

NATIONAL HUMAN RIGHTS COMMISSION
PRP&P Division - Director Unit

Sub: Report of Lt Gen PG Kamath (Retd), Special Rapporteur, NHRC to Districts of Raichur and Yadagir in Karnataka, from 22 -27 February 2016.

Lt Gen PG Kamath (Retd) , Special Rapporteur, NHRC to Districts of Raichur and Yadagir in Karnataka to determine if the human rights of the conditions are being adequately protected by the concerned authorities.

The visit report of Lt Gen PG Kamath (Retd), Special Rapporteur, NHRC to Districts of Raichur and Yadagir in Karnataka, is placed at **Annexure-'A'**

The important observations/recommendations are as under:-

Karnataka

- NCLP / State Child Labour Plan (SCLP), Schools are not adequately distributed in the whole state. There are 11 schools in Raichur and no school in the neighbouring Yadgir district, does not mean that no child labour exists in that district. Such schools should be planned in each district so that the district administration is coerced to pay attention to the heinous practice of 'child labour'.
- The State government should ensure standardisation in construction and provision of amenities at NCLP/SCLP Schools. These schools should continue to be run by NGOs as hither-to- before, but certainly needs common yardsticks which should be insisted while running these schools.
- The conviction rate of child labour employer is abysmally low at 7.3%. Greater efforts are required to improve the conviction rate so that it becomes a deterrent to future child labour employers. The 'Social Welfare', Revenue, Labour and Home departments need to coordinate their acts together to completely eradicate child labour from the state.
- Each district should mandatorily carry out an annual survey of bonded labour and child labour in their respective districts as this is not a 'one time exercise'.
- There are deficiencies in teachers up to 25% in Raichur and 30% in Yadgir Districts. Most subject teachers are not available and temporary teachers have been employed, who are not qualified to take subject classes. The discrimination between permanent and temporary teachers adversely affects their motivation and also the standard of teaching. The state government needs to fill up the vacancy at the government schools on fast track.
- The policy of the state government in not having English at Primary Schools has become unpopular as the parents feel that their children are losing out on learning this language early in life and feel that they would lose out eventually. Hence there is a craze for private schools with English medium. The general grouse is that the government schools is the last resort; only for those who cannot afford private schools or to those who are not influential enough to get vacancy in private schools under RTE.
- Health care again presents a dismal scenario. Raichur district of nearly a million women have one functional gynaecologist out of ten who are authorised in the government hospitals. Both the district which I visited had an acute shortage of specialists.

Rachur District

- Though the district has more than 11 schools functional under NCLP, they have not received financial allocation for the current financial year from the centre. The state government needs to immediately pay attention to this aspect and procure funds from the centre.
- Trafficking of Children for Child Labour is being done and many transporters have been caught and prosecuted by the police. The labour, police and revenue departments need to work on the problem more diligently and ensure the prosecution of offenders.
- A number of residential schools for girls under SSA are being run so that the girl students do not lose continuity in education as their parent's are migratory labour. They are KGBV/KKGBV, which are doing yeoman's service in education of girl children. However all girls sleep on the floor, shoulder to shoulder with no inter-se space. Again this needs standardisation in construction and amenities, which need to be provided for them. There should also be a recreation room for indoor games.
- Many schools have been upgraded, however additional teachers are not posted hence the up gradation remains only on paper. Upgraded schools need augmentation by qualified teachers.
- Urdu schools are not upgraded as studying Urdu in higher classes does not make him suitable for employment. As also, the minority community knows that studying Urdu does not guarantee employment, hence they have become unpopular.
- The district does not have a 'Short Stay Home for Women and Children' as a result the NGOs do not have a place to keep cast away women or those who run out of their houses due to domestic violence. This is a serious flaw in the administration and is required to be addressed immediately.
- There is no district help line for women, children and senior citizens in the district. Need to establish it right away as it is an essential requirement of the society.

Yadgir District

- Each year the labour department is doing an excellent work in releasing child labour and rehabilitating them into Schools under SSA without orientation in the NCLP/SCLP Schools. The district does not have a single NCLP/SCLP Schools. The district administration should immediately start the process in establishing at least three such schools, one each in its three blocks.
- Under SSA, some of the schools I visited did not have a computer teacher. At a higher secondary school, I saw all computers and the UPS were not functional. See the detailed report.
- The district does not have a 'Shishu Mandir' to house abandoned babies and children with alcoholic or ill-treating parents. There is a need to set up this facility at the earliest.
- Severe shortage of drinking water haunts the district even before the summers. Though the civil administration has taken step to ban the use of water from Narayanpur Dam for agricultural purposes, it does not solve the problem of people, as agriculture is the main stay of their livelihood.
- NGOs need to be made eyes and ears of the government in monitoring and reporting about bonded labour, child labour, Out of School Children, Child marriages, domestic violence, child trafficking etc. The confidentiality of NGOs/whistle blowers should be

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maintained, otherwise they may come to harm by those who are committing these crimes. The local police should work in harmony with all departments and protect whistle blowers.

