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**File No. 4/5/2017-PRP&P  
National Human Rights Commission  
Director (A) Unit**

**Sub: Report of Dr. Ashok Sahu, Thematic Special Rapporteur (Child/Bonded/Migrant Labour), NHRC on visit to Odisha (Bhubaneswar, Ganjam and Kalahandi) during 15-23, January, 2017.**

Report of Dr. Ashok Sahu, Thematic Special Rapporteur (Child/Bonded/Migrant Labour), NHRC on visit to Odisha (Bhubaneswar, Ganjam and Kalahandi) during 15-23, January, 2017.

2. The visit report of the Special Rapporteur may kindly be seen at **F/A**. The child, bonded and migrant labour situation in Odisha is diverse which is also undergoing constant transformation. Hence there is need for understanding it, making appropriate policy prescriptions and taking ameliorative action. The Recommendations / Suggestions of the Special Rapporteur are as under:-

Central Jail, Vadodara

- (i) The Baseline Surveys relating to bonded and child labour need to be completed at the earliest.
- (ii) Odisha would need special consideration to deal with matters relating to bonded labour. This will include clearance of assistance arrears admissible under the previous Centrally Sponsored Scheme and provision of funds along with an advance to conduct District-wise Survey. A police clarification is required to be issued early by the Ministry of Labour & Employment regarding routing and release of all types of assistance under the new Central Sector Scheme in the event of NCLPs not functioning or their revival getting delayed and creation / funding / replenishment or District-level corpus as many States including Odisha have expressed their reservations about its functioning.
- (iii) Signing of MOUs with Southern States and Odisha Associations (which, inter alia, helps in crossing the language barrier) functioning there to collect the whereabouts of Odia migrant labourers as well as redress their grievances as and when the need arises is a laudable step and needs to be encouraged and replicated in other places like Gujarat (especially Surat), Mumbai and New Delhi.

- (iv) Social Security benefits (especially health and education) need to be provided to migrant workers at points of origin and destination by making them entirely portable. Establishment of seasonal hostels for children left behind is a welcome step for continuation of their education. On health front, the Governments at respective destinations will have to ensure that there is no discrimination between native and migrant labour in provision of facilities in this regard.
  
- (v) The overall impression is that revival of NCLPs would be welcome as Special Schools under SSA have not been as effective as Special Schools of NCLP to cater to the bridge school needs of child labour. During revival there is need for a strong counseling component both for parents and children in NCLP Schools.
  
- (vi) State to State Coordination and effective tracking are important.

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**I. General**

1.1 The State of Odisha originally consisted of 13 Districts, which being reorganised over time presently stand at 30. They are grouped under 3 Revenue Divisions of 10 Districts each to streamline the governance with headquarters at Sambalpur, Berhampur and Cuttack respectively. Odisha has abundant natural resources and a large coastline. It contains a fifth of India's coal, a quarter of iron ore, a third of bauxite and most of its chromite reserves. It has also plenty of tourism potential. According to 2011 census, the State had a population of 4.2 crore of whom 17 and 23 per cent belonged to Scheduled Castes (SCs) and Scheduled Tribes (STs) respectively. But the State is characterised as one where poverty exists in the midst of plenty. The percentage of people below poverty line was 32.59 in Odisha as against all India average of 21.92 in 2011-12. This is one of the reasons why a part of the State is Left Wing Extremism (LWE) – affected. This is also the reason for the State encountering the problem of child, bonded and migrant labour and to some extent trafficking.

## **Child Labour**

1.2 According to 61<sup>st</sup> Round of National Sample Survey, 2004-05, child workforce in Odisha was estimated at 4.4 lakh. The most prevalent forms of child labour in the State are employment in brick kilns, stone crusher sites, construction sites etc. The problem is more acute among ST communities where children are engaged in various economic activities. Through various measures taken, child labour intra-State is no longer a major problem, though child trafficking, especially of females, is prevalent in Districts like Sundergarh, bordering Chhattisgarh and Jharkhand.

