

*Date: 18.10.2007*

***Enquiry Visit to Gadwal (Mahabubnagar) and Kurnool, Andhra Pradesh***

**(24-26<sup>th</sup> September, 2007)**

The National Commission for Protection of Child Rights ('NCPCR') has received a number of complaints regarding exploitation of children engaged as labour in the production of hybrid cottonseed farming in the Districts of Kurnool and Mahbubnagar, Andhra Pradesh. The recent trends in employment of child labour in hybrid cottonseed production in different states in India clearly indicate that the overall number of children employed in this sector is on the rise. The conditions in the fields continue to be very unsafe and exploitative for the children. The children are made to work long hours and are paid less than market and official minimum wages. They are also exposed to poisonous pesticides used in high quantities in cottonseed cultivation and are often trafficked as migrants from other places. The existing employment practices in cottonseed farms result in the denial of rights of children and violate many national laws and international conventions. Several Indian companies and multinationals are involved in this 'modern form of child slavery'.

**I. MANDATE**

With a view to investigate the foregoing, the NCPCR constituted a three member Committee consisting of the following people:

- **Ms Dipa Dixit, Member, NCPCR**
- **Shri Manek Daruvala, Advocate**
- **Prof. Sridhar Madabhushi, NALSAR University of Law**

The mandate of this Committee was to visit the field for two days, which included interaction with child rights volunteers, district and mandal level government officials and attending a public hearing in connection with the issue of child labour, from 24<sup>th</sup> September to 25<sup>th</sup> September 2007. On September 26<sup>th</sup>, 2007, the Committee was to hold discussions with State Government authorities in Hyderabad on the findings of the Committee and the action to be taken by the State. In connection with this exercise, the three member Committee met the following people:

**[NAMES & DESIGNATION OF PEOPLE MET BY THE COMMITTEE-]**

**List of Members who were present / visited Mahabubnagar District  
with Ms.Dipa Dixit , member, NCPCR**

<b>Sl.No</b>	<b>Name</b>
	<b>Government Officials</b>
1	Mr.Balakondaiah, PD, NCLP
2	Ms.Indira, PD, ICDS
3	Mr.Nirmal Kumar Prasad,(RDO) asst Labour commissiner
4	Mr.Papal Rao,Deputy DEO
5	Mr.Srinivasulu, District Labour Officer
6	Mr.Nagaraju MRO-Dharur Mandal
7	Mr.Anjaiah SI -Dharur Mandal
8	Mr.Ameed ulla,MEO Dharur Mandal
	<b>Child Rights Protection Forum (CRPF) members</b>
1	Mr.Anjaneyulu-Dharur Mandal
2	Mr.Venkatanna-Dharur Mandal
3	Mr.Bheem Reddy-Dharur Mandal
4	Mr.Iyanna (Surpunch)Chintarevula, Dharur Mandal
5	Mr.Narayan Goud,(Surpunch) Guvvaladinne,Dharur Mandal
6	Mr.Ranganna (Surpunch) Erlabanda,Dharur Mandal
7	Mr.Venugopal Rao,(Surpunch) Kothapalem,Dharur Mandal
	<b>M.V.Foundation NGO</b>
1	Mr.R.Venkat Reddy, National Convenor
2	Mr.J.Bhaskar, Asst Coordinator
3	Mr.Shankar, District Incharge
4	Mr.Satti Reddy,Incharge

**II. ABSTRACT OF FINDINGS:**

- *There is rampant child labour (especially girls) employment in the hybrid cottonseed farming sector in Kurnool and Mahabubnagar Districts by Indian and multinational companies, despite the fact that the agreements executed for this purpose between the companies and the farmers expressly provide that child labour shall not be employed and that child labour per se, is banned by law. These companies are not regulated and/ or monitored at any level (i.e. mandal/ district or State level). There is total lack of concern for their exploitative measures. Now after the Committee's representation, the State machinery is willing to consider this angle, meet and warn these companies that*

*this practice of engaging child labour is illegal and the State will initiate legal proceedings if it is not stopped.*

