



Visit to Assam: to assess health care facilities for children, especially in tea gardens



Report by:

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2016

List of Abbreviations

NCPCR.....National Commission for Protection of Child Rights

SCPCR.....State Commission for Protection of Child Rights

WCD.....Women and Child Department

CPCR.....Commission for Protection of Child Rights

UNICEF.....United Nations Children's Fund

CNCP.....Child in need of Care and Protection

CCL.....Child in conflict with law

CWSN.....Children with Special needs

POCSO.....Protection of Children from Sexual Offences

STE.....Senior Technical Expert

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Introduction

National Commission for Protection of Child Rights (NCPCR), was constituted by Government of India, as a statutory body under section 3 of the Commission for Protection of Child Rights (CPCR) Act ,2005 (No.4 of 2006) for dealing with protection of rights and entitlements of children and related matters.

As per CPCR Act 2005 one of the main functions of the Commission is to inquire into violations of child rights and recommend initiation of proceedings in such cases;

(i) inspect or cause to be inspected any juvenile custodial home, or any other place of residence or institution meant for children, under the control of Central Government or any State Government or any other authority, including any institution run by social organization; where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action, if found necessary;

Brief description of the Visit

The purpose of the visit was to assess the situation of Children in tea gardens in State of Assam. The other objective of the visit was also to hold a meeting with District Administration and other stakeholders for organizing a workshop on **protection of rights and entitlements of children in Tea gardens of Assam.**

Health Issues:

- To see whether comprehensive health and nutrition programmes for all children is functioning or not.
- To assess health care facilities available for children in tea garden of Assam.
- To assess facilities of Aanganwadi Centers.

Child Friendly concept

- To discuss the concept of Child Friendly villages.

Child Care Institutions

- To assess condition of children homes and observation homes of Assam.

Team Composition

A team, comprising of the following

- ❖ Ms. Rupa Kapoor, Member, NCPCR
- ❖ Ms. Shaista Khan, Senior Technical Expert, NCPCR

Programme Schedule

Date	Activities
18 th July, 2016	Departure from Delhi to Guwahati (by Air)
19 th July, 2016	Meeting with District Administration and other stakeholders at District Sonitpur Visit to a Narayanpur Tea Garden estate
20 th July 2016	Visit to Child Care Institutions (Children Home/Observation Home) Planning Meeting with SCPCR, Assam for holding a workshop on “Improving the state of children in the tea gardens estate of Assam”
21 st July, 2016	Visit to remote village of Kokrajhar Visit to Children Home run by NEDAN foundation Meeting with Civil Societies
22 nd July 2016	Meeting with officials of State Health Departments, WCD, Social Justice , District Authorities, Police Officials and other concerned Departure from Guwahati to Delhi (by Air)

Meeting with District Officials at Sonitpur

A meeting with district officials of Sonitpur was **held on 19th July, 2016** at the Conference Hall of the office of **Deputy Commissioner, Sonitpur**. A team led by Ms. Rupa Kapoor, Member, Ms. Shaista Khan, Senior Technical Expert from NCPCR along with Assam SCPCR, Chairperson and Member attended the meeting. Meeting was also attended by District Education Officer, DCPO and representatives of Tea Garden Association, UNICEF Assam and other non-governmental organizations.

Meeting was chaired by District Collector, Sonitpur by welcoming the Member NCPCR, Chairperson, SCPCR, Assam and other participants. The main agenda of the meeting was to discuss issues of violations of rights of children in tea gardens of Assam. She shared the issue of child trafficking and child labour in tea garden estates.

A presentation on concept of **Child Friendly Villages** was made by Ms. Rupa Kapoor. Full support in implementing the concept was given by SCPCR, Assam and representatives of non-government organizations. It was also discussed in the meeting that in Assam tea garden estates will also be included in Child Friendly villages. It was suggested by one of the organization to involve groups like adolescents, mothers, women's which already exist within the village/tea garden should be a part of the concept.