3. The report and recommendation are placed before the Full Commission for consideration and directions please.



(Dr Ranjit Singh)

Joint Secretary (P&A)

Date

File No 4/P/2016-PRP&P

SYNOPSIS AND RECOMMENDATIONS

VISIT REPORT LT GEN PG KAMATH (RETD) SPECIAL RAPPOREUR SOUTH ZONE II TO DISTRICTS OF RAICHUR AND YADAGIR IN KARNATAKA;

22 FEB TO 27 FEB 2016

The Special Rapporteur South Zone II visited two of the most backward district of Karnataka; Raichur and Yadgir from 22 to 27 Feb 2016. Both the districts, were a part of Old Hyderabad State under Nizam. They border Andhra Pradesh and are 500- 550 Kms from Bangalore. They are water scarce districts and have been having poor rainfall for the past three years. With the onset of monsoon still three and half months away, the prospects of parched throats, sun scorched fields and distress sale of cattle, haunt this region.

The purpose of the visit was mainly to study bonded labour, child labour and Sarva Shiksha Abhiyan (SSA). During the course of the field tour more than 300 Kms were travelled by road in each of the districts to see their entire geographical spread. Of the two days in each district; a day and half was spent on field visits. The other half day in each of the districts was utilised for conducting 'Human Rights Workshop'. Officials of the state department and NGOs were invited to the workshop and were given a free hand to air any Human Rights issues they faced in the course of their work. The workshops were very interactive and threw a number of inadequacies of the civil administration to the fore. The workshops were concluded by a talk on Human Rights by me.

During the course of the field visits to the two districts, four schools under NCLP (National Child Labour Plan); Labour Department and 14 schools under SSA were visited. As my visit covered the entire districts, I have a reasonable assessment of state of affairs in them. Overall the issue of 'bonded labour' is more on 'denial mode' rather than in a state inquisitive monitoring. The denial mode adopted by both the districts would not achieve the objective of eradication of bonded labour. Surveillance is a continuous process as the poor, borrowing money from the rich, for daughter's marriage, functions, buying of seeds etc., is an ongoing process and in all probability, due to their inability to repay, ends up being a bonded labour of the borrower.

The problem of 'Child Labour' is difficult to identify if the parents are not cooperating. In Raichur, there are eleven National Child Labour Plan (NCLP)

schools however Yadgir the neighbouring district does not have even one such school. Obviously! Yadgir should start such schools and effective arrangements to identify, release, re-educate and rehabilitate child labour, culminating in prosecution of the employer needs to be done.

RECOMMENDATIONS

Karnataka

Though the government has taken steps to utilise the provisions of RTE under SSA, many are apprehensive that the move would kill the government schools. Already a scam of reflecting inflated strength of admission of children from (Disadvantaged Group) in private schools has hit the headlines, where officers from the education department are pocketing money in connivance or sometimes without the knowledge of the school authorities. The admission under RTE should not be at the cost of dismal education at the government schools.

NCLP / State Child Labour Plan (SCLP), Schools are not adequately distributed in the whole state. There are 11 schools in Raichur and no school in the neighbouring Yadgir district, does not mean that no child labour exists in that district. Such schools should be planned in each district so that the district administration is coerced to pay attention to the heinous practice of 'child labour'.

The State government should ensure standardisation in construction and provision of amenities at NCLP/SCLP Schools. These schools should continue to be run by NGOs as hither-to- before, but certainly needs common yardsticks which should be insisted while running these schools.

The conviction rate of child labour employer is abysmally low at 7.3%. Greater efforts are required to improve the conviction rate so that it becomes a deterrent to future child labour employers. The 'Social Welfare', Revenue, Labour and Home departments need to coordinate their acts together to completely eradicate child labour from the state.

Each district should mandatorily carry out an annual survey of bonded labour and child labour in their respective districts as this is not a 'one time exercise'.

There are deficiencies in teachers up to 25% in Raichur and 30% in Yadgir Districts. Most subject teachers are not available and temporary teachers have

been employed, who are not qualified to take subject classes. The discrimination between permanent and temporary teachers adversely affects their motivation and also the standard of teaching. The state government needs to fill up the vacancy at the government schools on fast track.

The policy of the state government in not having English at Primary Schools has become unpopular as the parents feel that their children are losing out on learning this language early in life and feel that they would lose out eventually. Hence there is a craze for private schools with English medium. The general grouse is that the government schools is the last resort; only for those who cannot afford private schools or to those who are not influential enough to get vacancy in private schools under RTE.

Health care again presents a dismal scenario. Raichur district of nearly a million women have one functional gynaecologist out of ten who are authorised in the government hospitals. Both the district which I visited had an acute shortage of specialists.

Raichur District

Though the district has more than 11 schools functional under NCLP, they have not received financial allocation for the current financial year from the centre. The state government needs to immediately pay attention to this aspect and procure funds from the centre.

Trafficking of Children for Child Labour is being done and many transporters have been caught and prosecuted by the police. The labour, police and revenue departments need to work on the problem more diligently and ensure the prosecution of offenders.

A number of residential schools for girls under SSA are being run so that the girl students do not lose continuity in education as their parents are migratory labour. They are KGBV/KKGBV, which are doing yeoman's service in education of girl children. However all girls sleep on the floor, shoulder to shoulder with no inter-se space. Again this needs standardisation in construction and amenities, which need to be provided for them. There should also be a recreation room for indoor games.

