

Report on State Visit of Dr. Yogesh Dube, Member, NCPCR to Uttar Pradesh

January 24 - 31, 2011

Dr. Yogesh Dube, Member, NCPCR accompanied by Mr. Sanjay Kumar Tiwari, Sr. Consultant, NCPCR have made a visit to Allahabad, Bhadohi, Jaunpur, Mirzapur, Sonbhadra and Varanasi districts of Uttar Pradesh between January 24 and 31, 2011. During this visit, the team reviewed the situation of child rights in these districts and interacted with different Government /Non-Government Stakeholders including children e.g. member of Panchayat, district Panchayat, NGOs, School teachers/principals and Government officials from Labour, Education, Health and Social Welfare departments of concerned district in different forums.

District Visit: District Jaunpur

Programme

- Public meeting with Gram Pradhans of 5 different villages along with District and Block level Government officials from Labour, Welfare and Development departments, Public representatives, villager and children of the village in Chakmalai Village, Barshathi, Madiyahun Tehsil, District Jaunpur on 24th January, 2011.

District Visit: District Jaunpur

Issues Raised /Observations

- As informed by Mr. Ganesh Barnawal, Assistant Labour Commissioner, District Jaunpur, a total number of 276 child labours have been identified by Labour Department. Further the department is planning to rescue and rehabilitate those identified child labourers .
- Total 30 out of 50 NCLP Schools are functional.
- Conditional Cash scheme is not implemented in Jaunpur district. The scheme is meant for mainstreaming children (child labour, Orphan children, single parents' children) through school admission. Under this scheme, the state Government provides financial

support to parent of a child who has been mainstreamed by getting admission in a formal school.

- The Anganwadi program is not functioning on regular basis, as sometimes the worker is not available and sometime the nutrition food is not in supply.

Recommendations

- All identified children by Labour Department must be rescued within one month period in the district of Jaunpur and ensured that they all are educationally rehabilitated.
- The Labour Department should carry out a fresh survey for identification of children involved as child labour in various sector including the hazardous occupation and process, and send a report to NCPCR within 3 months.
- Conditional Cash Scheme should be implemented in letter and spirit in the District.
- The community members were encouraged to take forward any grievances with regard to the ICDS to the administration. In response to the interest shown by the community, Anganwadi workers must be issued strict instructions to resume duties on a regular basis and their attendance has to be monitored by the CDPO's.

There is a need to create awareness among community members about Child Rights issues, RTE Act and existing welfare schemes.

- Identify local village level groups to act as informal monitoring bodies at village level, along with awareness generation and community mobilization activities.

District Visit: Sant Ravi Das Nagar, Bhadohi

Programme:

- Public Meeting with Nagar Panchayat of District Sant Ravi Das Nagar, Bhadohi at Ghyampur, District headquarters of Bhadohi district on 25th January, 2011
- Meeting with “Bal Paharua” a group of out of school children at village Basantapur, district Bhadohi on 25th January, 2011.
- Visit to Vindhya Vasini School, Vankat and Ma Amravati Inter Collage, Suriyawan, Sant Ravidas Nagar, Bhadohi

Issues Raised /Observations

- It was observed that the child rights in these districts are totally neglected and the field level government staff also not aware of the rights of children. It was also brought to our knowledge by the volunteers that the officials seldom take cognizance of the matter/complaint relating to the violation of child right, as if the child rights issue is not on their priorities.
- The nutritious food served under the Integrated Child Development Scheme (ICDS) and the mid-day meal schemes is not properly functioning in the area. NCPCR has received many complaints from the district in this regards. The frequencies of complaint received by the Commission have been raising doubts over the seriousness of District administration and its initiative in addressing malnourishment and infant mortality of the area.
 - i. It was brought to the NCPCR notice during our visit that most of the Anganwadi centers are either not functioning properly or functioning for the name sake in the district. Even Anganwadi workers do not come regularly at their respective Anganwadi centers and the issues of irregularities in the recruitment process of workers was reported.

