

Report of Dr. Ashok Sahu, Thematic Special Rapporteur (Child/Bonded/Migrant Labour), NHRC on visit to Tripura (Agartala, Dhalai and Gomati) during 06-10 August, 2018.

## I. General

1.1 Tripura became a State on 21.02.1972. Located in North East, it is the third smallest State in the country, presently consisting of 8 Districts. It has a difficult geographical location surrounded mostly by Bangladesh. Being a hilly terrain, it faces communication and infrastructural bottlenecks. Though only 27% of area is available for cultivation, agriculture is the main source of livelihood. Jhoom cultivation is being sporadically practised. Rice, potato, pulses, jute, sugarcane, jackfruit, pineapple, tea, rubber, fisheries and woodcraft are main items of production. The State had a population of 0.37 crore according to 2011 census, S.Cs and S.Ts constituting about 17.4 and 31.1 % of the population respectively. The percentage of people below poverty line was 14.05 in Tripura as against all India average of 21.92 in 2011-12.

## II. At State Level

### (a) Child Labour

#### Position

2.1 Child labour is not a major problem in Tripura, though it is noticed among migrants from Silchar (Assam) engaged as domestics, rag pickers etc..

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Since 2010, only 20 employers have been prosecuted, of whom 2 have been penalized, rest of the cases being under trial. However, the last Child Labour Survey was conducted only in 1997.

### **Important Steps Taken**

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

- District Level Task Force has been constituted.
- All Labour Inspectors have been appointed as 'Inspectors' under the Act. All Panchyat Secretaries and School Teachers have been authorized as 'Reporting Officers' by the State Government in respect of employment of child labour.
- Emphasis is placed on continuous awareness generation, especially in vulnerable areas like tea gardens, brick kilns etc.

### **(b) Bonded Labour**

#### **Position**

2.3 In Tripura bonded labour system is not prevalent although the State Government is pursuing relentlessly for elimination of its occurrence through regular inspection etc. According to the Socio-Economic Caste Census, 2011, conducted by the Ministry of Rural Development, the number of rehabilitated bonded labour households in Tripura was 21.

**Important Steps Taken**

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

- Four District level Vigilance Committees and fifteen Sub-Divisional Vigilance Committees have been constituted.
- Sensitization of all stake holders is being undertaken.

**(c) Migrant Labour****Position**

2.5 Inter-State migrant labour comes to Tripura from West Bengal, Bihar etc. to work in brick kilns, construction and other sectors. Some out-migration, especially to work in South India, is also noticed.

**Important Steps Taken**

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

- Efforts are being made to implement the provisions of the Inter State Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979 and Tripura Inter State Migrant Workmen Rules, 1980.
- 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.

- Individual records are being maintained in respect of both local and migrant workers which include amount of advance taken and other payments made and their adjustment against output rendered, which are verified by the Labour Inspector.

### **Highlights of Discussion**

2.7 The meeting with State level officials at Agartala was attended by Labour Secretary, Labour Commissioner and other officials of Labour Department, District Magistrate, Tripura (West), representatives of Social Welfare and Education Departments and Coordinator, SamagraSishu Abhiyan Programme. During the interaction, points made at para 2.1 to 2.6 were highlighted. It was pointed out that online Public Grievance Cell, Childline and CWC are all active. Special attention is being given to child labour headed households. Social welfare Department plays its role through Aanganwadicentres and Shelter Homes which are being run by both Government and private agencies. Education Department is operating, inter alia, SamagraShikhya Abhiyan under which education in English and Hindi medium is being imparted, covering also Mizo children. Labour Welfare Board, looking after Building and Other Construction Cess Fund, is operating 8 schemes. Workers are being registered on payment of Rs.50/- initially and Rs. 20/- per month. It was impressed upon the officials that fresh Surveys on Child Labour trying, inter alia, to capture

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whether education of children assisting in family work is getting substantially affected or not and on bonded labour to capture its prevalence and emergence of neo-bondage need to be conducted.

### **Field Visit**

2.8 Field visit was made to State Children's Home for Girls, Unit I & II and Deepjyoti Specialised Adoption Agency, all located at Abhaynagar. The officers, managerial, teaching and other staff members and inmates were interacted with. The institutions are being maintained and running well.

