

W I N T E R 2 0 2 0

# DHARAMA



Dialogue on Rights of the Children of Construction Workers

Dharama Foundation draws its name from the a 12-year-old child hero named Dharmapada who was the son of the Chief Architect of the massive Konark temple, Bishu Maharana. He symbolises the spirit of resilience of children at the height of creativity and bravery that even adults cannot accomplish. Dharmapada demonstrated his unmatne carving skill finish the Sun God's head on the top of the Konark Temple (one of the Seven Wonders of the World). The boy, after finishing the top motif, jump to his death from the top of the edifice to prevent the execution of all the 1,200 craftsmen who were engaged in construction of the temple. Konark Temple symbolises the strong foundation of Oriya culture, art and resilience of being creative while living with the odds of life.







Translated by Dr. Lakshmidhar Mishra

## KONARK – the legend's poem, originally written in Odiya by - Sachi Routray

**I:** You have seen  
The manifestation of a bewitching art  
Which brings life to in-animate rocks  
But I have seen instead  
A mount of million bones of broken hearts.

**II:** You have seen  
How the magic of art has unfolded itself  
How the dark shadows of night have given  
way to  
The golden rays of the rising sun.

**III:** You have seen  
How poetry has manifested itself  
In the lifeless body of stones  
How dreams of drowsiness  
Have drowned themselves  
In bottomless depths of immortal love.

**IV:** Beneath the surface of the beautiful  
temple  
You have tasted the nectar of spring of love  
You have drunk deep at the fountain of 'Rasa'  
To quench the fire of your thirst.

**V:** I have retreated from the lion's gate  
Poor, pitiable and un-romantic  
With the accumulated anguish of a heavy heart  
I have looked at the incomparable beauty of  
the temple  
With the eyes of a craftsman  
With the lamp of my agony  
I offer obeisance to the artistry of the masons  
Who through their own 'blood, sweat and  
tears  
Have crafted and infused life, beauty and  
romance  
In to multiple lifeless objects.

**VI:** I have seen  
How many masons and craftsmen  
Have consecrated /buried themselves  
In the grave of art  
How they have suffered endless agonies  
How their backbones have been crushed and  
severed  
By the sheer weight of the stones  
Which they have carried like animals in their  
hand and head.

**VII:** Countless indeed  
Are the numbers of men and materials  
Who were deployed (in the construction  
of the temple)  
Countless indeed is the number  
Of masons, carpenters, cobblers,  
blacksmiths and craftsmen  
Who drained a mountain of blood of their  
body  
At the commandment of the king  
To carve out something  
With captivating beauty  
Which will be the eternal wonder of the  
age.

**VIII:** Nobody knows  
At whose behest  
So much of blood got mixed with the salty  
brine (of the sea)  
The world no doubt witnessed  
A huge structure of phenomenal height  
An admirable combination of sheer  
majesty of the structure  
With the finesse and artistry of human  
ingenuity.

**IX:** The scholars seek through this art  
form  
The identity of their nation.  
The lovers seek hundred nights  
Of the joy of flesh  
Of damsels wrapped in their beautiful  
robes through *Naga Kanyas* and *Yakisha  
Badhus*.  
But the million dollar question!  
Has anyone ever cared to inquire?  
How many innocent lives  
Have withered away in wilderness?  
In carving out light, life and laughter  
Out of the lifeless stones  
How many hungry human beings  
Ate a lump of earth?  
Do they have any recognition?  
They have perished for over  
In the cruel hands of their destiny  
Not even leaving their footprints  
(on the sands of time)

**X:** I salute you  
O masons, craftsmen!  
I salute the majesty and versatility of your  
genius  
You have transmitted a unique message  
In to millions of hearts  
You have departed to your grave on the  
sands of time  
Singing the glory of the king  
Without seeking  
Any award, reward or recognition  
Who knows?  
How many Bishu Maharanas & Sibe  
Santaras?  
Are lying in the graveyard of the temple  
This nation prides in the marvel of their  
art  
And is their matchless artistry  
You go on feeding the royal coffers  
But you have no place  
Neither your laughter nor your tears  
(matter to anyone)  
Everything in the land of yakshyas  
Is reduced to eternal dreams  
You have no place  
Either in the royal court  
Or in the royal treasury

**XI:** This is the land of aristocracy  
You have crafted the dancing damsel's  
bare feet  
You have created the harvest of laughter  
You have created blue waves of dreams  
You have created the dazzling diamond  
of the pre-down  
All the abrasions and insinuations  
(directed to you)  
Get mingled in the framework of fine art

**XII:** I had a lot to say  
About the glory of man  
About the anguish of the deprived  
But I regret that  
I have hardly been able to say anything

## Message from Honorable Governor of Odisha

**Prof. Ganeshi Lal, His Excellency Governor of Odisha**

Childhood is the best time of one's life. However, different circumstances strip many children from the joy and excitement of childhood. Children of construction workers being deprived of education lead an unusual life and talents in them remain hidden. Their problems largely remain ignored. Dharama Foundation, by extending the hands of support, is doing commendable work to enable these children realize their dreams by pursuing education and other talent enhancing activities. Further, the foundation is also empowering their parents to take benefits under different government schemes meant for them. I am sure the foundation would remain dedicated to a nurturing and happy children for the children of construction workers and work towards a better future for the family of construction workers.

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## EDITORIAL

The birth of a child brings in joy for the mother, excitement for the family, the neighbours and that of the community world over. Cultures around the world celebrate this moment with group songs and dance as all wish good health, strength, long life and prosperity for the child. The toddler grows to childhood and to adolescence, youth and adulthood. As a child, however, it remains the finest gift of the creator to humanity. Childhood is the most tender, formative and impressionable stage in the total cycle of human development known for its pristine purity, innocence, truthfulness, nobility and intrepidity of character. It remains unaffected by the demeaning, degrading, corrupting and de-humanizing forces outside the realms of its existence.

The responsibility to impart to every child the best of upbringing, moulding of character and personality befalls on the shoulders of the parents. They have to ensure that as the child advances in years, a world of wonder, exploration and curiosity is unfolded; the infinite possibilities and potentialities find a positive outlet. For parents in general and parents in building and construction operations in particular, there is instability in employment, long hours of work without any spread over, low and uncertain wages, limited income and many mouths to feed in a large joint family. There is also the vice of contractualization and casualization with a number of attendant risks and hazards. These entail a lot of suffering and sacrifice.

This, therefore, becomes a matter of reciprocal obligation for children as they grow up to think about their parents, their trials and tribulations and the sacrifices suffered by them for the best of upbringing, health, nutrition and education of children. Reciprocity implies that parents perceive and internalize the infinite possibilities & potentialities of their children and provide an outlet for their unfoldment, the latter rise to the occasion to make their parents aware of their valuable rights as workers and citizens. The two are inseparable; one complements and supplements the other; one is incomplete without the other. Such reciprocal obligation is the burden of the song with which Dharama has been conceptualized. Majority of their parents who are engaged in building and construction work did not have an opportunity to go to school when they were young and have thus remained unlettered against their wishes and for no fault of theirs. They have no doubt the skill and creativity of their mind and hands but due to illiteracy have a limited access to a highly complex and competitive world of education, information and communication. They are unaware of the laws and regulations which affect their lives at the workplace. They create beautiful objects like the Sun Temple at Konark which remain feasts for the eyes of mankind but they themselves remain deprived of the irreducible barest minimum needs, rights and entitlements. Their children who grow up in years will have to wake up to this tragic reality, to the clarion call of this reciprocal obligation. Even though they may not be able to redeem one millionth part of the debt as also the unbounded love and affection of their parents, they can make their parents more aware, agile, alert, intensely conscious of their rights and obligations exactly the exalted manner in which *Dharama*, the twelve year old boy had succeeded in doing to Vishu Maharana, the seasoned sculptor what every child should do to his parents.

I would like to conclude with a couplet from *Utkalmani* Gopabandhu Das's '*Dharmapada*' which is a befitting epitaph for his unequalled valour and sacrifice and I quote;

“We will not meet again  
For what is the difference between life & death?  
They are often alike  
Should I go to the royal court?  
To be honoured with a turban on my head  
And witness the destruction of my kith & kin  
How will history paint this ghastly picture?

**Dr. L. Mishra**  
**Editor in Chief**

Father, you are worried that without me our lineage will not  
be protected  
Remember no lineage is permanent  
It is your crowning glory which will sustain you & not your  
dynasty.  
Just as one person departs  
But that departure paves the way for the unfolding of many  
Deluge of one is the evolution of another  
That is the law of eternity’.

## Challenges Faced by Children

Mr. K. B. Sexena, IAS Retd.

Children in India belonging to the poorer and socially marginalized groups face the toughest challenge to their dignified and healthy survival. These challenges have grown enormously and become more complex over the years after independence. Despite many improvements in the general conditions of living, with large number of development schemes for their welfare, diverse and greater opportunities, many social barriers stifled efforts to realize their aspirations earlier. These challenges can be broadly categorized into four dimensions – (1) Healthy survival 2) Protection 3) Development 4) Social environment free from deprivation, discrimination, hostility and obstruction. Challenges begin even before a child is born. This challenge lies in the food and nutritional security of the mother who carries the child in her womb. Mother's access to civic and health services, social and economic condition of the household and a cultural environment, social prejudice and exclusion play a role in it. The pregnant women of families belonging to the marginalized social groups are unable to overcome this challenge despite diversified development efforts. As a result, the mother in these social groups is unable to consume nourishing food as she lives in poverty. She is unable to go in for periodical medical check-up to the health sub center due to anxiety of losing a day's wage and distance, and, when the labor pain starts, she is unable to access health facilities for safe delivery, also due to distance and lack of transport difficulties despite the availability of *Janani Suraksha Yojna* (flagship government programme for the mother living at the bottom of the pyramid)

Infant mortality - child dying in the process of birth or shortly thereafter is still very high in India compared to many of the developing countries, and even some smaller countries in our neighborhood. This is due to inability of the mother to ensure requisite immunization for the child, inadequate food, lack of access to safe drinking water and sanitation facilities and inability of parents of the child to access health facilities. For similar reasons, maternal mortality i.e., mother dying in the process of birth is also very high.

Due to cultural prejudice against the girl child, parents in some parts of the country kill the child immediately after birth (or inside the womb) or neglect her upbringing notwithstanding the law which makes this practice a criminal offence and social awareness campaigns that have been carried out. Some mothers kill or abandon the child to die after birth if the child is born without a formal marriage of the parents or the mother is unable to look after the child due to economic stress or physical disability. Some States have provided an institutional outlet for such children in order that they are looked after properly by publicizing that the stressed mother in such cases should quietly leave the child placed in a cradle outside an institution funded by the government without risking exposure to her identity.

But such facilities are few and only in some urban pockets of metropolises compared to incidence of the total number of stressed women in the country. A very large number of children who physically survive these onslaughts are not able to grow normally as they cannot get adequate and nourishing food. These children who fail to get required nourishing food for a long period turn them stunted, have low height and weight. India has the largest number of malnourished children in the world and about a third of them are stunted and a larger number is of less than average height and weight for healthy growth. This is on account of the deprivation of nutritious food to the child, safe and clean drinking water and sanitation facilities and timely and appropriate medicare in the case of illness.

Households where both mother and father work and the child either accompanies them to work site or to be left behind without a proper care taker, the mother is unable to breast feed the infant timely and adequately or can protect the child from a hazardous and polluting environment at the work site. As a result of these factors many children under the age of five or more die in India than anywhere else in the world. Of them, nearly 300,000 children die every year because of hunger. The number of households which suffer such economic stress has increased over the years despite programmes of poverty alleviation and provision of civic services and health care.

This is because of displacement of farming households from land, lack of opportunities for livelihood and income generation locally, uncertainty of work, low wages and unsafe working and living environment when the family migrates for work and in the case of those engaged in farming, inability to get remunerative price for their produce and social constraints in accessing government support for counteracting them. These social and economic conditions were relatively fewer and far less crippling earlier as the threats to displacement from land and loss of existing livelihoods were relatively insignificant though the households economically survived at a very low subsistence equilibrium and in a socially unfair environment which tied them to the debt bondage system to those who owned productive assets and had also social control over them.

Children were also integrated into this relationship of dependence and subordination and worked for grazing livestock of the owner for getting some food. There was no freedom available to such families to extricate themselves from this exploitative and oppressive relationship. Today, while the social environment is opened up to certain extent now, because of constitutional rights with which citizens are empowered but there is no assurance of freedom from displacement of land, habitat, livelihood and social networks or even provision of alternative land in place of land lost and no provision of dignified employment even with a bare subsistence wage. Social freedom from earlier exploitative relationships of bondage has not entirely ceased and, in many cases, not translated into economic security for the families to enable their children to realize their potential as these people still have to depend upon old 'master' (employer) for work. This puts pressure on children to work at a very early age, which is prohibited by law, in order to access food and, in some cases, also help the family where the father and mother are unable to work due to physical disability or chronic or untreatable illness and even if they are working, is unable to earn sufficient income to feed the family. This exposes children to numerous risks not faced earlier which include trafficking for sexual market in the case of girls, engagement in labor activities unsuitable for their age, physical violence, economic exploitation, cheating and fraud, absence of safe living and working conditions, deprivation from adequate food and sleep, and most importantly, absence of protection, love and affection of the family.