Many schools have been upgraded, however additional teachers are not posted hence the up gradation remains only on paper. Upgraded schools need augmentation by qualified teachers.

Urdu schools are not upgraded as studying Urdu in higher classes does not make him suitable for employment. As also, the minority community knows that studying Urdu does not guarantee employment, hence they have become unpopular.

The district does not have a 'Short Stay Home for Women and Children' as a result the NGOs do not have a place to keep cast away women or those who run out of their houses due to domestic violence. This is a serious flaw in the administration and is required to be addressed immediately.

There is no district help line for women, children and senior citizens in the district. Need to establish it right away as it is an essential requirement of the society.

Yadgir District

Each year the labour department is doing an excellent work in releasing child labour and rehabilitating them into Schools under SSA without orientation in the NCLP/SCLP Schools. The district does not have a single NCLP/SCLP Schools. The district administration should immediately start the process in establishing at least three such schools, one each in its three blocks.

Under SSA, some of the schools I visited did not have a computer teacher. At a higher secondary school, I saw all computers and the UPS were not functional. See the detailed report.

The district does not have a 'Shishu Mandir' to house abandoned babies and children with alcoholic or ill-treating parents. There is a need to set up this facility at the earliest.

Severe shortage of drinking water haunts the district even before the summers. Though the civil administration has taken step to ban the use of water from Narayanpur Dam for agricultural purposes, it does not solve the problem of people, as agriculture is the main stay of their livelihood.

NGOs need to be made eyes and ears of the government in monitoring and reporting about bonded labour, child labour, Out of School Children, Child marriages, domestic violence, child trafficking etc. The confidentiality of the NGOs/whistle blowers should be maintained, otherwise they may come to harm by those who are committing these crimes. The local police should work in harmony with all departments and protect whistle blowers.

CONCLUSION

It was a fruitful visit that helped the civil administration to introspect and also to know the pulse of people. The knowledge of local language was a great asset in communicating with common people and children. It gave me the first-hand information. These visits should not be considered by the District Administration as inspection visits but appreciate the NHRC's resolve to spread 'Human Right Awareness' to society and ensure to the extent possible the people get their rights as mandated in our Constitution and in the Universal Declaration of Human Rights.

Lt Gen P G Kamath (Retd)
Special Rapporteur South Zone II

VISIT REPORT LT GEN PG KAMATH (RETD) SPECIAL RAPPORTEUR
SOUTH ZONE II TO DISTRICTS OF RAICHUR AND YADAGIR IN KARNATAKA;

22 FEB TO 27 FEB 2016

As per sanction of NHRC two of the most backward districts i.e. Raichur and Yadgir of Karnataka were visited between 22 and 27 Feb 2016. These districts along with Bijapur, Bellary, Bidar and Gulbarga were a part of Old Hyderabad State under the Nizam and were almost primitive in development, when compared to other districts of old Mysore State. The Government of Karnataka for over two decades has been giving special allocation to these districts to bring them at par with other districts. The task is stupendous and would need another decade for these districts to progress like other districts of the state with a developmental lag always haunting these backward districts.

These two districts are 450 to 500 Kms from the State Capital and the whole area is a dry land. Poor rainfall for the past three years have parched the soil and farmers hardly able to find water for their cattle let alone for their fields. Some irrigation canals, emanating from 'Narayanpur Reservoir' on River Krishnawere bone dry in Yadgir district. Due to shortage of water, the District Administration has given orders that the water is not to be used for cultivation and would be restricted to only drinking. With over three and half months to go for the onset of Monsoons (if at all), the prospects of parched throats, dismal crops and distress sale of cattle is haunting the whole region.

Throughout my visit a liaison officer from Education Department of the state government accompanied me. In each district, more than 300 Kms distance was traversed in order to ascertain details of SarvaShikshaAbhiyan (SSA) and National Child Labour Project (NCLP) schools. The visit was programmed to visit the entire geographical spread of the districts. The field visits started in the morning and we returned to the district headquarter only at night fall. Officials from Education, Labour and Social Welfare Departmentswere a part of the team. Both districts were quiet vehement that they do not have bonded labour in their respective districts. Both the DCs were conspicuously absent as they had election duty and visit of central draught team that had come to assess the extent of draught.

KARNATAKA STATE

The state has a population of 61 million and an area of 1,91,791 Sq.Kms with a literacy rate of 75.36 %. The sex ratio is 1000; 973. The female literacy is 68.08 %. The state has been proactive in execution of SSA and has been having state programs parallel to centrally sponsored programs. E.g. under SSA there are centrally sponsored 71 Kasturba Gandhi Balika Vidhyalay (KGBV) as residential schools for girls between ages of 6 to 14. Over and above, there are 68 schools; Karnataka Kasturba Gandhi Balika Vidhalaya (KKGBV), which are sponsored by the State Government. These schools are doing a yeoman service to the rural school girls of migrant labour, whose parents do not have the means or inclination to send their daughters regularly to schools. Labour involved in sugar cane harvesting, construction workers who work in cities, and those who seek seasonal employments like quarrying and brick kiln are migratory. The residential schools (KGBV and KKGBV) help their children to continue their education. To give further impetus to Girls education there are 74 Girls Hostels under Rashtriya Madhyamik Shiksha Abhiyan (RMSA), which cater for girls in the ages; 15 to 18 to enable them to complete education till the 12th Class.

