



सत्यमेव जयते
Government of Assam



Report

National Level Conference on Protection of Child Rights

In Tea Plantations of India,
with a particular reference to the implementation of
The Plantation Labour Act, 1951

14 - 15 November 2015

Assam Administrative Staff College,
Khanapara, Guwahati

unite for
children

unicef

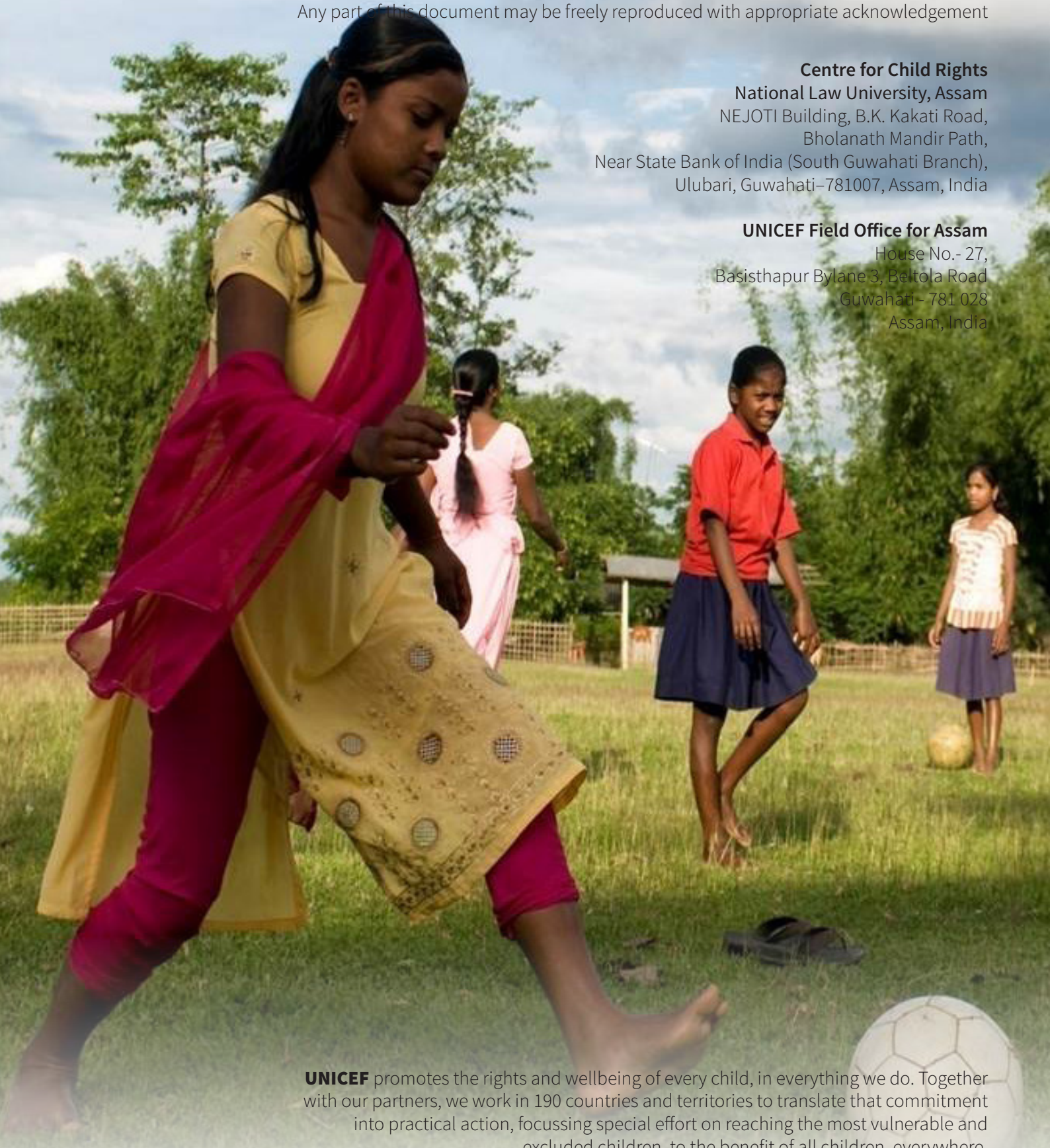
© UNICEF 2016

Photos:
©UNICEF / Assam

Any part of this document may be freely reproduced with appropriate acknowledgement

Centre for Child Rights
National Law University, Assam
NEJOTI Building, B.K. Kakati Road,
Bholanath Mandir Path,
Near State Bank of India (South Guwahati Branch),
Ulubari, Guwahati-781007, Assam, India

UNICEF Field Office for Assam
House No.- 27,
Basisthapur Bylane 3, Beltola Road
Guwahati- 781 028
Assam, India



UNICEF promotes the rights and wellbeing of every child, in everything we do. Together with our partners, we work in 190 countries and territories to translate that commitment into practical action, focussing special effort on reaching the most vulnerable and excluded children, to the benefit of all children, everywhere.

CONTENT

Introduction	01
Inaugural Session	03
Technical Session I	05
Technical Session II	06
Technical Session III	08
Technical Session IV	11
Group Work & Group Presentation	13
Valedictory Session	21
Recommendation from the Conference	23
Agenda	25
Concept Note	29
News Paper Clippings	31

INTRODUCTION

The Plantations Labour Act, which extends to the whole of India except Jammu & Kashmir, was enacted in 1951 to provide for the welfare of plantation labourers and to regulate the conditions of work in plantations. It applies to all Tea, Coffee, Rubber, Cinchona, Cocoa, Oil Palm and Cardamom plantations, which measures 5 hectares or more and in which 15 or more persons are employed or were employed on any day of the preceding 12 months. The Act also covers workers employed in offices, hospitals, dispensaries, schools/balwadis and crèches, etc., in the plantations. Under this law, the State Governments have been empowered to take all feasible steps to improve the lot of the plantation workers.

India has a total of 564,000 hectares of area under tea production, out of which the tea gardens of Assam comprise 322,000 hectares. Moreover, a total of 6.86 lakh persons in Assam are provided average daily employment by the tea industry of Assam in around 69220 tea gardens. The tea communities of Assam comprise around 17% of the total population of 3.21 Million and it is one of the most socially excluded and marginalised communities of Assam.

Tea communities represent approximately 17 per cent of the population of Assam. The Tea communities are one of the most socially excluded groups in Assam, and their assimilation has been constricted because of their geographical isolation and resultant differences in culture in tradition. Their social norms are one of the primary reasons for their development indicator levels being lower than the country average. Given their culture and traditions, they have a much higher incidence of early marriage, making girl children especially vulnerable to this practice. The learning from the ongoing child protection interventions at the tea garden level, as well as, from the upscale advocacy with the state government in Assam has shown that children and adolescents are vulnerable to a range of child protection concerns, including sex trafficking, exploitative and bonded labour, physical

and sexual abuse within the domestic household and in the community. Alcoholism and inadequate parenting skills in adults exacerbate the protection concerns of dependent children and adolescents in tea communities.

To address the issues, Tea Communities have been identified as the focus of UNICEF Assam's Social Inclusion and Equity Programming in the State. The work that UNICEF has been doing with its partners through harnessing and incubating community based preventive child-protection programming with a particular focus on empowerment of adolescent girls is placed within the over-arching framework of the s Labour Act, 1951. The Act is archaic and in recent times, has come up in pivotal discussions at various levels both within the Government as well as in academia and media.

There has been an urgent need for intervention by all regulatory bodies to uplift the standards of living for all people living and/or working in plantations, especially the children, in tea gardens. In light of this, a National level Conference on Protection of Child Rights in Tea Plantations of India, with a particular reference to the implementation of the Plantations Labour Act, 1951 was organised by the National Law University, Assam in collaboration with Department of Labour and Employment, Government of Assam and supported by UNICEF, Office for Assam and the Ethical Tea Partnership.

The conference was held on November 14-15, 2015 in the Assam Administrative Staff College, Guwahati, Assam. It was attended by a variety of stakeholders, which included:

1. Chief Inspector of Plantations; Labour Commissioner and Labour department officials;
2. Chairperson/ Representative from State Commission for Protection of Child Rights (SCPCR);

**National level Conference on Protection of Child Rights
in Tea Plantations of India, with a particular reference to the implementation of
The Plantation Labour Act, 1951**

14 - 15 November 2015

Assam Administrative Staff College, Khanapara, Guwahati

Organized by : National Law University, Assam

In collaboration with: Department of Labour and Employment, Government of Assam

Supported by: UNICEF, Office for Assam and Ethical Tea Partnership (ETP)



3. Member Secretary/ Representatives from State Child Protection Society (SCPS- under ICPS), under Department of Women and Children/ Social Welfare;
4. Representatives from Tea Labour unions;
5. Representatives from Tea Management Associations;
6. NGO/ Civil Society organizations working on women and children in tea plantations;
7. Representatives from Tea Producers, Tea Buyers, and Tea Certification companies;
8. Academic organisations, Media personnel;
9. Officials from UNICEF and Ethical Tea Partnership.

inaugural session, six technical sessions, and one valedictory session.

The first day included the inaugural session, which started at 10 A.M. local time, and three technical sessions. Each of the technical sessions were categorised thematically, encouraging discussions between the panel and the other stakeholders. The chair of the panel gave the opening remarks pertaining to each topic of discussion, followed by the panellists delivering a relevant presentation/ talk for ten minutes. After all the panellists were through with their presentations, an open session was conducted for questions and answers, which marked the end of the technical session.

The key objective of this national level conference were the following:

1. To have a shared understanding of the provisions relating to children in The Plantations Labour Act, 1951;
2. To discuss in detail the issues and challenges faced by key stakeholders in realizing the rights of the child as provided under the Plantations Labour Act, 1951;
3. To come up with a set of recommendations for better implementation and/ or, if necessary, amendment of the Plantations Labour Act, 1951.

The second day saw three more technical sessions. The first of the three was similar to the technical sessions of the previous day. The second technical session was about the plenary sharing of the thematic issues that had been identified insofar and the key suggestions that emerged from the first four technical session. It also included the grouping of all participants into various cohorts for the purpose of group work. Their tasks were explained to them by the workshop facilitator and they were asked to make a presentation on all identified issues and recommendations for the same. The last technical session of the conference saw the different groups presenting their presentations. Once the technical sessions were complete, the consolidated recommendations from both days and the Way Ahead, as had emerged from the conference, were presented in the valedictory session, which signalled the end of the two day conference.