Once outside their family and surrounding social environment, children face the second most daunting challenge, i.e. risk of physical and mental violence and uncertainty of where the next day's food would come from. In urban areas, where children live with families, they still face risk of physical and sexual violence, from predators roaming around and untrustworthy neighbours and absence of any social protection. This risk is greater when the parents go out for work leaving the child alone or without a reliable care taker. Sexual violence against female children has become so endemic that it has led to death, severe/crippling injury or disability of the child victims. This assault is fueled by pornography freely accessed through the internet.

Criminals take advantage of the economic vulnerability of the parents and the unsuspecting nature of children. Law enforcement agencies are neither alert nor do they take adequate preventive steps. Worse, their treatment is far from being kind and compassionate when such victims are rescued by any NGO or a social worker with the help of police. The child victim of sexual and physical violence does not get justice through the existing criminal law investigation administration which is reflected in a very low conviction rate. This is due to the apathy of personnel manning them, more so when the victim belongs to the social segment of poor and marginalized groups, dilatory legal processes, corruption and absence of social and economic support. They also do not receive proper rehabilitation to get over their trauma and violence and the parents of children are too poor to look after them properly. Strengthening of law and creation of National (and State) Commissions for protection of child rights have not reduced the incidence of violence which children face.

Another type of violence they face is when they are lured by traffickers through inducement away from the gaze of parents or in their absence and are not traced despite reports having been lodged with the police. This leaves the parents traumatized. The number of such cases is quite large. This type of violence was also rare when children lived in the security and social support of their rural habitat although children faced abusive treatment and absence of any compassion outside their immediate social environment particularly from people of higher social and economic status.

The stressed social and economic circumstances are compounded when children are unable to access benefits of development and welfare programs like—education, nutrition, health, and poverty alleviation, etc. One of the development programmes having an important bearing on the growth of children is the Anganwadi Services which provide nutritional food to children through the integrated child development services and are also expected to provide preventive health care combined with some pre-school education. In addition, there is a supplementary nutrition program for extremely malnourished children under which such children are given additional food and their nutritional status is periodically monitored. But ICDS programme is still not universally covered despite it being a statutory right under National Food Security Act and Supreme Court directions, due to lack of provision of sufficient resources. Children who migrate with family are unable to access it in any case. Many Anganwadi Centers lack essential infrastructure – drinking water and sanitation facilities and safe and clean cooking arrangements. The regularity of this service is also disturbed due to disruption in supply of food grains or lack of release of funds in time to the field units. The quality of food is also found to be poor at many places and is sometimes even contaminated leading to hospitalization of affected children.

Still, this is a facility which mothers of children try to access regularly to get some food security for the child besides whatever food can be obtained at home. Taking care of children when the mother is working is a huge problem, particularly when there is no elderly woman in the family to look after them. When they carry the child to the worksite, a safe and clean corner let alone a crèche is rarely available in private employment despite the directions coming from higher level agencies though relatively less so in public employment where this is an essential requirement under MNREGS Program. The private employers are so mean and cruel that they disallow women workers even to look after the children at periodical intervals, give them food and breast feed if children are infants and address complaints when they cry. Infants should also get immunized under the health care program to get protection from major infective illnesses. Many mothers are unable to access health center for this purpose due to wage earning compulsion. When ANM visits villages regularly, this problem gets resolved and with prior information.

But this does not always happen. Access to drinking water is a major problem for Dalits and Adivasis, due to discrimination by higher castes in the case of the former, and remoteness of settlements in the case of the latter. As a result, they are forced to access drinking water from unsafe source. Due to lack of awareness and non-availability of fuel, women in such cases do not boil such water before use. Sanitation facilities have begun to get attention during the last decade only and are still not available and not used at many places for various reasons most important being non-availability of water. For teenage girls, there is a program called SABLA to provide nutritious food/ration to such girls to address high incidence of anemia.

Until the child reaches the age of entry into school, parents are his best teachers. Parents of deprived communities are not able to discharge this role adequately due to work stress for earning a wage and lack of literacy. Anganwadi centers have also failed to discharge this responsibility. Accessing primary education is now a fundamental right. Yet, many children are unable to get enrolled in schools either because the parents are too poor or the school is at a distance to which the child cannot walk to or the parents have migrated for work along with child. Enrolment in schools, which has vastly improved lately, is a lesser obstruction because of increasing awareness of parents and governments facilitating efforts. But many children are unable to continue their education and dropout due to poverty, pressure to earn, helping the parents with work, looking after siblings in case of girl child, discriminatory social environment at the school or the lack of proper teaching. The dropout rate has declined due to midday meal program where children are given cooked meal in government or government aided schools. But absence of teacher and lack of proper teaching is something that cannot be helped. School management committee is unable to help in the matter when their complaints do not get response. Children face a formidable problem when they move from primary education to secondary education because of lack of adequate number of schools, distance to be covered to reach the school at a far off place from settlement, and lack of transport to access it, inadequate infrastructure – building, drinking water, toilets, boundary wall and above all teachers for each subject. Female children face problem of physical insecurity and harassment while going to school due to which they drop out.



By the time they are 14-15 years of age, there is increasing pressure on them to earn a livelihood to ensure their own food security as well as to contribute to the income of the family. That is when they are trapped by agents and contractors with very attractive promises of job, high wages etc. which turn out to be totally false. Those taken away from parents on the basis of such promises are ploughed into back breaking work of long hours, hard and even hazardous nature of work, very low wages, inadequate and poor quality of food and unsafe and unhealthy living and working environment. They are unable to extricate themselves from employer's clutches that has paid a huge commission to the contractors. Female labor is almost invariably subjected to sexual violence. For those who migrate on their own to cities and towns, the experience is even worse – they become victim's criminal gangs. The available labor laws enforcement machinery fails to enforce the provisions of laws effectively and render justice to labor. Enforcement officials have thus failed to prevent children from poor and vulnerable communities being pushed to the labor market and instead get them enrolled in schools as required by government policy and program. The efforts to address the problem would not be sustainable until the food security of the children is ensured and poverty, absence of social security and lack of employment of the household to whom these children belong are effectively addressed.

The fourth challenge they face is the social environment which is unfriendly, unequal, discriminatory and even exclusionary if they belong to families of socially marginalized groups. This social environment is faced by them everywhere starting from their habitations. Children from marginalized families live in habitations with inadequate infrastructure and facilities. Those from Dalit families live in segregated hamlets away from the main villages, Muslims live in ghettos in urban areas or squeezed corner of the village due to fear of criminal violence. Children of marginalized groups face discrimination in village life of several kinds with restrictions imposed on their behavior by the dominant and well off sections of society. Children of families from dominant sections do not mix with children of these groups and treat them as inferior and unworthy of treating them with dignity.

Discrimination is also faced in public spaces and institutions –Anganwadi center, schools, work places, and health centers as also in the market. The youth of these groups also experience discrimination in access to work opportunities despite acquiring eligibility qualifications. Constitution has abolished such discrimination and laws have made these practices a criminal offence. But reach of law is riddled with many potholes which these groups are unable to cross safely. This leaves a trail of bitterness, anger and at times, despairs.

How should children face these daunting challenges? Children face challenges of various kinds in all societies even though not similar in nature and intensity but many of them have overcome these challenges with sheer determination and hard work making the best of what their specific circumstances have to offer. You must have heard stories of how some children from deprived families in India too have struggled against these odds with hope, and faith and confidence in their abilities, affection and encouragement from parents and occasional help from good Samaritans, social workers, political workers with empathy for their plight in society. They must never lose hope and faith in themselves and should not allow even their parents or neighbors to discourage them from pursuing their aspirations. Specifically children can do the following;

- If you are forced to work just to earn to get some food, you do work in the gaze of the family. Do not trust an outsider, even a confidant of the family with false promises of food and education and persuade your parents not to do it.
- Try to find some little work in and around the village so that you continue to be with family and can still pursue education even at home in case you are forced by circumstances not to attend school.
- Try to approach your local ward member / Sarpanch of Panchayat, village development office/ political work, a social activist MLA along with your father or mother to access government schemes of food security under the National food Security Act, MNREGS for your parents, Social Welfare (Scholarship, hostels, dress, text books and health facilities from the Construction Workers Welfare Board) etc.
- Try to talk to your parents what work you can do at home along with them or one of them which can earn some money for family to access subsidized food grains from Fair Price Shops.



- Be cautious about any outsider approaching you in the absence of your parents with promises of sweets etc. because they may be traffickers or criminals out to kidnap you for selling you to employers for domestic work, and sexual crime if you are a girl child. Once away from the family gaze, you may realize the world of horror you have entered into— abuse, unending work, hazardous working conditions, violence against which there is no help and from which there is no escape. These are risks you at your tender age are not equipped to deal with. These risks were not there or were not so common earlier. Regulatory system and labor laws are weak and enforcement is even weaker.
- If you have completed primary education and unable to overcome constraints for acquiring secondary education, you should try to acquire skills for work wherever you can whether in government facilities or private ones by accessing skill development program of the government. If your family has land or work on the land of others, you should learn about agriculture from them and, if you belong to the artisan community, you should take interest in learning the craft. This will help you acquire better skills later when opportunities arise and introduce improvements in that vocation for increasing income. All this while, you should try to improve your learning with the help of people in the neighborhood and helpful people in civil society etc.
- You should acquire knowledge of various development programs from whatever source which has relevance for you and your family members to access facilities & benefits which they offer. You must not give up the effort due to the unresponsive behavior of some officials.
- For construction workers, there is a welfare fund which has huge unspent amount collected from CESS children from construction workers along with their parents should approach the fund management organization to take up by specific schemes to counteract the type of difficulties you and others in your position have faced.
- Discuss your anxieties and difficulties with other children as also with those who are friendly and helpful. Children must bond with each other to form an informal collective to raise their problems before the local authorities and persuade them to approach competent authorities to address them.
- Having acquired some little education you must not down your experience as a child of a construction worker in small sentences if you can, share it with other children and even parents and suggest what should be done to solve them.

Challenges in life are a test of your perseverance and determination and they offer lessons for life which help you deal with the external world better. Challenges also offer opportunities which must be grabbed. Do not be discouraged by failure because failure is a road to success. These problems are not yours alone but faced by lakhs of children in the country. The traumatic experience should make you a more aware and determined person to pursue your aspirations and help you become a better citizen, in whatever position you eventually reach later in life. Do fight these conditions and change them for the better so that children in similarly placed circumstances do not have to face them. Remember that success and position gained after struggle is far sweeter and the self-confidence so gained is far more enduring than the one gained by those from a privileged background without any struggle. But all through your struggles and traumatic experiences, you must never cease to think of how to build a better society which is free from dehumanizing poverty, hate and intolerance, entrenched social discrimination, debasing inequalities of income, wealth, consumption, privilege and status and violence of all kinds, where children are not separated from their families and social networks and can pursue their aspirations, realize their truest potential unhindered by any road block – social, economic, cultural, religious and emotional and enabled to build an economically and socially secure, equal, friendly and motivating environment for children in future.

## Reconceptualising Childhood; Not just biological but as a social, political and creative human

Prof. Manoranjan Mohanty

Most people still believe that childhood is only a biological notion. They think that certain physical and mental abilities are yet to grow in the early years of a human being. Therefore, she or he is called a child. In other words, age - the biological and chronological age - is the determining factor and that becomes the basis for much of what a child is exposed to in the family, in society and in the school. Therefore, she/he is constantly directed to do this or that. That then becomes a justification for all kinds of adult behaviour towards the child. It can be love and affection, care and nurturing, educating and training, awards and prizes and of course control, penalty and punishment. But this is a narrow and artificial notion of childhood. Child is also a social being connected with many processes of interaction within the family and in society. It is this recognition which makes parents and neighbours aware about the values with which the child grows up. He/she behaves in a certain way towards other family members, different age groups in society as a result of her/his values. This is where the child's behaviour reflects the gendered role. Girls grow up in many societies with many do's and don'ts. A family's wealth or poverty deeply affects a child's behaviour in life style, spending and saving and making circle of friends. In India children of the upper caste families may grow up looking down upon lower castes and dalits unless they had undergone a different, more egalitarian life experience in the family and in school. Even that is not enough. Biological and social notions of childhood cannot by themselves achieve fulsome development of the child unless we have a political notion of childhood that gives the child fundamental rights. These rights are recognised as essential conditions needed to help the child to grow into a capable human being. It is the political notion of childhood that demanded a specific role of the state to perform a certain role to facilitate social as well as biological development of the child. The United Nations Convention on Rights of the Child in 1989 was an acknowledgement of this political notion of childhood. India enacted a law and established the Commission for the Protection of the Rights of the Child in 2005. The entire range of policies and behaviour towards the child changes once we have a political notion of childhood. Like for other age groups, the child is also to be seen as a creative human being placed in society, polity, economy and culture at local, national and global levels whose creative capacity needs to develop and get realised.