The state government has periodic surveys to identify 'Out Of School Children' (OOSC) by carrying out searches at Bus stops, Railway Stations, plantations, slums, factories, fields and other work places. To register OOSC is a big challenge to every district and reasonably being implemented in Raichur and Yadgir Districts. As also, special interventions take place in case a child absents from school for seven days without prior permission. In the current year 2015-16 the state has registered 14792 OOSC and brought them back into the mainstream of education. The Karnataka Government has a web based application to track OOSC. They plan to involve public so that the information about OOSC can be given on line to the education department. It is being planned by them to share this information with Border States as migrant OOSC can be reported to neighbouring states, as and when they move out of state.

The government has also started 'tent schools' where migratory labour bring their children so that when parents are at work their children can get in-situ education. A teacher is detailed from the nearest school to take up teaching at the tent school. I saw one in Raichur district that was run by a very spirited

teacher with rudimentary facilities. She indeed was proud that she is sowing the seed of education where others fear to tread.

Implementation of RTE Act in Karnataka – Admission in to Private Schools

Children belonging to DAG (Disadvantaged Group) have been enrolled in unaided private schools. However the 'minority schools' are out of the preview of the RTE. This exercise started from the academic year of 2012-13 and has seen a steady rise in admissions. Total number of children admitted from 2012/13 to 2015/16 in LKG is 49429 and 1st Standard is 50606 totalling 100035 children from DAG.

For the current academic year 2015/16 total number of children admitted in private schools in Classes 1 to 4 are 2,75,615 of which 40.6% are girls. The state government has paid compensation to the private schools at the annual rate of ₹ 5924 for pre-primary classes and ₹ 11,848 for primary classes from 1st to 4th classes. For the current academic year ₹ 113 lakhs as first instalment has already been disbursed.

On Ground Feedback. This move has reduced the popularity of government schools and parents are hankering to get their children admitted in private schools. Some people felt this move would ensure the already weak government schools would further get weakened. They felt that the Government schools should be strengthened with the money reimbursed to private schools. If all subject teachers are posted in government schools the lure for private schools would go. They feel the government is taking short cuts and does not want to strengthen the government schools. They felt the move is the last nail on the coffin of government schools. A large scale fraud of education department officials inflating strength of admission under RTE in private schools in connivance with the school and in some cases without the knowledge of the schools, has hit the newspaper headlines. This would further accentuate the apprehensions of the parents in rural areas.

Child Labour Identification, Release, Rehabilitation & Prosecution of Employers

The State Government was one of the first states to prepare an Action Plan for 'Eradication of Child Labour' in 2001. It aims at 'Complete Eradication of Child Labour by Mar 2017'. The state has adopted 'National Child Labour Plan'

(NCLP) in 13 districts. In addition state sponsored 'State Child Labour Plan' (SCLP) has also been adopted in three districts. NCLP Program has 1489 children and SCLP Program has 158 children. The total number of rescued children from 2001/02 when the program was started till 2015/16 (till Sep 2015) is 1,12,281. Even in the current academic year 2015/16 the number of rescued children up to Sep 2015 has been 834. After spending up to six months to a year in NCLP/SCLP these children join the mainstream education under SSA. These schools have been co-located with SSA Schools so that after completing their orientation education in NCLP/SCLP it is easy for them to join the co-located mainstream schools.

The conviction rate of employers has been unfortunately been abysmally low at 7.3%. The State Government need to enhance their conviction rate so that the guilty to this heinous crime are booked. The police need to be pro-active and social welfare department/child welfare and labour departments need to monitor the cases once FIRs are filed. Home department need to be taken on board so that better coordination exists between the government departments to monitor this evil practice. NGOs need to be taken on board so that they act as eyes and ears of the government.

Bonded Labour

Both the districts denied that there was any 'bonded labour' in their districts. Yadgir district had carried out the last surveillance in 2012. The surveillance and identification of bonded labour is a continuous process and it does not end with a survey. The loan induced 'bonded labour' can occur any time and all the government functionaries need to be aware that it raises its ugly head intermittently.

RAICHUR DISTRICT

The district was a part of old Hyderabad state of Nizam and presently is one of the most backward districts of Karnataka. It has an area of 14,000 Sq.Kms and a population of 1.93 million. The sex ratio is 1000; 983. The average literacy is 59.56 % with female literacy at 48.73% and males at 70.47%. The climate is dry and monsoons determine crop yield. Irrigation covers a very small area.

The draught in the last three years have parched the fields and very little standing crop was seen during my field visit.

I arrived by train at Raichur at 0930 hours on 23 Feb 2016 after an overnight journey. After a quick breakfast we went on a field visit to the District. My visit coincided with the result of Zonal and Panchayat Elections and I could see jeep loads of men, who had won the local elections going around jubilantly adorned with party flags and smeared with colours, shouting victory slogans of the winning parties. The Lingasugur Taluqis 100 Kms to the West of Raichur hence we started our visit from the other end so that nearer visits can be done during later part of the day or on the next day.