1.3 The National Child Labour Project (NCLP) Scheme of the Ministry of Labour and Employment, which aims at mainstreaming child labour, was being operated in 24 Districts of Odisha. As a sequel to the operation of the Right of the Children to Free and Compulsory Education (RTE) Act, 2009 under the Ministry of Human Resources Development, the Ministry of Labour & Employment issued Revised NCLP Guidelines w.e.f. 01-04-2016 which, inter alia provided for undertaking a Baseline Survey in each District, with provision for providing Rs.4 lakh per District, which would help to identify 'all working children' and 'adolescents in hazardous occupations and processes' in the target areas and develop a profile of project beneficiaries. Thereafter the Ministry also issued a letter to Labour Commissioners of all States

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(No.S.27025/9/2014-CL dated 26-08-2014) stating that the NCLP Scheme is not meant to be continued indefinitely. The incidence of child labour is gradually shrinking in the country - from 1.26 crore in 2001 to 43 lakh in 2011 as per censuses in both years. Hence the number of rescued and rehabilitated child workers should shrink commensurately, so also the volunteer strength of NCLPs. If the children have been mainstreamed, then the voluntary teachers need to be disengaged till fresh survey reveals incidence of child labour and need for NCLPs. There is no provision for absorption of such volunteers under any scheme of Government of India; however, the State Government can consider their adjustment in their schools/Special Training Centres. In pursuance of this direction, the Government of Odisha made the entire NCLP Scheme inoperative in the State. When the NCLP was operational around 33,000 children were studying in about 700 schools in the State.

1.4 The State Government has taken following measures to tackle the problem of child labour:

- The State Government has prepared the groundwork for undertaking a comprehensive District-wise Survey of Child Labour as per revised NCLP Guidelines. The Survey is likely to be launched once the model Code of Conduct period, which is presently in vogue due to ensuing

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Panchayat election, is over. On the basis of the outcome of the Survey therevival of the NCLP would be considered.

- Apart from mainstreaming the NCLP students under SarvaSikhyaAbhiyan (SSA), the State Government has focussed on effective running of the regular schools as well as short-term residential schools for all types of rescued children etc.

### **Bonded Labour**

1.5 In Odisha the subject relating to bonded labour is looked after by the Panchayati Raj Department. According to them, proposals to rehabilitate 975 released bonded labourers received from 9 (Boudh, Bargarh, Balangir, Cuttack, Kalahandi, Nuapada, Puri, Sambalpur and Subarnapur) Districts at different times from 2013-14 are pending consideration. Out of this, in respect of 949 bonded labourers, the State Government has requested the Ministry of Labour & Employment to release Rs.94.90 lakh as 50% Central share under the earlier Centrally Sponsored Scheme, but the amount has not been received so far, which is causing financial hardship. However, in the meanwhile the State Government has released Rs.1 crore towards rehabilitation assistance of 500 released bonded labourers@ Rs.20,000/- for each of them. The rehabilitation of the rest of bonded labourers can be taken up only after the Ministry releases its share.

1.6 It may be noted that according to the Socio Economic Caste Census(SECC) 2011-12, the number of bonded labour households rehabilitated in the State was 8,292, Ganjam and Kalahandi Districts accounting for 266 and 124 such households respectively. This shows that Odisha is a bonded labour prone State and requires special attention both from Central and State Government. At the behest of NHRC, 'bartan' system as a form of bonded labour prevalent in the coastal belt has been abolished in the State, as a result of which it is virtually vanishing.