The conference was attended by over 150 people representing the various stakeholders and cohorts. It was a two day conference, comprising of one

INAUGURAL SESSION



The inaugural session began with the felicitation of dignitaries, followed by the welcome address by Prof. (Dr.) Vijender Kumar, Vice-Chancellor, National Law University, Assam. He began the session by introducing all the panelists of the inaugural session. It was followed by Opening Remarks by Dr. Tushar Rane, Chief of Field Office, UNICEF Assam. “Reaching their tipping points for change in the lives of children and adolescents in the tea communities is heavily dependent on collaboration with stakeholders”, he said. “UNICEF’s main focus is on empowering children and adolescents. We have mobilised over 20,000 adolescent girls from above 520 groups. However, to address some of the key manifestations of the lingering problem, one needs to look and plan about a strategy to address the very framework within which this manifestation is surfacing over and over again. Within the child protection programme, we are not just looking at adolescent empowerment as one of our national

priority sub-components, but also to one of the key strategies to influence policy that frames and impacts our work with the communities in tea gardens. This first of its kind conference is a small but decisive step towards gaining an informed space in understanding and dealing with the overarching framework of the Plantations Labour Act.”

The keynote address was given by Prof. (Dr.) Mool Chand Sharma, Former Member, Law Commission of India. His key message was remarkable in its simplicity: no development, no growth, and no human rights can be respected without involving tea plantations. Child rights are an integral part of development and the human rights agenda. He says, “when the Plantations Labour Act was enacted, it was done with a historical, social, economic, and to a certain aspect, political perspective. While amendments have been made in 2010 to drop the word “child”, the legacy of the Act remains



the same; which is the main problem.” He added, “Our laws are so beautiful, but the deliveries are so weak that the implementation turns the good into bad. Those who actually grow the tea are not given social benefits because they have land less in area than the plantation norms.” One of the major issues he brought up was that of the prosecution and conviction of workers accused of violating child rights. He was concerned about the quality of inspection, more so the inspector, and raised some poignant questions on how unsatisfactory inspection could cascade the already existing bottlenecks. He repeatedly stressed on the fact that the laws can come later, we need to first understand what the problems actually are.

The first Guest of Honour was Ms. Henriette Ahrens, Deputy Representative- Programmes, UNICEF India Country Office, New Delhi. Her main point of focus was the lives of adolescent girls and women in the plantations. She pointed out the nutritional deficiencies in expecting mothers, especially the lack of folic acid and vitamin A, which led to anaemia. She strongly recommended that infants go through pre-natal care and should be attended to by skilled birth attendants. Tea garden management authorities in resonance with the government should ensure the same. “Infants should be breast-fed for at least six months, because this is important for their immune system and brain development”, she added.

The second Guest of Honour was Ms. Laya Madduri, IAS, OSD to Chief Minister, Assam, Government of Assam. Since she is intrinsically involved with State Governmental activities, she had plenty of insight to offer on the State Government’s perspective on this particular issue. According to her, nutrition issues are of the highest priority for the CM. There have been major interventions in the health sector and SSA, but the results are far from satisfactory. She emphasized on the urgent need for consolidated effort, especially when it comes to the protection of the girl child. “The girl child in Tea Plantations

is the most vulnerable”, she said. “The burden of taking care of the children of workers generally falls on the adolescent girl in the family due to the lack of adequate crèche facilities, leading to their exploitation.” According to Ms. Madduri, around 6000 girls have gone missing during 2007 to 2014 from Assam, which is an alarmingly high number. Most of these girls ultimately end up being trafficked. In light of this, the Government of Assam has announced a State Convergent Action Plan, with the Chief Secretary as the chairperson.

The Chief Guest for the inaugural session was Mrs. Ajanta Neog, Hon’ble Minister, Planning Development, Judicial, Legislative, Law and Public Works (Roads, Buildings, National Highways), Government of Assam. She inaugurated the Tea Atlas of Assam, prepared by UNICEF. This atlas seeks to create a comprehensive database of the tea gardens and the socio-economic condition of its workers in the state. It will cover all aspects of the tea industry, including garden workers who comprise nearly 20 per cent of the state population by mapping tea community database, graphs and maps. It will also provide features like geographical locations of the gardens, proprietorship, various indicators like implementation of Plantations Labour Act, 1951 and government schemes meant for the tea community. In this case, tea communities have been identified as the focus of UNICEF Assam’s Social Inclusion and Equity Programming, which addresses the issues like early marriage, alcoholism and child labour among them. The Hon’ble Minister addressed the problems of lack of maternity care and trafficking in the state. She also divulged that the State Government has announced a Rs. 2000 crore special budget for the tea communities in Assam.

Dr. V.P. Tiwari, Associate Professor and Head, Centre for Child Rights, National Law University, Assam delivered the Vote of Thanks for the inaugural session.

TECHNICAL SESSION I

Out of the six technical sessions which took place during the two day conference, the first was a panel discussion aimed at providing an overview of the status of implementation of Plantations Labour Act, 1951 across the tea growing states of India. The panel was chaired by Dr. Himanshu Pandey, Registrar, National Law University, Assam and the panellists included Mr. Dhiren Goswami, Consultant to La-our Commissioner, Assam and former Chief Inspector of Plantations, Assam, and Mr. S.K. Das, TCS-SSG, Labour Commissioner and Additional Secretary, Tripura. The panel discussions were followed by an open session of questions and answers which ironed out some of the concerns vis-à-vis the topic of discussion.

The motive behind this technical session was to come up with and discuss practical issues that arise with the “archaic” Plantations Labour Act, 1951; one of which was to seek greater clarity in certain definitions that the Act specifies, especially the term “ordinarily employed” and the consequence of lands, and workers therein, that grow tea but measure less than five hectares in area.

Several issues were identified and suggestions were made during this panel discussion as well as the open session.

Plantations should be given differential treatment according to their size. The Act also needs to be clear about where the responsibilities end with respect to the management in tea gardens.

One of the biggest shortfalls that tea gardens face are of portable drinking water. Even if water is made available, the quality of water at all water points is not up to the mark. Ring wells are provided but not properly maintained, and most gardens do not inspect and/or certify the water in these wells. According to statistics in the state, around 50,000 houses still need to be constructed. Since there is a shortage of land on which these houses are to be constructed, one of the suggestions that were made was the introduction of economical housing - where the traditional Assam-type houses need to be done away with and multi-storied buildings should be encouraged.

A major lapse in the implementation of the Act is the lack of legal awareness and access to justice. All the information relevant to grievance redressals and legal aid do not percolate efficiently to all residents of a plantation. District Legal Aid Services need to become more proactive, and education regarding the same should be given in the mother tongue to ensure interest and easy comprehension. The efficacy of state level monitoring schemes is crucial to the proper implementation of the Act. The law in itself cannot change the existing scenario. It needs to be interpreted more contextually.



TECHNICAL SESSION II



The second technical session conducted was another round of panel discussions, the agenda of which was to discuss the structural issues and challenges that impact protection of child rights in tea plantations of India. This session was primarily concerned with the key actors in the tea industry sharing their perspectives and experiences. The panel was chaired by Mr. Joachim Theis, Chief of Child Protection, UNICEF India Country Office, New Delhi.

The first panelist was Ms. Diya Sharma, Programme Manager for India, Ethical Tea Partnership (ETP), Mumbai. ETP's mission, very simply, is to improve the overall sustainability of the tea industry, the lives and livelihoods of tea workers and smallholder farmers, and the environment in which tea is produced. Their programme has four main pillars of focus, viz. raising core standards, improving worker lives and livelihoods, improving smallholder lives and livelihoods, and increasing resilience to Climate Change. Not only do they work with both ends of the supply chain; with packers and producers but their work also includes a large international network of NGOs, civil society organisations, retailers, certifiers and tea associations. They try to leverage this unique position in the sector to not only raise awareness about but also to develop projects to deal with some of the very difficult issues in tea like child trafficking and other forms of exploitation, climate change, gender empowerment and worker and smallholder livelihoods.

The second panellists were Mr. Harkirat Sidhu, Consulting Programme Coordinator India, Rainforest Alliance, Kolkata and Mr. Lee Buyers, Senior Advisor, Coffee and Tea, Fairtrade International, UK. Their objective was to explain how certification companies aim to ensure ethical practices in tea supply chain, with a specific focus on how 'certification' works in addressing the key challenges in protection of child rights in Tea plantations of India.

Certifying companies have two main offshoots: one that is responsible for training of all stake-holders, which also works with farmers management, buyers, and markets, and addresses their problems and works towards finding solutions to them; and the other that does the audit which certifies farms. For sustainable agriculture, the comprehensive certification criteria requires close scrutiny that all its three principles, namely social, environmental and economic, are given equal and enough importance. The certification standards of certifying companies prohibit exploitative child labour (as defined by the ILO). If the companies find breaches to their child labour prohibition requirements, immediate action is taken to protect the child. Failure to prevent child labour can lead to suspension or decertification of the tea garden. The producer organisations are also given training and support to effectively detect and prevent child labour.

The third panelist was Ms. Annemarie Leniger, Ostfriesische Tee Gesellschaft (OTG), Germany. OTG

is a family owned business which has been in the tea business for more than 100 years. The company has become a specialist for tea brands and private label. She spoke about why it was so important for a tea-buying company to protect children's rights. They believe that it is a key part of their responsibility to make sure that labour conditions in the countries where tea is grown are up to the standard. Since the cultivation of tea is the sole existence for many families, they also support the adherence to minimum social standards, e.g. the ongoing battle against child labour and trafficking. OTG's long-term goal is to source all their raw materials sustainably, albeit constantly encountering hurdles, especially in the environment sector. Trying to strike a balance between the "right" amount of pesticide, i.e. only when absolutely necessary, and then in an amount that is both sufficient and beneficial, while reducing residue in the product as well as the drinking water has proven to be one of OTG's biggest challenges. In Ms. Leniger's words, "Sustainability for us, it's not about public relations or greenwashing. It's self-conviction."

The fourth panelist was Mr. Sandip Ghosh, Secretary, ABITA, Guwahati. Owing to his involvement in the tea management for a long time, he offered fresh insight on the challenges that the tea managements were facing, and the key issues with regard to management of production as well as the social issues that come with it. Besides their primary commitment to produce quality tea for the consumers in the country and for international markets, a tea garden executive has to allot time to responsibilities which include, but are not restricted to, ensuring strict enforcement of the various laws of the country which are applicable to tea plantations; ensuring attendance of workers for field and factory to meet the commitments of production; to guide and encourage the workers and their families to participate in Sustained Awareness Programmes on health, hygiene, sanitation, nutrition and child rights; to pursue the objectives of a sustainable model on improvement in health

parameters, such as reduction in infant mortality rate, maternal mortality rate, undernourishment and mal-nourishment and control of anaemia; to encourage children to go to school provided by Management; and to encourage tea populations to adopt small family norms in tune with the National Flagship Programme. Tea Managements have a large population and a resident workforce to handle on a daily basis. A congenial working atmosphere has to be ensured for this workforce and their internal social dynamics and external environmental factors affecting the working of the estate need to be monitored. Maintaining production and productivity standards and evolving industrial relations in estates in tune with industry agreements are another major challenges that Tea Managements have to face. The ABITA stand committed to the sustainability initiatives taken by the managements on the improvement of health standards, nutrition standards, sanitation and child rights and plans to extend it to all member states.



TECHNICAL SESSION III

The last session for the day, the third technical session was another round of panel discussions about the issues and challenges in ensuring the right to survival and good health of children and their mothers in Tea Plantations of India. The panel was chaired by Dr. Tushar Rane, Chief of Field Office, UNICEF Assam.