Child Labour Schools in Raichur District

Raichur District has been proactive in getting the OOSC and rehabilitating young girl children to school. In the last four years they have been able to release 948 children from child labour from 2012 to 2015. They were put through NCLP/SCLP schools. Raichur district has 11 schools nominated as NCLP/SCLP and in the current year 633 children were released from child labour. However to my surprise only two employers have been successfully prosecuted. The District Labour Officer, who was pro-active took pains to explain to me that the children were not in employer to child labour relationship. She said that the parents took them to work along with them and the employer was not technically involved in the loop. Hence, it was not possible to prosecute all the employers. Notwithstanding, 40 cases have been filed against the employers and ₹ 20,000 each has been collected as fines and follow up action is in hand. As also, the children were rescued and brought to NCLP/SCLP Schools and then were channelled to 'main stream school' after orientation schooling ranging from six months to one year. Children were also rescued from Lorries and tempos during transportation of labour from one place to another. Last year 152 vehicles and in the current year 31 vehicles have been confiscated and vehicle owners charged.

The district has taken an undertaking from all the 4490 government servants that they will not employ anyone below the age of 14 in any jobs. As also 6021 warning letters have been issued to all hotels, restaurants, garages, bar and bakery not to employ persons below 14 years in their establishments. I was pleased to see large hoardings warning people of severe repercussions; in case child labour is employed. The District Labour Officer has also taken undertakings from 7376 farmers that they would not employ any person below

the age of 14 in their fields. All transporters have also been warned that anyone conveying farm child labour would be charged under IPC 370 and possible sentence would be a minimum of 7 to 10 years in jail. The consent of the child is immaterial to the gravity of offence.

The most crucial aspect in the whole process is the identification of child labour. For these eyes and ears on ground is required and NGOs also need to be incorporated in this identification and reporting process. The District, as per instructions from the State Government in addition to officers from labour department, has nominated 11 officers from other departments as Inspectors under the Child Labour (Prohibition of Regulation) Act 1986. These officers are spread in the entire districts and are placed to act as eyes and ears of the system.

Out of the 11 Child Labour Rehabilitation Schools under NCLP/SCLP, I visited four schools covering the entire geographical spread. They were as under:-

- (a) AurivuBalakarmikaTarbeti Kendra, Kasaba, Lingasugur
- (b) SpandanaBalakarmikaTarbeti Kendra , Halepete, Mudgal, Lingasugur.
- (c) Prakrati, BalakarmikaTarbeti Kendra, Near Nilavari, Gilisugur
- (d) SagarnaduBalakarmikaTarbeti Kendra, Pothagal Road, Raichur.

At all these places the children looked happy as it was much better than their previous life styles as child labour. There was no standard pattern of construction and amenities as all children were sleeping on the floor with their bedrolls overlapping each other. Toilets were reasonably clean and teachers appeared motivated. In some schools they slept in the class rooms which doubled up as dormitories. The Mainstream schools were co-located with the above schools which made it that much easier to transfer students after their orientation training in NCLP/SCLP Schools. These schools are very important as it paves way for further studies in the mainstream schools. It also cultivates interest in learning and the need for education in their future lives. These students understand it better as they have undergone hardships in life before entry in to schools. Apparently; there is no uniform standard in running of the schools as they are run by NGOs. Notwithstanding; it is still recommended that such schools should continue to be run by NGOs as the district administration would not be able to take on this additional task. It only needs streamlining and standardization in construction and amenities to be made available at such schools.

SarvaShikshaAbhiyan (SSA) in Raichur District

The District has five blocks, 930 villages and 1434 habitations and a population of 1.93 million. The literacy rate is 59.56% which is far below the national level literacy at 74.04% as per Census of 2011. The silver lining is that female literacy rate has grown by 31.24 % to 68.08% from 2001 to 2011, which is above the national female literacy rate of 65.46%. There are 1505 government schools (of all types) in Raichur and there are 1434 habitations. Though not an accurate conclusion, the rule of thumb corroborates proximity of school to the habitation and also its geographical spread. In addition there are 453 unaided school. Further the government schools have over 25% vacancy of teachers unfilled. This shortage has made the government schools unpopular. Those who can afford and those who are able to wield influence get into private schools, under the provisions of RTE. Others patronise the government schools. There is also a need to fill the teachers' vacancies at the government schools. In spite of this shortfall about 76% of the school going children are enrolled in Government or Government aided Schools. In the current academic year the administration has been able to identify 328 OOSC (Ages 7 to 13) and as per reports all were mainstreamed after orientation education.