- ii. It was reported that low quality of food under ICDS and mid-day meal schemes are served to children at most of the centers and Schools in the district, due to these unhygienic food children become sick and is not reaching to actual target group.
 - iii. Most of the Anganwadi centers have no prescribed infrastructure and facilities for children in the district so children will not even wish to play, let alone study in the Anganwadi center.
 - iv. Another oft-heard issue is that mid-day meals disrupt classroom activities, with teachers having to spend their time in supervising mid-day meal instead of teaching. It was also reported that after distribution of mid-day meal, children return to their home and school is closed before closing time, which is an everyday practice.
- Though the Department of Labour has endorsed that the carpet industries of Mirzapur-Bhadohi is now free from child labour but it was brought to the notice that large number of children are still engaged in carpet industry.
 - It was also informed that approximately 60 NCLP schools are existing in the SD Nagar District but not a single one is functioning actually.
 - It was come in knowledge that a large no. of children have engaged in Brick kilns (It ka Bhatta) in the area, because of the booming construction sector.
 - It was also informed during meeting with Journalist of Bhadohi that since district SRD Nagar, Bhadohi emerge also as Bidi making city that enough no. of children (in the age group between 8 to 18 years) are engaged in Bidi making industries in the district. These children do not get at least minimum wages as prescribed by the State Government. They get Rs 20-24/ 1000 bidies instead of prescribed wage Rs. 50/ 1000 bidies. It was also informed that most of the bidi making work is doing in Suriyanvan, Janghai and around district border adjoining with Jaunpur and Allahabad Districts of Uttar Pradesh. Inhaling of tobacco directly largely affecting general health and lung of the children engaged in Bidi making.

- The educational infrastructure is of low standard and found enough number of children out of school (potential child labour). There are no initiatives to propagate and strengthen the RTE Act.
- It was observed that there is lack of coordination within government departments who deal with children issues e.g. child labour, Social Welfare, Women and child welfare, Health and education.
- Child Welfare Committee of the district is not functioning properly as informed. Due to improper selection process, the right persons have not been selected in Child Welfare Committees and CWC is not meeting regularly.

Recommendation:

- To conduct an investigation on above mentioned matters relating to food served under the Integrated Child Development Scheme (ICDS) and the mid-day meal schemes and report back to NCPCR within one.
- A detail status report of NCLP schools of the district (child-wise details from last 5 years) should be sent to NCPCR at the earliest.
- Surprise visits must be made to monitor NCLP Schools by a team headed by district magistrate or a senior authority at district level, ensuring the participation of representative from civil societies and report submitted to the NCPCR within one month,
- To investigate the issue of child labour in Bidi Industry, comply with the child laws and send a report to NCPCR within 2 months.
- Since Bidi industry is scheduled in hazardous list under CLPR Act,1986. So a special attention should be paid to rescue child labour below 14 year of age and ensure minimum wages to children between 15 to 18 years of age and other people as per relevant laws.
- Prepare a list of children rescued during 2010 and document their case details with present status of these children within a month.

- To establish a district level coordinating committee under the chairpersonship of the DM on child rights, comprising of all concerned departments/authorities and civil society groups and ensure a monthly review meeting to protect child rights in the area.
- To organise a sensitization training program of the government officers of various departments of the district, to deal with the issues of child.
- To conduct a fresh survey in the district to identify child labour in different hazardous establishments including Bidi, Brick kilns, carpet industries, etc. with the involvement of civil society organizations within 3 months.
- Orientation and capacity building of the members of the Child Welfare Committee of the district to make them more child-friendly to deal with the children in need and care and protection. Ensure that CWC meets regularly.

District Visit: Mirzapur

Programme

- Mr. Yogesh Dube participated as Honorary guest in a public meeting organized by Municipal Corporation Board, Aadarsh Nagar Panchayat, Kachawan, District Mirzapur on 25th January, 2011. In addition, a road has been dedicated to nation/general public by Member, NCPCR. During meeting Mr. Dube addressed to a group of Public representatives, Government stakeholders and General public of Kachawan Tehsil. During a press conference, Mr. Dube raised the issue of child rights issue in the area.

