

**Report 2, on Visit to District Jail, Chittaurgarh in Rajasthan by Dr Vinod Aggarwal Special Rapporteur on 20<sup>th</sup> June, 2018.**

Format of Jail report is annexed to the report. The jail was built about 60 years back by the Government. The capacity of the jail is Male: 313, females: 25; total 338. At present it houses, Male: 333 Female: 11+4 Total: 344 + 04 Children, who are living in this jail. It is just the capacity is the present occupancy of the jail. The remand inmates who are in the jail: male: 315, females: 11, total: 326.

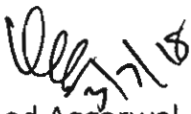
**Recommendation after the visit, Discussion with Jail Superintendent, Jailor, other functionaries and inmates are as follows.**

1. The jail is old and completed 60 years after establishment. It was a lock-up converted into district Jail 8 years back. Although from facade, didn't that old, and can be used for another 30-40 years, but it would be desirable that the usability certificate for earthquake or other type of natural or other disasters may be obtained and may be used till the economics of the Government improves and a new jail is built, with modern design and facility could be given to the jail and inmates may have a comfortable life
2. The jail is meant to house 338 prisoners but at present almost as per the capacity, 344 inmates are in this jail. There is no over-crowding in various wards on paper but many of the barracks constructed are not being used for lack of staff. Therefore, in actual practice there is over-crowding.
3. Jail campus is spread over 4 acres (7 Bighas), 6 barracks are new which are yet to house the inmates. The new portions are satisfactory. It would be desirable that the old portions are replaced or removed with 2 storey construction and the jail could add up to more inmates, hospital and industrial production centre for about 100 inmates can be housed by planning.
4. There are 344 inmates, out of which 4 are under rigorous imprisonment, and there is no industrial unit at all, in this jail. Work is being performed mostly by under-trials who are helping in cooking, cleaning and other routine activities and up-keep of the jail. The wage given to the inmates is also quite low and wages as per BPRD norms are not paid. Employment to all those who want to work should be provided.

5. The jail should have a 10 bed hospital, but in actual there is no hospital. A doctor is posted in the hospital . A lady doctor also visits the jail twice a month. This jail requires a hospital which is missing completely.
6. The Kitchen definitely requires up-gradation, in the form of Provision of Chimney, Automatic door closure, Impermeable walls, wire mesh in the windows, Fly catcher in the kitchen, and chapatti making machines, along with modern platform are the immediate need. It would be desirable that the new kitchen comes up in the newer area and old kitchen is dismantled.
7. The no. of cage latrines are in sufficient, seeing the number in inmates in each ward or barrack, but creation as per norms would not be easily possible.
8. Out of 326 under-trials who are under-trials,

Period	Male	Female
up to 3 months	82	03
3-6 months	42	02
6-12 months	65	03
1-2 years	47	02
2-3 years	32	
3-5 years	28	01
about 5years	7	

- 9 There were 35 who were imprisoned more than 3 years. These are the cases should be reviewed by the visitors and these cases should be decided fast by the judiciary, as it is said justice delayed is justice denied.
- 10 There is tremendous shortage of staff in the jail. The post created are few and only 55% are only filled up, which require urgent attention.
- 11 The jail has abundance of water, and RO system has also been installed. The water testing report should also be done periodically.
- 12 The mobiles are thrown from outside with the help of catapult and this problem need to be resolved.
- 13 The posts of Sociologist, social worker, Psychologist are the need of hour in the jails. Besides the creation of positions of the supervisors in the production of various items they will impart training to the inmates.

  
Dr Vinod Aggarwal  
Special Rapporteur

Office of Deputy Superintendent, District Jail Chittorgarh (Raj.)