The following schools and were visited: -

Karnataka Kasturba Gandhi Balika Vidhyalaya, Lingasugur

Gnana Vidhyalaya Higher Primary School, Lingasugur

Adarsha Vidhyalay (RMSA) Lingasugur

Government School at Malut

Government School at Mudgal

Glps SC & ST Ashrama School Gillesugur Raichur

The schools were running satisfactorily. The schools were housed in 'all weather buildings' and had compound walls and adequate toilets for both boys and girls. The mid-day meals are being given; however most schools neither had proper Kitchen sheds for cooking meals nor dining sheds for having meals. The kitchen sheds were ad hoc constructions. The ration for the mid-day meals were stocked in proper store rooms. The KGBV schools did not get mid-day meals rations and in lieu they received ₹ 6/- as money for mid-day meals. The reason given is that they have to cater for the other meals from the fund released to the NGOs. It appeared logical but it should be ensured that there is

no discrimination between the residential students of KGBV and those, who come as day-scholars, while serving the mid-day meals. The residential schools were located in the premises of the schools and facilitated the girls to come in time for the school and also carry out 'after school studies'. The accommodation provided to the girls was inadequate and was not as per the norms. All girls had to sleep shoulder to shoulder on floor. Notwithstanding the crowded dormitories the girls appeared happy and motivated. The students carried their text books and the spacing in the classes was satisfactory. Drinking water facility was there at all schools I visited. The student – teacher ratio appeared 1; 35 or less, however there is a deficiency of science and computer teachers. Many ad hoc temporary teachers have been appointed due to 25% deficiencies in teaching staff. Obviously! the temporary teachers' motivation level is lesser as they are treated as children of lesser Gods. In almost all schools the student absentee rate was high up to 10 % or more in some cases. The reason given was the same everywhere that the parents are taking the children to the local fairs and some children have been tasked by their parents for harvesting cotton. The headmaster was told to have Parents-Teachers Meeting, which he said he has them regularly? He was advised to meet in particular, the parents of the chronic absentees and advise them of the importance of education. The schools are located close to the habitation. At Maryammanahalli, I saw most locals are engaged in making of ropes for rural and even industrial use. The 'rope manufacture' is like a cottage industries and is made after shredding the used cement bags or other used plastic bags and then weaving them into strong ropes of varying diameters. They are migratory and go to different parts of the state to sell their wares. Their children study at the school and have been assured continuity in education.

At Glps SC & ST Ashrama School Gillesugur, Raichur, a Science Camp was inaugurated and Children of neighbouring schools had got together as a part of developing interest in science. The children were all science students and were bright and enthusiastic.

Workshop on Human Rights In Raichur District

On the evening of 24 Feb 2016, a workshop was held on human rights. It was attended by officials from various departments of the district administration, NGOs, representative of state police and prominent persons. An opportunity was given to all NGOs to narrate about the Human Rights issues in their

respective fields of operation. Then the departments of the district administration were given time to explain the problems faced by them. The workshop was concluded by me after explaining about 'Human Rights' its origin, Universal Declaration of Human Rights, constitutional provisions and its linkage with Fundamental Rights and Directive Principles, Human Rights Act 1993, political, civil, social, cultural and legal rights. Also explained them, the Right to Life and Right to Development.

Interestingly the NGOs gave out their problems with the civil administration and brought forward several problems they faced in their functioning to their embarrassment. As I had mentioned the DC was not there due to the visit of Central Draught Team; I told the Departmental heads to convey the points raised by the NGOs to the DC. The points conveyed by the NGOs are as under:-

- (a) Some schools have been upgraded however the required teachers are not posted. The up-gradation has no meaning without the required additional teachers. (*DEO said that it will be done in next month*)
- (b) As 'Urdu Primary Schools' are not upgraded there is no point in having Urdu schools? They said it was a stunt by the government to appease the minorities. (*When queried as to what they would do by studying Urdu at higher classes, obviously it did not give employment was the answer. Hence they said that the Urdu schools be closed and replaced with Kannada medium schools. They were explained that It is the policy of the government that all persons should be given an opportunity to learn in their mother tongues hence; Urdu for primary schools are for those who want to learn in their mother tongue; Urdu*)
- (c) Another flaw in the state governments education policy was criticised as English language is only taught from 6th Class. The primary classes are only in Kannada or Urdu. Not learning English for the first five years has made the government education unpopular as middle class parents patronise English medium private unaided schools. (*To popularise the Government schools it is necessary that English medium is started in Primary Classes and requisite teachers posted at all schools*)
- (d) A point was raised that 25% of vacancies in private schools under the RTE, is being given to backward children and the state government is reimbursing the tuition charges to the private schools. This has made the government schools further unpopular. The tuition fee of ₹ 5924 per year for Kindergarten and ₹11488 per year at Primary level is exorbitant and the same money be utilised to have more teachers at the government

schools and strengthen them. The present policy of the government would ensure that the unpopular government schools would further languish at the cost of better private schools. The move would kill the government schools. *(No government officer could give a satisfactory reply to the point raised by the NGO)*

(e) The Child help line and Women help line in the district was not functional hence the civil administration is incapable of giving any emergency help to them.

(f) The District does not have a 'Short Stay Home for Women and Children'. There are over 32 such homes in the state however Raichur District does not have a single home. This has caused great deal of problem for police and NGOs as there is no place for cast-away women and those suffering domestic violence, who may need immediate shelter. This is a serious lapse in the administration, which they have failed to address.

(g) There are contractors who pack the labour and their children on load carrying vehicles like sardines and transport them from one place to another. Serious accidents have taken place in the past and still the contractor oblivious of police; carry out this illegal and immoral transportation of human beings like cattle. The police said that they charge such transgressions and would be most willing to cooperate in case anyone provides them with information.