District Visit: Allahabad

Programme

- Mr. Yogesh Dube participated and chaired a seminar on child Labour organized by Handia Post Graduate college, Handia, district Allahabad. Mr. Dube delivered a keynote address on the Issues and concerns of Child labour in India. He also discussed the legal and rehabilitation aspects for the mainstreaming of child labour.

District Visit: Sonbhadra

Programme:

- Mr. Yogesh Dube participated and chaired “Vanvasi Sammelan” at Tapu village, Chopan in Sonbhadra District on 29th January, 2011
- Visit Rail Karmchari Inter Collage, Chopan, Sonbhadra, U.P
- Visit to Primary Schools of Khevanha ,Chandoli villages Chopan Block, District Sonbhadra.

Issues Raised /Observations

- It was brought to the knowledge of the members during spot visit that the students of primary school, Khevanha, Chopan Block were not provided school uniform by the concerned school. Also the Principal of the school was not present during inspection of NCPCR team and no one was aware of the fact why he was not present in the school. The attendance register was evident that the attendance of children was very low.
- The student-teacher ratio was inadequate and teacher’s availability was far low in compliance to the provision of RTE Act.
- It was informed that the teachers of primary schools of Majhauri, Kandal, Belgari villages of Duddhi block do not attend school regularly because they live in nearby town which is far away from the villages.
- It was informed to the visiting team that there has been huge irregularity and leakage in implementation of various child related schemes and program, e.g. ICDS, ICPCS etc. Interestingly a same person has been serving as Chief District Programme Officer (CPDO) of Sonbhadra district for more than 20 years. NCPCR has received a complaint from local people, against same CPDO of the District.
- The team came across 2 children, named Choti age 12 year and Ram Singh 14 year along with 20-25 other children, working in construction of a road under Pradhanmantri Sadak Yojana at Mahular, Newadi village, Block Chopan, District, Sonbhadra. The district administration was informed the case by NCPCR on spot but action taken by District administration is yet to be informed to NCPCR.

- It was observed that hundreds of stone crusher plants have been working in the Dala area, leading to large scale stone mines and queries. Due to the crusher plant and use of machines, the entire environment is getting polluted due to spread of dusts, affecting and causing harmful for the human health, especially of the children. It is also making the area dark, largely affecting to the air, natural water source (ponds and ground water etc.), farm land and habitations of the area. The workers engaged as well as the people living nearby are inhaling the dust, leading to severe health hazards.
- It was also informed that the stone crushing is not only polluting the available water source but also the water level is going down. As a result the source of potable water is vanishing the area as the dust and waste is covering the natural flow of water. In remote areas, people have been walking long distance to access water from natural source, which often gets dry up during summer.
- Despite production of electricity in the Sonbhadra areas abundantly, the villages are dark. Those who are privileged also get less than 6 hours of electricity every day. This hampered not only their daily lives, but also greatly inconvenienced children as they were unable to study after dark.
- Sonbhadra is tribal denominated area with majority Khorbar, Baiga, Gond, Agaria, panika, Chero, etc. The region lacks infrastructure basic facilities. Lot needs to be done to bring them at par with other, or else they would remain to lag behind.
- A low capacity radio transmission center is situated at Obera in Sonbhadra District, Uttar Pradesh. Since some of the districts/region including Sonbhadra have been suffering from civil unrest, the radio station can play a crucial role as popular communication/ information system in spreading information/awareness about Government's Plan and scheme easily, provided the transmission capacity of this station is increased.

Recommendations:

- Effort may be made to constitute a committee to look into the matter and suggest measures to prevent the water and air pollution affecting the children and others.