1.7 In the mean while a new Central Sector Scheme for rehabilitation of bonded labour has been notified by the Ministry of Labour & Employment on 17.05.2016. Even though the rehabilitation assistance has been enhanced and funding liability mostly vests with the Central Government, the Scheme contemplates channelization of funds through NCLP Societies, unless the State Government decides on an alternative route in their absence. Since the Survey of Child Labour is underway on the basis of whose outcome the State Government may decide upon revival of the NCLPs, the Panchayati Raj Department feels that it may have no role to play in the matter of bonded labour in future. Since the State Labour Department also does not have a direct stake in NCLPs as funds flow straight to Project Societies, there is a likelihood of confusion being created which needs to be avoided by the State

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Government taking an early stand by way of clarifying the role of concerned Departments/organisations so that the interests of bonded labour do not suffer. However, the Labour Department is preparing itself to take over the matters relating to bonded labour, which would also be an ideal step.

1.8 The State Government has also taken following measures to tackle the problem of bonded labour:

- District and Sub-Divisional Vigilance Committees have been constituted.
- It is proposed to conduct a comprehensive District-level Survey under the new Centrally Sponsored Scheme for rehabilitation of Bonded Labour. Request for release of Central assistance has already been sent to Government of India.

### **Migrant Labour**

1.9 The prevalence of the exploitative system of employment of inter-State migrant labour in Odisha, known as 'dadan' labour, was instrumental in the enactment of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Services) Act, 1979. Dadan labour is recruited from various parts of the State through contractors or agents called Sardars/Khatadars for work outside the State in large construction projects (throughout the country including J&K and North-East) and brick kilns (mostly in Telengana, Andhra



Pradesh and Tamil Nadu). This is essentially distress migration and the system has lent itself to various abuses. Though the Sardars promise at the time of recruitment that wages calculated on piece-rate basis will be settled, the promise is usually not kept. Once the labour comes under the clutches of the contractor, he is made to work under very harsh conditions without getting the benefit of any labour law. While Odisha is infamous for this extreme form of distress migration, it was observed that migration is also taking place which will fall in the grey area between distress and benign migration like working in the cloth mills, diamond industry and ship-breaking industry of Gujarat, as skilled workers such as drivers, masons etc. in metros like Hyderabad and Mumbai, as workers in various trades in Kerala to reap the advantage of higher minimum wage and as chefs and security guards in Karnataka and Goa and also in construction industry and oil rigs in Middle East. The other aspect of out-migration relates to movement of tribal females to work as domestic help from Districts like Sundergarh, which has acquired the menace of trafficking, though it is not as serious a problem in Odisha as it is in the neighbouring States of Chhattisgarh and Jharkhand.

1.10 The State Government has taken following measures to tackle the problem of migrant labour:

- A new Scheme has been introduced since last two months to register all workers at Panchayat level who are going out of the State for work.
- In case of migrant labour working in the construction industry including brick kilns, efforts are being made to register these workers as construction workers so that they can avail benefits being offered to such workers which are funded out of cess collected under the Building and Other Construction Workers Cess Act, 1996.
- In order to address the diverse nature of migration taking place from the State and problems arising therefrom, a Special Cell has been constituted in the office of the State labour Commissioner. It is attending to problems faced by migrant workers including their rescue from delinquent employers as and when the need arises.
- Seasonal residential hostels have been established to cater to the educational requirements of migrating parents.
- MOUs have been signed with Southern States and Odia Associations functioning there to collect whereabouts of Odia migrant labourers as well as redressal of their grievances.
- Government is undertaking a campaign based approach that facilitates prevention of distress migration and return of migrant workers, need based skill training with forward and backward linkages, coverage with

social security Schemes and linkage with Civil Society and employment oriented schemes.

### **Human Trafficking**

1.11 According to UN Protocol, 'trafficking in person' means recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of deception, of the abuse of power or of a position of vulnerability or of the giving and receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Human trafficking is not a major problem in Odisha, though movement of femalesto work as domestic help is prevalent in Districts like Sundergarh.

Besides it is occasionally reported that poor women of Districts like Nayagarh are married off in distant States like Haryana. The State Government has taken following important measure to combat human trafficking:

- A watch is kept on female migration-prone Districts especially in the matter of prevention, rescue and rehabilitation.