2.9 A flyover being constructed in Agartala by Nagarjuna Construction Company Ltd., which employs both inter-State and local workers mostly in skilled category as machines are being deployed, was visited. It was informed that workers' wages, accommodation, potable water and medical requirement were taken care of by the management. It was requested to assist in getting building and other construction workers registered so that they can get the benefits accruing from the Cess Fund.

### **III. At District 1 (Dhalai) Level**

3.1 Dhalai is mostly a hilly District.

### **Child/Bonded/Migrant Labour**

### **Highlights of the Discussion**

3.2 The meeting with District level officials held at Ambassawas attended by Additional District Magistrate and officials of District Administration including an IAS Probationer, Superintendent of Police, Deputy labour Commissioner and other officials of Labour Department, Chairperson and Members of CWC, District Child Protection Officer, representatives of Social Welfare and Education Departments and Childline Coordinator. During interaction it was pointed out that in Dhalai bonded labour is almost non-existent but some cases of child labour, especially among Bangladeshi immigrants, and those working in tea gardens, as domestics etc. are noticed. Besides, there is out-migration of young persons to South India (also to middle-East), some of the problematic cases later being reported as missing persons which have been investigated. Presently there is no sex trafficking, but with broad-gauge railway connection having been established, the situation calls for constant vigilance. The CWC and Childline are active, brick kilns are being regularly inspected and special care is taken to provide education to poor and orphan children through Sponsorship and Foster care Fund provided by the State Government. The officials were urged to diligently conduct fresh Surveys on both Child and Bonded Labour as instructed by the State Government and ensure mitigation of hardship of distressed migrant labour, also by registering building and other construction workers so that benefits of the Cess Fund accrue to them.

**Field Visit**

3.7 Visit was made to a brick kiln, namely, M/S Narayan Brick Industries Ltd., Kamlechra, Ambassa and the management and some workers were interacted with. It employs both local and inter-State migrant workers (mostly skilled, from West Bengal). Payment is made in cash. Advance payment is quite common but this is being properly adjusted against worker's output by keeping records. The management was requested to look into the issue of registering their workers as building and other construction workers so as to enable them to get admissible benefits.

**IV. At District 2 (Gomati) Level**

4.1 Gomati is mostly a plain area, famous for a Shaktipeeth, namely, Tripura Sundari at Udaipur.

**Child/Bonded/Migrant Labour****Highlights of the Discussion**

4.2 The District level meeting at Udaipur with District Magistrate and other officials of District Administration, Deputy Labour Commissioner and other officials of Labour Department, representatives of Police, Welfare and Education Departments, Member, CWC and District Youth Coordinator, NehruYuvak Kendra (NYK). During interaction it was pointed out that gender

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ratio of the District is good and both males and females are taking to education and employment. The District level Task Force, Police, CWC and Labour Departments are all active. Because of SamagraShikhya Abhiyan, establishment of residential schools and other measures, the school dropout rate has come down. Awareness generation is being undertaken at Gram Panchayat level. Welfare is being promoted through Anganwadis, orphanages etc. In the meeting, the need was felt for providing education through mobile vans in remote areas, having MOUs with stakeholders not to employ child labour and increasing the State assistance for the District towards Sponsorship and Foster care Fund as the present allocation proves insufficient.

#### **Field Visit**

4.4 Field visit was made to ONGC Tripura Power Company Ltd., Palatana, which is a gas-based power plant supplying power to North East including Tripura and Bangladesh. The management was interacted with. The company has contracted out certain construction projects where inter-State workers are being engaged. The management was requested to take care of their interests as the principal employer.

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



5.1 Because of proximity to Bangladesh and broad-gauge railway connection, there should be no complacency in vigilance relating to trafficking in Tripura, even though so far it does not appear to be a major problem.

#### **VI. Recommendations**

(i) Fresh Surveys on Child Labour trying, inter alia, to capture whether education of children assisting in family work is getting substantially affected or not and on prevalence of bonded labour including emergence of neo-bondage need to be conducted.

(ii) The felt need for providing education through mobile vans in remote areas, having MOUs with stakeholders not to employ child labour and increasing the State assistance towards Sponsorship and Foster care Fund in those Districts where present allocation proves deficient, requires necessary attention (ref. para 4.2).

(iii) For registration of building and construction workers, the system of monthly contribution may be considered to be converted into annual contribution (with the amount reduced) as being practised in other States, for increasing attractiveness and easier administration.

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