Education at school has to be restructured accordingly to enable the child to do things on her/his own using 'head, heart and hand', developing the capacity to learn by questioning, treating others as equals, serving one another and going forward together. This notion demands that adults respect the children and treat them in a framework of equality. It entails a transformative outlook on the part of everybody including policy-makers, teachers, parents and neighbours. They have to all work with the child to help remove the caste discrimination, rich-poor divide, discrimination against the girls and such inequalities. It is this notion that demands that all children must be in school during the entire period of childhood which is till they are 18. This is why universal, good quality education for all children is so important for development of a society. The Indian Constitution sadly put the provision for universal and compulsory education up to 14 years in the Directive Principles in Article 45 and not in the chapter on Fundamental Rights. This agenda got postponed time and again until the Supreme Court made the right to education a part of the fundamental right to life under Article 21 (in a judgement in 1993 in the *J P Unni Krishnan Vs State of AP*). The Constitution was amended in 2002 to acknowledge this for the 86<sup>th</sup> time & Article 21 A was inserted. It was only in 2009 that the Right to Education Act was passed. Even this law is not fully implemented and there are nearly 6 million children out of school today- 53% girls in the age group of 5 to 9 years. Most of them belong to the socially unprivileged and resource poor families. We have a failing policy on child development because we still treat the child as a biological being needed to be patronised and guided. No matter how much love, affection and care one showers upon the child unless we change this understanding and regard the child as a socio-political being, young citizen with rights, we will continue to be unjust towards the child. (This trend of thought was triggered by the deliberations on Education, Equity and Social Responsibility at the India International Centre, especially by the valedictory address by Professor Krishna Kumar on 29 July 2019)

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About the Author; Professor Manoranjan Mohanty was a faculty of politics at University of Delhi





## Children should become their own voices

Reproduction of interview of Nobel Laureate Mr. Kailash Satyarthi

It was a quiet Friday afternoon when most minds were already into the weekend. Then came the announcement that awakened the nation, literally. Kailash Satyarthi, the man behind the relentless crusade to save children from exploitation, was awarded the Nobel Peace Prize for 2014. It was an early Diwali gift for the world's largest democracy.

Satyarthi, who runs the NGO, *Bachpan Bachao Aandolan* (Save Childhood Movement), is only the second Indian after Mother Teresa to win the coveted prize. As the world chased him for the elusive quote, his website crashed but not his spirit. The 60-year-old child rights activist handled the media frenzy with enormous patience, a trait that makes him so dear to children from over 100 countries. When Parent Circle contacted him for a freewheeling chat, Satyarthi was very excited to be talking to a magazine that is very close to his favorite subject, children.

PC: This is a very proud moment for you and for India. What was your reaction the moment you realized you won the Nobel Prize?

KS: The first reaction? Well, I wondered if I had done enough to be getting this award. But yes, it did make me feel very happy. More importantly, it made me realize that this is just the beginning of a long journey ahead. It is an honor not just for me but for all the Indians who have supported me in this crusade. Children, parents, schools, colleges, my staff members and everyone associated with my project deserves all the credit for this special moment.

PC: You are involved in something really tough. In a country like India, it is not easy to be a child-rights activist.

KS: It purely has to do with compassion for children. I was 6 when I was struck by something really hard.

I was on my way to school and suddenly came across a father-son duo working as cobblers. When I looked at that kid, I told myself - Here I was, with all the things a schoolboy should get and there he was, struggling to make ends meet at such a young age. I was angry that day, yes I was. My anger increased when I heard what the father of that little child had to say. “We people are born to work,” he said with a resigned look on his face. I just couldn’t come to terms with what I saw there. I decided then that I wanted to grow up and do something for such children. In 1980, I gave up my job as a teacher and founded the organization, Bachpan Bachao Aandolan.

PC: What’s your take on child slavery? Are people more educated on that front today than they were before, say 20 years ago?

KS: Things have definitely improved and with more awareness, we can gradually work towards eradicating child slavery completely. In this regard, we are having an important event lined up in November – End Child Slavery Week. This is an annual event that places strong emphasis on individuals and organization’s coming together to get rid of the child slavery mess. We need to work towards inclusion of abolition of child slavery into sustainable development. That will be our goal in this year’s event.

PC: Is there a correlation between education system and child exploitation?

KS: Yes, definitely. We must ensure every child gets access to quality education. Parents should ensure they send their children to school. Social institutions and government bodies should take all possible measures to change the scenario. Things have been changing but the change has not been quick enough. But, even before we can change the educational system, we need to change the social system.

PC: UNICEF has come out and said this award will serve as a big inspiration for millions of children.

KS: Yes, it will and I will be the happiest person if I see more smiles on the little faces in the world. I hate it whenever a child is seen as a pitiable face. A child can be a great source of strength for elders. They are so innocent and honest.



If they get drawn into wrong things in life, it certainly is not their fault. It purely has to do with the environment around them. Each time I see a rescued kid smile, my day is made. The joy I derive from that moment is simply unimaginable and I just cannot describe it.

PC: You seem to be so much in love with children.

KS: Yes, they are my source of inspiration. For me, Children should be their own liberators. They should become their own voices and they should always be in the driving seat. In 1998, during the Global March against Child Labor, the voice of the child was heard and the same reflected in the ILO Convention in Geneva. Most importantly, it was the children who represented their cause directly to prime ministers and presidents, and that clearly showed the kind of power and wisdom little ones are gifted with. Their moral power too is amazing.

PC: What do children mean to Kailash Satyarthi?

KS: (Smiles) Children mean simplicity. In fact, I keep telling everyone I meet (adults) – Don’t let the child inside you die. If you remain a child through your lifetime, you will see great joy and meaning in living a wonderful life. So, if you don’t feel happy, simply revive the child in you.



## Status of cess collection across states of India under the Construction Workers' Welfare Boards

Sr. No.	Name of the States/UTs	Standing Committee Report		CAG Report	
		Amount of CESS collected (Rs. in Crore) as on 31.03.2017 [Provisional]	Amount spent (Rs. in Crore) as on 31.03.2017 [Provisional]	Amount of CESS collected (Rs. In Crore) from 1996 till 31.03.2017	Amount of CESS transferred (Rs. In Crore) to the Building and Other Construction Workers Welfare Board
1	Andhra Pradesh	1153.61	205.46	667.50	667.53
2	Arunachal Pradesh	65.36	51.60	98.31	20.00
3	Assam	512.24	12.57	530.46	611.82
4	Bihar	921.92	75.23	NA	972.93
5	Chhattisgarh	699.61	514.14	755.80	NA
6	Goa	85.68	0.83	94.78	95.78
7	Gujarat	1564.64	35.00	1524.36	863.04
8	Haryana	1847.05	172.07	1847.05	1847.05
9	Himachal Pradesh	335.39	44.49	353.25	360.62
10	Jammu & Kashmir	566.00	221.00	625.99	653.03
11	Jharkhand	291.28	143.46	330.95	NA
12	Karnataka	3861.00	240.00	4106.43	4106.03
13	Kerala	1474.73	1455.88	1483.81	439.47
14	Madhya Pradesh	1575.62	552.04	207.10	NA
15	Maharashtra	5074.16	255.50	5074.16	5074.16
16	Manipur	21.00	10.99	63.61	NA
17	Meghalaya	94.83	1.09	99.84	99.84
18	Mizoram	40.37	21.95	49.64	49.64
19	Nagaland	20.06	3.34	1.65	1.65
20	Odisha	1100.00	361.00	1118.35	1118.35
21	Punjab	921.55	391.61	973.78	973.78
22	Rajasthan	1600.00	620.00	1069.19	1266.52
23	Sikkim	64.67	20.68	76.00	76.00
24	Tamil Nadu	1706.00	600.00	1870.60	1870.60
25	Telangana	443.12	98.69	667.53	667.53
26	Tripura	129.28	12.36	140.18	140.18
27	Uttar Pradesh	2943.80	598.90	220.78	184.25
28	Uttarakhand	170.41	31.21	189.39	186.58
29	West Bengal	1149.12	531.42	NA	1713.18
30	Delhi	1930.00	174.71	1793.67	1846.68
31	A & N Islands	46.42	3.91	NA	NA
32	Chandigarh	96.09	3.72	NA	NA
33	Dadra & Nagar Haveli	3.08	0.00	N A	N A
34	Daman & Diu	37.17	0.54	NA	NA
35	Lakshwadeep	5.66	0.00	6.15	6.15
36	Puducherry	82.04	51.13	96.44	96.44
		32632.96	7516.52	26136.75	26008.83



Mohini Majhi, the promising child from an ordinary *adivasi* family has been a student ambassador with Dharama. Mohini being the first in the family to become the matriculate dreamt to be a teacher. As she shared about her dreams with Dharama foundation, her parents were then assisted to approach Mr. Bibhuti Bhusana Pattanaik, District Collector, Jharsuguda. The Collector sanctioned Rs. 1,40,000 scholarship from the district Mineral Foundation Fund. The money being released to her bank account it would meet her food, books, other incidental cost and her travel costs for the entire duration of the course at her CT training school. Now Mohini is pursuing her dream education at Titlagarh, in Bolangir district, Odisha.



Mr. A V SWAMY (1931 to 2019)

## TRIBUTE TO THE A V SWAMY

Dharama pays tribute to a noble soul, the Late A. V. SWAMY, an active member of the Bhoodan and Sarvodaya movements, a social justice campaigner and a former Member of Parliament. A trained chemical engineer from Bombay University in 1955 he gave up a promising career and chose to work as a Science Teacher in a school. His pioneering work on getting the release of hundreds of bonded labourers (1977) who were working under feudal bosses in the southwestern districts of Odisha made him a crusader for social change. He campaigned for Bapuji's Gram Swaraj and conceptualized 17 proposals for self-rule when he was the first Honorary Block Development Officer (first and last such experiment in our country) of Boipariguda tribal development block in Koraput District. Ten of these proposals were included in the 73<sup>rd</sup> Constitutional Amendment of our country. His work and oratory skills are well respected by all.

## District wise expenditure by Construction Workers Welfare Board, Odisha on educational assistance to the workers children

Sl. No.	Name of the District	2017-18		2018-19	
		No. of Children	Amount disbursed to the children	No. of Children	Amount disbursed to the children
1	Angul	3,622	19,337,000	4,410	1,99,06,000
2	Balasore	2,168	1,03,53,000	8,953	5,13,39,000
3	Baragarh	660	25,67,000	5,196	2,06,56,000
4	Bhadrak	2,045	1,39,82,000	15,101	8,34,84,000
5	Bolangir	564	24,00,000	995	37,88,000
6	Boudh	2,446	97,57,440	6,550	2,54,76,000
7	Cuttack	5,302	2,11,22,000	17,616	8,43,85,000
8	Deogarh	1,651	80,84,000	7,323	3,30,16,000
9	Dhenkanal	3,544	2,24,49,000	5,068	2,54,74,000
10	Gajapati	1,075	49,15,000	2,546	1,17,86,000
11	Ganjam	6,306	3,05,835.00	15,374	790,20,000
12	Jagatsinghpur	248	19,81,500	998	83,45,000
13	Jajpur	813	56,34,000	2,813	1,52,97,000
14	Jharsuguda	668	46,12,000	1,324	79,22,000
15	Kalahandi	317	24,70,000	3,418	1,99,59,000
16	Kandhamal	3,620	2,14,24,000	2,321	1,55,02,000
17	Kendrapara	3,976	2,24,79,000	3,829	2,18,59,540
18	Keonjhar	6,128	2,89,73,000	14,221	7,06,15,000
19	Khordha	3,885	2,08,36,800	6,590	3,76,17,000
20	Koraput	1,444	54,90,000	4,929	1,87,91,000
21	Malkangiri	131	8,59,000	1,379	60,67,000
22	Mayurbhanj	1,550	90,56,000	3,914	2,26,03,000
23	Nabarangpur	5,020	1,85,71,000	5,203	2,11,25,000
24	Nayagarh	3,125	1,46,63,000	2,915	1,29,77,000
25	Nuapada	1,331	57,06,000	6,988	2,70,96,000
26	Puri	3,649	1,83,56,000	5,433	2,55,70,000
27	Rayagada	2,633	1,41,94,000	2,162	1,12,33,000
28	Sambalpur	605	36,36,000	920	41,83,700
29	Subarnapur	296	26,99,000	1,292	58,34,000
30	Sundergarh	4,262	1,77,59,000	5,087	2,36,75,000
	<b>TOTAL</b>	<b>73,121</b>	<b>37,26,48,240</b>	<b>1,64,878</b>	<b>81,46,01,240</b>

Source: Odisha Construction Workers Welfare Board

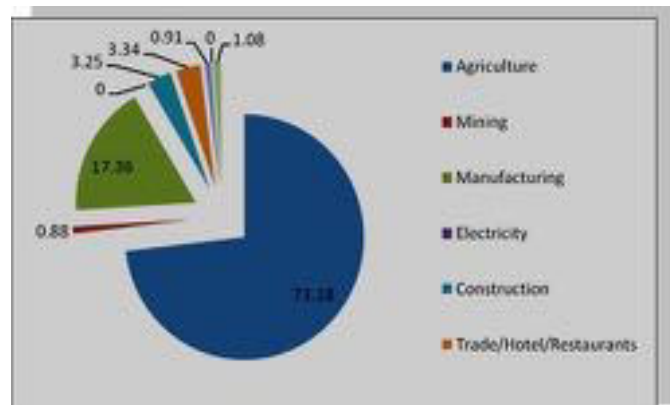


## Poverty perpetuated with exploitation of Children

Dr. Benudhar Senapati, Child Line, Bhubaneswar

Suleman a 13 years old boy of Kandhamal was rescued by Childline, Bhubaneswar from the street while found crying alone near a traffic post. During counselling he revealed his terrifying experience of suffering at the construction site. Suleman was the 3<sup>rd</sup> child of his parents who had never gone to school. The sombre poverty and deprivation of his family pushed him to work in a construction site to supplement his family earnings. Persuaded by a labour contractor, his father compelled Suleman to work in the city of Bhubaneswar. In return, the labour contractor paid some money to his father in advance. He and some more minor children were trafficked to Bhubaneswar and were engaged in the construction site as helpers. Soon after he started his work his right feet and knee was deeply wounded by a small accident in the site. But he was not even given a day off from the work. He was forced to continue carrying bricks with his pain carrying fresh wounds with blood coming out of his bandage. He used to work for more than 10 hours a day and sleep in a low lying polythene tent at night. He was not even given two square meals a day which could give him strength to work. In addition, more often, he was beaten by the labour contractor and other masons / fellow labourers for small mistakes. However, he was lucky to find an opportunity to escape from the field and eventually reached to Childline.