The first panelist was Mr. Ashok Das, Secretary to the Government of Assam, Department of Public Health Engineering, who spoke about the issues, challenges and way forward in ensuring water and sanitation facilities under key government flagship programmes in tea gardens of Assam. Tea Garden managements have been found to install water supply schemes only for permanent workers in most of the cases, and thus they do not cater to temporary workers, non-workers and villages surrounding the tea gardens. The flagship programme Swachh Bharat Mission provides incentive to Below Poverty Line and eligible Above Poverty Line residents only, who are generally temporary labourers. Gaon Panchayats in tea intensive districts are facing difficulties in achieving ODF (Open defecation free) status because of unhygienic conditions, stemming primarily from defunct toilets, prevailing in tea garden areas in the jurisdiction of the Gaon Panchayats. One of the biggest challenges that is faced by the PHED is the lack of awareness on water and sanitation, especially knowledge about personal hygiene, among the

residents of tea gardens. Tea Garden operated schemes do not have adequate manpower who have the knowhow about water treatment, dosing of chemicals and disinfection of water sources. The workers engaged in the water supply schemes need to be properly trained for effective treatment of water. Community involvement should be given highest priority in implementation of schemes and toilets. A collaborative approach under leadership of District Administration along with PHED, Garden Management, inhabitants of the garden is the only way forward to improve the current water and sanitation (or lack thereof) situation.



The second panelists were Mr. H.N. Lahon, Joint Director, Social Welfare Department, Government of Assam and Mr. S.P. Alam, Programme Officer 1, State ICDS Cell, Social Welfare Department, Government of Assam. They presented statistics from the various data analysis reports that were brought out by ICPS and ICDS centres in various districts of the state.

The third panelist was Dr. P. Ashok Babu, IAS, Mission Director, NRHM Assam. According to the tea gardens' SWOT analysis with respect to the National Health Mission, its biggest strengths are the monitoring of the Village Health Nutrition Day (VHND), the Public-Private Partnership (PPP) under NHM, and the presence of Accredited Social



Health Activists (ASHA) and Mothers' Groups/ Clubs in tea gardens. It's biggest weakness is the non-existence of a concrete database of health services available in tea garden areas. There are major gaps in involvement of human resources and health infrastructure in tea garden areas. Poor socio-economic conditions and educational status have led to consequences such as poor sanitation, lack of knowledge on personal hygiene, and the prevalence of malaria, tuberculosis, anaemia and a high rate of maternal and infant mortality. The biggest opportunity that NHM has is the creation of a baseline database on health services delivery systems in tea garden areas, which will require constant updating and monitoring. One Nodal Officer should be appointed for each tea garden from the tea estate managements, who will also be earmarked to handle high-risk cases. Information, Education and Communication (IEC) / Behaviour Change Communication (BCC) strategies should reach out to every individual. The services of Mothers' Groups/Clubs should be utilised for awareness generation and monitoring of VHND, in sync with the tea garden management. The services offered to every child and pregnant woman should be tracked accurately. Departments like Education, Social Welfare, and Public Health Engineering should converge with NHM. The biggest threat that NHM faces is the timely cooperation from Tea

Garden management. Without it, every plan made to tackle all existing gaps will fall apart.

The fourth Panelist was Dr. Tulika Goswami Mahanta, Associate Professor, Department of Community Medicine, Assam Medical College, Dibrugarh & Nodal Officer, Child Health Initiative, NRHM Maternal and Child Health Cell, District Training Centre, Assam Medical College, Dibrugarh. She presented informative data about the condition of adolescent health in the tea garden districts of Assam, and the interventions made to tackle them. To achieve sustainable development goal in health a Primary Health Centre lead comprehensive care needs to cover all tea estates with a holistic implementation of proposed National Health Assurance Mission (NHAM), along with the ownership development of tea companies as their corporate sector responsibility (CSR) and implementation of the Government's inclusion policy.



The panel discussions were followed by an open session. The prime recommendation that was put forward in the session was the need for convergence between ICDS and PLA. The most important objectives of this convergence were stated as the clarification and positioning of Child Protection Committees in such a way that tea garden children are duly covered. The ICDS

centres in tea garden should be rationalised with population of labour lines. This will make it easier to identify vulnerable pockets among different groups, after which an action plan can be drawn up to combat the pitfalls. Stricter growth monitoring is the only way to overhaul the conspicuous gap in the administration of the Supplementary Nutrition Programme under ICDS. The lack of counselling skills needs to be compensated for by bringing in dedicated therapists and counsellors, who can make sure tea garden residents are enthused enough to attend Nutrition and Health Education (NHED) sessions. The Rajiv Gandhi Crèches Scheme should be merged with ICDS centres, which will help corroborate that financial aid is given to crèches for purchase of toiletries, etc. Special courts under the Protection of Children against Sexual Offences Act, 2012 (POCSO Act) need to be set up, and the

tea garden communities should be notified of the model guidelines under the POCSO Act and the procedure to access legal aid services for the protection of victims and vulnerable witnesses.

The Chief Guest in this technical session was Mr. Debasish Choudhury, Deputy Director General, Ministry of Labour and Employment, Government of India. He emphasized on the urgent need of increased awareness generation at the grassroots about how to draw optimal benefit from all government schemes, especially the ones from the Ministry of Human Resource Development. The provisions for implementing the same need to become more stringent, while keeping in mind that the onus for the same cannot solely rest on tea management groups.



TECHNICAL SESSION IV



The second day of the two day conference began with the fourth technical session, which was another panel discussion on the issues and challenges in ensuring children's right to education, with a particular focus on the implementation of the Right to Free and Compulsory Education Act, 2009 (RTE Act) in tea plantations of India. The panel was chaired by Shri Thaneswar Malakar, IAS, Mission Director, Axom Sarba Siksha Abhijan Mission, Guwahati.

The first Panelist was Ms. Sumi Borthakur, State Programme Officer, Community Participation and Special Focus Districts, Axom Sarba Siksha Abhijan Mission, Guwahati. She presented some statistics about the overall scenario of schools and coverage of children in tea garden areas in Assam. The shortage of Upper Primary schools in tea gardens is attributed to the lack of provisions for opening Upper Primary schools under PLA, and the high rate of dropouts at the upper primary level in the existing ones. The teachers employed by the tea garden management are not at par with the National Council for Teacher Education (NCTE) or State norms, which is a major barrier in ensuring quality education. The Pupil-Teacher Ratio in tea garden schools is almost never maintained, mostly because the teachers are employees of the tea garden management and are assigned tasks other than teaching in schools.

For children both of whose parents are workers in the tea garden, there is no monitoring of their arrival in school after their parents leave for work. A difference between the children's mother-tongue and the medium of instruction in their schools is a major reason for poor attendance and high number of dropouts. Infrastructure and sanitation in tea garden schools is sub-par. The basic infrastructure is shoddy at best, and the conditions of classrooms, desks/ benches, water filters, and libraries (if any) is appalling; which is cascaded by an irregular power supply. Some schools don't have separate toilets for boys and girls, and the ones that do almost never undergo any maintenance. A comparative analysis of PLA and RTE Act revealed that for most of the existing provisions in the RTE Act, there exist none in the PLA. Neighbouring schools need to be available and provide access facility for ensuring the completion of elementary education of the children in tea gardens.

The second Panelist was Ms. Runumi Gogoi, Chairperson I/C, Assam State Commission for Protection of Child Rights (ASCPDR), Guwahati. She recommended that tea garden managed schools should mandatorily come under the purview of RTE Act and that the teachers in tea garden managed schools should be well trained to impart quality education to children of tea garden workers, and

these schools must be covered by the Assam Venture Schools Provincialization Act, 2011. SSA needs to strengthen the residential and non-residential bridge in education to deal with the problem of high rate of school dropouts in tea gardens. Early childhood care and education should be ensured under ICDS; village level and block level child protection committees under ICPS should be notified and made functional urgently. Local NGO's need to be engaged for reporting and promoting education in their areas. She stated that it is only with active community involvement that we can hope to achieve our goals.

The panel discussion was followed by an open session. The biggest concern that was shared here was the out-migration of children to work in exploitative environments. A job offer with a decent pay from an outside organisation is very lucrative for a child between the ages of 14-18. They aren't entitled to compulsory education under the RTE Act after the age of 14 and it is the main reason why children above the age of 14 work in places outside tea gardens, since it offers a certain sense of job security. The tea garden management cannot do much about this exodus since it falls out of their



jurisdiction. The only way of tackling this dilemma is by ensuring quality education, which will help kindle the interest to pursue studies beyond the elementary level in children. The existing provisions of both the Plantations Labour Act, 1951 and the RTE Act need to be modified accordingly to accommodate this ideal.



GROUP WORK AND GROUP PRESENTATION

For the group work session, the members of the conference were divided into six groups according to the following cohorts:

1. Tea Management Associations and Tea Producing companies;
2. NGOs, Trade Unions and Student Unions working with tea communities in the grassroots;
3. Officials from Labour Department, social welfare and state child protection society, representatives from public health department and Health & Family Welfare;
4. Officials from Education department/ Sarba Siksha Abhijan;
5. Representatives from tea buyers, certification companies and organizations promoting Fairtrade.

The various Rights of Children that had been specified to the groups were as follows:

1. Right to Protection and Participation (which includes quality of life)
2. Right to Good Health and Nutrition
3. Right to Education

One member of each group was made the presenter, who would present the recommendations that emerged from their respective groups. An external facilitator was assigned to each group to facilitate the discussions and support the groups in coming up with concrete recommendations within the allotted timeframe.

After the group discussions, the presenters from each of the groups presented the following recommendations, under the different Rights of Children that had been specified in the format:

These groups were given the following format and they were allotted a time of 45 minutes to deliberate and come up with their recommendations:

Rights of children	Provision as specified in PLA 1951	Issues identified	Suggestions from the technical sessions	What needs to be done	Duty bearer
--------------------	------------------------------------	-------------------	---	-----------------------	-------------



GROUP 1: TEA MANAGEMENT ASSOCIATIONS AND TEA PRODUCING COMPANIES

Addressed Child Right: Right to Protection and Participation

What needs to be done:

1. Child Protection Committees must be made more robust.
2. Temporary workers need to be covered by various legal provisions and receive facilities



Addressed Child Right: Right to Good Health and Nutrition

What needs to be done:

- that entitle their children to medical services, crèches and school services, and it should be ensured that they continue to receive education and health services.
3. The Government should ensure that tea gardens which do not have hospitals should come under ESIC.
 4. Trade Unions need to be educated about Child Rights and the responsibilities of parents/guardians for enabling children to access and enjoy Child Rights.
 5. Adolescent groups that work under life skill programmes must include both boys and girls. The Skill India programme should be extended to the tea garden areas.