Plan for organizing a two days State level workshop on rights and entitlement of children in tea gardens was also shared by Ms. Rupa Kapoor.

At the end of the meeting DC, Sonitpur requested the Tea Garden Associations and other stakeholders to actively participate in the forthcoming workshop on Protecting child rights in tea gardens of Assam.

Field Visit to Narayanpur Tea Estate

In connection with upcoming workshop on Protecting rights and entitlements of children in tea gardens, a field visit in collaboration with PAD and PAJHRA to **Narayanpur Tea Estate** was made by the team. A warm welcome was done by the children. A large number of children belonging to the tea garden community were present. The team members had interaction with the children and their parents. Local inhabitants dwell upon various problems being faced by the children in their effort to get better education, health facilities, eradicate social problems, hygienic environment etc. They also performed various cultural programmes some of them which are typically involved in their social structure and superstition.

The children shared the following issues:

A. Education-

- i. Children shared that the Lower Primary schools are provided by the tea garden managements.
- ii. Most of the schools are equipped with one or two teacher only whereas there are more than 200 students in each school.
- iii. Most of the lower primary schools are functioning in a single hall wherein all students from different classes sit together without any partition.
- iv. Poor infrastructure- no toilets, no desk and benches.
- v. Water contains high amount of Iron .
- vi. Irregular Mid Day Meal supply and bad quality food, also food not cooked well.
- vii. Children shared that Middle Elementary and High school are at huge distance such as 8-10 kms. This leads to high number dropouts after the LP school.
- viii. Another major issue shared by the children was that there is no proper connectivity or no proper transportation to travel to that distance.
- ix. Children reported that in many case Private High schools refuses admission of the students from the tea community.
- x. The girl students complained that they were not provided with by-cycle under the Govt. scheme whereas the non tea community girl students were provided with the same, which causes a high dropout rate in tea garden areas.

B. Health-

- i. One of the main issues shared by the children and their parents that hospitals established by tea gardens, do not provide treatment to the temporary and casual employees.

- ii. The ASHA workers are not sincere for their duties and charge fees for the services.
- iii. The tea garden management does not provide vehicles for taking serious cases to hospitals.
- iv. For referral cases, the tea garden management deducts their salary/wages.
- v. Services of National Ambulance Services are not being used.
- vi. The drinking water is not safe and leads to water born diseases.
- vii. Alcoholism is rampant practices.
- viii. Consumption of salt in tea by the tea community is a rampant practice.

C. Other-

- i. The residential areas of the tea gardens labours are not connected with power supply whereas other parts of the garden is well electrified.
- ii. There were toilets earlier in the houses but now these are in dilapidated condition and thus they opt for open defecation.
- iii. Most of them have to go to nearby pond to bath and for other daily activities.

Visit to Observation Home and Children Home

1) Observation Home for boys, Boko

On 20th July 2016, the team members from NCPCR and SCPCR, Assam visited **Observation Home, Boko**, to assess the condition of children. The team members interacted with the children. An interaction with the staff of the home was also held. The team also assessed various facilities of the observation home.

Observation Home for Boys, Boko is located 56 kms away from Guwahati near Boko in the Kaprum district. At present 26 boys in conflict with law are there in the home.

Observations:

- i. Some of the children had spent few days in jail before they were produced before the JJB or brought to the Observation Home. They also narrated torture by police in judicial custody. Details of children were noted by SCPCR, Assam for further action.
- ii. Although the infrastructure of the home was new and rooms of the children ventilated. Still it was observed that rooms should be child friendly and needs to be painted at the earliest.
- iii. The play ground of the home was full of grass and it was unfit for the children to play there.