(h) They complained regarding dismal health care in the district. The gravest problem faced was specialist health care in the entire district. A major problem faced by them was against an authorization of 10 gynaecologists there was only one functional. It means one gynaecologist for nearly a million women in the district. Though there are private gynaecologists available, however none of them are affordable by the poor. I picked up my telephone and spoke to the District Health Officer, who said that the State Government is not posting the specialist medical doctors to the district. He said that there is another gynaecologist posted however she has taken a compassionate posting and is not available as a gynaecologist. It is a grave human rights abuse and clear violation of 'Right to Health'. Remarkable how the DC, who is the head of the district is supinely accepting such situations in his district? There is a need to tell the government to rectify these grave setbacks.

(i) My observation is that the district government portal has not been updated and the statistics and data is still based on 2001 census. The updates would allow proper assessment of Human Rights situation in the state.

YADGIR DISTRICT

General

The district is one of the most backward districts of Karnataka and like Raichur, it was a part of old Hyderabad State. It has an area of 5234 Sq.Kms and has a population of 1.17 million. It has three blocks, 519 villages and 1137 habitations. The literacy rate is 52.36 % and sex ratio is 1000 males to 989 females. The female literacy rate is 41.31% and male is 63.33 %. Both, well below the national average. All schools combined, there are more than 2000 schools in the district and caters for 1137 habitations. It is a fair ratio and the schools are geographically spread in the entire district. However the government schools have 1514 vacancies for teachers. It works to about 30 % deficiencies. The student; teacher ratio is about 45 if all the teachers were posted however as of now it is 1; 60, considering the present strength of posted teachers.

Child Labour In Yadgir District

To my surprise there is not a single school run by Labour Department under NCLP/SCLP Schemes. The interpretation was till the time the child employer is prosecuted, the child cannot be treated as 'Child Labour'. I pointed out the neighbouring district of Raichur runs 11 such schools successfully. It is not possible that the child labour would not be employed in a similar way as in Raichur, in connivance with parents? Though the administration has done a consistent work in rescuing child labour over the years and putting them in mainstream schools under SSA, the prosecution of child employer has been almost nil. In 2012, 2013, 2014 and 2015; 485, 350, 133, and 62 'child labour' respectively have been enrolled in the mainstream schools. The officials feel till the time the child employer is not prosecuted they are not able to open a 'Child Labour School' under NCLP/SCLP. The interpretation is not correct as

they should go by the spirit of the law and not by the letter of the law. Raichur in similar circumstances runs 11 such schools. The bottom line is complete eradication of child labour in all its interpretation. Unless deterrent punishment is meted out to child employer the heinous practice is there to stay.

I have requested them to liaise with the neighbouring district Raichur and have schools under NCLP/SCLP and be more active in identifying and releasing child labour. The children after orientation education in the NCLP/SCLP schools can be sent to mainstream schools. The orientation schools can keep a student from six months to one year. I have told them to take NGOs on board and start these schools as in the neighbouring district. In spite of so many 'child labour' having been enrolled in the mainstream schools, I was able to meet only four of them, as they have been distributed in various schools in the district.

SarvaShikshaAbhiyan In Yadgir District

The District Education Officer has been pro-active and takes pride in completing the projects in time. I saw a number of constructions taking place and the school buildings were whitewashed and well kept. The schools were adequate and many temporary teachers were appointed in vacancies meant for permanent teachers. This has resulted in not getting proper subject teachers and would have adverse effect especially at Higher Secondary Schools. Overall, the students in the school are interested in learning, however the absentee rates like in Raichur is about 10% that is quite high; more so considering it was a pre-exam time. All the Head Masters were told to have Parents Teachers' Meeting once in a quarter. Any student does not come for a week without permission, the school need to intervene to get him back to school. The Panchayat and village elders need to be co-opted to get the OOSC back to school. I visited the following schools: -

Cluster Resource Centre, Rajankolur

Higher Secondary School, Kollur

Kasturba Gandhi Balika Vidhayalaya, Kodekal

Government Primary School, Gaddadahalli, Narayanpur Tanda

Kasturba Gandhi Balika Vidhayalaya, Chamarajanagar

Government Higher Secondary School, Allipur, Yadagir

Government Higher Primary School, Gurumitkal

Model Higher Primary School, Koliwada

The cluster centre at Rajankolur was very well equipped and was being run efficiently. It had many training aids for teachers to teach science. There was also a small library. There were many audio-visual CDs and the person in charge was accessing internet and downloading lessons and giving it to teachers. There was also a functional computer centre with four computers with internet facilities for use by teachers of surrounding areas. The UPS was also functional.

The visit to Higher Secondary School at Kollur was satisfactory. The school had a big playground and was enclosed with a boundary wall. There were separate toilet facilities for boys and girls. There was a separate cooking shed for Mid-day meals and also a dining shed to have meals. The cooks and maids cooking the meals were neat and tidy. I asked the headcook about the authorisation of rice and dal and she was able to answer me correctly as to the amount food being cooked and the number of children having food. The school had 6 to 7 computers all not functional as I saw it. The computer teacher is not posted and computer classes are not being run.