- *There appeared to be lack of awareness about the relevant legislation and its application in connection with the issue of child labour. The reference was constantly to the ‘Child Labour Act, 1986’, and the fact that cottonseed farming does not fall within the purview of ‘hazardous activities’. At the outset, it was impressed upon the State officials that legislation has to be interpreted for the benefit of the persons for whom the legislation has been enacted i.e. (children in the present scenario). The existing employment practices in cottonseed farms results in denial of rights of children and violates many national laws and international conventions, including but not limited to the violation of The Children (pledging of Labour) Act 1933, The Bonded Labour System (Abolition) Act, 1976, The Child Labour (Prohibition and Regulation) Act 1986 and Article 21A of the Indian Constitution which guarantees every child a fundamental right to free and compulsory education up to the age of 14 years. It also violates ILO’s Conventions No. 138 regarding minimum age for admission to employment, Convention No. 182 which prohibits worst forms of child labour and UN Convention on the rights of the child (1989).*

*The Committee informed the State officials that if the ‘Child Labour Act, 1986’ cannot be used to prosecute these companies/ farmers as the case may be, there are other (as mentioned above) legislations, which could be used to initiate legal action (apart from the fact that these companies are in direct violation of their own agreements, in terms of which no child labour is supposed to be engaged).*

- *It needs to be understood that these companies are in point of fact directly responsible as they provide the seeds, the pesticides, and the money, which in turn, is used to engage child labour for production of hybrid cottonseeds. If these companies can have such elaborate systems to check and review the quality of seeds produced, it is not clear why they cannot have some system in place to ensure that child labour is not used in the process of hybrid cottonseed farming.*
- *The use of pesticides in these fields to improve the quality of hybrid cottonseeds, by the companies is a cause of major concern. There is no concept of minimum standards of working hours, health, medical aid, care, and protection as per the requirements of law. Because of the said pesticides, the general health problems reported by children working in these cottonseed farms include severe headaches, nausea, weakness, convulsion and respiratory depression. There has been no investigation in this regard by any State department. There is no system in place to monitor and regulate the use of pesticides and its implications on children working in these fields. It is not clear what precautionary steps, if any, these companies or the pesticide companies as the case may be, take before they sell or hand over the pesticides to the farmer. The issue of providing doctors or medical treatment is not even addressed.*

- *About 82,750 children in age group of 7 to14 years are found to be working in the hybrid cottonseed fields in these districts. While many of them are from these districts itself, several have been migrated from adjoining States, districts and mandals for hybrid cottonseed farming. There is no system in place to track these children, no clear indication of the numbers involved and what happens when some of them are rescued (are they sent back?) These children have very long working hours (anywhere between 10 to 12 hours.) They work in hazardous conditions, very often working in the field under blazing sun, within half an hour of the fields being sprayed with chemicals, pesticides, etc. There are neither preventive nor medical facilities. It has come to the notice of the Committee that several children have died, been raped, assaulted, etc., many have serious medical problems but surprisingly, no action, legal, corrective or otherwise, has been taken till date, at mandal/ district or state level.*
- *There is lack of interaction and coordination between the community, NGOs, child activists and the mandal/ district and state officials. In addition, it appears that there are several departments involved with this issue of child labour and which have been given concurrent responsibility in this regard-Departments of Education, Labour, Social Welfare, Women & Child development and Police but there does not seem to be enough interaction, coordination and communication inter se these departments and a collective responsibility to ensure that the problem of child labor is addressed and eradicated.*
- *There is the whole issue of schools and hostels for children who are rescued from child labour. Apart from that fact that there are not enough schools and hostels to accommodate them, the quality of these schools and hostels are suspect. The Committee was informed that in July 2007, all the NCLP schools/ bridge course centers/ hostels were closed down in Mahbubnagar by way of a government directive. The issue then, is where are these children placed when they are rescued? The use of the term ‘Rescue’ appears to be a fallacy. There is no system in place to monitor how these schools and hostels function, what kind of records are maintained, what kind of facilities/ infrastructure are being provided, no system of tracking these children, the dropout rate, reasons therefore, etc.*
- *There is no concept of counseling, and rehabilitation of these child labourers appears to be a major issue.*