- iv. Advanced Skill development programme for children to be introduced as it was observed that children were making craft items only.
- v. Repatriation process needs to be speedy as children from cross borers were staying in the home from



1) Jalukbari State Home for Women and Children

After visiting the observation home for boys, team members visited the **Jalukbari State Home for Women and Children**. Initially the team members inspected the facilities provided to the inmates however felt that the place need extensive renovation to the existing residential area which is quit old and very often become water logged whenever there is a rain. Further, foods provided to the inmates are to be reviewed as the inmates complained about poor quality food.

Some of the gaps observed by the team are as follows:

- i. The inner compound was filled with stagnant water breeding mosquitoes.
- ii. Water used for washing and bath contains high amount of Iron (Fe).
- iii. There is no device to clean drinking water.
- iv. While interacting with the children, they complained of misbehaviors by the staffs of the home. The issue was seriously taken with the staff.
- v. Children also shared about quality of food. They also complained that their food is not being provided as per their choice.
- vi. The girl children are being provided with less quantity of daily use articles such as powder, shampoo, soap etc as compared to their requirements.
- vii. They also complained of bathroom and toiled not being cleaned properly.
- viii. They are not being provided with sufficient quantity of sanitary pads.
- ix. Case record of women suffering from mental illness needs to be proper with care plan.

It was suggested by the team that DALSA and State Commission for Women should assist the women in Jalukbari Home. Recommendation was noted by SCPCR, Assam and DCPO.

Later the team members had separate meeting with the staffs of the Home The team members also visited the Vocational training facilities available in the Home.

Visit to remote village of Kokrajhar

On 21st July 2016, the team visited a remote village of **Kokrajhar**, pre dominantly a releases minority area setup as relief camp after the 1993 ethnic violence.

The team had discussion with children and villagers on various aspects of Child Rights, their protection and promotion.



The interaction was held in a community hall which was earlier use as a learning place for the children of the relief camp.

Following are the main points :

- i. The space with tin roof is the only place which is considered to be a school.
- ii. Children from villages such as Jamalguri, Maliouta, Beltoli etc. come there for education.
- iii. Only one teacher was appointed.
- iv. There were more than 200 children coming to that school.
- v. It was also reported that there is prevalence of child marriage but with the intervention of the NGOs there is a decline in the child marriage system.



Visit to Children Home

The team member visited the Children Home run by NEDAN Foundation. A meeting with civil society organizations was held. The children performed cultural Programme in the honour of the visiting team members of NCPCR and ASCPCR.

Following points were discussed in the meeting.

- i. Representative from one of the organization shared issues in the RTE implementation in almost all the districts.
- ii. Issue of **Trafficking of children** was also discussed.

- iii. Issue to drop out was also highlighted by one of the representative of civil society. There are limited seats in RSTC, thus there is problem in rehabilitation of rescued children.
- iv. Aganwadi centers are there in each district but not all the centers are functional.

2) Visit to Don Bosco Home for boys

Team members also visited Snehalya, Don Bosco home for boys at Guwahati. Don Bosco has night shelter, and children home.

It was observed that children were not engage in any vocational skill and there was no routine for them. The place was not very hygienic. This open night shelter was mainly for the boys, who stays at this home at night after the work.



Meeting with officials on Child Friendly Melas

On 22nd July 2016, a meeting was organised the State Child Protection Society of Assam at the Conference Hall of Director of Social Welfare Department, Uzan Bazar. **Mrs Rupa Kapoor , Member NCPCR** shared the concept of Child Friendly Village. Two reports were released (i) a Handbook on Child Rights (in Assamese) and (ii) a report on Teacher's Training workshop on Child Rights in Assam published by Assam State Commission for Protection of Child Rights.