1. The tea garden managements must monitor the delivery of educational services in the garden and must take primary responsibility for various issues of the target group.
2. There should be a convergence of tea garden Crèches and ICDS and the timings of Crèches and ICDS centres should be changed so as to coincide with the daily work schedule of mothers.
3. There should be a strict screening in the recruitment of attendants and training of crèche workers through the Government of Assam.
4. Tea Managements have urged that distribution of food grains must remain with the managements. The State Government must give assurance of the quality of the grains. In case a dispute arises in this context, a robust grievance redressal procedure should be in place.
5. Asha and garden hospitals should be in coordination.
6. A supplementary nutrition programme should be out in place for pregnant and



lactating mothers under the supervision of the management to ensure the delivery of materials. All pregnant women and lactating mothers should be given maternity benefits.

7. Ambulance services should be provided in all tea gardens.
8. More awareness should be generated about the ill-effects of salted tea, the regular consumption of which leads to hypertension by a joint effort from the management and Block Health workers.
9. Trade Unions should raise awareness on the responsibilities of husbands for pregnant and lactating mothers.
10. ANM and ASHA should coordinate and facilitate all stake holders, including trade unions.

Addressed Child Right: Right to Education

What needs to be done:

1. The Government of Assam has to ensure RTE is enacted for all eligible children in the tea gardens. In the interests of justice to the children who are not in the provincialized schools, all tea garden schools must be provincialized. The tea gardens will transfer the existing assets.
2. Accessibility of schools should be increased by increasing availability of schools, especially Upper Primary, Secondary and Higher Secondary schools. This will help reduce the number of dropouts.
3. The medium of instruction should be in the common mother tongue, which will prevent the waning of interest of students and ensure better attendance and lesser dropouts.

GROUP 2: NGOS, TRADE UNIONS AND STUDENT UNIONS WORKING WITH TEA COMMUNITIES IN THE GRASSROOTS

Addressed Child Right: Right to Protection and Participation

What needs to be done:

1. The age of children should be from 0-18 irrespective of any act. (Duty bearer identified: WCD and SCPCR)
2. The formation and strengthening of VLPCP. (Duty bearer identified: DCPU)
3. Sections 24 and 26 of the Plantations Labour Act, 1951 are contradictory, so section 26 should be done away with. Children below 18 should not be allowed to do any kind of work.
4. CMA should be linked with Plantations Labour Act, 1951. (Duty Bearer identified: Labour Department and Ministry of Commerce)





5. Victim and witness protection should be ensured in cases of child abuse. (Duty Bearers identified: Child welfare committees and police department)
6. Other associations need to be given more space in the collective bargaining process. (Duty bearers identified: WCD, SCPCR, DCPU)
7. There should be conformity between the law and the Plantations Labour Act, 1951. (Duty Bearer identified: CVWA)
8. The workers should be trained about the legislations pertaining to Plantations Labour Act, 1951. (Duty Bearer identified: Labour Department)

Addressed Child Right: Right to Good Health and Nutrition

What needs to be done:

1. Section 12 of the Plantations Labour Act, 1951 which deals with creche facilities is silent about pre-school education. (Duty Bearers identified: Tea Management)
2. VHSC needs to be strengthened (Duty Bearers identified: PRI)
3. NHM should be universalised in all tea plantations. (Duty Bearers identified: NHM)

4. More lady doctors should be appointed in tea plantations. (Duty Bearers identified: Health Department)
5. It should be ensured that there is a sufficient supply of medicine and continual availability of ambulances in tea gardens. (Duty Bearers identified: NHM, Health Department)
6. There should be a provision under section 10 of the Plantations Labour Act, 1951 for maternity benefits as per the Supreme Court. (Duty Bearers identified: Tea Management, Health Department)
7. The conditions of the workplace should be made sanitary. (Duty Bearers identified: PHED)
8. All gardens should have the NRC implemented.

Addressed Child Right: Right to Education

What needs to be done:

1. The implementation of the education system should be in accordance with the RTE Act. (Duty Bearers identified: Education Department, Tea Management)
2. The medium of instruction should be in the local tongue. (Duty Bearers identified: Education Department)



3. Awareness programs should be conducted for guardians on the RTE Act. (Duty Bearers identified: Tea Management, NGOs, CSOs)
4. ICDS needs to be strengthened. (Duty Bearers identified: Department of Social Welfare)
5. Infrastructural conditions of schools need to be improved and provisions of sanitation facilities should be ensured. (Duty Bearers identified: Tea Management, Department of Education, Department of Public Health Engineering)
6. Remedial schools should be brought into existence for dropouts. (Duty Bearers identified: Sarba Siksha Abhijan, CSOs)
7. Extra provisions for the support of the differently abled should be ensured. (Duty Bearers identified: Disability Commissionerate)



only to recognised trade unions and management but also to other registered trade unions. (Duty Bearers identified: Trade Unions)

GROUP 3: OFFICIALS FROM LABOUR DEPARTMENT, SOCIAL WELFARE AND STATE CHILD PROTECTION SOCIETY, REPRESENTATIVES FROM PUBLIC HEALTH DEPARTMENT AND HEALTH & FAMILY WELFARE

Addressed Child Right: Right to Protection and Participation

What needs to be done:

1. The word ordinarily employed used in the Assam Plantations Labour Rules, 1956 should be omitted wherever it appears.
2. ICPS/SABLA schemes should be made functional in tea garden areas.
3. Definition of wages under section 2(i) of Plantations Labour Act, 1951 should have the same meaning assigned to it under the payment of wages act.
4. Collective bargaining should not be restricted

Addressed Child Right: Right to Good Health and Nutrition

What needs to be done:

1. The State Government policy of compulsory posting to rural area for a year after completion of the MBBS course should be placed in tea garden hospitals. (Duty Bearers identified: Department of health and family welfare)
2. PHE should be extended to the tea gardens. (Duty Bearers identified: Department of Public Health Engineering, State Government)
3. Workers should be made more aware about health and sanitation. (Duty Bearers identified: Tea Garden Management)
4. Rule 36 of the Plantations Labour Act, 1951 requires to be suitably amended vis-à-vis the appointment of qualified medical practitioner.
5. The crèche facility should be improved and caretakers in crèches should be trained as per rule 46 of Plantations Labour Act, 1951. (Duty Bearers identified: State Government, Labour Department)

Addressed Child Right: Right to Education

What needs to be done:

1. Section 14 of the Plantations Labour Act, 1951 should be amended in conformity with RTE Act.
2. Strict supervision and monitoring of the management-run tea garden schools. (Duty Bearers identified: Sarba Siksha Abhijan, State Government)
3. The student-teacher ratio should be amended and strictly implemented. (Duty Bearers identified: Sarba Siksha Abhijan, State Government)
4. Rule 55 of the Assam Plantations Labour Rules, 1956 should be amended
5. The Assam Plantations Labour Rules, 1956 has to be amended in case of Rule 55(1).
6. Rule 55(2) of the Assam Plantations Labour Rules, 1956 should be strictly implemented.

GROUP 4: OFFICIALS FROM EDUCATION DEPARTMENT/ SARBA SIKSHA ABHIJAN

Addressed Child Right: Right to Education

What needs to be done:

1. Assam Plantations Labour Rules, 1956 require to be amended to implement the RTE provisions as notified under State RTE rules. (Duty Bearers identified: Elementary Education Department)
2. State RTE rules need to be amended to include tea garden managed schools, with inclusive education for all children including children with special needs. (Duty Bearers identified: Department of Labour)
3. Upper Primary schools should be established. (Duty Bearers identified: Elementary Education Department, Tea garden management)



4. A tea garden management representative should be assigned in SMCs of tea garden schools. (Duty Bearers identified: Elementary Education Department)
5. Sports equipment and recreation material should be supplied in all schools. (Duty Bearers identified: Tea garden management)
6. A multilingual approach should be initiated as a medium of instruction. (Duty Bearers identified: Elementary Education Department)
7. More land should be allocated for schools. (Duty Bearers identified: Tea Garden Management)
8. Age group of children in crèches should be (0-5+) years instead of (0-6) years. (Duty Bearers identified: Labour Department)
9. Rule 46 of the Assam Plantations Labour Rules, 1956 should be strictly enforced. (Duty Bearers identified: Labour Department, Social Welfare Department)
10. Crèches should be implemented in convergence with ICDS and Plantations Labour Act, 1951.



(Duty Bearers identified: Social Welfare department, Tea Garden Management)

11. Plantations Labour Act, 1951 should have provision for having separate toilets for boys and girls in tea garden schools. (Duty Bearers identified: Labour Department, Department of Public Health Engineering)
12. Standard toilet-student ratio should be maintained. (Duty Bearers identified: Labour Department, Department of Public Health Engineering)
13. Plantations Labour Act, 1951 should have provisions for providing safe drinking water in tea garden schools. (Labour Department, Tea Garden Management, Department of Public Health Engineering)
14. Health facilities provided under Plantations Labour Act, 1951 should be extended to school children for regular health check-ups and monitoring status of health issues of children in convergence with RBSK of Health Department. (Duty Bearers identified: NHM, Tea Garden Management)
15. ARSH counsellors should collaborate with tea garden schools and hospitals in order to provide periodical counselling services to children and adolescents. (Duty Bearers identified: NHM)

16. Initiatives for revival of tea welfare boards need to be taken so that they can be made a part of the monitoring system to ensure the mandate of the RTE Act. (Duty Bearers identified: Tea Garden Management, Labour Department)
17. There should be more sensitisation and awareness generation about trafficking. (Duty Bearers identified: NGO, Legal Aid Cell, SALSAs, Departments of Education, Labour and Home)
18. A constant monitoring system should be put in place and should be clearly notified under state Plantations Labour Act, 1951 and RTE rules. (Duty Bearers identified: Elementary Education Department, Labour Department)

GROUP 5: REPRESENTATIVES FROM TEA BUYERS, CERTIFICATION COMPANIES AND ORGANIZATIONS PROMOTING FAIRTRADE

Addressed Child Right: Right to Protection and Participation

What needs to be done:

1. A qualitative and quantitative study should be done to understand wage and non-wage benefits and in terms of employment condition. (Duty Bearers identified: A transparent independent study by all stakeholders included with a convening neutral party.)
2. Future construction of houses should take into account economical, modernized facilities for health, sanitation and accommodation with specific focus on quality of the construction. (Duty Bearers identified: Tea Estate companies, DWCD, State Government)
3. Tea companies should come up with a concept paper on quality living in terms of land, building and community and future maintenance of those resources, which must

also include the voice of the users of those services. (Duty Bearers identified: Tea Estate companies, DWCD, State Government)

4. Training workshops to build awareness amongst tea estate management and community on child protection and wellbeing should be organised. (Duty Bearers identified: Tea Estate companies, DWCD, State Government)
5. There needs to be consideration and inclusion of gender equity in terms of promotion and major responsible positions in the entire process of tea plucking to processing at tea estates. (Duty Bearers identified: Tea Garden Management)



Addressed Child Right: Right to Good Health and Nutrition

What needs to be done:

1. Provision of clean drinking water through deep tube wells. Use of shallow tube wells should be discontinued. (Identified Duty Bearers: Tea Management, PWD, State Government)
2. Building awareness to bring about behaviour change on existing nutrition and lifestyle malpractices by inviting global leaders like GAIN to give recommendation on food

fortification to combat issues related to malnutrition. (Identified Duty Bearers: Tea Garden Management, Department of Health)

3. Youth groups should be formed and strengthened to lead community wellbeing and protection issues. (Identified Duty Bearers: NGO, Tea Estate Managers and PHU, State Government)

Addressed Child Right: Right to Education

What needs to be done:

1. Life skills and accredited livelihood skill training should be compulsory for adolescents between 15-18 years. A specific livelihood skill building programme should be tailored for tea estates. (Identified Duty Bearers: Tea Managements, State Government, NGOs)
2. Early childhood and primary education should be synchronised with Government infrastructure and schemes like ICDS and RTE Act. (Identified Duty Bearers: Tea Managements, State Government, NGOs)
3. Youth and children committees should be entrusted with the responsibility of giving a voice to children about their own education and curriculum. (Identified Duty Bearers: Tea Garden Managements, State Government, NGOs)

After the presentations were over, the workshop facilitator, Mr. Ved Prakash Gautam, Child Protection Specialist, UNICEF Assam and Ms. Gitanjali Ghosh, Assistant Professor of Law, National Law University, Assam collated all the recommendations which to be sent to the Government of Assam as is for their consideration.