Thousands of Sulemans are suffering in the construction sites to earn two square meals a day for their families or to satisfy the needs of their alcoholic fathers. They are trafficked to the construction sites by the petty contractors or labour contractors who give a false assurance to their parents that the child will be earning a lot of money for their family in a season so that the family's economic condition will be changed and the child can continue his education. But their cries remain inside the concrete buildings developed for the use of affluent people. As per the report of government of Odisha which conducted a survey on the children engaged in construction sector on the directions of the Supreme Court in CWA 465 MC Mehta vrs. State of Tamil Nadu on 10.12.96, over 17 % child labour force in the country are engaged in Construction site.



Source- Child Labour in Odisha  
(<http://www.labdirodisa.gov.in/?q=node/58>)

Expanding and fast growing construction sector and, in general, lack of greater employment opportunity elsewhere has drawn large number of workers in this sector. Gradually more and more children are getting trafficked into this most hazardous sector.

India has the world's highest accident rate among construction workers, according to recent study by the International Labor Organization (ILO) that cited one survey by a local aid group showing that 165 out of every 1,000 workers are injured on the job. This makes the lives of young children more vulnerable. In addition to the children who are trafficked to be construction labour, a large number of children of construction workers also live in the construction sites and most of them work as labourers. All of them suffer from serious health hazards including lungs obstruction, malnutrition and physical injuries.

The construction environment affects the overall health, coordination, strength, vision and hearing of children. The study indicates that hard physical labour over years stunts a child's physical capacities by up to 30 percent of their biological potential. Working in construction sites, and carrying heavy loads are some of the activities that put children directly at risk physically. Many a time children are exposed to scorching heat while working in summer which is physically hazardous to them.



Mr. PS Krishnan (1933 to 2019)

## TRIBUTE TO THE SOCIAL JUSTICE PIONEER OF INDIA- MR. PS KRISHNAN

Dharama pays tribute to a noble soul Late Mr. PS Krishnan, former Secretary, Govt. of India. He has been a social crusader all his life inside and outside the government. He was a man who dedicated his life waging war against Caste for a better India. He fought against untouchability and advocated for the ownership of land by the Dalit and Adivasi communities across India. His most famous novels include *The Tiger Claw Tree* and *The Muddy River*. He was pivotal in the formulation of critical legislation like granting of Constitutional status to the National Commission for Schedule Caste and Schedule Tribes and formulation of SC and ST (Prevention of Atrocities) Act 1989. He relentlessly advocated social justice in diversified platforms till his last breath. May his soul rest in peace !

Growing urbanization, and massive construction in the cities have set child trafficking in motion. Thousands of children are being trafficked from India's remote rural areas and sold into work in cities, often as cheap construction labourers. It is the children of the poor and marginalized communities who are often trafficked to be forced into labour. Parents of these children are either betrayed or lured due to their poor socio-economic conditions thus forcing them to 'send' or 'sell' their children for better livelihood options. The lack of awareness in a situation that traffickers (labor contractors) exploit is total. It is especially when it comes to uneducated poor living in slums and other backward regions in the country. Traffickers promise daily wages to parents of young children and transport them to big cities where they are often treated as commodities. Families in dire financial conditions are often approached by traffickers with an offer to buy their children and with no other escape from their pitiful conditions, parents comply.

An estimated 135,000 children are trafficked in India annually. According to a report published by the U.S. Department of State, "India is a source, destination and transit country for men, women and children subjected to forced labor and sex trafficking. The majority of India's trafficking problem is internal, and those from the most disadvantaged social strata- Dalits, members of tribal communities, religious minorities and women and girls from excluded groups – are most vulnerable. In the world, there are children who had been suffering from a slavery called 'Child Labor'. This isn't fair for them and that we believe that children should have the right to not work and have the education.

Children's hands are small enough to carry heavy bricks as construction laborers. They also need to work so they could at least earn a little money for food, health and clothing. However, most money would go to their families or the labour contractors.

Construction is an action of building something, typically a large structure. This is usually for adults, but there are some parts of the country where children do some parts of the construction which is so dangerous. The hazards are so severe that it could cause the risk of injuries and possibly death. It is a well known fact that poverty is also perpetuated with the exploitation of children". A recent [UN report](#) said nearly 300 million people still live under poverty in India. For a country with extreme inequalities, an abolitionist approach may not be a practical solution. The data also says there are about as many unemployed adults in India as there are working children. The jobs are being taken by children instead of adults in the name of cheap labour. We need a strong intervention by government, child protection mechanisms and the NGOs working with the children to work together in a coordinated approach to remove all the children from the construction sites and put them in mainstream education. A strong convergence of services among the mechanisms would help eliminating and prevent entry of children in construction sector. But during transition, the children may be provided with all possible support, nutrition, medical care and education at the site. Let's join hands to create a society where children born to vulnerable families are protected with their rights as we groom them as future citizens of our country to build a better India.



## Seminar at different Educational Institutions on Stipend for Construction Worker's Children by Dharama Foundation

Sl. No	Name of the College/University	Members	Principal, Lecture, Guest, Child, Advocate
<b>University</b>			
1	Utkal University, Vanivihar, (P.G. Dept.)	122	Dr. Navaneetha Rath, S. Soren, Sosiology, Biswamohan, R. Anupam
2	Revenshaw University, Cuttack(P.G. Dept.)	95	Mr. J. Mohapatra, Mr. A.R. Anupam, Smt. S. Sahu,
3	Sambalpur University, Burla (P.G. Dept.)	82	Swagatika Samal, Lect. Rakshyakar Anupam, Subanti, Cherumani
<b>Degree College</b>			
1	SMP Degree College, Kirmira, JSG	71	Sri Suru Pasayat, A.R. Anupam, S. Sahu, Subanti, Cherumani
2	Belpahar Degree College, Belpahar, JSG	88	Sri Ashis. Das, A.R. Anupam, S. Chotray, J.K Mohapatra, Radharaman Dalai
3	P.S. Degree College, Laikera, Jharsuguda	103	Sri Sudhanshu Purohit, A.R. Anupam, M. Naik, Subanti, Cherumani
4	P.S. Degree College, Kolabira, Jharsuguda	67	Sri Manas Purohit, S. Bohidar, A.R. Anupam,
5	Mahima Degree College, Bijapali, JSG	112	Sri S. K Badhei, A.R. Anupam, S. Sahu, Subanti
6	Brajrajnagar College, Brajrajnagar, JSG	68	Dr. S. Bohidar, Dr. S. Nayak, B. Pradhan, S. Sahu,
7	D.S. College, Laida, Sambalpur	105	Smt. Prabhati Sahu, Jayanarayan Satpathy, S. Patel, A.R. Anupam, S. Sahu,
8	Women's College, Jharsuguda	98	Smt. Balbindu Kuanr, A.R. Anupam, S. Sahu, Subanti, Cherumani
9	KPPA College, Malipada, Khorda	45	Sri S. Sahu, Mr. A. Pandab, K. Naik, A. Sahu, B. Ghatual, S. Sahu
10	Kunja Bihar College, Barang, BBSR	95	Dr. L. Nayak, Dr. J. Nand, A.R. Anupam, S. Sahu, S. Biswal
11	R.M.D College, Patia, BBSR	102	Sri T. Ratha, P. Panda, S. Bisoi, S. Biswal, A.R. Anupam
12	KBDV College, Nirakarpur, Puri	107	Sri R. Das, B. Routray, B. Mohanty, S. Panda, Dr. D Das, R. Anupam,
13	Sanatan Harishchandra College, Madanpur	48	Sri P. Das, A. Subudhi, G. Satpathy, S. Chhotray, A. Jena, R. Anupam
14	Utkal Sangeet Mahavidyalaya, BBSR	88	Sri S. Das, K. Jena, A.R. Anupam, S. Sahu, Subanti, N. Khuntia,
15	B.K. Art College, Khandagiri	30	A.R. Anupam, S. Sahu, N. Khuntia, S. Chhotray, N. Behura
16	National College, Nuapada	105	Sri S. Mohapatra, S. Das, P. Sahu, A.R. Anupam, K. Behera,
17	P.S. College Komana, Nuapada	55	B. Sahu, S. Kishra, L. Das, A.R. Anupam, K. Behera,
18	Women's College, Khariar, Nuapada	64	Smt. S. Samal, M. Sahu, A.R. Anupam, Kalandi, Subanti, Cherumani
19	B.M. College, Bhuliasikua, Khariar	50	Sri N. Sahu, P. Behera, A.R. Anupam, K. Behera, Subanti, Cherumani
<b>Junior College</b>			
1	SMP College, Kirmira, Jharsuguda	85	Sri A. Kumbhar, J. Patel, S. Sahu, Subanti, Cherumani
2	Belpahar College, Belpahar, JSG	122	Sri D. Dikhit, A.R. Anupam, S. Chotray, J.K Mohapatra, R. Dalai
3	P.S. College, Laikera, Jharsuguda	145	Sri D. Patel, A.R. Anupam, M. Naik, Subanti, Cherumani
4	P.S. College, Kolabira, Jharsuguda	115	Sri M. Purohit, S. Bohidar, A.R. Anupam, R. Dalei
5	Mahima College, Bijapali, Jharsuguda	185	Sri C. Bhoi, A.R. Anupam, S. Sahu, Subanti, Cherumani
6	Brajrajnagar College, Jharsuguda	89	Dr. S. Bohidar, Dr. S. Nayak, B. Pradhan, S. Sahu,
7	D.S. College, Laida, Sambalpur	145	Smt. P. Sahu, J. Satpathy, S. Patel, A.R. Anupam, S. Sahu,
8	Bhatlaida Jr. College, Bhatlaida, JSG	89	Sri S. Patel, S. Sahu, P. Ramdas, S. Das, S. Bohidar, A.R. Anupam
9	Women's College, Jharsuguda	140	Smt. M Pradhan, N. Patel, Sarbeswar, R. Anupam, Dilip, Sushama
10	KBG Jr. College, Saletikra	88	Sri B Patel, R. Anupam, Sudarshan, M. Padhan, Sushama,
11	DPA College Bagmara	120	Sri R. Anupam, Sudarshan Chhotray, M. Padhan, Sushama,
12	KPPA College, Malipada	67	Sri S. Sahu, Mr. A. Pandab, K. Naik, A. Sahu, B. Ghatual, S. Sahu
13	Kunja Bihar College, Barang	102	Dr. Lipipuspa Nayak, Dr. J. Nand, A.R. Anupam, S. Sahu, Bhikari Das
14	R.M.D College, Patia	185	Sri T. Rath, P. Panda, S. Bisoi, S. Biswal, A.R. Anupam
15	KBDV College, Nirakarpur	215	Sri R. Das, B. Routray, B. Mohanty, S. Panda, Dr. D Das, R. Anupam,
16	Sanatan Harishchandra College, Madanpur	75	Sri P. Das, A. Subudhi, G. Satpathy, S. Chhotray, A. Jena, R. Anupam
17	Utkal Sangeet College, Bhubaneswar	80	Sri S. Das, K. Jena, A.R. Anupam, S. Sahu, Subanti, N. Khuntia,
18	B.K. Art College, Khandagiri	65	A.R. Anupam, S. Sahu, N. Khuntia, S. Chhotray, N. Behura
19	National College, Nuapada	145	Sri S. Mohapatra, S. Das, P. Sahu, A.R. Anupam, K. Behera,
20	P.S. College Komana	122	Sri B. Sahu, S. Kishra, L. Das, A.R. Anupam, K. Behera, Subanti,
21	Women's College, Khariar	95	Smt. S. Samal, M. Sahu, A.R. Anupam, Kalandi, Subanti, Cherumani
22	B.M. College, Bhuliasikua, Khariar	78	Sri N. Sahu, P. Behera, A.R. Anupam, K. Behera, Subanti, Cherumani
23	AMHSS,Talmunda, Jharsuguda	86	Sri D Patel, T. Nayak, R. Patel, M. Patel, A.R. Anupam, J. Mohanty
24	PKSS College, H Katapali	112	Sri S Sahu, M Purohit, A.R. Anupam, Cherumani
25	Sabitri Gopal Mahavidyalaya, Birbira(SNG)	128	Sri Bijay Patel, K. Pradhan, U. Mahanty, S. Nayak, Sushama,
26	Arda College, Arda, Jharsuguda	75	Sri Saila Bhaisa, S. Behera, S.B Samant, R. Anupam, Sushama
27	Anchalik Mahavidyalaya, Padampur,	83	Sri P. Das, Dr. T.K. Sahu, R. Anupam, Sushama,

## Construction worker-led social security to children-led Dharama Foundation



Despite the everyday struggle of construction workers for their survival, they also dream and act endlessly to ensure their children build their own social identity, something they themselves as workers never experienced. In their work, they put life into stone, but their strong resilience to face the challenges of life has never deterred worker-parents from their commitment to enable their children to achieve socio-economic bliss. They are empowered by the leadership of Dharama Foundation that takes various causes of construction workers to ensure social justice as mandated by the Construction Workers Welfare Fund. For the construction worker-parents the untiring dynamic efforts of a dynamic leadership nurture their dreams.