Inspection format

Jail's Name- District Jail Chittorgarh

Date- 20.06.2018

1	Name of the prison	District Jail Chittorgarh (Rajasthan)				
2	Sanctioned capacity of the prisons	Male - 313	Female- 25	Total: 338		
3	Prisoners profile	As on 20.06.2018	Annexure (A) Enclosed Herewith			
3.1	Actual strength of the prisoners-	S. No	Details	Male	Female	Total
		(A) 1	Under trial (Remand inmates)	315	11	326
		2	Session trial (Session inmates)	0	0	0
		3	Upper Division ( Division -I remand)			0
		4	POTA ( released on bail in POTA case but detained in other case connection)	0	0	0
			<b>Total (A)</b>	315	11	326
			Simple imprisonment	14	0	14
		2	Rigorous imprisonment	4	0	4
		3	Death Sentence	0	0	0
			<b>Total (B)</b>	333	11	344
			Pasa	0	0	0
		2	Civil sentence	0	0	0
			<b>Total (C)</b>	0	0	0
			<b>Grand Total ( A+ B+ C)</b>	333	11	344
			Children (with Mother)	4	0	4
3.2	The details of the prisoners including undergoing life imprisonment and under death sentence	Male- 333 and Female -11 Total- inmates, presently serving imprisonment for life and under death sentence- 01 Prisoners				


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3.3	Daily average strength of the previous month	around 340	
4	Accommodation		
	Area of the Jail	7 बीघा	
	Age of the buildings	60 years approx	
	Status of building- to what extent. The provisions of model prison manual have been complied with in terms of location away from congested location of various blocks at a prescribed distance from the perimeter wall. Separate enclosures for the female ward etc. keeping the principles of safety and security uppermost in mind?	Yes	
	Problem of seepage, leakage etc.	No	
	Lighting and ventillation	Well	
	Institutional arrangements for repairs and maintenance	Yes, PWD dept.	
	Number of wards/ Barracks	15 Barracks	
	Number of special cells	01 ( General cells)	
	Any other provisions	NO	
4.1	Arrangemnt of seperation of-		
	Under trial	Yes	
	Young prisoners	No	
	Women prisoners	Yes	
	Mentally sick prisoners	No	
	Drug addicts	No	
	Suffering from infectious disease like TB etc	Yes (Barrak)	

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5 Staff	ANNEXURE ( C ) enclosed	Serial No.	Post	Sanctioned	Posting	Vacancy	Remarks
Sanctioned strength( in various categories)		1	Superintendent	0	0	0	
Actual strength ( in various categories)		2	Deputy Superintendent	1	1	0	On Deputation udaipur jail
Adequacy of otherwise of sanctioned and available staff		3	Resident Medical Officer cum Superintendent	0	0	0	
Steps taken to fill up the vacancies.		4	Specialist Medical Officer Psy.	0	0	0	
Terms and conditions of service and employment of all categories of personnel keeping the service and morale in view.		5	Medical Officer	1	1	0	
			Medical Staff (on contract basis whole time)	0	0	0	
		6	Dental Technician	0	0	0	
		7	Jailor	1	1	0	
Has any objective and dispassionate assessment of the service condition vis-à-vis operational efficiency been made if so, what are the findings and what corrective measures have been taken		8	deputy Jailor	1	1	0	
		9	Video conferencing operator	0	0	0	operated by Warder Staff
		10	Computer operator	0	0	0	operated by Warder Staff
		11	Clerk ( Upper division clerk)	1	1	0	
		12	Lower division clerk	1	0	1	
			Cashier	0	0	0	
			Junior Accountant	0	0	0	
		13	Chief Head Warder	0	0	0	
		14	Head Warder	6	6	0	
		15	Warder	31	12	19	1 warder in suspension
		16	Female Warder		0		
		17	Nurse ( male)	1	1	0	
		18	Nurse ( Female)	0	0	0	
		19	OAS	0	0	0	
rt		20	Cook	0	0	0	
			Factory Supervisor	0	0	0	
		21	Compounder	0	0	0	
		22	Tailor master	0	0	0	
		23	Weaving master	0	0	0	
		24	Blacksmith Master	0	0	0	
		25	Carpentry master	0	0	0	
		26	Barber	0	0	0	
		27	Sweeper	1	1	0	Part time
		28	Driver	0	0	0	
		29	Bagwan	0	0	0	

