

158 - (33)

National Human Rights Commission
Sardar Patel Bhavan, New Delhi.

Report on the visit of the Hon'ble Member (Dr. KRSJ) to the State of Andhra Pradesh, Medak District, from 23rd to 26th June, 2001.

As was programmed, immediately on reaching Hyderabad, I proceeded to Sangareddy Medak District. The District Collector, Shri Prem Chand Reddy and Shri Dinesh Kumar, IAS, Commissioner of Social Welfare, Government of Andhra Pradesh and other officers received me at 12.30 p.m. We proceeded to the Conference Hall, Zilla Parishad, where the Additional Commissioner (Labour), the district officials, the NGOs, bonded labourers, bonded child labourers, were present. The meeting was held from 12.30 p.m. to 4.30 p.m. After the introductory speech by the District Collector and presentation of the work done on the bonded labour and bonded child labour, I requested the officers who had conducted the re-survey on identification of the bonded labourers, to apprise of the steps taken for their release and rehabilitation and the difficulties they encountered in the task.

It was reported that since 1978-79, a total of 1,40,29 bonded labourers had been identified and released. A sum of Rs 204.15 lakhs had been spent on their rehabilitation out of which Rs 142.00 lakh was drawn from Scheduled Castes Finance Corporation, 50.50 lakh from D.R.D.A., 10.90 lakh was given by the banks as credit and 0.67 lakh was given as marginal money by governmental agencies. Still, 143 freed bonded labourers were to be rehabilitated. The break-up of the bonded labourers in the different revenue divisions has been given. Out of them 7,868 are Scheduled Castes, 1305 are Scheduled Tribes, 4552 are backward classes and 302 are others. The Commissioner of Scheduled Castes, in his report, has stated that during March 22 to 31, 2001, 352 fresh bonded labourers were identified in Medak Distt.

Some of the officers were Mandal Revenue Officers, Mandal Development Officers and nodal officers. Composition of the groups explained that they personally visited the places in which the Dalits, Tribes, the OBCs and others are habitated and they disclosed their identity as 'officers' and that they also got their visit announced in advance through the beat of drums of their visiting the villages for the identification of the bonded labourers and that they be present at the appointed time. Some officers had reported nil cases. Other set of officers quietly visited the habitats and made confidential inquiries, took them into confidence with an assurance that they would not be exposed to them and that on their release, they would be rehabilitated. In that process, they had identified the bonded labourers and had released them. The officers also explained that the released bonded labourers expected immediate rehabilitation and some raps given to them. Unless perfect remedial measures for rehabilitation were taken, they are likely to relapse into bondage. Some officers had stated that the released bonded labourers requested that they be given bulls and bullock carts for transport of sugarcane during the crushing season which would fetch them a reasonably good income.

The District Cooperative Officer had stated that they had formed twelve cooperative societies and six more were in the process of registration. Socio-economic

- 167 -

development would ensure permanent rehabilitation of the released bonded labourers. The Addl. Commissioner (Labour), Shri Madhusudan Reddy, had stated that the State Government had entrusted the release and rehabilitation of child labourers from Labour Department to the Education Department. As a result, as at present, the Labour Officers, including the Assistant Commissioners of Labour in the District, are not participating or taking up the release of the bonded child labourers and their rehabilitation programme. He further stated that a large number of children are employed in the beedi making, hotels, shops all over the district. In the factories, employment of children was practically nil. The District Education Officer informed that the released children from bondage are given bridge courses under 'Back to School' scheme. Recently, they have taken over the release of the bonded child labourers from the Labour Department. They have yet to start identification of fresh child bonded labourers or child labourers.

The NGOs like Shanti Rural Development Society, Siddipet, Navjyoti at Majoti, Andhra Pradesh Mahila Sabha, Deccan Development Society, Parsapur, participated in the proceedings. Most of them have stated that in Medak district, bidi-making is the main avocation. The bidi manufacturers, to avoid enforcement of the labour laws, entrust bidi leaves to the householders for making bidis. The entire family, including the children, make bidis. From the statements of the released child labourers and others, it emerged that per day 300-500 bidis are made by each child. The payment for 500 bidis would be around Rs. 15/- to Rs. 20/-. The NGOs had stated that they have been organising bridge courses to the children and one NGO has been organising vocational training to the children do not show much aptitude for studies. The bridge course is for a period of three years. During that period, depending upon the progress made by the child, they are admitted in 3rd to 7th classes. Special attention was being paid to the grown up children between the age of 7-14 years for imparting intensive coaching. The teachers employed are not having sufficient expertise in teaching, knowledge or experience. Suggestions have been made to reduce the duration of the bridge courses. The children, after completion of the bridge course, were being admitted in the regular schools.

In the demonstration, it was displayed that one cooperative farming society was formed after purchasing land under the land purchasing scheme in Tukkapur village. The total land is 22 acres. Maize and paddy are grown in that land. It is successfully being cultivated by the members of the society. Another similar cooperative society was formed in Kamgal village by purchasing 27.14 acres of land. Maize and paddy are the main crops. Some members requested bore wells dug to raise two crops. In Ahmed Nagar village, 16 pairs of bulls were given to the released bonded labourers for ploughing as well as carting sugarcane.