A shining example is Doli Nayak, a promising young woman doctor in the making who made her parents proud after she cracked medical entrance exam. Her parents, Sabita and Ketu Chandra Nayak are both construction workers couple, and actively supported her to reach her goal.

A Ganda Adivasi from Western Odisha, Ketu was determined to see his daughter break the shackles of deprivation and poverty. She has lived up to the trust her parents reposed in her.

Another proud Adivasi daughter, Mohini Majhi, braved all odds to pursue her dream to become a teacher in her village school. Dharama Foundation recognized the sincerity and dedication of these children and facilitated their application for scholarship to the District Magistrate. Doli received Rs. 4,30,000 and Mohini received Rs. 1,40,000 from the District Mineral Fund. The generosity of Mr. Bibhuti Bhusan Pattanaik, the then Collector & District Magistrate of Jharsuguda District helped the students to rise above their lowest level of the social pyramid.

The success of Doli and Mohini encourages scores of construction-worker families to dream big for their children and use the strength of their Collective Leadership to access opportunities.



The sufferings of their children are sometimes so painful for worker-parents. Take the case of Sukhi and his wife who had to borrow Rs. 5,000 at high monthly interest and remain absent from work for months to get treatment for their little daughter who had been injured by a tin sheet at the work place. The couple remained hungry as they saw hope receding. Thanks to the timely intervention of cluster leaders of PSM who took them to hospital and negotiated with the authorities to grant financial support from the Red Cross funds, the injured child could get proper treatment. The proper welfare of their children has been a key concern for scores of construction worker-couples who are members of PSM. Many workers see it as a hope to fulfil their dream to empower themselves.

PSM mobilized thousands of construction workers to garner emotional support for them to access their entitlements. At their gatherings, children usually accompanied their parents. The children were also present at various meetings, during filling of forms for enrolment to the Construction Workers Welfare Board and at the conventions. The creativity among the children was so spontaneous that during a Convention of more than 10,000 workers in 2014, a small group of children performed a dance. It was so well received and applauded that the performance that would supposed to last for a few minutes lasted for hours. The glow of pride that was reflected in the faces of their parents was a sight to see.

The bravery of a few adolescent girl children to raise their voices against the advances of their labour contractors and fellow workers has motivated women worker leaders to push for a platform for their children. Their powerful and dynamic efforts led to the birth of 'Dharama Foundation' as an extension of the Worker's Social Justice movement to a Child Rights Movement. At Dharama Foundation, children are advocates of their own existence. The forthright and outspoken bravery and endurance of Dharama Child Ambassadors have placed perspective of social justice for the workers in one that had never been captured earlier.

School-going children of construction workers crossed the social barriers and for which day always remained behind and scores of school and college programs conducted by Dharama Foundation have endorsed the support of their peers and teachers

who were never considered part of the workers social justice campaign. The workers children who are in the schools showed the scope of social justice beyond the entitlements of the Construction Workers Welfare Fund. Coming from Adivasi, Dalit, Landless and BPL families, there are so many entitlements they deserve. Collective action could enable them to negotiate the road to access eligible entitlements. The children have thus crossed the barriers of stigma and ignorance to assert their rights as mandated under the laws of the land.

Empowered by their children, the women workers committees have turned more vocal on the rights on their childhood, education and offering them a caring childhood. The women workers committees innovate ways to bring their children back to school. They negotiate with local Anganwadis to care for their children while they are at work. There are instances of peers taking turns to look after a group of children while their parents go to earn a livelihood.



Doli Naik (left), Dharama Flag Ambassador, one among the first child of the construction workers parents to face the challenge of accessing support for her dreams. Doli (below 4<sup>th</sup> from right sitting) with her classmates at the VSS medical college, Burla.



## The Children Ambassadors



Dharama Foundation—the collective force of scores of women and men construction workers has enrolled hundreds of child ambassadors to take on the cause of the workers’ rights and entitlements and help their parents and fellow villagers/neighbours to pursue their dreams. The success of many “workers” children has motivated parents to bank on the strength of their collective strength. Dharama Foundation strives to engage with thousands of construction workers families to spread the power of education so that their children can play an important role, enabling social justice as mandated under various constitutional and schematic provisions of the state.

Dharama Foundation is now engaged in community dialogue with mostly women construction workers who are single, old and have young children to promote alternative vocations in collective formats so that they create enduring value to positively shape the future of their vulnerable families. Similarly, dialogue is on with workers committees to bring in a novel approach to encourage school dropouts to clear matriculation to exploring a better future for their children. Building an ecosystem of hope to see the rising sun of a blissful future for their children and families will always remain in the agenda of the Foundation.

Doli Naik, Third Year student of VSS Medical College, Burla belongs to the Adivasi (Ganda Tribe). Her parents are construction workers and they were helped by Dharama Foundation to process her application to the District Collector, Jharsuguda. She received Rs. 4,30,000 from the DMF for her medical education. Her father, Kutu Naik, worked hard at Kolkata, Raigarh, Raipur and Rourkela to help her in her education. He did not have a Labour Card as he was working outside the State. He could not access Welfare Fund entitlements. Thanks to Mr. Bibhuti Bhusan Pattanaik, the then Collector of Jharsuguda, who extended support to the promising girl for her medical education from the District Mineral Development Foundation.





## Children asserting their identities



Hundreds of construction workers children have availed the education assistance (stipend) from the Construction Workers Welfare Board, Odisha after series of community and school based children's festivals across districts of Odisha. The peers became change agents to pass the information, fill and collection of applications from thousands of workers children.

The children of construction workers have become the voice of their languishing parents. The school & college going children turned ambassadors of change. Thousands of children joined with the parents on rights campaigns. They have also helped their parents to apply for the Labor Identity Cards and helped them access their entitlements available through the Construction Workers Welfare Board, Odisha



The mobilization of the construction workers children at the villages, communities and educational institutions have widened their access to multiple sources of support for pursuing education. The workers children also helped families to access health treatment from government provisions and other supports through collective action.



## Child First Focus of our beloved Chief Minister, Odisha

The children of Odisha especially the children from construction worker families and that of other marginalised socio-economic backgrounds feel happy that our **Honorable Chief Minister Mr. Naveen Patnaik**, chose to celebrate the festival of lights Deepavali, 2019 with the children living in Childrens homes in our State. Dharama Foundation wish the cause of children -their rights & entitlements would be well protected. This would create an enabling social environment to nurture children from all backgrounds as promising citizens of this country.



The children deserve care and childhood affection to emerge as responsible and responsive citizens of our county. We appreciate our **Chief Secretary, Mr. Asit Kumar Tripathy, IAS**, for choosing to celebrate Deepavali 2019 with the children at a children's home. We wish this would go a long way in creating an enabling atmosphere at all levels to put children first in the social development process.



## Dharama Foundation's Children's Festivals



Honorable MLA, Jharsuguda, Odisha Mr. Nabakishore Das (second from the right at the inset picture top left above, now honorable Cabinet Minister [Health] of Government of Odisha) at one of the district level Children Festival. The children of the construction workers at a cultural evening at Jharsuguda, Odisha.

For the first time in their lives the children of the construction workers, have got their own platform to assert their identity. The cultural milieu has installed the sense of inclusiveness as it mobilized their critical mass. Their interaction with diversified social pillars and governance institutions has demonstrated their power of collective mobilization. The children have conquered the stage and took courage to ask questions to the people at the power ladders attending their festivals. The construction workers demonstrated the collective strength of organizing community festivals to cherish their family and eventually their community aspirations. They contributed generously for the foods and travel costs for children and adults attending the events. Scores of construction worker's children have performed cultural programmes taking themes of social challenges which they face in their everyday lives. They find a purpose to express their dreams. The women construction workers inspired by the mobilization have also resolved to bring back their drop-out children to return to the formal schools through the community children festivals.

The construction worker children's ability to pursue their dreams are showcased at these children festivals as those worker's children lagging behind gather courage to pursue their education dreams. The school going children of the workers inspired their parents to understand their entitlements as the children pursued them to put their applications for the Nirman Shramik Identity card under the Building and Other Construction Worker's Act 1996 to avail social security benefits for them as well as their children. Otherwise demoralized construction worker parents are now gaining confidence to access their entitlements as they send their children to schools and for post high school studies with government supports. We wish the potential of human capital of the nation available within the children of the construction workers would blossom to its fullest potential with full access of their entitlements while pursuing their dreams.

## Children asserting their identities



## Engaging different stakeholders to support the cause of construction workers and their children in Odisha by Dharama Foundation

Date & Place	Process theme	Host	Student Ambassadors	No of workers	Key Participants from diverse social/institutional background
27.11.2016 Budhamandir, Unit-3, Bhubaneswar, Odisha.	Enabling mainstream dialogue to shape the lives of workers children for nation building and release of first Odiya newsletter of Dharm Foundation.	PSM member workers	260	20	Dr. L. Mishra, Policy Advocate Dr. G B Nath, Senior Economist Mr. Sailej Rabi, Poet & Writer, Mr. Nirakar Behura, Social Activist Mr. Amiya Pandav, Writer Mr. Biswapriya Kanoongo, Sr. Advocate, Dr. Jayashree Nanda, Educationist Mr. Sudhir Pattanaik, Editor, Samadrusti Mr. Gopinath Barick, Writer Mr. Manas Jena, Social scientist Dr. Lipipuspa Nayak, Writer Mr. A.R. Anupam, Child Rights Activist
06.01.2017 Shramik Bhawan, Jharsuguda, Odisha	Stakeholders Consultation on Right To Education (RTE), Act -2009 & Social security to Workers	Construction Workers Union	244	350	Prof. Manoranjan Mohanty, Policy Advocate Mr. Anil Mohanty, Employee Union Leader Mr. Rabi Das, Sr. Journalist Mr. S. Chhotaray, Sr. Journalist/Writer Mr. Ashis Mohanty, Social Worker Md. Abdul Wali, Socio-Political Activist Dr. Sangita Das, Educaitonist Mr. A.R. Anupam, Child Rights Activist Mr. Dhobi Kisan, Community Leader Mrs. Sushama Sahu, Workers Leader Ms. Nilima Mhanandia, Women Leader
23.12.2017 Shramik Bhawan, Jharsuguda	Workers Children Assembly & Release of Dharama News Letter	PSM member workers contribution	345	2546	Mr. Bibhuti B. Pattanaik, Collector, Jharsuguda, Mrs. Lakhi Das, Social Scientist, Jharkhand, Mr. A.R. Anupam, Child Rights Activist Prof. Tahalu Sahu Mrs. Sushama Sahu



## INTERVIEW: Children Are De-Prioritized Because They Cannot Vote, Says CEO of CRY

Dipin Damodharan Editorial Head, Future Kerala

**Founded in 1979, CRY (Child Rights and You) has been active as a pressure group to restore children's rights in the country. In an interview with Dipin Damodharan, its chief executive officer Puja Marwaha speaks on the proposed amendments to the Child Labour Act as well as concerns that marginalized children remain at the bottom of the government's priority list.**

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Loads a brick onto the back of a truck at a laterite brick mine in Ratnagiri district, about 360km (224 miles) south of Mumbai, April 14, 2011. Sunil is paid two Indian rupees (\$0.04) per brick and carries an average of 100 bricks out of the mine per day. Each brick costs between 10-14 rupees (\$0.22-\$0.31), and weighs around 40 kg. REUTERS/Danish Siddiqui (INDIA - Tags: SOCIETY EMPLOYMENT BUSINESS)

There's a strong view that the proposed amendments to the Child Labor Prohibition & Regulation Act, 1986, allowing children below the age of 14 to work in family enterprises and business are contrary to their fundamental right to attend school until the age of 14. How do you look at this?

The Child Labor Amendment Bill was brought primarily to align itself with the Right to Free and Compulsory Education Act, 2009. One of the stated objectives of the Bill to amend the law is to ensure that all children between the ages of six and 14 years are in schools rather than at workplaces. The Bill, thus, aims to synchronize the two laws. However, certain exceptions laid down in the Bill to amend the law legitimize children working for their family and in family enterprises. While the government justifies its position by saying that the amendment is striking a balance between the need for education for a child and socio-economic reality. This remains highly contentious. The government's argument that "children help their parents, while helping they learn basics of occupations" completely defeats the whole purpose of protecting children from exploitative labour.

In the absence of adequate regulatory and institutional capacity to ensure child welfare, child workers in informal enterprises and family settings could be left unprotected and subject to exploitation. We, at CRY, believe childhood is a time where children need to be provided with basic rights including education and safety and security from all possible kinds of abuse and exploitation.