		30	Peon	0	0	0
		31	generator operator	0	0	0
			TOTAL:	45	25	20
5.1	Human Resource Development					
	Institutional arrangements for training of officers and staff in various categories.	No				
	Duration of training of each category	Not Availabe				
	Arrangements of the content quality and impact of training on correctional behaviour inside and on rehabilitation of the convicts after release need for further strengthening	Not Availabe				
6	Right of Prisoners:					
6.1	Right to speedy trial					
	No. of UTP's lodged in prison	326				
	What is the average duration for which they have been lodged in prison	Not Availabe				
	What are the contributory factors to delay in disposal of cases of UTP's?	Delay in the trial process				
	Specific suggestions to reduce this duration.	Speed up the trial process				
6.2	Right to be released on bail					
	No of petitions pending in the trial court for disposal	0				
	No of case where prayer for bail has been rejected but the advocate concerned has not yet communicated the reasons for rejection	Data not available				
	No. of cases where the prisoners are unable to arrange sureties	Data not available				
	No of cases where the bail amount is high.	Data not available				
	What are the specific suggestions to improve the situation and register expeditious disposal of pending bail applications.					




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6.3	<b>Rights of the convict to appeal:</b>					
	No. of cases where appeal petitions are pending in the High Court	Data not available				
	No. of years for which these petitions are pending contributory factors specific suggestions for expeditious disposal	Data not available				
6.4	<b>Rights of convicts for premature release/ Remission</b>					
	What is the composition of the State sentence review board	1). Secretary (Jail Department),2). DG & IG of Jail Department, Jaipur 3). Distric Magistrate 4) Police Supdt. 5) Jail Supdt.				
	No. of cases pending for review	Data not available				
	Duration for which they are pending & reasons for pendency specific suggestions to expedite disposal	NIL				
	Procedure followed as per guidelines of NHRC and Sec 433 CrPc.	YES				
	Whether meeting S&R Board is held. Mention dates	Data not available				
6.5	<b>Right to food</b>					
	Scales of diet for various categories of prisoners	According to jail Manual				
	Storage of articles	Diet system daily supply By contractor				
	Arrangement of cooking and distribution of food	LPG cooking system in General kitchen				
	Mean and mode of preparation of food	LPG cooking system in General kitchen				
	Menu of food provided to the inmates procurement of eatables etc.	Edible articles are purchased through E tender presided by DG & IG of Jaipur (Rajasthan)				
	<b>Does the kitchen have the following</b>					
	i. A modern chimney regardless of the type of fuel used	NO				
	ii. Sufficient no. of exhaust fans	YES				
	iii. Fly proof automatic closing doors	NO				
	iv. Floors made of an impermeable material	YES				
	v. A platform for washing , cleaning and cutting vegetables	YES				

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	vi. An electric kneader for preparing paste out of Atta prior to making chapattis	NO	
	vii. Chapatti making machines/ mixers and grinders	NO	
	viii. Adequate no. of taps inside the kitchen	YES	
	ix. LPG and Hotplates	LPG cooking system	
	x. Container made of stainless steel to keep the cooked food hot prior to being served	Yes	
	xi. Cooking and serving utensils to be of stainless steel	For Cooking using Iron Utensils and for serving utensils to be stainless steel	
6.6	<b>Right to water</b>		
	Whether sufficient, clean and purified drinking water is supplied in the jail source of water.	YES, PHED Supply And Drinking water supplied by Tube-well & R.O System	
	whether periodical cleaning of water storage tanks are done	Yes	
	whether sufficient water supply is provided in toilets and for bathing and cleaning of clothes purpose.	YES	
	General cleaning around source of water	YES	
6.7	<b>Right to sanitation</b>		
	Does every barrack used for sleeping have sufficient no. of W.C.s, urinals, and washing places at the ratio of 1 unit for every 10 prisoners	Yes	
	Are the latrines of sanitary type with arrangements for flushing	YES	
	Is it ensured that toilets are placed on an impermeable basis higher than the surrounding ground and are so built that the sun's rays can easily enter the latrines and that rainwater is kept out	YES	
	Is it ensured that the latrines are so designed that all excreta and wash materials get into receptacles without fouling the sites.	Yes	



