

**Report of Dr. Ashok Sahu, Thematic Special Rapporteur (Child/Bonded/Migrant Labour), NHRC on visit to Mizoram (Aizawl, Kolasib and Serchip) during 22-26 October, 2018.**

**I. General**

1.1 Mizoram, located in North-East India, is a hilly State, previously being a part of Assam. It became a Union Territory in 1972 and a State on 20.02.1987. It has 8 Districts. The State had a population of 1.1 million according to 2011 census, largely tribal (95%) with high literacy rate (92%). Its economy is primarily agricultural, dominated by rice and horticultural crops. The percentage of people below poverty line was 20.40 in Mizoram as against all India average of 21.92 in 2011-12.

**II. At State Level**

**(a) Child Labour Position**

2.1 Traditionally local population does not encourage child labour system. It is mostly prevalent among migrant families. Educational facilities being good, the State has the potential of becoming a child labour free State. Besides, Mizoram has an elaborate network for Child Care Institutions (CCIs) with 35 Children Homes, some of which specifically cater to AIDS affected, substance-using and physically and mentally handicapped children.

**Important Steps Taken**

2.2 Following important steps have been taken by the State Government:

- Institutional arrangements to prevent child labour are in place.
- Emphasis is on continuous awareness generation, involvement of NGOs and inter-departmental coordination.

**b) Bonded Labour Position**

2.3 In Mizoram the bondage system is almost not prevalent presently. According to the Socio-Economic Caste Census, 2011, conducted by the Ministry of Rural Development, the number of rehabilitated bonded labour households in Mizoram was 900 (81 in Kolasib and 1 in Serchip).

**Important Steps Taken**

2.4 Following important steps have been taken by the State Government:

- Institutional arrangements like constitution of District Level Vigilance Committees are in place.
- Sensitization and training for all stake holders are being undertaken.

**(c) Migrant Labour Position**

2.5 Mizoram is both a Home and Host State. Mizo people go out to other States in search of better employment opportunities. The inflow is from Assam (mostly from Cachar area), West Bengal and Bihar to work as casual labour, agricultural labour in wet season and in construction sector, being attracted by better working conditions and higher wage level. Earlier there used to be migration from Myanmar to work as domestic help etc. but its incidence has declined. The influx from Bangladesh is minimal.

**Important Steps Taken**

2.6 Following important steps have been taken by the State Government:

- Congenial working conditions are ensured.
- Efforts are also being made to register eligible workers as building and construction workers so that the benefits flowing from the Building and Other Construction Workers Cess Fund would accrue to them. But it is still in a nascent stage.

**Highlights of Discussion**

2.7 The meeting with State level officials at Aizawl was attended by Principal Secretary, Finance & Home, Director General of Police; officials representing Police, Social Welfare and Labour Departments and Chairperson, Mizoram Commission for Protection of Child Rights. At the outset the purpose of the meeting was explained. During interaction it was pointed out that there is no noticeable presence of child labour in Mizoram. The Police, in cooperation with other concerned Departments, is proactive in this regard. It has child-friendly platforms, introduced the system of Happy and Sad Boxes to obtain people's reaction, resorted to capacity building and organised visits to CCIs by officials without uniforms. Awareness generation is undertaken through NGOs like Young Mizo Association (YMA). The State faces both in and out migration. Some cases of human trafficking and missing children have been noticed and dealt with. Welfare Associations are functioning. It was felt desirable to conduct Surveys on Child Labour and Bonded Labour, apart from registering eligible building and construction workers, so as to enable them to avail benefits of the Cess Fund. The Inner Line Permit (ILP) system, once properly computerised, can be used to identify inter-State migrant labour. It was pointed out in the meeting that in cases (like custodial death) where compensation is to be paid on NHRC's direction, it takes time to locate the next of kin etc. When a request is made to NHRC to allow more time, its decision may be considered to be communicated early.

**Field Visit**

2.8 A visit was made to Hmangaihna In Children's Home at Duratlang (Aizawl) catering to children belonging to new borns to six year age group, which is functioning since 1986. Against capacity of 50, presently 13 inmates are residing (9 boys and 4 girls). It was established by the Mizoram Presbyterian Church which receives funding also from State Social Welfare Department. It has 20 employees including Superintendent, Staff Nurse, Councillor, Case Worker and Baby Sitters. The infrastructure and maintenance were found to be immaculate.

**III. At District 1 (Kolashib) Level: Child/Bonded/Migrant Labour**

**Highlights of the Discussion**

3.1 The meeting with District level officials at Kolashib was attended by the Deputy Commissioner and representatives of Administration, Child Protection, Social Welfare, Education and Public Relations Departments and NGO and Press. At the outset the purpose of the visit was explained. During interaction, it was pointed out that while bonded labour is non-existent, incidence of child labour is also nominal. But it requires vigorous awareness generation and continuous monitoring. The need for undertaking Surveys relating to Child and Bonded Labour was pointed out, especially the former trying to capture whether children employed by the family are getting proper education or not. It was also pointed out that migrant labour engaged in building and construction industry should be registered to obtain welfare benefits. But absence of any post for a Labour Department official in the District was felt to be a handicap, which needs to be remedied.

### **Field Visit**

3.2 A visit was made to the Salvation Army: Enna In Boys Home (Shelter Home for Boys), Kolashib catering to 7 to 18 age group where presently there are 17 inmates as against the capacity of 25. There are 9 staff members. It is funded by State Government, Church and donors. The overall environment and maintenance are good. Since it is housing senior boys, it was impressed upon the management that, if need be, coaching facilities in subjects like English and Mathematics may be provided and they may be encouraged to pursue vocational training courses. Besides, a tracking system also needs to be developed.

### **IV. At District 2 (Serchip) Level: Child/Bonded/Migrant Labour**

#### **Highlights of the Discussion**

4.1 The meeting with District level officials at Serchip was attended by the Deputy Commissioner, Superintendent of Police and officials representing District Programme, Social Welfare & Child Protection Departments and Orphan Home. The purpose of the visit was explained. During interaction it was felt that though the District does not have any problem relating to child, bonded and migrant labour as well as human trafficking, it will be desirable to have fresh Surveys conducted on child and bonded labour. There is in-migration of workers from Assam and Bihar to work in building and construction (especially road) sector, but no registration of such workers to avail the benefits of the Cess Fund has taken place. Absence of any post for a labour Department official appears to be a handicap.

### **Field Visit**

4.2 A visit was made to Unity Orphanage Home (virtually a Children's Home) at Serchip which is funded by the State Government and Church and run by the latter. It caters to children from birth to 18 years age group. As against capacity of 20, presently there are 15 inmates (7 boys and 8 girls). There are 10 staff members. It appeared to be a well run Institution. During interaction, providing coaching facilities to senior boys and girls in subjects where need is felt (this service to some extent is being provided by staff members) and vocational training were emphasized.

### **V. Any Other Important Observation**

5.1 There is no major trafficking problem though constant vigilance is necessary.

### **VI. Recommendations**

(i) The State Government may consider undertaking fresh child and bonded labour sureys which will help in properly assessing the situation, taking remedial action if necessary and declare the Stateas both child and bonded Labour free. (ii) The Inner Line Permit (ILP) system may be used to identify inter-State migrant labour.

(iii) The State Government may consider posting Labour Department officials in each District which will help in not only implementing various labour laws including the Minimum Wages, Child Labour and Bonded Labour Acts but also in registering eligible building and other construction works to provide benefits admissible under the Cess Fund.