A child's right to leisure, recreation, the notion of childhood as a safe space, ends up at risk when they take up 'economic roles' in early life. The Bill assumes that education and work may go together. In reality, children who combine school and work, often work for long hours after school, resulting in irregular attendance, affecting their learning outcomes or causing them to permanently drop out. In our submission to the Ministry of Labour and Employment, CRY has pointed out the potential risk of misuse by contractors in the guise of training or getting assistance from the child. CRY has also highlighted the threat of perpetuating the age-old caste system and rigid social structures when children are bound to their traditional family occupations.

When it comes to the issue of child labour, where does India stand?

Despite legislation, child labor continues to flourish in both rural and urban India. There are 10.13 million children working in India between the ages of 5 and 14 years (Census 2011) which has decreased marginally from 12.67 million (Census 2001).

Three decades after a nationwide ban on child labour in hazardous industries was introduced, over 33 million children, aged between 5 and 18, continue to work in places ranging from agricultural fields to bidi factories and small-scale industries. Two important notifications to the existing Child Labor Prohibition (And Regulation) Act 1986 came into effect in 2006, banning the employment of children below the age of 14 as domestic servants and in the hospitality trade such as in roadside dhabas, restaurants, hotels, motels.



However, the concern is that despite the legislation and these important notifications, India has not been successful in keeping children away from work. In-fact in the 5-9 years category, there was a 37% increase in number of child labourers from 1.8 million in Census 2001 to 2.5 million in 2011.

Do you think there's a need to strengthen awareness campaigns on child labour?

Poverty, unemployment and food insecurity compel children to take up 'adult economic roles' early in their lives. There is dire need to adopt a multi-pronged strategy with respect to raising awareness on the issue of child labour total prohibition. We also need to constantly work on having robust mechanisms for reporting as well as timely rescue, release and rehabilitation. There is a need to change mindsets of people who believe it is okay to hire children as domestic help. In order to achieve this there is a need to make them understand why it is not okay to hire children or why it is not okay for children to work. There is also a requirement to work with employers and sensitize them and make them aware about penalties under the legislation. With this there is also a need for more and more people--especially youth--to join hands in pledging not to employ child labour and raise their voice against any such activity they witness. Generating awareness to deal with the issue from the root cause level is also fundamental. The State should ensure that issues of poverty, unemployment and food insecurity are addressed in order to prevent children from entering the labor force. There is a need to change mindsets of people who believe it is okay to hire children as domestic help.

Marginalized children are at the bottom of the priority list of our authorities, or that's what UNICEF India Child Protection chief Joachim Theis said recently. What's your take on this?

Children constitute over a third of India's population of a 1.21 billion and yet their issues remain largely invisible and de-prioritized as they do not constitute the vote bank; they do not figure in electoral outcomes--an issue such as inflation could make or break a government but the fact that every second child in the country is malnourished does not have such an impact on the course or consequence of elections and governments. This is also evident in the way we invest for about 40% of our population.

In 2016-17, the share of the child budget stands at 3.32 % of the Union Budget, with the absolute amount increasing from ₹58,016.72 crore (Budget Estimate 2015-16) to ₹65,758.45 (Budget Estimate 2016-17).

The continued prevalence of child marriage has been a matter of great concern and a gross violation of the rights of the child. Over the last 15 years, the incidence of child marriage in India has declined just by 11%, which means slower than 1% every year. Child Marriage takes place in the midst of a complex social arrangement involving multiple stakeholders in the background of various age-old socio-cultural, religious practices and beliefs. In the name of 'societal pressure' we are today sacrificing millions of girl children; they can no longer enjoy their rights as children. It is still a 'socially acceptable' arrangement. [A]n issue such as inflation could make or break a government but the fact that every second child in the country is malnourished does not have such an impact...

All children have a right to care and protection; to develop and grow to their full potential, regardless of their social and economic situation. We must not forget that they have rights too--an individual becomes a citizen with citizenship rights from the day of birth. Access to early childcare, education, nutrition, health and protection is essential for their positive development and is a right to which they are entitled. In the backdrop of big issues, children-related issues may seem insignificant and it is precisely this perception that we want to challenge. Poor performance across critical child rights indicators is not an insignificant issue. It is in fact a very important issue, if not THE important issue.



## Women Construction Worker's Children's Committees

Led by the Women Construction Workers Committees at the village & slum level

Women construction workers formed their own committees at the village and slums of Jharsuguda, Bolangir, Nuapada & Kalahandi districts to identify school drop-outs, ensure their enrollment in the primary schools. These women committees also initiate community level action to motivate each family to grow nutrition rich plants like drumstick, papaya and banana in their backyards. Women workers inspired the children through various cultural activities at the village children fairs. They identified the dropout children from the cultural fairs and motivated them along with their parents to enroll in to the formal schools. The table below presents the re-enrollment status of children in various villages.

Sl. No	Name of the Village	Women's Workers	Children's	School Dropouts	Interest of Children's			Secretary	President
					Song	Art	Dance		
1	Kuturachuan	54	35	05	02	04	21	Anil Khadia	Shiba Khadia
2	Orampada-Leprecy	35	30	03	03	06	12	Prabhati Oram	Ajit Oram
3	Phatamal	40	35	07	04	04	10	Dipanjali Oram	Arati Oram
4	Nuapada, B.Mal	25	17	01	01	05	05	Sagar Kisan	Dileswar Kisan
5	Pahadimandir	38	19	08	07	07	17	Bharat Sunani	Sasti Pradhan
6	Chithuapada	42	22	03	05	09	08	Sita Tirki	Sandhya Oram
7	Gujapada	33	32	02	02	08	06	Sama Tapno	Bishal Oram
8	Gurechuan	89	55	05	03	06	05	Lilima	Mamata
9	Bhuliatikra	52	35	02	06	04	07	Sneha Pothal	Arati Badaik
10	Bhuliapada	21	15	00	01	05	03	Mina Sing	Meghalal Sa
11	Panchapada (G.P)	30	21	03	02	04	02	Sibani Dhurua	Sunena Kaudi
12	Panchapada (H.P)	25	22	05	07	07	09	Sruti Magar	Barsha Sing
13	Purunabasti	55	51	13	08	07	18	Maheswari	Madhusudan
14	Dhipada-Debadihi	27	18	01	05	05	03	Babulal	Karishma
15	Bandarpada	29	20	03	01	06	04	Tarani Kisan	H. Pradhan
16	Babupada	21	15	02	03	08	02	Arati Sahu	Sumitra Sahu
17	Budapada(Buromal)	38	38	03	05	04	08	Sibam	Shibu
18	Badheimunda 1	42	35	04	02	03	04	Tapas Pradhan	Rasin Pradhan
19	Badheimunda 2	38	30	05	04	04	06	Muskan	Rupa Pradhan
20	Badheimunda 3	30	21	04	03	09	05	Dipun Pradhan	Jagadish
21	Lahandabud	62	40	07	05	07	09	Sagarika Neti	Tanu Neti
22	Chheliapada	21	17	03	04	08	07	Subhadra Bag	Shilpa Bag
23	Barihapada	18	13	04	01	04	06	Jagabandhu	Mukesh Nun
24	Sarasmal Colony	32	40	11	12	16	21	Maikel	Ranjana Tanty
25	Sarberna-Gudapada	30	50	05	02	04	05	Sanchi Oram	Rahul Oram
26	Ghutkuripada	35	32	04	03	05	07	Manisha Buda	Debaki Khadia
27	Banjiberna	15	20	02	04	03	08	Sibani Khadia	Amit Khadia
28	Sarberna-Lakrapada	20	22	07	03	05	07	Khirod Oram	Ahalya Oram
29	Sarberna-Oram	35	30	08	02	07	12	Sagar Pan	Ganesh Oram
31	Jammal-1	25	28	04	03	05	07	Alok Budula	Anand Budula
31	Jammal-2	35	30	05	04	03	07	Rinki Kisan	Sandhyarani
32	Amlipali	34	22	06	02	01	03	Bimal Kisan	Sankar Kisan
33	Ekatali	43	30	19	03	01	09	Renu Naik	Madan Hati
34	Majhapatra	43	23	19	08	05	04	Chanchala	Reba Munda
35	Sanyasipali	54	26	15	01	02	05	Sekhar Chardia	Sabitri Majhi
36	Chamapada	45	28	08	02	03	01	Surav Bag	Phulmati
37	Talmunda	33	14	16	05	02	03	Puja Kalo	Tanu Sunani
38	Sahaspur	44	26	18	01	04	02	Sima Munda	Sukanti Munda
39	Bhimjore	22	15	06	06	03	04	Gopal Parua	Sandhya Sa
40	Rengalpali	55	17	12	05	02	03	Sanjib Bhainsa	Ashis Bhoi
41	Barpan	73	20	11	07	04	02	Paban Naik	Sumati Majhi
42	Baijapali	25	15	06	06	04	03	Kalpna Majhi	Rasmita Ping





## Engaging different stakeholders to support the cause of construction workers and their children in Odisha by Dharama Foundation (2)

Date & Place	Process theme	Host	Student Ambassadors	No of workers	Key Participants from diverse social/institutional background
24.2.2018 IDCOL Conference Hall, BBSR	Student 's Convention & Dharama English news Magazine release	Pragatisil a Shramik Manch	440	60	Mr. Mudhusudan Padhi, IAS, Secretary to Hon. Governor of Odisha Dr. L. Mishra, Policy Advocate Prof. Dhaneswar Sahu, Educationist/Writer Dr. Golak Behari Nath, Economist/Writer Mr. Anil Mohanty, Employee Union Leader Mr. A.R. Anupam, Child Rights Activist Dr. Jayashree Nanda, Educationist Mrs. Sushama Sahu, Workers Leader
02.02.2018, Utkal University, Deptt. Of Sociology	Seminar on Empowerment of Construction Workers: Addressing Rights, Dignity, Decent work & Civil Society Concerns	Pragatisil a Shramik Manch	80	00	Dr. Navaneetha Rath , Deptt. of Sociology, UU Ms. Sasmita Soren, Lect. in Sociology, Sri. Biswamohan, Social Scientist Mr. A.R. Anupam, Child Rights Activist Mr. Tapan Sahu, University Student Mr. Padulam Nayak, University Student Mr. Laximipriya Behera, University Student
24.4.2018 Rengalpali, Kolabira Block, Jharsuguda	Students Meeting with construction workers committees on malnutrition's	Pragatisil a Shramik Manch	360	52	Prof. R. Nayak, Educationist Mr. A.R. Anupam, Child Rights Activist Prof. Rabi Sekhar, Educationist Mr. Sambit Mishra, Educationist Mr. Sanjay Sai, Community Leader Mr. Lalaram Chhatiya, Community Leader
25.06.2018 Bishwas Campus, Nuapada	Construction Workers migration and fete of their children	Pragatisil a Shramik Manch	360	78	Mr. A V Swamy, MP Rajyasabha Mr. Gobinda Pradhan, Educationist Mr. A.R. Anupam, Child Rights Activist Mr. Sanjay Sai. Community Leader Mr. Nirod Khuntia, NSS in-charge Mr. Suman Sekhar Bohidar, Journalist



**TOP:** Malala Yousafzai (left) & Kailash Satyarthi (right)- Nobel Laureates of 2014 received the highest World Peace prize for Children Rights on Education & Social Protection.

**BELOW:** Enabling mainstream dialogue to shape the lives of worker’s children for nation building and release of first English newsletter of Dharma Foundation. Dr. L Mishra, IAS (retired) & former Union Labour Secretary & Senior Advisor to ILO (third from right), Mr. Madhusudhan Padhi, Principal Secretary to Hon. Governor of Odisha (fourth from right), Prof. Dhaneswar Sahoo, Writer (third from left), Dr. Golak Bihari Nath, Economist (second from left) inaugural function.





## Engaging different stakeholders to support the cause of construction workers and their children in Odisha by Dharama Foundation (3)

Date & Place	Process theme	Host	Student Ambassadors	No of workers	Key Participants from diverse social/institutional background
15.8.2018 Industrial Estate, Jharsuguda	Worker's meeting with students on social security	Pragatisil a Shramik Manch	430	112	Er. Sidhhartha Pattanaik, Union Leader Mr. A.R. Anupam, Child Rights Activist Mr. Jyoti Mohanty, Trade Union Activist Mr. Dillip Behera, Trade Union Activist Ms. Santosini Seth, Community Leader Ms. Lilima Mohanada, Women community leader Dr. Golak Behari Nath, Economist/Writer
27.7.2019 DRDA Conference Hall, Bolangir	Construction Workers migration and fete of their children	Pragatisil a Shramik Manch	450	102	Mr. P Pattanaik, Sr. Advocate, Dr. Golak Behari Nath, Economist Mr. Gopal Das, Nuapada Mr. A.R. Anupam, Child Rights Activist Mr. Saroj Mishra, Activist
17.11.2019 DRDA Hall, Kalahandi	Students Convention on social security to construction workers	Construct ion Workers Union	460	120	Dr. Golak Behari Nath, Economist/Writer Mr. Manjushree Das, Delhi University Mr. B. Bohidar, Journalist Mr. A.R. Anupam, Child Rights Activist Mrs. Sushama Sahu, Community Leader



Women construction worker's committee organized Children Festival at Kodamal, Kolabira block, Jharsuguda

## Being a Young Adult Today: A Critical Assessment on the Rights of Children

Rashmi Pramanik, Sambalpur University

The United Nations Convention defines a child as a human being up to the age of 18. The idea that children have special needs has now given way to the conviction that children have the same spectrum of rights as adults: civil and political, social, cultural and economic. Under the Convention, children's rights should be implemented without discrimination of any kind, all actions and policies should be guided by the best interests of the child, the participation of children should always be sought and all actions should aim at the promotion of the survival and development of children. Children's Rights: Few adults think much, if at all, about human rights and do not automatically associate them with their own situation and the situations of those they know. They think even less about children's specific rights although they believe that most human rights also apply to children. However, it is felt that children should have a particular 'right to education'.

