment for those whose family were ready to do, had been attempted. But still many of them are yet to get the Aadhar card. How payment has been made to many, without opening the account is difficult to understand. There are 6 boys who got rehab aid without opening the account. This is to enquired how aid has reached them or funds have been embezzled.

4. It has also become clear that the 50 Children of Nalanda district, who were released by Telengana State, have got nothing, except 15 have got 25000 rupees from CMRF. Out of 9 boys of Jehanabad, 3 have got the rehab package of 25000 rupees, but others are yet to get. For the 3 boys of Sheohar district nothing has been done by the district labour authority. Details of few districts are still not there with the State labour authority.

5. Although correspondence for last one year is being done by labour commissioner Bihar with District magistrate Nampally and Director of Women and Child Development, Labour Commissioner Telengana on a piecemeal basis as a post office between district and the Telengana but as a matter of state, the subject yet to be taken. Till date except release certificate of about 66% nothing more has come from the state of Telengana. No proper information gathering has been done about the cases against the 14 bangle makers of Hyderabad. The state of Telengana has not released the grant and the fine

amount collected from the units where the bonded labour had been employed.

6. It is felt notice to Chief Secretary & Labour Secretary Telangana and DM and Police Commissioner Hyderabad should also have been simultaneously issued, as 3 years have passed whereas only few release certificates have reached the state of Bihar. DM Hyderabad has been further requested to send the release certificates of remaining many child labourers, for whom this document has not been received. Further demand of Rs. 5475000 (219\*25000) should also be requested from DM Hyderabad, and the State government at the appropriate levels.

7. The Child Labour Tracking System (CLTS), although has been launched by the State Government of Bihar, on 12/06/16, on World Child labour Prohibition Day. But no work about these child labourers was shown by the labour department except payment to 68 children of Gaya+20 children of Nawada+15 Children of Nalanda and another 3,4 children of remaining districts. The feeling at the lower levels is unless a release certificate comes from Hyderabad, no action can be taken. All actions are linked with the release certificates.

8. Based on my meeting with the DM Nawada on 23<sup>rd</sup> Nov, the steps have been taken for welfare of these child labours. **The District Magistrate Nawada vide his letter no 621/ Sa dated 17/07/18, that action has been initiated for 20 of 27 child labourers. The clothings and ration has been given to these bonded and released labours. But when visited Nawada again in November, nothing more has been done. There was no review by the state Government.**

9. Repeat meeting with DM Nawada, Meeting with Commissioner Gaya and District Magistrate Gaya and Secretary Labour may awake the state Government of Bihar but the Government of Telengana is still sleeping.

10 The district administration Sheohar , Jahanabad and Nalanda also need to gear up to the challenge of providing relief and rehabilitation package to the child labour freed in Hyderabad.

**Recommendations:**

1. The Child Bonded labour case, it would be of utmost importance the final report about 219 labourers should be sent to concerned districts and if required the NHRC may notice the DM and police commissioner of Hyderabad once in month of August, 2018.
2. Once a finality of release certificates and Rs 25000/ case is received by the various districts of Bihar the role of Telengana would be over, except for punishment of the unit owners who had employed the children in a hazardous industry. As a special case a joint secretary of the commission may be deputed to Hyderabad to expedite or otherwise the sp. Rapporteur of south zone may be asked to visit the Hyderabad and submit a report on this matter. On alternatively as a special case I can visit Hyderabad to pursue this case. This matter is of utmost important and government of Telengana and district magistrate Nampally would of importance to make a difference to the lives of these children.
3. The 7 districts where these 219 child labours came from may also be asked to submit the affidavits of work completed by 15<sup>th</sup> January 19. Based on the updated status of rehabilitation of these child labourers, a report may be shared with undersigned so that their cases are further pursued at the Divisional commissioner level of Gaya and Patna division which will cover almost all 7 districts.
4. But it is quite shameful that a more three year old case is not being handled deftly and at a pace required and rehabilitation of these child labourers has not taken place. This may be a fit case for taking strict action against the concerned labour Superintendants.
5. This Gaya Region, has come up with many cases, the post of labour superintendent in Nawada be upgraded to higher scale and a higher ranking labour department officer may be posted along with more labour inspectors for next 2-3 years. Gaya being one of the important railway station on Delhi-Kolkatta rail line. All the trains to Odisha and Jharkhand also pass through Gaya. This place has become important railway route from where children

are lifted and taken to other places. It is important that Vigilance at Gaya junction must be kept in coordination with the railways.

6. Meetings with NGO may be held to find out more cases and every nook and corner of the district may be looked for some other cases of similar nature.

7. The skill development is in domain of labour department. It would be important that boys who are older and no longer keen on education are imparted training in skill development so that they are able to earn and support their families while living at home and there is no need for parents to send them over to work sat far of places.

8. This being an interstate case and of more than 210 child labour and freed 3 years back, seems to deserving case to be converted to case study. It is my considered recommendation for making a case study for times to come how callous is the government handling the issue of child labour despite of boasting of the various governments.

*VV 11/14/18*  
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*Enclosure  
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