VALEDICTORY SESSION

The two day national conference was concluded with a valedictory session. It started with a presentation of the consolidated recommendations from the five technical sessions by Mr. Ved Prakash Gautam, Child Protection Specialist, UNICEF Assam and Ms. Gitanjali Ghosh, Assistant Professor of Law, National Law University, Assam. The Chief Guest, Mr. V.K. Pipersenia, IAS, Chief Secretary to Government of Assam, was felicitated and welcomed, and a photo essay was presented to him by Mr. Vedprakash Gautam, Child Protection Specialist, UNICEF Assam to run him through the process and the methodology of two days of the conference and how the conference arrived at the consolidated recommendations.



in the present implementation process. He then invited the Chief Guest to give his closing remarks on the conference and the recommendations that were presented.

The Chief Secretary mentioned that while tea garden managements argue that workers in tea plantations get paid cash and are also given in-kind incentives for their families, these in-kind incentives actually leave the workers with little or no choice. If the worker does not want to avail the in-kind incentive, a cash reimbursement is not given in lieu of it. Even if the services offered are lacking in quality, the workers have no means to



The Chief Guest was welcomed by Dr. Tushar Rane, Chief of Field Office, Assam, who elaborated on the way forward, as had emerged from the conference. He stressed on devising strategies and policies centred around the protection of child rights in the country by careful consideration of all the recommendations that had been shared in the conference. State Government should constitute and notify a Core Group of Experts to further firm up the recommendations from this conference and share with the Office of Chief Secretary, Government of Assam and Standing Labour Committee in Assam. Based on the final set of recommendations, the Assam Plantations Labour Rules, 1956 need to be placed before the Assam Cabinet for amendment, which will also help in addressing the bottlenecks



avail better ones because they will not be able to support those services financially. He concluded that it is imperative that the State and all its cohorts for Tea Plantations in Assam need to converge and come up with a road plan to tackle the major issues that have emerged from the conference by 2030. Quite a few amendments need to be made, but only making legislative ones will not suffice. Sustainable Development Goals (SDGs) have set for themselves a lofty goal of removing poverty by 2030. Increasing their level of involvement will prove to be salubrious especially while dealing with the protection of child rights in the country.

The Vote of Thanks was given by Dr. V.P. Tiwari from Centre for Child Rights, National Law University, Assam and Dr. Himanshu Pandey, Registrar, National Law University, Assam appreciating all the effort that was put into materialising this conference.



RECOMMENDATIONS FROM THE CONFERENCE

After due deliberations by the experts in the respective technical sessions, the following recommendations were made from each of the four technical sessions and group work :

I. Recommendations with regard to the Plantations Labour Act, 1951 and Assam Plantations Labour Rules, 1956 :

1. The word 'ordinarily employed' used in the Assam Plantations Labour Rules, 1956 should be omitted where ever they appear. This will help in providing facilities to the children of casual employees also;
2. Definition of wages under section 2(i) of Plantations Labour Act, 1951 should have the same meaning as under Payment of Wages Act, 1936;
3. Rule 36 of Assam Plantations Labour Rules, 1956 is required to be suitably amended particularly relating to appointment of qualified medical practitioner, read with Section 2(h) of the Plantations Labour Act, 1951;
4. Section 14 should be amended in conformity with Right to Free and Compulsory Education Act, 2009;
5. Rule 55 (education) of Assam Plantations Labour Rules, 1956 should be amended to bring it in conformity with RTE Act;
6. State Right to Education (RTE) Rules need to be amended to include tea garden managed schools;
7. Assam Plantations Labour Rules, 1956 require to be amended to implement the RTE provisions as notified under state RTE Rules; and
8. Assam Plantations Labour Rules, 1956 should have provision for having separate toilets for boys and girls in tea garden schools as well as providing safe drinking water in tea garden schools.

II. Health, Nutrition and Crèche :

1. For compulsory rural service after completion of MBBS, doctors can be sent to tea gardens;
2. National Health Mission (NHM) needs to be universalized in all tea plantations;
3. Appointment of lady doctors is required in tea gardens;
4. Tea Garden Managements should sensitize the workers about necessity of good health;
5. Sufficient supply of medicine and availability of ambulances should be ensured;
6. Health facilities provided under Plantations Labour Act should be extended to school children for regular health check-up and monitoring status of health issues of children in convergence with Rashtriya Bal Swasthya Karyakram (RBSK) of Health department;
7. Adolescent and Reproductive Sexual Health (ARSH) Counsellors should collaborate with tea garden schools and hospitals in order to provide periodical counselling services to children and adolescents;
8. Tea Garden Managements have urged that distribution of food grains must remain with them. Government of Assam must provide quality assurance and robust grievance redressal procedure;
9. Coordination between Accredited Social Health Activists (ASHA) and tea garden management / hospitals is required;
10. Trade unions need to conduct awareness raising programmes on responsibilities of husbands for pregnant and lactating mothers;
11. For hypertension management, we need to initiate change on non-salted tea through awareness generation and coordinated exercise of block health workers;
12. Supplementary nutrition programme for pregnant and lactating mothers is required

and the tea garden management should supervise and coordinate it;

13. Building awareness to bring about behavioural changes on existing nutrition and lifestyle malpractices - Invite global leaders like GAIN to give recommendation on food fortification to combat issues related to mal nutrition;
14. Youth groups should be formed and strengthened to lead community wellbeing and protection issues;
15. Section 12 of Plantations Labour Act, 1951 is silent about the pre-school education;
16. Age group of children in crèche should be (0-5) years instead of (0-6) years;
17. Improvement of the crèche facilities, trained caretaker in crèches as per Rule 46 Assam Plantations Labour Rules, 1956. Convergence of tea garden crèches and Integrated Child Development Scheme (ICDS) is needed;
18. The particular rule is silent about the timing of crèche hours. Change in the timing of crèches and ICDS centres to be made to coincide with the daily work schedule of mothers; and
19. Selection of attendants and training of crèche workers should be through Government of Assam.

III. Education :

1. Notifications of Labour department which empowers certain officials to carry out supervision and monitoring of the management run schools in tea garden areas should be implemented in its true spirit;
2. Inclusive education for all children including children with special needs is required;
3. There is a need to cover children from 6-14 years under Plantations Labour Act and not under 6-12 years;
4. Upper primary schools should be established in tea gardens;
5. There should be a tea garden management representative in SMC's of tea garden schools;
6. Infrastructure in tea garden managed schools (for both permanent and casual

labourers' children);

7. Multi lingual approach should be initiated as far as practicable;
8. Re-defining school timings in tea garden areas (includes all kinds of schools);
9. Land should be allocated for schools;
10. Tea garden management should ensure implementation of education system in accordance with RTE Act;
11. Awareness programs for guardians on RTE Act by Sarba Siksha Abhijan (SSA) should be undertaken;
12. Improvement in transport facilities for children from residence to school;
13. Remedial schools for drop-outs is necessary;
14. Life skills and accredited livelihood skill training for Adolescents (15-18 years) is necessary;
15. Specific livelihood skill building programme should be tailored to tea estates;
16. Early childhood and primary education should be synchronized with Government infrastructure and schemes (Integrated Child Development Scheme and RTE Act);
17. Youth and Children committees should be entrusted with the responsibility of giving a voice to children about their own education and curriculum;
18. Initiatives for revival of tea welfare boards need to be taken so that they can be made a part of the monitoring system to ensure the mandate of RTE Act; and
19. Provincialization of tea garden schools is also necessary.

IV. Sanitation and Water :

1. Standard toilet-student ratio should be maintained in tea garden schools;
2. Provision of clean drinking water through deep tube wells should be brought about;
3. Use of shallow tube wells should be discontinued;
4. Awareness raising against open defecation should be encouraged; and
5. Hand wash and other hygienic practices to be made necessary.

Programme Agenda

**National level Conference on Protection of Child Rights in Tea Plantations of India,
 with a particular reference to the implementation of
 The Plantation Labour Act, 1951**

**Organised by: National Law University, Assam
 In collaboration with: Department of Labour and Employment, Government of Assam
 Supported by: UNICEF, Office for Assam and Ethical Tea Partnership (ETP)**

**Assam Administrative Staff College, Guwahati, Assam
 November 14-15, 2015**

Day 1: 14 November 2015 (Saturday)		
Time	Activity	Responsibility
9.30 to 10AM	Registration	Student volunteers of Centre for Child Rights (CCR), National Law University, Assam
Inaugural Session: 10AM to 12 Noon		
10 Minutes	Felicitation of dignitaries	NLU Assam
8 Minutes	Welcome Address	Prof. Dr. Vijender Kumar, Vice Chancellor, NLU Assam
7 Minutes	Opening Remarks	Dr. Tushar Rane, Chief of Field Office UNICEF Assam
20 Minutes	Key Note Address	Prof. Dr. Mool Chand Sharma Former Member, Law Commission of India, New Delhi
10 Minutes	Speech by Guest of Honour	Ms. Henriette Ahrens Deputy Representative- Programmes UNICEF India Country Office, New Delhi
10 Minutes	Speech by Guest of Honour	Ms. Laya Madduri, IAS OSD to Chief Minister of Assam Govt of Assam
10 Minutes	Speech by Special Guest	Mr. Debasish Choudhury Deputy Director General, Ministry of Labour and Employment, Govt. of India
10 Minutes	Presentation on Tea Atlas of Assam	Mr. Soumen Ray PPE Officer, UNICEF Assam
5 Minutes	Launch and Inauguration of Tea Atlas of Assam	Mrs. Ajanta Neog, Hon'ble Minister, Planning Development, Judicial, Legislative, Law and Public Works (Roads, Buildings, National Highway)
20 Minutes	Speech by Chief Guest	
5 Minutes	Vote of Thanks	Dr. V.P. Tiwari, Associate Professor and Head, Centre for Child Rights (CCR), NLU Assam
Tea Break: 12 Noon to 12. 30PM		
Technical Session I: (12.30 to 1.30PM)		