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	have the inside walls of the latrine been fitted with glazed ceramic tiles upto a height of 1 meter from the floor level as far as possible	YES	
6.8	<b>Right to personal hygiene</b>		
	Does the prison provide covered cubicles for bathing @ one for every 10 prisoners with proper arrangements to ensure privacy	Yes	
	is it ensured that every prisoner takes bath as frequently as necessary for better personal hygiene according to climatic conditions	YES	
	is it ensured that prisoner washes his clothing at least once a week	YES	
	if so have you ensured the use of necessary washing materials ( soap, washing powder, detergent etc.) has been authorised for both male & female prisoners	YES	
	is there a mechanised laundry to wash items of clothing and bedding at the time of return of these items to the clothing store	NO	
6.9	<b>Right to clothing</b>	YES	
	The model prison manual provides this right and the manner of exercise of this right both the convicts as well as the UTPs		
	Is it ensured that these provisions are being complied with	Clothing is provided to all the convict prisoners and to those Under trial prisoners who require the same	
6.10	<b>Right to health and medical care</b>	Yes	
	The model prison manual provides this right and the manner of exercise of this right both the convicts as well as the UTPs		
	Is hospital accomodation available on the scale of 5% of the daily average of the inmate population	No	
	Is the location of the hospital sufficiently away from the barracks	Yes	
②	are the floors and walls of the hospital of impermeable material	Yes	

	is there arrangement of uninterrupted supply of potable water and electricity	Yes	
	is there a hospital kitchen with arrangements for proper upkeep and maintenance	No	
	is it ensured that ailing prisoners who have been admitted to the prison hospital get their diet ( inclu milk) according to approved scales	YES	
	Are samples being sent to approved laboratories for testing	Yes like HIV & TB	
	If so at what interval & with what findings	Regularly	
	what preventive and corrective measures have been taken to ensure the water is free from Impurities & is potable	Water suply by PHED & R.O. SYSTEM	
7	No of Doctors	1 permanent M.O., 1 Male Nurse	
	No of Para Medical personnel	0	
	No Of Beds	Adequate	
	Availability of medicine, Adequate/ inadequate	Adequate	
	Visits by specialists	Yes	
	isolation/ segregation of patients suffering from infectious diseases	Yes	
	No of patients suffering from T.B.	3	
	No of patients suffering from HIV/ AIDS	6 male, (1 Female and 01 child)	
	Arrangement for detection and prevention of HIV/ AIDS	A.R.T CENTER Govt Hospital Chittorgarh (Raj.)	
	Are instructions about medical examination of each prisoner on admission being followed	Yes	
	Ambulance service	Yes	
	No of prisoners suffering from other chronic diseases like heart, cancer, irreversible kidney failure, cardio respiratory, leprosy etc and details of their treatment	HEART-05, CANCER-00	
	Drug de- addiction and counselling services	Yes	

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8	<b>Mental Illness:</b>				
	How many mentally ill persons have been detained in the jail and for what duration		01 inmate		
	HOW MANY TIMES THE I.G. OF PRISONS HAS VISITED THEM U/S 39(1) of mental health Act 87?		0		
	What are the main observations		Nil		
	How many times these persons have been visited by a psychiatrist or where a psychiatrist is not available by a medical officer empowered by the State Govt. u/s 39(4) of mental health Act 1987		1		
9	<b>Children staying with mothers ( Convicts)</b>		0		
	What checks and safeguards are being observed to promote health, safety, education, nutrition, immunization of children in 0-6 group while allowing them to stay with their mothers ( convicts) in terms of the directions of the Supreme court in R.D. Upadhyay Vs. State of Andhra Pradesh & others, WP No. 559 of 1994 with Criminal Appeal No. 69 of 2009 decided on 01/11/2000			Rules Followed	
10	<b>Institutional treatment</b>				
	Classification institutional routine educational vocational training and work spiritual development organised recreation		Meditation, Yoga classes, indoor games.		
	Rehabilitation assistance canteen facilities		YES		
11	<b>Daily wages prescribed both time rate and piece rate for:</b>				
	Trainees		Nil		
	Semi skilled workers		Nil		
	skilled workers		Nil		
	mean and mode of payment of wages		Nil		
12	<b>Condition of Undertrials:</b>				
	Detention period as on 20.06.2018				
	upto 3 months		85		
	3-6 months		46		
	6-12 months		68		
	1-2 years		49		
	2-3 years		32		
	3-5 years		28		
	above 5 years		7		