The KGBV School that is run at Chamarajnar was being run properly and all children appeared happy. The school had over 150 students residing in the school. The teachers and warden were motivated and had pride in them. The school was being run on the ground floor and the dormitories were both on the first and second floor. The toilets were clean, however the dormitories were crowded, where each girl would sleep shoulder to shoulder on the floor. The residential girls' school did not have a compound wall especially at the rear of the school and it was a matter of concern. I pointed it out to the ADC who was accompanying me. There appears a problem of land acquisition. It was a well-run residential school. The 10th Class children, who are preparing SSLC examination were quite confident. Some were expecting to get above 90% marks. There was an orphan namely 'Savamma' who was in great pain and had swollen lymph glands? The ADC called her to the District Headquarters on 29 Feb 16 and assured me that he would get her treated.

The visit to Government Higher Secondary School at Allipur was done at the noon on 26 Feb 16. The school had children from 8th to 10th. The students were preparing for the final examination. In the computer room the computers

were not functional and the UPS was also not functional since the time it was installed. The Headmaster said that he had come just two months prior, did not appear effective? He said that the computer teacher was not posted hence the computer classes are not being taken. The education department representative said that science teacher need to take this as an additional subject to teach. I asked the Education Department of the district to either get a teacher or pass instructions to existing teacher to take extra classes. He assured me that he would facilitate the same.

Workshop on Human Rights at Yadgir

The format of the workshop was similar to the one carried out in Raichur. Due to inadequate coordination, adequate NGOs did not come however there were about 10 police inspectors/Sub Inspectors and about 10 NGOs. Overall there were about 40 persons in attendance.

A Police Inspector queried that if we adhere to Human Rights there is no way that a criminal would confess to his crime. I responded that I have faced similar situations while the army apprehends a terrorist in the border area. The security forces are bound by sacred constitution of India. On the contrary a Terrorist or a criminal does not recognise it hence he is prepared to kill innocents as he has scant regard for human values. A security force just cannot and must not degrade themselves to the level of a criminal/terrorist. Then there is little difference between him and us. Interrogation is a specialised job and those trained in it have the means to extract truth from him. All and sundry should not use illegal means to extract his confession. It would be against the Laws of Human Rights, which we are pledged to uphold.

All complained about the severe shortage of water. The summer has not yet started and the shortage is already being experienced. The waters of Narayanpur dam has been restricted to only for drinking purpose by the administration. It would be a difficult situation as the water is not likely to last till the onset of rains. The livelihood of the people would also get severely affected due to lack of water for crops.

The NGOs complained that the district does not have a ShishuMandir and Working Women's Hostel. The absence posed severe problem to both the

children and working women. A basic requirement of a society has not been provided. It should be done at the earliest.

A complaint was also raised that the district does not have schools for those released from child labour. The state has just not thought of it and the only fig leaf for their defence is that it is not possible to prosecute a 'child labour employer' as he is not directly involved in child labour. It is the parents who take their children in order to help them in work. This is not a valid reason and there is a need for the district administration to liaise with Raichur district administration and emulate their success in NCLP/SCLP Schools.

The District Labour Officer said that there are no 'bonded labour' in the district. When I asked when the last survey was undertaken, I was told it was done in 2012. However it does not mean bonded labour is non-existing since that date. The debt induced bonded labour is a common problem and the survey needs to be done yearly. As also, there is need to continuously watch out for this heinous crime and guilty punished. It is not a 'one-time survey' but necessitates continuous surveillance. They were told to give a new look to the whole problem and incorporate NGOs and other departmental officers to report bonded labour and child labour cases. They also desire that the confidentiality be maintained in case they report such matter to the administration. I asked them to ensure that strict confidentiality be maintained so that person who reports should not become a target of unscrupulous people who may nurse a grudge against the 'whistle blowers'. I was assured that the confidentiality would be ensured.

CONCLUSION

After the visit to Yadgir I took the train to Bangalore on the evening of 26 Feb 16 and returned the next day. It was very educative visit and also many administrative problems came to the fore. The problem of Child Labour and Bonded Labour needs to be tackled with passion. It is an everyday effort as these problems reoccur consistently. There is a need to develop a machinery to identify instances as and when they occur. An efficient system of surveillance and identification needs to be done. Raichur District has a very improved monitoring system in place. All government departments need to work towards their eradication and local police station should ever be vigilant.

The Gram Panchayats and NGOs need to be taken on board including prominent citizens, school teachers and good Samaritans.

I was able to interact with rural children and was able to talk to most of them. I was able to personally interact with over thousand children during my tour. It was an exhilarating experience as I could see the face of tomorrow's India. Their faces were bright and eyes shining with a promise of tomorrow. I also felt our system needs to improve to meet their aspirations and hopes. A lot is being done and much more needs to be done. The most important aspect is the nation building is done in the minds of children and not by bricks and mortar. Good teachers are most essential to build the nation. They need to sow dreams in the minds of children and the system needs to provide opportunities for them to realise it. The tour was a tiny step towards this onerous task.

Lt Gen P G Kamath (Retd)

Special Rapporteur South Zone II