Panel Discussion:	Overview of the status of implementation of Plantation Labour Act 1951 across the tea growing states of India.	
Chair: Opening remarks and introduction of panellists: 5 Minutes	Mr. Debasish Choudhury Deputy Director General, Ministry of Labour and Employment, Govt. of India	
15 Minutes	Presentation by Office of Labour Commissioner, Govt. of Assam: Issues, Challenges and Way Forward in the implementation of The Plantation Labour Act, 1951.	Mr. Dhiren Goswami Consultant to Labour Commissioner, Assam Former Chief Inspector of Plantations, Assam.
15 Minutes	Presentation by Office of Labour Commissioner, Govt. of Assam: Issues, Challenges and Way Forward in the implementation of The Plantation Labour Act, 1951.	Mr. S. K. Das, TCS-SSG Labour Commissioner and Additional Secretary, Tripura
30 minutes	Open session: Discussions, Feedback, Question and Answers	The Chair and Panellists
Lunch Break: 1.30 to 2.15PM		
Technical Session II (2.15 to 3.25PM)		
Panel discussion:	Structural issues and challenges that impact protection of child rights in tea plantations of India: sharing of perspectives and experience by key actors of the Tea Industry.	
Chair: Opening remarks and introduction of panellists: 10 Minutes	Mr. Joachim Theis, Chief of Child Protection, UNICEF India Country Office, New Delhi	
Panelist 1: (10 minutes of presentation/ talk)	What is the key objective of ETP and its partners in investing on protection of child rights in tea gardens of Assam?	Ms. Diya Sharma Programme Manager for India Ethical Tea Partnership (ETP) Mumbai
Panelist 2: (10 minutes of presentation/ talk)	How certification companies aim to ensure ethical practices in tea supply chain, with a specific focus on how 'certification' works in addressing the key challenges in protection of child rights in Tea plantations of India.	Mr. Harkirat Sidhu, Consulting Program Coordinator India, Rainforest Alliance, Kolkata Mr. Lee Buyers, Senior Advisor, Coffee & Tea, Fairtrade International, UK
Panelist 3: (10 minutes of presentation/ talk)	Why protection of child is rights important to buyers and how are they contributing towards this cause- some key CSR good practices.	Ms. Annemarie Leniger Ostfriesische Tee Gesellschaft (OTG) Germany
Panelist 4: (10 minutes of presentation/ talk)	What challenges the tea garden managements are facing?- Key issues with regard to management of production as well as social issues.	Mr. Sandip Ghosh Secretary ABITA, Guwahati
20 Minutes	Open session: Question and Answers	The Chair and Panellists
Tea Break: 3.25 to 3.40PM		
TECHNICAL SESSION III (3.40 to 5PM)		
Panel Discussion:	Issues and challenges in ensuring the right to survival and good health of children and their mothers in Tea Plantations of India.	
Chair:	Dr. Tushar Rane Chief of Field Office	

**NLUA**

অসম চৰকাৰ



GOVERNMENT OF ASSAM



Opening remarks and introduction of panellists: 5 Minutes	UNICEF Assam	
Panelist 1: (15 minutes)	Issues, challenges and way forward in ensuring water and sanitation facilities under key government flagship programmes in tea gardens of Assam.	Mr. Ashok Das Secretary to Govt. of Assam Department of Public Health Engineering.
Panelist 2: (15 minutes)	Issues, challenges and way forward in ensuring proper access of ICDS and ICPS schemes to children from tea communities of Assam	Mr. H.N. Lahon Joint Director, Social Welfare Dept. Govt. of Assam And Mr. S.P. Alam Programme Officer 1, State ICDS Cell, Social Welfare Dept., Govt. of Assam.
Panelist 3: (15 minutes)	Issues, challenges and way forward in addressing maternal and infant mortality in tea communities of Assam.	Dr. P. Ashok Babu, IAS Mission Director, NRHM Assam
Panelist 4: (15 minutes)	Issues, challenges and way forward in ensuring anaemia and poor nutrition status of children and women in tea gardens of Assam	Dr. Tulika Goswami Mahanta Associate Professor, Department of Community Medicine, Assam Medical College, Dibrugarh & Nodal Officer, Child Health Initiative, NRHM Maternal and Child Health Cell, District Training Centre, Assam medical College, Dibrugarh
15 Minutes	Open session: Question and Answers	The Chair and Panellists
Close of Day I		
Welcome Dinner and Cultural Evening at Hotel Radisson Blu, Guwahati (7.30PM onwards)		
Day 2: 15 November 2015 (Sunday)		
9 to 9.15AM	Recap of the key recommendations that emerged from various previous sessions about provisions and implementation of PLA.	Ms. Gitanjali Ghosh, Assistant Professor, Centre for Child Rights (CCR), NLU Assam
TECHNICAL SESSION IV (9.15 to 10.50)		
Panel Discussion:	Issues and challenges in ensuring children's right to education, with a particular focus on the implementation of The Right to Free and Compulsory Education Act, 2009 in tea plantations of India.	
Chair: Opening remarks and introduction of panellists: 5 Minutes.	Shri Thaneswar Malakar, IAS Mission Director, Assam Sarba Siksha Abhijan, Guwahati	
Panelist 1 (15 Minutes)	Issues, challenges and way forward in ensuring the implementation of The Right to Free and Compulsory Education Act, 2009 in Tea Plantations of India.	Ms. Sumi Borthakur State Programme Officer Community Participation and Special Focus Districts, Sarva Siksha Abhijan Mission Assam
Panelist 2 (15 Minutes)	Experiences of Assam State Commission for Protection of Child Rights (ASCPCR) and Way	Ms. Runumi Gogoi Chairperson I/C

	Forward in proper implementation of RTE in tea gardens of Assam.	Assam State Commission for Protection of Child Rights (ASCPCR) Guwahati
TEA BREAK (10.50 to 11.10AM)		
TECHNICAL SESSION V (11.10 to 1PM)		
11.10 to 11.45AM	Plenary sharing of thematic issues which are identified and key suggestions that emerged from the four previous technical sessions: Ms. Gitanjali Ghosh, NLU Assam and Mr. Vedprakash Gautam, CP Specialist, UNICEF Assam.	
11.45 to 12.45PM	Group division and group work:	
12.45 to 1PM	Preparation of PPTs by each of the Group Facilitators and submit the same to the Workshop facilitator	
LUNCH BREAK: 1 to 2PM		
TECHNICAL SESSION VI (2 to 3.30PM)		
10 minutes per group presentation followed by 5 minutes of QnA	Group presentations	Group Presenters
TEA BREAK (3.30 to 3.45PM)		
Valedictory session: 3.45 to 5PM		
3.45 to 4PM	Presentation of the consolidated recommendations from the 2 day conference	UNICEF and NLU Assam
4.10 to 4.20PM	Welcoming the Chief Guest	Mr. Tushar Rane Chief of Field Office, UNICEF Assam And Dr. H. Pandey Registrar, NLU Assam
4.20 to 4.30PM	Way Ahead, as emerged from the Conference	NLU Assam
4.30 to 4.55PM	Remarks by Chief Guest	Mr. V.K. Pipersenia, IAS Chief Secretary to Govt. of Assam
4.55 to 5PM	Vote of Thanks	NLU Assam

-End-



Concept Note

National level Conference on Protection of Child Rights in Tea Plantations of India, with a particular reference to the implementation of The Plantation Labour Act, 1951

Organised by: National Law University, Assam
In collaboration with: Department of Labour and Employment, Government of Assam
Supported by: UNICEF, Office for Assam in partnership with Ethical Tea Partnership (ETP)

Assam Administrative Staff College, Guwahati, Assam: 14- 15 November 2015

Background of the issue at hand:

The Plantations Labour Act, which extends to the whole of India except Jammu & Kashmir, was enacted in 1951 to provide for the welfare of plantation labour and to regulate the conditions of work in plantations. It applies to all Tea, Coffee, Rubber, Cinchona, Cocoa, Oil Palm and Cardamom plantations, which measures 5 hectares or more and in which 15 or more persons are employed or were employed on any day of the preceding 12 months. The Act also covers workers employed in offices, hospitals, dispensaries, schools / *balwadis* and crèches, etc., in the plantations. However, it does not apply to those factory premises to which the provisions of the Factories Act, 1948 apply. Under this law, the State Governments have been empowered to take all feasible steps to improve the lot of the plantation workers.

India has a total of 564,000 hectares of area under tea production, out of which the tea gardens of Assam comprise 322,000 hectares. Moreover, a total of 6.86 lakh persons in Assam are provided average daily employment by the tea industry of Assam in around 69220 tea gardens.¹ The tea communities of Assam comprise around 17% of the total population of 3.21 Million² and it is one of the most socially excluded and marginalised communities of Assam.

Why there is a need to convene a national conference?

Although the Tea Communities represent approximately 17 per cent of the State's population in Assam, their assimilation within mainstream Assamese society has been somewhat limited by their relative geographic isolation. The Tea Communities are, among the most marginalized and socially excluded groups in Assam, with poor development indicators, exacerbated by traditional social norms such as child marriage and child labour. Education, especially for adolescent girls from the marginalized tea communities still poses challenges due to concerns relating to access, language, and more importantly early marriage, child bearing and employment during adolescence. To address the issues, Tea Communities have been identified as the focus of UNICEF Assam's Social Inclusion and Equity Programming in the State. Given their culture and traditions, they have a much higher incidence of early marriage, making girl children especially vulnerable to this practice. The learning from the ongoing child protection interventions at the tea garden level, as well as, from the upscale advocacy with the state government in Assam has shown that children and adolescents are vulnerable to a range of child protection concerns, including sex trafficking, exploitative and bonded labour, physical and sexual abuse within the domestic household and in the community. Alcoholism and inadequate parenting skills in adults exacerbate the protection concerns of dependent children and adolescents in tea communities.

It is a well-known fact that a substantial number of the population of plantations consists of the children, both wards of the plantation labourers as well as child labourers. Employment of adolescent and children in the permanent labour force is a special feature of the plantation industry. This is mainly a result of the pre-independence practice of employing the entire family for plantation work in order to save on recruitment costs³. Having regard of the same, the Plantation Labour Act, 1951 has several provisions concerning children. The Act has regulated child labour and created two categories of children, viz. Adolescents and Children. However, the only concession given to 'Adolescent' children is in terms of their working hours where as opposed to a maximum of 48 hours a week for adults, they can be made to work for a maximum of 27 hours. The Act also provides educational facilities for children of plantation workers. The employers have to provide educational facilities to children of the plantation workers aged between 6 and 12. Further, the act also provides for health care for the plantation workers including their families as it mandates provisions and maintenance of readily available medical facilities. However, families of 'temporary' workers are not entitled to health care facilities as per the Act. The Act also makes it mandatory for the employers to provide crèches for children below six years.