### **III. MAIN REPORT**

Hybrid cottonseed production in India is a labour intensive activity, the specificity of such production being that the majority of the labour force in this sector is children, particularly girls. No other industry in India has such a high proportion of child labour in its workforce. Andhra Pradesh is the second largest state in the production of hybrid

cottonseeds in India. All the major seed companies have their production facilities in Andhra Pradesh. The land and soil in Mahabubnagar, Kurnool and parts of Rangareddy districts in the state of Andhra Pradesh, are conducive for hybrid cottonseed farming. The exploitation of child labour on cottonseed farms is linked to larger market forces. Several large-scale national and multinational seed companies (i.e. Tulasi, Pro-Agro, Bayer, Ankur, HIT etc), which produce and market the seeds, are involved in perpetuating the problem of child labour, the economic relationship behind this abuse is multi-tiered and complex, which masks legal and social responsibility.

- **Process**

Based on enquiry, the process of hybrid cottonseed farming appears to be that the companies have an agreement with the landowners (farmers) in terms of which the farmer becomes responsible for any and all the activities which transpire on his field, legal or otherwise. Companies depend upon local farmers for seed production. They arrange seed buy back arrangements with local farmers through middlemen called 'seed organizers'. Through their 'seed organizer' or 'sub-organizer', these companies enter into an agreement with parents of the children for the purpose of making these children work in the cottonseed fields, paying some 'advance' pursuant thereto, which, in point of fact, amounts to bonded labour. In terms of this agreement, the farmer is also made responsible and is liable for the quality of cottonseeds produced and for all other seasonal problems. The payment is made through the 'organizer' and 'sub-organizer' to the parents who either sign or affix thumb impression on a pre-formatted contract papers spirally bound and kept with the company only. In almost all cases the company will not give a copy of agreement to the parents. The child right protection members and MVF activists represented that the agreements invariably contain a term not to employ children and imposes entire liability for such an employment of children on parents or farmers. Despite making a request, copies of these agreements were not available to the Committee for review and to that extent, their investigation and comments are reserved.

In other words, essentially cottonseed production is carried out through contract farming. The seed organizers/ sub-organizers thus mediate between companies and farmers. Although seed companies are not directly involved in the production process, they exert substantial control over farmers and the production process by supplying foundation seed, advancing production capital, fixing the procurement prices and through stipulating quality controls. The company provides an advance of about Rs. 25000 per acre of cottonseed farming for labour and monitors this process strictly and supervises entire operation through its organizers and sub-organizers including payment of wages every week to the children and other labour.

A chief part of this production is cross-pollination which is done manually and this activity alone requires that about 90% of the total labour expended is done mostly by children. Farmers endeavour to cut these labour costs by hiring children because the wages paid to children are far below both the market wages for adults in other agricultural field work and even further below both the market wages. Farmers also hire children in preference to adults because farmers can squeeze out higher productivity from

children per day. Children will work longer hours, will work much more intensively and they are generally much easier to control than adult workers. Children are made to work long hours (8 to 12 hours) and are paid less than market and official minimum wages. They are also exposed to poisonous pesticides used in high quantities in cottonseed cultivation, which has adverse implications on their health. The employers also often resort to verbal abuse and physical violence to make the children work according to their instructions. The nature of verbal violence includes: threats of physical violence, threats to dismiss from work, threats to make the children work longer and threats to withhold wages. Beating of children if they fail to do work properly is also not uncommon.

Emmiganur, Peddakadabur, Nandavaram, Mantralayam, Kosigi and other Mandals in Adoni Division of Kurnool are places where cottonseed farming is very intensive. The middlemen are transporting children for labour from Sanjamula, Allagadda (Kurnool District) to Uyyalavada Mandal in Kurnool and Aija and Maldakal Mandals of Mahabubnagar.

### **MAHABUBNAGAR**

According to a rough estimate, around 600-800 children are working in Darur Mandal alone. In all, 4000 to 5000 children are engaged in cottonseed farms spread over around two thousand acres in five mandals of Gadwal Constituency in Mahabubnagar District. It appears that the practice of bonded and child labour as also, payment below minimum wages is encouraged.