1.12 Against this background, field visits were made to Sukande and Kanamana villages and one institutions in Ganjam District and

Balipada, Uparpada (a hamlet of Arjun Gaon) and Leter villages in Kalahandi District and discussions were held at Bhubaneswar with State level officials and at District headquarters (Chhatrapur and Bhawanipatna for Ganjam and Kalahandi Districts respectively) with District level officials, whose outcomes are discussed below.

## **II. Meeting at Bhubaneswar**

2.1 A meeting was held with State level officials dealing with child, bonded, migrant and trafficked labour at Bhubaneswar. It was attended by Secretary and officials of Panchayati Raj Department, Labour Commissioner and officials of Labour Department, Deputy Secretary, Women and Child Development and Project Director, Livelihood Mission. By way of initial remarks I stated that coordinated efforts are required to combat child, bonded and migrant labour including human trafficking, formation of Vigilance Committees and rescue teams, effective involvement of Panchayati Raj Institutions (PRIs), Child Welfare Committees (CWCs), Non-Governmental Organisations (NGOs) and Civil Society, conduct of District level Surveys of bonded and child labour and preparation of data base, proper identification of victims, preparation of effective rehabilitation package and ensuring payment of admissible assistance to prevent any relapse, effective implementation of MGNREGS, proper awareness generation, provision of vocational training and livelihood mission

and State Government laying down a road map and pragmatic strategies. Further I stated that the enhanced provisions of the new Central Sector Scheme on bonded labour should be availed and the proposed Survey on bonded labour should capture the extent of neo-bondage. Besides, the Child Labour (Prohibition and Regulation) Act, 1986 has been amended recently and the proposed Survey on Child Labour should capture its ramifications especially whether education of children under 14 years of age and their helping in family work can proceed concurrently. The officials were requested to comment on role of NCLP, the status of migration and trafficking and further steps taken on awareness generation. I also mentioned that since the NHRC held its camp sitting last week at Bhubaneswar, any major decisions arrived at and action contemplated thereon could be thrown light upon. It was pointed out that the major directions by NHRC in its camp sitting pertained to completion of the Surveys within a period of six months and recovery of pending dues within a period of one year, which the State Government will adhere to.

2.2 Secretary, Panchayati Raj pointed that pointed that the State Government has not received any funds from the Government of India towards its share for rehabilitating bonded labour for the last three years though it is utilizing its own share for this purpose. Besides, it is pooling its own resources from various developmental and poverty alleviation Schemes like

NRLM, PMAY etc. to help the affected persons. There is no serious system of 'bartan' prevailing in the State. So far distress migration is concerned, people migrate essentially from Balangir, Kalahandi and Nuapada Districts during lean season to work in brick kilns in Andhra Pradesh, Telengana and Tamil Nadu. Efforts are being made to give MGNREGS a boost by encouraging people to have job cards, but funds flow from Government of India is erratic. Government is also providing 15 days of additional work as well as vocational training under various other Schemes. He insisted that timely release of funds by Government of India is an essential requirement for different social sector schemes to deliver effectively.

2.3 The Labour Commissioner in respect of migrant labour stated that their identification, prevention of disputes and portability of the social security benefits are receiving priority attention. The State Government has recently introduced the system of registration at Gram Panchayat level. The State Government is presently conducting a Survey through State Labour Institute (to estimate the magnitude of migration) and National Institute of Rural Development (NIRD) (to assess additional facilities required to help these persons). Migration from the State is essentially to work in brick kilns in South India during lean season, apart from working in the cloth mills of Gujarat and as chefs and security guards in Goa, Karnataka and Kerala. While on the one