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	Are Undertrials kept separate from convicted prisoners	Yes.		
	No of UTP granted bail but unable to seek release because of failure to arrange sureties	NIL		
	Is there any problem of providing escorts to UTP for court appearance	No, Sufficient escort available from police sp Chittorgarh		
	Holding of Lok Adalats in jail premises	NIL		
13	Custodial death: Annual statement of deaths for last three years			
	Annual statement of escape from the prison/ Escorts for the last 3 years	NO		
	Annual statement of deaths in last 3 years	5		
	Have these deaths been investigated? If so what are the findings & general observations	Yes.		
	What checks and safeguards have been adopted to prevent suicides of prisoners	Counselling , Yoga, meditation, Psychotherapy etc.		
14	Women prisoners:			
	Santioned capacity	25		
	Actual strength	11		
	Details of staff	01 Female Head Warder		
	No of Children with women prisoners and their age group	4 ( Below 4 years of age)		
	are women prisoners kept in separate accomodation	YES		
	Facilities for special care, education and recreation of young childred staying with women prisoners	YES		
	General comments on health facilities for women prisoners and children staying with them with special mention of availability or otherwise of a separate female ward in prison hospital and innoculation programme for the children	Yes ( As per Rules)		
	Facilities of vocational training for women prisoners	YES		
	No. of women prisoners suffering from T.B. and psychiatric problems	NIL		
15	Basic Amenities:			

	Letters ( receiving, despatching and distribution system feed back by the senior officers and records maintained in this regard, if any	YES		
	Whether prisoners rights have been displayed in the prison	YES		
16	<b>Interviews of the prisoners</b>			
16.1	Interviews of the prisoner by jail/ District officials			
	Mean and mode of interview details of redressal of complaints, if any	By jail officers and Judicial officers and monitoring committee		
16.2	<b>System of interviews with family members and lawyers</b>			
	What is the procedure which is in vogue for grant of such interviews	Through application process & V.M.S. System		
	How many such requests on an average are being received			
	HOW MANY REQUESTS HAVE BEEN TURNED DOWN & REASONS THERE OF?	Requests are turned down only if the interview rules are not satisfied		
17	<b>NO OF VISITS/ Inspections during the last one year by :</b>			
	Judicial authorities	Regularly once a month		
	Non judicial authorities	6		
18	<b>Involvement of NGOs and social activists in prison activities:</b>	YES		
18.1	<b>Functioning of board of Visitors:</b>			
	When was the board of visitors last constituted	14-May-18		
	What is the frequency of visits of the Jail by the BOV	As per Roster		
	Are the observations recorded by the BOV soon after the visit?	N.A.		
	What is the current status of compliance with these observations?	N.A.		
19	<b>General remarks:</b>			
5	On the functioning of the prison administration, problems and grievances and suggestions for improvement	01 जिला कारागृह चित्तौड़गढ़ पर एक सहायक प्रशासनिक अधिकारी एवं सफाई कर्मचारी का पद सृजित करने बाबत एवं जिला कारागृह, चित्तौड़गढ़ पर कनिष्ठ सहायक के रिक्त पद व प्रदरी के 19 रिक्त पदों पर पदस्थापन 02 बन्दिखान मुलाकात कक्ष का आधुनिकीकरण तथा स्टाफ फेमिली क्वार्टर निर्माण, प्रदरियान बैरिक निर्माण ।		