Having said that, the truth of the matter remains that provisions impacting children⁴ (0- 18 years) in the Plantation Labour Act, 1951 (as Amended in 1953, 1960, 1961, 1981, 1986 and 2010) are either not in consonance with the provisions of the

¹ Directorate of Economics and Statistics, Assam, *Economic Survey Assam 2014-2015*, 123 (2015).

² Census 2011.

³ Bhowmick, Sharit, K. (1992), *Plantation labour Act and Child Labour*, EPW, Vol. 27, No. 42, P- 2287.

⁴ As per National Policy for Children, 2013; and as per The Juvenile Justice (Care and Protection of Children) Act, 2000 and The Protection of Children from Sexual Offences Act, 2013.



progressively emerging legal and policy framework that evolved in India for protection of child rights; or have proved to be inadequate to meet the benchmarks prescribed in various national flagship programmes pertaining to children and women.

Challenges with regard to the implementation of the existing provisions of PLA 1951 are in addition to the above-mentioned structural issues with regard to the mentioned statute. Reach and access of various national flagship programmes aiming at universal coverage of children and women poses another set of challenges for those living in tea gardens of Assam.

What are the key objectives of this national conference?

In this background, the National Law University, Assam in collaboration with UNICEF, Office for Assam is organizing a National Conference on protection of child rights in plantations of India, with a particular reference to the implementation of the Plantation Labour Act, 1951 on November 14-15, 2015. The Key objectives of this national level conference is to convene all relevant stakeholders from 5 Tea growing States of India, namely, Assam, Kerala, Tamil Nadu, Tripura and West Bengal. The Objective of this conference re as follows:

1. To have a shared understanding of the provisions relating to children in The Plantation Labour Act, 1951;
2. To discuss in detail the issues and challenges faced by key stakeholders in realizing the rights of the child as provided under the PLA, 1951;
3. To come up with a set of recommendations for better implementation and/ or, if necessary, amendment of the Plantation Act, 1951.

Details of participation at the conference:

The conference will be attended by the following set of stakeholders:

1. Chief Inspector of Plantations; Labour Commissioner and Labour department officials;
2. Chairperson/ Representative from State Commission for Protection of Child Rights (SCPCR);
3. Member Secretary/ Representatives from State Child Protection Society (SCPS- under ICPS), under Department of Women and Children/ Social Welfare;
4. Representatives from Tea Labour unions;
5. Representatives from Tea Management Associations;
6. NGO/ Civil Society organizations working on women and children in tea plantations;
7. Representatives from Tea Producers, Tea Buyers, and Tea Certification companies;
8. Academic organisations, Media personnel.
9. Officials from UNICEF and Ethical Tea Partnership.

About NLU Assam and UNICEF Assam:

The National Law University and Judicial Academy, Assam (NLUJAA) has been established by the Government of Assam by way of enactment of the National Law School and Judicial Academy, Assam Act, 2009 (Assam Act No. XXV of 2009). In furtherance of the research objectives of NLU, Assam, the Executive Council of NLU, Assam in its meeting held on January 19, 2015 established several Specialized Centres of Excellence for promotion of advanced research, teaching and study of which the Centre for Child Rights (CCR), a specialized Centre to address issues relating to children is one of the prominent ones. The CCR was established in partnership with UNICEF, Office for Assam and a Memorandum of Understanding (MoU) was signed between the two organizations in this regard, effective from 1 June 2015. UNICEF is the nodal UN agency mandated to work for the rights of children and a key development partner for the Government of Assam (including the ASCPCR) in the area of Child Rights.

Contact details:

<p>National Law University, Assam</p> <p>NEJOTI Building, B.K. Kakati Road, Bholanath Mandir Path, Ulubari, Guwahati-781007, Assam (India). e-mail id: ccr@nluassam.ac.in website : nluassam.ac.in Phone no: +91-361-2738891 / 92 (Office)</p>	<p>UNICEF, Office for Assam</p> <p>House no. 27, Basisthapur Bylane- 3, Next to Regional Passport Office, Beltola Road, Guwahati- 781028, Assam (India) Email: vegautam@unicef.org Phone: +91- 361- 2235151/53 Website: http://unicef.in/State/Assam</p>
---	---





Assam Tribune
Edition: Guwahati
Date: 15/11/2015
Page: 1

Govt to implement Plantations Labour Act

STAFF REPORTER

GUWAHATI, Nov 14: Asserting that the State Government was committed to implementing the Plantations Labour Act, 1951 in letter and spirit, Ajanta Neog, Minister for Planning & Development, Law and PWD, today said that various departments such as Social Welfare, Health and Education needed to act in tandem for this purpose.

Speaking as the chief guest at the inaugural session of the UNICEF-supported national level conference on protection of child rights in tea plantations of India with special reference to the implementation of the

Plantations Labour Act, organised by National Law University, Assam, in collaboration with the Department of Labour and Employment, Neog said that of particular importance were issues concerning health and education of the children of tea workers.

"The State Government is aware of the prevailing situation and interventions are being directed for ensuring that the rights of the workers – especially children – are protected. It is in acknowledgement of the situation that the Chief Minister announced a Rs 200-crore package for the welfare of the tea tribes in the last (See page 10)

Govt to...

(Contd from page 1)
Budget Session of the State Assembly," Neog said.

"The Government is committed to implementing the Plantations Labour Act in its totality, among other measures for the welfare of tea tribes. The State Government has also submitted recommendations to the Centre over various issues concerning the welfare of tea communities," she added.

Prof Mool Chand Sharma, former Member, Law Commission of India, in his address, stressed the need for foolproof protection of child rights in tea gardens, saying that any agenda of development and human rights was inconceivable without protection of children's rights.

Dhiren Goswami, former Chief Inspector of Plantations, Assam, said that there

was an acute shortage of doctors and paramedics in Assam's tea gardens. He said that there were only 300-odd doctors and 600-odd pharmacists in over 1,000 tea gardens of the State.

Drinking water, Goswami added, was another area of concern, with over 60 per cent gardens not having adequate drinking water facilities for workers.

Henriette Ahrens, Deputy Representative, Programmes, UNICEF India Country Office, New Delhi, in her address as the guest of honour, gave an account of the UNICEF's engagement in tea gardens. She urged the State governments to act in close collaboration with UNICEF.

Prof Vijender Kumar, Vice Chancellor, National Law University, also spoke among others.

Telegraph
Edition: Guwahati
Date: 15/11/2015
Page: 9

Online mechanism to monitor Plantations Labour Act



The conference in progress in Guwahati on Saturday. Telegraph picture

OUR SPECIAL CORRESPONDENT

Guwahati, Nov 14: The Plantations Labour Act will now be monitored through a web-based application for better implementation.

The application, called Assam Tea Atlas, was launched here today at a national-level conference on Protection of Child Rights in Tea Plantations of India with particular reference to the implementation of the Plantations Labour Act, 1951.

The application was devised by the office of the labour commissioner, Assam, with technical support from Unicef.

Soumen Ray, planning, programme and evaluation officer, Unicef, gave a presentation on the Assam Tea Atlas, which aims to provide access to data and can be used as a simple online tool for data management.

A note on the atlas said the Assam tea industry played a significant role

and decision-makers, policy-makers and service providers would need accurate and timely data to improve the quality of planning, monitoring and service delivery.

The act, which extends to the whole of India except Jammu and Kashmir, was enacted in 1951 to ensure the welfare of labourers and to regulate the conditions of work in plantations.

The Centre is also thinking of amending the act and the tea industry has been demanding a change as the situation has changed drastically now.

Dhiren Goswami, the consultant to the labour commissioner, Assam, said the industry had not fully implemented the act, as there were some shortcomings. Sources said a number of cases have been registered by the labour department in courts against tea gardens that have not complied with various provisions of the Plantations Labour Act.

The secretary of the Assam Branch Indian Tea Association, Sandip Ghosh, admitted there was a shortage of doctors in the gardens and of the need to improve health indicators. The conference will conclude tomorrow.

Assam minister for planning and development Ajanta Neog said the government was committed towards "realising the rights of the tea community and especially their children".

She said recently the state government had notified a convergent plan of action to address child labour. "I am hopeful that with the convergent efforts from key stakeholders and Unicef, the state will be able to usher in a protective environment for children," she added.

Tushar Rane, the chief of Unicef, Assam, said one out of five children are from the tea community in the state and hence they had been identified as the focus of the organisation's

Assam's Social Inclusion and Equity Programming.

He said "adolescents' empowerment" was a focus area of the programme.

Rane hoped that the recommendations emerging from the conference would create an enabling environment for better implementation of the act.

Henriette Ahrens, the deputy representative (programmes), Unicef India country office, New Delhi, spoke of the need for a coordinated effort from the central and state governments, civil society and community members to work as an important ally for ensuring a protective environment for children in Assam.

The National Law University, Assam, organised the conference in collaboration with the state department of labour and employment.

Unicef, Office for Assam and Ethical Tea Partnership are supporting the event.

Sentinel
Edition: Guwahati
Date: 15/11/2015
Page: 6

Assam tea garden web portal launched

BY OUR STAFF REPORTER

GUWAHATI, Nov 14: "Tea Atlas of Assam", a web portal devised by the Office of the Labour Commissioner with technical support from UNICEF for better implementation of labour Act, was launched today in a two-day national seminar held in the city.

The web portal highlights key performance indicators from tea gardens in the state through powerful thematic maps and charts, available in the website www.dataforall.org. Inaugurating the web portal, Planning and Development Minister Ajanta Neog said: "I am happy to know that UNICEF has extended its support and

expertise to launch the web portal, which will be helpful for the people to know the statistical data on state tea gardens. All these are positive steps towards achieving the goal of creating a protective environment for our children, without discriminating on the grounds of caste, creed, and sex or socio economic status of a child in our state."

Neog also said: "Out of 27 districts tea is cultivated in 16 districts of Assam, and the population of the workers, who work in these gardens is estimated to be around 17 lakh. State Government is responsible to look after all issues related to this section of population of our society, and so Chief Minister Tarun Gogoi

laid out a detailed vision for women and children, 2016 with 16 goals to be achieved within the timeline of 2016. The vision document aims to address the issue of child labour through mainstreaming in education, reducing the percentage of girls marrying before the age of 18 years by 50 per cent to 11 per cent, reduction in percentage of anaemia in children, reduction in infant mortality rate, reduction of maternal mortality rate etc. We often saw in reports that the problem of anaemia, infant mortality and maternal mortality is high in tea garden areas. So the Government is committed towards handling these issues."

The seminar was attended

by dignitaries from five tea growing states as Assam, Kerala, Tamil Nadu, Tripura and West Bengal which will be concluded on November 15.