**Education is an essential right, which permits each person to receive instruction and to blossom socially. The right to an education is vital for the economic, social and cultural development of all societies.**

Beyond education, the right which is felt to be most important for children is the 'right to be a child'; to have freedom from responsibility and the opportunity to play, grow and develop. Other key freedoms include freedom of speech, access to shelter and food, to healthcare, the right to a family life and to respect and not to be bullied. The 'right to participate' is something which many children generally refer. Some want to be active participants in decision-making processes which affected them directly, from educational choices to the right to vote.

As far as the school-going children are concerned, the school bears a great responsibility in this matter, as the school is the most appropriate channel through which this task can be fulfilled both logically and continuously. Fundamentally speaking, education will have to re-orientate towards adopting a basic attitude with regard to respect for children's rights. This concentration on the aspect of attitude will have to go hand in hand with a re-evaluation of curriculum planning, study materials, teacher training and, in fact, the full range of educational purposes, content and practices. Taking into consideration that school concerns the child directly; the school-going children should be given opportunities to comment on and to participate in the organization of education and school in general.

What would be the point of setting up a complete theoretical educational process on the values of human rights, without putting it into practice as well? Failing to put it into practice would be sarcastic and disrespectful, not only towards adults, but especially towards the children. Dealing with these rights, means giving the child a place of genuine respect in disputes regarding expulsion, disciplinary measures, the examination system, etc. All of this is directly connected with the demand for a clear set of rules that would give children at school a full legal position. There is no place, more suitable than school to show this respect.

Experience of School-going Children; Children experience school as a competitive place rather than a co-operative place. Teachers often foment competition and competitive thinking assuming that such an approach leads to success. One of our sample schools makes children seated in the class-room in order of rank, changing it quite frequently. This is an educationally self-defeating and child-unfriendly procedure. The vision compounds with adult knowledge of the school as an ideal environment to ensure that children have no legitimate voice. The sample schools are over-administered by the teachers. The teachers take several decisions under the plea "in the best interest of the students". However, such administrative decisions are not child-friendly. Rather those are directed towards controlling the children for the "best interest of teachers".

The children never reach maturity or independence at school. The adult understanding and the rigid structure of framing and maintaining them, leave the children with little scope for negotiation. Not being listened to at school is a particular issue for many respondents. Some see this disregard as being due to their youth. Quite a number feel that they are actively discriminated. The main relevance of education, which is learning is almost lost. All that parents of today are worried about are marks. Knowing the present scenario and the focus on marks, Principals of the schools today have become like film producers. They give what the audience wants. If the parents want only results, they ensure that in the process they take no steps to further the inner meaning of education, which is learning. In bringing up children, parents tend to be ambitious to make them achievers. There is pleading, persuasion, urging and even threat to enforce children's compliance of parental expectations. The children of worker's families are mostly victimized through this process of rank building where the space for them to enjoy schooling create an atmosphere of fear as well as feeling of shamefulness.



There is a pressure on them to be achievers and performers. Such a strong aspiration and drive of the parents may have a negative outcome. These innocent overscheduled and over-worked children are undergoing a system of education only to fulfill the dreams of their parents. While I was talking to some of the sample respondents, they said that their ambitions were solely driven by their parents.

In claiming the legal and moral right to inflict punishment upon children, the school reinforces the idea of the child as being in “need” of a particular form of discipline. By virtue of its legal authority, the school is able to impose its decision upon the students. Majority of the sample students showed their unwillingness to accept the “reconstruction” of what they should be. Physical and humiliating punishment teaches children that violence is an acceptable behavior and that it is acceptable for a stranger person to use force against a weaker one. This helps to perpetuate a cycle of violence in the family and in school which prevents children to learn how to express themselves positively. The Convention on the Rights of the Child lists internationally acknowledged rights of children. The aim of the adoption of the Convention was to emphasize something that adults tend to forget – a child is a human together with all the rights a parent has. The Convention on the Rights of the Child sees child as a subject of law or, to put in another way, as a holder of rights.

Rights of a child are human rights. These are rights which apply to everyone, irrespective of age, gender, nationality or

other characteristics. Therefore, a child has mostly the same rights that adults have. Children of different age and gender have various interests and needs. But despite the differences, they have equal rights. All of them have the right to equal treatment.

Concluding Remarks; It is paradoxical that as politicians, advocates of children and nations campaigned for children’s rights and succeeded in the adoption of the UN Convention of the Rights of the child in 1989, more and more children are without childhood. Children change with every generation in terms of intellectual and cultural, rather than physical development. But the harsh conditions, in which the majority of them live, place them in the very heart of the social problems which contribute to their earlier transition into maturity, and in some cases faster aging. The moment has come that we see them not just as objects, but as subjects of their own life, education and development. Now when we decide what is good for the school-going children we should ask whether they share our opinion, consider their concept of good and evil, their interests, expectations and views. In short, we should accept the fact that they have rights and give them guarantees and the chance to exercise them.

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Dr. Rashmi Paramanik is a faculty at the Anthropology Deptt. of Sambalpur University, Odisha.



The host women construction workers are busy preparing the venue for their children’s festival at Kodamal, Jharsuguda

## Number of under-five deaths and under five mortality by country 2018

Countries and areas	Annual number of under-5 deaths (thousand s)	Under-5 mortality rate (deaths per 1,000 live births)			Countries and areas	Annual number of under-5 deaths (thousand s)	Under-5 mortality rate (deaths per 1,000 live births)		
		Median	Lower bound	Upper bound			Median	Lower bound	Upper bound
India	882	37	33	40	Morocco	15	22	17	29
Nigeria	866	120	97	151	Uzbekistan	15	21	17	27
Pakistan	409	69	56	85	Turkey	14	11	9	12
Congo	296	88	59	129	Rwanda	13	35	21	59
Ethiopia	191	55	45	69	Russian Federation	13	7	6	8
China	146	9	8	10	Venezuela	13	25	21	29
Indonesia	121	25	22	29	Liberia	11	71	50	102
Tanzania	107	53	41	69	Guatemala	11	26	21	34
Angola	94	77	36	144	Papua New Guinea	11	48	38	60
Bangladesh	89	30	27	33	Mauritania	11	76	40	143
Niger	83	84	56	125	Colombia	10	14	11	19
Sudan	80	60	46	79	Cambodia	10	28	15	50
Mozambique	79	73	53	104	Tajikistan	10	35	24	51
Mali	75	98	81	117	Congo	9	50	31	83
Chad	75	119	92	150	Peru	8	14	11	19
Afghanistan	74	62	50	75	Lao	8	47	36	61
Uganda	74	46	37	59	Argentina	8	10	10	11
Somalia	73	122	65	233	Syrian Arab Repuublic	7	17	13	25
Cote d'Ivoire	70	81	66	99	Boliva	7	27	21	34
Cameroon	66	76	60	96	Thailand	7	9	8	12
Philippines	63	28	22	36	DPR - Korea	6	18	14	23
Kenya	60	41	31	55	Turkmenistan	6	46	19	101
Burkina Faso	56	76	55	105	Dominican Republic	6	29	21	41
Egypt	55	21	16	29	Guinea- Bissau	5	81	53	121
Yemen	47	55	35	84	Gambia	5	58	34	98
Madagascar	45	54	40	71	Ecuador	5	14	13	15
Guinea	44	101	81	128	Lesotho	5	81	57	113
Myanmar	43	46	33	62	Eritrea	4	42	26	67
Brazil	42	14	13	17	Saudi Arabia	4	7	6	9
Ghana	41	48	40	58	Malaysia	4	8	7	8
South Africa	40	34	30	38	Kazakhstan	4	10	10	10
South Sudan	38	99	44	186	Ukraine	4	9	8	10
Benin	38	93	82	106	Azerbaijan	4	22	14	31
Zambia	36	58	44	76	Honduras	4	18	12	26
Viet Nam	33	21	17	25	Equatorial Guinea	4	85	51	134
Malawi	30	50	35	70	Jordan	3	16	13	21
Iraq	29	27	21	34	Tunisia	3	17	16	18
Mexico	28	13	12	13	United kingdom	3	4	4	5
Sierra Leone	26	105	85	128	France	3	4	4	4
United States	25	7	6	7	Kyrgyzstan	3	19	18	20
Burundi	25	58	40	85	Gabon	3	45	29	69
Algeria	24	23	22	25	State of Palestine	3	20	15	28
Senegal	23	44	34	57	Paraguay	3	20	11	38
Iran	22	14	09	23	Germany	3	4	3	4
Zimbabwe	21	46	32	65	Namibia	3	40	25	65
Central African Republic	19	116	70	192	Sri Lanka	3	7	6	9
Nepal	18	32	25	41	Nicaragua	2	18	17	19
Togo	18	70	35	92	Japan	2	2	2	3
Haiti	17	65	51	84					

SOURCE: 190 UNICEF – THE STATE OF THE WORLD’S CHILDREN -2019



## Our Inspirations

We appreciate the encouraging words and diversified supports towards the cause of the workers children

In the changing landscape the workers and their children started to work in harmony to secure their Social Security entitlements



**TOP:** the children of construction workers at a Students Convention in Jharsuguda on 17<sup>th</sup> November 2019

**BELOW:** the women construction workers at the Convention on the Rights and Entitlement of the workers and other social security schemes of the government.



**Construction worker's children deserve handholding support for availing benefits from the Construction Worker's Welfare Board to pursue their dreams.**

Dr. Achyut Samant, Member of Parliament

**Let *Dharama* be seen in every child of our nation with bounty of intelligence & courage to shape the future of our nation.**

Mr. Ashok Dalwai, National Rainfed Area Authority, Ministry of Agriculture, Govt. of India

**Wish *Dharama* would be the voice of the children of construction workers.**

Mr. Aditya Prasad Padhi, State Election Commissioner, Odisha

**The special initiative of *Dharama* will enable out-of-school children of construction workers to return to the formal schools.**

Mr. Madhusudan Padhi, Principal Secretary to Hon. Governor of Odisha

**Let *Dharama* enable the construction workers children to express themselves.**

Mr. R Balakrishnan, Advisor to Hon. Chief Minister of Odisha

***Dharama* should inspire the school drop-outs of construction workers children to continue their schooling in formal schools**

Dr. Chandrasekhar Kumar, Cabinet Secretariat, Govt. of India

**Dharama is the right platform for the children of the un-organized workers in Odisha.**

Mr. D V Swamy, Development Commissioner, Cochin Special Economic Zone

**I really appreciate the Pragatishila Shramika Mancha have created a platform for the children of construction workers. I think it's an innovative way of taking forward the rights & entitlement of their children in India.**

Prof. Anil Sadgopal, Recipient of Jamunlal Bajaj Award, Secretary, National Campaign on Education Rights

**Construction worker's children should be given the priority at all levels.**

Mr. Ashim Ghosh, CRY India

**I wish *Dharama* would reach out to all the children of the construction workers of our State and help them access all the government supports meant for their welfare and growth.**

Mr. Niranjana Sahoo, Labor Commissioner, Odisha

## Reflection on the problems of building & other construction workers- impact of legislative intervention after two decades of the enactment

Dr. L Mishra

Labor as a subject occurs in the seventh schedule of Indian Constitution (Art -246) Three sub-items of labor figure each in the union list and concernment list without there being any item pertaining to 'Labor' in the State list. According to the above scheme of distribution of powers given in the Indian Constitution, most of the laws in the field of labor numbering over 200 have been enacted by the Central Govt (with the only a few the State Govt) even though the responsibility for enforcement of statutory provisions lies squarely on the shoulders of the state Govts /Union Territories.

Amongst others, certain category wise laws relating to labor have been enacted over the years such as:

- Motor Transport Workers Act, 1961;
- Beedi and Cigar Workers (Conditions of Employment) Act, 1966;
- Sales Promotion Employees Act, 1976;
- Dock workers (Health and Safety) Act, 1986;
- Building & other Construction Worker's (Regulation of Employment and Conditions of Service) Act, 1996. (to be henceforward referred as BOCW (RE & CS) Act.

Need for and rationale of legislative intervention:

Even through provisions of certain central Acts (Payment of Wages Act, Minimum Wages Act, Central Labor (Regulation & Abolition) Act, Inter - State Migration Workmen (Regulation of Employment and Condition of Service) Act etc.) are applicable to B & C workers, a need was felt in consultation with all concerned interests to enact a comprehensive central legislation to regulate health, safety, welfare and other conditions of service of these workers for the following reasons: The existing legislations applicable to B & C workers are quite weak in terms of health and safety; The b & c workers are extremely vulnerable to physical, chemical, biological and social hazards, the nature of work (contract or casual or temporary) makes them more vulnerable.

Physical, chemical, biological and social hazards to which B&C workers are vulnerable.