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Deputy Superintendent

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जिला कारागृह चित्तौड़गढ़

**National Human Rights Commission  
Director (A) Unit**

**Sub: Report of Dr. Ashok Sahu, Thematic SR (Child / Bonded / Migrant Labour) on his visit to Manipur (Imphal, Churachandpur and Imphal West) during 18-22 June, 2018.**

Dr. Ashok Sahu, Thematic Special Rapportuer, NHRC (Child / Bonded / Migrant Labour) visited Manipur (Imphal, Churachandpur and Imphal West) during 18-22 June, 2018. The visit report may kindly be seen at **F/A**.

**Child Labour**

In Manipur traditionally local population does not encourage child labour system. It is mostly prevalent among migrant families and among poor families in a sublime form. The 61<sup>st</sup> Round of National Sample Survey, 2004-05 also does not record any significant presence of child workforce in Manipur.

**Bonded Labour**

Bonded Labour system is also not prevalent in Manipur. According to the Socio-Economic Caste Census, 2011, conducted by the Ministry of Rural Development, the number of rehabilitated bonded labour households in Manipur was only 1 (in Churachandpur).

**Migrant Labour**

Manipur is both a Home and Host State. People migrate for higher studies as well as to avail better employment opportunities. In-migration, mostly from Cachar area of Assam takes place to work both in road and rail construction sector.

**State Level Meeting**

State Level Meeting was attended by Labour Commissioner and officials of Labour Department, Joint Secretary, Public Health, Deputy Commissioner, Imphal West, ADM, Imphal East and representatives of Police and Social Welfare Departments. During interaction it was pointed out that while the bonded labour system is non-existent, the child labour system prevails, as during a recent survey about 40,000 out-of-school children in the State and 9 cases of child labour (in Thoubal District) were noticed. Steps may be taken to register both in and out migrants and their contractors and ensure provision of minimum wages, creature comforts,

social security and benefits of the building and other Construction Workers Cess Fund as admissible.

### **Churachandpur District**

Churachandpur District shares border with Myanmar. Being an educated District, it has the unique distinction of many inhabitants being posted in Indian Civil and other similar services. There is considerable out-migration of both boys and girls to study and work as educational facility in general, technical and vocational streams beyond 10<sup>th</sup> class is poor and there is lack of employment opportunities. This has resulted in drug abuse and trafficking. Anti trafficking unit is functioning in the District.

Field visits were made to (i) privately run Shelter Home at Thingkangphai. The Children are being given food, dress, education and medicine and ultimately mainstreamed. (ii) ZMB Brickfield. About 60 local workers were employed. About 4 skilled workers from West Bengal are employed but they had been working for about last 10 years. There is no system of advance payment. The workers were advised to register as building and construction workers and avail admissible benefits.

### **Imphal West District**

Visit was made to Punya Children Home for girls where two institutions, namely, a Shelter Home and an Adoption Centre, are being run by a Voluntary Organization. At the time of visit, there were 43 inmates in the Shelter Home and 7 in the Adoption Centre. Both the institutions seemed to be operating efficiently, though there is need for augmenting vocational training facility for elderly girls in the Shelter Home.

In Bhuroden Maxwell Hindi High School, Imphal and CH. Tulasing Junior High School, Sekmai children belonging to migrant worker's families are studying alongwith others.

### **Recommendations**

- (i) District Level Surveys both on Child and Bonded Labour are required to be conducted. The former should, inter alia, try to capture whether education of children assisting in family work is substantially affected or not.
- (ii) Rehabilitation Centres are required to be established.
- (iii) Building and other construction sectors should be registered so that they can avail, inter alia, scholarship for educating two children from the Cess Fund.

(iv) Vocational education system requires to be strengthened.

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



**(Dr. Ranjit Singh)**  
**Joint Secretary (P&A)**

**Dated:**  
**File No.2/8/2018-PRP&P**



Report of Dr. Ashok Sahu, Thematic Special Rapporteur (Child/Bonded/Migrant Labour), NHRC on visit to Manipur (Imphal, Churachandpur and Imphal West) during 18-22 June, 2018.