hand support of Block Development Officers (BDOs) is being enlisted, as a proactive measure on the other hand conditions of work at points of destination are receiving attention such as providing health and educational facilities to migrant children etc. Besides, MOUs have been signed with five Southern States (Andhra Pradesh, Karnataka, Kerala, Tamil Nadu and Telengana) as well as Odia Associations existing in these States to help Odia workers in redressing their grievances, when the need arises. There is also a toll free helpline. In respect of child labour she pointed out that a Survey is being contemplated in collaboration with the National Law University, Cuttack to assess the magnitude of the problem as well as further steps required to resolve in respect of child as well as adolescent labour. Earlier NCLP was functioning in 24 out of 30 Districts in the State and after the results of the Survey are available, efforts will be made to revive NCLP in all the 30 Districts. The issues of missing children, counselling of both children and parents and ensuring benefits of Operation Muskan to accrue to destitute children are being seriously looked into. Since Western Odisha is a sensitive area relating to labour migration and trafficking, the police officials of the concerned Districts are being sensitized. After taking into account Kharif and MGNREGS employment, it has to be ensured that a household is able to earn about Rs.30,000 to 40,000 during the lean period of 3 to 4 months. For that purpose,

convergence between Departments like Labour, Panchayati Raj, Tribal Development etc. is aimed at and a set of season-specific self of projects is kept ready with prior approval to provide employment at any point of time. Registration of building and construction workers is continuing so that they can avail all benefits to which they are entitled from cess fund collected for the purpose. Revival of NCLP to combat child labour would require establishment of a formal set-up and an organic link with the society. Skill development needs encouragement. The success of ameliorative action on all fronts depends upon effective funds flow through budgetary commitment and good governance.

2.4 Subsequent to the meeting I called on Labour Secretary who emphasized on State to State coordination, early payment of its assistance share by the Central Government, issuance of labour cards and constant tracking of the affected persons to ensure effective amelioration of the problems of child, bonded and migrant labour. He also raised the issue of NGOs raising flimsy complaints with NHRC which need to be closely scrutinised by the Commission so that the State Government is asked to intervene only in those cases which necessitate serious attention instead of its energy and resources getting unnecessarily diluted. It would be better to look more into the future as against getting entangled in old and unresolved cases.

### **III. Visit to Ganjam**



3.1 A meeting was held with District level officials of Ganjam in its headquarters at Chhatrapur which was attended by the Collector & District Magistrate, Additional Superintendent of Police and other police officials, Additional Project Director, District Rural Development Agency, District Child Protection Officer and officials dealing with Labour and SSA. In the meeting the District-specific problems were discussed, which mostly centred around steps being taken to deal with child, bonded and migrant labour. The District magistrate stated that traditional bondage like 'Bartan' system prevalent earlier is no longer a major problem but a few areas of the District like Aska, Digapahandi, Kabisuryanagar, Khallikote, Kodala, Patrapur and Polsara are child labour and migration (including dadan labour) prone, some of the victims eventually ending up in bondage. Children are also getting engaged in brick kilns, cashew processing etc. the problem of deprived boys in urban areas is more acute. Under Pankh Scheme, destitute children, including child labour, are being rescued from railway stations, kept with NGOs, placed before District Child Welfare Committee (CWC) and transferred to Shelter Homes for being ultimately mainstreamed. He indicated that the problem of dropout from schools under the SSA is a major problem. Awareness generation is the most important issue. Other officials stated that sufficient resources are placed with the police and various Committees have been constituted in vulnerable Gram

Panchayats. Shelter Homes, Child Care Institutes (CCIs) and SishuMahila (Children-Women) Desks have been put in place.

3.2 I visited a Residential School located at Raghunathpur (Berhampur) which is a CCI for Boys. About 20 boys aged 6 to 14 years, referred to by District CWC are kept here. They are being provided with free food, clothing, study material, counselling etc. and educated in an adjacent school in age-appropriate class after bridge training. The environment seemed to be very congenial.