- Efforts may be made to examine the available water immediately to ensure that it is safe for use by human being and animals.
- There is an urgent need for making arrangement of water for drinking, cooking and bathing purposes for the human baing as well as water for animals at the earliest.
- Exploring alternative source (such as, bore well, hand-pump, etc.) of clean drinking water as the river and stream is getting dried up.
- Regular cleaning and deepening of ponds before summers so as to help the communities fight the existing water crisis as put forward by the community members.
- The department concerned must routinely monitor the functioning of existing Bore wells/ Hand pumps in the remote areas of the district and list out and identify the additional requirements.
- It is also suggested that boring process of the hand-pumps and bore-wells should be undertaken by the concerned department in summer season (between March to June) when ground water level will be at lowest.
- This is to recommend that the capacity of the Akashvani Kendra of Sonbhadra area needs to be increased with immediate effect for facilitating as public and popular communication system for larger coverage and population.
- Conduct a survey on out-of -school children and send a report to NCPR within 3 month.
- The concerned department must ensure that the schools are run regularly and the community is empowered to monitor the presence of teachers and children.
- To establish Ashram Schools for out-of-school children from tribal communities, especially in naxal affected area, under central government scheme.
- Establish Residential Bridge Course Centre (RBCC) and Non residential Bridge Course Centre (NRBCC) under SSA programme for mainstreaming of the Out-of -school children especially from tribal community.

- All out-of-school children irrespective of their background must be identified and enrolled into RBCs.
- There is a need to create awareness among tribal community members about the purpose and functions of RBCs, Ashram Schools and Day Schools. Local groups may act as informal monitoring bodies of these schools, along with awareness generation and community mobilisation activities.
- There has been enough initiative to propagate the RTE Act and complied with all the provisions.
- The concerned department should ensure that the field staffs are transferred on routine basis and not to follow the precedent of keeping the CDPO in one place for more than 20 years.
- Since same person has been serving as Chief District Programme Officer (CPDO) of Sonbhadra district for more than 20 years, may be transferred to another place as per appropriate Government laws and rules.
- Efforts should be made to distribute the electricity to the villages produced from the power plant of Sonbhadra district on priority basis.
- The schemes meant for the adivasi should be popularized so as to reach the benefit to the maximum.

District Visit: Varanasi

Programme

- Participated a meeting with child right NGOs of Chanduali, Mirzapur and Varanasi has been organised in Circuit House, Varanasi on 31st January, 2011. During meeting it was informed that there are a lot of child rights issue are violated in the area, poor implementation of Juvenile Justice system is another issue raised by representative of concerned NGOs, It was felt that another meeting will be held in the starting of the March,2011.

Issue raised and Observations

- It was informed that status of implementation of Juvenile Justice Act is very poor.

- Child Welfare Committee of the district is not meeting regularly.
- There is no Children Home for Girls, so the girls from this region are sent to Balia and Allahabad Districts.
- There is no Home for Children in category of special need, and alternative arrangement in this regard.
- The Special Juvenile Police Unit (SJPU) is not formed yet in the district even state Government has claimed that it is formed.
- Children at railway stations who are booked under railway act by RPF instead of JJ Act. They will directly send to Observation Home whether they are produced before CWC.
- There is no Transit Home for the rescued migrant child labours, so there is need for immediate action.
- It was informed that situation of Observation Home for children at Ramnagar, Varansi is very pathetic. There are lot of issues and irregularities which has impacted negatively to children who were placed there.

Recommendations:

- There should be a review of the implementation of Juvenile Justice Act in the district.
- Orientation and capacity building of the members of the Child Welfare Committee of the district to make them more child-friendly to deal with the children in need and care and protection. Ensure that CWC meets regularly.
- There should be efforts to establish Children Homes for Girls and Boys, Home for Children in Special Need under JJ Act with immediate effect.
- Special Juvenile Police Unit (SJPU) must be formed as per the provisions of JJ Act without further delay and organise sensitization and training programme for the members of SJPU.

- A circular may be issued instructing the RPF authority not to book the Children at Railway stations under Railway Act, but under JJ Act and the children be produced before the concerned CWC.
- Action may be taken to establish Transit Home for the rescued migrant child labours.
- Initiate an enquiry on the issue and concerns of Observation home at Ram Nagar and Send a report to NCPCR within 15days.
- Organise awareness programme and publicity drive for popularizing the concept of JJ system.