- *Exploitation of Farmers by the Company*

The company provides inputs such as seed, insecticide etc, investment, technical knowledge, advance for labour, but makes farmer responsible for quality of seed so that payment can be rejected on the pretext that the quality is not up to the standards prescribed by the company. The company through the sub-organizer, provides the advance money for hire of child labour, the pesticides, tests the growth of the crop, makes weekly payments to the labour. But when produce is taken to the company, the seed is tested and if it does not germinate to the 90 per cent satisfaction, there will be no payment to the farmer who is held totally responsible for the failure. The agreement binds him to wait for the payment for produce for more than two to six months if the produce is tested as quality produce. The rate is generally Rs. 230 per 750 grams (it is Rs 240 to sub-organizer and Rs 250 to organizer). The company sells the seed at a high price of Rs 1200 to 2000 per 500 grams. If the produce is not up to the mark, apart from nonpayment, they also insist on return of the money spent as advance and other expenditure also. This is one of the main reasons that drive the farmers into the debt trap and then to commit suicide.

Instead of providing schooling facility, the parents, society and the state machinery are directly and indirectly encouraging the employment of children in cottonseed farming. When the parents are paid Rs 5,000 to 10,000 as advance, their children are paid only Rs. 18 to 20 as daily wages. The children are paid Rs 40 to 50 per day where advance payments are not paid by the Company. Some of the children have been working in Chinnapadu of Darur Mandal in Mahabubnagar District for more than three years. Nagamani (around 12 yrs) finds cross pollination work comfortable as it fetches her at least Rs. 40 or 50 per day during the season. Her father died and mother depends on daily labour. Her income supplements the family sources and helps her sister and brothers to go to school. She had never gone to school. Rameswari (13), daughter of a farmer, studied only up to first class. She works in her own father's field and also in adjoining farms as daily labour.

- Unreasonable Agreements

The cottonseed producing companies enter into agreements with the farmers/ parents of the children for the purpose of hiring them as labour. This is, in a sense, bonded labour. For the child labour brought from adjoining Mandals and Districts or States, there is no proper food and shelter facility as they were entrusted to the family of farmer. There is no protection from any disease to the children, injuries, sexual harassments or even possible death. There appears to be no system/ mechanism in place to monitor this process. The various department heads, including the Women & Child Welfare Department, represented by Project Director, Education Officers, Revenue and Labour Officers did not have much to say about steps taken to mitigate these conditions.

The Labour Department representatives used the lacuna in legislation to absolve themselves from the responsibility of taking action - saying that cottonseed farming is not included in the list of 'hazardous activity' and thus, prosecution is not possible under the Child Labour Act. There is no answer to the question why they do not interpret the law in favour of children when the poisonous pesticide is causing ill health and even death in some cases, apart from the fact that there are several other legislations (i.e. Minimum Wages Act, Bonded Labour Act, Contract Labour Act, Constitution of India, etc.) that can be used to initiate action.

- Health Hazards & Deaths of Children

There seems to be no concern for the health and working conditions of children working in these fields. There is no concept of minimum standards of working hours, health, medical aid, care, and protection as per the requirements of law. On rare occasions, these children are provided soap to wash their hands before they take lunch, that too, only on the days when high dosages of pesticide have been sprayed on the cottonseed crop. Children from the 9-14 age group, have to toil under the hot sun every day from around 9 to 6 in the evening. The most hazardous aspect of child labour in this business is that they are sent into the fields to work within half an hour of spraying the fields with poisonous pesticides.

The general health problems reported by children working in these cottonseed farms include severe headaches, nausea, weakness, convulsion and respiratory depression. Few cases of children's death due to pesticide exposure were also reported in these districts.