3.3 Visits were made to two villages, namely, Sukande and Kanamana, both being migration prone. Villagers from Sukande usually migrate outside the State like Andhra Pradesh (recently to Amravati to build the new capital city), Kerala, Karnataka and Gujarat to work in building and construction industry and as factory workers, security guards etc. Eventhough employment in the vicinity mostly in road and building construction and farm lands is available, people are migrating mostly to earn higher wages. People of Ganjam District being mostly industrious and hard-working who acquire skill in a short period of time, they are very much sought after. So the shift from distressed Dadan migration to some kind of benign migration was very much evident. The workers were advised to register themselves in Gram Panchayats before migrating and also as building and construction workers as and where applicable to avail the benefits. Kanamana is a Phylin (cyclone)-affected village

but appeared to have completely restructured itself primarily due to funds despatched by its younger generation which is now habitually migrating to Gulf countries to work in various fields like building construction, oil rigs etc. Some of such persons who were present in the village on leave were interacted with. Though they stay there in labour sheds and have to reside there along with workers of various nationalities, sharing foods etc. they stated that it is not posing any serious problem. They were, however, advised to register themselves at Gram Panchayat level while migrating and also keep with them contact No. of embassies etc. so that these can be of help, if any unfortunate need arises.

#### **IV. Visit to Kalahandi**

4.1 A meeting was held with District level officials of Kalahandi in its headquarters at Bhawanipatna which was attended by the Collector & District Magistrate and other administrative officials, Superintendent of Police and other police officials, Project Director and other officials of District Project Development Agency, Chairperson, District Child Welfare Committee, District Child Protection Officer, District Social Welfare Officer, Executive officer, Bhawanipatna Municipality, District Employment Officer, District Education Officer and other officials of Education Department, Project Administrator, District Tribal Development Agency, District Social Security Officer, Chief

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District Medical Officer, District Coordinator(Skill) and officials of Labour Department. In the meeting it was pointed that the problem of child, bonded and migrant labour is endemic in 4 out of total 13 Blocks in the District. So far as child labour is concerned, 2494 children (1383 boys and 1111 girls) were mainstreamed from 50 NCLP Special Schools by April, 2014. The preliminary work for undertaking the Survey of child and adolescent labour in Kalahandi District has been done and the actual Survey will be undertaken after the final formats are provided by the State Labour Department and the Model Code of Conduct for the Panchayat Elections are lifted. About 86 children have been produced before the District CWC after being rescued both inside and outside the District with the help of Police and Labour Departments during the period April, 2013 till date out of whom 79 have been handed over to parents/guardians, 5 sent to Child Care Institute and 2 admitted in the Educationally Deprived Hostel (there is one such hostel in the District where 34 children have been enrolled and continuing their education). Besides, 17 of these children have received vocational training and 10 Sponsorship Support. So far as awareness generation is concerned, Sign Boards have been displayed in different railway stations, posters, leaflets and pamphlets have been distributed at community levels, camps were organised during local festival 'Kalahandi Utsav', radio programmes consisting of 24 episodes have

been broadcast through AIR, Bhawanipatna in local dialect and training programmes have been conducted among Panchayat Level Child Protection Committees. During last 5 years, 75 bonded labour have been identified and released in the District but only 3 of them have been rehabilitated. The proposal for rehabilitation assistance for rest 72 bonded labour, amounting to Rs.14.11 lakh, is pending consideration. The District level Vigilance and Monitoring Committee has been constituted. People generally migrate from Kalahandi to work in brick kilns in Telengana and Tamil Nadu in lean season. Hence regulation of such migration to protect their interests is essential. For the years 2014, 2015, 2016 and 2017 (till date), 22, 27, 34 and 17 licences have been granted under the Inter State Migrant Workmen (Regulation of Workmen & Conditions of Services) Act, 1986 covering 983, 1104, 1381 and 1118 workers respectively. 4 prosecutions each during 2014 and 2016 were filed for illegal recruitment and drafting under the Act. 265 migrant workmen (137 from Telengana and 128 from Tami Nadu) have been rescued during 2015 and 2016. Health camps are organised, MGNREGA job cards distributed and PMAY houses provided to eligible migrant workmen returnees. For children of migrant workers, 6 seasonal hostels are functioning housing 220 inmates for a period of 3 to 6 months and there is proposal for establishing 10 more such hostels to house 489 children. Awareness generation activities include erecting hoardings,

banners and wall paintings, distribution of pamphlets and performance by folk troupes.