- B & C workers are exposed to the following occupational risks and hazards.
- Hot asphalt without foot-wear is likely to cause burns to the lower limbs.
- Carrying loads of sand, chips, brick and cement would make workers vulnerable to muscular skeletal diseases;
- Slip, trip and fall from heights like from a scaffold in multi-storied tower would result in death or serious bodily injuries;
- Any contact with livewire would result in electrocution and instant death;
- Possibility of workers being hit by a moving object which would result in serious bodily injuries and even death;
- Heat, noise beyond a decibel point, radiation and vibration would produce feelings of extreme exhaustion, uneasiness and even deafness.
- Silica dust which causes fibrosis in lungs which in turn might lead to silicosis which being untreatable is a deadly killer and would sooner or later result in suffocation and death.
- Much more than the physical, chemical and biological hazards to which the B&C workers are extremely vulnerable; they are also victims of social hazards.

Most of them being poor, landless, asset less, unemployed or under employed migrate to a destination point in another State. Either they move out on their own or are recruited by recruiting agents. At the time of recruitment a lot of promises are made or allurements given. But no sooner they arrive at the worksite of the destination State than all the promises made are belied and the women are subjected to a chain of ruthless exploitation. All along they will be told that they cannot leave a particular employer and worksite until and unless they have liquidated all the advances. The advances can't be easily liquidated as (a) the documentary evidence of the said advance remains with the recruiting agent (b) wages paid are low (c) wages are not paid (d) the workmen are made to work for all the seven days without any weekly off day, and (e) wages payable within a wage period are arbitrarily and unilaterally adjusted with advances (p) Workers are reduced to the worst of victims of debt bondage.



What the BOCW (RE & CS) Act, which are formulated / enacted in 1996, provides and what it does not:

Against the above backdrop, two laws relating to B & C workers were enacted in 1996. They are;

B & OCW (RE & CS) Act; B & OCW welfare and cess Act'

They have come into force w. i.e. 01.03.1996 and 03.11.1995 respectively.

The first one provides for administrative mechanisms such as: Central and State Advisory Committees; Expert committees; Welfare Board; Registering officers; DG (Inspection); Chief inspector; Inspectors; The second provides for; levy of Cess on employers of all covered establishments at prescribed rates i.e. between 1 to 2 PC of the cost of construction incurred by an employer (excluding cost of land and compensation payable under Employees Compensation Act, 1923 as amended up to date); Collection of the Cess; crediting the Cess to the welfare fund to be specifically constituted for the purpose of meeting the cost of health, safety and welfare of B & C workers.

The expenses to be incurred in collection of Cess and other administrative expenses (salary and allowances of chairmen & members of welfare board, etc.) at prescribed rates have also been provided. Simultaneously and more importantly, B&OCW (RE &CS) Act and Rules framed there under have laid down elaborate measures as well as procedure for promoting health, safety & welfare of B & C workers such as; identifying potential source of an occupational hazard; identifying the cause of an accident both fatal-and non-fatal; providing both preventive and corrective measures so that accidents do not occur and recur; taking measures for protecting human head, face, eye, foot, legs, hands and arms, ear, nose and throat from exposure to dust, heat, fume, noise toxic and poisonous substance; providing personal protective equipments (helmets, caps, eye glasses /goggles, face shields, ear plugs, gloves, pads, thumb guards, elbow guards, safety belt, safety boots, leggings , foot guard/ leg guard) identification and reporting of work related or occupational diseases through medical surveillance;

Constitution of safety committees and appointment of safety officers for establishments employing 500 and above; laying down the procedure for reporting and conducting inquiry into causes of accidents and dangers occurrences;

- Where more than 50 employees are employed in each B&C establishment employers are required to formulate a statement of policy in respect of safety and health of B & C workers.
- Laying down duties and responsibilities of employer's architects, project engineers, designees, B & C workers, contractors etc.;
- Listing a set of 15 occupational diseases in B & C work;
- Permissible levels of certain chemical substances in the work environment;

Current Status of implementation of statutory provisions: two decades after enactment of the law:

It is said that apostles of promises are seldom the authors of their fulfillment. The B & OCW (RE & CS) Act is no exception. The GOI enacted the B& OCW (RE & CS) Act in 1996 with best of intentions, it was accompanied by the most comprehensive set of Rules in 1998 and GOI has issued as many as nine directions to all states/ UTs between 27.09.2010 and 07.06.2016.

Regretfully, however, the State Govts/UTs on whose shoulders the primary responsibility for enforcement of the law rests have not been able to rise to the occasion frustrating the laudable intentions of the framers of the law as would be indent form the following:

The States/UTs took inordinately long time in framing the rules (they did not adopt model central rules), constituting welfare boards, welfare funds, appointing registering officers (for registration of establishments), chief inspector and other inspectors;

The boards, wherever constituted, have not been meeting regularly; Consequently, there has been inordinate delay in formulation of schemes relating to health, safety and welfare of workers;

Prior to formulation of schemes, need assessment survey is required to be undertaken, no such survey has yet been undertaken; B & C workers cannot be automatically made beneficiaries of the welfare fund set up under the act unless they are first registered;

No systematic drive has yet been launched for registration of B & C workers; As against 45 million workers, barely one third i.e. about 15 million workers have been registered by September 2015;

Instances have come to notice that a number of non- workers and non B & C workers have been fraudulently registered to have reaped unmerited benefits which is contrary to the provisions of the law;

A huge corpus of welfare fund has been created and a sizeable amount is lying accumulated and unspent. A bare reading of Para 49 of the Judgment of the Honb'le Supreme court dated 19.03.18 makes it clear that while more than Rs. 37,000/- cores were collected towards Cess as on 30.06.2017, the total expenditure was any 25 pc thereof, leaving a huge balance of more than Rs. 27000/- cores;

Instances of diversion of a portion of the money lying accumulated in the welfare fund for purposes other than what is permissible have been reported (Para 43 of the judgment of the Honb'le Supreme court dt. 19.03.2018;

Instances of welfare boards sanctioning funds for purchase of washing machines, laptops etc. for use of B & C workers have been reported which is unrelated to their basic needs and is prima facie illogical, considering the levels of poverty and illiteracy of these workers and has been adversely commented upon by Hon'ble Supreme Court (Para 48 of the Judgment of Hon'ble Supreme Court dt. 19.03.2018;

The mechanism for monitoring, coordination and supervision is weak; there is no vigilance and surveillance over the amount which is collected and credited towards the welfare fund on account of Cess, how much is spent, how much is left unspent and what needs to be done to enhance the pace and tempo of expenditure; No evaluation either concurrent or summative on the content, process and impact of implementation of schemes on the status of health, safety and welfare of workers has yet been undertaken;

No systematic drive has yet been launched to make the B & C workers aware of the occupational risks and hazards which are inherent in B & C operations and to which B & C workers are most vulnerable;

In pursuance of this provision, the MOL&E has issued as 09 directions between 27.09.2010 and 07.06.2016 these directives have not been acted upon by the state Govt/UTs without any valid reason. The apex court has expressed its deep concern over such a development in Para 77 of the judgment.

Direction issue by the Hon'ble Supreme court in its latest judgment dt. 19.03.2018 while disposing off CWA No318 of 2016. Hon'ble Supreme Court while expressing concern over the extremely sorry state of affairs relating to implementation of statutory provisions has issued 04 specific and 09 general directions. The directions are a capsule form is:

Specific directions (4):

- I. The registration machinery for both registration of establishments and workers must be put in place within a specified time and must also be strengthened.
- II. The machinery for collection of cess must be strengthened
- III. The MOL&E should frame a composite model scheme for the benefit of B&C workers in consultation with the all stake holders including NGOs who are actually working at the grass root level with B & C workers.
- IV. The scheme should include issues and concerns of education, health, social security, old age, disability and other benefits which are necessary for living a life of dignity. The scheme should be formulated and published within a specific time frame but on before 30.09.18.
- V. MOL&E, State Govts & UTs should conduct a social audit on the implementation of B&OCW (RE&CS) Act to ensure better, effective and meaningful implementation of the law. The guidelines prepared by the CAG in respect of MGNREGA workers can be adopted for carrying out such in respect of B&OCW (RE &CS) Act.
  - The general directions of the apex court include the following:
  - Constitution of state advisory committee;
  - Constitution of export committee;
  - Appointment of registering officers;
  - Establishment of welfare board;
  - Constitution of welfare fund;
  - Registration of all B&C workers;



Issue of identity card to all regd. B & C workers;

Ensuring that benefits of a few other central Acts (Maternity Benefit Act, Minimum wages Act, EPF & MP Act, ESI Act, MGNREGA, etc.) should also flow to B & C workers; The monitoring committee constituted by MOL&E must proactively ensure full compliance of the provisions of B&OCW (RS & CS) Act, welfare and CESS Act and all directions of the apex court.

Way forward

- The 2 laws i.e. B&OCW (RE & CS) Act are on the statute book for more than 2 decades.
- The laws are meant for promoting, protecting and safeguarding the health, safety and wellbeing of over 45 million construction workers. The latter work under extremely hazardous conditions, are mostly contract, casual and interstate migrant workmen and are extremely vulnerable to exploitation.
- Regretfully, the implementing agencies have failed to live up to both laudable intentions and expectations of the framers of the law. Expression of concern and issue of repeated directions of the Apex Court as well as GOI have not helped to improve matters.
- The Apex Court in its latest judgment dated 19.03.18 had aptly observed, 'The B & C workers do not merely raise infrastructure but they build the nation'.
- Art 141 of the Constitution clearly states that the law declared by the Supreme Court shall be binding on all courts within the territory of India.
- Art 144 says that all civil & judicial in the territory of India shall act in aid of the Supreme Court.
- It is, therefore, urgent and imperative that all States/UTs as also the Central Govt should honestly & faithfully comply with all directions of the Apex Court and carry them to a logical close.
- Laws and regulations are only enabling mechanisms; they only show the direction. In order that legislative intentions are carried to their logical conclusion in less time and cost, we need institutional mechanisms with functionaries who have the right attitude, approach, perception and insight as also a deep sense of commitment, empathy and sensitivity to the health, safety, welfare of B & C workers just, fair and legitimate entitlements of workers flowing from the law are to be fulfilled to them in time. Any delay or postponement of giving something which accrues today as a matter of right to a future date would be a graceless act. The cost of such postponement will be too heavy.

Last but not the least, human life, the most precious gift of the creator is sacrosanct. Once damaged, mutilated and destroyed, it cannot be restored to its original form. We need to create conditions which will promote, protect and preserve human life with dignity. This is extremely relevant for B & C workers who for generations through their 'blood, sweat and tears' have carved out objects of utility as well as beauty and, therefore, more than anything else, need our continued care, protection & support. We can ill afford to ignore, far less belittle or minimize the importance of valuable and its most invaluable contribution to nation building.



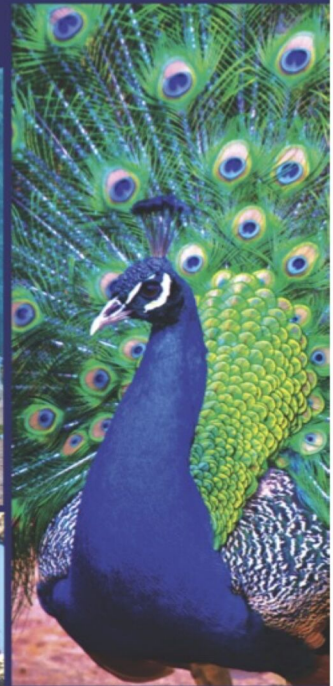
Construction workers school managed by Dharama Foundation







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## construction workers-led child rights movement



*Dharama Foundation*—a platform for the children of Construction Workers has emerged from '*Pragatishila Shramik Mancha*' (PSM), an independent trade union of construction workers and migrant labourers in Odisha. PSM have been working towards protecting the rights (including primary health and education) of Construction Workers since 2004 with more than 60,000+ informal worker-members spread across 18 districts of Odisha. The campaigns by the PSM led to a movement over the Rights of Informal Construction Workers in Odisha in general and that of the growing mining and industrial belts of the state in particular. *Dharama Foundation* was founded during one of the annual conventions of construction workers organized by PSM. *Dharama Foundation* recognizes the power of children to ascertain their rights and their collective power to dream to break the cycle of deprivation and helplessness. Catch them young—as they say, the young children of these workers have more power and courage compared to their parents. These innocent faces are now changing the Rights Landscape of construction workers as they inspire their parents to understand the complexity of the laws protecting their rights and that of their families in the language their parents understand easily. The dreams of these children drive them to access stipends provisioned by the law to continue their studies. The growing children now help parents fill their applications to get registered under the Welfare Act, receive bi-cycles, tool boxes and even more. While their parents and peers are left powerless, the children gain more power from their friends and schools/colleges and teachers, who are not from construction worker families). The rapidly expanding urban narratives and infrastructures has been the luring factor for unorganized workers to move from place to place for a livelihood. The nomadic lives of the construction workers have had an adverse effect on the lives of scores of children in their families by depriving them of their fundamental rights to primary education, social security, care, affection and protection from exploitation. *Dharama Foundation* strives to offer a platform without fear and isolation for the children to raise their motivation for pursuing their dreams. The children's festivals offer them scope to pursue their cultural identities and release their passion for sports and arts. Dropout children of construction workers have returned to schools. The series of children festivals across villages and colleges have given them a new life of opportunities. We wish that society would emerge as inclusive to nurture these children to build a better nation where there is deprivation and isolation for Them. They are the children of this country and the citizens of the future.

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