I had interacted with each released bonded labourer who narrated that they obtained loan from the masters for marriages in the family or for medical treatment. The loan amount being Rs. 6000-8000, the wages paid to them were between Rs. 600-800 per month. The interest amount on the loan at the rate of 2-3 per cent per month, is deducted from the wages. Some of the owners give one time meals. There may be change of master at the end of the agricultural year with the transfer of the loan to the new master who would repay the balance loan to the previous master. After their release from

- 1A -

- 13 -
(4)

ondage, one bonded labourer had stated that even after three years of his release, he had still been being paying the amount. I interacted with each of the children aged between 5 and 15 years, the youngest being Gopal, aged 5 years. He is required to attend to the cattle and render domestic help. From 7 a.m. to 6 p.m., he has to work. He expressed the desire to continue his studies after his admission in the S.C. Boys Hostel, Gajvel. The girl children are shown, during the bridge course, securing high percentage of marks and one of the children was admitted in the 7th class after studying 5th class. From the progress in education shown by these released bonded child labourers, in particular female children, it is proved that given the opportunity, they have the potential, ability and aptitude for higher studies and their success rate is quite high and they promise to be very brilliant students. Two of the children had narrated that their parents had eleven children and one of them is second in number and the other one is fourth in number. After their studies in the regular schools, they are requesting their parents to send their other brothers and sisters to the schools.

After interaction with all the people, Shri Dinesh Kumar, Commissioner, Social Welfare, stated that the Government of Andhra Pradesh had been making every effort to see that the bonded labourers and bonded child labourers are given opportunities to live with dignity. The rehabilitation amount of the Government, i.e., Rs.20,000/-, is insufficient and he suggested that the NHRC may recommend to the Government of India to increase it to Rs.50,000/- Immediately after the release, a sum of Rs.1000/- is being paid to the released bonded labourers. But the balance amount is not forthcoming from the Union of India. In Andhra Pradesh, the amounts are being drawn from Scheduled Caste Finance Corporation and is being spent for the rehabilitation of the bonded labourers and bonded child labourers. The amount from the Central Government is recommended to be kept in the reserve fund and as soon as the report is sent to the Government of India, the amount shall be sent immediately without budget allotment lapsed. Due to the gap between release and rehabilitation of the bonded labourers, many of them are unable to make both ends meet. Consequently, they relapse into bonded labour again. In order to make the scheme successful, necessary instructions may be given to the Government of India and the State Governments in order to ensure that the amount is paid and the rehabilitation schemes are implemented properly. ?

I have mentioned that there is a gap between the statement of the District Collector that 143 bonded labourers are yet to be rehabilitated and release of 352 bonded labourers in the re-survey conducted in March, 2001 and the absence of any statistical data relating to their rehabilitation, there is a gap between the two statements, one made by the Commissioner, Social Welfare, and the other by the District Collector. Therefore, it should be verified and the correct information be given to the Commission with regard to the rehabilitation of the recently released 352 bonded labourers. Even the officers for identification of the bonded labourers adopted a faulty approach. If the officers go with prior intimation and show off that they are officers vested with substantial powers, they will not be able to win the confidence of agricultural bonded labourers. In the meanwhile, after the programme of release is published by beating of drums, the masters would ensure that the bonded labourers are scared away and prevented from being identified. Exactly for that reason, three teams of officers could not find even one

bonded labourer in three Mandals. The definition of 'bondage' should also be understood broadly. Those who are not being paid the minimum wages for agricultural labour, they are the bonded labourers; they need not be tied hand and foot to be recognised as bonded labourers. Psychological approach is all the more necessary. I have requested the District Collector to impart refresher courses to the district officers in the modules of identification of bonded labourers. S R. Sankaran's brochure on the methodology of the release and rehabilitation in vogue in Andhra Pradesh, should be circulated to the officers so that they could be kept abreast of the procedure for release and rehabilitation of the bonded labourers. (5)

I had also emphasised that mere release is not sufficient unless simultaneous action of rehabilitation is taken and work given to the released bonded labourers who eke out their livelihood by working. I had suggested that as soon as the bonded labourers are released, a cooperative society for them be set up by the Department of Cooperation, and have it registered. Instead of paying cash of Rs 1000/-, as is being done in Nalgonda district by the District Collector, purchase of rice for Rs 500/- pulses for Rs.400/- and odd, and the balance amount in cash if given to each of the released bonded labourers, they will not face any difficulty for their living immediately on release. In the meanwhile, after the cooperative society is formed, the labour-oriented works available in the district be allotted to the cooperative society. Instead of one acre as was being allotted earlier to the members of the aforesaid society, at least a minimum of 2 ½ acres of wet land or 5 acres of dry land should be allotted to each member, but the patta should be given in the name of the cooperative society. Individual members should be given separate possession of 2 ½ acres or 5 acres of land, as the case may be, for cultivation. The Assistant Agriculture Officer should be made accountable for successful agricultural operations by the released bonded labourers. Where the bullock-cars are requested by the individual members, it may be ensured that the bulls given are properly maintained. The officers on duty, including the District Collector, should regularly monitor that the released bonded labourers are successfully rehabilitated. Periodical check-up by way of visits by the officers to give a moral boost to them and prevent them from relapsing into bondage, be carried out.

It was also further pointed out that in the Vigilance Committee, the Sarpanches of the villages should be made members and they should be made accountable for identification and proper rehabilitation of the released bonded labourers. The eligible persons belonging to SC/ST and OBC categories, should be allotted houses under 'Indira Awas Yojana' or any other similar scheme in operation. The women members should be encouraged to organise under 'DWARKA' scheme.

I thanked the Commissioner, Social Welfare, Addl Commissioner (Labour) and the District Collector for their whole-hearted cooperation and participation in the meeting.

(Dr. Justice K. Ramaswamy)
Member

Hon'ble Chairperson

✓ Secretary General