



WEST BENGAL HUMAN RIGHTS COMMISSION

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Ref. No. 338/WBHRC/COM/738/15-16

Date: 14.8.15

Recommendations No.2,3,4,5,&6 /15-16/WBHRC/COM/738/15-16

From: Shri Laima Chozah, IAS
Principal Secretary & CEO

To: The Addl. Chief Secretary
and Home Secretary, Home Department
Government of West Bengal
NABANNYA
325 Sarat Chatterjee Street
Howrah, PIN- 711 102, West Bengal

Sir,

I am directed to enclose herewith an authenticated copy of the recommendations dated 29.09.2015 made by the West Bengal Human Rights Commission in connection with a report on exploitation of Child Labours in Fireworks Factories. The recommendations are self-explanatory.

Action taken or proposed to be taken by the Government on the recommendations may please be intimated to the Commission within two months from the date of communication.

Enclosure: As stated above.

Yours faithfully

Principal Secretary & CEO

No. 338(1)/WBHRC/COM/738/15-16 dated 14.8.15

Copy with the Copy of the recommendation for taking necessary action:

To the Secretary,
Child & Women Development and
Social Welfare Department, Govt. of West Bengal
Bikash Bhaban, (10th Floor)
Salt Lake, Kolkata – 700091

Principal Secretary & CEO

Recommendation of the Commission on study report on exploitation of child labours in fireworks factories.

The West Bengal Human Rights Commission after due deliberation regarding the alleged use of child labour in the manufacturing of fireworks in West Bengal decided to conduct a study and entrusted the responsibility to Addl. D.G., Investigating Wing of W.B. Human Rights Commission. There were allegations and reports that children/child labours were being used for manufacture of fireworks in certain districts of West Bengal like Howrah, South 24 Parganas where fireworks industry is very prominent. The Commission have made following observations based on the report -

1. Factories located in Howrah district (Bagnan, Belur) do not have adequate safety precautions, fire fighting equipments, electrification system and chances of fire hazards are very high. Local child labours are engaged in different stages of production. In South 24 Parganas district (Nungi, Nilganj) similar observations regarding inadequacy of fire fighting equipments, safety measures and lack of electricity were noted. In Nungi a number of children were found to be engaged in the factory of Shri Indrajit Bodhi Raja.
2. Factories were paying between Rs.150/- to Rs.300/- per day per labour while the child labours were being paid less than Rs.100/- per day. There was no system of daily labour but the labourers were engaged on contract basis who were submitted to work for ten hours per day. The Government rate is Rs.170/- which was being violated. Children engaged in such works were not allowed to pursue their regular studies or other activities.
3. Children were attracted or compelled to perform such work in view of poverty, easy availability of money and pressure from household to earn something for the family. Poor literacy rate is one such contributory factor.
4. Consequence of engaging child labour in such fire work factories were health hazard, economic exploitation, school dropout and violation of law of the land relating to Child Labour (Prohibition and Rehabilitation) Act, 1986.
5. Explosive licences, consent of Pollution Control Board, trade licences etc. were checked in respect of some factories on a sample basis. In respect of M/s. Sukla Fire Works, Daulatpur, P.S.Maheshtala, Dist- South 24 Parganas consent from Pollution Control Board was available valid till 30-10-2017, a license from Joint Controller of Explosive valid up to 31-3-2016 and from District Magistrate, South 24 Parganas valid up to 31-3-2016.
6. In respect of M/s. M.T. Industry, Proprietor -Rekha Naskar, Vill.Putkhali, Daulatpur, P.S.Maheshtala, Dist-South 24 Parganas, the license from D.M. was

Authenticated



Laima Chozah, I.A.S.
Secretary & C.E.O.,
West Bengal Human Rights Commission
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Principal Secretary to the Government of West Bengal

valid till 31-3-2016 where as that issued by Fire Services License Section was valid till April, 2016. But no permission of Maheshtala Municipality or consent of Pollution Control Board could be produced. In respect of M/s. Baby Stores, Proprietor – Smt. Baby Das, Vill-Putkhali, Dautlatpur, P.S.Maheshtala, Dist-South 24 Parganas, the license of District Magistrate was valid till 31-3-2017 and of Deputy Secretary, Fire Services Licence Section up to April, 2016. No consent from P.C.B. was available. A provisional Trade Certificate was issued by Chingripota Gram Panchayat on 25-6-2013 valid till 31-3-2014.

It was further learnt that some manufacturers had stopped manufacturing and were trading in fireworks from Tamil Nadu and selling it at China Market, Kolkata. Need for checking transportation licences and adequate storing facilities are required for safety of workers.


Recommendations :

- i. There is immediate need for stoppage of child labour by regular inspection in the factories being done by the D.M. and Fire Services Department/Social Welfare Department.
- ii. If necessary, punitive action under the Child Labour (Prohibition & Rehabilitation) Act, 1986 could be undertaken.
- iii. Some schemes like Kanyashree etc. could be extended to children working in such factories so that they are educated and their future taken care of.
- iv. There is need for safety from fire hazards, health hazards, prevent pollution etc. for which the Fire Services Department and Pollution Control Board should undertake joint inspection.
- v. During the peak season i.e. prior to Diwali the fire work factories should be inspected by the concerned fire safety departments to prevent any accidents and also to ensure that no child labour are engaged.

Authenticated


Leima Chozah, I.A.S.
Secretary & C.E.O.,
West Bengal Human Rights Commission
&
Principal Secretary to the Government of West Bengal


(N. Mukherjee)
Acting Chairperson


(M.S. Dwivedy)
Member