### Deaths

1. An activist Anjaneyulu (Child Rights Forum) of Chinna Padu in Darur Mandal of Gadwal constituency informed the Committee that one boy who migrated from Karnataka suffered vomiting and loose motions, obviously because of the pesticide and due to lack of medical facilities, he died around four months ago in Marlaveedu of Darur Mandal. When the matter was reported to the police, the police did not respond on the excuse that the parents of the child did not make a formal complaint. No action whatsoever, legal or otherwise, has been initiated till date.
2. In Kurnool, a girl died while working in seed bank when a bag fell over her. Her body was found after six days. No case was booked.
3. Two children Chakradhar and Tilak Kumar died of ill health while working at cottonseed farms. (Pesticide)
4. In Bethamcherla mandal, Rangapuram village, Bhupal, son of Rangaiah died while working for master Balarangaiah in stone polishing industry. There are several such children working in Stone polishing mines, who have suffered injuries and other health problems, but no steps have been taken till date to correct this problem.
5. On March 28, 2007 in Majara village in Nandyala (Krantinagar colony) a student called Sarat Kumar Reddy was beaten by the teachers leading to his death. When parents questioned school management they claimed that boy died of health problems. Police refused to register a case. After students agitated they registered the case but no action has taken against the school.
6. In Bandi Atmakur village of bandi atmakur Mandal, of Nandikotkur Taluka on 12 July 2007, a boarder of Velangani Mata Residential school died of fever. The boy was suffering from fever for one week and hostel authorities did not care to provide medical facilities or shifted him to hospital. Local daily labourers collected donations among themselves and shifted him to hospital. But it was too late.

### Rape & Injuries

1. Yashoda (14) and Syamala (13) the child labour in R. Pompalle village of Uyyalawada mandal were raped. Status of the case is unclear. It is not clear what kind of action has been taken against the offenders.
2. Incidents of loss of fingers, hands and legs as a result of working on stone cutting machines, go largely unreported. Children suffer from contagious diseases which are very hazardous.
3. One girl Venkateswari suffered eye injury because of spraying of pesticide in field while she is working. Around Rs 6000 was paid as compensation and

initially medical aid was given to the girl. However, no case was filed and the girl lost the eye later.

(The foregoing cases are just by way of examples of the magnitude of this problem of child labour, and is by no means exhaustive. These points were made out of the depositions before the three member Committee at the public hearing held in Kurnool, and from the memoranda submitted by Child Rights Protection Forum from different Mandal Headquarters etc.)

### **KURNOOL PUBLIC HEARING**

The problem of child labour represented in public hearing at Kurnool. Some of the salient features:

1. Government officers engage child labour as their domestic servants. They give tiffin carrier to school going children of masters. Child labour is flourishing in Kurnool.
2. Of the 64 mandals of Kurnool district, there is intensive child labour in 14 mandals. They travel 200 km for work by bus or truck. Middle men engage them in work for 2-3 months in a year. 8226 children are working in 5 mandals, they came from adjoining mandals. At least 8 children are working in every acre of cotton seed farms.
3. Mining, Hotels and Domestic service are the other areas where children are employed. 600 children are working in mines and at stone cutting centers. Agents of big companies of cotton seed auction children for Rs 8000 or 9000.
4. The figures of enrollment of children at schools in this district are incorrect and definitely doctored. (This fact was confirmed by the District Collector, Kurnool and the Secretary, Department of Education.)
5. Madhavi and Pushpavathi stopped the studies and worked as labour in the fields. Their request is to be allowed to go back to school. One of the reasons children are forced to child labour is debts ranging from 2000 to 30,000. If the debts are cleared, the parents might not force them to work.
6. Government response to the complaints is not prompt. Police do not register cases.
7. Rescued child labour are not suitably placed in hostels. Schools and hostels are not in sufficient number, and due to poor quality, inadequate facilities, and maintenance, there is heavy drop out rate.
8. Government has no control over multi national and private companies which are engaging child labour in cotton fields.
9. Children are being taken to Bombay, other districts.
10. Child marriages are rampant in temples in Karnataka border. In Gulyam village there are 12 bonded labour.