Recommendations

I. Women and Child Development

1. To a robust mechanism of monitoring and inspection of children homes and observation homes and regular submission of Inspection reports to ensure protection of children against any child right violations, deprivations or subject to any kind of physical or sexual abuse.
2. Mapping of all the Child Care Institutions by Department of Women and Child Development, Assam and a detailed report to the Commission.
3. Monitoring mechanism of state run home for women and children, Jhalukbari to be improved as it was found by the team that inner compound of the home was filled with the stagnant water breeding mosquitoes, (ii) the case records of women suffering from mental health disturbances were not filled properly. Commission has suggested for free legal aid to women at Jalukbari home through DLSA and State Commission for Women, Assam.
4. Child Welfare Committees to be strengthen and inspections should be done by Child Welfare Committees. Social Investigation Reports (SIR) to be submitted by CWC members of each child living in children Home.
5. Occupational therapists must be involved by the District authority to assess on the basis of modern IQ and aptitude tests about the way in which such Children can be taken forward to mainstream living by offering vocational guidance.
6. Provisions should be made for medical care in the Children home and a doctor or at least a nurse should be present 24/7 in the home for taking care of the child/woman Also the child/woman should be medically examined thoroughly and her medical chart should be maintained and if any such disease is found, treatment should be done.
7. Members of CWC should inspect these homes once in every fortnight and a report should be submitted to the D.P.O of the same. Similarly the D.P.O. should also visit these homes occasionally
8. All the places where these children are kept should be inspected routinely by the district administration and it should be seen whether the children living in these homes are in a healthy state or not. Also it should be seen whether the place is hygienic and is fit for the best interest of children.

9. Advanced Skill development programme for children in child care institutions to be introduced. Make available specially trained teachers for handling the differently-abled children and women of Jalukbari home, particularly the children with intellectual impairment. Effort may be made to keep the special arrangement for children with special needs.
10. Appointment of Computer Instructor, Music teacher and Librarian for children living in all the Children Home especially in Children Home, Jalukbari, and observation home for boys Boko, where it was observed by the team that children were interested in learning creative activities.
11. Nutritious food should be provided to all children living in Children Homes and children should be involved in deciding the weekly Menu of food as it was shared with the team that in Children are not being involved in deciding the menu.

II. labour Department

1. Labor Department, Assam should map the tea garden areas to ensure no child labour. A thorough search should be conducted in a wide scale over the whole district for instances of child labor and immediate rescue, restoration and rehabilitation of such children should be done. Education facility should be provided to all the rescued children under NCLP.
2. Crèches for children of tea garden workers to be established.
3. Training and Orientation of officials mainly Child Welfare Committees with regard to child rights issues on regular basis.

III. Education

Team visited **Narayanpur Tea Estate** at Sonitpur District. The team members interacted with the children and their parents. Local inhabitants dwell upon various problems being faced by the children in their effort to get better education, health facilities, eradicate social problems, hygienic environment etc. Most of the lower primary schools are functioning in a single hall wherein all students from different classes sit together without any partition. Poor infrastructure- no toilets, no desk and benches were also some of the major issues.

The team also visited a remote village of **Kokrajarh**, pre dominantly a releases minority area setup as relief camp after the 1993 ethnic violence. Children from villages such as Jamalguri, Maliouta, Beltoli etc. come there for education

1. Mapping of drop out students should be done by the Education Department and efforts should be made to enroll them in age appropriate classes through special coaching under RTE Act. If the same has been done than a report may be shared with the Commission.
2. Distribution of Mid- Day Meal should be ensured, safe drinking water should be made available to all the students and separate toilets for male and female should be made available in every school as it was reported to the Commission in the State there are no separate toilets available for the girls in the Schools.
3. Special Educators and School Counselors to be appointed in all the Schools of the State.
4. Department of Education to conduct sensitization programme on Corporal Punishment across the state to educate and sensitize the School authorities/SMCs/Teachers/Education Officers to prevent the incidents of Corporal Punishment.

IV. Home Department

1. Training of all the Officials, CWCs, JJBs, Police, in dealing with children of Sexual offences under POCSO Act 2012. Sensitization programmes for Police personnel as children of Observation Home, Boko reported incidences of torture by police.
2. Constitution of Children Courts under POCSO Act.
3. Principal Secretary, Home to review the status of missing children at least once in a quarter if it is not possible on monthly basis.