The conference was organized by National Law University, in collaboration with Department of State Labour and Employment and UNICEF. The programme was also attended by NLU vice chancellor Vijender Kumar, UNICEF state chief of field office Tushar Rane, former member of Law Commission of India Mool Chand Sharma, deputy representative of UNICEF India office Henriette Ahrens, OSD to Chief Minister Laya Madduri, UNICEF PPE officer Saumen Ray and NLU professor VP Tiwari.

‘চৰকাৰী আঁচনিৰ পৰা বঞ্চিত শ্ৰমিক গোষ্ঠী’

ষ্টাফ বিপ'ৰ্টাৰ, ১৪ নৱেম্বৰ : বৃহৎ চাহ গোটীসমূহে বিগত সময়ছোৱাত চাহ উৎপাদনেৰে বিশ্ব জয় কৰি আহিলেও শ্ৰমিকসকলৰ উন্নয়নৰ স্বার্থত এই পৰ্যন্ত শ্ৰমিক আইন-১৯৫১খন বহুসংকলিতভাৱে ৰূপায়ণ কৰা নাই। আজি খানাপাৰাত প্ৰশাসনিক মহাবিদ্যালয়ত ৰাষ্ট্ৰীয় আইন বিশ্ববিদ্যালয়, অসমৰ উপাধ্যক্ষ আৰু ইউনিচফ, ৰাজ্যিক শ্ৰম বিভাগৰ সহযোগত আয়োজিত ৰাষ্ট্ৰীয় পৰ্যায়ৰ দুদিনীয়া আলোচনাচক্ৰই এই সন্দৰ্ভত উদ্বেগ প্ৰকাশ কৰে। বিগত দুটা বছৰত লক্ষীমপুৰ জিলাৰ চাহ শ্ৰমিকৰ ১৫০গৰাকী কিশোৰী অপহৰণকাৰীৰ কবলত পৰে। আৰ্থিক দুৰৱস্থাৰ সন্মুখীন হৈ দালাল একাংশই চাকৰি দিয়াৰ প্ৰলোভনেৰে এনে কিশোৰীক মুছাই, বাংগালুক আদি বহিঃ ৰাজ্যত বিক্ৰী কৰি আহিছে। গুৱাহাটীৰ পাৰ্শ্বৱৰ্তী ৰঙিয়া কেল ষ্টেচন এতিয়া কিশোৰ-কিশোৰীৰ অপহৰণৰ

‘মঞ্চ’ হৈ পৰা বুলি বক্তাসকলে মত প্ৰকাশ কৰে। উল্লেখ্য যে ২০০৭-১৪ বৰ্ষৰ সময়ছোৱাত ৰাজ্যৰ বিভিন্ন প্ৰান্তৰ পৰা ৯৫০০টি কিশোৰ-কিশোৰী অপহৃত হোৱাৰ বিপৰীতে ইয়াৰে ৩৮৪০টি শিশু আৰক্ষীয়ে উদ্ধাৰ কৰিবলৈ সক্ষম হৈছে। কপালৰ ঘাম মাটিত পেলাই চাহ উৎপাদনত ব্যস্ত থকা শ্ৰমিকসকলৰ উন্নয়নৰ বাবে বাৰসায়িক গোটীসমূহে আজি পৰ্যন্ত ‘শ্ৰম আইন-১৯৫১’ ৰূপায়ণ কৰা নাই। আলোচনাচক্ৰত দেশৰ ল’ কমিছনৰ প্ৰাক্তন সদস্য অধ্যাপক ড° মুলচান্দ শৰ্মাই চাহ গোটীসমূহে ব্যয় বৃদ্ধি হোৱাৰ কাৰণ দৰ্শাই আইনখন ৰূপায়ণ নকৰা কাৰ্যত উদ্বেগ প্ৰকাশ কৰে। সকলো দিশতে পিছপৰি থকা চাহ শ্ৰমিক গোটীটোৱে আনকি চৰকাৰে ৰূপায়ণ কৰি থকা একাধিক আঁচনিৰ সুফল নোপোৱাত বক্তাসকলে উদ্বেগ প্ৰকাশ কৰে। আশ্চৰ্যৰ বিষয় যে দেশৰ চাহ শ্ৰমিকসকলৰ উন্নয়ন

ক্ষেত্ৰত একাধিক আনি কাৰ্যকৰী হৈ থকাৰ পাছতো এইসকলে খাবলৈ বা পিন্ধিবলৈ চিন্তা কৰিবলগীয়া হৈ আছে। আলোচনাচক্ৰত প্ৰকাশ কৰা সমীক্ষা মতে ৰাজ্যখনত ১১ শতাংশ বাগিচাত প্ৰাথমিক বিদ্যালয়ে নাই। ৭৫ শতাংশই উচ্চতৰ মাধ্যমিক বিদ্যালয়লৈ গৈয়েই পঢ়া-শুনা এৰি বাগিচা অথবা অন্যান্য উদ্যোগ আদিত শ্ৰমিক হিচাপে নিয়োজিত হয়। আনহাতে অধিকাংশ প্ৰস্তুতিয়ে সন্তান জন্ম দিয়াৰ পাছতে মৃত্যুক সাৰি ল'ব লগা হয়। সমীক্ষাটো মৰ্মে ৪.২ শতাংশই চিকিৎসাৰ সুবিধা নোপোৱাৰ লগতে ৫০ শতাংশই চিকিৎসালয়ৰ পৰিৱৰ্তে ঘৰতেই প্ৰসৱ

কৰাবলৈ বাধ্য হয়। ৯৮ শতাংশ পৰিয়ালৰ নাই বিজ্ঞানসন্মত শৌচাগাৰ। আনকি শিক্ষাৰ ক্ষেত্ৰত চাহ বাগিচাসমূহত নাই কোনো কাৰিকৰী শিক্ষা প্ৰতিষ্ঠান। নিজৰ নামত মাটি নথকাত বেংক আদিৰ পৰাও সহায়-সুবিধা পোৱাৰ পৰা বঞ্চিত হৈ আহিছে শ্ৰমিক গোটীটোৱে। আনকি দেশৰ ভিতৰত সৰ্বনিম্ন বেতনেৰে শ্ৰমদান কৰি আহিছে মালিক গোটীটোক। আলোচনাচক্ৰখনত মুখ্য অতিথি হিচাপে অংশগ্ৰহণ কৰি গড়ক।প্ৰ'ট'নি মন্ত্ৰী অজন্তা নেওগে ইউনিচফ আৰু শ্ৰম বিভাগে প্ৰস্তুত কৰা

বিষয়ে ঘোষণা কৰে। তেওঁ সচেতনতা আৰু সজাগতাৰ অভাৱৰ বাবে শ্ৰমিক গোটীটো পিছপৰি থকা বুলি স্বীকাৰ কৰি চৰকাৰে এইসকল ব্যক্তিৰ উন্নয়নৰ ক্ষেত্ৰত আপোচ নকৰে বুলিও জানিবলৈ দিয়ে। আজিৰ আলোচনাচক্ৰত ৰাষ্ট্ৰীয় আইন বিশ্ববিদ্যালয় অসমৰ উপাধ্যক্ষ অধ্যাপক ড° বিজেন্দ্ৰ কুমাৰ, ইউনিচফৰ অসম শাখাৰ মুখ্য কেন্দ্ৰ বিষয়া তুষাৰ বাণে, হেনৰিটি আহ'নছ, মুখ্যমন্ত্ৰীৰ বিশেষ কৰ্তব্যত বিষয়া লয়া মাধুৰী, ভাৰত চৰকাৰৰ শ্ৰম বিভাগৰ উপ-সঞ্চালক দেৱাশিস চৌধুৰী আদি বিশিষ্ট ব্যক্তিসকলে অংশগ্ৰহণ কৰে।

জাগীৰোডত শিশু দিৱসৰ দিনাই সজ্ঞানক

Asomiya Pratidin
Edition: Guwahati
Date: 15/11/2015
Page: 5

ৰাষ্ট্ৰীয় কৰ্মশালাত উন্মোচিত অসমৰ চাহ শ্ৰমিকৰ দুৰ্দশা

ৰাজ্যৰ ৬৩% স্থায়ী-৪৮% অস্থায়ী চাহ শ্ৰমিকেই বাস কৰে দাৰিদ্ৰ্য সীমাৰেখাৰ তলত

প্ৰতিদিন সংবাদ, গুৱাহাটী, ১৪ নৱেম্বৰ : শিশু সৰববাহৰ হটম্পটত পৰিণত হৈছে ৰাজ্যৰ চাহ বাগানসমূহ। চৰকাৰৰ গুৰুত্বহীনতা আৰু মালিক পক্ষৰ শোষণ-বঞ্চনাৰ ফলত স্বাধীনতাৰ ৬৮ বছৰ পিছতো চাহ বাগিচাত নিয়োজিত শ্ৰমিকে চৰম দুৰ্দশাৰ মাজেৰে দিন পাৰ কৰিবলগীয়া হৈছে। চাহ শ্ৰমিকসকলৰ অৰ্থনৈতিক, শৈক্ষিক, সামাজিকভাৱে অনগ্রসৰতাৰ সন্মুখীন হৈ এচাম সুযোগসম্পন্নী লোকে শিশু সৰববাহৰ দৰে দুৰ্ভাগ্য সংঘটিত কৰিছে। আজি পবিত্ৰ শিশু দিৱসৰ দিনটোতে গুৱাহাটীৰ খানাপাৰাত অসম প্ৰশাসনীয় পদাধিকাৰী মহাবিদ্যালয়ত আয়োজিত চাহ বাগিচাত শিশুৰ অধিকাৰ সুৰক্ষা শীৰ্ষক ১২ পৃষ্ঠাত

Dainik Janambhumi
Edition: Guwahati
Date: 15/11/2015

শিশুৰ অধিকাৰক লৈ খানাপাৰাত আৰম্ভ ৰাষ্ট্ৰীয় পৰ্যায়ৰ আলোচনা

অসমৰ চাহ বাগিচা অধ্যুষিত অঞ্চলত শিশুৰ মৃত্যুৰ হাৰ সৰ্বাধিক



গুৱাহাটী : ষ্টাফ বিপ'ৰ্টাৰ, ১৪ নৱেম্বৰ : দেশৰ লগতে আজি অসমতো শিশু দিৱস

আড়ম্বৰপূৰ্ণভাৱে উদযাপিত হোৱাৰ সমান্তৰালভাৱে শিশুৰ অধিকাৰৰ বিষয়টোও উত্থাপিত হ'ল। আজিও

ৰাজ্যখনৰ কেইবা লাখ শিশু দাৰিদ্ৰ্যৰ সৈতে যুঁজ দিবলগীয়া হৈছে। বৰ্তমানেও ৰাজ্যত আছে কেইবা লাখ

পুষ্টিহীনতাত ভোগা শিশু। বিদ্যালয়ৰ মুখ নেদেখা বহু শিশুৰে আজিও পদ পথতে অঘৰী জীৱন-যাপন

কৰিবলৈ বাধ্য হৈছে। শিশুৰ অধিকাৰ বিষয়ক লৈ দেশত শক্তিশালী আইন বলৱৎ থকাৰ আৰ্থ পিঠিলৈ