- **Kurnool District Collector's Response**

1. The law should be changed to remove the difference between hazardous and non-hazardous activity so that children employed in any activity is legally prevented and culprits are prosecuted.
2. Sarva Siksha Abhiyan should focus on providing permanent Residential Hostels and Schools in Child labour intensive districts (which are around 40 in the country including districts like Kurnool). Temporary Bridge Schools are neither sufficient nor permanent solution to the problem. The issue of child labour has to be addressed first in 40 districts by Sarva Sikha Abhiyan funds. It is difficult to procure budget for bridge schools.
3. NCLP schools and projects can not deliver results due to various reasons. Some NGOs have no commitment and treat NCP schools as way of their livelihood. NCLP programs are not realistic.
4. Though 15 thousand additional hostel seats was sanctioned to Kurnool by the Chief Minister, it is not possible to accommodate all drop out students immediately.
5. Almost all the statistics regarding enrollment given by the officials is bogus and cannot be relied upon.
6. Every year 10,000 child labourers are emerging in the district afresh. Illiteracy, backwardness, blind beliefs are widespread in this district, which cause the growth of child labour. Men do not work in some of areas of this district.
7. The cottonseed farm companies formed a very strong lobby and influenced the government of India to provide the compensation for their cottonseed when it was spoiled due to rains.
8. Unless general awareness and sensitization about the evils of child labour is generated, and parents are assured of employment, they will continue to send their children to work. The State Government is focusing on using NREGP to assure work to parents and trying to convince them to send their children to school.

- Chief Secretary's Response and Review

On 26<sup>th</sup> September, 2007 the Chief Secretary Mr. J. Harinarayana, alongwith the Principal Secretary, Labour, Commissioner Labour, Principal Secretary, Education, Women and Child Welfare etc., had a meeting with the Committee, to review the situation. He said the farmers' suicide rate is less in Andhra Pradesh compared to Austria and other European Countries where recorded suicides are 20 to 32 per lakh population. In India national average of suicide rates is 10 whereas it is 16 in Andhra Pradesh. Urban suicides are equal to suicides in rural areas. (Based on the report they are submitting to High Court). Among these suicides only a few are concerning agriculture. (This was stated when Committee referred a statement of officials that farmers are not prosecuted for employing child labor because of prevailing suicides among farmers.)

1. The Committee suggested studying the unreasonable terms of the contracts executed between the companies and farmers or parents of children.

Regulation and monitoring of these companies was suggested. It was also suggested that the State Government inform these companies that engaging child labour is prohibited by law and the companies should take steps to ensure that they are not in violation thereof. Failure to do so should entail legal proceedings against such companies. Projection of farmer as legally responsible for all crimes and irregularities including the employment of child labour, committed by the company should be checked.

***Response:** The Chief Secretary directed the Department of Labour to convene a meeting of Companies involved in seed farming.*

2. Rampant migration of child labour in vans, trucks and buses from one mandal to other or between districts and between Karnataka and Andhra Pradesh (to Kurnool and Mahabubnagar), which goes largely unchecked. This fact apart from the issue of crimes against migrant child labour was brought to the notice of the State Government.
3. Unhygienic working conditions for children in cottonseed farming was flagged as well-it was proposed that the health and social welfare departments should formulate guidelines and mechanisms to ensure that till child labour is eradicated, the working condition of these children is improved.
4. Problem of non-enforcement and lack of initiative on district machinery to arrest the child labour. No raids, No cases, no action at all.

***Response:** CS enquired from Labour Department Officers who said that non-hazardous child labour can be regulated, Minimum Wages Act Bonded Labour Prohibition Act can be enforced against them. CS asked to check up whether Contract Labour Act can be extended to Agricultural operations. **The Committee impressed upon the State Government that the priority is to stop or prevent child labour, not to regulate it.***

5. Insufficiency of hostel accommodation and schools. Withdrawal of NCLP Project.

***Response:** Permanent Hostel Accommodation and schools should be provided to rescued child labour. NCLP projects not properly planned and estimated.*

6. Review and follow-up.

***Response:** Review will be done after three months.*

#### **IV. COMMITTEE'S OBSERVATIONS:**

1. Child labour is rampant in the districts of Mahabubnagar and Kurnool.
2. The conditions in the fields continue to be very unsafe and exploitative for the children.