## **I. General**

1.1 Manipur is a State in Northeast India sharing its borders, inter alia, with Myanmar. It is primarily an agrarian economy with substantial horticultural and hydroelectric generation potential. Manipur became part of the Indian Republic in 1949, Union Territory in 1956 and a full-fledged State in 1972. Presently, it has 16 (9 old and 7 new) Districts. The State had a population of 0.29 crore according to 2011 census. The percentage of people below poverty line was 36.89 in Manipur as against all India average of 21.92 in 2011-12.

## **II. At State Level**

### **(a) Child Labour**

#### **Position**

2.1 Traditionally local population does not encourage child labour system. It is mostly prevalent among migrant families and among poor families in a sublime form. The 61<sup>st</sup> Round of National Sample Survey, 2004-05 also does not record any significant presence of child workforce in Manipur.

#### **Important Steps Taken**

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

- Between 2012 and 2017, 439 inspections have been carried out.
- State/District Coordination/Advisory/Monitoring Committees have been constituted. Awareness generation activities are being carried out.
- It is proposed to have Nodal officers in all Districts.

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

#### **Position**

2.3 Bonded labour system is also not prevalent in Manipur. According to the Socio-Economic Caste Census, 2011, conducted by the Ministry of Rural Development, the number of rehabilitated bonded labour households in Manipur was only 1 ( in Churachandpur).

### **Important Steps Taken**

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

- District Vigilance Committees have been constituted.
- Awareness generation programmes are undertaken from time to time. Civil society is active.

### **(c) Migrant Labour**

#### **Position**

2.5 Manipur is both a Home and Host State. People migrate for higher studies as well as to avail better employment opportunities. In-migration, mostly from Cachar area of Assam takes place to work both in road and rail construction sector.

### **Important Steps Taken**

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

- Efforts are being made to register the migrant workers and contractors.
- Efforts are also being made to register eligible workers as building and construction workers so that the benefits flowing from the Building and Other Construction Workers Cess Fund would accrue to them.

### **Highlights of Discussion**

2.7 The State level meeting was attended by Labour Commissioner and officials of Labour Department, Joint Secretary, Public Health, Deputy Commissioner, Imphal West, ADM, Imphal East, and representatives of Police and Social Welfare Departments. During interaction it was pointed out that while the bonded labour system is non-existent, the child labour system prevails, as during a recent Survey about 40,000 out-of-school children in the State and 9 cases of child labour (in Thoubal District) were noticed. Both in and out migration is taking place though no precise data is available. The Juvenile Justice Act is being properly implemented, 29 Shelter Homes are functioning and steps are being taken under mission mode to establish residential centres. It was stressed that fresh Surveys on bonded and child labour to capture new forms bondage or 'neo-bondage' emerging in the economy and whether a child's education is being seriously affected while working for the family or not, respectively, by availing funding being provided by Government of India would be necessary. Steps may be taken to register both in and out migrants and their contractors and ensure provision of

minimum wages, creature comforts, social security and benefits of the Building and Other Construction Workers Cess Fund as admissible.

2.8 Discussion was held with Deputy Chief Engineer, Railways in charge of the construction of Jiribam-Tupul-Imphal railway lines engaging about 15 to 20 thousand employees. Most of them come from outside the State but belong to skilled/highly skilled/ specialist categories. Only 5 to 10 % workers belong to unskilled categories but their payment of wages, accommodation, health etc. are all looked after.

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

3.1 Churachandpur District shares border with Myanmar. Being an educated District, it has the unique distinction of many inhabitants being posted in Indian Civil and other similar services.