4.2 A visit was made to the Balipada and Uparpada hamlet of Arjungaon and Leter villages. In first two cases intra-District migrant workmen were interacted with, though some of them have gone outside the State to work in brick kilns. They constitute the poorest of the poor category without even having a home of their own. Their major requirements were three, home, drinking water and employment. The matter was discussed with concerned officials. It was explained that they have been allotted with homestead land but they can not be provided with houses under Prime Minister Awas Yojana as they are neither categorised as ordinarily resident nor covered under socio-economic caste census. However, they can be covered under the State Government's 'Mo Kudia' (my hut) Scheme, which will be looked into after the period of Model Code of Conduct for Panchayat election is over. The State officials were requested to do the needful and also provide a hand pump for drinking water when the houses are constructed. So far as employment opportunities are concerned, it was noticed that apart from Kharif and MGNREGS employment, the workers engaged themselves as artisans producing bell metal products. Constraints faced in this regard are availability

Contd.

Annexure

### **Recommendations**

- (i) The Baseline Surveys relating to bonded and child labour need to be completed at the earliest.
- (ii) Odisha would need special consideration to deal with matters relating to bonded labour. This will include clearance of assistance arrears admissible under the previous Centrally Sponsored Scheme and provision of funds along with an advance to conduct District-wise Survey. A policy clarification is required to be issued early by the Ministry of Labour & Employment regarding routing and release of all types of assistance under the new Central Sector Scheme in the event of NCLPs not functioning or their revival getting delayed and creation/funding/replenishment of District-level corpus as many

of raw material and marketing of these products, which the officials were asked to look into.

4.3 During the visit to Balipada, an incident was reported to me. One Surya Jhara, the pregnant wife accompanying a migrant labour to Telengana, was kicked in her womb by the angry employer as her ailing husband could not report to work, to which she succumbed. The incident was stated to have been reported to NHRC, whose directions are awaited.

4.4 I also visited Leter village where 11 bonded labour rescued from other States are to be rehabilitated. So far 3 labourers have received rehabilitation assistance and the rest 8 are awaiting it. During interaction it was noticed that there was a mixed use of the assistance received, partly in repairing house, partly in purchasing and rearing goats and partly consumed.

## **V. Conclusion**

5.1 The child, bonded and migrant labour situation in Odisha is diverse which is also undergoing constant transformation. Hence there is need for understanding it, making appropriate policy prescriptions and taking ameliorative action. The annexed recommendations are to be viewed in this context.

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States including Odisha have expressed their reservations about its functioning.

- (iii) Signing of MOUs with Southern States and Odia Associations (which, inter alia, helps in crossing the language barrier) functioning there to collect the whereabouts of Odia migrant labourers as well as redress their grievances as and when the need arises is a laudable step and needs to be encouraged and replicated in other places like Gujarat (especially Surat), Mumbai and New Delhi.
- (iv) Social Security benefits (especially health and education) need to be provided to migrant workers at points of origin and destination by making them entirely portable. Establishment of seasonal hostels for children left behind is a welcome step for continuation of their education. On health front, the Governments at respective destinations will have to ensure that there is no discrimination between native and migrant labour in provision of facilities in this regard.
- (v) The overall impression is that revival of NCLPs would be welcome as Special Schools under SSA have not been as effective as Special Schools of NCLPs to cater to the bridge school needs of child labour.

During revival there is need for a strong counselling component both for parents and children in NCLP schools.

- (vi) State to State coordination and effective tracking are important.

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