3. Children are made to work long hours (8 to 12 hours) and are paid less than market and official minimum wages. They are also exposed to poisonous pesticides used in high quantities in cottonseed cultivation, which has adverse implications on their health. The employers also often resort to verbal abuse and physical violence to make the children work.
4. There seems to be no concern for the health and working conditions of children working in these fields. There is no concept of minimum standards of working hours, health, medical aid, care, and protection as per the requirements of law.
5. The existing employment practices in cottonseed farms result in the denial of rights of children and violate many national laws and international conventions.
6. Several large-scale national and multinational seed companies (i.e. Tulasi, Pro-Agro, Bayer, Ankur, HIT etc), which produce and market the seeds, are involved in perpetuating the problem of child labour, the economic relationship behind this abuse is multi-tiered and complex, which masks legal and social responsibility. There is an urgent need for transparency in the entire production process.
7. Instead of providing schooling facility, the parents, society and the state machinery are directly and indirectly encouraging the employment of children in cottonseed farming.
8. There is no coordination, communication and interaction between the State/ District/ Mandal, the NGOs, Child Protection Groups, the community at large, to stop the practice and/ or prevent the use of child labour in this process.
9. The Labour Department has till date, not enforced the labour laws to stop child labour, apprehending that the production process is not 'hazardous activity' as described in the relevant Act. They are not using Minimum Wages Act, or any other legislations to initiate legal proceedings.
10. The various state departments are presently not proactive enough in this area.

## **V. SUGGESTIONS AND RECOMMENDATIONS (INTERIM)**

1. The State Government through the relevant department, should take immediate steps to inspect the fields, rescue these children and set the process of rehabilitating them in motion.

2. The State Government through the relevant department, should where necessary initiate legal action in cases relating to bonded labour, child labour, and underpayment cases.
3. The Chief Secretary to call for a joint meeting between the Collectors of Mahabubnagar and Kurnool as child labour is intensive in these two districts, to discuss the steps taken so far to mitigate the problem, results and/ or lack of results, reasons for the same and future target and course of action together with the stipulated time frame within which to achieve the same.
4. The State Government should formulate and implement guidelines and processes to monitor/ regulate and report on the cottonseed production process, use of child labour if at all, role of the company, farmer, organizer, etc. System of checks and balances to be put in place by the State machinery to monitor the role of companies viz the farmers/ child labour. Transparency in the entire process of production and regulation is essential by the State Government.
5. Frequent inter-state and intra-state meetings to discuss and jointly formulate solutions in connection with migrant child labour.
6. The Central Government should issue a directive or order, bringing cottonseed farming or agricultural processes within the purview of 'hazardous activity' under the Child Labour Act.
7. The National Child Labour Project officials and Labour Department should be instructed to take necessary action to prevent migration of child labour from neighbouring districts and states for working in cottonseed farms under unfavourable, hazardous conditions and being away from family and native places. There is neither sufficient food nor health facilities for these children.
8. The Women and Child Welfare Department officials should be instructed to look into the conditions of the women and children in these areas. They should also go into complaints that the migrant girl child labourers were subjected to sexual abuse and harassment.
9. The District machinery as a whole, including Agriculture and Revenue wings should be instructed to take steps to prevent unreasonable and one-sided contracts between company and farmers, and to regulate the activities of the company to help secure reasonable payments for the produce to the farmer and to protect them from unnecessary claims made by the companies.
10. Lack of schools, adequate hostels, insufficiency of school facilities, hostels and horrific living conditions enduce a high drop out rate amongst these children and most of them become child labour again. Additional accommodation of 15,000 hostel seats in Kurnool should be made permanent and residential school facilities should be made available permanently near the child labour prevalent areas.

11. Periodic reporting (monthly or quarterly reports) to be furnished from the mandal and district administration to the State Government on various aspects of this issue and the status.
12. Greater coordination, interaction and communication between the various departments of the State machinery and interaction between community, mandal, district and state officials. Collective responsibility to stop child labour
13. Status report by the State Government to the NCPCR on the action proposed for resolving the issue of child labour in the production of hybrid cottonseeds and progress in connection thereto.

Ms. Dipa Dixit  
Member, NCPCR

Prof. Madabhushi Sridhar  
Nalsar University of Law

Shri Manek Daruvala  
Advocate