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

3.2 The meeting with District level officials was attended by Deputy Commissioner and officials of District Administration, Superintendent of Police, and representatives of Industry, Cooperation, Public Health, Sericulture, Labour, Medical and Public Works Departments, Childline and NGOs. During interaction it was pointed out that the social structure is such that customary bondage does not prevail and the possibility of the prevalence of neo-bondage is very less. Similarly, child labour is not a major problem as schooling facility is good. While in-migration to the District is relatively less, there is considerable out-migration of both boys and girls to study and work as educational facility in general, technical and vocational streams beyond 10<sup>th</sup> class is poor and there is lack of employment opportunities. This has resulted in drug abuse and trafficking. Anti Trafficking Unit is functioning in the District. In the past, girls working in Spa etc. even in foreign countries like Singapore have been rescued. Hence the real need of the District is to tackle the problem of narcotic abuse through establishment of Rehabilitation Centres to cater to the requirements of school dropouts, orphans, disabled, drug addicts and HIV/AIDS afflicted children. The State Government is operating various developmental Schemes like 'Beti Bachao, Beti Padho'. The law and order situation is under control and insurgency situation is under check.

### Field Visit

3.3 A visit was made to a privately run Shelter Home housing distressed seniors and children including child labour and some affected by HIV/AIDS, namely happiness Home, located at Thingkangphai. The children are being given food, dress, education and medicine and ultimately mainstreamed.

3.4 A visit was made also a brick kiln, namely, ZMB Brickfield in the same area. Utilizing quality soil available, the kiln is located in a shaded area producing quality bricks round the year. About 60 local workers are employed. About 4 skilled workers from West Bengal are employed but they had been working for about last 10 years. There is no system of advance payment. The workers were advised to register as building and construction workers and avail admissible benefits.

## IV. At District 2 (Imphal West) Level

### Highlights of the Discussion

4.1 The Imphal West District level meeting, held at Lamphelpat, was attended by Deputy Commissioner and officials of District Administration, representatives of Public Health Engineering, Education, Labour, Public Works and Social Welfare Departments and Child Protection Unit and Voluntary Organisations. During interaction, in respect of child labour, it was felt that there is need for survey, strategy, synergy and spread of awareness. School dropout between 9<sup>th</sup> and 10<sup>th</sup> class requires to be prevented. Child trafficking of both boys and girls in some form to within and outside the State is occurring and has to be fought with. A holistic approach can resolve the menace and prevent relapse. There is need for forming a Child Labour Task Force. The possibility of bondage or neo-bondage is very less. There is no serious problem of distress in or out migration. There is serious paucity of staff in the Labour Department on which the District Administration was requested to take remedial action.

### Field Visit

4.2 A visit was made to Punya Children Home for Girls where two institutions, namely, a Shelter Home and an Adoption Centre, with capacity for 50 and 10 inmates respectively are being run by a Voluntary Organisation, called, Integrated Women and Children Development Centre (IWCDC) under the auspices of the State Social Welfare Department. During the visit, there were 43 inmates in the Shelter Home and 7 in the Adoption Centre. Both the



institutions seemed to be operating efficiently, though there is need for augmenting vocational training facility for elderly girls in the Shelter Home.

4.3 Visits were made to Bhuroden Maxwell Hindi High (upto class X) School, Imphal and CH. Tulasing Junior High (upto class VIII) School, Sekmai where children belonging to migrant workers' families are studying along with others. During interaction students were advised to pursue their studies diligently while teachers were requested to not only take due care but also identify parents, both local and migrants, working in building and construction sectors, asking them to register with the State Labour Department so that they can avail, inter alia, scholarship for educating two children.

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

5.1 Since Myanmar shares porous border with Myanmar, it is facing problems relating to drug trafficking, HIV/AIDS and Rongiya refugees. It was suggested that in all three cases directives issued by Central and State Government are required to be followed.

#### **VI. Recommendations**

(i) District level Surveys both on Child and Bonded Labour are required to be conducted. The former should, inter alia, try to capture whether education of children assisting in family work is getting substantially affected or not.

(ii) Rehabilitation Centres (ref. para 3.2) are required to be established.

(iii) Building and other construction sectors should be registered so that they can avail, inter alia, scholarship for educating two children from the Cess Fund.

(iv) Vocational education system requires to be strengthened.

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